

**Decoupling Reconsidered:
Accounting for the Implementation Gap in Human Rights Treaty Regimes**

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Recent studies on the effect of international human rights treaties on country-level practices have concluded that treaties are ineffective, counterproductive, or effective only for countries that would respect human rights even in the absence of treaty commitments. Analysts typically attribute the widespread decoupling between treaty membership and subsequent practices to willful and calculated disobedience, and they blame weak treaty monitoring and enforcement. Using two-stage regression models and data for up to 143 countries between the mid-1980s and 2005 to analyze compliance with two widely studied human rights treaties, I examine whether the characteristics of countries themselves—rather than the properties of treaty regimes—are responsible for decoupling. I examine whether the implementation gap is linked to countries' *will* to comply with treaty terms and *capacity* to implement those terms. I find that human rights treaties are most effective in countries characterized by a high degree of domestic order, institutionalized constraints on power, and stability. Conversely, treaty effects are *not* mediated by countries' ideological or cultural commitments (communist and Western status).

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It has become commonplace in the growing literature on human rights treaties to decry their widespread ineffectiveness. Studies have shown that human rights treaties are ineffectual and best and deleterious at worst, such that human rights practices often *deteriorate* following ratification (Hafner-Burton and Tsutsui 2005, 2007; Keith 1999; Hathaway 2002; Clark 2010). In these cases, membership to human rights treaties is not merely “loosely coupled” with governments’ subsequent human rights practices; it is “radically decoupled” from those practices (Hafner-Burton and Tsutsui 2005). Scholars have advanced a number of explanations to account for the decoupling of treaty commitments from rights outcomes. Treaty ratification is alternately interpreted as cheap talk (Hathaway 2003), window dressing (Keith 2002), an exercise in legitimation (Hafner-Burton and Tsutsui 2007), and a conciliatory but perfunctory gesture designed to mollify domestic or international critics (Risse, Ropp, and Sikkink 1999; Vreeland 2008).

These paradoxical and perverse findings have prompted researchers to search for conditions under which human rights treaties might in fact exert their intended effects on practices. If human rights treaties do not independently improve practices, then perhaps they are more effective for some kinds of countries than for others. Based on these efforts, analysts have concluded that human rights treaties are most effective in democracies and countries with strong, independent courts (Landman 2005; Neumayer 2005; Powell and Staton 2009; Simmons 2009). These mediated effects are not very surprising, and neither are they very encouraging. Strong democracies and effective courts provide the domestic mechanisms for enforcing human rights treaties—mechanisms the treaties themselves lack. For this very reason, Hathaway (2007) concluded that democracies are less likely than authoritarian regimes with similar human rights practices to ratify human rights treaties, precisely because democratic institutions enhance the prospect of treaty enforcement. Yet democratic countries generally respect human rights even in the absence of human rights treaties. We are forced to conclude, on the basis of these studies, that human rights treaties matter most where they are needed least.

Despite these efforts to understand treaty effectiveness, to date no one has posed the opposite question: Under what conditions, and for what reasons, are human rights treaties *ineffective*? Little research, in other words, has attempted to address the sources of decoupling between treaty ratification and subsequent practices. If one goal of social scientific research on human rights treaty regimes is to render them more effective, it is paramount that we develop a better understanding of the obstacles that hinder their implementation.

This analysis represents an initial attempt to identify the factors that contribute to the impotence of human rights treaties. Using data for up to 143 countries from the early to mid-1980s until 2005, I examine patterns of compliance and noncompliance for two core international human rights treaties: the International Covenant on Civil and Political Rights (CCPR) and the Convention against Torture (CAT). More specifically, I analyze whether and how treaty effects are mediated by various political, structural, cultural, and ideological factors. These factors include the presence of institutional checks on the exercise of governmental authority; the

durability, stability, and material capabilities of political regimes; the level of domestic order and bureaucratic efficacy in a country; and the degree to which international human rights norms are congruent with countries' ideological and cultural commitments. In short, I seek to discover whether widespread decoupling in human rights treaty regimes can be attributed to (1) *structural incapacities to implement treaty terms* (or, conversely, to prevent human rights abuses), and/or (2) *political, ideological, or cultural motivations for willfully violating treaty terms*. Put simply, does decoupling reflect a lack of the requisite will or capacity to implement human rights treaties?

Decoupling in the Human Rights Field

The notion of decoupling is frequently invoked as an explanation for the ineffectiveness of human rights treaties, but it is rarely studied as a phenomenon in its own right. Clark's (2010) recent analysis, "Loose Coupling in the Human Rights Sector of the World Polity," is an important exception. By comparing countries' human rights records against the number of U.N. human rights treaties they have ratified, Clark found that wealthy countries and Western nations are most likely to abide by international human rights treaties.¹ (Indeed, these states generally respect human rights even in the absence of human rights treaties, so they cannot be said to "implement" human rights treaties as such.) Yet not all countries with exemplary human rights records ratify human rights treaties. Simmons (2009) refers to states exhibiting this kind of decoupling as "false negatives."² Conversely, Clark found that weak and externally dependent states, particularly those he identified as "non-Western," are apt to ratify human rights treaties but then fail to translate them into practice. These "false positives" are either unable or unwilling to comply with their treaty commitments.

Extant studies have done little to distinguish between these two explanations—incapacity and insolence—for decoupling. Even Clark (2010: 89) conflates the two. On the one hand, he posits that "institutional states"—his term for countries that ratify but do not implement human rights treaties—"are poorer, ratifying human rights treaties at approximately the same rate as wealthier nations but lacking the resources to fully implement them." Decoupling of this sort reflects a basic lack of capacity. On the other hand, he argues that institutional states are also "relatively unfamiliar with the individualist human rights models they import, as identities in these societies

¹ To examine the extent of decoupling, Clark (2010) computed a "human rights decoupling index" that differences the number of human rights treaties a state has ratified from its human rights rating based on Amnesty International reports. He does not analyze the effect of *specific* treaty commitments on human rights outcomes. His study therefore examines states' general propensity to abide by their many human rights treaty commitments, rather than their levels of compliance with individual treaties (which, previous research has shown, varies across rights domains; see Cole 2012).

² The United States is a false negative par excellence. For a variety of reasons—the abysmal nature of race relations when the global human rights regime emerged, the division of powers among different branches and levels of government, the power of the courts to interpret treaty obligations, and the like—and despite its laudatory human rights record, the United States has ratified relatively few human rights treaties (Bradley 2010). As of 2006, the United States had ratified only four of 13 core U.N. human rights treaties and optional protocols; these ratifications, moreover, came late, with the first one undertaken only in 1992. Only 21 countries have ratified fewer treaties; most of these countries are predominantly Muslim nations or microstates. Other countries that have only ratified four human rights treaties include Haiti, Iran, and Saudi Arabia. During its existence, the Soviet Union ratified six treaties; China, too, is currently party to six treaties.

tend to be established at more communal levels.” As yet, analysts have failed to adjudicate among these different modalities of decoupling.

