

The Contributions of the Ombudsman to Human Rights in Latin America, 1982–2011

Erika Moreno

ABSTRACT

Democratic institutions, ranging from constitutional provisions and electoral rules to judiciaries, have been important in improving the rights of citizens across the world. If institutions matter for human rights, then it stands to reason that institutions built specifically to protect human rights, like the human rights ombudsman, should matter too. Using a comparative case study approach, this article examines the effect of the human rights ombudsman at the regional level on several human rights measures in Latin America between 1982 and 2011. The results suggest that the presence of an ombudsman, and some of its design features, have had effects on some social and economic rights, in keeping with the broad mandate given to this office.

Whether the focus is on the role of constitutional provisions (Keith 2002, 2011), judiciaries (Powell and Staton 2009), or electoral rules (Cingranelli and Filippov 2010), institutions have been important in improving living conditions for citizens across the world (Lake and Baum 2001; Przeworski and Álvarez 2000). States have continued to build domestic institutions to promote human rights norms, often with the support of international organizations (González Volio 2003; Reif 2004). Included among those institutions is the human rights ombudsman, an agency with accountability and an expanded human rights mandate that includes economic and social rights. If democratic institutions matter for human rights, then ideally, institutions built to improve human rights should also matter.

Studies of the human rights ombudsman highlight either the importance of these agencies (Escobar 2011; González Volio 2003; Hill 2002) or their relevance (or lack thereof) in the context of specific case studies (Dodson 2006; Jackson et al. 1999). Some studies have highlighted instances in which the ombudsman had significant positive impact on human rights protections, minority rights, and access to government services (Hill 2002; Pegram 2008). Yet others have dismissed the agency as an effort to appease critics of new or consolidating democracies without providing effective oversight (Finkel 2012; Ungar 2002).

This study sheds light on the ombudsman's contributions to human rights, including physical integrity rights and social and economic rights, by conducting the

Erika Moreno is an associate professor of political science and international relations at Creighton University. erikamoreno@creighton.edu

first time-serial study of this agency in Latin America from 1982 to 2011. This study proceeds first by addressing the literature on democratic institutions and human rights protections. It presents a rationale for including the human rights ombudsman that focuses on some of the key, but often overlooked, strengths of this office. These insights lead to an analysis and discussion of trends across 16 Latin American countries.

INSTITUTIONS AND HUMAN RIGHTS

It is widely believed that democratic governments are less likely to repress their citizens than authoritarian regimes (Buono de Mesquita et al. 2005; Keith 2002; Cingranelli and Filippov 2010; Fariss 2014). In part, the strength of democratic governance lies in its ability to build institutions that make those commitments credible, whether they are enshrined in constitutions or in laws (Keith 2002, 2011; Keith et al. 2009; Powell and Staton 2009). Institutions made these norms culturally legitimate and embedded them in society (Hafner-Burton and Ron 2007; Fariss 2014). Whether it is a function of political calculations made by elected officials (Cingranelli and Filippov 2010) or the judicial branch (Powell and Staton 2009), state actors have incentives to actively support human rights norms (Lebovic and Voeten 2009) or face repercussions from the electorate, organized interests at home, or the international community.

Although most of the literature on human rights protections has focused almost exclusively on the protection of personal integrity rights, human rights norms are multidimensional and extend outward to social and economic rights (e.g., the Universal Declaration of Human Rights, 1948, and the UN's International Covenant on Economic, Social, and Cultural Rights, ICESR). So although we have a broad literature that speaks eloquently to the protection of personal integrity rights, these are merely the tip of the conceptual iceberg. Indeed, recent scholarly attention to this broader range of human rights has resulted in several key observations, including the influence of international treaties on reshaping domestic agendas (see Simmons 2009).

The definition and diffusion of human rights norms is often conducted through networks that include international actors and treaties in concert with domestic actors and institutions (see, e.g., Keith 2002; Simmons 2009). Here, a growing body of literature suggests that understanding the ability and willingness of domestic institutions to carry out policy matters for a range of outcomes (Huber and Shipan 2002; Taylor and Buranelli 2007; Wood and Waterman 1993). If, in fact, the rapid adoption of the human rights ombudsman across the world is a tangible manifestation of state commitment to international human rights norms (Koo and Ramírez 2009; Renshaw 2012), then it stands to reason that this institution should matter for human rights protections.

Since so few works have attempted to conduct cross-national studies of the ombudsman's office (see Reif 2004 and Ugglá 2004 for notable exceptions), a basic definition is in order. The ombudsman is a public sector institution that operates as

Table 1. Human Rights Ombudsmen Across Latin America

	Name	Year Adopted	Offices
Argentina	Defensoría del Pueblo de la Nación de Argentina	1993	22
Brazil	Procuradoria Federal dos Direitos de Cidadão	1995	NA
Bolivia	Defensoría del Pueblo del Estado Plurinacional de Bolivia	1994	16
Colombia	Defensoría del Pueblo de la República de Colombia	1991	38
Costa Rica	Defensoría de los Habitantes de la República de Costa Rica	1992	NA
Ecuador	Defensoría del Pueblo de la República de Ecuador	1998	39
El Salvador	Procuraduría para la Defensa de los Derechos Humanos de la República de El Salvador	1991	18
Guatemala	Procuraduría de los Derechos Humanos de la República de Guatemala	1985	37
Honduras	Comisión Nacional de los Derechos Humanos de la República de Honduras	1992	8
Mexico	Comisión Nacional de Derechos Humanos de México	1992	17
Nicaragua	Procuraduría para la Defensa de los Derechos Humanos de la República de Nicaragua	1995	9
Panama	Defensoría del Pueblo de la República de Panama	1997	10
Paraguay	Defensoría del Pueblo de la República del Paraguay	2001	14
Peru	Defensoría del Pueblo de la República del Peru	1993	28
Uruguay	Institución Nacional de Derechos Humanos y Defensoría del Pueblo de Uruguay	2008	NA
Venezuela	Defensoría del Pueblo de la República Bolivariana de Venezuela	1999	33

a public advocate (Escobar 2011; Reif 2004, 1). To qualify as a true ombudsman, it must be permanent; that is, it must not exist as a committee or commission that serves at the pleasure of any individual or group (González Volio 2003; Reif 2004). It is also required that the ombudsman, acting as a parliamentary delegate, provide an annual public accounting of its work, including recommendations, to Congress and the public (González Volio 2003; Reif 2004). In keeping with these features, the Federación Iberoamericana del Ombudsman (FIO) and the Inter-American Institute of Human Rights (IIDH) both agree that nearly every country in the region, except Chile and the Dominican Republic, has an ombudsman in place today (see table 1).

Although there are several types of ombudsmen, the human rights ombudsman is characterized by its multiple mandates: government accountability and protector of human rights. The human rights mandate is defined by United Nations treaties and regional covenants and encompasses multiple “generations” of rights. Such a robust definition of human rights validates the importance of these institutions in protecting those rights (González Volio 2003).

