

# The Human Rights Approach To Public Policy

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## Abstract

A documentary review was carried out on the production and publication of research papers related to the study of the variable Human Rights Approach and Public Policies in Latin America. The purpose of the bibliometric analysis proposed in this document is to know the main characteristics of the volume of publications registered in the Scopus database during the period 2016-2021 in Latin American countries, achieving the identification of 745 publications. The information provided by the said platform was organized using tables and figures categorizing the information by Year of Publication, Country of Origin, Area of Knowledge and Type of Publication. Once these characteristics were described, the position of different authors regarding the proposed topic was referenced by employing a qualitative analysis. Among the main findings of this research, it is found that Brazil, with 442 publications, is the Latin American country with the highest production. The Area of Knowledge that made the greatest contribution to the construction of bibliographic material referring to the study of the Human Rights Approach in Public Policies was Medicine with 405 published documents, and the Type of Publication that was most used during the above-mentioned period was the Journal Article, which represents 82% of the total scientific production.

**Keywords:** Human Rights, Public Policies.

## 1. Introduction

Human rights are the legal guarantees that people have without distinction of ethnicity, nationality, gender, color, religion, language, or socioeconomic level, among others. These rights were drafted by the United Nations (UN) to protect human dignity after the events of World War II to prevent another barbarism of such magnitude.

Human rights play a fundamental role in Latin American public policies, these are all actions taken by governments to provide solutions to social problems through

efficiency and inclusion. In recent decades, human rights are seen as a complementary legislative form for the solution of social problems and the recognition and protection of rights of vulnerable social groups to contribute to the strengthening of democracy and equality, which translates into a reconstruction of institutions that seek to promote compliance and protection of legal goods for all human beings, thus promoting the social and economic development of countries with equality and welfare as fundamental principles to ensure a democratic society, since in Latin America before the 1980s, governments were

characterized by being authoritarian and exclusionary.

It is for this reason that in recent years the focus of public policies towards equality has been given as a consequence and purpose of the implementation of human rights in Latin American legislation. This seeks legal recognition of the rights of vulnerable populations and as an instrument of social integration, taking into account not only the first-generation rights but also the complementarity of all those enshrined in the universal declaration of human rights to ensure the success of economic and social development programs. Thanks to the above, it can be said that human rights are an essential part of today's law since they represent.

The approach of the new regulations that are implemented in the Latin American legislation seeks the recognition of all social groups from the equality of the current social problems. Therefore, it is important to know, in terms of bibliographic resources, the current state of research on the Human Rights Approach and Public Policies. Therefore, a bibliometric analysis of the scientific production registered in the Scopus database during the period 2016-2021 is proposed to answer the question: How has the production and publication of

research papers related to the study of the variable Human Rights Approach and Public Policies in Latin America been during the period 2016-2021?

## 2. General objective

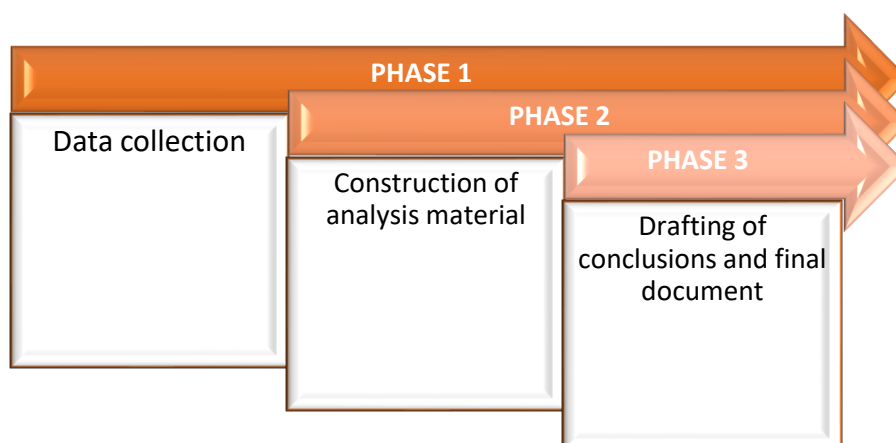
To analyze from a bibliometric and bibliographic perspective, the production of high-impact research papers on the variable Human Rights Approach and Public Policies in Latin America during the period 2016-2021.

