Reconciling Conceptual and Measurement Problems in the Comparative Study of Human Rights

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ABSTRACT

This study is an attempt to reconcile past divisions in the conceptualization and measurement of human rights. It proposes a multidimensional concept of human rights, which integrates civil and political and social and economic rights. The multidimensionality of human rights is also examined using exploratory and confirmatory factor analysis of human rights indicators. The results reveal that there are five dimensions of the concept. These five dimensions comprise two main domains, human rights promise and practice. The dimensions of the promise and practice domains are combined to create two separate multidimensional scales. The analysis is cross-sectional using cross-national data for 82 countries.

Human rights debates and research have long been characterized by disagreements at the level of conceptualization and measurement. One of the issues at the core of this conflict is the dichotomization of human rights into civil and political rights on the one hand and social and economic rights on the other. Although the 1948 Universal Declaration of Human Rights and the UN Covenant of 1966 clearly include references to economic and social rights among their list of human rights, the concept is used almost exclusively to refer to civil and political rights. The most often cited reason underlying this schism is the influence of Western liberalism which emphasizes the values of individualism and equality. The emphasis on individualism in particular is seen as somewhat opposed to the non-Western values of communalism. Thus, the prevailing concept of human rights is due in part to these opposing cultural traits and to a predominance of Western influences in the development of the Universal Declaration of Human Rights. As there is a fundamental link between concepts and measures, measures of human rights derived from such conceptualization are comprised mainly of civil and political rights indicators.

Another major source of the dichotomization of human rights is the past ideological disputes between East and West (i.e., the former Communist block and the Western democracies). The Western democracies advocated a liberal

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approach to human rights, arguing that the concept should be limited to civil and political rights. The Soviet Union and its allies, on the contrary, campaigned to have economic and social rights given equal footing with civil and political rights. They charged that the 1948 Universal Declaration reflects a "moral chauvinism and ethnocentric bias" that renders the concept of human rights irrelevant in non-Western societies. Furthermore, they contend that the Declaration is predicated on the assumption that Western values are paramount and should be extended to the non-Western world (Leary, 1990:23).

Recent works by human rights scholars reflect a certain degree of frustration with the persistence of the politicized nature of Cold War human rights debates. Fields and Narr (1992) note, "the problem is that all the momentum toward human rights remains at the level of ideology" (p. 1). They argue that human rights must be conceived of in a holistic way. By this they mean that all social processes and institutions, political, social and cultural, must be taken into consideration in order to fully understand how they impact human rights. Most importantly, a holistic approach to human rights avoids the past conceptual divisions mentioned above. As Donnelly (1989) notes, "abandoning the conventional dichotomy can give us a much clearer picture of the nature and range of human rights and allow us to see much more clearly their manifold interrelationships" (p. 36). Furthermore, it can provide a basis for the creation of a more integrated measure of human rights which incorporate civil-political and socioeconomic rights.

At the substantive level, it appears that international human rights monitoring agencies and leaders are cognizant of the need for a holistic approach to human rights protection. For example, at the Interregional meeting organized by the Council of Europe in advance of the World Conference on Human Rights in Strasbourg 1993, six specific proposals were made to the World Conference, among them was the call for more "... appropriate means of upgrading the promotion and protection of economic, social and cultural rights" (Robinson, 1993:632). In further elaboration on this statement it was noted that "[T]he rights to food, health care, shelter, and education are not negotiable. The death of 40,000 children every day from malnutrition is an affront to our conscience" (Robinson, 1993:637).

There are reasons to believe that in the post-Cold War period, human rights research and debates will continue to focus on trying to overcome the conceptual and methodological differences and move toward a more integrative approach. The main reason behind this new direction is that with the end of the Cold War, human rights debates are likely to focus less on East-West ideological differences and more on issues of North-South relations (i.e., the industrialized countries of the North versus the predominantly underdeveloped countries of the South). This new focus will reflect the demand for economic justice and cultural rights coming from developing nations. As such, the post-Cold War human rights debates will bring some of the old issues such as the demand for social and economic rights, the rights to development, and the rights of ethnic and linguistic minorities, into sharper focus. Essentially, there