THE HUMAN RIGHTS OMBUDSMAN: A RELEVANT PLAYER BY DESIGN

If we think of the ombudsman as a cog in a larger machine that includes diverse actors, then the ombudsman's potential impact is easier to comprehend. Taylor and Buranelli (2007) refer to this interconnected set of institutions as a "web of accountability" through which the outcome, accountability, is a function of a multistage process that includes myriad actors conducting oversight, investigation, and sanctions. These stages are, of course, likely to draw out different actors from their respective accountability agencies to carry out the task at hand (see Hill 2002).

The ombudsman is one of many agencies that perform oversight functions. However, the ombudsman is unique in that it is mandated to maintain close ties to the public. For instance, ombudsmen are required to provide an array of citizen outreach programs, from human rights training sessions to conferences and festivals. The region's ombudsmen have adopted informal mechanisms through which they gather citizen complaints and input via electronic submission, in writing, by phone, or through oral communication. The emphasis on citizen outreach has led to a rapid decentralization of these offices, even in relatively small, unitary states, through the creation of myriad local and provincial offices, as well as temporary mobile units (González Volio 2003). Unlike other agencies that are also capable of recording public complaints, the ombudsman is required to maintain an open dialogue with the public (and government agencies). It is therefore one of the most democratic and accessible of government institutions.

The ombudsman also fulfills a general mandate to enhance public sector accountability through the collection of complaints and investigative efforts (González Volio 2003). As part of their accountability mandate, ombudsmen are charged with ensuring access to government services (including water, food, and housing), equal treatment for all citizens by the state (regardless of sex, creed, race, etc.), and access to information. Investigations frequently trigger sanctions by other government institutions or result in rule changes, especially with respect to government services.

Although it lacks sanctioning power, the ombudsman can prove effective in promoting social and economic rights in three ways. By acting as a public advocate, it can sound the alarm and "shame" government officials into providing accountability. For instance, high compliance rates for the Bolivian Ombudsman (*Defensoría del Pueblo*) have been attributed to the practice of publishing the names of noncompliant individuals and government agencies in its yearly reports and in the national media (Pegram 2011). In this respect, the ombudsman functions in a manner much like the media, the "fourth estate," because of its close links to the public and its ability to shame actors in any branch of government.

The second way the agency can promote rights is to alter the status quo through its involvement in the legislative process. There are myriad examples in which the *defensoría* has provided legal analysis, drafted legislation, or vetted policies for their ability to improve human rights provision or stay in compliance with international

human rights covenants (Pegram 2011; Reif 2004). Here, ombudsmen serve as expert advisers to the region's legislative bodies, often working with multiple agencies to coordinate the creation of new legal mechanisms or remedies. The high levels of salience and technical expertise stored in the human rights ombudsman's office make it a relevant player even without the need to employ sanctioning mechanisms.

Furthermore, this agency is empowered by international norms and domestic law to use alternative dispute resolution mechanisms (ADR), including negotiation and mediation (see González Volio 2003; Reif 2004). ADR mechanisms may prove more effective where the legal system is viewed as corrupt, costly, or time-insensitive. Even where the outcomes are less than ideal, citizen participation in a mediated solution, for instance, allows all players to "buy into" the process and increases the likelihood that the result is seen as legitimate. ADR remedies can alter standard operating procedure for government actors and encourage the rule of law, especially with respect to human rights, because public servants and agencies could be singled out and required to make amends through mediated or negotiated agreements.

At best, the human rights ombudsman is a clear manifestation of commitment to human rights norms; at worst, the office is an empty signal meant to appease domestic or international audiences (Ungar 2002). But how does this agency contribute to human rights? Although examples of effective ombudsmen exist (Hill 2002; Pegram 2008), we know relatively little about the office's impact on human rights over time in Latin America.

EXPECTATIONS

This study begins by suggesting that the presence of an ombudsman can have tangible and beneficial effects on human rights, including physical integrity and access to food, housing, education, healthcare, and decent work. The creation of this office is a powerful signal from the state. The state stakes a claim in favor of a broadly defined view of human rights and sends a cue to its domestic audience. It also sends a strong cue to a large international audience, including international nongovernmental or intergovernmental organizations (NGOs and IGOs), that it places a value on human rights. Therefore, this study proposes the following hypothesis:

H1. The presence of the human rights ombudsman will improve the protection of human rights.

Since the relationship between human rights provisions and the creation of human rights ombudsmen is potentially endogenous, the sample employed here includes observations before and after the adoption of these offices. Furthermore, this study includes the few cases of Latin American countries that did not adopt an ombudsman during this time period (i.e., Chile, the Dominican Republic, and Uruguay).

It is equally plausible that these agencies serve as cheap signals (see Ungar 2002). So the creation of the office may not be sufficient to have an impact on

human rights protections. Beyond their mere presence, ombudsmen could be expected to carry greater weight and carry out their mandates more effectively if they had the capacity to act independently of the executive (Pegram 2011). Like other government agencies, ombudsmen are appointed, dismissed, and funded by rules that normally involve elected officials (presidents and members of parliament). Kings and chief executives created the first ombudsmen, yet so much of the literature has focused on the ability of this agency to function independently of the executive branch (see Hill 2002; Reif 2004). Today, elected officials act as immediate principals to the ombudsman by virtue of their ability to appoint, dismiss, and fund. So it stands to reason that the rules governing appointment, tenure, and budgets, while not exhaustive, provide the raw potential for these offices to act independently and effectively (Dull and Roberts 2009; McCarty 2004).

The power to appoint, for instance, varies from case to case and over time. In some cases, states have opted for processes that are controlled exclusively by one or both legislative branches to draw up a short list of candidates and elect an ombudsman. At the other end of the spectrum, citizen participation, through legal guilds or organized interest groups, and involvement by other unelected agencies has become increasingly common across the region. Some observers have noted that appointment processes that are executive-dominant or include the smallest number of players produce appointees that are unlikely to challenge the status quo or the sitting government (Uggla 2004; Hill 2002).

While the manner of appointment matters, it is also necessary to consider whether the terms of office overlap with those of the elected officials who control appointment. When terms overlap perfectly, there are incentives to prevent appointees from acting too independently or conducting their inquiries in such a way that might embarrass those who oversee them. Since elected officials are likely to be held accountable when service provision goes awry, as with food shortages or lack of public housing, politicians may seek to manipulate the selection process to ensure the appointment of a weak or complaint ombudsman.

Control over the budget is another factor that can determine independence. Uggla (2004) suggests that executive control over the budget makes the ombudsman beholden to a single authority and may weaken the office's ability to act independently. Whether the ombudsman's effort is to investigate or shed light on government abuses or to expose inept service provision, executives and their partisans could seek ways to ensure that they are not publicly called to account for any failings of the administration. So while the ombudsman should be nonpartisan, its accountability and human rights mandates can put it at odds with the sitting government. Case studies of ombudsmen in the region have highlighted multiple instances where active ombudsmen took their mandates to heart, only to face subsequent repercussions from presidents and governing parties that either shortened their terms, appointed meeker replacements, or used their authority to cut their budgets (see Dodson 2006; Finkel 2012). With this in mind, hypothesis 2 states the following:

H2. Ombudsmen that are formally independent of the executive will improve the protection of human rights.

