

Insights Series #141

Who Perceives Insufficient Human Rights Protections in the Americas?

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Key Findings:

- Trust in the courts is a particularly strong predictor of evaluations of human rights protection: those less trusting in the courts are significantly more likely to believe the country has insufficient (vs. sufficient) human rights protections.
- Women and individuals who self-identify as indigenous, black, and mulatto are more likely to perceive that their country has insufficient human rights protections.
- Those with less wealth and less education are more likely to report insufficient human rights protection.
- Importance of religion in one's life and "left" and "right" ideological self-placement do not predict evaluations of human rights protections.

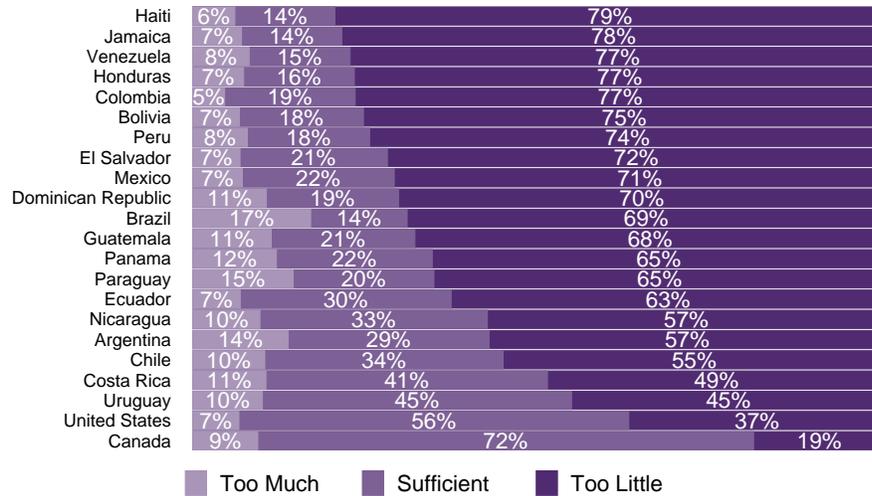


In 2013, Guatemala's judicial system put General Efraín Ríos Montt on trial for genocide, a striking move given how rare it is that former Heads of State face domestic trial for grave human rights abuses.¹ Commitment to democracy and rule of law fuels pressure to bring perpetrators of human rights violations to justice. The Americas are ripe for this type of change; countries in Latin America and the Caribbean (LAC) have experienced decades of military dictatorships, armed gang violence, and popular revolutions, all of which have left victims of human rights abuses in their wake.² At this critical juncture, it is worthwhile to examine public perception of whether there is adequate protection of human rights.

This *Insights* report analyzes predictors of individuals' evaluations of human rights protection, focusing specifically on those who report that their country has insufficient human rights protection compared to those who believe there is a sufficient (that is, enough) protection. The 2016/17 round of the LAPOP AmericasBarometer survey measured views of human rights protection by asking the following question:

LIB4: Human rights protection. [Nowadays in the country...] Do we have too little, enough or too much?

Figure 1 summarizes responses by country. Haiti has the highest percentage of individuals who believe that there is too little human rights protection (79%), while Canada has the lowest percentage of individuals who believe there is too little human rights protection (19%). Overall, in 15 out of 22 countries, more than 60% of the adult population believes their country has too little human rights protection. Canada has a much greater percent of respondents who answered "sufficient" (i.e. enough) compared to other countries (72%). The United States has the second highest percentage of individuals who answer "sufficient" (56%). Haiti, Jamaica, and Brazil have the lowest proportion of individuals who answered "sufficient" (14%). There is little variation in the percentages of those who believe the country has too much human rights protection; those values typically fall between 5 and 10%, except for Brazil (17%), Paraguay (15%), and Argentina (14%).



