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Introduction to the Societal Violence Scale: Physical Integrity Rights Violations and Nonstate Actors

Linda Cornett,* *Peter Haschke*** , and *Mark Gibney****

ABSTRACT

Measures of physical integrity rights violations typically focus on abuses by state actors. However, nonstate actors also represent a grave threat to personal security. This article introduces the Societal Violence Scale (SVS) which uses the US State Department Human Rights reports as a basis for developing a new scale of physical integrity rights abuses by nonstate actors to gain a more comprehensive, but at the same time disaggregated, picture of human security threats across the globe.

I. INTRODUCTION

Physical integrity rights have always occupied a central position in the human rights discourse, and for good reason: the right to life and liberty is the first priority of virtually every human rights instrument and is the precondition for the enjoyment of other human rights. Likewise, physical integrity viola-

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tions by the state have traditionally pre-occupied human rights scholars and activists, also for good reason: the modern state, by definition, seeks to monopolize the use of force within its territory and normally has a wide range of repressive tools at its disposal, with the primary responsibility to protect its citizens. Too often, however, these tools are used to threaten rather than protect the physical security of citizens, who have little recourse for relief.

Nonetheless, it is increasingly impossible, and perhaps irresponsible, to ignore the threats to physical integrity posed by nonstate actors. Newspapers are filled with atrocities perpetrated by nonstate actors. Violence against women and children is epidemic in most countries. Forced labor thrives almost everywhere. Armed groups like ISIS have shocked the international community with the scope and brutality of their abuses. Indeed, on the basis of annual US State Department Human Rights reports, it is hard to avoid the conclusion that physical integrity threats by nonstate actors substantially eclipse abuses by the state in most countries, most of the time. It is not uncommon for a medium sized country to report more than 10,000 cases of sexual assault (e.g. Canada) and/or more than ten of thousands of cases of domestic violence (e.g. Vietnam).¹ Some reports dispense with numbers altogether, instead providing estimates of the percent of victims reporting abuse. UN and NGO sources cited by the State Department report on Afghanistan estimated in 2013 that 70 percent of marriages were forced.² A 2009 Moroccan survey reported that 62.8 percent of women had experienced some form of violence during the previous year.³ If a country also suffers from honor killings, dowry deaths, female genital mutilation/cutting (FGM/C), bride kidnappings, not to mention sex trafficking (e.g. most countries), then the number of female victims alone can be staggering. Few states routinely terrorize tens of thousands, much less hundreds of thousands of their citizens, but those that do are counted among the worst human rights offenders. Sadly, nonstate or societal violence of this magnitude is commonplace.

In the worst cases, society is beset by violence on all sides: high levels of societal violence coexist with, and often feed, high levels of state repression. In addition, some agents of the state may collude with criminal elements, exercising violence for their mutual, personal benefit. The results for human security are particularly pernicious: there is no safety in retreating to the

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1. U.S. Dept. of State, Canada 2014 Human Rights Report, 11 (2014), *available at* <http://www.state.gov/documents/organization/236884.pdf>; U.S. Dept. of State, Vietnam 2014 Human Rights Report, 33 (2014), *available at* <http://www.state.gov/documents/organization/236702.pdf>.
 2. U.S. Dept. of State, Afghanistan 2013 Human Rights Report, 39 (2013), *available at* <http://www.state.gov/documents/organization/220598.pdf>.
 3. U.S. Dept. of State, Morocco 2014 Human Rights Report, 24 (2014), *available at* <http://www.state.gov/documents/organization/236826.pdf>.

private sphere for relief from violence and no recourse to government protection. However, even in the absence of significant state violence, societal violence can flourish. The problem is acute in stable democracies as well as unstable and undemocratic regimes.

If the ultimate goal is to protect the physical integrity of the person, it is hard to justify ignoring threats posed by nonstate actors. Indeed, under the “tripartite” principle that states have a responsibility “to respect, protect, and fulfill,” the state is obliged not only to refrain from human rights abuses itself. States also have the duty to prevent abuses by third parties, including private actors, and to take positive measures for the provision of rights to everyone under the state’s jurisdiction.

Assessing the degree to which state versus nonstate actors threaten physical integrity rights and understanding the relative threats posed to and by different nonstate actors minimally requires more systematic and disaggregated measures of nonstate actor abuses to complement the several projects that measure state sponsored violence, including the Political Terror Scale (PTS), which the authors help produce. The Societal Violence Scale (SVS) focuses attention on physical integrity rights violations by nonstate actors. Indeed, the PTS and SVS may be used together as a kind of modified “misery index” for human insecurity, providing a more comprehensive picture of physical integrity rights abuses globally.