While the level of independence given to these agencies should matter for their ability to advocate for the protection of human rights, this hypothesis presents an opportunity to address the potential selection effects involved here. After all, the ombudsman exists thanks to the work of elected officials who created the agency. To suggest that the ombudsman is affected by the political calculations of other actors is hardly surprising. However, it is important to keep in mind that elected officials can tinker with the rules guiding the agency's independence (selection, tenure, or funding) if they deem it a threat. Several of the case studies of ombudsmen in the region have noted the tendency to rein in the ombudsman after periods of vocal criticism (Finkel 2012). What is more, there are many sound reasons to expect that the adoption of ombudsmen, and particularly independent ombudsmen, is not a random occurrence (see Simmons 2009; Ginsburg and Moustafa 2008).

Factors rooted in the democratic nature of the state are important to the design and function of these agencies. For instance, democracies should be better able to respond to public demands for economic and social needs than their authoritarian counterparts (see Keith 2002; Davenport 1995; Leblang et al. 1999). Moreover, the literature on delegation suggests that divided government (in which the executive and legislative branches are not controlled by a single party) creates strong incentives for elected officials to build strong oversight in the judiciary (Larkin 1998; Tsebelis 1995) and bureaucratic agencies (Baron and Ferejohn 1989; Huber and Shipan 2002). Elected officials have some incentives to keep other actors in check, like the executive. What is more, as the number of political actors increases, elected officials face a coordination dilemma that effectively prevents them from colluding to weaken oversight agencies and results in more independent actors (Andrews and Montinola 2004). This prompts hypothesis 3.

H3. When the executive (president) lacks control of Congress, the ombudsman will be more independent and will, ultimately, improve the protection of human rights.

Thus, we would expect that the ombudsman's effect on human rights is a function of the system that produces the agency, specifically the elected officials that appoint and fund it. This hypothesis addresses potential selection effects in the dataset, since the countries that adopt the ombudsman and empower it are presumed to do so nonrandomly (see Greene 2008).

Previous studies point to several other political factors that must be accounted for, including the presence of NGOs, which are expressions of social accountability and are likely to serve as advocates for social and economic demands (Schofer and Longhofer 2010). Across the Americas, where experience with democracy is decades old, we could expect NGOs to serve as vocal promoters of human rights norms for diverse societies. They are capable of influencing the political system as well as drawing attention to existing problems in ways much like those of the ombudsman.

Since executives have extraordinary clout in the region's presidential systems, it stands to reason that they could affect social and economic rights. Here, presidents with leftist ideological leanings could expect to have greater interest in human rights, broadly defined, including social and economic issues. After all, the region's history has been marked with many examples of populist, left-leaning presidents who sought to circumvent other institutions to improve economic and social conditions. One need only look to figures like Hugo Chávez, Evo Morales, and Luiz Inácio Lula da Silva to see the impetus of leftists to address these issues.

Previous studies have also cited the importance of strong or "good" economic performance for improvements in social and economic rights (Simmons 2009). Social and political tensions related to scarcity are likely to result in threats to basic human rights, including access to food, housing, healthcare, and decent work. Similarly, previous studies have pointed to the necessity of accounting for internal conflicts, as their presence is often followed by repressive state policies and, as a result, violations to personal integrity (see Small and Singer 1982).

A REGIONAL TEST

Armed with a broad definition that spans three generations of human rights norms, the human rights ombudsman is poised to have a significant long-term effect on citizen well-being. This section explores whether the presence, formal independence, and outreach efforts of this agency have had measurable impacts on several different measures of human rights.

Personal Integrity Rights

To capture the diverse set of human rights concerns in the ombudsman's mandate, this analysis employs two datasets. The first captures threats to personal integrity (Keith 2002): the Political Terror Scale (PTS). Although PTS provides information on a narrow set of human rights violations (political imprisonment, torture, and killings or disappearances), it encompasses some of the most egregious abuses to physical security. The Political Terror Scale compiles yearly reports measuring adherence to physical integrity rights norms across the world using a five-point scale, with higher values indicating the highest likelihood of threat to an individual's personal integrity.¹ The data used to create the PTS index come from yearly reports from Amnesty International and the U.S. State Department country reports on human rights practices.

Social and Economic Rights

To capture the diverse set of human rights concerns in the ombudsman's mandate, this study employs a relatively new dataset provided by the Social and Economic Rights Empowerment Initiative: the SERF index (Fukuda-Parr et al. 2009). SERF measures rely on survey-based data by national and international bodies to gauge the performance of nation-states in fulfilling economic and social rights obligations set out in Article 25 of the Universal Declaration of Human Rights. As such, the project has produced both a composite index and five indicators to measure access to health, education, food, decent work, and housing. Variables from the SERF project reflect whether states are meeting their obligations for the progressive realization of economic, social, and cultural rights, focusing on outcomes reflected in people's enjoyment of rights and adjusted for state capacity. They are consistent with the language in the International Covenant of Economic, Social, and Cultural Rights (ICESCR).² The data vary from 0 to 100 percent and are logged to address the possibility of heteroskedastic error.

Independent Variables

This study began by suggesting that the mere presence of the ombudsman should have measurable effects on human rights. Therefore, a simple dichotomous measure to indicate the existence of an ombudsman was incorporated. To be precise, the agency must have been created by law and minimally staffed; that is, have an elected or appointed ombudsman on the job. Data for this variable were obtained directly from national constitutions in Latin America, a compendium of *Constitutions of the World* (Maddex 2011), and yearly reports of the ombudsman across the region (e.g., *Informes anuales de la defensoría del pueblo*).

A second concern is the independence of the office. Here the focus was on three dimensions to calculate a measure of independence: appointment, tenure, and funding. Independence was operationalized as an additive index, since there is no compelling rationale to weight the component parts. Data regarding appointment, tenure, and funding for Latin America's ombudsmen were obtained primarily from government publications from each country in this sample (e.g., the *informes anuales*), national constitutions, and *Constitutions of the World*.

Appointment. The appointment process was coded 0–4, with 0 indicating that appointment is controlled exclusively by elected politicians. A score of 1 indicates that unelected agencies (like judicial branch representatives) and elected officials coordinate to select the ombudsman; a score of 2 indicates that civil society actors (including NGOs) and elected officials are involved in the selection process. When unelected state actors or civil society actors act alone to select the ombudsman, cases were given a score of 3 or 4, respectively.

Tenure. The second component comprises two measures. The first is a ratio that compares the formal tenure of ombudsman to that of the actor(s) responsible for appointing the ombudsman. The numerator consists of the formal term length for ombudsman, and the denominator is the appointing actor's term. Where two

different state actors are involved, the shorter term was used. Where a life term or civil society is involved, a maximum tenure of 20 is used. Here, the smallest term length was used to calculate this ratio when more than one actor was involved. Where the terms for both ombudsman and appointing actor(s) overlap, we would see a ratio of 1, or the least potential for independence. Tenure ratios varied from 0 to 1.66.

An alternative measure of tenure, real (observed) tenure for ombudsmen, was also created. In contrast to the tenure rules stipulated in constitutional or organic laws, this variable refers to the actual observed tenure of each ombudsman across the region. Observed terms for these offices have varied over time for a number of reasons: early retirements, early dismissals, resignations, and delays in appointment. Data for observed terms were obtained by reading through documents provided by ombudsman's offices across the region.³ This variable hopes to capture volatility in the agency due to outside pressure or other factors. Observed term lengths varied from 1 to 12 years, with an average of 5.5 years.