It may be that both cultural incommensurability and structural incapacity are responsible for decoupling. Yet most students of human rights treaty effects tend to attribute disarticulations between policies and practices solely to willful malevolence, made possible by the feeble monitoring and enforcement provisions established by human rights treaties. As argued by Hafner-Burton and Tsutsui (2005: 1378),

global human rights treaties supply weak institutional mechanisms to monitor and enforce regime norms, offering governments strong incentives to ratify human rights treaties as a matter of window dressing rather than a serious commitment to implement respect for human rights in practice. Moreover, these international agreements may at times provide governments with a shield for increasingly repressive behaviors after ratification, as treaty ratification confers on them human rights legitimacy and makes it difficult for others to pressure them for further action. As external pressures decrease, governments often spiral into worse repression after ratification, and the human rights legal regime remains powerless to stop this process.

In this view, treaty ratification and abrogation occur for purely instrumental reasons, based on a straightforward calculus of costs and benefits. Disingenuous ratification invests repressive governments with a veneer of legitimacy on the global stage, but weak monitoring and poor enforcement allows them to continue exercising unfettered power at home. Countries therefore derive expressive benefits from ratifying human rights treaties but incur few costs or encumbrances as a result (Hathaway 2002, 2007). Treaty ratification may even provide the legitimating cover necessary for *intensifying* abuses. Hollyer and Rosendorff (2011) go so far as to argue that authoritarian regimes ratify and then intentionally violate human rights treaties as a way of signaling to domestic opponents their willingness to use repression as a means of social and political control.

Decoupling, in these cases, is calculated and deliberate. Absent the domestic mechanisms and institutions for enforcing treaty terms—regular elections, independent judiciaries, effective legislatures, and the like—abusive regimes can violate human rights treaties with virtual impunity. For this reason, Hafner-Burton, Tsutsui, and Meyer (2008) concluded that autocratic regimes with few domestic constraints on power are more likely than their counterparts to ratify human rights treaties. Autonomy, they reasoned, enables repressive governments to decouple policies from practices.

But decoupling need not always be willfully nefarious or opportunistic. In their explication of the macro-institutional “world society” approach, John Meyer and colleagues cautioned that researchers “should not be too cynical about decoupling” (Meyer, Boli, Thomas, and Ramirez 1997: 155). In some cases, as Clark (2010) suggested, decoupling may simply reflect a lack of capacity to implement treaty terms, independently of a country’s intentions to comply. This kind of decoupling is especially likely in states that lack domestic sovereignty, which Krasner (1999:

4) defines as “the ability of public authorities to exercise effective control within the borders of their own polity.”

To be sure, a handful of studies have found that human rights violations can be attributed to state weakness as well as strength. Although some regimes intentionally and purposively repress their citizens, abuses can also occur when states lack the capacity to prevent them. “Even if well-intentioned,” writes Englehart (2009: 163), “weak states may not be able to prevent abuses by powerful private actors. States with corrupt, poorly paid police, judges, and civil servants may be unable to control their own agents.” Englehart found that three measures of state strength—a variable tapping the rule of law, an index of governmental transparency and corruption, and tax as a percentage of GDP—were associated with better human rights conditions.

Analogously, Young (2009: 284) found that “strong states are less likely to repress” their citizens’ physical integrity rights. This is especially true when leaders are secure in their positions, when they enjoy bargaining strength vis-à-vis domestic opponents, and when they are able to implement their policies effectively. By implication, repression will be more likely to the extent that rulers are insecure, are weak relative to opponents, and are unable to implement their policies via mainstream bureaucratic or administrative channels. But these scholars, too, have neglected to analyze whether state strength mediates the implementation of human rights treaties.

Theorizing Decoupling

Michael Mann’s (1988) distinction between infrastructural and despotic forms of power is apposite when theorizing the effect of state strength on treaty implementation. To the extent that state elites exercise *despotic power*, their rule goes unchecked by civil society. Indeed, despotic power refers to the ability of ruling elites to impose their will over and against society. Taken to its logical extreme, power in this sense is extra-institutional and arbitrary, unfettered by norms, laws, institutions, or competing interests. Intimidation, repression, and abuse are the *modi operandi* of despotism. When power is thus exercised, human rights treaties amount to little more than scraps of paper.

In contrast with blatantly despotic forms of power, *infrastructural power* concerns the ability of states to implement control through bureaucratic, administrative, and ideological means. This kind of power refers to the capacity of state institutions to *penetrate* rather than *dominate* civil society. Infrastructural power also refers, implicitly, to the ability of state “principals” to regulate and control their agents—police forces, prison guards, paramilitary groups, local officials, and the like (Englehart 2009). Capitalist democracies—Weberian legal-rational states par excellence—enjoy a great deal of infrastructural power but do not rely on and rarely deploy power in its despotic form. Conversely, when despotic power is combined with infrastructural power, the consequence is totalitarian states. State elites that wield despotic but not infrastructural power become petty tyrants who exercise total control over a limited area or domain. States deficient in both become Somalia: the central government is too weak to repress its citizens, but it also lacks the power to prevent non-state groups from abusing them.

The question then becomes: Are human rights treaties violated by governments exercising despotic power (as in Iraq under Saddam Hussein), or do violations occur due to the absence of

infrastructural power (as in post-1991 Somalia)? Is decoupling intentional or inadvertent, a failure of will or capacity? States, after all, are not only the primary violators but also the foremost protectors of human rights (Donnelly 2003). Human rights abuses too often occur at the behest of strong states, to be sure, but they also plague weak states that are impotent to protect their citizens.

Quite apart from considerations of state strength or weakness, decoupling may also be ideologically or culturally motivated. Here is where the will to comply, as opposed to the capacity to implement, comes into play. Although the Universal Declaration of Human Rights was approved unanimously by the U.N. General Assembly in 1948, one need only look to the states that abstained from voting—five communist countries (the Soviet Union, Yugoslavia, Poland, and the Ukraine and Byelorussia, which enjoyed U.N. membership and voting rights independently of the USSR), one Islamic regime (Saudi Arabia), and South Africa's apartheid state—to understand the multifaceted nature of opposition to human rights norms. These countries, while opting not to vote against an idea whose time had come, nevertheless withheld their positive support of the Universal Declaration.

Passive opposition to the declaration may portend lower levels of compliance with the human rights treaties it inspired. The ideological rivalry over human rights, for example, gives reason to believe that communist countries will be less likely than noncommunist countries to implement the CCPR. Although communist regimes enthusiastically endorsed socioeconomic rights, they shied away from civil and political rights (except insofar as they could marshal these rights to criticize and embarrass rival states, as when the Soviet Union used civil and political rights standards to expose the hypocrisy of race relations in the United States [Skrentny 2002]). And although the Soviet Union, its satellites, and other communist countries were quick to ratify the CAT, they also rejected the authority of the treaty's oversight body, the Committee against Torture, to investigate "well-founded indications that torture is being systematically practiced in the territory of a State Party" under Article 20 of the treaty. Indeed, the Soviet Union and its satellites refused to approve the CAT until a provision allowing state parties to exempt themselves from scrutiny was added (Hawkins 2004). For these reasons, it seems likely that communist countries will be less likely than noncommunist countries to abide by their obligations under the CCPR and CAT.