Source: © AmericasBarometer, LAPOP, 2016-17; GM v07172017

Figure 1: Distribution of Human Rights Protection, by Country in 2016/17

At a glance, there is some relation between public assessments of human rights protection in the country and countries' records on this issue. For example, of countries in the LAC region, Uruguay has the highest percentage of individuals who believe the country has sufficient human rights protection at 45%. Uruguay has historically demonstrated strong commitment to protecting civil liberties and providing legal equality to its citizens.³ Conversely, Haiti has the highest percentage of individuals who believe there is too little protection of human rights at 79%. Haiti has a troubled historical record when it comes to human rights issues, and civil liberties and political rights remain weak in the country.⁴ While the cross-national differences warrant more attention, the remainder of this report focuses on individual-level predictors of variation in responses among those in the LAC region.

Those Marginalized by Low Wealth and Education Hold More Critical Views on Human Rights Protections

To assess the extent to which basic characteristics of individuals shape views on human rights protection, we turn to a logistic regression analysis. In this analysis, we limit our focus to individuals who answered "too little" or "sufficient"; that is, we drop the approximately 9% of people who believe there is too much human rights protection. The resulting analysis allows us to focus on identifying which individuals are the least satisfied with such protections. As an initial set of independent variables, we consider age, wealth, education, gender, and urban/rural setting.⁵

Figure 2⁶ shows that, on average in the LAC region, women are five percentage points more likely to respond that there is too little human rights protection compared to men. The tendency for women to experience more violence may explain why women see human rights as more insufficient compared to men. In some cases, the prevalence of femicide might contribute to heightened awareness among women towards human right violations. A number of LAC countries, including Mexico, Argentina, Guatemala, and El Salvador, report high femicide rates.⁷ In general, women are more often the victims of various types of violence including torture, rape, and domestic abuse.⁸

Considering wealth, those in the highest quintile are less likely to respond that there are insufficient human rights, compared to those in the lowest quintile. Poorer citizens may assess the status quo as inadequate on a number of dimensions; for example, in societies with high inequality (as found in much of the Americas), poor citizens issue greater demands to redistribute wealth.⁹ Because the wealthy benefit from the status quo, they are more likely to view the amount of human rights as sufficient. More generally, wealthy people are less likely to experience a threat to their rights, and that may leave them more content with the level of human rights at present.

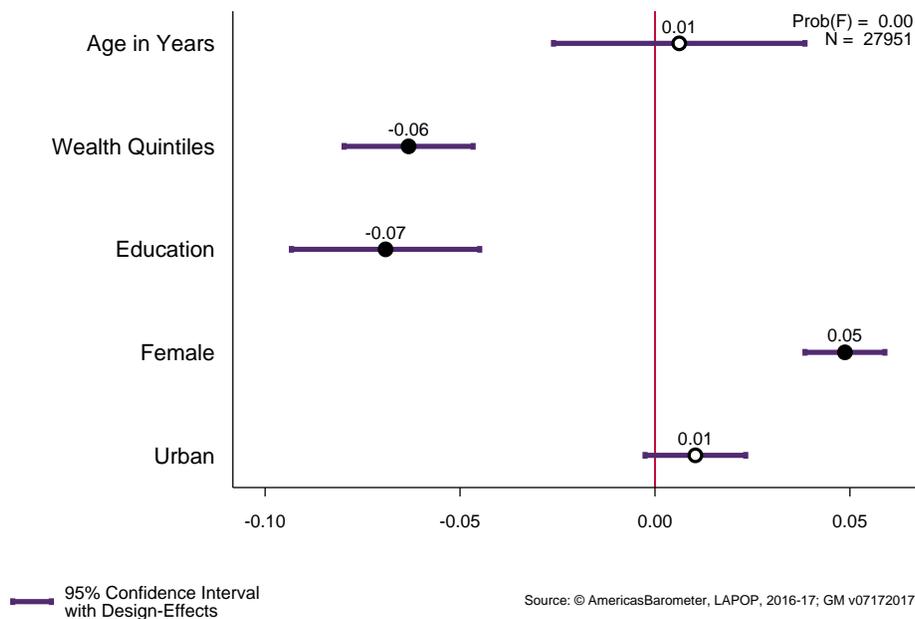


Figure 2: Socioeconomic and Demographic Predictors of Perceiving “Too Little” (vs. “Enough”) Human Rights Protection