II. THE SOCIETAL VIOLENCE SCALE

The present project seeks to develop measures of societal violence based on annual US State Department Human Rights report. The Societal Violence Scale ranks countries on a 5-point scale (from the lowest level of societal violence to the highest) based on three criteria.⁴ First, we look at scope: the proportion of society that is victimized. Thus, widespread violence against women (who account for 50 percent of the population) figures more heavily in the final score than widespread abuses against human rights defenders, who represent a very small number. Second, we look at the severity of abuses. For example, evidence that human rights defenders are killed weighs more heavily than beatings of human rights defenders. Likewise, while women are routinely subjected to sexual violence and domestic violence, the addition of other types of violence against women like gang rape, sex trafficking, and FGM/C adds to our assessment of severity. Finally, we look at the range of victims and perpetrators across categories. Are victims and

4. Political Terror Scale, Societal Violence Scale: Explained, *available at*, <http://www.politicalterroryscale.org/Data/Documentation-SVS.html>.

perpetrators confined to a fairly narrow cross section of society or do they cross all boundaries? The results are captured in a 5 point coding scheme:

- Level 1: Societal violence is limited in scope and severity, with relatively few victims and few perpetrators.
- Level 2: Societal violence is a problem but is contained in both scope and severity, commonly concentrated on one or two victim categories.
- Level 3: Societal violence is widespread in scope and severe in nature. It affects a significant number of people typically across two or more victim categories and coming from several sources.
- Level 4: Societal violence is the norm. It is systematic and pervasive in scope as well as severe in nature, affecting a large proportion of the population generally across several victim categories and perpetrators.
- Level 5: Societal violence is ubiquitous in scope and egregious in nature. It normally affects a large proportion of the population, crossing numerous victim and perpetrator categories.

III. PRELIMINARY RESULTS

Several striking conclusions emerge based on the data from 2013 (See <http://www.politicalterrorScale.com>).⁵ First, the scope and severity of societal violence far exceeds the threat posed by state sponsored violence in the overwhelming majority of cases. Most countries report thousands, if not tens or hundreds of thousands of victims of societal violence. Indeed, if we used the same rough numerical thresholds in the SVS as are used in the PTS, *virtually every country* would be coded as a four or five on the SVS. To retain any possibility of discriminating between countries, we are forced to use higher thresholds for the SVS relative to the PTS, albeit at the risk of “normalizing” a high rate of societal violence, especially against women and children. Yet even using this higher threshold, the level of violence perpetrated by nonstate actors exceeds that of state sponsored violence in a majority of the cases, as is shown in Figure 1.

Where we have both PTS and SVS scores (n=180), the majority have a worse SVS score than PTS score. Specifically, a full two thirds (65.5 percent) of the countries represented have a “serious problem” with societal violence (a score of three or higher), whereas less than half (46.7 percent) earn a three or higher score on the PTS.

Unsurprisingly, societal violence is often greatest where state sponsored violence is also high. Many of the “worst offenders” (level 5) on the Societal Violence Scale are also among the worst performers on the Political