Apart from ideological considerations, some observers argue that human rights are fundamentally Western in nature and provenance (e.g., Donnelly 1982; Huntington 1996). Human rights norms are rooted inextricably in the notion that individuals, as autonomous actors, enjoy rights independently of their ascribed statuses, membership in corporate groups (including nation-states), or religious affiliations. This fundamental premise, it has been argued, chafes against such enduring non-Western cultural precepts as filial piety, communalism, and strict adherence to religious orthodoxy. East Asian countries, for example, often contend that "Western" conceptions of human rights are culturally incommensurable with their communal values and reverence for authority. More to the point, they have claimed that human rights norms impede state-directed economic development. (Democracy and development in the West, they pointed out, took centuries to evolve and entailed the oppression of racial minorities, women, and the working classes.)

Meanwhile, African countries insisted that their right to development—and more specifically to Western development aid—took precedence over human rights. They argued that Western countries should not condition development aid on human rights performance, as the West itself was ultimately responsible for the continent’s economic backwardness and political instability. It is wrong, they insisted, for African countries to be blamed for problems that centuries of colonization, divide-and-conquer rule, and exploitation created. Nor, a fortiori, should they be judged according to standards developed by the very countries that created the problems in the first place.

The World Conference of Human Rights, held in Vienna in 1993, brought these tensions to a head. The *New York Times* reported that in preparatory meetings for the conference, “many Asian and African governments are trying to redefine human rights away from political and civil rights and toward economic and social rights, contending in effect that development is a greater priority than Western-style liberties are for poor countries” (Riding 1993). The Bangkok Declaration, prepared by Asian leaders in advance of the conference, stressed that “while human rights are universal in nature,” they must be applied in ways that account for “the significance of national and regional particularities and various historical, cultural and religious backgrounds” (quoted in Koshy 1999: 12). In voicing their support for culturally conditioned human rights norms, China, Singapore, and Vietnam were joined by a number of Islamic countries in both Southeast Asia and the Middle East (including Indonesia, Iran, Malaysia, Syria, and Yemen) and also by Cuba.

Much as the Bangkok Declaration sought to modify the applicability of international human rights norms in Asian countries, the Cairo Declaration on Human Rights in Islam (1990) declared quite explicitly that Shari’a law preempts human rights law when the two conflict. Indeed, predominantly Muslim nations often subordinate human rights treaty provisions to Shari’a by entering reservations, understandings, and declarations (Neumayer 2007). For example, when Mauritania ratified the CCPR in 2004, it declared that it “interprets the provisions of article 23, paragraph 4, on the rights and responsibilities of spouses as to marriage as not affecting in any way the prescriptions of the Islamic Shariah.” In an even more sweeping reservation to the same treaty, the Islamic Republic of Pakistan, upon ratifying in 2010, held that “the provisions of Articles 3, 6, 7, 18 and 19 shall be so applied to the extent that they are not repugnant to the Provisions of the Constitution of Pakistan and the Sharia laws.”³ The cited articles pertain, respectively, to sexual equality; the right to life, including restrictions on the application of death penalty; freedom from torture and cruel, degrading, or inhumane punishment; freedom of religion; and freedom of expression.

With respect to the present analysis, philosophical debates over the validity of cultural relativism (e.g., Donnelly 1982; Kausikan 1993; Neier 1993; Sen 1997) matter little; what matters is whether the leaders in charge of implementing human rights treaties accept its validity. Cole (2005) has shown that ratification rates for core human rights treaties are not affected by civilizational membership. At the level of endorsement, then, the cultural relativist thesis lacks explanatory power. At issue here is whether these treaties, once ratified, are equally likely to be

³ The quoted reservations come from the United Nations Treaty Collection database, available at http://treaties.un.org/Pages/ViewDetails.aspx?src=TREATY&mtdsg_no=IV-4&chapter=4&lang=en (accessed September 6, 2011).

implemented across civilizational divides. The declarations adopted in Bangkok and Cairo would seem to predict the ineffectiveness of treaties designed to implement the Universal Declaration in many non-Western regions of the world, as would the “civilizational geography of respect for human rights” (Richards 2003).

Data and Method

Dependent Variables

To estimate the effect of state capacity, ideological commitments, and cultural congruence on compliance with the CCPR and CAT, I use measures of empowerment and physical integrity rights from the Cingranelli-Richards (CIRI) Human Rights Dataset (Cingranelli and Richards 2008, 2010). These measures, available from 1981 onward, are coded from the U.S. Department of State’s *Country Reports on Human Rights Practices* and Amnesty International’s *Annual Report*.

The empowerment rights index ranges from 0 to 10 and assesses basic civil and political rights protections: suffrage rights, workers’ rights, and the freedoms of movement, speech, assembly, and religion. This index is used to assess the effect of the International Covenant on Civil and Political Rights, which includes provisions such as the right to life; security of the person; equality before the law; the freedoms of movement, association, and conscience; and the rights to a fair trial, to vote, and to hold public office.

The physical integrity rights scale ranges from 0 to 8 and comprises an additive index of four indicators: torture, extrajudicial killing, political imprisonment, and disappearances. This index corresponds to the rights contained in, and gauges the effect of, the Convention against Torture, which prohibits “any act by which severe pain or suffering, whether physical or mental, is intentionally inflicted on a person for such purposes as obtaining . . . a confession, punishing him . . . or intimidating or coercing him or a third person” (article 1). Higher scores on both measures represent better human rights practices.

Independent Variables

The analyses include two sets of independent variables: (1) membership in the CCPR and CAT treaty regimes and (2) factors and variables hypothesized to mediate the effect of human rights treaty membership on practices.

Treaty Membership

I operationalize the effect of human rights treaty membership on human rights outcomes using dummy variables coded 1 after a country ratified the CCPR and CAT, respectively, and 0 beforehand. This method of measuring treaty effects is common in the literature (e.g., Keith 1999; Neumayer 2005; Simmons 2009). Using dummy variables to estimate treaty effects also simplifies the interpretation of interaction terms between treaty membership and mediating factors.

Mediating Factors

To determine whether a country's ability or resolve to implement human rights treaties moderates their effectiveness, I used factor analysis to construct four indices describing (1) the degree to which government actions are constrained by institutionalized checks and balances; (2) the level of domestic order in a country; (3) a country's material and military capabilities; and (4) the degree of regime durability and government stability. Table 1 summarizes these factors and their component variables. All measures used in the construction of these factor scores come from publicly available databases.