Funding. Ugglá (2004) notes aptly that funding decisions could place the ombudsman at a serious disadvantage if the agency is beholden to the national budget or a special budget, which is submitted by the government (executive) and sent to the legislature for approval. In contrast, when funding decisions are made first by the legislature, the agency is more likely to escape pressures from the executive branch (see Hill 1974; Ugglá 2004). The domestic funding rule is a three-point ordinal scale that ranges from least executive influence to greatest executive influence (2 = Congress proposes ombudsman budget; 1 = president proposes funding in national budget; 0 = special budget proposed by the executive).

An additional variable, *international donor*, was included in the index to reflect whether international funds were promised to the human rights ombudsman by donor states or international IGOs or NGOs (e.g., the UN or UNICEF). Yearly reports by the ombudsman identify whether international funding was promised for any given year. This variable ranges from 0 to 1; a score of 1 suggests greater potential independence from the executive and domestic political actors.

Independence index. A single additive index that included appointment, tenure ratio, domestic funding, and international funding was used to account for the ombudsman's formal independence. The resulting index has values that range from a low of 0 to a high of 11, varying cross-sectionally and time-serially. As with the constituent elements, higher scores indicate higher levels of independence for the ombudsman. Lacking a strong theoretical rationale for weighting these elements, a simple additive index was used here to illustrate the extent to which the ombudsman is free of, primarily, executive control, and secondarily, political control.

The extant literature suggests several other factors to control for, including the presence and depth of democracy. This study followed Keith's 2002 example by including the most relevant elements of Polity IV's measures of democracy (see Marshall and Jaggers 2002). As Keith (2002) notes, the main "moving parts" to Polity IV's composite measure are its executive measures (e.g., executive constraints, executive recruitment, executive competition, and political competition). These

measures capture a minimalist definition of democracy and its ability to place limits on the executive. Since this study is concerned with the ability of elected officials to hinder or strengthen the ability of an ombudsman to act on its human rights mandate, these measures fit both the extant literature and the concerns presented here about the ability of an independent agency to affect human rights.

Since NGOs are strong proponents of human rights norms across the world, this study accounted for their presence over time. Here, a measure of the number of NGOs was employed to gauge their presence and potential influence. This measure relied on the *Encyclopedia of Associations: International Organizations* (Gale Research Co. 2010), which captures approximately 32,000 voluntary organizations across the world (Longhofer and Schofer 2010). The counts produced by Longhofer and Schofer were corroborated by data from learned societies, NGOs, and nonprofit organizations. Since NGOs are typically viewed as independent of the state and an expression of organized civil society, this measure was also a proxy for agents of social accountability. The number of NGOs ranges from 143 to 1,643 and is logged to reduce the skew in this variable.

Since the executive looms large across the Americas, it is also important to account for presidential ideology. This study employed a measure of executive ideology derived from the *Database of Political Indicators* (Beck et al. 2001). This variable (EXECRL) measured the propensity of the executive (whether democratic or autocratic) to favor left-leaning policies. For this analysis, the variable was changed to a dichotomous measure, with 1 reflecting left-leaning ideologies of incumbent executives (*leftist executive*) and 0 indicating all others.

Resource endowment factors, like GDP per capita, are included as well. This measure captures the possibility that the protection of human rights is a function of a country's economic development; it is a staple of studies on human rights. Since it is a per capita figure, it also captures the size of the country. To reduce the possibility of heteroskedastic error, the natural log of this variable was used in this study. Data were obtained from the World Bank's *World Development Indicators* (World Bank 2014).

In addition, this study included measures to reflect the level of conflict in society. Small and Singer's measures from the Correlates of War project (1982) were employed here to account for the presence of civil or international conflict. While this measure of conflict is consistent with the literature, it is also the case that both militarized interstate and intrastate disputes were relatively rare during the period examined here. Nevertheless, accounting for border skirmishes and internal conflicts ensures that the findings continue to speak to a voluminous literature on personal integrity violations (Davenport 1995; Keith 2002).

This study also employed two measures of presidential control over Congress to address the potential effects of sample selection bias. The first is a measure of the number of (effective) parties in the lower house. Specifically, the effective number of parties captures the number of parties with seats in the lower house, weighted by their size (see Bormann and Golder 2013). Second, to capture the effect of divided government, this study employed the ALLHOUSE variable from the *Database of*

Table 2. The Human Rights Ombudsman and Physical Integrity Rights

	Physical Integrity 1 ^a	Physical Integrity 2 ^a	Physical Integrity 3 ^a	Two-stage Model ^b
Ombudsman present	-.20 (.34)	—	—	—
Lag	2.14 (.22)***	2.15 (.34)***	1.43 (.43)***	.64 (.09)***
Independence	—	-.06 (.14)	—	—
Appointment	—	—	-2.83 (.67)***	-.23 (.13) [^]
Tenure ratio	—	—	2.52 (2.32)	—
Budgeting	—	—	.70 (.83)	—
International donors	—	—	-.28 (.82)	—
Executive constraints	-.17 (.15)	-.19 (.27)	-1.8 (.40)**	-.05 (.08)
Executive recruitment	.25 (.43)	.73 (.56)	2.39 (.32)***	.32 (.25)
Executive competition	.09 (.53)	.08 (.59)	2.39 (.32)***	.09 (.19)
Political competition	-.16 (.10)	-.57 (.16)	-1.19 (.48)*	-.19 (.08)*
NGOs	.0007 (.0009)	.0004 (.0008)	.0005 (.001)	.0001 (.0002)
Leftist president	.21 (.29)	-.07 (.51)	2.45 (.71)***	-.29 (.22)
GDP per capita	-.44 (.93)	.36 (1.47)	-1.11 (2.05)	-.33 (.32)
Civil conflict	1.87 (.45)***	1.18 (.84)	—	.42 (.26)
Cut 1	-2.34 (2.97)		-11.82 (6.24)	—
Cut 2	.70 (3.05)	.75 (5.01)	-7.32 (6.1)	—
Cut 3	3.94 (3.09)	4.12 (5.08)	-3.13 (6.3)	—
Cut 4	6.98 (2.98)	6.95 (5.08)	-1.68 (6.52)	—
Constant	—	—	—	2.92 (1.02)**

continued on next page

Table 2. (continued)

	Physical Integrity 1 ^a	Physical Integrity 2 ^a	Physical Integrity 3 ^a	Two stage Model ^b
Log pseudolikelihood	-317.32	-168.44	-62.201	
Pseudo R ²	.3775	.3711	.4093	
N	350	186	82	
First stage (Y = Ombudsman)				
Number of parties ^c	—	—	—	-.08 (.09)
Constant	—	—	—	.07 (.34)
Rho				-.21
Log Pseudolikelihood	—	—	—	-219.71
N	—	—	—	222

^ap < .10; *p < .05; **p < .01; ***p < .005

^a Ordered logistic regression models include clustering for panels (countries).

^b Heckman selection model.