## 3. Method

Quantitative analysis of the information provided by Scopus under a bibliometric approach on the scientific production regarding the Human Rights and Public Policy Approach is carried out. Likewise, it is analyzed from a qualitative perspective, examples of some research papers published in the area of the study mentioned above, from a bibliographic approach to describe the position of different authors on the proposed topic.

The search is carried out through the tool provided by Scopus and the parameters referenced in the Table below are established 1.

### 3.1 Methodological design



**Figure 1.** Methodological design

**Source:** Own elaboration

#### 3.1.1 Phase I: Data collection

Data was collected through the Scopus web page search tool, through which a total of 745 publications were identified. For this

purpose, search filters were established consisting of:

- ✓ Published documents whose study variables are related to the study of Human Rights and Public Policies.
- ✓ Limited to Latin American countries.
- ✓ Without distinction of the area of knowledge.
- ✓ Without distinction of the type of publication.

### 3.1.2 Phase 2: Construction of analysis material

The information identified in the previous phase is organized. The classification will be done employing graphs, figures and tables based on data provided by Scopus.

- ✓ Co-occurrence of words.

- ✓ Year of publication
- ✓ Country of origin of the publication.
- ✓ Area of knowledge.
- ✓ Type of publication.

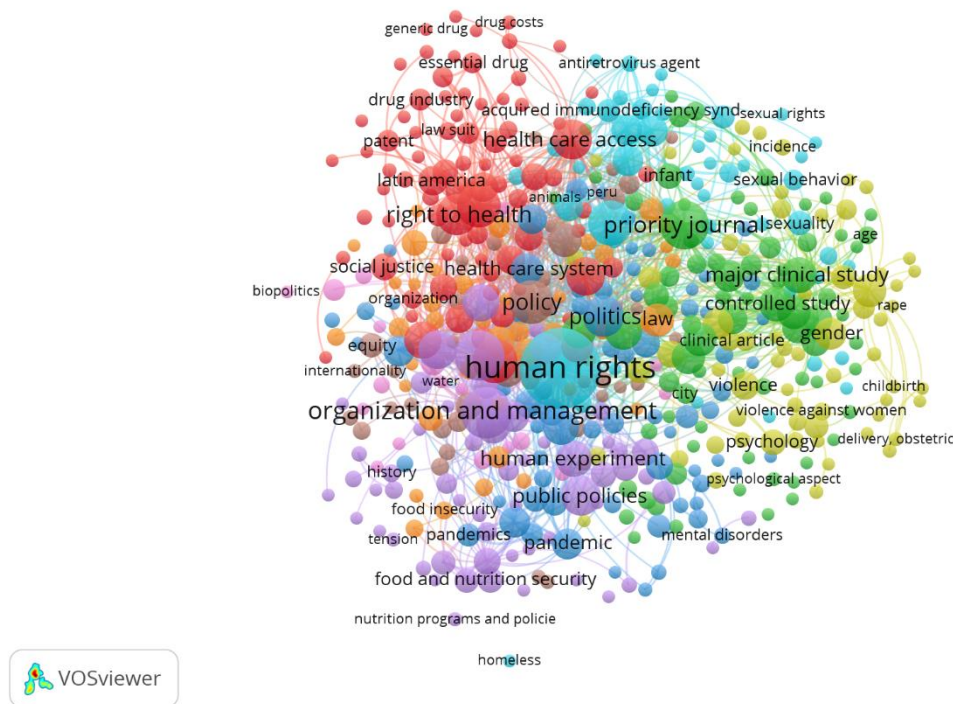
### 3.1.3 Phase 3: Drafting of conclusions and final document

After the analysis is carried out in the previous phase, the conclusions are drawn up and the final document is prepared.

## 4. Results

#### 4.1 Co-occurrence of words

Figure 2 shows the co-occurrence of keywords within the publications identified in the Scopus database.



