Struggles from Below: Literature Review on Human Rights Struggles by Domestic Actors

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Struggles from Below:
Literature Review on Human Rights Struggles by Domestic Actors

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PREFACE

In 2016, USAID's Center of Excellence on Democracy, Human Rights, and Governance launched its Learning Agenda—a set of research questions designed to address the issues that confront staff in USAID field offices working on the intersection of development and democracy, human rights, and governance. This literature review, commissioned by USAID and the Institute for International Education, addresses research questions focused on human rights and pressure "from below":

- **What do we know about the role of citizens, social movements, and other *domestic* civic actors (as opposed to transnational actors or government officials) in advocating for particular human rights outcomes in their country? And what can we learn from the successes and failures of their activities?**
- **Much of the research on this topic has focused on North America and Europe, but do any of these findings have the potential to translate to other country contexts? Are there particular contextual or tactical variables in these country contexts that make it less likely that domestic civic actors can have an impact?**
- **Are there some kinds of rights that are easier to fight for than others?**

The resulting literature review, conducted by graduate students and faculty at the University of Denver and the University of Arizona, will help to inform USAID's strategic planning, project design, and in-service training efforts in the democracy, human rights, and governance sector. For more information about USAID's work in this sector and the role of academic research within it, please see https://www.usaid.gov/who-we-are/organization/bureaus/bureau-democracy-conflict-and-humanitarian-assistance/center.

ACRONYM LIST

CCP	Chinese Communist Party
CRC	Convention on the Rights of the Child
CSACIDN	*Comite de Seguimiento y Aplicacion de la Convencion Sobre los Derechos del Nino* (Argentina)
CSO	Civil Society Organization
EU	European Union
GDP	Gross Domestic Product
HRD	Human Rights Defender
ICC	International Criminal Court
ICCPR	International Covenant on Civil and Political Rights
ICESCR	International Covenant on Economic, Social, and Cultural Rights
IGO	Inter-Governmental Organization
INGO	International Non-Governmental Organization
LGBTQ	Lesbian, Gay, Bisexual, Transgender, Questioning
NAVCO	Non-Violent and Violent Campaigns and Outcomes
NCGLE	National Coalition for Gay and Lesbian Equality
NGO	Non-Governmental Organization
NIMBY	Not In My Back Yard
OHCHR	United Nations Office of the High Commissioner for Human Rights
RFA	Request for Application
UN	United Nations
USAID	United States Agency for International Development

EXECUTIVE SUMMARY

What do we know about the role of domestic civic actors in advocating for human rights outcomes? We know that they play a crucial role. Although transnational and governmental actors also have played an important part in major human rights improvements over the last several decades, domestic advocates have augmented their work. Indeed, the very effectiveness of international efforts—such as the signing and ratification of human rights treaties—depends on domestic actors bringing pressure to bear at the same time. Without such pressure, the effects of international actors are severely limited.

The importance of domestic civic actors applies to all three pillars of human rights protection: environment, response, and remedy. The strength of civil society is a crucial factor for the enabling environment for human rights, not just in translating universal rights into something that makes sense in the local context, but in enabling advocacy. For response and remedy, the research consistently shows that domestic activism is critical to mitigating the immediate impact of human rights violations, to providing redress, and to deterring future rights violations.

What can we learn from actors' success and failures? Our research highlighted two core themes related to success or failure: first, the centrality of relationships and networks and, second, the importance of rhetorical struggle or framing. **Success tends to be associated with domestic civic actors who 1) maintain a dense network of horizontal, vertical, and transnational relationships; 2) are conscious of the resonance of rhetorical frames; and 3) pursue careful concerted strategies to frame their struggles in locally appropriate ways.**

What contextual or tactical variables reduce the impact of domestic civic actors? Although there certainly is regional diversity in outcomes, and particularly when comparing the developed and developing worlds, we were struck by the commonality of many dynamics of human rights struggles. Where we did find diversity, it appears to arise primarily from analyzable contextual factors. In this document, we highlight several of these factors, but two stand out.

First and most critical is regime type: this factor was highlighted consistently in the research focused on the environment for human rights protection and on the processes for seeking remedy. Diverse academic disciplines and methodological approaches underscore the critical nature of a democratic political system, or even a transition to democracy, for facilitating grassroots human rights struggles. **Although autocratic systems are not monolithic in their abuse of human rights or the opportunities they provide for human rights struggles, autocracy is a major contextual factor undermining the effectiveness of domestic civic actors.**

The other contextual factor is poverty. Research from widely divergent countries shows **a similar demobilizing and dividing dynamic associated with extreme poverty**. This is true both for actors, since poverty hinders mobilization efforts, and for structures, since governments presiding over poor countries tend to be more abusive of human rights. Human rights struggles by domestic civic actors might be made significantly more effective by improvements in economic development.

Are there some rights that are easier to fight for than others? The answer from the literature is unequivocally yes. Although the specifics of which rights are most difficult to fight for vary depending on

the context, three general principles predict difficulty. The first was the contested understanding of the right being claimed. Rights generally recognized as part of the human rights "package" generally are easier to struggle for. In contrast, rights whose status as **a human right is contested, such as LGBTQ rights, tend to be much more difficult to advocate for**. The second and third principles that predict difficulty of human rights struggle are when granting a particular right threatens either the existing economic or political system. Rights whose granting would threaten cor**e economic interests or signal fundamental political change face stiff resistance from both governments and counter-movements, and thus can be extremely difficult to fight for.**

This report presents many findings that speak directly to USAID's work; a few central ones are highlighted here. First, USAID's efforts are likely to have the most impact on improving human rights if they **target groups or movements that adopt a human rights frame in advocating for change.** This framing strategy has helped human rights defenders (HRDs) gain a wide audience both at home and abroad, and broadens the range of possibilities for USAID. Second, **it is important that USAID programs ensure that assistance is guided and informed by realities on the ground**. Factors such as regime openness, citizen access to domestic courts, and the rights hierarchies that exist in particular contexts ultimately determine what types of approaches will work to protect rights over the long term. USAID programs must demonstrate a nuanced understanding of the local contexts in which they work. Finally, USAID programs can help **HRDs harness and maintain diverse ties to other activists both at home and across national borders.** For example, workshops and focus groups geared toward encouraging activists to learn from the experiences of HRDs in other contexts could be an important and feasible contribution.

DEFINING KEY TERMS: RIGHTS, ACTORS, AND OUTCOMES

A. What are Human Rights?

There is a significant debate in the literature over the definition of human rights. At the most basic level, human rights are "the rights one has simply because one is a human being" (Donnelly 2008, p1). Framed this way, the concept puts all individuals on equal footing: human rights are inalienable and universal. If one is a human being, one is entitled to human rights.

Donnelly's claim draws directly on foundational international human rights documents—such as the Universal Declaration of Human Rights, which grounds its set of human rights in "the inherent dignity and…equal and inalienable rights of all members of the human family." These foundational international legal guarantees in turn directly inform the understanding of human rights articulated by the UN Office of the High Commissioner for Human Rights (OHCHR) and are drawn on by USAID: "human rights are inherent to all human beings, irrespective of…any other status…generally expressed as universal legal guarantees" (USAID 2016, p6).

These universal definitions appear straightforward, but that assumption obscures many critical discussions. Although appeals to the universality, indivisibility, and inalienability of human rights are common, the articulation of specific human rights guarantees is rife with scholarly and political contention. For example, do human rights apply to groups in the same way as to individuals? These disagreements over definition have important consequences not just for academics but for on-the-ground grassroots struggles for human rights, a critical issue that we will discuss later. Thus, to meet the objectives of our main research question, we survey how the scholarly literature on human rights contention from below addresses three broad topics that influence our understanding of "human rights": 1) what are the types of rights for which people fight, 2) how the human rights discourse has changed over time, and 3) how scholars have attempted to study and measure concepts related to human rights and to contention over rights protection.

i. What are the Different Types of Rights for which People Fight?

The literature we reviewed includes a broad spectrum of rights as human rights. Most central to these are "physical integrity" rights, those concerned with the inviolability of the human person (Hafner-Burton 2009). Although there is near-universal acceptance of physical integrity as a human right (Poe, Tate, and Keith 1999; Landman and Larizza 2009), a certain level of ambiguity surrounds some of the particulars. For example, the notion that individuals maintain the right to remain free from violence or harm invites definitional as well as operational challenges. The concept of harm can conjure up issues of cultural or moral injury (Edwards 2011, Morris 2016, Nishizaki 2011), alongside the more conventional conceptualizations of harm as pertaining to physical pain or hardship (McGarry, Mythen, and Walklate 2012; Finnemore and Sikkink 1998; Sundstrom 2005).

Violations of physical integrity rights from government violence or physical oppression are relatively straightforward to conceptualize and define. As exemplified in Blanton's (1999) work on human rights and the arms trade, the protection of personal physical integrity often serves as a proxy for "human rights" more broadly. If a government is killing its population outside of legal avenues, it is almost

undeniably committing a human rights violation. However, human rights are concerned with more than just protecting physical life.

For a discussion of human rights beyond physical integrity, a typology based on the Universal Declaration of Human Rights is useful. This typology broadly classifies these rights into categories: political, civil, social, cultural, and economic. These classifications can further be understood as generations of human rights (Vasak 1977). First generation rights were fundamentally political, focused on expanding access to freedoms for all people, and were captured in the International Covenant on Civil and Political Rights (ICCPR). Second generation rights expanded to include the social and economic, focusing on quality of life, as well as just a right to it; these were captured in the International Covenant on Economic, Social, and Cultural Rights (ICESCR). Third generation rights expanded to include the rights of groups and cultural norms—for example "solidarity rights" such as the right to a clean environment and a right to peace (Wellman 2000). Although this generational evolution of human rights is an important framework, for this literature review we will follow the group classification.

Political and civil rights have long been part of the human rights discourse, and can divided into two broad categories: rights and freedoms *from* government abuse, and rights and freedoms *to* participation. These rights are expressed as individual freedom from government oppression and harm (Dancy and Michel 2016), and often codified as equal protections under the law (Van Wyk 2009). As exemplified in the fight for women's rights (Cole 2013), a strong institutional codification of individual freedom from government oppression and of the promotion of equality before the law contributes to the success of groups fighting for rights from below.

In addition to these rights *from* government oppression, political and civil rights also include an individual's right *to* participate in political and civic life. In the literature, these rights frequently are discussed in conjunction with democratic transitions (Koohestani 2011, Hashemi-Najafabadi 2010, Baldwin and Mvukiyehe 2015). Participation in politics and in civic life is a bedrock for preserving and promoting other human rights (Hipsher 1996). Participation holds the government accountable and provides institutional avenues to fight for other human rights protections. Civic participation rights also include participation in the legal institutions of society. LGBTQ marriage rights are one example of a group using civic participation rights as a basis for their rights claim.

Economic rights focus on the individual's right to employment and to be free from slavery and servitude. Economic rights are closely tied to social rights, and frequently framed as freedom from poverty more broadly. The history of economic rights is rooted in the Cold War, as Western economies tried to promote the market economy as a fundamental right, highlighting the link between poverty and communist economic systems (OHCHR 2016). However, in the post-Cold War era, economic rights have focused more on the consequences of economic hardship on health and life. Poverty carries with it many economic and social ills that violate the human condition (Sen 2001, Rukooko 2010). By using economic rights as a foundation, poverty has been elevated as a human rights issue in the international arena.

Social rights encompass the right to an acceptable standard of living. Though closely tied to economic rights, they go beyond just making an income to include such things as health care, clean air and water,

and religious participation. Fights for social rights typically are conducted by those who traditionally have been excluded from social participation. The women's rights movement is frequently associated with social rights (Donno and Russett 2004) aligned with traditional "women's issues" (Joachim 2003). In addition to women's groups, ethnic minorities, religious minorities, and sexual minorities have been involved in the fight for social rights.

Cultural rights move human rights from the individual to the collective level. Although they too are individual rights, since they involve an individual's right "to participate in cultural life and to share in and benefit from scientific advancement" (OHCHR 2016, p2), these rights also involve the rights of groups to practice their culture and religion freely. The OHCHR has further identified cultural rights as the right to collectively benefit from human advancement, and to participate in those aspects of humanity that "directly impact the common good or common advancement" (OHCHR 2016). Advancements in technology have greatly spurred the advancement of cultural rights, as they have expanded the definition of "public" (Hashemi-Najafabadi 2010) and created outlets for cultural expression.

ii.   Who has Rights – Individual and Collective Claims to Rights

In his overview of the concept of human rights, Donnelly (2008) addresses the debate on prioritizing individual-based rights over group-level rights, questioning whether groups can have inalienable human rights in the same ways as individuals. He (p601) notes: "we must be careful not to exaggerate the place of human rights in our political practices because while it prioritizes the rights of individuals, it also draws attention away from the legitimate interests and claims of states, societies, and families."

This tension between individual and collective rights is a constant thread throughout the literature. However, collective rights are not always in tension with individual rights, and individual rights can be used to elevate the discourse around and attention to collective claims. As highlighted by LGBTQ activists, framing rights as group rights often provides the necessary leverage to elevate rights from being perceived as an individual interest to a human right whose granting would benefit society as a whole (Lax and Phillips 2009).

Yet, collective rights also can compete with each other, such as when religious or cultural groups feel their core beliefs are threatened by collective claims (Wald, Button, and Rienzo 1996). This tension is often at play in both the LGBTQ and women's movements. When a collective group (such as members of a religion) views another group as non-human or otherwise inferior, opposition often arises. Zine (2006) highlights this dynamic by showing how popular groups in Iran used religious rhetoric to create large protests to counter the growing women's movement. Appeal to the discursive framing of women in some strands of Islam provided a powerful tool for collective opposition, resulting in women's rights groups being suppressed. Encarnacion (2014) also highlights how religion was the most powerful tool in generating successful collective opposition to gay-rights movements. Indeed, religious freedom provides a powerful frame for groups that oppose the expansion of marriage rights. John Anderson (2011) also highlights the role of religious morals in collective rights contestation, arguing that the diffusion of Christianity to Africa has been largely responsible for anti-LBGTQ movements on the continent.

To alleviate some of this tension, successful collective groups have focused on intersectionality (Jones 1999). Intersectionality focuses on the role that various social categories play in creating overlapping

and often interdependent systems of discrimination and disadvantage. This focus has allowed collective groups to find commonalities in their rights struggles, rather than conflict with each other, and so prevent unnecessarily stymied action. For example, women's movements in South Korea have taken up issues of race and economic inequality, usually confined to labor movements (Chun 2009), to broaden their collective appeal. By focusing on the economic injustices of the informal economy (a sector that primarily affects women workers), women's rights activists both broadened their support base and gained valuable resources in their struggle. LGBTQ activists also have relied on intersectionality, particularly with regards to fighting systemic oppression. Racial and economic issues are frequently combined with LGBTQ activism to build bridges among seemingly disparate groups (Offord 2013).

iii.   The Evolution of the Human Rights Discussion

Both academic and practitioner discussions about human rights have increased over the past 20 years Although the number of scholarly articles referencing human rights has declined somewhat since its peak in 2011, the amount of scholarly discussion of human rights today far exceeds its level 15 or 20 years ago (see Figure 1).[1]

Figure 1: Number of Scholarly Articles Mentioning "Human Rights" Over Time

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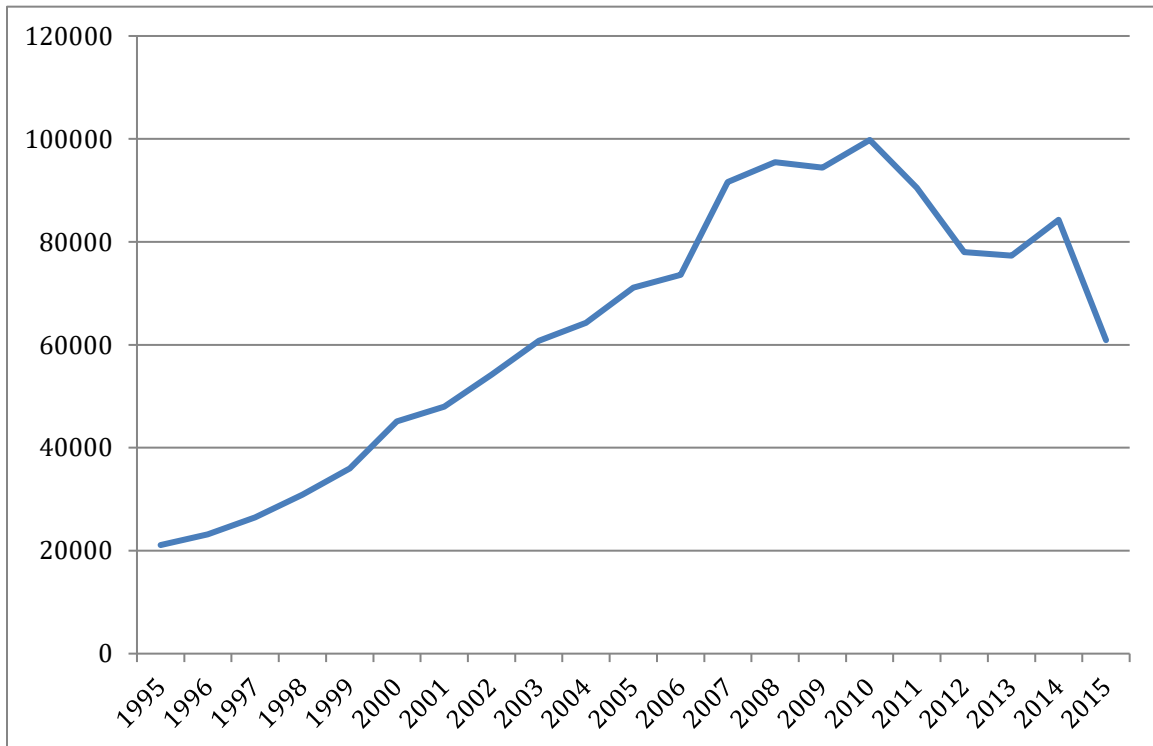
[1] We generated the data for this figure by running a simple search, using Google Scholar, on the term "human rights" in all scholarly publications in the year in question.