[Table 1 about here]

- The “institutionalized constraints” factor consists of five variables: the Polity IV combined democracy and autocracy score (Marshall and Jaggers 2007), with a factor loading of .94; a measure of executive constraints, also from the Polity IV database (factor loading = .93); and measures of checks and balances (.93) and legislative and executive electoral competitiveness (.88 and .92, respectively) from the Database of Political Institutions (Beck, Groff, Keefer, and Walsh 2001; Keefer 2007). Governments are able to exercise *despotic* power (Mann 1988) to the extent that their actions are *not* held accountable to the public through regular elections or otherwise checked by institutional constraints such as the division of power across branches of government. As suggested by Hafner-Burton, Tsutsui, and Meyer (2008), I expect that as institutionalized checks and balances weaken, regimes will be better able to abrogate their human rights treaty commitments.
- The “domestic order” factor also consists of five variables. Four measures from the International Country Risk Guide database (Political Risk Services Group 2000, 2008) rate the degree of bureaucratic quality (.79), law and order (.92), lack of internal conflict (.84), and government stability (.56) in a country. The other variable, judicial independence (.81), is taken from the Political Constraints Index (Henisz 2006) and indicates whether courts are able to constrain executive power and maintain law and order. This factor summarizes the extent to which government is ordered, stable, and “rationalized” in broadly Weberian terms. It refers, in essence, to *infrastructural* power: the ability of the state apparatus to administer the population and implement its will effectively throughout the realm (Mann 1988). When domestic order is tenuous, “private” acts of abuse by non-state groups become more prevalent.
- The “material capabilities” factor comprises four measures from the National Material Capabilities dataset (Singer, Bremer, and Stuckey 1972; Correlates of War Project 2010): iron and steel production (.91), energy consumption (.96), military expenditures (.89), and military personnel (.83). This factor gauges the strength of a state's infrastructure in terms of physical capacity rather than administrative capability. The effect of material capabilities on treaty implementation can be either positive or negative. On the one hand, infrastructurally deficient and militarily weak regimes cannot effectively control human rights abuses perpetrated by paramilitary groups, local warlords, police forces, and other groups acting beyond the state's grasp (Migdal 1988). On the other hand, regimes with

effective infrastructures and strong militaries can use their might for good or ill. In different hands, military forces can be used to protect or repress citizens and to enforce or flout treaty commitments. For these reasons, I do not offer *a priori* directional hypotheses for the effect of material capabilities on human rights treaty implementation.

- The “regime durability” factor combines three variables that measure regime duration (.89), average executive tenure (.50), and regime durability (.82). The first two measures come from the Authoritarian Regime Data Set (Hadenius and Teorell 2007); the latter measure comes from the Polity IV database. According to Young (2009: 286), “rulers who are insecure will do whatever is necessary to stay in power,” which includes violating citizens’ human rights. I extend this line of reasoning to hypothesize that “at-risk” regimes will also be willing to abrogate their human rights treaty commitments in order to maintain power. Rulers in durable regimes, conversely, may feel more secure in their positions and therefore resort to repression less often. It is well to remember, of course, that regimes can be stable for a variety of reasons. Democracies are stable because they routinize and regularize power transitions, whereas dictatorships rely on fear and terror to preclude dissent. In both cases, regime stability is expected to reduce levels of overt human rights abuse.⁴

In addition to these factors, I gauge a country’s ideological and cultural propensity to implement human rights treaties using two dummy variables. One variable explores whether countries with communist regimes are less likely than noncommunist countries to put human rights treaties into practice; another variable examines whether Western countries are more likely than their non-Western counterparts to honor their treaty commitments.

Control Variables

The analyses control for a variety of factors shown in previous research to correlate with human rights practices. Three variables are consistently associated with better human rights outcomes. The first, *institutionalized democracy/autocracy*, ranges from -10 (most autocratic) to +10 (most democratic) and controls for the effect of democracy on human rights practices (Marshall and Jaggers 2007). This effect has generally been linear and positive (e.g., Hafner-Burton and Tsutsui 2005; Henderson 1991; Mitchell and McCormick 1988; Poe and Tate 1994; Poe, Tate, and Keith 1999; Zanger 2000; cf. Fein [1995], who contends that the relationship is curvilinear, and Davenport and Anderson [2004], who demonstrate threshold effects). Many of the same studies have found that economic development, measured as (logged) *gross domestic product per capita* (World Bank 2008), is also associated with greater respect for human rights. Per capita GDP has also been used as a rough proxy for state strength (Fearon and Laiton 2003). Another economic measure, *trade as a proportion of gross domestic product*, measures trade openness and global economic integration, both of which are associated with better rights

⁴ In supplementary analyses I constructed a factor of economic dependence using measures of foreign direct investment inflows as a percentage of GDP, aid receipts per capita, agricultural raw material exports as a percentage of merchandise exports, a food production index, and GDP per capita. This factor did not have a statistically significant effect on human rights outcomes, whether independently or as mediated through treaty membership. Nor did government expenditures as a percentage of GDP, a standard—though imperfect—proxy for state strength, influence human rights outcomes or the ability of states to implement human rights treaties.

conditions (Blanton and Blanton 2009; Harrelson-Stephens and Callaway 2003; Richards, Gelleny, and Sacko 2001).

Other factors are typically associated with greater human rights abuses. Population pressures, for example, result in increased government repression due to competition over scarce resources, the threat (real or perceived) that large populations pose to entrenched regimes, and, more generally, the increased opportunities for abuse in populous countries (Hafner-Burton and Tsutsui 2005, 2007; Henderson 1993; Keith 1999; Melander 2005; Mitchell and McCormick 1988; Poe and Tate 1994). To tap these pressures, I include a measure of (logged) *population density* (World Bank 2008). Civil wars, too, generate human rights abuses (Hafner-Burton and Tsutsui 2005; Keith 1999; Poe and Tate 1994; Poe, Tate, and Keith 1999), so I enter a dummy variable from the Correlates of War Project (Sarkees 2000) indicating whether a country was involved in a *civil war* during a given year.

Finally, analyses of human rights practices must guard against “information paradoxes” that can occur when increased attention to and awareness of human rights violations results in spuriously inflated perceptions of abuse (Cole 2010; Hafner-Burton 2008; Keck and Sikkink 1998). When a country’s human rights practices are placed under the microscope, violations are more likely to be detected, labeled, and reported, even if actual rates of abuse remain constant. To adjust for this phenomenon, I compute a “naming and shaming” (Hafner-Burton 2008) index that sums the standardized scores of four variables, each measured annually: media reporting of human rights abuses in (1) *The Economist* and (2) *Newsweek* (Ramos, Ron, and Thoms 2007); (3) Amnesty International press releases targeting a country’s human rights blemishes (Ron, Ramos, and Rodgers 2005); and (4) U.N. Commission on Human Rights resolutions condemning a country’s human rights performance (Lebovic and Voeten 2006).