**Figure 2.** Co-occurrence of words  
**Source:** Own elaboration (2022); based on data provided by Scopus.

As shown in Figure 1, the most used keyword is human rights, which are the freedoms inherent to people just for the fact of existing, to guarantee human dignity universally, that is, without distinction of gender, color, ethnicity, or culture, among others, thus allowing healthy coexistence among social groups. There are also keywords such as organization and

management, public policies and investments which refer to the legislative trends of Latin American countries in recent decades, which have implemented human rights in public policies to encourage social development from inclusion and equality, seeking to offer the same amount of opportunities to all people, for this reason, it also became necessary to reconfigure the management institutions of the State to give a humanistic approach to economic development plans taking into account the

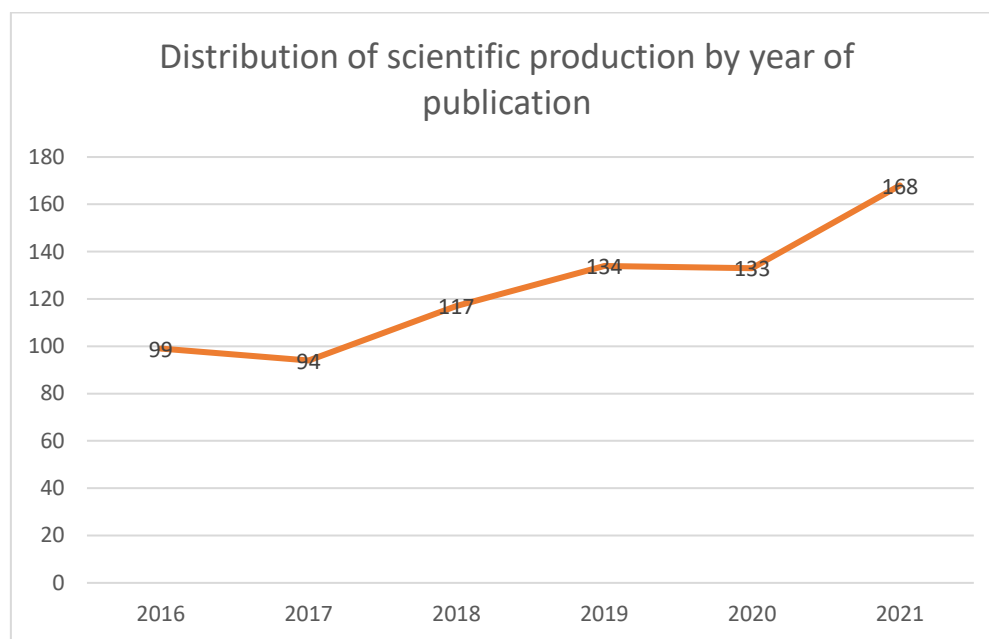
most vulnerable social groups depending on the context and territory.

Social justice, accessibility to health services, education, children and women are the main issues addressed in the public policy approach when using social development plans, seeking to recognize the rights of populations such as women and children who are the groups most affected by their legal assets, which is why all human rights are taken into account, not only the so-called fundamental ones, so that through integration between them, compliance with these social guarantees can be guaranteed.

Finally, government, food security and inclusion shed light on the processes used by governments to make their function more effectively through social investment from the fulfillment of the basic needs of a dignified life, guaranteeing access to education, public services, health and others.

#### 4.2 Distribution of scientific production by year of publication.

Figure 3 shows how the scientific production is distributed according to the year of publication, taking into account the period from 2016 to 2021.



**Figure 3.** Distribution of scientific production by year of publication.

**Source:** Own elaboration (2022); based on data provided by Scopus.

2021 is the year with the highest number of publications related to the variables under study, presenting 168 documents registered in Scopus, among which is the title “The enforceability of rights in the context of gender inequality” (Zambrano et al., 2021), whose objective is to make care work visible to share the responsibilities in this area with all members of society and not only be a burden for women. Therefore, a documentary study was conducted as a way to analyze the unfair distribution of care work performed for onerous purposes or not, and how public policies influence the elimination of inequities that are seen in the wage gap and responsibilities granted by gender, having as a pillar human right in the

development and implementation of these regulations to solve social problems. This paper concludes that a heteropatriarchal system is still prevalent in Latin America.