Human rights discussions also have increased in substance over the past 20 years. In tandem with the "three generations" of human rights discussed above, rights discourse has moved beyond physical integrity rights to include a much broader rights range. Carl Wellman's (2000) assessment of the state of human rights discourse both highlights the beginning of this increase in substantive discussions and creates a roadmap for the increase in human rights conversations. He posited that concern for human rights would be a defining characteristic of 21st century politics.

Human rights certainly have taken center stage in the early part of the 21st century. Many polities have elevated human rights to the forefront. For example, the EU requires, as a condition of membership, that states adopt minority rights norms (Swimelar 2008). Such rights carry nearly as much weight in the EU as state-based security. Indeed, the fact that military intervention has been used to protect human rights (Bellamy 2008) underscores the degree to which human rights have been elevated on the international political stage. Moreover, the discussion of human rights has expanded to include non-state actors. The UN Human Rights Council, for example, unanimously adopted the Guiding Principles on Business and Human Rights, in 2011.

The response to the increase in human rights discourse has not all been positive. Most of the backlash has focused on the "Western" concept of human rights. While the origins of human rights are universal, "human rights" often have been defined by Western norms, especially those related to religion and gender norms (Stammers 1999, Jones 1999). Although the human rights discourse certainly has expanded in the past 20 years, many groups have rejected some of its components as a form of Western cultural imperialism. Baer and Gerlack (2015) highlight how non-Western societies often have rejected Western rights' frames, favoring their own conception of rights and rights discourses. Frequently, this rejection has led Western researchers and practitioners to view movements as failures, but a more nuanced perspective suggests the objection was to Western norms.

B. Key Actors in the Struggle for Human Rights

Broadly speaking, there are at least two main types of actors in human rights struggles: those who fight for human rights (who are often, but certainly not always, those whose rights are at stake) and the targets of this pressure for human rights (who may be a state or non-state perpetrator of human rights violations, or a state that has failed to protect citizens from a perpetrator). We discuss each in turn.

i. Who Fights for Rights?

Since this literature review is concerned primarily with human rights contention from below, we focus on non-governmental or civil society groups, rather than formal human rights institutions such as the UN Human Rights Council. USAID refers to these "from below" actors as human rights defenders (HRD): "People who, individually or in association with others, act to promote and strive for the protection and realization of human rights and fundamental freedoms. HRDs are defined by what they do, as opposed to particular affiliations, professions, or other identities" (p14). HRDs may be non-governmental organizations (NGOs), associations, or individuals who frame their goals in terms of advancing human rights.

The scholarly literature does not generally use the term HRDs,[2] but instead speaks of movements, organizations, and of general "civil society" as sources of grassroots human rights pressure. The social movements literature defines movements as "collective action with some degree of organization and continuity outside of institutional or organizational channels for the purpose of challenging or defending extant authority whether it is institutionally or culturally based, in the group, organization, society, culture, or world order in which they are a part" (Snow, Soule, and Kriesi 2008, p11). Civil society, on the other hand, is a broader term that encompasses social movement organizations (SMOs) as well as other actors. Civil society often is understood as a class of actors distinguishable from government actors or profit-seeking agents or individuals (Price 2003). Civil society provides the "practical and theoretical foundation" (Clark, Friedman, and Hochstetler 1998) for the study of human rights and is where the fruits of activism are sown (Price 2003).

Civil society exists at the domestic and international levels. Domestic civil society is autonomous from and often acts in opposition to formal government actors. It can, however, form strong structures or institutions that serve as a stand-in for the state, especially for excluded groups (Jacobs and Maldonado 2005). International, or transnational, civil society refers to self-organized advocacy groups that undertake voluntary collective action across state borders in pursuit of what they deem is the wider public interest (Price 2003), or to further matters of global significance (Clark, Friedman, and Hochstetler 1998).

Global civil society provides both tangible and intangible benefits to domestic civil society actors, and both formal and informal forums for engagement. UN summits and other organized meetings of intergovernmental organizations (IGOs) provide a formal means for civil society to gather as a global force to rally around specific causes, or elevate causes to the international stage (Ghimire 2011). Global civil society also, at times, can provide legitimacy to domestic civil society, help to diffuse framing mechanisms, and fill tactical and logistical gaps across borders (Bell, Bhasin, Clay, and Murdie 2014). As an example, the international feminist movement is particularly adept at leveraging global civil society to achieve domestic outcomes (Stern 2005; Phillips and Cole 2009). Finally, global civil society can often act as catalysts for new movements. NGOs and IGOs frequently either spur new movements into action or give domestic movements the necessary tools for success (Clark, Friedman, and Hochstetler 1998; Price 2003; Rutherford 2000).

ii. Who is Targeted?

Most of the academic literature focuses on contention that targets the state, but struggles for human rights often take aim at a variety of actors—including corporations, rival ethnic groups, or the press (Salehyan and Stewart 2016). Social movement literature also has a near exclusive focus on contention organized against the state, which has prompted some scholars to argue for more inclusive, less state-centric definitions of social movements (*e.g.,* Snow, Soule, and Kriesi 2004). And, perhaps because the state is often the assumed target of contention, there is very little research on targets or target selection. One exception to this is Salehyan and Stewart's (2016) quantitative analysis of protest events in Africa and Latin America to demonstrate how various factors such as a history of repression and

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[2] With some exceptions. See, for instance: Jarisy and Feldman 2013; Penchaszadeh, Turley, and Dempsey 2013; Brennan and Packer 2010; and Fernandez and Patel 2015.

specific movement goals interact to determine whether movements will target the state versus other possible targets such as private firms, multinational companies, or even other activists.

It is important to note that the target of human rights contention is not always coterminous with the perpetrator of a rights violation. For example, Carty (2004) examines how those struggling for workers' rights in Mexican *maquiladoras* were more effective when they targeted the state for failing to protect them, even though the party responsible for rights violations was the corporations running the *maquiladoras*. Contention, however, was directed at the state, based on the calculation that this strategy would apply the pressure needed to influence corporate behavior. Different domestic political contexts also shape whether targeting local, national, or international entities is likely to be the most effective strategy. For example, if the domestic state is blocked or unresponsive, activists may find more success focusing on international targets (Carty 2004, Stewart 2004, Martin and Ross 2001, Mazey 2002).

C. Defining and Measuring Human Rights Outcomes

Within the literature on human rights contention from below, the operationalization of successful advocacy typically falls into one of three overlapping categories: principle, practice, or government outcomes (Landman 2004). Success in principle focuses on changing attitudes and normalizing rights for previous outgroups (Wellman 2000). Success in practice focuses on the ability to exercise rights freely and successfully. Success in government outcomes focuses on the recognition of expanded rights through legal reforms or opportunities (Wilson and Cordero 2006).

As Apodaca (1998) argues, these differing definitions of success have both helped and hindered the understanding of human rights struggles. They allow for a continuum of success rather than a binary measure, which leads to a more fruitful, richer universe of cases to explore. However, these varied definitions mean that studies frequently talk past each other regarding "successful" tactics or strategies.

An example of winning rights in principle can be seen in the case of the Dalit rights movement in India. Through successful civic organization and rhetorical framing, Dalit activists executed a "Dalit rights are human rights" campaign. While the Dalit community continues to face several practical and legal obstacles to rights protection, the recognition of Dalit rights by both domestic and international actors has been characterized as a success (Bob 2007). Discussions of success in terms of "principles" frequently provide the philosophical basis for human rights discussions and can lead to the adoption (Apodaca 1998) of human rights frames (Mednicoff 2003). However, other scholars have criticized these definitions for their lack of quantitative study and difficulty of operationalization (Apodaca 1998).

The difference between successful government outcomes and winning rights in practice is exemplified by the LGBTQ fight for marriage equality. Gaining the formal legal right to marriage equality has been both extremely important to the movement and a subject of much scholarly attention (Bernstein and Naples 2015). Much of the attention has focused on formal recognition both because of its importance to the movement and the ability to quantify data associated with the passage of laws (Keck 2009). However, Encarnacion (2011) shows, through an analysis of the Argentine case, that legal recognition does not necessarily go hand-in-hand with societal acceptance of LGBTQ rights. He argues that legal

rights often are "just a starting point," and it is not until same-sex married couples are openly accepted in public that the movement can be considered a success.

Differing definitions of success also can result in scholarship that claims that the same movement is both a success and a failure. Hoover and De Heredia (2011) argue that the Landless Peasant Movement in Brazil is a success from a political perspective, but a failure in both practice and principle. The peasants successfully won the right to own land. However, in gaining legal recognition, they lost the ability to claim full equality with elite Brazilians in other freedoms (religion or freedom of consciousness, for example), and also were removed from their indigenous homeland.

In addition to this theoretical focus on practice, principle, or government outcomes, differing methodological approaches also significantly affect scholars' views of struggle success or failure (Hafner-Burton and Ron 2009). In general, qualitative methods, especially case studies, tend to be more optimistic about the possibility of success for human rights movements from below; quantitative studies tend to be more pessimistic. Meyer (1996) asserts that this pattern results from the fact that relationships found in many quantitative studies are difficult to explain beyond statistical correlation, due to the ambiguity in the definitions of both "rights" and "success."

Fariss' work is important to understanding the quantitative human rights literature. Fariss suggests that the measures of human rights abuse, typically employed by quantitative scholars, have biased their findings toward more pessimistic conclusions because they fail to account for the increasingly rigorous standards of human rights reporting over time (Fariss 2014). To try to correct this, Fariss uses latent variable analysis, a statistical technique that attempts to measure something that cannot be directly observed—in this case, a country's underlying respect for human rights—by aggregating multiple indicators that can be observed directly. Through these techniques, he shows that respect for human rights indeed has improved over time. The implications of Fariss' work have been revolutionary in the quantitative study of human rights struggles, and reinforce the more optimistic picture generally shown in the qualitative literature.

However, qualitative measures also have a more optimistic view because they tend to focus on the "good news" case studies. In exploring the strategies of various rights groups in Lebanon, Clark and Salloukh (2013) warn that case study analysis can paint an overly rosy picture of the success of human rights groups. More information tends to be available on successful movements, making them attractive to qualitative study. However, the findings from these cases are frequently not generalizable.

In this literature review, we have attempted to take a relatively agnostic and inclusive approach to these definitional questions. Rather than limiting our inquiry to a set of narrowly defined human rights, we consider a broad range of actors who make "rights-based" claims, from archetypal human rights advocates struggling for basic personal integrity rights, to groups making claims for indigenous rights, to movements claiming certain economic or social benefits as a human right. We also include the findings of some studies that do not look at "rights-based" movements at all, but can offer tactical or organizational insights into movements "from below" more generally.

Likewise, we adopt an observational view of success, and thus of the factors likely to lead to success, rather than imposing a "one-size-fits-all" definition. We base our general interpretive observations about success on whether movements achieved their stated goals. These stated goals fall into the three categories described above, sometimes focusing on principle, sometimes on practice, and sometimes on formal government outcomes. When describing the findings of specific studies, we attempt to provide detailed information on how exactly the authors defined "success" or "failure" in their context.

One of the most important and recurring findings from our review of the literature was that definitional questions are far from abstract theoretical concerns. Indeed, struggles over what counts as a human right, who can be a legitimate actor struggling for human rights, or what criteria make a movement successful, are almost always at the core of any grassroots struggle. This theme reappears throughout our presentation of the core literature findings.

RIGHTS DIFFICULT TO FIGHT FOR

One of our three central questions was whether particular rights are easier to struggle for than others. The first step to answering this question was to develop a way to distinguish systematically between ease and difficulty of struggle. The widely divergent contexts of particular struggles, and different approaches employed by studies that examined difficulty or ease, made this a challenge. Although some excellent studies compare difficulty among rights struggles (Lupu 2013), these are fairly rare. Thus, developing a framework for comparing struggle difficulty demanded a high degree of interpretation from our team.

To make this interpretation, we relied on three criteria to define ease versus difficulty. First, how often do we see HRDs make this particular rights claim and achieve success in practice, principle, or formal government outcome? Second, if HRDs achieve success, how long did it take and how much repression and other forms of backlash did they face? And third, as with all our interpretive findings, how generalizable are particular patterns of achieving success across political and regional contexts?

To some degree, the difficulty of any rights struggle is defined by outside contextual factors—an issue we will take up in the enabling environment section. However, we did conclude that there are aspects of particular rights that lead to varying levels of ease or difficulty. Examining the literature through the criteria listed above led us to the conclusion that rights struggles tend to be more difficult when:

1. The rights claim is not generally recognized as a right in domestic or international society.
2. Granting the rights claim would fundamentally change the current political system.
3. The rights claim threatens major economic interests.

Although it is doubtful that any rights struggle is ever "easy," many rights struggles do not fall into any of these categories, and thus consistently are less difficult to struggle for. For example, Merry's (2003) study examines the battered women's movement in the town of Hilo in Hawai'i. The movement created a women's shelter and treatment program that intervened in situations of domestic abuse. They benefited from a growing public discourse that emphasized gender egalitarianism and saw domestic

abuse as a violation of women's rights to physical integrity. This discourse was widely supported at an elite level, with the judiciary in particular eager to partner with the movement. The movement's advocacy thus primarily involved spreading the knowledge of this rights discourse to individual victims of domestic abuse. Once this knowledge transmission occurred, there was little economic or political resistance to implementing stronger protections on a practical level, and the level of domestic abuse declined significantly, while punishment for crimes of domestic abuse increased.

In contrast, the difficulty of struggles for rights that are not broadly recognized is highlighted in struggles for LGBTQ rights. Multiple sources reported social resistance to granting LGBTQ rights in a number of diverse environments, from developed Western democracies to poor non-democracies (Wald, Button, and Rienzo 1996; Haider-Markel and Meier 1996; Offord 2013; Vallely 2012). The cultural dynamic was particularly true of several areas of the global South, where opponents often painted protections for LGBTQ rights as attempts by Western forces to dominate their culture (Anderson 2011).

Women's rights face similar challenges in many contexts (Penchaszadeh, Turley, and Dempsey 2013). This fact was particularly evident from the Middle East studies literature, where women's empowerment repeatedly is portrayed as foreign to the moral standards of the local culture (Clark and Salloukh 2013, Moghadam and Gheytanchi 2010, Manderson 2004). A conservative culture, broadly speaking, provides challenges to women's rights. Seen as advocating for Western, "liberal" issues, women in culturally conservative environments face difficulty in gaining traction, even when other human rights movements experience success (Moghadam and Gheytanchi 2010). Obtaining women's rights in these contexts first requires significant work to reframe women's rights not in terms of "Western" documents such as the Universal Declaration of Human Rights, but in terms of local moral standards.

Second, numerous studies have highlighted the greater challenges faced by movements that make rights claims that undermine the current political system (Regan and Henderson 2002, Sullivan 2015, Burton 2016). This is a matter of 1) the characteristics of the rights violator, and 2) the explicit movement goals. HRDs who oppose violations by the state typically face a more challenging struggle than those who oppose abuses by non-state actors. Those who do focus on violations by the state then face a more difficult struggle when their claims undermine the state's fundamental legitimacy.

One key way of understanding this aspect of difficulty is looking at government repression. In a 2015 study, Sullivan examines an exhaustive archive of more than 300,000 internal records by the Guatemalan national police from 1975 through 1985, a period when Guatemala had many different HRDs advocating for everything from land rights to the establishment of a democratic political system. Through statistical analysis of these police records, Sullivan shows that police pre-emptively targeted movements calling for rights that would substantially undermine the status quo. The police used arrests, torture, and disappearance to prevent HRDs from having the opportunity to engage in overt collective challenge. In contrast, although movements that advocated for less transformative goals faced some government repression when they overtly challenged the state, the police were much less likely to target them pre-emptively and thus overt activism and advocacy were more likely to emerge.[3]

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[3] This also echoes findings from the social movements literature that perceived political threat as a key factor in

Similarly, Vukovich's (2015) study of political resistance in China illustrates that differing levels of political threat led to radically different outcomes for otherwise similar movements in the city of Hong Kong and the southern Chinese village of Wukan in the early 2010s. The Hong Kong movement demanded "one-person, one-vote" democracy, a demand that undermined the core of the Chinese Communist Party's (CCP) legitimacy. Because of this extreme demand, the CCP strongly resisted the Hong Kong movement, leading to its repression and ultimate failure. During this same period, a movement in the small village of Wukan, also organizing for greater political rights, achieved success because they framed their struggle as a localized fight against specific corrupt officials, and not as a fight for a democratic system. Movement activists called on the central government to serve as an ally in their fight, and did not attempt to undermine core governing structures.