5. Available at, www.PoliticalTerrorScale.org.

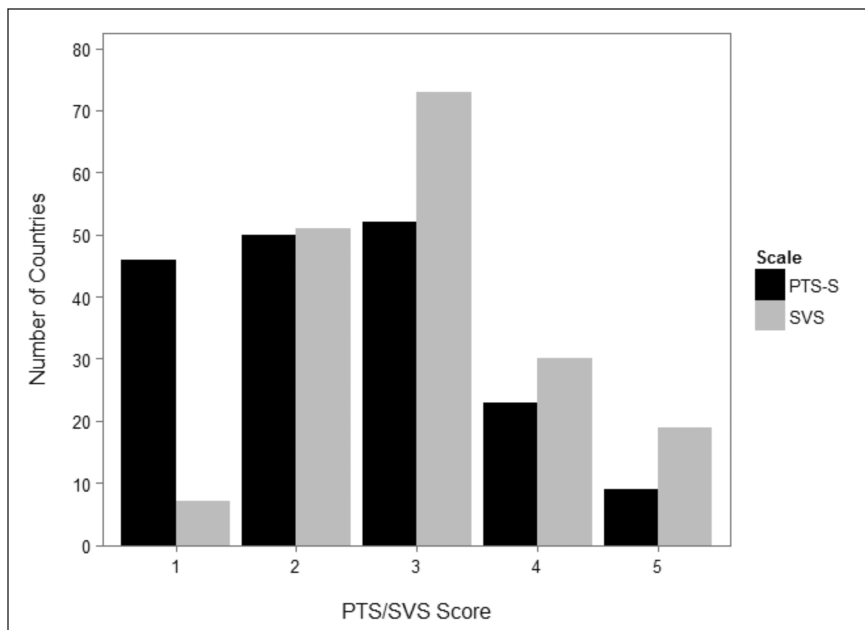


Figure 1. Distribution of SVS and PTS (2013)

Terror Scale and probably for similar reasons: states that are too weak and/or indifferent to curtail abuses by state actors are unlikely to be more effective at combating societal violence. Countries that scored a level 5 on both the SVS and PTS (2013) were: Afghanistan, Central African Republic, Democratic Republic of the Congo, Iraq, Pakistan, South Sudan, and Syria. Roughly 79 percent of the countries at a level five on the SVS are embroiled in civil conflict.⁶

Yet even where state sponsored violence is relatively low, societal violence may be stubbornly high, especially against women, children, and forced labor. This phenomenon is most clearly illustrated by the 13.3 percent of cases where the SVS score is two points higher than the PTS score.⁷ For example, the German state has an exemplary record of human rights protections according to the PTS, earning the best score (1) for at least the last decade. However, according to the SVS, Germany has a serious problem

6. Political Terror Scale, Societal Violence Scale Data 2013, Political Terror Scale Data 2014, available at, <http://www.politicalterrorsscale.com/Data/Download.html>.

7. *Id.*

(score of 3) with violence by nonstate actors, including violence against women, children, forced labor, as well as religious and ethnic minorities.⁸

Perhaps the most troublesome finding is that democracies are by no means immune to experiencing high levels of societal violence. Of the countries with a score of three or higher, more than half are democracies, based on Polity IV classification.⁹ This includes such Western democracies as: Germany, Netherlands, United Kingdom, Switzerland, and Greece. Even more disturbing, as shown in Table 1, more than 30 percent of the worst offenders (level 5) are democracies.

TABLE 1.
Regime Breakdown of Worst Offenders

	<i>n</i>	<i>Democracy</i>	<i>Countries</i>
SVS Score = 5	6	Yes	Colombia, India, Kenya, Pakistan, Philippines, South Africa
SVS Score = 5	13	No	Afghanistan, Bangladesh, Burma, Central African Republic, The Congo (DRC), Iraq, Mali, Nigeria, Somalia, South Sudan, Sudan, Syria, Yemen

Although not yet completed, preliminary results from the 2014 data—disaggregated by victims and perpetrators—offer some additional revelations.¹⁰ Perhaps more striking than the geographic distribution of physical integrity rights violations by nonstate actors is the distribution by victim and perpetrator. Although the complete data are not yet available, it appears that most countries have serious problems with individual-level and corporate violence against women. Specifically, rape, domestic violence, and trafficking of women for forced labor and the sex trade are serious problems in most countries. Individual-level and corporate violence against children—sexual abuse, domestic abuse, and trafficking for forced labor and child prostitution—lags only slightly behind. In conflict zones, the added threat posed by armed groups also poses unique threats to women and children. Thus, it is no exaggeration to say that in virtually every country, the most dangerous “place” to be is in the skin of a woman or child.

8. *Id.*

9. *Id.*

10. Beginning with the 2014 State Department Reports, coders will disaggregate the data by victim (women; children; national/ethnic/racial minorities; victims of religious and sectarian violence; refugees and asylum seekers; sexual minorities; forced labor; labor activists; human rights defenders; humanitarian workers; journalists; state actors; civilians in civil conflict; and others) and by perpetrators (individuals or ad hoc groups; “corporate” actors for profit; and organized groups for group benefits).

Despite exhortations reminding us that women's rights are human rights; children's rights are human rights; gay, lesbian, bisexual, and transsexual rights are human rights, among others, high levels of violence against vulnerable groups continue to be treated as a private matter or as a criminal offense—but *not human rights violations* unless carried out by the state or in war. Evidence from the SVS suggests that the neglect of societal violence in measures of human rights abuses grossly underestimates the degree of human insecurity worldwide and deprives us of the tools to address these abuses.