

THE TAMING OF SOCIAL RIGHTS: A CRITICAL VIEW ON THE HEAVY RELIANCE OF EMPIRICAL STUDIES ON SOCIAL RIGHTS ISSUES

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ÖZET

Bu bildirinin amacı, sosyal haklarla ilgili konularda ampirik çalışmalara fazlaca ağırlık verilmesinin olası olumsuz etkilerini sorgulamaktır. Konu, Frankfurt Okulu ve Sosyal Bilimlerin Yeniden Yapılandırılması için kurulan Gulbenkian Komisyonu Raporu esas alınarak eleştirel bir bakış açısıyla incelenmektedir.

2. Dünya Savaşı'ndan sonra, doğa bilimleri kendi çalışmalarında salt niceliksel metotları kullanmak yerine, niteliksel yorumlamaları da içeren melez metotlar geliştirirken, sosyal bilimler ağırlıklı olarak niceliksel çalışmalara yönelmişlerdir. Doğa bilimlerindeki bu dönüşümün nedeni, doğa olayları karşısında doğabilimcilerin görüş değiştirmesidir. Ne var ki, doğabilimcilerin doğayı aktif ve yaratıcı olarak görmeye başladıkları bu dönemde sosyalbilimciler insanlığı mekanik temellere göre incelemeye başlamışlardır.

Bu bildiride, sosyal haklar konusunda yapılan ampirik çalışmaların, sosyal haklarla ilgili sorunların nicelik olarak anlaşılması ve varlığının ispatlanması açısından önemini hiçbir şekilde yadsımaksızın, sosyal haklarla ilgili konuların ağırlıklı olarak ampirik çalışmalarla yürütülmesinin “kendini gerçekleştiren kehanet”, “öğrenilmiş çaresizlik” gibi bazı sorunlara yol açabileceği konusu tartışılmaktadır.

Anahtar Kelimeler: Sosyal Haklar, Sosyal Hakların Terbiye Edilişi, Niceliksel Metotlar, Kendini Gerçekleştiren Kehanet, Öğrenilmiş Çaresizlik.

ABSTRACT

The aim of this paper is to question the possible detrimental effects of relying heavily to empirical studies on social rights issues. The subject is held by a critical view based on “Frankfurt School” and “Gulbenkian Commission Report on Reconstructing of the Social Sciences”.

After the World War II, the social sciences have turned heavily into quantitative approaches while the natural sciences began to reconstruct their methodologies from entirely quantitative methods to hybrid ones including qualitative interpretations. The reason for that transition in natural sciences was simply because of a change on the view of natural scientists to natural phenomena. Nevertheless, the social scientists began to view the humanity on a mechanical basis while the natural scientists began to view the nature as active and creative.

In this paper it is argued that, without neglecting the importance of empirical studies' necessity on understanding the problems related with social rights in quantities as well as to prove their being in

existence, relying heavily to empirical studies may cause a number of problems such as “learned helplessness” and “self fulfilling prophecy” in social rights related issues.

Keywords: Social Rights, Taming of Social Rights, Quantitative Methods, Self Fulfilling Prophecy, Learned Helplessness.

INTRODUCTION

Empirical studies have increasingly become popular in social sciences since the mid-20th century. It is true that, in a social science related survey in order to prove that there is a problem, empirical studies are very important since they are measurable or at least they are demonstrable. Thus, empirical analyses have become the leading methodology among the social sciences for the last decades.

SOCIAL RIGHTS: A BRIEF EXPLANATION

Conceptualizing social rights has been a controversial issue. There have been many explanations to define it. For instance, some authors argue that the key concept which can be used to define social is “ability” while some others prefer to explain it by “poverty” or by “equal citizenship status”(Buğra, 2005: 8). According to a common idea, the first definition was first given by T.H. Marshall, who has been famous as the forerunner of the concept, had preferred to conceptualize the term on the basis of “equal citizenship status” (Omay, 2011: 6). As he argued that social rights had been the final and the compelling piece of the social transformation, related with the making of citizenship status - a social amalgamation - , depending on 3 main stages: Granting to civil rights in 18th century, political rights in 19th century and social rights in 20th century (Marshall, 1966: 106; Marshall, 2006: 6 – 9). It is obvious that the transformation emphasized by T.H. Marshall, is the result of industrial revolution and also capitalism. Hence, the existence of social rights, can be simply explained by the existence of capitalism (Omay, 2011). As a result of the social and economic transformation, the greatest portion of the population has become the wage earners, namely the labour (or working) class.