Model Estimation

The decision to ratify a human rights accord is often endogenous to a country’s human rights record. To obtain valid estimates for the effect of treaty ratification on rights outcomes, one must account for the possibility that treaty ratification is both a *cause* and a *consequence* of human rights performance. If rights-affirming countries are more likely than rights-abusing countries to ratify human rights treaties, then treaty effects can be biased upward. Alternatively, if abusive countries ratify human rights treaties disingenuously, then subsequent effects will be biased downward (see, e.g., Clark 2010; Downs, Rocke, and Barsoom 1996; Simmons 2009; von Stein 2005). To guard against these potential sources of bias, I use two-stage least-squares regression models to analyze the effect of human rights treaty membership on human rights outcomes, with instrumental variables to endogenize treaty ratification. These models, which include interaction terms to examine the mediating effects of a regime’s will or capacity to implement human rights treaties, take the following general form:

$$\begin{aligned}
 Y_{it} = & \beta_0 + \beta_1 Y_{it-1} \\
 & + \beta_2 RATIF_{ijt-1} \\
 & + \beta_3 WILL/CAPACITY_{it-1} \\
 & + \beta_4 RATIF_{ijt-1} * WILL/CAPACITY_{it-1} \\
 & + \beta_5 X_{it-1} + \varepsilon,
 \end{aligned} \tag{1}$$

where

$$\begin{aligned}
 RATIF_{ijt-1}, RATIF_{ijt-1} * WILL/CAPACITY_{it-1} = & \gamma_0 + \gamma_1 Y_{it-1} \\
 & + \gamma_2 X_{it-1} + \gamma_3 X_{it-1} * WILL/CAPACITY_{it-1} \\
 & + \gamma_4 Z_{it-1} + \gamma_5 Z_{it-1} * WILL/CAPACITY_{it-1} + v.
 \end{aligned}
 \tag{2}$$

In these models, i , t , and j respectively index countries, years, and human rights treaties (the CCPR and CAT); Y_{it-1} is a lagged dependent variable, included to adjust for autocorrelation and to model changes in human rights practices; $RATIF$ is an endogenous regressor set equal to 1 when country i is party to treaty j ; $WILL/CAPACITY$ refers to the mediating factors hypothesized to affect a country's will or capacity to implement human rights treaties; X is a vector of control variables as previously described; and Z is a vector of instrumental variables that are correlated with treaty ratification but orthogonal to human rights outcomes.

The instrumental variables found in Z include the following: (1) an index of ratification hurdles (Simmons 2009) based primarily on the number of potential veto players in government,⁵ to gauge the relative difficulty of ratifying international treaties; (2) a dummy variable for countries with common-law legal systems (Easterly 2001), on the assumption that they undertake international treaty obligations more carefully than other countries because treaties can conflict with existing legal precedents or create new precedents; (3) a dummy variable for presidential systems (Beck, Clarke, Groff, Keefer, and Walsh 2001), based on the possibility that divided governments can delay the ratification process; (4) variables tallying the cumulative density of prior ratifications, to tap global diffusion and emulation processes (Cole 2005); (5) variables that model duration dependence (a variable counting the years each country is "at risk" of ratifying and three cubic splines), as suggested by Beck, Katz, and Tucker (1998; see also Simmons and Hopkins 2005; Simmons 2009); and (6) all other control variables included in the substantive analyses of human rights outcomes (that is, the included instruments).

As shown in equation 2, interaction terms must be endogenized by also interacting each instrumental variable with the mediating variable of interest. For instance, to examine how the institutionalized constraints factor moderates the effect of treaty membership on rights outcomes, each instrumental variable must also be interacted with the institutionalized constraints factor.

Results

The Role of Capacity and Will in Mediating Treaty Effects

Table 2 presents two-stage least-squares estimates for the effect of CAT membership on government respect for physical integrity rights, as conditioned by measures of state capacity, ideological commitments (communist status), and cultural congruence (Western status). The results show that the CAT has a positive effect among countries that institutionalize checks and balances (Model 1) and in countries characterized by a high degree of domestic order (Model 4). The results also show that levels of respect for physical integrity rights are higher in Western

⁵ Parliamentary supermajorities, for example, pose a more onerous ratification hurdle than do simple majorities.

countries than in non-Western countries (Model 6); the CAT, however, is not more effective in Western countries.

[Table 2 about here]

The independent effect of CAT ratification on physical integrity rights outcomes is negative and statistically significant in three of six models (two additional estimates are marginally significant at the $p < .10$ level). Figures 1a and 1b plot predicted physical integrity rights scores from Models 1 and 4. They show that when all independent and control variables are set equal to their mean values, average physical integrity rights scores are higher for countries that have *not* ratified the CAT than for parties to the convention (4.86 vs. 4.71 in the institutionalized constraints models, and 4.96 vs. 4.81 in the domestic order models). By itself, the CAT is therefore radically decoupled from governmental respect for individuals' physical integrity. Among parties to the CAT, however, institutionalized constraints and domestic order enhance the treaty's effectiveness. As depicted in Figure 1a, increasing the institutionalized constraints factor by 1 standard deviation results in a physical integrity rights score of 5.00, net of control variables; decreasing the same factor by 1 standard deviation produces a score of 4.23. Broadly similar trends characterize the mediating effect of domestic order (see Figure 1b).

[Figures 1a and 1b about here]

Aside from the effects of independent variables, coefficient estimates for control variables are remarkably robust across models in terms of sign and significance, and their effects are consistent with previous research. Democracy, development, and trade openness are associated with improved physical integrity rights outcomes, whereas population density, civil war, and the name-and-shame index reduce respect for physical integrity rights. (Note, however, that the effect of democracy in the institutionalized constraints model [Model 1] is statistically insignificant, suggesting that institutionalized constraints is the defining characteristic of democracy.)

In addition to coefficient estimates, Table 2 also reports variance inflation factor (VIF) scores that assess the degree of multicollinearity in the models. Mean as well as maximum VIF scores for each model are reported. VIF scores are well below the conventional threshold of 10 except for Model 1, where the maximum VIF score—associated with the democracy/autocracy scale—barely exceeds the cutoff. Not surprisingly, the democracy/autocracy scale is collinear with the institutionalized constraints factor (indeed, democracy/autocracy is a component of that factor). In supplementary analyses that removed the democracy/autocracy scale from the model, the interaction between institutional constraints and CAT membership remained positive and statistically significant.

The analyses presented in Table 3 are identical to those in Table 2, except that they examine the effect of CCPR ratification on empowerment rights outcomes. Model 4 shows that CCPR membership had a positive effect on empowerment rights, and that this effect was enhanced as the level of domestic order increased. Interestingly, the *independent* effect of domestic order on empowerment rights was negative, which lends credence to Davenport's (2007) "tyrannical peace" thesis—that is, the notion that authoritarian regimes maintain order by repressing civil

and political rights. Moreover, the positive interaction effect in Model 2 reveals that the CCPR has a salutary effect among durable regimes, even though CCPR membership *by itself* has no net effect on outcomes. And yet, as with domestic order, the independent effect of regime durability on empowerment rights is negative. Empowerment rights scores also decline as a function of material capabilities (Model 3) and are lower among communist countries vis-à-vis noncommunist countries (Model 5). In contrast, the institutionalized constraints factor and the Western dummy variable have net positive effects on empowerment rights (Models 1 and 6, respectively).