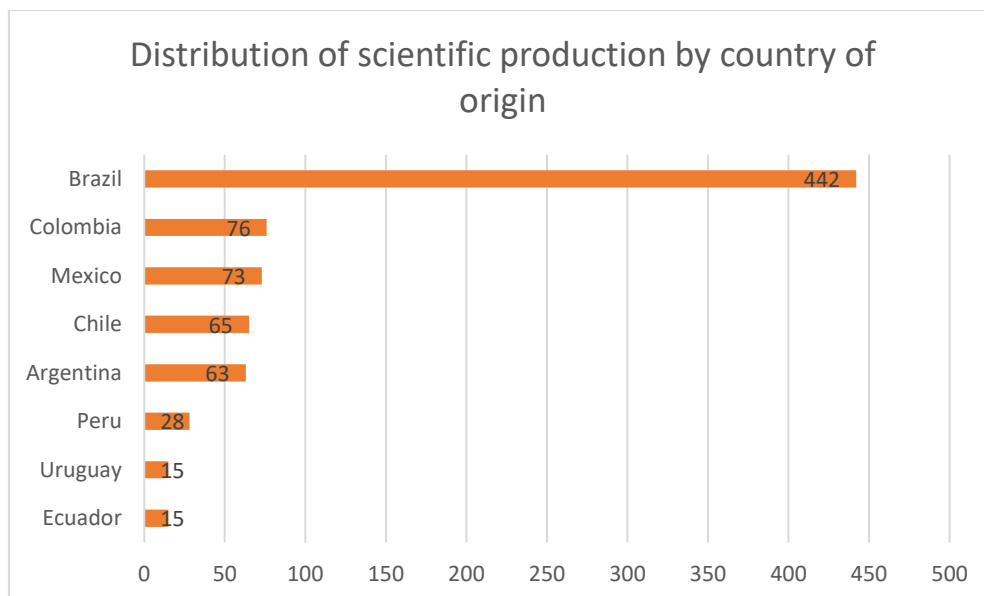
In second place is 2019 with 134 documents related to the variables under study. Within these publications is the paper entitled “Public policies as realization of social rights” (de Carvalho, 2019). This document has as its main objective to examine public policies as the realization of social rights within the Social State which are the foundation of public policies that seek to end social inequalities. Therefore, a review of the literature was carried out to determine the influence of human rights in the solution

of social problems in the Latin American context, so it is also important to the legal field as it is responsible for the development

of laws, so it is necessary to include in the legislative apparatus to social rights as a regular object of state public policies.

#### 4.3 Distribution of scientific production by country of origin.

Figure 4 shows the distribution of scientific production according to the nationality of the authors.



**Figure 4.** Distribution of scientific production by country of origin.

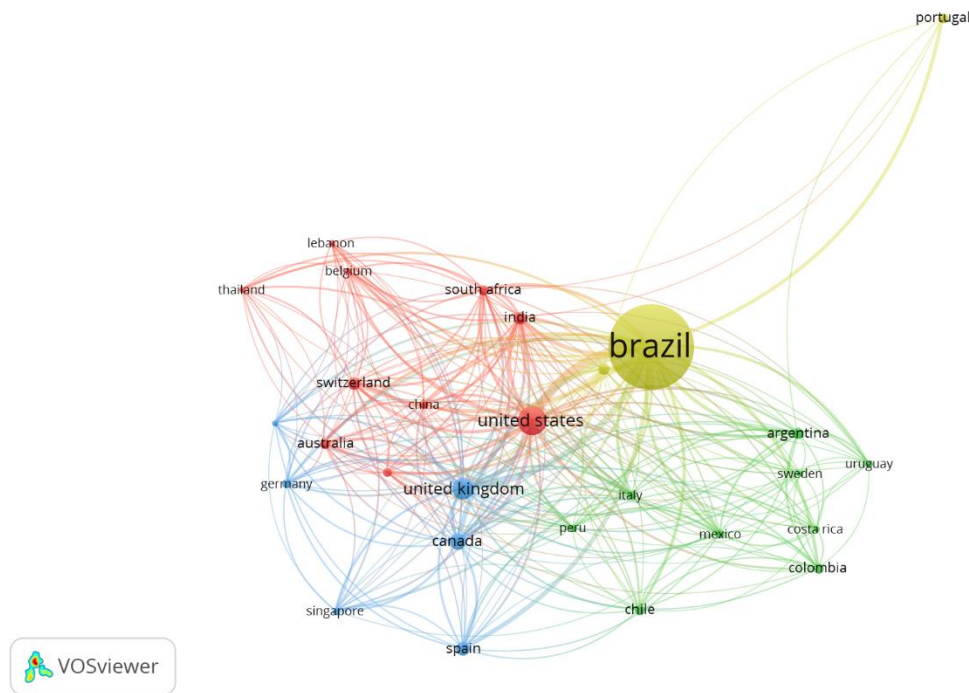
**Source:** Own elaboration (2022); based on data provided by Scopus.