By the post World War II period, the issues taken into social rights have become widespread in order to cover the other disadvantaged groups in any given society. Thus, the social rights should have been accepted as a compelling part of “human rights” (Gülmez, 2010: 27).

The concept of social rights was first defined in a commonsense in the the secondary phase of human rights which were issued in the “Universal Declaration of Human Rights” (UDHR) of the United Nations (UN) in 1948, whilst the universal definition was made in “The International Covenant on Economic, Social and Cultural Rights” (ICESCR) of UN in 1966 (Bulut, 2007: 77).

As indicated above, the concept of social rights has been ambiguous. Therefore, looking into the articles of ICESCR may help us to clarify the context more explicit. According to ICESCR the social rights are ,

1. The Right to Work (Article 6),
2. The Right of Everyone to the Enjoyment of Just and Favourable Conditions of Work (Article 7),
3. The Right of Unionization (Article 8),
4. The Right of Everyone to Social Security (Article 9),
5. The Right to Protect Family, Maternity, Children and Youth (Article 10),
6. The Right of Everyone to an Adequate Standard of Living (Article 11),
7. The Right of Everyone to the Enjoyment of the Highest Attainable Standard of Physical and Mental Health (Article 12),
8. The Right of Everyone to Education (Article 13),
9. Compulsory Primary Education (Article 14),
10. The Right to Take Part in Cultural Life (Article 15).

It is clear that the rights indicated in ICESCR are about economic, social and cultural rights and it is impossible to separate them uniquely. Hence, there is an ambiguity on which of the rights stands for economic rights or social rights or cultural rights. Yet, the committee itself, prefers mostly to interpret the articles as a whole. Therefore, those given above may be assumed as the core elements of social rights.

STATISTICS: A MAGICAL APPROACH IN SOCIAL SCIENCES OR SWEET DESPOTISM OF REASON

There is a common belief that statistics as a discipline has a great positive effect on gaining legitimacy of the social sciences as the natural sciences did long ago. It is true that, social sciences have lack of ability on making experiments comparing to natural sciences. At that point, statistics promises a great opportunity to overcome it as there has been a common belief since 19th century that if you want to prove something, you should state it in numbers.

The great interest of social sciences on quantitative research has started in the first decades of 19th century (Hacking, 1990: 167). At that time, social scientists were busy on the subject of determinism and also, as a result of it, on the definition of normal. As Stivers noted, “the coming together of statistics and mathematical probability created an entirely different conception of human society and the individual” (Stivers, 2004: 101). During the 19th century, social scientists sought to find an explanation for normal and pathological in order to make their sociological definitions more clear and even legitimated: Thus, the concepts would have become into measurable realities rather than ambiguous abstractions (Stivers, 2004: 101). As a result of that transformation, the concept of normal gained at least three different meanings which were ironically also ambiguous (Stivers, 2004: 101; Hacking, 1990: 160 – 169): a) Typical, b) Norm or an ideal state or what is right, c) Average.

Unfortunately, all of those meanings are inevitably resulted in reification: Average man is the man “who, for example, has been divorced 0.17 times and who has 2.2 children” (Stivers, 2004: 101). Yet, Hacking argues that, using statistical data, has resulted as to impose what is normal or not. And this is a very important point which should be highlighted because “few of us fancy being pathological, so ‘most of us’ try to make ourselves normal, which in

turn affects what is normal” (Hacking, 2004: 2). This is because modernism had been too lenient to seek for the unique and absolute universal theories in order to explain the world as a whole. Hence, modernism was in a need of an ideal social order depended on absolute realities, standardized information (Yıldırım, 2008: 48 – 49). Here, as indicated in the next part, the effort of the “average man” who tries to be normal calls two recent theories in the sociological psychology named “self fulfilling prophecy” and “learned helplessness” which might be claimed among the negative effects of the heavy reliance on empirical (quantitative) studies on social rights issues.