[Table 3 about here]

Figures 2a and 2b plot the results presented in Models 2 and 4 of Table 3 after setting the values of independent and control variables to their mean values. The empowerment right score as evaluated at the average institutionalized constraints factor score is 6.21 (Figure 2a). Raising the factor score by 1 standard deviation increases the empowerment rights score to 6.31 among CCPR parties, whereas the score becomes 6.56 when the institutionalized constraints factor is set to its maximum value.

[Figures 2a and 2b about here]

Turning to the domestic order results, Figure 2b shows that empowerment rights score are higher among CCPR parties relative to countries that have not ratified the treaty, holding the domestic order factor and control variables constant at their means. However, empowerment rights scores among CCPR parties increase slightly when the domestic order factor is elevated by 1 standard deviation (6.47) and to its maximum value (6.51), thus reinforcing that domestic order facilitates implementation of the CCPR.

The effects of control variables on empowerment rights scores offer few surprises. Democracy is associated with improved empowerment rights outcomes, whereas the name-and-shame index correlates with lower empowerment scores. The effects of other control variables are not particularly robust across models. Multicollinearity is not a problem, except in Model 1. As with the analysis of CAT membership, the democracy/autocracy scale is collinear with the institutionalized constraints factor; removing the democracy/autocracy scale from the analysis did not substantively alter the findings.

In short, the results in Table 2 and 3 indicate that human rights treaty implementation is facilitated by several measures of state strength, including the existence of institutionalized checks on government, regime durability, and domestic order. Ideological commitments and cultural differences, conversely, neither enhance nor inhibit treaty compliance.⁶

⁶ It could be that communism and Western status have period-specific effects, as suggested by Huntington's (1996) clash-of-civilization thesis. According to Huntington, the ideological conflicts that prevailed during the Cold War were replaced by cultural fault lines after the collapse of the Soviet Union. The perspective therefore implies that communism will mediate treaty implementation before 1991 but Western status will become more important after 1991. In supplementary analyses—not reported here but available upon request—I examined these period-specific effects and found little support for the clash-of-civilizations thesis.

The Effect of State Strength and Regime Type on Treaty Effectiveness

The findings just discussed assume that the effect of institutionalized constraints, domestic order, and regime durability in mediating treaty effectiveness operate uniformly across different kinds of political regimes. This assumption may be suspect. State strength, for instance, may have fundamentally different effects in democracies and autocracies. It is feasible that strong democracies will be more likely to implement human rights treaties, whereas strong autocracies will be better able to resist implementation. Tables 4 and 5 examine this issue by reanalyzing the models reported in Tables 2 and 3 on samples split by regime type: democratic, anocratic, and autocratic. Fully institutionalized democracies are defined as countries scoring between +6 and +10 on the institutionalized democracy/autocracy scale; fully institutionalized autocracies have scores of -6 to -10; and mixed or incoherent authority regimes (“anocracies”) occupy the scale’s middle range.⁷

Categorizing regimes in this manner is consistent with studies that have identified a “threshold of domestic democratic peace,” such that “below certain values, the level of democracy has no discernable impact on human rights violations, but after a threshold had been passed . . . democracy decreases state repression” (Davenport and Armstrong 2004: 551; see also Bueno de Mesquita, Downs, Smith, and Cherif 2005). Trichotomizing the democracy/autocracy scale also contemplates the possibility of curvilinear effects, as proposed by the “more murder in the middle” thesis (Fein 1995; Regan and Henderson 2002). According to this thesis, overt repression is more likely in incoherent anocracies than in consolidated democracies and autocracies. Democracies rarely deploy repression, and autocracies obviate the need for overt repression by discouraging popular discontent in the first place—the repercussions of straying out of line are simply too great. In anocracies, by contrast, norms regarding popular dissent and regime behaviors are unclear. Individuals may feel empowered to express political discontent, but regimes may also feel justified in repressing their citizens to maintain order. (Indeed, these two processes may be linked, with regimes repressing individuals who deign to express their displeasure or discontent.)

Table 4, which analyzes the mediated effects of CAT membership on physical integrity rights on samples split by regime type, demonstrates that CAT effects do not vary by either state strength or regime type. Estimates for the effect of all independent variables—CAT membership, the state strength factors, and interactions among them—were statistically insignificant at conventional thresholds ($p < .05$) across all models. In fact, only one interaction effect, between the institutionalized constraints factor and CAT membership among anocratic countries (Model 5), achieved even marginal levels of significance. Multicollinearity did not pose a significant problem, except in Model 7. Removing the source of collinearity in this model resulted in a significantly negative effect of CAT membership but did not otherwise alter the substantive findings.

[Table 4 about here]

⁷ See “Polity IV Project: Political Regime Characteristics and Transitions, 1800-2010,” available at <http://www.systemicpeace.org/polity/polity4.htm> (accessed September 6, 2011).

Conversely, Table 5 shows that the effect of CCPR membership on empowerment rights as mediated by state strength varies across regime types. Among autocratic countries (i.e., those with a democracy/autocracy score of -6 or less), the regime durability and material capabilities factors have net negative effects on empowerment rights, independently of treaty membership (Models 2 and 3). Moreover, among autocratic countries that ratified the CCPR, empowerment rights worsened as material capabilities increased. These findings suggest that strong and durable autocracies have a greater capacity for repression; that is, strong autocratic regimes use their power to repress their citizens, even if it means violating their treaty commitments in the process.

[Table 5 about here]

The negative effect of material capabilities on empowerment rights is even stronger among anocratic countries, as shown in Model 7. However, prior ratification of the CCPR mitigates this negative effect somewhat, as indicated by the positive interaction between CCPR membership and material capabilities.⁸ The obverse pattern holds for the institutionalized constraints factor: the independent effect of checks and balances on empowerment rights is significantly positive, but its effect when interacted with CCPR membership is significantly negative (Model 5). This finding defies simple explanation. It may be that the CCPR empowers citizens in anocratic states to demand greater rights. When the range of institutional responses to these grassroots challenges is formally constrained, anocratic regimes resort instead to the repression of speech freedoms, suffrage rights, and the like. Put differently, anocratic regimes that are hemmed in by institutionalized constraints turn to extra-institutional measures when their authority is threatened. It may also be that the branch of government authorized to ratify human rights treaties (e.g., the legislature) is different from the branch of government responsible for ramping up repression (e.g., the executive or military). This interpretation, if correct, casts doubt on the notion that democratizing regimes join human rights treaties to reinforce liberal reforms and constrain future governments (Moravcsik 2000).

Finally, among democratic countries, CCPR membership has a net positive effect on empowerment rights in three of four models. Regardless of the degree of infrastructural capacity or institutional constraints that exist in democracies, the CCPR improves basic civil and political rights outcomes in a direct and unmediated fashion. In addition, respect for empowerment rights among democratic countries increased as levels of domestic order increased (Model 12).