Brazil is the Latin American country with the highest scientific production related to the Human Rights and Public Policy Approach during the period 2016-2021 presenting 442 publications, within which is the title “Human Rights: Sustainable Municipal Solid Waste Management” (Cardoso et al., 2021). This document has as its main objective to analyze Law 12.305/2010 of Brazil through which it seeks to curb inappropriate waste management, which generates environmental degradation and health affectations on vulnerable populations, so through a deductive study it was determined that there is poor management of solid waste. This causes serious implications for human rights, health and the ecologically balanced environment, so it is urgent to raise awareness among municipal mayors about compliance with this law in the handling of solid waste to avoid fines for poor execution and disregard

for the law, permanent damage to the environment and serious effects on public health that threatens the human rights of the most vulnerable social groups.

At this point, it should be noted that the production of scientific publications, when classified by country of origin, presents a special characteristic and that is the collaboration between authors with different affiliations to public and private institutions, and these institutions can be from the same country or different nationalities so that the production of an article co-authored by different authors from different countries of origin allows each of the countries to add up as a unit in the overall publications. This is best explained in Figure 5, which shows the flow of collaborative work from different countries.





**Figure 5.** Co-citations between countries.

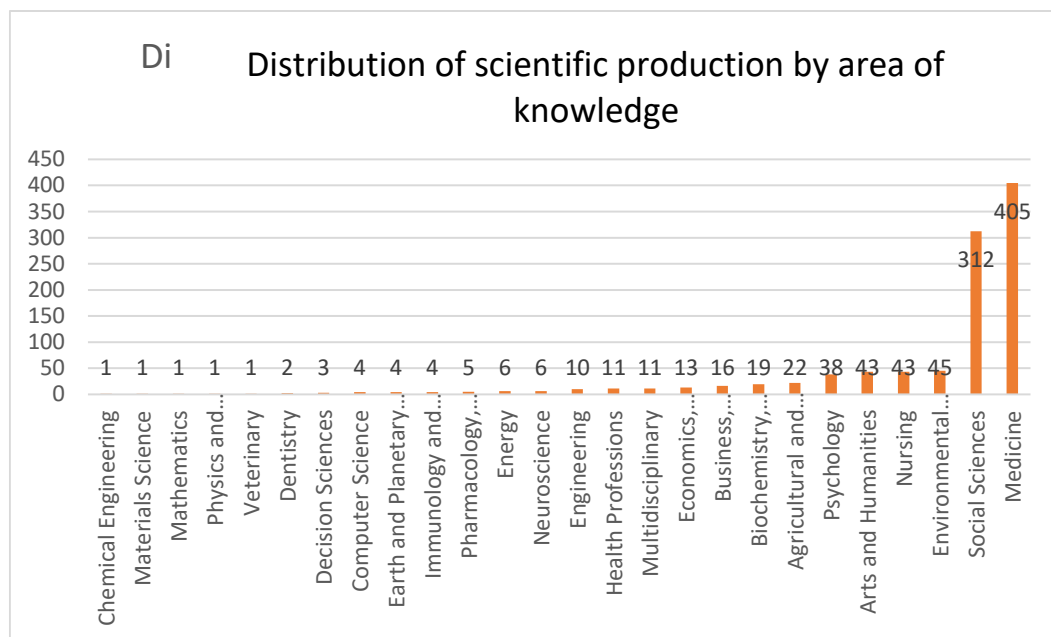
**Source:** Own elaboration (2022); based on data provided by Scopus.