As noted by the Gulbenkian Commission, the transformation into the quantitative methods among the social sciences was inevitable since depending only on theoretical explanations assumed to be less credible comparing to the those of natural sciences as they were assumed to be more credible because of being measurable (Gulbenkian, 1996: 6 -12) : For instance, Comte, mostly known as the founder of sociology as a discipline, stated that: “Our researches, then, in every branch of knowledge, if they are to be positive, must be confined to the study of real facts without seeking to know their first causes or final purpose” (Gulbenkian, 1996: 12). Comte explained the new methodology as “positivism” which is, in turn, a close kin of measurement. Nevertheless, “positive science meant numerical science. Nothing better typified a positive science than a statistical one - an irony, for Comte himself despised merely statistical inquiries” (Hacking, 1990: 5; see also Strievers, 2004: 102). Indeed, Comte rejected both probability theory and statistical average “for he understood that statistics introduced an element of indeterminism into the social universe (Stivers, 2004: 102). If so, could Comte have meant something different?

Comte rejected a statistical view in social sciences, but the positivist science, which he meant, was about “the functionalist view that, just as disease is not always fatal but may, in fact, strengthen the organism that has to overcome it, so too deviancy many reinforce the social order” (Stivers, 2004: 102). He was only interested on the collaboration of “industrial administrators and sociologists as “engineers of the soul” would set the technological norms for the perfect society of the future” (Stivers, 2004: 102).

But, the main point which should be emphasized is that, social sciences have been such addicted to empirical studies that for the last fifty years there have been some serious problems. After the World War II, the social sciences have turned heavily into quantitative approaches while the natural sciences began to reconstruct their methodologies from entirely quantitative methods to hybrid ones including qualitative interpretations. The reason for that transition in natural sciences was simply because of a change on the view of natural scientists to natural phenomena. Nevertheless, the social scientists began to view the humanity on a mechanical basis while the natural scientists began to view the nature as active and creative (Gulbenkian Commission, 1996: 61).

The first problem is about the definition of the concept “empirical”. Empirical as a term has various meanings: 1) “originating in or based on observation or experience”; 2) “relying on experience or observation alone often without due regard for system and theory”; 3) “capable of being verified or disproved by observation” (www.merriam-webster.com). The root of the term Empirical is Empiric which means: 1) “charlatan” ; 2) “one who relies on practical experience” (www.merriam-webster.com). It should be noted that, empirical studies in

social sciences are not inherently appropriate to experimental research. Thus, social sciences have adopted the quantitative research (and even mathematical modelling) as the empirical methods. Some may argue that empirical research method is not composed only of quantitative method, nevertheless quantitative method has contemporarily become almost the unique method of Empirical Research. For instance, in the course description of empirical research methodology course of Carnegie Mellon University, learning objectives are defined such as follows:

“Our primary goal is to teach learners to bring empirical data to bear on interesting questions by using regression analysis in a way that is scientifically credible. We begin by considering problems in which hypotheses have been formulated, the unit of analysis defined, and data located to construct variables to test the hypotheses. The next tasks are to determine how to construct variables consistent with the hypothesized relationships and that can be implemented with the data. We provide various examples that illustrate how to do this. Next we teach learners to relate these variables with a regression model, and then interpret the results of the regression estimation in a scientifically informed manner, both with respect to the inferences that can be made and the inferences that cannot” (http://oli.web.cmu.edu/openlearning/forstudents/freecourses/erm).

However, it should be borne in mind that, “quantitative methods can only be used for the measurable facts” but there is a danger to neglecting the social facts which are not appropriate for measurement and this may lead false results (Seyidoğlu, 1997: 9). On the other hand, the more quantitative methods are used the fewer genuine or supplementary theoretical approaches of any given social science appear (Yıldırım, 2008). But it should be noted that, neglecting completely the quantitative methods in social sciences would be a great mistake since it is true that quantitative approaches are required to understand the problem in quantities as well as to prove their being in existence.