^c Models that included ALLHOUSE, or executive control of relevant legislative houses, did not converge and are not presented here.

Political Indicators. This measure captures whether the party holding the executive branch maintains control (absolute majority) over all relevant houses of government (see Keefer 2010).

FINDINGS

Tables 2 through 6 report the results of multivariate analyses across 16 countries in Latin America from 1982 to 2011. The sample included countries that never adopted an ombudsman during this period (e.g., Chile, the Dominican Republic, and Uruguay), as well as observations before and after the adoption of this agency. To properly test these variables, the analysis employed an ordered logistic regression with country clusters for physical integrity models and an OLS panel-corrected standard error model for the social and economic rights models. All the analyses included lagged versions of the dependent variable on the right side of the equation to correct for autoregressive errors. All the models were also corrected for heteroskedasticity.

Table 2 examines whether the presence of an ombudsman, regardless of the agency's level of independence, has an impact on human rights, notably physical integrity rights and improvements in access to food, education, healthcare, decent work, and housing. According to the analysis, the presence and independence scores do not have tangible effects on political terror scores. However, one element of the independence index does: appointment rules. Here, the effect is both significant and

Table 3. Marginal Effects of the Appointment Ratio on Personal Integrity Rights (percent)

	Rule of Law	1 Limited Imprisonment	2 Extensive Imprisonment	3 Violations	4 Widespread Terror
Low apt. ratio (1)	2.7***	67.8***	65.7***	3.63 [^]	17.3
Mean apt. ratio (1.14)	3.9***	65.8***	66.5***	2.5 [^]	.8
High apt. ratio (1.76)	20*	9.4	28.9***	4.5	.13

[^]p < .10; *p < .05; **p < .01; ***p < .005

negatively signed. The marginal effects for this variable (see table 3) suggest that as the appointment score increases, we could expect increases in the protection of personal integrity. For instance, the probability of experiencing no personal integrity violations is lower when the appointment process is dominated by elected officials (2.7 percent) than when it reaches the mean (3.9 percent) and higher levels (20 percent). Similarly, when the appointment score is low (1), we see lower probabilities of political terror (3.63 percent) than when it reaches the mean (2.5 percent). The probability is that limited and extensive imprisonment is also higher (ranging from 65.7 percent to 67.8 percent) where appointment scores are low, compared to when the ratio is one standard deviation from the mean (28.9 percent). Although some of the probabilities estimated are not statistically significant, the estimates that are significant are broadly supportive of the notion that the appointment process for ombudsmen matters for human rights, at least for personal integrity rights.

To address the possibility of selection effects, a Heckman selection model was employed to determine whether the independence of the ombudsman (especially the design of the office) could be predicted by the makeup of a country's elected branches. Heckman selection models are conducted in two stages: the first operates as a choice model that asks whether someone is in a group or not, and the second examines whether being in that group is important to explaining variations in human rights scores. The final column in table 2 presents a Heckman model that focuses only on the design variable that was significant in the previous models, ombudsman appointment rules. Here, the model asks whether rules guiding appointment are really a function of the number of parties in Congress. In other words, would multiparty systems result in appointment rules that are more inclusive than those created under single-party systems, wherein fewer players have a say in crafting the rules? While parties, and their representatives in the legislature, may consult with outside actors, including NGOs, ultimately they are the driving legislative force in crafting these rules, so they are examined here.

Here, the results suggest that the appointment ratio is weakly significant ($p < .10$), yet this design feature does not appear to be a function of the presence of multiparty systems. The rho value indicates that the relationship between the party system and the ombudsman's design is negatively correlated, albeit weakly ($\rho = -.21$).

Table 4. The Presence of Human Rights Ombudsmen and Social and Economic Rights

	Change in SERF Index	Food	Education	Health	Work	Housing
Ombudsman present	10.73 (3.18)**	.0004 (.009)	.07 (.02)***	.03 (.01)***	-.003 (.007)	.12 (.02)***
Lag	—	.96 (.02)***	.71 (.02)***	.70 (.04)***	.91 (.04)***	.64 (.05)***
Executive constraints	4.9 (2.1)^	-.002 (.004)	.04 (.003)***	.007 (.005)	.001 (.003)	.01 (.01)
Executive recruitment	-6.03 (4.9)	-.005 (.015)	.05 (.02)***	.02 (.03)	-.01 (.02)	-.002 (.06)
Executive competition	—	.01 (.01)	-.02 (.006)***	-.003 (.02)	-.02 (.02)	.004 (.04)
Political competition	1.7 (1.9)	-.0007 (.004)	.003 (.004)	.002 (.005)	-.004 (.003)	.008 (.009)
NGOs	—	.00001 (.000001)	.00002 (.00002)	.00002 (.00002)	1.10 ^{e-10} (9.5 ^{e-10})	-.00006 (.00004)
Leftist president	-12.04 (3.29)**	.00001 (.000004)	-.00008 (.00002)***	-.00002 (.00009)	.00001 (.00003)	-.00007 (.0002)
GDP per capita	16.9 (8.4)^	-.01 (.02)	-.12 (.02)***	.05 (.04)	.02 (.02)	.26 (.07)***
Constant	89.4 (24.5)	.21 (.09)**	1.00 (.09)***	1.00 (.15)	.32 (.19)^	.42 (.20)*
R ²	.5925	.9603	.7315	.7244	.9065	.7078
N	18	266	320	304	269	338

^p < .10; *p < .05; **p < .01; ***p < .005

Note: Columns 2–6 are OLS regression models with panel-corrected standard errors.

What is more, for each unit increase in appointment scores we could expect a 23 percent probability of experiencing a reduction in political terror scores. The 95 percent confidence interval for this effect, however, includes 0; this suggests that there are instances in which the effect of appointments is null. While this is in the right direction, the effect is still relatively small. So these findings do not lend strong support to the notion that the political system has an impact on building specific types of institutional design features that result in reductions in political terror scores.

The analysis indicates that the presence of an ombudsman has tangible effects on improvements in access to education, health, and housing. Specifically, the presence of an ombudsman raised the progressive realization of access to education by .07 points, health by .03 points, and housing by .12 points (see table 4). While these are not large changes, partly because of the logged dependent variable, they do represent a measurable and statistically significant improvement of 1.07, 1.03, and 1.13

Table 5. Formal Independence of the Human Rights Ombudsman and Social and Economic Rights