Not surprisingly, rights struggles are more difficult if they fall into more than one of these three categories of difficulty. For example, many struggles of economic rights fall into both the category of "non-recognition" and "economic threat." There is general normative agreement internationally, and in many domestic societies, about core political and physical rights; however, even liberal democratic governments often do not recognize economic rights—such as the right to safe housing or the right to clean drinking water—as human rights (Baer and Gerlak 2015).

The struggle for the right to housing in the US is an example of a movement that has faced these overlapping challenges (Hoover 2015). Although the right to adequate housing is included in the ICESCR, one of the foundational documents for international understandings of human rights, the US has yet to ratify the ICESCR, and housing is not widely considered to be a human right in US public discourse (Hoover 2015, p1097). Furthermore, the fact that the private real estate market is foundational to the US economy places powerful economic interests directly in opposition to recognizing the provision of adequate housing, regardless of ability to pay, as a human right. Because of these challenges, this movement faces a strenuous uphill battle to achieve even the most minor concessions. HRDs pushing for the right to housing in the US have had to use radically disruptive tactics—such as rent strikes and home occupations—to achieve even small successes on a practical level, and this movement is largely considered unsuccessful in changing government policy to recognize adequate housing as a right.

Another example of overlapping, compounding categories of difficulty is the movement, in several countries, for children's suffrage (Wall 2014). Activists seek to lower the voting age in democracies below 18, arguing that 1) this right follows directly from the call in the Convention on the Rights of the Child (CRC) for participatory rights for children such as freedom of expression, thought, and association, and 2) children's suffrage would lead to greater protection of children's wellbeing. This movement falls into at least two of our three categories of difficulty: children's suffrage is not recognized as a right in most societies, and, if granted, would fundamentally transform political structures. Thus, to date, activists in support of a child's right to vote have been largely limited to a handful of political philosophers and children's advocates (Wall 2014, p646). Achieving success in these rights struggles is not impossible, as we can see from the women's suffrage movement or the abolitionist movement. Yet, when success occurs, it is likely only after a long struggle and when other aspects of the environment or the movement itself are particularly beneficial.

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predicting repression (Davenport 1995, 1999; Regan and Henderson 2002).

As each of these examples shows, although the difficulty of advocacy for particular rights is context-dependent, consistent analytical principles can be applied to predict which rights struggles will be easier or more difficult, and why. The next important step in understanding the ease or difficulty of a particular rights struggle is examining the enabling environment, the topic to which we now turn.

THE ENABLING ENVIRONMENT: STRUCTURAL FACTORS AFFECTING HUMAN RIGHTS STRUGGLES FROM BELOW

In this section, we assess what academic literature can contribute to understanding which structural factors make human rights struggles from below easier or more difficult. We examined this question through the framework of "environment building," one of USAID's three pillars of human rights protection. Environment building refers to "strengthening complementary state and non-state components of national human rights protection systems," understood as the "sum of laws, policies, and institutions that protect human rights" or a system's "overall human rights infrastructure" (USAID 2016, p16).

This infrastructure goes beyond the formal set of laws and institutions related to human rights. Although these play an important role, additional informal institutions and larger structural characteristics shape the ability of struggles to achieve success. Thus, we looked at the question of the environment for human rights struggles in terms of major structural factors, not just formal institutions.

Taking a broader view of a country's environment suggests a much more extensive set of actions available to USAID under the broad pillar of "environment building." Understanding the structural factors that facilitate or undermine HRD advocacy, and go beyond formal human rights guarantees, may provide additional access points for creating a more enabling environment for human rights struggles, especially when more direct support for human rights may be impractical or unfeasible, or when formal protection of human rights fails in practice. We will return to some of these actions after summarizing the structural factors that were shown most consistently to affect the prospects for success.

From the literature, we identified six factors whose impact on human rights struggles was demonstrated most consistently: regime type, level of economic development, level of rule of law, armed conflict, civil society capacity, and the international environment. This is not an exhaustive list, but comes as close to a consensus list as we could determine.

A. Regime Type

Across disciplines, by any number of different qualitative or quantitative measures, democracy is positively correlated with greater protection of human rights and with increased ease of human rights advocacy; autocracy is correlated with greater abuse of human rights (Regan and Henderson 2002; Poe and Tate 1994; Poe, Tate, and Keith 1999; Cingranelli and Richards 1999; Davenport and Armstrong 2004; Rummel 1997). This finding is one of the strongest and most consistent in the literature.

Although liberal democratic governance protects many civil and political rights, by definition, it is important to note that there is not a tautological link between democratic governance and the ease of advocacy for human rights. Nevertheless, the literature strongly suggests that democracy has important links to several human rights outcomes, beyond its simple definitional association with political liberties. Perhaps most critically, many studies argue that democracy's greater "points of access" are a crucial resource for human rights advocates (Akchurin and Lee 2013). Democratic systems provide more avenues through which HRDs can reach decision-makers and more effective means of popular leverage over their decision-making. Beer and Mitchell (2004), for instance, use data from human rights complaints in Mexico to show that electoral turnout is a key mechanism of human rights accountability—when more people turn out to the polls, governments tend to become better protectors of human rights. When democratic governments are responsible for human rights abuses, the authors argue, their citizens can punish them by voting them out of office.[4]

Numerous studies also describe an increase in "space" for human rights activism that occurs during and following transitions to democracy (Davenport 1999, Fallon 2003, Lambrou 1997, Moghadam and Gheytanchi 2010, Jonsson and Jonsson 2012, Zanger 2000). Arthur (2009) points to the importance of the focus on accountability for abuses, that can characterize democratic transitions, as an important touchstone for human rights advocacy. Democratization also tends to replace highly controlling or repressive environments for human rights advocates with environments in which activism on various issues by independent organizations is accepted and even welcomed. For example, in an investigation of the role of NGOs before and after the Chilean transition to democracy in 1990, Lambrou (1997) offers many examples in which activists confined to the peripheries of Chilean politics under the Pinochet dictatorship began to play prominent roles in government, addressing issues related to past human rights abuses and to strengthening democracy more broadly.

Several studies also argue for the importance of basic democratic guarantees of freedom of assembly and association as prerequisites for advocacy (Tenga and Peter 1996). Although mobilization occurs in even the most repressive and closed environments, a much wider range of movements can emerge and achieve success in environments where these basic mobilization challenges are more straightforward.

For example, Tripp (2000) examines how these rights of assembly and association have facilitated the emergence of an independent civil society in Tanzania. In the 1990s, the ruling Chama Cha Mapinduzi party opened up Tanzania's political system to multiparty competition and removed several restrictions on civil society's freedom of association. The government made this move primarily to appease donors, rather than a genuine move toward greater democracy. However, this space allowed for the emergence of several different organizations that advocated on behalf of various groups, independently of government control. In particular, Tripp (2000, p195) points to the important role that women's organizations were able to play in the new Tanzania. Despite the failure of multiparty politics to establish full democratic freedoms, the simple ability to establish independent organizations served as a crucial jumping off point for advocacy on a whole suite of issues.

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[4] Even in political regimes that fall short of full democracy, just the existence of an elected legislature tends to lead to better human rights protection (Rivera 2016).

B. Economic Development

The second major structural factor identified by the literature is the level of economic development. Numerous studies confirm both that 1) governments in poorer countries tend to engage in higher levels of human rights abuse (Poe, Rost, and Carey 2006) and 2) poverty is negatively associated with civil society capacity, making mobilizing for human rights activism and advocacy more difficult (Welch 1995; Massoud 2011; Dalton, Van Sickel, and Weldon 2009). Qualitative studies consistently outlined a dynamic in which people in poverty-stricken countries were hesitant to engage with human rights organizations because they were concerned with meeting their daily subsistence needs (Belloni 2001, Razavi 2006).

For example, Datzberger (2015) outlines the many challenges faced by civil society in Sierra Leone following the civil war. Constructing a "liberal" civil society was a key priority for the international community, which gave local civil society organizations (CSOs) and NGOs extensive financial and logistical support. Although this high level of support would lead us to expect the growth of a vibrant civil society and thus greater effectiveness in human rights struggles from below, the domestic mobilization of Leonean civil society was consistently undermined by the country's level of poverty. NGOs trying to mobilize citizens for rights advocacy reported that people would refuse to participate unless offered some financial inducement, or simply refused to listen to them at all because they "did not have the time to listen to your talk" (Datzberger 2015, p1604). Frustration over their inability to mobilize ultimately caused many NGOs to eschew a focus on political activism and human rights advocacy and instead focus on simple service provision.

In an interesting twist, an econometric study of human rights violations and migration in India finds that higher levels of economic development may make ordinary citizens less likely to punish state governments for human rights abuses (Libman *et al.* 2013). If a government is delivering a certain level of economic prosperity, citizens may be willing to tolerate a certain level of abuse. The study has not been widely replicated, but its findings suggest that both poverty *and* prosperity may create challenges for advocates seeking to pressure governments that abuse human rights.

C. Rule of Law

The third major structural factor affecting human rights advocacy is the rule of law. Numerous studies consistently show both 1) the importance of strong, independent legal institutions as mechanisms for pursuing human rights advocacy and 2) the devastating effects of their absence (Wilson and Cordero 2006, Arthur 2009, Hillebrecht 2014). When strong rule of law institutions—such as an independent judiciary—are in place, individuals and advocacy groups are better able to ensure that their basic rights are respected and that governments fulfill their human rights commitments. This trend holds even in environments in which other democratic protections are absent (Chandler 2014). Where the rule of law is weak, as reflected through corruption or a lack of accountability in the security forces or judicial sectors, the protection of human rights almost universally suffers (Haugen and Boutros 2010).

Legal institutions also provide an important "safety valve" for ensuring protection of human rights when more direct pressure on representative political institutions fails. Studies focusing on Israel (Mizrahi and Meydani 2003), Europe (Goldston 2002), and the US (Keck 2009) all described this as an important means of ensuring human rights protection.

Specifically, Keck's (2009) study of the US movement for marriage equality points to the critical role that legal institutions have played in advancing protection of LGBTQ rights. Although previous authors have criticized such "judicial activism" as counter-productive, because of its ability to spark popular backlash, Keck presents evidence that such concerns are overblown. Judicial moves that are "out of sync" with popular opinion may lead to some negative reaction, but they can have positive consequences for rights struggles. Keck (*ibid.*) points to many important reframing effects that early legal cases for marriage equality had, in particular by giving sympathetic legislators a legal "cover" to show their support openly, and by moving political positions originally seen as "radical" into the mainstream.

Particular aspects of a country's rule of law system may make legal advocacy easier. For instance, Mitchell and her co-authors (2013) compare the levels of human rights protection in different countries depending upon their legal tradition. They find that countries with a tradition of English common law protect human rights better than those that have a tradition of French civil law or Islamic law or those with mixed systems. They argue that this is because of English common law's adversarial trial system, reliance on oral argumentation, and principles of *stare decisis.*[5] These distinctive features provide stronger grounds for judicial independence and grant advocates more avenues to argue their cases before empowered judicial authorities.

D. Armed Conflict

The fourth factor that consistently and negatively affects human rights advocacy is armed conflict and other major security threats. Several studies pointed to the human rights abuses associated with the US "war on terror" (Gordon 2014, Foot 2005). Quantitative research also consistently shows that armed conflict increases the likelihood of human rights violations (Poe, Rost, and Carey 2006; Lemaitre and Sandvik 2015; Massoud 2011). For example, in a study of so-called "liberal human rights organizations" in Israel, Gordon (2014) finds that the Israeli-Palestinian conflict has led to human rights organizations being described as a security threat. So-called "neoconservative" CSOs in Israel, as well as government figures, have painted human rights organizations that criticize Israeli policy in the conflict as direct threats to Israeli national security.

E. Civil Society Capacity

The fifth factor is the civil society sector's capacity to mobilize. The complexity and depth of civil societies vary significantly across states, with civic association and public advocacy common in some political systems and the province of a rare few in others. Scholars typically explain this variation by appealing to transformative historical events, such as the initial state-building process (Putnam 1994) to periods of totalitarian or authoritarian rule (Bernhard and Karakoc 2007). Regardless, the consequences of civil society's mobilizing capacity and its level of autonomy from government control are crucial structural factors in determining the ease or difficulty of struggles for human rights.

For example, in their study of the factors leading to the Arab Spring, Salamey and Pearson (2012) detail a process of civil society growth across the Middle East that ultimately undermined the stability of authoritarian rule and led to the successful overthrow of several non-democratic governments.

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[5] *Stare Decisis* is the legal doctrine of determining points of legal principle based on precedent.

Although civil society was nearly absent across the Middle East in the 1990s, by the mid-2000s new groups—such as "independent professional associations, service organizations, [and] watchdog groups" (Salamey and Pearson 2012, p937)—had sprung up in increasing numbers. These organizations, experienced in various forms of less confrontational contention and highly networked with one another, proved crucial in mobilizing the massive numbers that achieved the breakthroughs of 2011.

F. International Environment

The final factor consistently identified in the literature as affecting the prospects of domestic human rights advocacy is the international environment. Because the focus of this study is on "bottom-up" advocacy for human rights, we did not focus on transnational advocacy and international human rights law literature. That said, the international environment was a major area of focus in many works that looked specifically at domestic advocacy. Numerous authors pointed to the ways in which a growing global consensus on human rights provided opportunities for domestic HRDs to gain legitimacy, frame the domestic conversation, and achieve greater human rights protections (Piven 2008, Simmons 2009, Tsutsui and Shin 2008).

Many studies also highlighted how state commitment to international human rights agreements represented crucial moments for domestic movements to pressure governments for greater rights protection. Becoming a state party to foundational international agreements on human rights, such as the ICCPR or the ICESCR, can be a critical opening for domestic advocacy. Even when governments sign agreements with no intention of honoring them, domestic groups can use these agreements to gain legitimacy and to pressure governments to make the agreement a reality (Hafner-Burton and Tsutsui 2005). These two processes are interdependent. Several quantitative studies show that signing agreements alone does not lead to greater protection of human rights by itself (Keith 1999), but rather in tandem with strong domestic civil society activity (Neumayer 2005).

For example, Grugel and Peruzzotti (2007) trace the effects of Argentina's ratification in 1990 of the CRC on its protection of children's rights. The government signed the CRC as part of its larger democratization process, in which many different international agreements were signed to demonstrate the country's new status as an upstanding member of international society. There were few indications that the government of Argentina had any intention to implement many of the CRC's specific requirements. In particular, Argentina's domestic laws on child rights—particularly the so-called *Ley de Patronato*—remained wildly out of sync with the CRC and were not reformed following CRC ratification. The *Patronato* law gave family judges wide powers over poor children and provided for the indefinite detention, without trial, of children under 16 in poorly run government group homes that used highly punitive disciplinary systems and violated children's rights to privacy and education. A rights-based discourse on children also was viewed with significant suspicion in Argentine society more broadly, as many people viewed children in terms of a paternalistic "head of the family" framework embedded in local Catholic teaching.

However, although CRC ratification did not lead to government-led reform, it did empower a set of civil society actors to begin advocating for children's civil and political rights. The CRC's recommendation that civil society play a role in monitoring its implementation formalized and legitimized a network of CSOs, such as the *Comite de Seguimiento y Aplicacion de la Convencion Sobre los Derechos del Nino*

(CSACIDN).[6] These CSOs in turn became powerful advocates for bringing Argentine law into line with its CRC obligations. The result, after several years of consistent civil society pressure, was the passage of a 2005 law that required all legislation regarding children to be based on recognition of children's rights.

Ratification of international human rights agreements is insufficient in achieving rights protection, but is an important aspect of the "enabling environment" that facilitates domestic human rights advocacy. In addition to ratification, an environment in which international NGOs (INGOs) can join forces with domestic NGOs was consistently positively associated with victories in human rights struggles (Kim 2015; Kim 2013; Murdie and Tavishi 2011; Bell, Bhasin, Clay, and Murdie 2014). However, links with Western NGOs also could be challenging, especially for NGOs advocating for rights that are viewed as a "Western" imposition.

G. Points of Entry in the Enabling Environment

This brief summary of structural factors that affect human rights struggles from below implies several potential environment-building activities that USAID might undertake to facilitate creation of an enabling environment for human rights protection. Several of these policies are already a part of USAID's approach, such as developing HRD capacity or providing support to formal rule of law institutions. But the research suggests a broader set of environment-building activities that are likely to support human rights struggles, either directly or indirectly. This could be a crucial benefit to USAID's human rights work in environments where local political dynamics make direct assistance to human rights advocacy challenging or impossible. Possible entry points include:

- Focus on promoting economic development when direct assistance to human rights institutions or civil society is difficult.
- Focus rights support on basic rights of expression and association.
- Remind states of obligations under international agreements to shape normative discourse and help domestic organizations reframe rights discussions.

SOCIAL MOVEMENTS: POINTS OF ENTRY OR PARTS OF THE OPERATIONAL ENVIRONMENT FOR RESPONSE?

USAID describes response as "specific short- or medium-term assistance actions that can be taken to help mediate the immediate impact of those violations, regardless of our ability to end them or 'set them right'" (USAID 2016, p16). This may include working to protect targeted minorities or HRDs or to support HRD efforts to monitor and document human rights abuses. Even though movements often are long processes "sustained" over time (Tarrow 1998), there are still key moments for ameliorative intervention or response. For example, protecting SMOs from repression and improving their documentation of human rights abuse are important ways that USAID supports movements and taps into the organizational infrastructure and mobilization networks they create.