The same negative correlation exists with respect to education: on average the more educated the respondent, the less likely they are to respond that there is too little (vs. sufficient) protection of human rights. We interpret this result in a way that is analogous to our discussion of wealth. That is, the more educated likely do not see their rights frequently threatened or taken away, leaving them less concerned about the state of protection of human rights. Finally, urban (vs. rural) residence and age¹⁰ are not statistically significant predictors; we cannot say with confidence that these variables influence the decision to respond “too little” compared to “sufficient”.

The Comparative Importance of Trust in the Courts for Assessments of Human Rights Protection

As Latin American and Caribbean countries progress in doling out justice for human rights violations, courts serve as the platform on which individuals can bring forward charges of human rights abuses.¹¹ Historically marginalized racial and ethnic groups may especially desire this type of justice.¹² Ideology may also shape attitudes on this issue; Crowson (2004) and Crowson and DeBacker (2008) report that conservatives are less likely to support human rights protection. Finally, religion provides a common moral code, which could intensify support for protection of human rights.¹³

Therefore, we considered the following variables as potential predictors of views on human rights protection: trust in courts,¹⁴ race/ethnicity,¹⁵ political ideology (left-right self-placement),¹⁶ and the importance of religion.¹⁷ Figure 3 presents the results of a logistic regression analysis that includes these additional variables, while controlling for the same variables in Figure 2. To foreshadow our results, we find significant results for the first two factors (courts and race/ethnicity), but not the latter two (political ideology and religion).

Our first expectation is that greater trust in the court system will correlate with a perception that there are sufficient human rights protections in the country. We operationalize this concept with a question that asks about confidence in the courts' ability to guarantee a fair trial. A main role of the courts, as outlined by the Universal Declaration of Human Rights, is the implementation of human rights and the assurance that human right principles—the right to a fair trial, protection from cruel and unusual torture or punishment, freedom of opinion and expression—are codified by law.¹⁸ International human rights courts and regional courts “are and can be powerful instruments for the vindication of human rights.”¹⁹ Even local courts contribute to a process by which human rights are defined and protected. Related, judges who carry out fair trials are perceived by the public as trustworthy.²⁰ We expect that if the public does not see