As mentioned above, Brazil is the country with the largest bibliographic contribution to research related to the variables under study, with a series of documents produced in collaboration with authors affiliated with institutions belonging to countries such as the United States, Portugal and India, which shows the interest of countries outside Latin America in how human rights are guaranteed and used in state public policies to safeguard and protect the rights of all people, focusing on vulnerable populations. In second place is Colombia with 76 documents, some of which are co-authored with Mexico, Costa Rica and Argentina, carrying out comparative studies with countries in the region, determining the advances in human rights in the legislation of each country and how this influences the creation of public policies that seek to eliminate the inequality gap that is so present in Latin America. Among these documents is the title “Prevention of child abuse. Situation of public policy in Bogotá” (Quiñonez et al., 2020). This article seeks to understand the phenomenon of child maltreatment

prevention between 2008 and 2015 in the city of Bogotá D. C, so in this study, the documents collected from some institutions related to the mitigation of child abuse were analyzed, by this it was possible to determine the 3 phases of the system, which are the universal guarantees (human rights), overcoming situations of limitation and restoration of rights, all this evidenced the shortcomings that occur in the implementation of public policies regarding this social problem, causing the violation of rights to one of the most vulnerable populations, so it is necessary to carry out projects with a focus on the protection of fundamental rights well marked to mitigate the affectations to infants.

#### 4.4 Distribution of scientific production by area of knowledge

Figure 6 shows how the production of scientific publications is distributed according to the area of knowledge through which the different research methodologies are executed.



**Figure 6.** Distribution of scientific production by area of knowledge.

**Source:** Own elaboration (2022); based on data provided by Scopus.

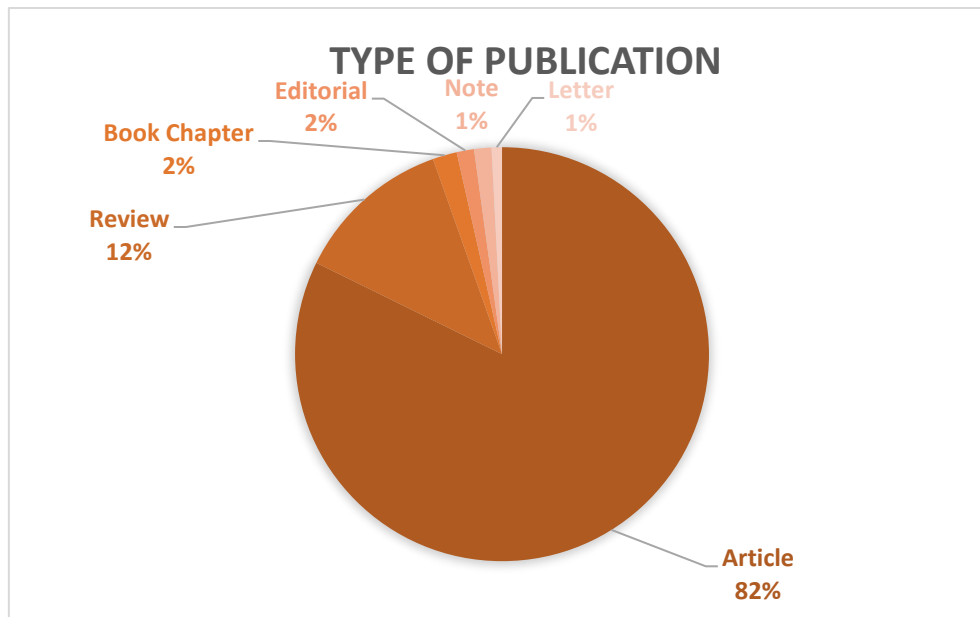
Medicine is the area of knowledge with the largest number of contributions through the theories that are framed in it, in the search for new knowledge on the approach to human rights and public policies presenting 405 documents, among which is “Health care and social services: Teaching and meaningful learning in technical workshops by the project method” (Landeo Quispe et al., 2021). This document takes into account the mandate directed to the public authorities to organize health care, as a causal, specific element and adopts the set of measures necessary to achieve the prevention of diseases or the improvement of the same taking into account that this is the first generation right within human rights, Therefore, the legal content regarding this topic taught in the undergraduate law school at the Universidad de Los Andes in Peru during the academic period 2019-II is analyzed through projects, being this a pedagogical tool applicable to the training of the lawyer.