To summarize, the effects of CCPR membership as mediated through measures of state strength, where they obtained, were negative among autocracies, positive among democracies, and mixed in anocracies. This pattern of results is precisely what one would expect to find. In autocracies, strong states are better able to repress their citizens and resist the implementation of human rights treaties, while in democracies, human rights treaties improve practices independently of state strength. And in anocracies, where regimes are incoherent and reflect a mix of democratic and autocratic characteristics, state strength and treaty ratification have contradictory effects on rights outcomes.

⁸ The high VIF scores in this model result from the interaction between material capabilities and CCPR membership. The effect of material capabilities on empowerment rights outcomes among anocracies remained significantly negative when this interaction term was removed, and the effect of CCPR membership continued to be statistically insignificant.

Discussion and Conclusion

One factor, domestic order, intersected with human rights treaty membership to improve both physical integrity and empowerment rights outcomes. Human rights treaties are therefore most effective when governments are stable, courts are independent, bureaucracies are strong, law and order is maintained, and internal conflict is low. In addition, the CAT is also effective in countries that institutionalize checks and balances—that is, in regimes with effective constraints on government power and high levels of electoral competition. Likewise, the CCPR is also effective when political systems are stable, governments change via routine and institutionalized procedures, and executive decisions are not motivated by the desire of leaders to retain their grasp on power (Young 2009).

Although some dimensions of state strength were shown to mediate the relationship between CAT membership and physical integrity rights in general, they have little bearing on the prospects of treaty implementation within particular kinds of regimes. This pattern of findings suggests that it is not the nature of a political regime per se—whether democratic, autocratic, or a mix of the two—that determines whether the torture convention will be honored. Rather, factors such as domestic order and the presence of accountability groups, which cut across regime types, is what ultimately matters.⁹ The results suggest that torture, political imprisonment, and the like are used by regimes of all stripes when domestic publics become too disorderly or when government power goes unchecked.

In marked contrast, state strength intersects with regime type in ways that significantly alter the relationship between CCPR membership and empowerment rights. Materially strong and durable autocracies are most likely to repress basic civil freedoms and political rights; the former are more likely to do so even in opposition to their treaty-based obligations under the CCPR. Conversely, the treaty is most effective in democratic countries, where its impact is not mediated by state strength. These countries' *ipso facto* commitment to core civil and political rights—and indeed, their propensity to protect these rights even in the absence of treaty membership—promotes compliance. The contingency of CCPR implementation on dimensions of state strength is most dramatic, and also most variable, among anocratic regimes. Materially strong anocracies use their strength to repress empowerment rights, but they are also likelier than their infrastructurally and militarily weaker peers to implement the CCPR after it has been ratified. On the other hand, anocratic regimes held in check by domestic accountability groups generally respect empowerment rights, at least until rising citizen expectations or intensifying power struggles among governmental actors in the wake of treaty ratification threatens domestic order. When this occurs, levels of repression increase *in spite of* (and perhaps even *because of*) the presence of institutionalized checks and balances.

The analyses reported here are also notable for what was *not* found. In particular—and in contrast to much extant theorizing and philosophizing—countries' ideological and cultural

⁹ For example, the Polity IV measure of executive constraints, a component of the institutionalized constraints factor, refers to a variety of “accountability groups,” including strong judiciaries, democratically elected legislatures, ruling parties in one-party states, councils of nobles or advisors in monarchies, and the military in coup-prone polities (Marshall and Jagers 2007: 23).

commitments did not vitiate the effectiveness of human rights treaty membership. While Western countries and communist regimes may be more or less likely to respect human rights independently of treaty membership (see, e.g., Richards 2003), it is not the case that they are more or less likely to implement human rights treaties they have ratified.

In closing, this study has shown that the widespread implementation gap in human rights treaty regimes is a complex outcome that is attributable variously to state strength, regime type, and rights domains, as well as to interactions among these different factors. To blame the decoupling outcome so often discussed and decried (but so rarely analyzed) exclusively on willful contravention tells only part of the story, as it neglects to consider that many regimes simply lack the capacity for implementing treaty terms. Future analyses of human rights treaty effects within the world society perspective (Meyer et al. 1997) would do well to consider whether decoupling stems from a surfeit of despotic power or a lack of sufficient infrastructural power.

Detailed analyses of the implementation gap become all the more important because different modalities of decoupling imply divergent and even contradictory strategies for improving the effectiveness of human rights treaties. Despotic regimes may need to be coerced or induced to comply with their human rights treaty commitments by, for example, withholding multilateral aid (Lebovic and Voeten 2009) or conditioning preferential trade agreements on human rights performance (Hafner-Burton 2005, 2009). In these cases, external sanctions or rewards can alter the incentive structures for repressive states, at least in the short term. But for regimes that lack infrastructural power, these kinds of sanctions can exacerbate the very problems they seek to remedy by further weakening central governments. Instead of withholding aid, governments in these countries may need additional assistance in order to stabilize their rule, consolidate their power, and take more effective control over human rights conditions within their territories.