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[6] The name translates to: "Committee for the Monitoring and Application of the Convention on the Rights of the Child."

Movements as a whole may be better viewed as part of the enabling environment rather than as points of entry for USAID; indeed, much of the traditional approach to human rights has simply ignored movements (Rajagopal 2003). However, movements often are made up of organizations with varying degrees of formality and different types of structures, as will be discussed below. These entities often network with one another and with other actors (states, formal human rights institutions, *etc.*) that may be appropriate points of entry for USAID. It is important to highlight that, regardless of whether movements or SMOs are considered points of entry or part of the broader environment in which USAID operates, it is necessary to understand the various strategies that movements, NGOs, and other HRDs use to push for the recognition or expansion of human rights. To this end, this section outlines the major rhetorical strategies (framing and translation), tactics, organizational structures, and relationship building/networking activities highlighted in the literature on grassroots mobilization for human rights.

A. Rhetorical Strategies: Framing
i. Human Rights as a Master Frame

Scholars consistently highlighted the importance of a rhetorical struggle that took place alongside legal and political struggles for greater human rights protection. Organizations and movements do not fight only in the courtroom or the streets, but in the minds and for the perceptions of their potential supporters, their opponents, and domestic and international audiences (O'Brien 1996, Moulin and Nyers 2007, Fujiwara 2005, Jenness 1995, Risley 2011, Skillington 2012, Song 2013, Snyder 2008). Most academic observers examined this part of the struggle through the concept of "framing."

Extensive research has documented the importance of framing for social movements (Snow 2004). In its simplest form, a frame is an interpretive scheme for how to select and interpret events in the outside world (Snow and Benford 1992). Frames are critical for mobilization: for an individual to mobilize in support of rights advocacy, she must perceive the situation around her in a way that supports her joining the struggle. Whether people judge issues or situations as problematic, serious, unjust, correctable, *etc.* is contingent on the interpretive frame through which they perceive those issues. The ability to tell such a story is necessary for potential grievances to lead individuals to overcome their collective action problem (McEntire, Leiby, and Krain 2015).

Some frames are so effective and powerful that they are adopted by multiple movements. Scholars have termed these "master frames" (Snow and Benford 1992). Human rights, or rights more generally, are a particularly versatile and powerful master frame. Diverse groups of people—racial minorities, sexual minorities, women, children, prisoners, and many others—have used this frame for many issues, including freedom from violence or access to health, housing, education, or water.

As Snow and Benford (1992) acknowledge, master frames such as the broad concept of "human rights" can provide an effective "ready-made" tool for movements. For example, the civil rights movement in the US developed an "equal rights and opportunities" frame that was then used by the women's movement and the LGBTQ movement, among others. The fact that the public and policymakers already had been primed by the civil rights movement to think citizens should have "equal rights and opportunities" helped pave the way for other activists fighting for different kinds of rights.

However, frames also can constrain movements within a protest cycle. For example, movements that became active in the wake of the US civil rights movement may have been limited in how they framed their grievances and goals due to this pre-existing, powerful frame. Whether enabling or constraining, a master frame colors how diverse movements and issues are understood, and shapes not only perceptions of the problems at hand but also possible solutions. We clearly observed this tension in many empirical studies that looked at the deployment of human rights frames (Salamey and Pearson 2012; Osanloo 2009; Bloemraad, Silva, and Voss 2016; Arzey and McNamara 2011; Skillington 2012).

ii. "Rights" as a Resource

There is a great deal of evidence that, in some cases, a movement framing its existence and its goals in terms of "rights" or "human rights" can be beneficial, giving it access to legitimacy, international institutions, resources, and sympathy that it might not enjoy if it were otherwise framed (Tsutsui 2006). For example, Davis and Rosan (2004) examine a seemingly improbable success story in which a small group of uneducated peasants in Mexico stopped a national project to build a new airport near Mexico City. A decisive factor, the authors argue, was the group's adoption of a rights frame—in their case, an indigenous rights frame—for articulating grievances to the international community. The opposition to the airport construction could have been framed in many ways that did not involve a narrative in which the land rights of nearby residents *as indigenous Mexicans* were being infringed upon. However, through interaction with international human rights networks and CSOs, the HRDs transformed themselves from an obscure NIMBY ("not in my back yard") group of residents to a movement about the fundamental rights of indigenous peasants to their land and to inclusion in the democratic process. In turn, adopting this frame allowed the movement to gain support from international actors and successfully halt the project.

When there is a contest between alternative frames, a human rights frame often wins out—for example, as happened in the struggle for indigenous farmers' retention of knowledge about, and continued cultivation of, folk crop varieties against the forces of industrial agriculture (most infamously represented by Monsanto) and the global trade agreements that enable them (Cleveland and Murray 1997). Global attempts have been made to cast farmers' concerns in terms of intellectual property rights infringed by transnational corporations and trade agreements. This approach has been largely unsuccessful because international intellectual property law does not easily accommodate indigenous knowledge and practices, so adopting this framing essentially amounted to fighting on the terrain of the opposition. Instead, Cleveland and Murray (1997) argue that adopting a human rights frame, emphasizing the cultural rights of local farmers as members of indigenous groups, has been far more effective. Similarly, in Iran, Islamic feminists have drawn on classical Islamic jurisprudence to reframe wearing the hijab as a "right" rather than a "duty." In doing so, they were able to reconcile Islamic and feminist, and religious and secular, notions about the hijab (Mir-Hosseini 2007).

Morris (2016) also finds that framing a cause in terms of indigenous rights is useful. In this case, Afro-Nicaraguans losing land to state-sanctioned settlement framed concerns in terms of their communal land rights as an indigenous community and of the state's failure to follow through on these guarantees. This approach helped the movement avoid the pitfall of blaming the settlers, who themselves were a marginalized group seeking to improve their lives. Not unlike the airport construction case in Mexico, this rights frame provided a broader, more compelling frame for the issue.

Other case studies draw similar conclusions about the advantages of adopting a rights frame. The use of human rights rhetoric in the struggle for same-sex marriage in Argentina is credited in part with the political success of this movement, despite a continued lack of public acceptance of gay rights (Encarnacion 2011). Humanitarian and human rights framing were key to achieving a ban on landmines (Warkentin and Mingst 2000). In a rare quantitative study on the importance of rights framing, Kim (2015) uses event history analyses of 158 national states from 1967 to 2010, some of which abolished the death penalty during this period and some of which did not; Kim shows that NGOs had greater success in reducing capital punishment when they framed capital punishment as a human rights violation. The success of India's "untouchables" is credited in part to rhetorical shifts that were more aligned with international human rights discourse. More specifically, the movement stopped describing issues as caste-based discrimination, terms that really only had meaning in the domestic context, and spoke of discrimination based on "work and descent," thus generalizing their grievances (Bob 2007).

One reason rights frames are so effective, O'Brien (1996) argues, is that when groups engage in "rights talk," they often are holding policymakers to promises already made and can pressure them to deliver on rights already granted: "aggrieved individuals and groups turn to established principles to anchor their defiance [and] use legitimating myths and normative language to frame their claims" (O'Brien 1996, p31). Similarly, Perry (2009) explains that in the recent wave of protests in China, "savvy protesters frame their grievances in officially approved terms in order to negotiate a better bargain with the authoritarian state" (p17). From anti-human trafficking campaigns using "right to life" and "freedoms" to hold governments accountable (Bernstein 2010), to female domestic workers using human rights to claim right to labor regulations applying to them (Maher and Staab 2005), there are numerous examples where the rights frame provides an important resource for movements to hold governments to promises made in existing laws or constitutions.

iii.   Limits to Rights-Based Frames

However, although framing struggles in terms of human rights has been effective in many circumstances, there is also evidence that rights-based framings are not always the most effective. The efficacy of any frame, even the "human rights" frame, depends on context, targets, and goals (Arrington 2014, Awad 2008). For example, in Lemaitre and Sandvik's (2015) study of Colombian women facing internal displacement and armed conflict, the grievance frames shifted constantly in response to an also unstable political situation in which both laws and norms were in flux. Organizations that survive such upheavals are those that can adapt their frames to the shifting context. For example, when new laws and state bureaucracies were created to protect "victims" of internal displacement, some organizations adopted new rhetoric of victimization and victim rights, and some organizations changed their names to include the word "victim." Comparing women's rights movements in Morocco and Iran, Moghadam and Gheytanchi (2010) show how political opportunities shape the frames available to activists; Fransceshet (2004) makes a similar argument by tracking the frames used by the women's rights movement in Chile over time (from a maternal, less political frame to a more overtly political frame).

More generally, there is evidence that local groups strategically adopt frames depending on the international networks in which they are embedded (Haalboom 2011). Rothman and Oliver (1999) further show how the frames and alliances used by local movements depend upon the global opportunities, resources, and actors available and may change as these factors change. For example, the

anti-dam movement in southern Brazil initially framed the key issue in terms of peasants' right to land. Changes in opportunities led to the adoption of a broadened frame to include issues of ecology and an alliance with international environmentalism. By reframing land rights in terms of "environmental protection," indigenous populations in Thailand also were able to gain funding from more powerful urban NGOs and have their concerns elevated to the international stage (Missingham 2003).

Similarly, Bonner (2005) found that families of human rights victims in Argentina's dirty wars effectively used a right to family protection frame when appealing to the Argentina government. However, when appealing to the international courts, this frame no longer worked and, as a result, became less important over time, as organizations increasingly relied on the courts to pursue reparations and accountability. Bloemraad and her co-authors (2016) found that, in immigrant rights struggles in the US, frames that do not rely on a concept of human rights, such as a family unity frame, may be more effective. And, Charnysh and her co-authors (2015) found that anti-trafficking action was taken by the UN when human rights organizations framed the issue not just in terms of human rights, but also in terms of crime. Success was facilitated by accommodation between those concerned with human rights and those concerned with national security, rather than by one side persuading the other. So, although the rights frame is often powerful and strategically beneficial for movements to adopt, it is critical that HRDs remain flexible and responsive to context.

Cousins (2009) reminds us that the concept of "rights" can be used to promote human rights for the marginalized, though there is no guarantee. Rights discourse also can promote property rights, business rights, *etc.* For example, Skillington (2012) documents a case in which the concept of states' "rights" to use their natural resources was a major hurdle for human rights and climate justice organizations. These groups had to counter this frame by arguing that the rights of individuals to be free from ecological destruction trumped states' "rights" to use their natural resources. Recasting environmental protection as an individual right allowed these groups to gain power and influence. Baisley (2015), through a comparison of three LGBTQ movements in southern Africa, demonstrated how movement frames can be co-opted by opponents. For example, when LGBTQ activists argued that sexual minorities should be given rights just like those with disabilities, opponents responded by comparing sexual minorities to deviants, those with mental illness, and animals. These cases remind us that framing is often a site of contestation among movements, states, and opponents.

These cases all underscore the fact that effective frames vary across time and space, and depend on the targets, political and legal opportunities both domestic and international, and other factors. Rights-based frames often offer a powerful way to appeal to international bodies and gain sympathy. But, to be effective, they must fit context-specific characteristics. This finding is closely related to another form of discursive struggle key to grassroots human rights movements: translation of global norms and legal concepts into local terms that resonate with and best address the needs of those affected.

B. *Translating Human Rights: Localization, Vernacularization, Indigenization, and the Role of SMOs and NGOs*

The resources and opportunities provided by international human rights bodies and organizations are often important for local movements. But, in many cases, there is a mismatch between the Western-influenced conceptualizations of human rights, prominent in international discourse, and the reality on

the ground in a developing country. Too great a focus on the Western goals can undermine rights struggles if it does not accommodate local goals and knowledge (Hemment 2004, Ghodsee 2004).

For example, by comparing women's rights and soldiers' rights movements in Russia, Sundstrom (2005) finds that success depended critically on the congruence of NGO messaging with local norms. If local norms were strongly opposed to the messages, even high levels of foreign resources were unlikely to lead to significant progress. On the contrary, when NGOs pursue human rights agendas that match local norms, foreign assistance has a major positive impact. Similarly, Lyall (2006) finds that the key weakness of the antiwar movement in Russia has been the inability to translate appeals into a frame that rings true to the experience and expectations of the general Russian public.

Often, successful rights movements involve "matching" to context specifics (Schock 2015). To achieve such a match, some degree of translation, "vernacularization," or "indigenization" is often required. SMOs, NGOs, and activists often do the important work of remaking international human rights discourse in the vernacular and bridging the global and the local (Chua 2015). Successful movements adapt ideas and agendas to the target population and local contexts to create ideational fit.

Through a comparative analysis of three Islamist groups, Collins (2007) found that, to mobilize supporters separately, groups developed a local Islamist ideology, rather than holding to a global Islamist agenda. In mobilizing the Ogoni minority in Nigeria, globally oriented leaders framed international opportunities for local constituents, shaping the movement's goals and strategies (Bob 2002). And in Iran, Malaysia, and Saudi Arabia, translating international labor rights in terms of Islam's recognition of the right to arbitration (*takhim*) and conciliation (*sulh*) aided struggles for workers' rights (Hassan and Seraji 2013). Similarly, the movement against the Separation Barrier in the West Bank town of Bil'in increased mobilization and public attention to their protests through creative images and slogans that drew on locally resonant symbols (Hallward 2009).

Efforts to end female genital cutting provide a strong case for the need for this sort of translation. Winterbottom and her co-authors (2009) argue human-rights based approaches to the issue are ineffective when communities feel that Western "human rights" are infringing their rights to cultural self-determination. Similarly, approaches that emphasize the medical implications of female genital cutting succeed only if they address local beliefs about health. Rather than emphasizing the backwardness of communities that perform genital cutting as a rite of passage, a more effective intervention would be to eliminate the practice through locally organized alternative ceremonies that celebrate a girl's passage into womanhood with "circumcision through words."

Examining an indigenous community's rights struggle in Colombia, Jackson (2007) shows how transnational human rights discourse penetrated, and was modified by, an incredibly isolated and marginalized area. Indigenous communities discovered they needed to establish, and regularly reestablish, their legitimacy as "indigenous enough" by articulating and performing their cultural difference and connection with a traditional past. Jackson's work reveals the complexities of tying rights to claims to a specific cultural identity, and challenges the idea of universal human rights.

Warren (2007) makes clear that such mismatches in understanding can be consequential, as they shape not only conceptualizations of the problem, but also of its solutions. In the development of the 2000 Human Rights Trafficking Protocol, different groups pushed for different conceptualizations of the problem (for example as a human rights issue versus a law enforcement issue). These differences also led to different ideas of proper interventions and remedies. In Bangladesh, a campaign by several NGOs from the global North to prevent child labor clashed with the agendas of local NGOs focused more on "positive" economic rights to escape poverty, leading to different advocates working at cross-purposes and achieving mixed results (Hertel 2006).

Sometimes, "triangular translation" is required to translate global human rights locally, as in the case of Israeli human rights organizations fighting for Palestinian rights (Golan and Orr 2012). In triangular translation, NGOs "translate international human rights norms on the one hand, and the suffering of the victims on the other, into the conceptions and legal language commonly employed by the state that violates these rights" (p781). However, Stern (2005) shows, through a study of female inheritance movements in Hong Kong, that a frame that appeals to local rights concepts does not always require dramatic modification of a global human rights frame. Sometimes "indigidenizing" these global frames with local symbols is enough. She argues that the process by which international norms are imported into a local context is best understood as falling on a spectrum between adoption (no change) and adaption (major change). Indigenization (superficial change or translation) falls in between.

When translation is required, Merry (2006) argues that NGOs play a critical role as intermediaries between global and local/national levels. Through translating and localizing global concepts of universal human rights, movements can generate new ideas and meanings and, in return, shape global discourse (Szulecki 2011). For example, Baer and Gerlak (2015) argue, through analysis of the Bolivian struggle for the right to water, that although global human rights discourse tends to be state-centric and market-friendly, and often does not reflect the lived experience in non-Western countries, the process of translation and implementation can result in a counter-hegemonic discourse.

The main paradox of making human rights in the vernacular is that the human rights ideas must be localized enough to resonate but must retain their fundamental core enough to provide a radical challenge to normalized social relations. But, as Merry points out, "Despite drawbacks in the way the concept of human rights has been developed and used, it is still the only global vision of social justice currently available. With all its flaws, it is the best we have" (2006, p231).

C. Tactics and Organizational Structures

In this section, we examine the tactical choices and organizational structures consistently identified as promoting successful domestic human rights advocacy. This was an area of significant disagreement in the literature, and one in which it is particularly challenging to draw globally consistent lessons. Examining the effectiveness of specific tactics in gaining rights is a crucial avenue for future research. However, we make some general observations on both tactics and organization that we feel make the greatest contribution to successful advocacy.

With respect to organizational structure, a primary area of discussion in the literature concerned whether advocacy was best facilitated by flat, informal structures of networked cells or by more

traditional hierarchical structures. The former tends to best describe informal social movements; the latter is more closely associated with traditional formalized human rights NGOs. Both structures can be beneficial to human rights advocacy. For instance, Diez (2013) argues that the professionalization and move toward a more structured, hierarchical set of advocacy organizations was crucial for the success of the LGBTQ rights movements in Argentina and Mexico. However, Ababneh (2016) argues that the exact opposite structure, a loosely organized informal network, best facilitates participation and was central to the activity of the women's day-labor rights movement in Jordan.