	Food	Food	Education	Education	Health	Health	Work	Work	Housing	Housing
Lag	.99 (.02)***	.99 (.02)***	.87 (.11)***	.87 (.08)***	.87 (.08)***	.88 (.08)***	.87 (.24)***	.82 (.16)***	.88 (.04)***	.89 (.04)***
Independence	.009 (.007)	—	.009 (.007)	—	.007 (.003)*	—	.006 (.01)	—	-.003 (.005)	—
Appointment	—	.03 (.02)	—	-.004 (.05)	—	.003 (.02)	—	.02 (.02)	—	-.004 (.015)
Tenure ratio	—	.04 (.04)	—	.15 (1.4)	—	.07 (.06)	—	.09 (.05)*	—	.09 (.04)*
Real tenure	—	-.006 (.006)	—	.01 (.01)	—	.005 (.005)	—	.005 (.002)^	—	.007 (.007)
Budgeting	—	-.0008 (.008)	—	-.02 (.06)	—	-.02 (.02)	—	.007 (.007)	—	.009 (.007)
International Donors	—	.03 (.02)	—	.13 (.09)	—	.05 (.02)*	—	.006 (.01)	—	.009 (.013)
Executive constraints	-.009 (.01)	-.02 (.02)	.12 (.02)	.03 (.04)	.01 (.005)*	.02 (.01)	.01 (.02)	.03 (.02)*	-.007 (.006)	.015 (.013)
Executive recruitment	.002 (.009)	—	-.01 (.03)	.11 (.15)	-.006 (.008)	.04 (.05)	-.02 (.02)	.02 (.04)	.015 (.01)	.09 (.10)
Political competition	.007 (.006)	.008 (.009)	-.005 (.02)	-.02 (.03)	-.004 (.006)	-.007 (.01)	.004 (.005)	.005 (.006)	-.007 (.009)	-.007 (.012)
NGOs	1e-5 (2e-5)	1e-5 (2e-5)	6e-5 (6e-5)	1.23e-6 (9e-5)	-2e-6 (2e-6)	-4e-5 (4e-5)	4.2e-6 (3e-5)	-6.42e-7 (3e-5)	-2.06e-6 (106e-6)	-2e-5 (2e-6)
Leftist president	.03 (.03)	.03 (.02)	-.05 (.07)	-.05 (.07)	-.002 (.03)	-.004 (.03)	-.02 (.02)	-.02 (.03)	-.01 (.03)	-.014 (.03)
GDP per capita (ln)	-.06 (.05)	-.04 (.05)	-.06 (.12)	.06 (.12)	.03 (.05)	.06 (.05)	.02 (.04)	.04 (.04)	.03 (.03)	.06 (.05)
Constant	.14 (.12)	.14 (.26)	.69 (.49)	-.09 (1.05)	.44 (.25)^	.15 (.43)	.37 (.92)	.13 (.58)	.51 (.22)**	-1.7 (.40)
R ²	.9714	.9732	.8188	.8287	.8807	.8893	.8324	.8501	.9327	.9327
N	73	72	76	75	64	63	80	79	82	81

^p < .10; *p < .05; **p < .01; ***p < .005
 OLS regression with panel-corrected standard errors.

points, respectively ($p < .005$). As a point of comparison, an additional model is included in table 4 to show whether the presence of an ombudsman can be traced to changes in the SERF index variable, which includes all five categories of human rights. The analysis suggests that changes in the SERF index, which ranges from a low of -22.11 to a high of $+15.97$, are strongly associated with the presence of a human rights ombudsman in the region. Here the presence of this agency led to an increase in SERF index values of 10.34 points.

It is also worth noting that many of the standard control variables found to matter in the literature were also significant for the social and economic rights models. Elements of the polity variable, including executive constraints, executive recruitment, executive competition, and political competition, were significant for improvements in education. Their mainly positive effects are consistent with studies of education spending that suggest that executives matter for increases in primary spending. GDP per capita's effect varied but was significant in only two of the models, education and housing. Surprisingly, NGOs had no measurable effect, and the presence of a leftist president tended to reduce access to social services. This last finding may be a reflection of many leftist presidents who found themselves having to cut social service programs during the 1980s and 1990s.

Table 5 examines the extent to which the design of the ombudsman's office matters for human rights protections. Although data on appointment, tenure ratios, and constitutional funding formulas are available for all the observations, we see a drop in the N-size of the analysis in all of the models presented in table 4. Some observations are lost because of the lack of an ombudsman. Additional observations are lost due to the lack of complete data regarding the presence of international donors. Since those data are available only when ombudsmen release complete information regarding the potential sources of their yearly funding, we see a dramatic drop in N-size.⁴

Nevertheless, the lagged panel-corrected standard error models suggest two important points. First, formal independence (measured as an index of appointment, tenure ratio, funding, and presence of international donor) was significant for improvements in access to healthcare only. Here, increased independence scores were attributed to improvements in the progressive realization of access to healthcare on the order of .007 points. Since the dependent variable was logged, this means that the real effect is an increase of one point (1.007) for each unit increase in the independence score.

When institutional design elements were disaggregated, the analysis identified several interesting relationships. For one, the tenure ratio, which compares the constitutional terms for the ombudsman and the actors appointing the agency, contributed to improvements in realizing access to decent work and housing. Furthermore, observed tenure, which differed from constitutional terms, also had a positive effect on access to decent work. In the only model where the independence index was statistically significant, progressive realization of access to healthcare, international donors were the prime factor behind these advances. Here, the presence of an international donor led to an increase in the progressive realization of access to

healthcare. Many of the donors declared interests in expanding health outcomes for women and children, such as UNESCO, Save the Children, and the UNDP (United Nations Development Program), so this result suggests that their efforts were not in vain.

The findings provide qualified support for the hypothesized relationships between institutional design and improvements in human rights, at least with respect to access to healthcare, decent work, and housing. These results also illustrate the value of employing an additive index, as the constituent parts had different effects on each of the dependent variables presented here. Formal independence, the component parts, and democracy scores had no statistically significant effects on access to food, education, and housing. Control variables like GDP per capita, the number of NGOs, and left-leaning presidents did not have a measurable or significant impact on human rights outcomes.⁵

To address the possibility of selection effects, table 6 displays results from a series of Heckman selection models. The focus here is on human rights measures that were significant in previous models. Here, only the tenure ratio variable is significant for the improvements in the progressive realization of access to decent housing ($p < .05$). The two-stage model indicates that every increase in the tenure ratio score, or as the gap between the ombudsman's tenure and the tenure of the appointers increases, we could expect to see a .04 increase in the progressive realization of access to decent housing ($p < .000$). So as ombudsmen are less constrained by the fear of being replaced, we could expect tangible improvements in access to decent housing. The confidence interval around this marginal effect never overlapped 0 (ranging from .038647 to .03865).

The potential for independence, as measured by the ombudsman's tenure ratio, was partly determined by the partisan composition of the legislative branch. Specifically, the results indicate a strong and statistically significant relationship between the executive's control over relevant legislative houses and the construction of the ombudsman ($p < .000$). Since first-stage results are not directly interpretable, the marginal effect of -7.98^{e-6} ($p < .000$) suggests that when the executive's party dominates the legislature, we could expect a decrease in the tenure ratio (or a smaller gap between the tenure of the ombudsman relative to that of its principals). This is consistent with the logic that partisan control of elected branches would allow principals to collude to weaken the ombudsman's potential independence, as measured by the tenure ratio. So the results indicate that although no strong selection effects appear for most of the human rights measures explored here, access to decent housing is significantly affected by the ombudsman's tenure ratio, which is determined by executive control of the legislature.⁶

The results suggest that the effect of the ombudsman on the progressive realization of access to housing is robust across several modeling techniques. These effects were evident across multiple models and estimating techniques (see tables 4, 5, and 6). Furthermore, the nature of the political system, which was hypothesized to have an effect in determining the presence and nature of the ombudsman's office, was relevant only to improvements in housing. While the findings for political terror and