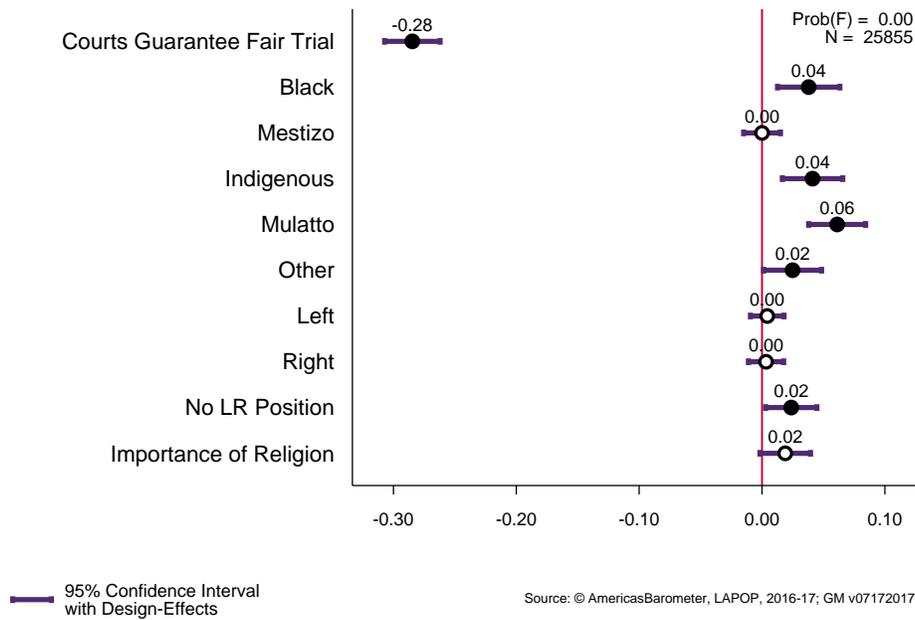


Figure 3: An Expanded Model Predicting Perceptions of “Too Little” (vs. “Enough”) Human Rights Protection

courts as fair and trustworthy, this will result in more negative attitudes towards human rights policy outcomes.

The results in Figure 3 show a strong and significant negative correlation between trust in the courts’ ability to guarantee fair trials and perception of insufficient human rights. A maximum increase in this measure of confidence in the courts predicts a 28-percentage point decrease in the likelihood that the individual will say there are insufficient human rights protections in the country. The strong relationship could be influenced by the role Latin American courts have played in holding human right abusers criminally accountable for their violations in human rights trials.²¹ Regardless of whether individuals are thinking of such landmark cases or more mundane activity by the courts, the result attests to the strong connection that individuals make between the court system in their country and the level of human rights protections the country offers.

Our second expectation is that race/ethnicity is a critical predictor

of views on human rights. In many places across the Americas, black individuals and indigenous people experience comparatively high levels of social exclusion, which encompasses poverty, inequality, and lack of societal power, all of which in turn diminish labor market access and secondary education rates.²² With some exceptions, countries in the LAC region have higher levels of poverty among indigenous and Afro-Latino²³ groups, which may be rooted in the lack of access to quality education.²⁴ The level and dynamics undergirding social exclusion of many indigenous and Afro-Latino groups may motivate a higher likelihood of believing that there are too few protections for human rights in the country.

We test this expectation in the analysis documented in Figure 3, which examines whether people who identify as mulatto, indigenous, mestizo, black, or other ethnic groups are more likely to believe that there is too little protection of human rights, in comparison to the views of those who identify as white. Figure 3 demonstrates that people who identify as black, mulatto,²⁵ or indigenous, compared to white, are more likely to believe that there are too few protections for human rights. We note that the size of these groups varies significantly across countries; for example, in some countries, such as Guatemala, Mexico, and Peru, mulatto people make up less than 4% of the population.²⁶ Nonetheless, we can conclude that on average, race and ethnicity shape views of human rights protection in the region.

Our third expectation concerns political ideology; we expected to find that those who rate themselves as more to the right are more likely to say “sufficient” than “not enough”, when compared to those who rate themselves on the left end of the scale. Those who align with left-wing ideologies tend to “emphasize...the very importance of human rights”, while those with right-wing ideologies understand “the necessity to sometimes restrict” them.²⁷ Crowson (2004) and Crowson and DeBacker (2008) show that those who are ideologically conservative are less likely to support human rights protections. However, the results of our analysis, presented in Figure 3, show that identifying as “left” or “right” is not statistically significant; rather, those with no left-right self-placement are more likely to say “not enough” compared to “sufficient”. On reflection,

we speculate that this may be because “left” and “right” have different connotations for different people: some respondents answer thinking of their economic ideology, others their political ideology, and still others may only hold a positive or negative affective connotation when considering these terms.²⁸ We surmise that this might account for the lack of a robust link between left-right ideological labels and views on human rights protections.