The benefits of a more hierarchical structure center on leadership continuity and consistency, maintenance of organizational knowledge, and vertical ties to state decision-makers. However, hierarchical, tightly structured NGOs often lack ties to the local community that can provide information on the needs and most effective means of struggle (Ottaway and Carothers 2000). Hierarchical NGOs, in many circumstances, are highly dependent on a single leader whose personal charisma drives the organization. This makes the organization vulnerable to demobilization if the leader leaves the movement for personal reasons or is arrested or killed by repressive authorities (Welch 1995).

In contrast, many studies highlight the ability of flat, informal structures to foster movement resilience. When single leaders leave a movement, or when segments of a movement face government repression, informally organized movements maintain the ability to survive (Press 2012). More flexible structures also facilitate broad-based participation, as they allow individuals who might not be able to commit to full-time professional NGO work to engage in advocacy nonetheless (Ababneh 2016). Informal structures have a speed advantage over formal structures—they can quickly mobilize large numbers of people for advocacy action. They also typically have "deeper roots" in local society, which allows them to draw on vast and diverse knowledge and resources from the local environment (Wong 2012).

Although the effect of different organizational structures on advocacy success remains a matter of significant debate, there is general consensus about the important roles played by movement cohesion and autonomy in improving the likelihood of success. Movements tend to succeed when various organizations pursue a single cohesive agenda, but divisions over goals among different organizations or segments of a movement can be fatal, leading to movement failure (Reisinezhad 2015). Competition for funding, volunteers, or attention also undermines advocacy (MacLure and Sotelo 2004, Benit-Gbaffou 2016). In contrast, HRDs that form a relatively united front improve their chances of success (Bob 2007, Viterna and Fallon 2008, Tsutsui and Shin 2008).

Autonomy from governments also is crucial. In many circumstances, human rights organizations are subject to "capture" by governments, particularly where former resistance movements came to power. For instance, in South Africa, following the election of the ANC government, many formerly independent human rights advocates and organizations were more or less absorbed into the government. This depressed human rights advocacy, a depression that was reversed only several years later by a new generation of autonomous organizations (Bond 2012, Hames 2006, Geisler 2000). In contrast, organizations that forged connections to state decision-makers but nonetheless maintain their own organizational autonomy were much more effective (Tripp 2004).

Various studies point to several tactics that have been effective in promoting human rights in a variety of circumstances. Many studies, for instance, argue that confrontational tactics such as strikes or large public protests were more effective in achieving success than more indirect tactics of traditional advocacy. For example, Hermann (1996) points to tactics that cause disruption—forcing elites to take notice—as a crucial factor in successful protest campaigns in Israel. While not directly related to the question of human rights, Madestam and his co-authors (2013) use state-of-the-art econometric analysis to show that public protests are a uniquely effective tactic in achieving political concessions in the US. Foweraker and Landman (1999) also find that labor strikes have been a powerful tool.

However, the positive effects of confrontational tactics are somewhat limited by the political environment in which they are used. For instance, Hawkins (1997) argues that strong pressure from civil society in Chile, in the first few years of the Pinochet regime, led to a "hardening" of the government position. Only when pressure on the regime decreased did a process of expanding rights and political openness take place as government "soft-liners" had greater space to operate. Similarly, Welch (1995) shows that human rights advocacy in Africa has been most successful when advocates do not mount a direct contentious challenge against the government, but instead focus on careful, extended research. Michaelson (1994) shows how the Green Belt Movement in Kenya developed in a repressive environment by pursuing "consensus" rather than "contentious" action.

Even in some democratic settings, the benefits of confrontational tactics are not universally accepted. In his study of informal workers' labor rights in South Korea, Chun (2009) argues that militant labor organizations that adopted an uncompromising "all-or-nothing" approach were unsuccessful because they tended to provoke extreme responses. In contrast, informal organizations that utilized more compromising approaches, focused on improving welfare, had many successes.

The appropriate balance between confrontation and conciliation thus depends, in part, on the political environment, and also on the specific stage of contention in which the movement exists. In examining the work of the National Coalition for Gay and Lesbian Equality (NCGLE) in South Africa, Oswin (2007) finds that an early strategy of elite engagement, where the organization engaged in lobbying and eschewed confrontational mass protests, was key to building the movement's support and protecting its members from repression. Once they had built a base of elite allies, they could then broaden their tactics to more confrontational approaches, knowing that they had a base of support on which to draw. This allowed the movement to be both more inclusive and ultimately more successful.

D. Making Friends: Building Relationships and Networks for Human Rights

A major theme across the literature is the importance of ties, between and among various actor groups, in facilitating mobilization and improving the likelihood of successful contention.

Studies that emphasize the importance of cross-actor relationships are either explicitly or implicitly grounded in relational thinking, and approach which values the structure and character of relationships across actors—organizations, individuals, societal sectors, *etc.*—to be as important as understanding the characteristics of the actors themselves, or of the political system in which they operate. Indeed, the people and the organizations involved in a rights struggle must cooperate and compromise with other groups to advance their causes. Rarely, if ever, do movements exist in isolation. The existence of

numerous, often interrelated, groups might soften organizational boundaries by facilitating the exchange of information, resources, and meaning (Lecy, Mitchell, and Schmitz 2010, p442).

The behavior of individual activists, and the collective outcomes that they achieve, frequently result from interdependent actions of members of a particular network or networks. In her work on climate activism, for example, Hadden (2015, p10) demonstrates the importance of civil society groups' relationships: "these ties influence the decisions that [groups] make because organizations share information, pool resources, and influence one another to adopt similar forms of collective action and collective action frames." And, as has been discussed, tactics and frames themselves then deeply influence the political outcomes that groups can affect and the broader propensity of movements to succeed in achieving their goals.

The literature makes important distinctions between "horizontal" ties among activists and "vertical" ties between activists and governments, or between activists and other elite actors such as donors, INGOs, *etc.* Many authors also draw attention to the importance of transnational relationships among actors. Horizontal ties are particularly important to increasing mobilization because they connect individuals from different sectors of society (Tripp 2000, Juviler 1998). Vertical ties make movement success more likely by providing openings into otherwise inaccessible power structures (Akchurin and Lee 2013, Fiske 2006, Waylen 2007).

Finally, transnational ties connect activists to allies across national borders. A substantial volume of literature exists on this form of connection (Della Porta and Tarrow 2005). Attention to relationships that transcend national boundaries highlights the relative strengths and weaknesses of movements with state-centric versus transnational modes of organization (Cunningham 2001). Although activists frequently are limited in their ability to influence domestic power structures, shifting to transnational advocacy often has improved their chances of success by bringing a different pressure on home governments (Keck and Sikkink 1998).

Transnational ties can encompass both vertical and horizontal relationships; often, both work in tandem to improve the likelihood of successful contention. Movements such as labor unions and women's organizations have recognized the advantages of common vertical targets, such as international institutions, to induce the horizontal formation of transnational coalitions (Martin and Ross 2001, Mazey 2002). International conventions and summits also have been critical to establishing a network of transnational horizontal relationships across activists—as evidenced, in particular, by women's movements (Baldez 2003).

In the next two sections, we review how relationships matter for two key moments in movement evolution: mobilization and success. As we will discuss, different types of relationships matter at different points of contention. Movements that have leveraged the relative advantages of each type of tie improve their chances for success.

i. The Importance of Horizontal Ties

There is a consensus in the literature that strong horizontal ties are important for mass mobilization and lead to improved likelihoods of successful advocacy for human rights protection. The density of social

networks, and strong lateral ties among civil society groups, are important indicators for mobilization and contention (Arriola 2013, Petrova and Tarrow 2007): mass mobilization and participation are more likely in contexts with strong preexisting levels of interpersonal trust (Benson and Rochon 2004). Members of a strongly interconnected society are more likely to anticipate low costs of participation; individuals in divided societies are more likely to fear retribution for participating in contentious politics.

These dynamics have been illustrated in many empirical studies. Arriola (2013), for example, shows that ethnic heterogeneity and increased social distance among individuals dampened mobilization in Ethiopia. Global survey data show that strong notions of interpersonal trust play an important role in determining levels of protest (Benson and Rochon 2004). Country studies of highly repressive contexts, such as Russia, demonstrate that consistent face-to-face contact is much more powerful in inducing mobilization than indirect appeals to symbolism (Lyall 2006). Trust and interpersonal connections become particularly salient as the intensity of protest increases (Benson and Rochon 2004).

The density of social networks also informs the extent to which a movement can withstand state repression. Dense, yet diverse, interpersonal networks embedded within broader national, and transnational, institutional networks are better able to organize sustained collective action in high-risk contexts (Loveman 1998). Individualized or compartmentalized contention is more easily controlled and subdued by the state—as evidenced in Cambodia, where small, symbolic protests staged for international audiences, but lacking mass mobilization, have failed to achieve significant gains in human, labor, or environmental rights (Hughes 2007)*.*

Informal social networks also have been important in spreading ideas among members of closed societies under highly repressive regimes. In Islamist societies in the Middle East and the Caucasus, for instance, informal social networks are essential to activist protection, message dissemination, and strategy development (Collins 2007). Inclusive networks played a prominent role in fostering the growth of opposition movements in places such as Uzbekistan, Kyrgyzstan, Tajikistan, and Kazakhstan, and helped activists garner greater mobilization success (*ibid.*). In Iran, informal networks, "second identities," and leaderless movements have been essential to human rights organization and advocacy. The women's rights movement, for example, "has tried to structure itself so that it has only members and no leader… these activists carry on with their work under their 'second identity' as international human rights advocates… this identity becomes ever stronger as outreach to other NGOs both within Iran and internationally continues apace" (Boroumand 2007, p76).

Fostering opportunities for building activist networks at the local level also has increased mobilization. Workshops that host activists from a broad spectrum of societal sectors help HRDs share lessons learned and improve HRD success. Based on extensive interviews with activists and participant observation in Israel and Palestine, Hallward (2009) finds that one of the greatest local successes has been the engagement of entire villages in the struggle for Palestinian rights, and the development of a network across numerous individuals, including Israeli and international actors. Building broad and deep coalitions has expanded the overall leverage and legitimacy of the movement.

Indeed, increasing connections across movements that advocate for different rights—such as women's rights, labor rights, or LGBTQ rights—has been particularly effective at spurring mobilization and

effecting tangible human rights improvements. This suggests that horizontal ties matter for advocacy outcomes as well as mobilization. The literature examines many examples of cross-movement coalition building and horizontal connections improving chances for successful contention. What Petrova and Tarrow (2007) aptly refer to as "transactional activism" helps to raise awareness around particular issues, such as human rights violations, and connects otherwise local activists with regional, national, and transnational activists. While transactional forms of activism are not necessarily more effective at inducing change than individual activism, the development of horizontal ties across different types of civil society groups is a powerful, if overlooked, strategy of contention.

Linkages across diverse civil society not only improve the chances of movement success, but also are a powerful indicator of robust civil society development and democratic consolidation, as Carruthers and Rodriguez (2009) find in Chile, in the context of indigenous movements advocating for environmental rights. Movement ties to other organizations such as the Catholic Church, in addition to cross-organizational linkages, have also helped movements achieve political change across not only Latin America, but other in regions such as Eastern Europe (De Brito 1997, Juviler 1998).

Finally, it is important to note the literature trends toward emphasizing the impact of structural factors—in particular regime openness—on the ability of movements to organize horizontally. More specifically, the very possibility of open protest—a characteristic of democratic or semi-authoritarian as opposed to autocratic regimes—has important effects on mass mobilization. Massive open protests, for instance, lower the costs of protest, and lead to escalating participation across society (Kuran 1991). But when repressive regimes drive movements underground, as happened across the Middle East and in the Central Asia region, conditions inhibit groups' potential for building relationships across society, and ultimately obstruct greater mobilization (Collins 2007, Boroumand 2007). Although underground activism is still possible, movements that are driven to act clandestinely are unlikely to bring about policy changes (Lyall 2006).

ii.   The Importance of Vertical Ties

Horizontal HRD ties have been particularly important at the moment of mobilization, but scholars emphasize the importance of connections between activists and members of the political elite to effect actual political change. The literature subsumes a wide variety of actors into the "elite" category, including political, cultural, and economic actors such as journalists, UN officials, members of international human rights organizations, donors, or national political leaders (Hafner-Burton and Ron 2009). The elites category also can include lower-level players tied to state governing structures, such as local judges, police officers, bureaucrats, or soldiers.

In contexts as diverse as Norway, China, and South Africa, HRDs have relied on a common thread of locating and exploiting divisions among the powerful to achieve their objectives (O'Brien 1996). Indeed, by adopting what O'Brien refers to as "rightful resistance," activists achieve success by openly and opportunistically engaging "structures of domination." This approach is not so different from Lyall's (2006) entrapment mechanism: strategic HRDs in authoritarian states can wield a form of rhetorical coercion by exploiting contradictions within official rhetoric to inflict costs on a regime for failing to uphold past promises of rights protection.

Exploiting ties with political elites also has reduced perceived barriers to contentious participation and reinforced the potential of transactional forms of activism. Social proximity across members of the regime and aggrieved populations, for instance, reduces the perceived costs of extra-institutional forms of political participation. When members of the security forces and HRDs share a common ethnicity, for instance, HRDs are less likely to fear violent retribution from the state during protests and other nonviolent contentious collective action (Arriola 2013).

Instances of ties formed between elites and non-elites also emphasize the importance of transactional forms of activism, which often go unnoticed in the face of more overt, individual-level forms of political participation. Petrova and Tarrow (2007), for example, find that non-state HRDs in former Soviet states are developing transactional capacities that outstrip their capacity to mobilize large numbers of citizens in organized collective action. The exploitation of vertical connections across activists and political elites has led to important gains in small-scale human rights improvements in countries such as Bulgaria and Hungary. Of course, if these movements fail to develop participatory activism, officials can present the failure as proof that the rights struggle lacked a popular mandate.

As discussed above, the political elites with whom HRDs form ties come in different colors. Well-connected, local actors who understand the human rights context in their own environments act as particularly powerful lobbyists for excluded groups, as has been the case in activism for refugee rights in Australia (Fiske 2006). In the case of the women's movement in South Africa, specific political opportunity structures opened the way for women to form strategic alliances with "insiders," who could put gender issues on the national policy agenda, and subsequently transform them into human rights gains (Waylen 2007).

For women's movements in general, several other examples from the literature cite the importance of movements' relationships with political players. Studies that examine women's activism globally suggest that organizations with access to formal institutional politics have had the most success in promoting gender rights. For example, using global data on women's activism, Akchurin and Lee (2013) find that women's organizations with access to institutional politics—through either direct advocacy or ties to unions or other professional associations—were overwhelmingly successful in drawing attention to gender earnings equality. In North America, women activists' relationships with their respective states, as well as their place within broader HRD coalitions, heavily conditioned the ability of movements to respond to the North American Free Trade Agreement (MacDonald 2002). This type of evidence stresses the often complementary roles that horizontal and vertical relationships play in harnessing the power of human rights movements.

Despite the robust finding that vertical ties between grassroots human rights movements and political power structures have led to tangible policy changes, evidence also points to the potential dangers of too much vertical integration (Jubb 2014, Ivancheva 2016). In grassroots political activity in Chile and Brazil, for instance, Foweraker (2001) argues that contention for improved rights is frequently coopted by the state, particularly in the context of increasing democratization. Where rights organizations interact with the state, they risk becoming subordinated to state policy, leading to piecemeal and fragmentary successes. Similar arguments are made in other studies. In Brazil, NGO ties to political parties are less important than the ability of movements to raise levels of social capital within society. By

simply providing the infrastructure necessary to develop social capital and civil society, human rights movements can have a more measurable impact than they can through the formation of political alliances with elites (Brown, Brown, and Desposato 2007).

iii. Harnessing Transnational Ties

Although the majority of the studies cited above emphasize the importance of relationships across actors within specific domestic contexts, horizontal and vertical ties also affect transnational human rights advocacy. Indeed, linking local struggles to transnational, bottom-up networks has improved the likelihood of success for many movements engaged in the human rights struggle (Dunford 2015, Stewart 2004, Diez 2013).

Establishing horizontal connections across borders has allowed movements to "jump scale," and enabled activists to draw on transnational networks and their resources to pressure their own targets into implementing change at the domestic level (Merk 2009). This mechanism of "jumping scale" is similar to Keck and Sikkink's (1998) "boomerang" effect, in which groups operating in one country use a transnational advocacy network to appeal to citizens of another country to effect change.

Building ties cross-nationally also has helped movements adopt framing techniques that increase the likelihood of success. In Suriname, for example, indigenous groups developed their rights frames through their involvement in INGO networks and then used these frames creatively and strategically to call into question the logic and fairness of protected areas, ultimately securing greater land rights (Haalboom 2011). Using event history analyses of 158 countries from 1967 – 2010, Kim (2015) also finds that INGOs' local engagement has strongly influenced rights improvements at the national level, largely by framing specific issues as human rights violations. In this latter case, vertical connections between local indigenous activists and elite political players, such as members of INGOs, led directly to policy successes in rights protections.