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The quantitative approaches can only describe the situations in a mechanical way, appropriate to Newtonian physics, but not the reason of the development of the problems and also why they exist. As noted by the Gulbenkian Commission, quantitative approaches can describe “the motion of the planets but not the development of the planetary system” (Gulbenkian Commission, 1996: 62). As aforementioned above, Comte refused to research for the first causes or final results of the social facts. Nevertheless, relying too much of social facts, may be resulted as the lack of view through the greater picture. As noted by Best, “All statistics are products of social activity, the process sociologists call social construction. Although this point might seem painfully obvious, it tends to be forgotten or ignored when we think about—and particularly when we teach—statistics” (Best, 2004: XIII).

Another remarkable point is that social categories are the result of using statistics in social sciences: “Statistics creates social categories, and social categories have become statistical” (Stivers, 2004: 102); therefore, as “we also learned our culture’s way of dividing the

world into categories” (Best, 2004: 148), “society has become statistical and so are the individuals who comprise it” (Stivers, 2004: 102). Thus, the social categories, such as poverty, disadvantaged people, rich, white collar worker, homeless, normal people, deviant people, etc. As Stievers noted, “the statistical social sciences have created human kinds, *statistical persons* who are either normal or deviant” (Stivers, 2004: 103).

In addition, by using quantitative methods, social scientists have begun to survey for statistical regularities and statistical categories in order to find out the correlation among them. In turn, this process resulted with vanishing of individuals. Thus, the social problems, which people have to face, assumed as identical without any particularity. All the poor are equal in being poor, no matter the degree (Stivers, 2004: 103).

Another important issue on quantitative research in social sciences is that, those studies are carried by people. That means, on designing, applying and interpreting processes the researches are open to any kind of implicit or explicit effects such as argued by Best:

“This is tricky, because we tend to assume that statistics are facts, little nuggets of truth that we uncover, much as rock collectors find stones. After all, we think, a statistic is a number; and numbers seem to be solid, factual proof that someone must have actually counted something. But that’s the point: people count. For every number we encounter, some person had to do the counting. Instead of imagining that statistics are like rocks, we’d do better to think of them as jewels. Gemstones may be found in nature, but people have to create jewels. Jewels must be selected, cut, polished, and placed in settings to be viewed from particular angles. In much the same way, people create statistics: they choose what to count, how to go about counting, which of the resulting numbers they share with others, and which words they use to describe and interpret those figures. Numbers do not exist independent of people; understanding numbers requires knowing who counted what, why they bothered counting, and how they went about it” (Best, 2004: XII - XIII).

The numbers that are shaped, applied and used by people, shape people as well.

“The “population” of a large area in China was 28 million. Five years later it was 105 million. Very little of that increase was real; the great difference could be explained only by taking into account the purposes of the two enumerations and the way people would be inclined to feel about being counted in each instance. The first census was for tax and military purposes, the second for famine relief. Something of the same sort has happened in the United States. The 1950 census found more people in the sixtyfive-to-seventy age group than there were in the fifty-five to-sixty group ten years before. The difference could not be accounted for by immigration. Most of it could be a product of large-scale falsifying of ages by people eager to collect social security. Also possible is that some of the earlier ages were understated out of vanity” (Huff, 1954: 120).

Hence,

“The result is that statistical instruction tends to downplay consideration of how real-life statistics come into being. Yet all statistics are products of people’s

choices and compromises, which inevitably shape, limit, and distort the outcome. Statistics instructors often dismiss this as melodramatic irrelevance” (Best, 2004: XIII).

In his groundbreaking book, “The Taming of Chance”, Hacking argues that the statistics has transformed into “the sweet despotism of reason” (Hacking, 2004: 46). Yet, Hacking argues that, using statistical data has resulted as to impose what is normal or not. And this is a very important point which should be highlighted because “few of us fancy being pathological, so ‘most of us’ try to make ourselves normal, which in turn affects what is normal (Hacking, 2004: 2).

