

## Issue Paper

## RANKING RIGHTS: PROBLEMS AND PROSPECTS FOR A QUANTITATIVE GLOBAL HUMAN RIGHTS INDEX

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Too often, important policy decisions are justified in the name of human rights for political, rather than for genuine humanitarian reasons. Examples of inconsistent foreign policy are not hard to come by—the U.S. government seemingly ignores human rights abuses in Saudi Arabia while condemning those in Iran, for example. Such decisions can have profound human rights implications. Armed humanitarian intervention can threaten the security of non-combatants. Development aid disbursement can determine who starves or who receives treatment for a deadly disease.

What we lack is a simple measure of human rights performance based on objective, quantifiable data. One proposed solution to this problem is to construct a *quantitative global human rights index* (herein GHRI). A GHRI would provide a rigorous, data-driven, comparative ranking of states' human rights performance. It could be a powerful measurement tool that compels transparency and raises awareness about human rights issues. An informed global public could put pressure on countries that fail to measure up, and also, reliably evaluate domestic policy decisions that are justified in the name of human rights. For example, if a GHRI were to rank Iran higher than Saudi Arabia, U.S. policy decisions would appear inconsistent.

Despite the potential benefits however, a GHRI appears to face such serious difficulties that one wonders whether it is worth the effort.

**Making the case for a global index**

A number of human rights reports and indexes exist today, but there is a significant void—an appropriately designed GHRI could fill this void in three ways. First, it would be comprehensive in scope and consider the full range of human rights: civil and political rights and social, economic and cultural rights. There is often an undue focus on the former, to the exclusion of the latter, in most human rights reports and indexes.

Second, using quantitative indicators would help ensure the objectivity, reliability and validity of the index. The data set would allow for

the accumulation of time-series data, thus facilitating performance comparisons across time and countries. Many current indexes that are primarily qualitative in approach are unable to do this.

Finally, if an international organization such as the UN constructs the GHRI, and if it can find wide support among its members, it may avoid the accusations of bias often leveled against existing indexes.

**Laying out the challenges**

Despite its positive attributes, creating a GHRI faces serious challenges. Some are practical, such as the gathering of data from countries with varying data availability, quality and reliability; some are political, and concern the potential controversy accompanying any such effort; and others are more conceptual, and center on the very feasibility of creating a viable GHRI.

An index that fails to address these basic conceptual issues first will not simply be structurally flawed. It will also run the risk of having serious moral implications. This is because, intended or not, many foreign policy decisions will find justification by appeal to the index.

And these decisions can directly impact people's basic rights. It is therefore important to show that a fair and accurate index is a conceptual possibility. Given the potential impact on millions of people, addressing the conceptual difficulties posed by a GHRI deserves our primary attention.

Even if it is possible to create plausible indicators measuring the respect, fulfillment and protection of each human right, conveying a complex range of data in a single measure is deeply problematic. The challenge is to effectively combine all the disparate and radically different data into a single measure that maintains accuracy and objectivity in an analytically robust and meaningful way.

**The human rights problem set**

The first problem is that a GHRI seems to presuppose that individual indicators of specific rights can be treated as measuring the same

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underlying phenomenon, "human rights" and thus summed without difficulty. However, it is not clear that this is the case. Many basic human rights are *prima facie* of different types. How, then, are we to weight token instances of these rights, relative to one another? For example, if the government of country A is involved in *n* extra-judicial killings in one year, and the government of country B fails to provide primary education for all despite having adequate resources, how do we rank A and B relative to one another? Note that this is not yet an issue of complexity (combining the vast array of different human rights indicators into one single measure), since this case only compares two rights. At issue is the apparent incommensurability of two types of rights.

The second problem is even if it is possible to overcome this incommensurability it does not seem plausible to simply sum up the indicators, assigning each an equal weight. Not all human rights violations are equal. In order to proceed, we must weight the indicators appropriately by introducing subjective value judgments about which violation is worse, and why. Perhaps in some cases there is a general consensus about which violation is worse. However, introducing arbitrary subjective weighting of particular indicators lies in direct tension with the goal of producing an *objective*, accurate GHRI. It is unclear whether the difficulty of plausibly weighting different rights of different types can proceed without introducing an objectionable subjective bias and arbitrariness into the assessments. This problem demands closer examination.

Similarly, important contextual circumstances unique to each country must inform any proper evaluation of a state's human rights record. Can a GHRI adequately account for all available country resources and other contextual factors? Failure to do so could result in country-to-country comparisons that are deeply flawed. In addition, country-level indicators used in a global ranking might obscure varia-

tions in human rights performance *within* a country. However, this information is essential for a legitimate evaluation of country performance. If a country has a low incidence of state-sanctioned torture but all are against members of one particular ethnic minority, this important data point must factor into any plausible ranking. Doing so, however, is a difficult task.

Finally, a deeper concern is whether the attempt to rank states based on human rights performance is consistent with the nature of human rights themselves. We understand human rights as rights that concern the basic interests of all individuals. As such, failure to fulfill, respect and protect these rights in any way suggests that a government is failing in its most basic function. There is a danger, then, that being ranked somewhere in the middle of a global human rights index would suggest that a state is doing 'fairly well' in its human rights performance. The risk is that those states in the middle of the ranking will conclude, like students receiving Cs on a report card, that they could have done better but they still have passed.

### The road ahead

Where do we go from here? The benefits of a GHRI that has the virtues of objectivity, reliability and validity, seem obvious. However, constructing a GHRI faces problems that are seemingly intractable. Let it be clear—a global human rights report based on a set of disaggregated country data regarding the respect, fulfillment and protection of human rights is valuable—however, consolidating these data into a single measure and using it to rank human rights performance across countries, faces serious conceptual and moral difficulties. Given the fundamental importance of human rights, and the limited resources available to the global human rights community, perhaps our efforts are better spent elsewhere.

## Measurement and Human Rights Program

The MHR Program is specifically designed to bring evidence-based policy and programming to the realm of human rights.

### MHR Program

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Name	# of Countries Ranked	Type of Rights Considered	# of Years Active
Freedom House' <i>Freedom in the World Report</i>	193 (+15 related disputed territories)	Civil & Political Rights	36
Political Terror Scale	183	Civil & Political Rights	~25
CIRI Dataset	195	Civil & Political Rights	26

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