Studies agree that activists engaged at the local level are often much more connected externally to transnational actors than is expected or assumed. Local-global linkages frequently involve several intermediary levels, specifically at levels below the nation-state, suggesting that they often are a mix of horizontal and vertical ties. In India, for example, grassroots women's movements actively built both horizontal and vertical networks at the local and transnational levels, increasing their prospects of inducing change (Subramaniam, Gupte, and Mitra 2003). Matsuzawa (2011) specifically highlights the horizontal dimension of cross-border ties, and shows how transnational activism against the construction of a major hydropower dam in China was successful because of a robust global-local activist network. Building vertical ties with transnational organizations is especially important in impoverished countries, as INGOs or other donor agencies enhance the capacity of domestic rights groups by distributing resources and facilitating cross-activist networking (Montoya 2008; Clark, Friedman, and Hochstetler 1998).

Finally, Bell *et al.* (2014) find that the presence of human rights organizations in a neighboring state can be a substitute for the weak presence of domestic human rights groups. The findings ultimately suggest that repressed activist networks in one state might benefit from the activity of HRDs in a neighboring

state with a more open political opportunity structure. Popular protests for improved rights, in short, can occur as a result of transnational ties.

Bell *et al.*'s (2014) finding regarding the "substitution of advocacy" effect speaks strongly to the impact of transnational ties on the diffusion of human rights contention across borders. This can have both negative and positive effects on rights improvement. Della Porta and Tarrow (2012), for instance, show how collective action diffusion produces parallel and interactive sequences of "public order" reactions, whereby protestor and police innovations occur simultaneously. Comparing the transnational counter-summits that emerged at the turn of the century, the authors find that although the tactics and strategies of activists in Seattle, Genoa, and Evian evolved through processes of promotion, assessment, and theorization, so did those of security forces deployed to police the summits. On both sides, the diffusion was a product of direct, horizontal ties across HRDs in different countries. In the Middle East, the success of the revolution in Tunisia catalyzed a rapid shift in the perceptions and considerations of strategically positioned actors in Egypt, who ultimately worked to foster the successful anti-Mubarak movement (Clarke 2014).

Finally, studies of movement diffusion across borders support the notion that frames and shifting international norms can originate as often from the Global South as they do from the developed world. In the 1980s, for instance, Argentines helped to define the very term "forced disappearance," and to develop regional and international instruments to end the repressive actions of authoritarian states (Sikkink 2008). Friedman, Hochstetler, and Clark (2001) provide further compelling evidence that the global human rights framework need not be a Northern- or Western-imposed project. Latin American countries' participation in global human rights conferences in the 1990s clearly shows that their experiences closely track those of NGOs from the northern hemisphere.

Although the benefits of transnational connections are undeniable, many studies point to the dangers of overreliance on transnational ties, particularly vertical ones (Welch 1995; Juviler 1998; Ron, Pandya, and Crow 2016). In Chile, for example, human rights NGOs' ties with external funders provided much needed resources, but also created a culture of dependence and a clientelistic middle class with reduced ability to connect to the local populace. Only when local groups could shape donors' missions to their strategic interests did they effectively provide benefits to the neediest sectors of society (Lambrou 1997).

There are other potentially adverse consequences of external support, as well. Just as Jaraisy and Feldman (2013) caution that identifying, empowering, and affording special protection to select leaders as "human rights protectors" could reduce solidarity among the groups in which these individuals are embedded, it is possible that signaling out certain organizations for support could reduce solidarity among the broader movements and its networks.

A high density of horizontal, transnational ties across activists also can have insidious effects on contention. Pieck (2013), for instance, shows how transnational HRD networks composed of many organizations with very different organizational and emotional cultures face unique challenges in of collaboration and effecting change. Analyzing the Amazon Alliance, a network of indigenous activists in Latin America, Pieck demonstrates how too many connections with too many different actors can be a force of attrition for human rights movements.

Nevertheless, most studies conclude that horizontal and vertical transnational ties ultimately work to benefit grassroots movements. Despite the potential dangers of cooptation, over-dependence, and movement stratification, local-global alliances more often than not lead to the genuine convergence of interests, and to positive change for human rights protection (Stewart 2004).

iv.   Assessing the Importance of Relationships

Our review of the literature on grassroots human rights contention suggests that the relationships that activists and activist organizations form are key to achieving human rights improvements. Horizontal ties—the intra- and inter-movement relationships that activists cultivate with other activists—have been especially critical in fostering large-scale mobilization in pursuit of policies for protecting human rights, and also are important for successful advocacy. In turn, vertical ties—the relationships that activists and movements form with elite actors—are important to creating openings for movements that ultimately cement success. Finally, the literature appears to converge on the positive role of horizontal and vertical transnational ties formed by HRDs and INGOs, especially in the diffusion of strategic framing and tactical innovation to ensure success.

A key finding concerns the complementarity of different types of ties. The three types of ties that we identify as common themes in the literature are not mutually exclusive, but instead work together to improve the chances of successful advocacy. By building horizontal networks and mobilizing large segments of a population in favor of a cause, activists increase their chances of targeting public opinion. But to effect concrete policy changes, they also must reach into extant power structures, often by lobbying key, well-positioned elites. In the case of LGBTQ rights, in particular, mixed strategies that target public opinion through networking, and political elites through lobbying, have led to important advances in rights protection (Haider-Markel and Meier 1996). Strategies that combine harnessing both horizontal and vertical relationships across actors also are important for transnational rights advocacy, as Clark, Friedman, and Hochstetler (1998) show for NGOs participating in UN world conferences.

The warning signs of too much integration, in terms of relationships formed with extant power structures at both the domestic and international levels, are also a recurring theme. This does not suggest that movements should avoid connections with political actors, or with transnational advocacy organizations. A balance between the development of broad, horizontal relationships across civil society sectors, and limited vertical integration that allows for a movement's continued autonomy, appears to foster an increased likelihood of success.

Most literature that emphasizes the importance of relationships to domestic HRD struggles draws on the qualitative analysis of a small number of cases. This is likely due to the difficulties inherent in collecting data on social networks cross-nationally and over time, and not to specific shortcomings surrounding the importance of social networks on contention. As such, we believe that there is room for improving this gap, particularly through the quantitative social network analysis of specific cases in which a sufficient amount of granular data on human rights contention is available. Indeed, studies use event data to measure the effects of dynamic social networks on political contention (Metternich, Dorff, Gallop, Weschle, and Ward 2013). This suggests that a fruitful area for future research on grassroots

human rights activism could be large-*n* analyses of social network structures and human rights contention in the context of specific, data-rich cases.

In sum, USAID—when considering social movements or SMOs as potential entry points, or in surveying social movements as part of the broader environment in which they operate—should consider prior research about how these movements operate and what strategies are likely to lead to success. While context always matters, there are some highly consistent findings. We know that framing in terms of human rights is often effective and can provide important benefits. We also know that there is often some translation required to implement human rights concepts in local contexts. We know that confrontational and disruptive tactics are often, but not always, more effective. We know that hierarchical and "flat" organizational structures both have advantages and disadvantages, and that which structure is ideal will depend largely on movement goals and external factors related to repression and regime type. Finally, we know that network ties (including horizontal ties with other movement organizations, vertical ties with donors or elites, or transnational ties with international organizations or human rights institutions) provide many benefits to movement organizations. These benefits are amplified, and potential pitfalls of too much integration are mitigated, to the extent that groups maintain a diversity of ties and a healthy balance of horizontal, vertical, and transnational relationships. This all suggests that USAID support and response would be best focused on groups or movements framing their concerns in term of human rights and working to bridge global concepts and local realities, employing tactics and organizational structures that are well-suited to their goals and context, and maintaining ties to diverse others.

MOVEMENT FAILURE

The preceding discussion of how human rights advocacy from below arises and evolves helps to shed light on a relatively under-addressed topic in the literature: why some movements fail to achieve improvements in human rights outcomes. Indeed, although human rights successes are most certainly not inevitable, studies of failed cases of human rights advocacy remain rare relative to those that focus on success. While the literature acknowledges that some countries and government structures are better candidates than others for reform—as determined by many of the enabling factors discussed previously—and that setbacks are always possible (Hafner-Burton 2009), there is a gap in understanding what specific structural, organizational, tactical, or other factors lead HRDs to fail in achieving positive rights outcomes.

This section reviews what the literature says on this point, via individual studies that highlight lessons learned from instances of failed human rights advocacy. A bird's eye view of the scholarship reveals that factors contributing to unsuccessful contention can be grouped into four broad themes: 1) issues related to framing and organizational culture; 2) concerns over the organizational structure and tactical choices of human rights advocates; 3) barriers posed by political opportunity structures and patterns of state repression; and 4) the influence of external actors, such as Western donors. We review each of these in turn.

A. *Framing and Organizational Culture*

The preceding discussion highlighted the importance of the rhetorical struggle that takes place alongside the legal and political struggles for human rights, and established the importance of framing. Frames are critical both to mobilization and to subsequent phases of contention; they help people decide whether to participate and help maintain movement momentum once contention is underway. Absent an effective story that can draw in active civil society support, grassroots advocacy for human rights protection is likely to falter and fail. Furthermore, the "wrong" frame can hinder movement success by causing a movement to lose local legitimacy or popular support.

In his account of the Dalit movement in India, for instance, Bob (2007) highlights some factors that kept caste-based discrimination off the international human rights agenda until the 1990s. He argues that the end of the Cold War coincided with a rise of interest in and concern for human rights issues among international organizations and NGOs, thus opening the way for aggrieved groups in many nations to seize upon a rights "master frame" that previously had been unavailable. Prior to the evolution of this master frame, the efforts of Dalit civil society activists to make their case internationally in a variety of forums met little response. Importantly, without framing tools, Dalit activists failed to attract the support of major "gatekeeper" NGOs in the human rights field, such as Amnesty International and Human Rights Watch (Bob 2007, p176).

B. *Organizational Structure and Tactics*

The literature also emphasizes that organizational structure and HRD tactical choices influence the ability to achieve tangible rights gains. As we have seen above, several studies link factors such as network structure and tactical choice to relative rates of advocacy success. However, structural factors also can hinder movement success. Lyall (2006), for example, shows how shifts to innovative and seemingly innocuous tactics of contention in Russia worked to alienate, as opposed to mobilize, the population against Putin's violent campaign in Chechnya. When the Antiwar Club shifted to staging rock concerts and festivals in an effort to draw a younger audience, this tactic opened a rift between the minority willing to try new methods and those favoring traditional, more symbolic forms of protest (Lyall 2006, p404). As a result, activists were unable to gather enough popular momentum to force the regime to shift its strategy.

As we discuss in earlier sections of this document, the social context in which HRDs fight plays an important role in shaping advocacy outcomes. In an interesting twist on how tactical choices affect the propensity of HRDs to achieve positive rights outcomes, Maney (2001) shows through a comparison of indigenous rights movements in Latin America how the tactical choices of several simultaneous movements interact to affect the relative prospects of success for each. Explaining why some activists succeed in improving human rights while others fail requires taking into consideration not only tactical decisions, but also those of competing actors. For example, a particular tactic may increase participation around one issue but depress it on another, or even induce exits and defections from other causes.

In terms of organizational structure, a lack of strong ties and networked relationships both at home and abroad has limited HRDs' ability to fight successfully for the protection or expansion of rights. Once again, scholarship on the Dalit struggle highlights the importance of organization. Throughout the 1980s, Dalit activists in India lacked ties to the growing number of Dalit CSOs sprinkled across the country, and

had limited international contacts (Bob 2007, p174). This limited the early rights movement to achieving only incremental successes, and weakened activists' potential of forcing the Indian government into action that would improve the situation facing Dalits.

Perhaps most importantly, there is a broad consensus in the literature that human rights advocacy from below that suffers from internal divisions among activists is most likely to fail. Divisions can lead to shifts toward violent strategies of contention as various sides vie for attention (Cunningham 2014, Pinckney 2016), and violence itself works to further alienate popular support for a cause (Maney 2001). At times, divisions among activists can be an unintended consequence of rights advocacy. Using the example of Venezuelan student movements, Ivancheva (2016) shows how students' pressure for educational reform, access, and autonomy prompted the state to establish new institutions, which ultimately tiered the university system and exacerbated student inequality. These divisions have since hindered the ability of the student movements to achieve greater rights.

C. External Assistance

The discussion of why some HRDs fail to make tangible gains thus far has focused principally on domestic factors derived from how activists organize themselves, or the framing and tactical choices they make. Often, however, external factors such as support from foreign donors or INGO also can delay or obstruct the protection of human rights. Hindrances from external assistance are largely grouped into three categories: dependencies, cooptation, and Westernization (see, *e.g.,* Welch 1995, Juviler 1998, Ron *et al.* 2016).[7] Several examples from the literature elaborate why this happens.

A common theme in the literature highlights how international involvement in otherwise domestic human rights advocacy efforts can create dependencies that become inimical to HRDs' ability to achieve rights improvements. In post-war Bosnia, for example, international efforts to build a robust civil society to foster peace and democratization have been largely unsatisfactory. Belloni (2001) attributes this failure to the international community's lack of a coherent, long-term intervention strategy, but also to the promotion of a concept for civil society that was at odds with the local context. The flawed promotion of "civil society" from without, as implemented in post-Dayton Bosnia, highlights the failures of social engineering efforts that ignore the local context. Local NGOs are able to perceive the dangers of dependence on international interventions, which eventually materialize in mistrust of external donors and dim hopes of sustaining the growth of local organizations.

Cooptation is another threat from external assistance. Although external assistance may be necessary, for resource-poor activists in particular, a significant risk lies in the possibility of an international donor overstepping implicit or explicit boundaries and coopting a particular cause. Stewart (2004), for example, uses the example of Guatemalan massacre survivors to demonstrate how shifts from local to transnational mobilization lead to substantive changes in a movement's discourse and its interpretation of grievances, strategies, and targets. However, the shifts do not always yield positive gains. As other

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[7] As we note earlier, cooptation is also a risk when HRDs develop vertical ties to domestic actors, such as political figures or others tied to the state (see Foweraker 2001 and Brown, Brown, and Desposato 2007 for examples of the potential risks for cooptation at the domestic level).

studies demonstrate, only when local groups can shape the missions of their international supporters to fit their indigenous interests can external assistance contribute to advocacy success (Lambrou 1997).

Other studies stress the importance of connections to the local context when Western donors attempt to influence human rights struggles. Comparing Western efforts in Russia to encourage the development of NGOs focused on women's and soldiers' rights, Sundstrom (2005) shows how reliance on norms that represent foreign rather than local contexts is more likely to lead to advocacy failure. When foreign assistance was employed to promote norms that were universally embraced, as was the case with soldiers' rights, Western efforts at NGO development in Russia were successful. Western norms of gender equality and feminism resonated less or not at all in Russia, and foreign efforts at building local NGO capacity around women's rights yielded only limited gains.

Understanding the potentially adverse effects of external assistance to local human rights struggles is essential for any international advocacy or funding organization. Indeed, although international support is often essential as HRDs seek to "jump scale" (Merk 2009), achieve greater validation of a particular cause, and build the capacity of local actors, it is critical that any intervention be organized and implemented in a manner that advances, not hinders, indigenous causes.

D. Structural Factors: Political Opportunity and Repression

The literature addresses the role of repression in two distinct ways. A first set of studies focuses on understanding the causes of human rights abuses, *i.e.,* why governments violate citizens' physical integrity rights. We cover the main findings from this literature in the enabling environment section. The second set of studies addresses the effects of repression on movement mobilization, evolution, and outcomes, including overall success or failure. In this section, we review the main findings contained in this second set of literature to understand why HRDs might falter in the face of repression and restricted political opportunity structures.

Significant debate exists over the effects of repression on mobilization and contention for the protection of human rights, just as with social movements more broadly. Although some movements have survived and achieved success in the face of intense repression, many others have perished at the hands of intensively repressive regimes. Importantly, studies find that violent, indiscriminate repression has a differential effect on mobilization in authoritarian contexts, depending on whether other opportunities such as elite divisions or press freedoms were present (Schock 1999, Hess and Martin 2006). This suggests that repression may interact with variables such as political opportunity structure, resource mobilization, or social context, all of which contribute to the evolution of human rights struggles.

It is often not the act of repression, but its long-lasting impact on HRDs, that most affects a movement's ability to survive (Finkel 2015). Disaggregating repression into its effective impacts, Loveman (1998) finds that, in Latin America, specific levels and types of repression—operationalized as the ability of the government to curtail and control access to material and symbolic resources and to physical and sociopolitical space—ultimately determine SMO emergence and sustainability. By attacking the very factors that guide personal decisions to participate in or abstain from contentious action, certain military dictatorships in Latin America curtailed human rights struggles. Additionally, a movement's response to repression curtails its ability to continue a struggle. For example, when repression of non-

violent activists on the part of regime security forces leads to the development of a violent radical flank within the non-violent movement (Arriola 2013), prospects for successful advocacy decline significantly (Pearlman 2011).

Finally, large-*n* cross-national studies of social conflict show that a history of repression dampens overall levels of contention for human rights, and also affects movements' selection of targets (Salehyan and Stewart 2016). Official discrimination of particular ethnic groups may be evidence that marginalized communities are unable or unwilling to take on more powerful state institutions, and thus shift their attention to other targets.