In second place is Social Sciences, where 312 documents were written following the

guidelines of the themes related to this area, among these publications is the title “The enforceability of rights in the context of gender inequality” (Ximenes et al., 2021). This document aims to analyze the social support of homeless people in Fortaleza with a focus on the protection of human rights. This study was carried out employing 236 questionnaires which resulted in that the processes of humiliation and shame experienced by these people have repercussions on health, human rights and subjective dimensions since they are not treated in a dignified manner, denying them fundamental rights, which indicates the lack of public policies in the government regarding this problem, taking into account that they are subjects of rights.

#### 4.5 Type of publication

Figure 7 shows how the bibliographic production is distributed according to the type of publication chosen by the authors.



**Figure 7.** Type of publication

**Source:** Own elaboration (2022); based on data provided by Scopus.

As shown in Figure 6, within the different types of publications, 82% of the total number of documents identified through Phase 1 of the Methodological Design, correspond to Journal Articles, among which is the one entitled “Right to diversity: Protection and public policy for children and adolescents with Autistic spectrum Disorder” (Boff & Barbosa, 2021). This document has as its main objective to analyze Brazilian public policies based on legal diplomas that guarantee the integral protection of children and adolescents within the autism spectrum from a review of the legislation and doctrine corresponding to this topic where it was evidenced that although there is a large number of public policies these are not always effective and capable of promoting the effective inclusion of these individuals in society which causes a violation of fundamental rights of children and adolescents within the autism spectrum, so it is necessary to employ interdisciplinary actions to ensure equal conditions for children and adolescents within the autism spectrum.

In second place are the review articles, which represent 12% of the total number of documents registered in this study, among which is the paper entitled “Food security, environmental health and economy in Mexico: lessons learned with covid-19” (Monroy-Torres et al., 2021). This document

provides an analysis of the current situation in Mexico regarding food security, environmental health and economy and how public policies are developed concerning these problems. All of this takes into account the effects of COVID 19 and the increase in food insecurity, health and environmental impacts. A literature review study was conducted, resulting in the conclusion that despite having laws and policies on the right to food, a healthy environment (water) and opportunities for economic growth, these human rights are not fulfilled, so it is evident the need to implement public policies in line with the problems identified in society, implementing interdisciplinary actions for the defense of human rights ensuring food security and a healthy environment, this being the materialization of fundamental rights and guarantees inherent to the human being.

## 5. Conclusions

Thanks to the bibliometric analysis proposed in this research, it can be determined that Brazil is the Latin American country with the largest number of bibliographic records in the Scopus database during the period between 2016 and 2022 with a total of 442 documents. The scientific production related to the study of the Human Rights Approach and Public Policies has presented a significant growth during the above-



mentioned period, going from 99 publications in 2016 to 168 units in 2021, i.e. it was possible to increase the creation of bibliographic records in a period of 5 years, which indicates the importance that human rights as social guarantees represent in the elaboration of public policies that seek to mitigate the harmful effects to all human beings guaranteeing a decent standard of living and to have functional policies depending on the social context.

Human rights are the guarantees inherent to people just for the fact of existing, which seek to protect human dignity without distinction of gender, color, language, or socioeconomic level among others; so in recent years, the trends in legislation are focused on the fulfillment and protection of these rights to the entire population. The protection of the most vulnerable populations is of great importance when determining public policies as a way to solve inequalities in society, and the main pillar is equality of conditions, so in the Latin American context it has been necessary to reconfigure legislation and institutions that seek the protection of human rights, both fundamental and those of second and third category. Even so, there is evidence of shortcomings in the application of these policies, since they are not in line with the problems identified, which translates into a violation of legal rights and affects decent standards of living. All of the above allows this article to conclude by highlighting the importance of knowing the theory or bibliographic resources that seek to awaken interest in countries to focus their interdisciplinary actions on the fulfillment of fundamental guarantees in society, thus allowing the creation of an inclusive society based on the protection of human dignity. It is for this reason that the need for studies such as the one presented in this document is highlighted, which make a tour of those texts that address the aforementioned topic, to give the reader a broad view of the current situation of the bibliography on the Human Rights Approach and Public Policies.

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