On the other hand, critical theorists, for example, tend to neglect the use of statistical data on the social sciences related issues. As noted by Horkheimer and Adorno, who are the famous founders of Frankfurt School, claimed that as a result of enlightenment, the scientific knowledge have become to the idea that “anything which does not conform to the standard of calculability and utility must be viewed with suspicion” (Horkheimer and Adorno, 2002: 3). Thus, Marcuse, who was another member of Frankfurt School, but soon had formed his own theories such as “culture industry”, claimed that the definition of rational and reasonable, which is relied on calculability and utility, has turned into a domination apparatus: “Rational behaviour becomes identical with a matter-of-factness which teaches reasonable submissiveness and thus guarantees getting along in the prevailing order” (Marcuse, 1998: 48). We can begin to assume that it is normal after encounter a surprising and interesting event for the 100th times (Planck, 2007: 31). In other words, after encountering an event for the 100th times, that event may become “normal” or as mentioned before as the “ideal state”. “Because statistics can be confusing, they make most of us a little anxious. In addition, many of the numbers we encounter are intended, if not to scare us, at least to make us anxious about our world” (Best, 2004: 64).

For instance, a newspaper announces that the state schools, in Turkey, are in a miserable state because state school graduates are mostly unsucceeded in the central exams (Özay, 2006). Also, the chairman of Turkish Education Union announces that “the state schools are incompetent” as the most successful students, in the university entrance exams, are educated at the private schools which means that those schools charge tuition fees. Furthermore the chairman gives some numbers: There are 10.274.278 students at the state schools while there are 251.967 students at the private schools and success rate of the state school graduates are considerable worse than the private school graduates (Ortadoğu Gazetesi, July, 9th, 2010). Another headline is such as follows: “Tuition Fee of Robert College is 44.000 TL per year”. Indeed, a very striking headline. In the news, the author emphasizes that as the state schools are incompetent and getting much worse each year, the parents are getting worry about their children’s future (Kahraman, 2008). By giving those examples, my purpose is not to make any discourse analysis but to emphasize the possible effects of those kind of news onto the parents. On the other hand, the dates in which the news are published are to merit attention: May, June and July. Those months are the hot dates in which students take the exams and then the parents make their decisions. This calls the theory of self fulfilling prophecy.

The concept of self fulfilling prophecy was first used by Merton in 1948 as he was inspired by the statement of Thomas which was “if men define situations as real, they are real

in their consequences” (Burr, 2005: 95). According to the theory of self fulfilling prophecy, people are lenient to make decisions according to the “keynoters” such as:

Before crowd action takes place there is characteristically an extended period of “milling” during which people engage with others, proffering their own accounts of reality and listening to those of others. Certain individuals are more prominent than others in this process. These so-called “keynoters” help to resolve the ambivalence of the majority by proposing definite action tersely, forcibly, and with no uncertainty. As more people resolve or suppress their ambivalence in favor of the stance of a given keynoter so that proposal is expressed more widely to the exclusion of other proposals. In this way the illusion of unanimity grows and the illusion becomes a self-fulfilling prophecy (Hogg and Tindale, 2001: 192-193).

It is obvious that, providing schools by the state is not enough to realize the right of everyone to education. Nevertheless, in the article 13 of ICESCR, the right of everyone to education is defined as a right which shall be available and accessible free to everyone. But as indicated above, state schools, at least in Turkey, are announced that they are incompetent.

Therefore, in the examples given above, the authors of the news (or the newspapers themselves) can be assumed as “keynoters”. Thus, following the news and intercommunicating with each other, parents may tend to choose private schools for sake of their children’s relatively good opportunities. Granted that, the authors of the news, use mostly the results of academic studies which depend on quantitative researches. So a vicious circle has started: Private schools become to be viewed as the key of the success. Nevertheless, there is a point that is missed: Parents, who can afford the tuition fees of private schools, can also afford the fees of private teachers and preparation courses as well which in turn, affect the success.