REMEDY

This section assesses how the literature can inform the "remedy" component of USAID's three-pillared approach to human rights protection. According to USAID's Human Rights Landscape Analysis, remedy concerns "those judicial and non-judicial measures that can be taken to provide redress to individual victims of human rights abuses, combat impunity and seek accountability of perpetrators, support transitional justice in instances of widespread rights violations, and potentially deter violations." Illustrative remedy activities include providing access to justice for victims of human rights abuses; fostering a survivor-centered approach to accountability, including ensuring the physical and psychological safety of victims; helping to bring cases to the ICC, UN, or domestic courts; participating in the dissemination of material or symbolic benefits to victims; and helping to promote truth-seeking measures, such as the establishment of truth and reconciliation commissions (USAID 2016).

We interpret remedy as measures taken after rights violations, including interventions that support long-term mitigation. In this section, we first review how the literature on grassroots human rights advocacy approaches issues of victim redress, reconciliation, and remedy more generally. Based on the studies included in this review, we answer questions such as whom do HRDs target for remedy? When have grassroots efforts to access remedy been successful and when have they failed? What is the role of transnational actors and connections on remedy? We conclude with identifying potential points of entry for USAID with respect to remedy, and highlight any points of discrepancy that might exist between USAID's illustrative options and what the empirical evidence suggests.

A. Establishing Accountability for Violations

Holding rights violators accountable is a critical step in remedy. The various mechanisms highlighted in the literature related to accountability—such as the establishment of truth and reconciliation commissions, or the development of transitional justice procedures—are important in facilitating the creation of a political culture respectful of human rights. They also are key to fostering environments in which citizens can live their lives freely and openly, regardless of their identity or views, and in shaping the key inputs to the evolution of a robust enabling environment for human rights protection.

Political structures are essential for creating an environment conducive to holding rights violators accountable. As discussed in the enabling environment section, democracy and democratization contribute positively to accountability. Since the 1980s, democratizing states worldwide have begun to

hold individuals, including previous heads of state, accountable for human rights violations in a variety of ways. Lutz and Sikkink (2001) call the trend a "justice cascade," in which rapidly evolving norms and practices began to provide more accountability for human rights violations. Sikkink (2008) and Arthur (2009) further trace this evolution back to Argentina, where innovations developed by Argentinian activists in the 1980s—including the 1984 truth commission report (*Nunca Más*) and the 1985 trials of the juntas—diffused internationally, demonstrating that countries in the Global South were important exporters of human rights practices. Argentine HRDs helped innovate the two main accountability mechanisms that shape the debate on transitional justice, which have helped provide long-term remedy for human rights violations. In fact, their model shows that accountability mechanisms such as truth commissions and high-level human rights trials need not be mutually exclusive and in fact can be beneficially combined (Sikkink 2008, p24).

Several studies suggest that increased focus on democratic political change has helped prompt the turn away from "naming and shaming" practices, and toward pushing for formal accountability for past abuse (Arthur 2009, Stewart 2004). As Arthur (2009) shows through a qualitative study of activists tortured in Argentina, claims to justice in the 1980s began to revolve less around social justice and redistribution and more around punishing leaders, vetting abusive security forces, and replacing state secrecy with truth and transparency. Transnational connections were especially critical in helping local activists and their movements push for more rigorous forms of remedy in the wake of abuses. Stewart (2004), for example, describes how taking advantage of transnational activist networks aided Guatemalan massacre survivors in successfully implicating the Guatemalan government and important international actors, such as the World Bank, in atrocities.

In some cases, however, domestic factors such as pressure from domestic actors and national judiciaries prove more important than the international context or transnational connections for holding rights violators accountable. In Chile and El Salvador, Collins argues that transnational litigation has not proven to be independently capable of catalyzing domestic progress in improving accountability, because transnational action is secondary to the apparently decisive determinants of pressure from domestic actors, and domestic judicial change in particular (2007). Similarly, Bernstein and Naples (2015) show how international law becomes important only under certain domestic political conditions. Although nations may institutionalize or domesticate international law into national political structures, internal conditions related to party discipline, the centralization of courts, and policy legacies are the primary determinants of the timing and extent of social change in countries with extensive rights-based polities. This argument helps to explain why the timing and pathways to same-sex marriage diverge so widely in the US, Canada, and Australia (*ibid.).* In Australia, where there is no bill of rights, international law is not as relevant as it is in Canada or the US, and pathways to change are determined more by internal political institutional conditions.

Formal remedy mechanisms also can shape popular perception of the role of law in the preservation of rights. Gibson (2004) highlights how surveys of South African citizens show that their experience with truth commissions has had an important influence on shaping attitudes toward the rule of law. By exposing abuses that took place under the Apartheid regime, and through this effort demonstrating commitment to universal principles of human rights, the truth commission process contributed to fostering a political culture more respective of human rights. That said, many South Africans in the early

2000s remained intolerant of political differences, and unaccepting of minority rights. Although truth commissions represent an important step toward long-term remedy of the abuses committed under Apartheid, the study acknowledges that vestiges of antidemocratic attitudes and practices often take generations to overcome (Gibson 2004).

B. The Role of Domestic Courts in Seeking Remedy for Violations

As the preceding discussion makes clear, domestic institutions and structures play a significant role in shaping pathways to long-term remedy. Once again, regime type has an important effect on the long-term protection of rights. Encarnacion (2014) argues that, among the many factors that make democracy a requisite for social rights, is its provision of space for advocacy, including equal access to the courts. Where political opportunity structures are more closed, courts are more limited in their ability to provide long-term protection of rights. In particular, the ability of courts in Russia to protect its citizens from a variety of abuses depends on the value that judges place on their ability to remain independent, and also on the implicit hierarchy of groups entitled to special protection (Chandler 2014). In Costa Rica, it was not the establishment of an independent court, but rather the specific rules regulating access to and the cost of approaching courts that enabled grassroots rights advocacy (Wilson and Cordero 2006). Dancy and Michel (2016) also show that the rise in domestic trials against rights-abusing state agents in Europe and Latin America results in large part from HRD and victim efforts to use their rights to private criminal prosecution. When activated in response to a legacy of repression, the specific right to private prosecution helps set in motion sustained efforts to pursue long-term domestic enforcement of and compliance with universal human rights, which grows into greater systemic protection of human rights (*ibid.*).

Finally, the literature acknowledges that domestic judiciaries may not be able to provide equal levels of remedy across different types of rights violations. Lupu (2013), for example, uses a global quantitative analysis of human rights violations from 1987 to 2007 to show that independent courts can be effective enforcers of rights, to the extent that information costs remain low. Judicial enforcement can improve government practices and provide long-term remedy following violations, when evidence-production costs and standards of proof are low, but not otherwise. Since evidence is often especially difficult to obtain in the most egregious types of violations, such as physical integrity rights violations, courts are often unable to constrain government practices and ensure that future violations will not occur (*ibid.*).

C. Identifying Strategies and Points of Entry

For long-term remedy of rights violations, the bulk of extant studies focuses on formal processes that hold violators accountable or provide victims access to legal redress. To a significant extent, the illustrative options for remedy outlined in USAID's Human Rights Landscape Analysis fit the literature recommendations. In this section, we stress three main findings from the studies included in our review that can contribute to improving USAID's capacity to influence the long-term remedy of rights.

First, the various empirical examples strongly suggest that approaches to long-term remedy often depend on a combination of strategies—for example, in Argentina where the establishment of a truth and reconciliation commission was combined with a mechanism for transitional justice to hold former leaders accountable for the torture and disappearance of thousands, and to shift the political culture toward being more respectful of human rights. Furthermore, several studies demonstrate the

compatibility and complementarity of domestic and transnational advocacy, particularly in the context of closed domestic political opportunity structures. Indeed, focus on a single point of entry is likely to overly limit prospects for long-term remedy of rights violations, either by leaving key players out of the process, or by failing to provide redress to all categories of victim. In this sense, the various illustrative options for remedy presented in the USAID human rights landscape appear to reflect empirical trends. Most options are multi-pronged in their simultaneous targeting of different types of actors at different levels of government or advocacy.

Second, the literature stresses the importance of transnational connections when it comes to holding rights violators accountable, and providing redress to victims. Connections with INGOs, or with transnational HRDs, help place international pressure on domestic governments that violate citizen rights, increasing the cost of future abuses. And again, HRDs learn from one another in many ways. That said, the extent to which assistance from outsiders can lead to tangible, long-term changes hinges most strongly on domestic political factors.

This is the third major finding, that attention to the domestic context in which rights abuses take place is critical to providing long-term remedy to victims and to holding state leaders and others accountable. Identifying points of entry for long-term remedy requires a close understanding of the local context, in particular an understanding of how regular citizens can access courts and of which groups are most likely to be denied access. Local dynamics also influence whether long-term remedies are more readily available for certain types of right. Unfortunately, the most egregious forms of abuse, such as the violation of physical integrity rights, are also the most difficult to remedy due to the information costs associated with holding violators accountable.

Finally, it is worth noting that the literature speaks much less to informal approaches to long-term remedy of rights violations. This may be an important gap, given the importance attached to informal institutions such as social networks when it comes to grassroots advocacy for rights protection. Of the few studies that do point to the role of informal initiatives, most discuss the importance of forging cross-community ties. Lamb (2013), for example, shows, through an ethnographic study in Northern Ireland, how participation in community-based human rights activities brings to the fore particularistic loyalties, and provides a foundation for forging long-lasting solidarity between divided communities. As such, USAID's illustrative options for remedy that revolve around informal processes are not misguided, and are likely to be an important complement to formal processes that engage the courts and various transnational actors.

MOVING THE LITERATURE FORWARD

Scholars from anthropology to economics, studying every world region, have conducted careful research that provides interesting and important lessons for HRDs. We were particularly impressed by the wide dispersion of geographic focus from recent scholarship. The request for application (RFA) for this research identified a bias in human rights research toward Europe and North America; however, widening the disciplinary net as we discuss in Appendix A, particularly through including several leading

area studies journals, led to extensive and fairly balanced coverage of all major geographic regions (see Figure 2)[8]. There is excellent scholarship on all areas of the globe if scholars and policymakers know where to look.

Figure 2: Literature Source Counts by Region
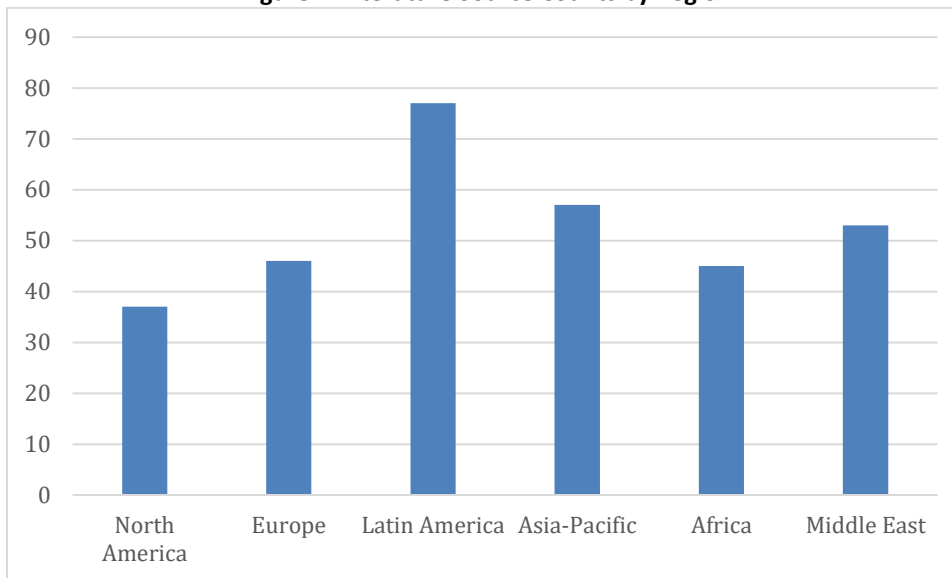
Yet, even among these scholarly riches, there are certainly gaps. Important work remains to search out the definitional boundaries of human rights, examine advocacy for human rights that fails, and increase our understanding of informal processes of remedy. In addition, we identified an important methodological gap between quantitative studies, which tended to examine the protection of human rights as a dependent variable in very generalized terms, and qualitative studies, looking at either individual or a small number of movements for human rights in particular countries. Few studies leverage the growth of increasingly high-quality, cross-national data on political contention that could give us a fuller sense of both global trends in HRD advocacy and of what country characteristics might affect these trends.

Because the focus of this literature review is retrospective, we did not generate new research to address these gaps. However, drawing on data collected for separate projects run out of the University of Denver's Sié Chéou-Kang Center, we ran some basic statistical tests to illustrate the vast potential for future research into these questions to generate findings of both scholarly and policy relevance. Many members of our team have played central roles in developing the Sié Center's various data projects, and three out of our six team members have worked on the specific dataset discussed in this section.

The question we chose to examine here is whether international condemnation of government abuse helps struggles from below avoid government repression. These strategies of public "naming and

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[8] We derived these numbers by counting the number of articles or books in our annotated bibliography that focused on cases in one or more world regions. They do not include the primarily quantitative or theoretical pieces that were global in scope and lacked a particular geographic focus.

shaming" are a common policy tool used by governments, NGOs, and international organizations to attempt to change the behavior of repressive governments (see, *e.g.*, Hendrix and Wong 2013, Murdie and Tavishi 2011). Scholarly research questions the effectiveness of such tactics (Hafner-Burton 2008), but typically has relied on highly aggregated and abstract measures to test their effects.

We test the effects of international "naming and shaming" on government behavior toward challenges from below using data from the Nonviolent and Violent Campaigns and Outcomes (NAVCO) 3.0 project (Chenoweth, Pinckney, and Lewis 2016). NAVCO 3.0 collects daily data on anti-government political contention in 21 countries from 1991 – 2012, with some selected years in five additional countries.[9] The dataset contains detailed information on the actions of violent rebels and non-violent activists, governments, and international third parties. Thus, it is an ideal source for looking at the effects of individual contentious tactics on specific strategic or political outcomes.

Our statistical analysis used international condemnation of governments, militaries, or police forces in one month as a variable predicting the likelihood that a peaceful protest would be repressed in the following month. We use logistic regression models as our estimation method, with the individual peaceful protest as our unit of analysis and a binary variable indicating whether the protest was repressed as our dependent variable.[10] We control for the percentage of protests repressed in the previous month, the country's level of democracy and level of economic development, and whether the goals of the protest were for radical or more moderate political change.

Data on the percentage of protests repressed in the previous month, and on the goals of the individual peaceful protest, also come from NAVCO 3.0. We operationalize goals of radical political transformation as those that call for regime change, territorial secession, or ending of a military occupation. Moderate goals include institutional reform, policy change, or greater autonomy. Data on levels of democracy and levels of economic development[11] come from the Varieties of Democracy dataset (Coppedge *et al.,* 2016) and the World Bank. Both indicators are annual levels and are lagged one year to avoid reverse causation. We provide simple descriptive statistics for these variables in Table 1.

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[9] Countries with complete coverage are Algeria, Bahrain, Egypt, Estonia, Jordan, Kenya, Libya, Madagascar, Mexico, Morocco, Pakistan, Sierra Leone, South Sudan, Sudan, Syria, Tanzania, Tunisia, Turkey, Ukraine, Uzbekistan, and Yemen. Countries with partial coverage are China, India, Iraq, South Korea, and the US.

[10] We define repression as any government action intended to disrupt or demobilize a particular protest action. We code repression as any event where NAVCO 3.0 codes the state posture toward the protest as involving "non-material or non-physical repression" or higher. For more detail on variable coding, see Chenoweth, Pinckney, and Lewis 2016.

[11] Measured using GDP per capita.

Table 1: Descriptive Statistics for Statistical Analysis

Variable	Observations	Mean	Std. Dev.	Min	Max
Repression	13248	0.1247736	0.3304744	0	1
International Condemnation (Previous Month)	12959	0.4095223	0.4917646	0	1
Level of Democracy (Lagged)	13172	0.4485216	0.2076033	0.0763238	0.9314962
Previous Month's Repression	12199	0.0712676	0.1500039	0	1
Logged GDP Per Capita (Lagged)	10863	7.970357	1.09675	5.796779	10.81937
Radical Goals	13380	0.2756353	0.4468505	0	1

Table 2 shows the regression coefficients, standard errors, and levels of statistical significance for each of the variables in the model. Like Hafner-Burton (2008), we did not find that international condemnation significantly decreased the likelihood of repression against non-violent protesters in the following month. Indeed, when running the model on all of NAVCO 3.0's countries pooled together, international condemnation in one month was associated with an *increased* likelihood of repression in the following month, though this effect had only weak statistical significance.

Table 2: International Condemnation and the Likelihood of Repression – Pooled Model

	Probability of Repression	
International Condemnation	0.355*	(0.184)
Previous Month's Repression	2.869***	(0.412)
GDP Per Capita	0.362**	(0.171)
Level of Democracy	-1.933**	(0.877)
Revolutionary Goals	0.556**	(0.263)
Constant	-4.764***	(1.293)
Observations	9841	
Pseudo R-squared	0.092	

Robust standard errors clustered by country in parentheses.
Significance levels: * p < 0.1, ** p < 0.05, *** p < 0.01

To dig deeper into this relationship, we split up NAVCO 3.0's events by country and ran the logistic regression separately on each country's set of peaceful protests. Dividing the data in this way revealed significant variation. Although in several cases, such as Kenya and the US, international condemnation still was associated with significant increases in the likelihood of repression in the following month, in other countries, condemnation was indeed followed by a decreased likelihood of repression, or had no statistically significant effect whatsoever.