Table 6. The Human Rights Ombudsman and Social and Economic Rights: Selection Effects

	Education	Health	Work	Work	Housing	Housing
Lag	.92 (.06)***	.89 (.04)***	.89 (.05)***	.88 (.01)***	.77 (.05)	.99 (8.91 ^{e-7})***
Independence	.008 (.006)	.0007 (.005)	.0007 (.005)	—	—	—
Tenure ratio	—	—	—	-.002 (.02)	-.10 (.02)***	.04 (7.3 ^{e-7})***
Executive constraints	.01 (.009)	.02 (.02)	.02 (.02)	.007 (.003)***	.002 (.009)	-.002 (3.7 ^{e-8})
Executive recruitment	-.02 (.03)	.05 (.11)	.05 (.11)	-.04 (.009)***	-.08 (.02)***	.009 (9.7 ^{e-8})***
Executive competition	.03 (.02)	-.009 (.05)	-.009 (.05)	.04 (.009)***	.05 (.009)**	-.002 (6.5 ^{e-8})***
Political competition	-.005 (.01)	-.009 (.01)	-.009 (.01)	-.001 (.004)	.02 (.009)*	-.004 (5.9 ^{e-8})***
NGOs	.0001 (.0001)	.00003 (.00003)	.00003 (.00003)	4.5 ^{e-6} (9.7 ^{e-6})	.00003 (.00004)	.00002 (6.8 ^{e-10})***
Leftist president	-.01 (.01)	-.02 (.02)	-.02 (.02)	.007 (.008)	.004 (.02)	-.001 (0.9 ^{e-7})***
GDP per capita (ln)	-.14 (.12)	.05 (.05)	.05 (.05)	.05 (.02)**	.08 (.08)	-.05 (1.9 ^{e-7})***
Constant	.7 (.45)	-.01 (.27)	-.01 (.27)	.39 (.06)***	.71 (.17)***	.13 (.009)***
First stage (Y = Ombudsman)						
Number of parties	-.08 (.08)	-.06 (.03)^	-.06 (.03)^	—	-.09 (.09)	—
Control of Congress	—	—	—	.0002 (.0006)	—	.0001 (.00002)***
Constant	.01 (.36)	-.10 (.25)	-.11 (.25)	.18 (.14)	.10 (.35)	-.15 (.09)
Rho	-.11	.97	.97	-.05	-.21	1
Log Pseudo-likelihood	-81.802	-45.96	-45.96	-.24	-96.32	-51.69
N	214	218	218	316	222	318
Chi square						5247.28***

^p < .10; *p < .05; **p < .01; ***p < .005
 OLS regression models with panel-corrected standard errors.

other social and economic rights were mixed, these findings are noteworthy for several reasons. First, they highlight the influence that the region's *defensorías del pueblo* are contributing to positive outcomes for human rights. Second, the presence of the ombudsman and its design do not have uniform effects; this highlights the importance of a nuanced approach that explores variations in design, as well as the presence of this national human rights institution. Finally, although the results are mixed, they highlight the need to study multiple indicators of human rights provisions across the world.

CONCLUSIONS

Although the human rights ombudsman has had a positive impact on selected human rights measures in Latin America, it still has a long way to go before it can realize its promise. And although the ombudsman has had an impact on some human rights indicators, its impact is uneven. For instance, personal integrity rights appear to be positively affected by the design of the ombudsman's office (notably the manner of appointment). With respect to access to education, health, and housing, the presence of an ombudsman has had statistically significant and positive effects. Meanwhile, design variations matter for improvements in access to decent work, housing, and healthcare across the region.

Results of the two-stage analysis indicate that there is only limited support for the notion that the ombudsman's effect on human rights is a function of partisan control of the executive and legislative branches. Here, the effects are limited to progressive realization of access to decent housing ($p < .000$). It is worth noting that this agency's effect on housing rights is fairly robust across several models and estimating techniques. While the two-stage models did not indicate similar relationships for other social and economic rights, the analysis found a weak relationship between ombudsman design and reductions in political terror ($p < .10$).

This study of the human rights ombudsman in Latin America from 1982 to 2011 builds on a growing literature that has provided countless insights into the relevance and functions of the ombudsman (Finkel 2012; Hill 2002; Pegram 2008, 2011; Ungar 2002; Uggla 2004). This study also builds on an established literature on the role of institutions in the provision of human rights (see Keith 2002, 2011; Simmons 2009). The findings produced here indicate that this agency has had an impact even in spite of its lack of sanctioning power. Since these offices are both accountability offices (O'Donnell 2003) and national human rights institutions (Reif 2004) built to have close contact with the public, citizens may benefit a great deal from them. So the ability of this agency to effect change has the potential to profoundly affect democracy and the public's assessment of democracy's value.

NOTES

1. These are coded as follows: 0. Countries under a secure rule of law. 1. Limited imprisonment for nonviolent political activity. 2. Extensive political imprisonment or a recent history of such imprisonment. 3. Civil and political rights violations have expanded to large numbers of the population. 4. Terror has expanded to the whole population.

2. The food measure incorporates data on the percentage of children under age 5 who are not stunted. The education measure incorporates information on primary school completion rates and combined school enrollment rate. The healthcare measure accounts for contraceptive use rate, survival rates for children under age 5, and survival rates for adults at age 65. The housing measure includes data on the percentage of the rural population with access to improved water sources and the percentage of the population with access to improved sanitation. The work measure includes information on the percentage of individuals with an income greater than \$2 a day. All of these variables take into consideration per capita GDP as a measure of state capacity.

3. The correlation between the tenure ratio and the observed tenure of ombudsmen is .0769.

4. Similar models with different versions of the independence index yielded similar results.

5. Models with measures of judicial independence were not statistically significant.

6. Models that tested the effects of the presence of ombudsmen, independence, and elements of the independence index were also examined but not presented here in the interest of space. Results for all variants on the models reported are available on request.

REFERENCES

- Andrews, Josephine T., and Gabriella R. Montinola. 2004. Veto Players and the Rule of Law in Emerging Democracies. *Comparative Political Studies* 37, 1: 55–87.
- Beck, Thorsten, et al. 2001. New Tools and New Tests in Comparative Political Economy: The Database of Political Institutions. *World Bank Economic Review* 15 (September): 165–76.
- Bormann, Nils-Christian, and Matt Golder. 2013. Democratic Electoral Systems Around the World, 1946–2011. *Electoral Studies* 32: 360–69.
- Bueno de Mesquita, Bruce, Feryal Marie Cherif, George W. Downs, and Alastair Smith. 2005. Thinking Inside the Box: A Closer Look at Democracy and Human Rights. *International Studies Quarterly* 49, 3: 439–58.
- Cingranelli, David, and Mikhail Filippov. 2010. Electoral Incentives to Protect Human Rights. *Journal of Politics* 72, 1: 1–15.
- Davenport, Christian. 1995. Multidimensional Threat Perception and State Repression: An Inquiry into Why States Apply Negative Sanctions. *American Journal of Political Science* 39, 3 (August): 683–713.
- Dodson, Michael. 2006. The Human Rights Ombudsman in Central America: Honduras and El Salvador Case Studies. *Essex Human Rights Review* 3, 1: 29–45.
- Dull, Mathew, and Patrick Roberts. 2009. Continuity, Competence, and the Succession of Senate-Confirmed Agency Appointees, 1989–2009. *Presidential Studies Quarterly* 39, 3: 432–53.
- Escobar, Guillermo. 2011. *VIII Informe sobre derechos humanos: seguridad ciudadana*. Madrid: Federación Iberoamericana de Ombudsman.