Finally, our fourth expectation held that individuals who place a higher importance on religion will be more likely to believe that there are too few protections for human rights. Religion is usually understood in relation to “a common moral law.”²⁹ Some argue that human rights are inherently religious.³⁰ This does not mean that non-religious individuals are less interested in human rights; rather, religious individuals could express a higher support for human rights because they see human rights as a strong component of religion. If so, one might find that individuals who place more importance on religion advocate more for human rights and perceive that there is too little protection of them. However, Figure 3 shows that increased importance of religion in one’s life is not a significant predictor. We interpret this null result as possibly indicative of an attitudinal divide between religion and human rights; that is, public opinion may not ground human rights in religious conviction.³¹ Another explanation is that although religion has been important to the development of human rights, it does not strictly dictate attitudes on human rights today.³² In sum, we conclude that assigning a higher importance to religion does not translate into substantially different evaluations of whether there is too little, versus sufficient, protection of human rights.

Conclusion

This *Insights* report shows that confidence in the court system to guarantee a fair trial is the strongest predictor of a person’s likelihood of perceiving sufficient, vs. insufficient, human rights protections in the

country. Additionally, women (vs. men) and individuals who self-identify as mulatto, indigenous, and black (vs. white) are more likely to believe their country has insufficient human rights protections. The finding on race/ethnicity is not surprising given that historically marginalized minorities have experienced high levels of social exclusion in the LAC region.³³ We also find that wealth and education are negative predictors of perceiving insufficient human rights: those who are less wealthy and less educated are more likely to respond that there are insufficient (vs. sufficient) human rights protections. Meanwhile, assigning greater importance to religion and left-right self-placement are not significant predictors.

The insignificance of “left” and “right” self-placement surprised us, as many scholars have found a significant correlation between left and right ideology and human right perceptions.³⁴ However, as we discuss in the report, the terms left and right have less coherent shared meaning across many countries in the LAC region.³⁵

By excluding the respondents who said that there is too much protection of human rights, the analyses here do not compare individuals who reported “too much” to those who expressed that there are “sufficient” or “too little” in terms of human rights protection in the country. Further research ought to be done to find factors that may influence respondents’ view of there being “too much” human rights protection. When considering those individuals, we suspect that these are people who are critical of the extension of a particular set of rights – such as with respect to abortion, gay rights, protests, and/or the media – and these perceptions of an over-extension of rights in these domains may fuel a response of “too much” human rights protection. Turning back to the analyses that form the core of this report, we conclude by emphasizing the strong connection between views of the courts and assessments of human rights protections. We suggest that policymakers who are interested in improving perceptions of human rights protections in a country ought to focus their efforts on improving the legal system, in particular with respect to the extent to which the nation’s courts guarantee free and fair trials.

Notes

1. Breshnan (2016).
2. Breshnan (2016). Moreover, the region currently faces new challenges. For example, escalating gang violence in the “Northern Triangle” of Honduras, El Salvador, and Guatemala has forced governments to enact drastic measures. Breshnan (2016) makes the point that insecure citizens have demanded action and, in response, countries have ordered their armed forces to support the police. An increased militarization of the police could have human rights consequences.
3. Freedom House (2018).
4. Doleac (2014).
5. These independent variables were re-coded from 0 to 1. The dependent variable is coded so that 0 represents an evaluation of “enough” (sufficient), and 1 represents “too little”. Age is a continuous measure of the respondent’s age in years. Therefore, movement from 0 to 1 in age is from the youngest category to the oldest category. Wealth is measured based on a factor analysis of household possessions, such as a car, TV, refrigerator, etc. Therefore, movement from 0 to 1 in wealth is from the least wealthy to the most wealthy. Education is categorical by the highest level of education obtained by the individual. Thus, the lowest category is no education while the highest is post-secondary education. Therefore, movement from 0 to 1 in education is from no education to post-secondary education. Gender is a dichotomous measure: females are represented by a 1, while males are represented by 0. Urban (versus. rural) is measured using the country’s official census definition of the respondent’s location.
6. In Figure 2, the dots represent the change in predicted probability associated with each variable, and the bars represent the 95% confidence interval around that estimate. Coefficients represent maximal effects; the coefficient for age, for example, indicates the change in probability of reporting insufficient human rights between the youngest cohort and oldest. Dots to the right of the red line signify positive relationships, and dots to the left of the line indicate a negative association. When the bar for an independent variable does not intersect the red vertical line, that variable is statistically significant ($p < .05$). Country fixed effects are included as controls in the analysis, but excluded from the figure.
7. Wilson (2014).