We show this in Figure 3, which contains the results for 10 of NAVCO's countries—selected randomly, for ease of viewing, from the full set of 26 countries. The point labeled with each country's name shows the predicted effect of international condemnation on the likelihood of repression against peaceful protests in the following month in that country. Points to the right of zero indicate an *increased* likelihood of repression following international condemnation; points to the left of zero indicate a

decreased likelihood of repression following international condemnation. The point's distance from zero indicates the size of the statistical effect. The lines extending from the points indicate the level of statistical significance. The longer the lines, the less certain the estimated point estimate.[12]

Figure 3: Country-Specific Effects of "Naming and Shaming."
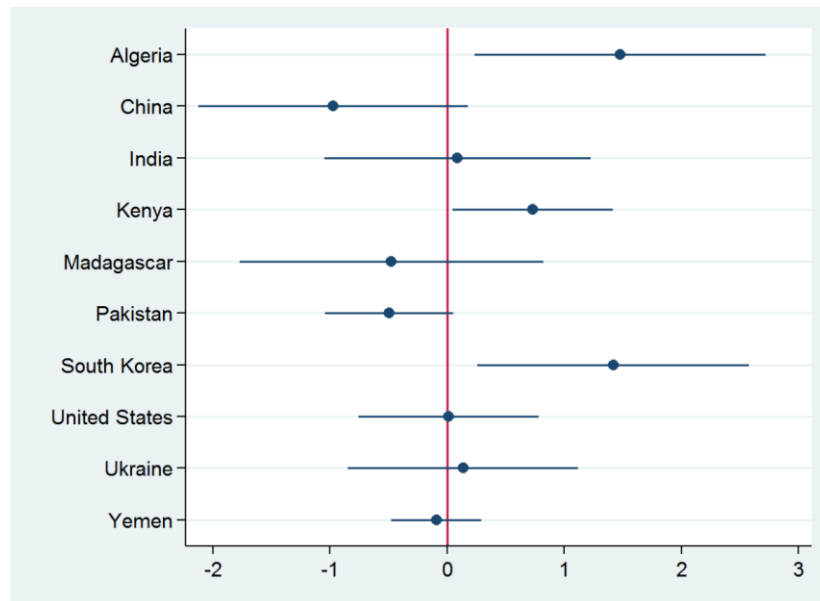
As Figure 3 shows, there is considerable variation in patterns of repression following international condemnation of governments; when one controls for other important variables, the effect is statistically significant in only a few cases. Any number of potential mechanisms might explain this variation. We do not attempt to make a causal argument to explain it here. However, this model demonstrates the crucial necessity of bringing the highly aggregated work of the quantitative literature on human rights protection together with disaggregated, micro-level data and the detailed country-specific insights of the qualitative literature. If replicated, this work also strengthens the call to focus on local capacity-building for grassroots movements to advance their own rights, rather than relying on the inconsistent ability of international "naming and shaming" to lead to greater protection. We intend to pursue this analysis in our own work, and encourage other scholars to do the same.

CONCLUSION

A major concern at the outset of this project was whether it was truly possible to bring together disparate multidisciplinary literatures. How can economics speak to anthropology? And how can research findings from the EU or US apply to human rights struggles in Africa or Southeast Asia?

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[12] In technical terms, the lines indicate a 95% confidence interval. If the confidence interval crosses the zero line, then the model is not statistically significant at the common $p < 0.05$ level.

These diverse disciplines and geographic regions certainly speak with many voices about human rights struggles from below. But, despite the difference in definitions and measures, time and again we discovered common themes that allowed us to gain significant analytical leverage on our core questions. Qualitative and quantitative research, as well as the specific priorities of various disciplines and regional focuses, provided different lenses and complemented each other's shortcomings.

We have discussed a vast number of lessons learned from the literature throughout this document. To conclude, we return to our core questions and offer some final thoughts that bring these lessons together, apply them to USAID's three pillars of human rights protection, and offer some policy recommendations to USAID.

First, what do we know about the role of domestic civic actors in advocating for human rights outcomes and what can we learn from their successes and failures? Succinctly, we know that they play a crucial and indispensable role. While transnational, global, and government actors also have played an important part in major human rights improvements over the last several decades, domestic advocates have augmented their work. Indeed, the very effectiveness of international efforts—such as the signing and ratification of human rights treaties—depends on whether domestic actors are bringing pressure to bear at the same time. Without such pressure, the effects of international actors are severely limited.

This crucial role of domestic actors applies to all three pillars of rights protection. In terms of the environment, the strength of civil society is a crucial factor enabling activism and advocacy. In terms of response and remedy, domestic activism is critical both in mitigating the immediate impact of human rights violations and in providing redress and deterring future rights violations.

As far as what we can learn from the successes and failures of these movements, our research highlighted two core themes: first, the centrality of relationships, and second, the importance of rhetorical struggle or framing. Success tends to be associated with domestic civic actors that maintain a dense network of horizontal, vertical, and transnational relationships. It is also associated with actors who are conscious of the resonance of the rhetorical framing of their efforts and pursue careful concerted strategies to frame their struggles in appropriate ways.

Second, how does research on North America and Europe translate to other country contexts, and what contextual or tactical variables reduce the impact of domestic civic actors? While there is certainly diversity in outcomes across world regions and particularly between the developed and developing worlds, we were struck by the commonality of many dynamics of struggle. Where we did find diversity of dynamics, it appears to arise primarily from analyzable contextual factors.

What were these factors? We highlight several in the literature review, but two stand out. First, and most critical, is regime type. Various academic disciplines and methodologies underscore the critical nature of a democratic political system, or even a transition to democracy, for facilitating struggles for human rights from below.[13] Although autocratic systems are not monolithic in their abuse of human

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[13] However, the work of Davenport and others suggests that these positive effects of democracy on human rights protection only occur above certain thresholds (Davenport and Armstrong 2004).

rights or the opportunities they provide for human rights struggles, autocracy is a major contextual factor undermining the effectiveness of domestic civic actors. This factor was highlighted consistently in the research on the environment for human rights protection and on the processes of seeking remedy.

The other contextual factor is poverty. Research from widely divergent countries reports a similar demobilizing and dividing dynamic associated with extreme poverty. This is true both in terms of actors, as poverty hinders mobilization efforts, and structures, as governments presiding over poor countries tend to be more abusive of human rights. Human rights struggles by domestic civic actors will be made significantly more effective by improvements in economic development.

Third, are there some rights that are easier to fight for than others? The answer from the literature is unequivocally yes. Although which rights are most difficult to fight for vary depending on the context, three general principles predict the dynamics of difficulty. The first was the contested understanding of the right being claimed. Rights broadly recognized as part of the "package" of human rights are generally easier to struggle for. In contrast, rights whose status as human rights is contested, such as LGBTQ rights, tend to be much more difficult. The second and third principles regarded the threat posed by that particular right to the pre-existing economic or political system. Rights whose granting would threaten core interests of particular political or economic power centers face stiff resistance from governments and counter-movements and thus can be extremely difficult to fight for.

Many of the findings speak directly to USAID's work, though we highlight only a few central findings here. First, USAID's efforts are likely to have the most positive effect if they target groups or movements that adopt a human rights frame in advocating for change. This particular framing strategy has helped HRDs gain a broad audience both at home and abroad, and broadens the range of possibilities for support USAID could provide. Second, a key takeaway is that any provision of assistance must be guided and informed by realities on the ground. Factors such as the openness of a regime, the ways in which citizens can access domestic courts, and the rights hierarchies that exist in particular contexts ultimately determine what types of approaches will work to protect rights over the long term. This requires that USAID acquire a nuanced understanding of the local contexts in which it works. Finally, USAID programs can help HRDs harness and maintain diverse ties to other activists both at home and across national borders. For example, the workshops and focus groups geared toward encouraging activists to learn from the experiences of HRDs from other contexts could be an important and feasible contribution.

Our team completed the project with a great deal of optimism and excitement about the future of research in this area. Many of the findings highlighted here could benefit from more rigorous quantitative testing. Ongoing human rights struggles from around the world continue to provide rich material for in-depth qualitative analysis. Advocates and activists have much to teach us and we hope that high-quality research can continue to examine this fascinating area of political contention.

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APPENDIX A: TEAM PROCESS AND INTERPRETIVE CONCLUSIONS

We began this project with research questions focused on the literature on human rights struggles from below. As outlined in the RFA, the questions that motivated our research were:

- What do we know about the role of citizens, social movements, and other domestic civic actors (as opposed to transnational actors or government officials) in advocating for particular human rights outcomes in their country? And what can we learn from the successes and failures of their activities?
- Much of the research on this topic has focused on North America and Europe, but do any of these findings have the potential to translate to other country contexts? Are there particular contextual or tactical variables in these country contexts that make it less likely that domestic civic actors can have an impact?
- Are there some kinds of rights that are easier to fight for than others?

To answer these questions, our team developed a detailed strategy to collect information from the literature and to review each other's contributions. The result is a truly collaborative document in which each team member contributed to the authorship of every section.

The first step was to collect the citations for an annotated bibliography. Because we sought to cast a wide, multi-disciplinary net, we intentionally built this list of sources through a relatively non-specific and broad search method. As a group, and in consultation with USAID, we agreed to a set of academic disciplines that would provide comprehensive, diverse input. In particular, we sought to include voices from the global South, which historically have been under-represented in much of the human rights scholarship. For each discipline, we identified the academic journals most commonly and consistently described as the most rigorous and influential. For our own academic disciplines, we relied largely on our expertise. For others, we looked at criteria such as impact factor, number of citations, and qualitative evaluation by leading experts. In total, we surveyed 82 different journals; see Table 1 for the list of journals reviewed, by discipline.

We collected a list of all articles on human rights from each of these journals over the last 20 years (1996 – 2016) and then divided this very extensive list among the members of our team to review. Our search process involved Google Scholar searches of the major journals listed in Table 3, in which we sought to identify articles with the term "human rights" appearing either in the title, or anywhere within the body of the article. We then evaluated articles for relevancy, deeming an article to be relevant if it dealt specifically with grassroots contention for human rights, or if its findings could be directly transferrable to human rights contention from below, even if the topic was only tangentially related. Articles deemed relevant also met a certain level of methodological rigor, especially regarding internal and external validity of the findings. In many cases, we immediately rejected articles due to their lack of relevance. In such instances, there may have been a brief mention of "human rights," but the articles did not discuss our research questions. After determining whether an article fit our criteria of relevance, the reviewing team member created an annotated citation to add to the bibliography.

Table 3: Journals Examined for Literature Review[14]

International Relations
- Conflict Management and Peace Science
- European Journal of International Relations
- Foreign Affairs
- Global Governance
- International Affairs
- International Interactions
- International Organization
- International Studies Quarterly
- Journal of Conflict Resolution
- Journal of Peace Research
- Millennium
- The Washington Quarterly
- Third World Quarterly

Comparative Politics
- Comparative Politics
- Comparative Political Studies
- Journal of Democracy
- World Politics

Interdisciplinary
- Information, Communication, and Society
- Social Networks

General Political Science
- American Journal of Political Science
- American Political Science Review
- British Journal of Political Science
- Journal of Politics
- Perspectives on Politics

Sociology
- American Journal of Sociology
- American Sociological Review
- International Political Sociology
- Law & Society Review
- Social Forces
- Social Problems

Social Psychology
- Analyses of Social Issues and Public Policy
- European Journal of Social Theory
- Journal of Social and Political Psychology

Social Movements-Specific
- Mobilization
- Research on Social Movements, Conflict, and Change
- Social Movement Studies

Human Rights-Specific
- European Human Rights Law Review
- Harvard Human Rights Journal
- Human Rights Quarterly
- Human Rights Review
- Journal of Human Rights
- Journal of Human Rights Practice
- Muslim World Journal of Human Rights
- The International Journal of Human Rights

Anthropology
- American Anthropologist
- American Ethnologist
- Current Anthropology
- Journal of Peasant Studies

Economics
- European Journal of Political Economy
- Journal of Political Economy
- Review of International Political Economy
- The Quarterly Journal of Economics

Criminology
- Criminology
- Criminology and Public Policy

Regional Studies
- African Studies
- African Studies Quarterly
- African Studies Review
- Canadian Journal of African Studies
- Journal of Modern African Studies
- Asian Studies Review
- Harvard Asia Quarterly
- Journal of Asian Studies
- Journal of South Asian Studies
- Journal of Asian and African Studies
- Modern Asian Studies
- Comparative European Politics
- East European Politics
- Journal of Contemporary European Studies
- Journal of European Area Studies
- Bulletin of Latin American Research
- Journal of Latin American Studies
- Journal of Politics in Latin America
- Latin American Research Review
- Latin American Politics and Society

Regional Studies cont.
- Arab Studies Journal
- Contemporary Arab Affairs
- International Journal of Middle East Studies
- Iranian Studies
- Israel Studies
- Turkish Studies
- Journal of Area Studies
- Journal of International Area Studies

Gender Studies
- Signs
- Gender and Society
- Psychology of Women Quarterly
- Feminism and Psychology
- Feminist Theory
- European Journal of Women's Studies
- International Feminist Journal of Politics
- Feminist Review
- Feminist Economics

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[14] Journals are listed in alphabetical order. Regional journals appear in alphabetical order by region, beginning with Africa and with general-area journals listed last.

We had weekly conference calls to discuss both the process itself and the general trends and common themes we had come across. These discussions were crucial to framing the work included in this literature review. They gave each of the team members a sense of the entire multi-disciplinary landscape relevant to our question and allowed us to begin to develop the major topics highlighted below.

We first submitted our annotated bibliography to the two faculty supervisors, and then to USAID. With their approval, we then turned to the themes we had identified, during the creation of the annotated bibliography. Once again, consultation among the team members was crucial. We had several discussions about the major concepts and trends that we had observed in the literature. Drawing on our conversations, we selected major ideas to highlight, using the following criteria: 1) the idea was central to answering one of our research questions, 2) multiple studies highlighted key lessons learned about the particular idea, and 3) these lessons could be meaningfully aggregated into important central points. We were particularly interested in themes that emerged from multiple disciplines, studies that employed differing research methodologies, and studies that provided empirical evidence from a range of geographical areas. Major points made by single studies, but not replicated—or made in studies of less than rigorous research methodology—were either dropped from the final literature review or mentioned only with appropriate caveats.

After weekly discussions between team members over a month, we collectively created an outline highlighting the major themes we had identified and divided up the work of drafting sections of the literature review. We assigned sections based on team member expertise, as well as which topics had been most extensively covered in the journals that a team member had reviewed. However, every member also offered input on the themes across the review and added citations for consideration. We had two meetings during this period to review both the content and structure of the individual sections, before circulating for internal review.

When each team member had completed their section, they submitted it to two other team members to review. Reviewers added citations, expanded or integrated sections, and incorporated themes that had been prominent in their own readings. We then combined these sections into a single document, which each team member had the opportunity to edit, and which was submitted for review to the two faculty supervisors and presented at our workshop at USAID in early October. Following the workshop, we revised and reorganized the document, expanding several sections and rewriting others to address the questions and concerns expressed during the workshop more directly.

Throughout the review, we highlight numerous insights into each of the research questions that inspired this project. We begin each section by presenting the core theme from the literature, along with several citations that generated that theme. We then typically illustrate this broad statement of theoretical principle with select examples from a handful of studies.

In addition to answering the research questions, we also made note of key methodological differences as an important gap in the existing literature. There has been a great deal of both quantitative and qualitative research on the broad subject of human rights. However, different methodologies approach human rights questions very differently. Quantitative studies tend to employ human rights abuses as their dependent variable and look for factors that explain it. Thus, they can provide general guidance on

the environments in which struggles for human rights are more difficult, but do not directly address which contextual or tactical factors might affect a movement's success. In contrast, an abundance of case studies and comparative qualitative studies directly examines the various forms of activism aimed at enhancing protection of human rights. These studies, however, often lack the cross-national scope of quantitative research to justify the generalizability of their findings.

We believe that this methodological gap is not driven by any theoretically satisfying reason, and that there is room for new, fruitful research that would bridge otherwise divergent sets of literature. As an illustration, in our final section, "Moving the Literature Forward," we provide some preliminary analyses using one of the datasets currently being developed at the Sié Center. Specifically, we test whether international condemnation of human rights abuses by states reduces government repression of peaceful domestic protests, both cross-nationally and then disaggregated across several countries. Our preliminary findings suggest the importance of blending the rigor of statistical analysis with detailed country-specific data on struggles "from below."

The remainder of the document begins with a discussion of broad themes: the definition of our core terms (human rights, movements, and success) and the question of which rights are more difficult to fight for. The document then segues into the more specific findings that emerge from the evidence-based research contained in the literature.

This second, more empirical discussion highlights important themes that shape USAID's three-pillared approach to human rights protection—1) environment-building, 2) response, and 3) remedy—explaining how scholarly findings on domestic activism affect the overall human rights protection system of a country, short-term or medium-term assistance, and judicial and non-judicial measures of redress and deterrence of future abuses. We then present our statistical findings as described above. We conclude by returning to the three questions that inspired the project and offer lessons on each as they apply to USAID's work.