As argued above, by using statistics, social sciences could have managed to create categories. Related to the example given above, a hypothetical table can be figured such as follows:

Table 1: School Types and Success in the Central Exam

| | Successful | Unsuccessful |
|--------------------------------|--------------------|--------------------|
| State School Graduates | No (Normal State) | Yes (Normal State) |
| Private School Graduate | Yes (Normal State) | No (Normal State) |

As seen in Table 1, social categories are evident: State School Graduates or Private School Graduates and Successful or Failure. And also the correlation between them is clear. For instance, those whom graduated from Private School, tend to be successful. In other words, the private school graduates are expected to be successful while the state school graduates are expected to be unsuccessful.

Furthermore, this case calls another theory named as “Learned Helplessness”. According to this theory, people tend to give up hope after repeated failures in certain events which they can’t control (Fogle, 1978: 39). Yet, students who are educated in state schools, may tend to be unsuccessful only because they are educated in state schools. There is no need to struggle and the best way is to admit defeat; they ought to be unsuccessful. As noted by Fogle, “Take,

for example, children who react to failure in an academic or achievement context by giving up further effort, thus feeding a vicious circle of underachievement if not the broader pattern of depression” (Fogle, 1978: 40).

Another striking example can be given for the right to unionization. It is a common belief that since the last decades of the 20th century, unions have constantly lost their members. This is because of the changing structure of the workforce. Since, “Trade unions historically evolved as organizations of blue-collar workers, whose relatively homogenous preferences accommodate unionization efforts” and the white-collar workers are not prone to unionization (Fitzenberger et al., 2006: 8). Can this also be a result of either “self fulfilling prophecy” or “learned helplessness”?

In their quantitative survey, Fitzenberger et al. conclude that, their “findings quantify the influence of socio-demographic personal characteristics, such as age or marital status; the influence of workplace characteristics, i. e., match, firm, or industry specific effects; and the influence of attitudinal factors for the individual choice to be or not to be a union member” (Fitzenberger et al. 2006: 18 – 19). As seen, there are either categories or correlations. Related to the example given above, a hypothetical table can be figured such as follows:

Table 2: Workers’ Collar Types and Being Prone to Unionism

| | Being Prone to Unionism |
|----------------------------|-------------------------|
| Blue Collar Worker | Yes (Normal State) |
| White Collar Worker | No (Normal State) |

As seen in Table 2, social categories are evident: Blue Collar Worker or White Collar worker. And also the correlation between them is clear. For instance, those whom are Blue Collar Workers, prone to be Union Members or those whom are White Collar Workers, do not prone to be Union Members. In other words, the normal state is that the unionism is for Blue Collar workers.

CONCLUSION

The great interest of social sciences on quantitative research has started in the first decades of 19th century. During the 19th century, social scientists sought to find an explanation for normal and pathological in order to make their sociological definitions more clear and even legitimated: Thus, the concepts would have become into measurable realities rather than ambiguous abstractions. Empirical studies have increasingly become popular in social sciences since the mid-20th century. It is true that, in a social science related survey in order to prove that there is a problem, empirical studies are very important since they are measurable or at least they are demonstrable. But the main problem is that, the issues that social sciences related with are not appropriate to make experiments, so the empirical methods transformed mostly into quantitative (statistical) methods.

On the other hand, quantitative methods required some methodological changes in social sciences: For instance, the concept of social categories was created in order to survey with quantitative methods. But such new concepts have caused some problems such as labelling persons or groups as normal or deviant, defining an act as ideal, vanishing of particu-

larity, etc. As a result of this transformation, there might be some negative effects of heavily reliance on empirical studies on the social social right issues. For instance, as the focus have turned into social facts rather than the first causes or the final purpose of the social issues, some problems might have begun to accept what is normal or what is ought to be.

As indicated in the example which is about the right to education, even though the states are responsible to provide education opportunities, incompetency of the state schools has become the normal state without interrogating the first causes or the final purpose. In other words, as the studies on the social rights issues have begun to rely heavily on empirical (mostly quantitative methods), the social rights issues have begun to be social facts and the normal (or ideal state) without questioning the first causes (or real reasons) or the final purpose.

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