- Fariss, Christopher. 2014. Respect for Human Rights Has Improved over Time: Modeling the Standard of Accountability. *American Political Science Review* 109, 3: 1–22.
- Finkel, Jodi. 2012. Explaining the Failure of Mexico's National Commission of Human Rights (Ombudsman's Office) After Democratization: Elections, Incentives, and Unaccountability in the Mexican Senate. *Human Rights Review* 13: 473–95.
- Fukuda-Parr, Sakiko, Terra Lawson-Remer, and Susan Randolph. 2009. *International SERF Index*. Economic and Social Rights Empowerment Initiative, Social Science Research Council. www.serfindex.org/data.
- Gale Research Co. 2010. *Encyclopedia of Associations: International Organizations*. Detroit: Gale Research.
- Ginsburg, Tom, and Tamir Moustafa. 2008. *Rule by Law: The Politics of Courts in Authoritarian Regimes*. New York: Cambridge University Press.
- González Volio, Lorena. 2003. The Institution of the Ombudsman: The Latin American Experience. *Revista IIDH* 37: 219–48.
- Hafner-Burton, Eilie, and James Ron. 2007. Human Rights Institutions: Rhetoric and Efficacy, Introduction. *Journal of Peace Research* 44, 4: 379–83.
- Hill, Larry. 2002. The Ombudsman Revisited: Thirty Years of Hawaiian Experience. *Public Administration Review* 62, 1: 24–41.
- Huber, John D., and Charles R. Shipan. 2002. *Deliberate Discretion: The Institutional Foundations of Bureaucratic Autonomy*. Cambridge: Cambridge University Press.
- Jackson, Donald W., J. Michael Dodson, and Laura Nuzzi O'Shaughnessy. 1999. Protecting Human Rights: The Legitimacy of Judicial System Reforms in El Salvador. *Bulletin of Latin American Research* 18, 4: 403–21.
- Keefer, Philip. 2010. *Database of Political Institutions: Changes and Variable Definitions*. DPI2010. Washington, DC: Development Research Group, World Bank.
- Keith, Linda Camp. 2002. Constitutional Provisions for Individual Human Rights, 1976–1996: Are They More than Mere Window Dressing? *Political Research Quarterly* 55: 111–43.
- . 2011. *Political Repression: Courts and Law*. Human Rights series, ed. Bert Lockwood. Philadelphia: University of Pennsylvania Press.
- Keith, Linda Camp, C. Neal Tate, and Steven C. Poe. 2009. Is the Law a Mere Parchment Barrier to Human Rights Abuse? *Journal of Politics* 71, 2: 644–60.
- Koo, Jeon-Woo, and Francisco O. Ramírez. 2009. National Incorporation of Global Human Rights: Worldwide Expansion of National Human Rights Institutions, 1966–2004. *Social Forces* 87, 3: 1321–54.
- Lake, David A., and M. A. Baum. 2001. The Invisible Hand of Democracy: Political Control and the Provision of Public Services. *Comparative Political Studies* 34, 6: 587–621.
- Leblang, David., W. T. Milner, and Stephen Poe. 1999. Security Rights, Subsistence Rights and Liberties: A Theoretical Survey of the Empirical Landscape. *Human Rights Quarterly* 21, 2: 403–43.
- Lebovic, James H., and Erik Voeten. 2009. The Cost of Shame: International Organizations and Foreign Aid in the Punishing of Human Rights Violators. *Journal of Peace Research* 46, 1: 79–97.
- Longhofer, Wesley, and Evan Schofer. 2010. National and Global Origins of Environmental Association. *American Sociological Review* 75: 505–33.
- Maddex, Robert L. 2011. *Constitutions of the World*. 3rd ed. Washington, DC: CQ Press.
- Marshall, Monty G., and Keith Jagers. 2002. *Polity IV Project: Political Regime Characteristics and Transitions, 1800–2002*. Version p4v2002e (computer file). College Park:

- Center for International Development and Conflict Management, University of Maryland. <http://www.cidcm.umd.edu/inscr/polity/index.htm>.
- McCarty, Nolan. 2004. The Appointments Dilemma. *American Journal of Political Science* 48, 3: 413–28.
- O'Donnell, Guillermo. 2003. Horizontal Accountability: The Legal Institutionalization of Mistrust. In *Democratic Accountability in Latin America*, ed. Chris Welna and Scott Mainwaring. New York: Oxford University Press.
- Pegram, Thomas. 2008. Accountability in Hostile Times: The Role of the Peruvian Human Rights Ombudsman, 1996–2001. *Journal of Latin American Studies* 40, 2: 51–82.
- . 2011. Weak Institutions, Rights Claims and Pathways to Compliance: The Transformative Role of the Peruvian Human Rights Ombudsman. *Oxford Development Studies* 39, 2: 229–50.
- Powell, Emilia J., and Jeffrey K. Staton. 2009. Domestic Judicial Institutions and Human Rights Treaty Violation. *International Studies Quarterly* 53: 149–74.
- Przeworski, Adam, and M. M. Álvarez. 2000. *Democracy and Development: Political Institutions and Well-Being in the World, 1950–1990*. New York: Cambridge University Press.
- Reif, Linda. 2004. *The Ombudsman, Good Governance and the International Human Rights System*. Boston: Martinus Nijhoff.
- Renshaw, Catherine Shanahan. 2012. National Human Rights Institutions and Civil Society Organizations: New Dynamics of Engagement at Domestic, Regional and International Levels. *Global Governance* 18: 299–316.
- Simmons, Beth. 2009. *Mobilizing for Human Rights: International Law in Domestic Politics*. New York: Cambridge University Press.
- Small, Melvin, and J. David Singer. 1982. *Resort to Arms: International and Civil Wars, 1816–1980*. Beverly Hills: Sage.
- Taylor, Matthew M., and Vinicius C. Buranelli. 2007. Ending Up in Pizza: Accountability as a Problem of Institutional Arrangement in Brazil. *Latin American Politics and Society* 49, 1 (Spring): 59–87.
- Tsebelis, George. 1995. Decision Making in Political Systems: Veto Players in Presidentialism, Parliamentarism, Multicameralism and Multipartyism. *British Journal of Political Science* 25, 3: 289–325.
- Uggla, Fredrik. 2004. The Ombudsman in Latin America. *Journal of Latin American Studies* 36, 3: 423–50.
- Ungar, Mark. 2002. *Elusive Reform and the Rule of Law in Latin America*. Boulder: Lynne Rienner.
- Wood, B. Dan, and Richard Waterman. 1993. The Dynamics of Political-Bureaucratic Adaptation. *American Journal of Political Science* 37: 497–528.
- World Bank. 2014. *World Development Indicators*. Washington, DC: World Bank.