8. See Wilson (2014); Krantz and Garcia-Moreno (2005); Garcia-Moreno et al. (2005).
9. Landman and Larizza (2009); but see Durakiewicz, Pawel with LAPOP (2018). Historically, the “wealthy have [had] a strong incentive...to resort to violence and repress popular demands for democratic institutions” (Landman and Larizza 2009, 718).
10. We considered age as a linear variable, and not as individual cohorts; it is possible that there exist nonlinear patterns for age. For example, middle aged people may respond differently than younger and older people.
11. Michel and Sikkink (2013).
12. See discussions in Rice (2017); Hooker (2005); Gandelman, Ñopo, and Ripani (2011).
13. Little (2002).
14. Trust in the court system was measured by asking “To what extent do you think the courts in (country) guarantee a fair trial? (If you think the courts do not ensure justice at all, choose number 1; if you think the courts ensure justice a lot, choose number 7, or choose a point in between the two.) This was re-coded from 0 to 1, so movement from 0 to 1 means moving from believing that courts do not ensure justice at all to courts ensuring justice a lot.
15. Race/ethnicity is based on a question asking for an individual’s self-identification. All race/ethnicity categories (mulatto, mestizo, black, indigenous, and other) are compared to the baseline of white.
16. For ideology, left, right, and having no ideological position are all compared to the baseline of center. When coding ideological self-placement, the AmericasBarometer asks individuals to place themselves on a 10-point scale, from left (1) to right (10). For the purposes of this report, individuals who give a 1-3 response are coded as “left,” those who give a 4-7 response are coded as “center,” and those who give a 8-10 response are “right,” while those who gave a “don’t know” or “no answer” responder are coded as having “no LR position.”
17. Importance of religion was measured by asking “How important is religion in your life?” from 1 being “very important” to 4 being “not at all important”. This is coded in terms of a minimum (not at all important) to maximum (very important) change from 0 to 1.

18. Global Citizenship Commission (2016).
19. Global Citizenship Commission (2016, 96). Human rights have become intricately incorporated into international and regional laws since the mid-1990's (Lutz and Sikkink 2000).
20. Franklin and Kosaki (1989).
21. Sikkink and Walling (2007). In fact, countries that implement trials and truth commissions are assessed as having better human rights practices (Sikkink and Walling 2007).
22. Gandelman, Ñopo, and Ripani (2011).
23. In considering the specific case of Afro-Latinos, we also note scholarship suggesting a tendency for Latin America to fall short in the implementation of substantive Afro-Latino citizenship reform (Hooker 2005). Because they have often lacked explicit recognition of group rights, Afro-Latinos may see this failure as insufficient protection for their human rights.
24. E.g., see discussion in Gandelman, Ñopo, and Ripani (2011).
25. Today, the ethnic group of mulatto people, who are defined as having both black African and white European descent, have seemingly absorbed many black and indigenous people (Telles and Bailey 2013).
26. Telles and Bailey (2013).
27. Cohrs et al. (2007, 446).
28. Zechmeister and Corral (2010).
29. Little (2002).
30. See Evans (2007).
31. See discussion in Henkin (1998); Rehman and Breau (2007).

32. Ghanea, Stephens, and Walden (2007).
33. Gandelman, Ñopo, and Ripani (2011); Rice (2017).
34. Cohrs et al. (2007, 446); Crowson (2004); Crowson and DeBacker (2008).
35. Zechmeister and Corral (2010).

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