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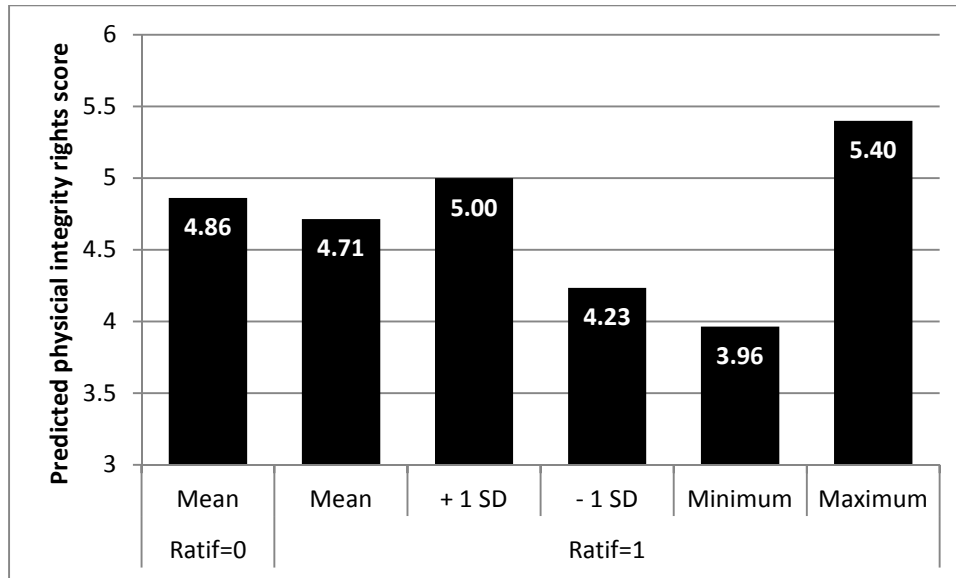
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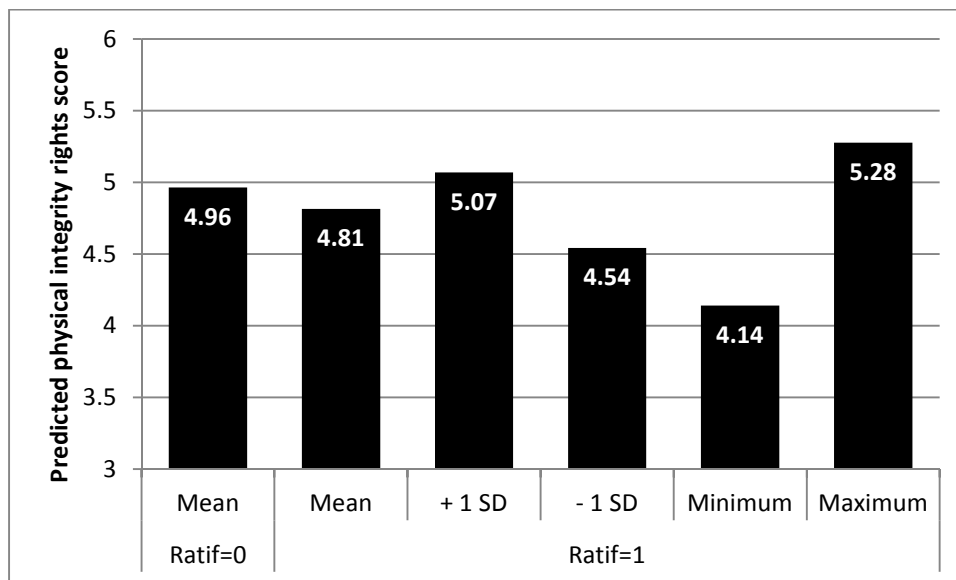
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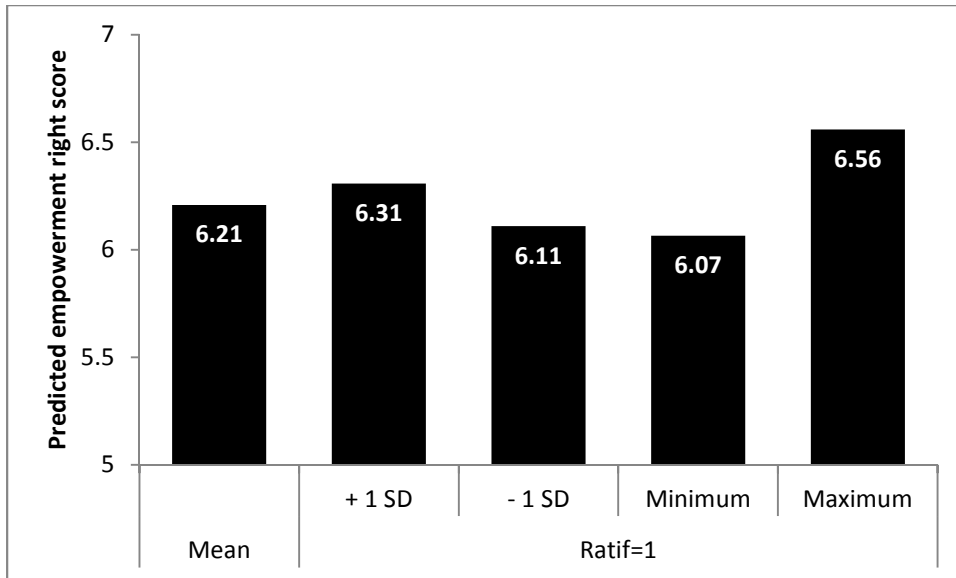
a. Effect of changes in the institutionalized constraints factor on CAT effectiveness



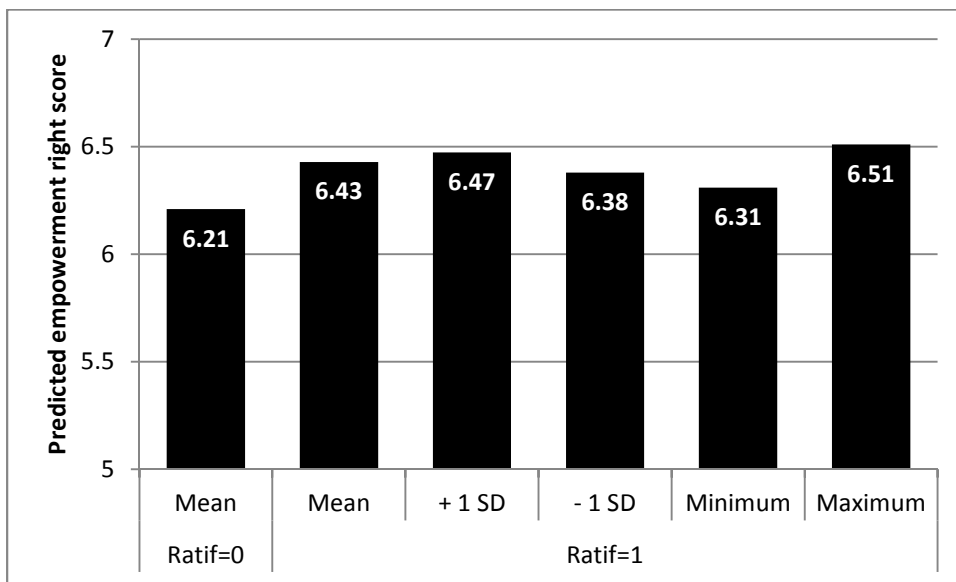
b. Effect of changes in the domestic order factor on CAT effectiveness

Figure 1.
The effect of CAT membership on physical integrity rights outcomes as moderated by the (a) institutionalized constraints and (b) domestic order factors

Note: Predicted scores computed based on results in Table 2, Models 1 and 4, with control variables set equal to their mean values. The effect of moderating variables are evaluated at (1) their mean values ("Mean"), (2) one standard deviation above and below their respective means (+ 1 SD and -1 SD), and (3) their minimum and maximum values ("Minimum" and "Maximum").



a. Effect of changes in the regime durability factor on CCPR effectiveness



b. Effect of changes in the domestic order factor on CCPR effectiveness

Figure 2.
The effect of CCPR membership on physical integrity rights outcomes as moderated by the (a) regime durability and (b) domestic order factors

Note: Predicted scores computed based on results in Table 3, Models 2 and 4, with control variables set equal to their mean values. The effect of moderating variables are evaluated at (1) their mean values (“Mean”), (2) one standard deviation above and below their respective means (+ 1 SD and -1 SD), and (3) their minimum and maximum values (“Minimum” and “Maximum”).

Table 1. State Strength Dimensions, Factors, and Data Sources

<i>Institutionalized constraints</i>	<i>Domestic order</i>	<i>Material capabilities</i>	<i>Regime durability</i>
Democracy/Autocracy scale (Polity)	Bureaucratic quality (ICRG)	Iron and steel production (NMC)	Regime duration (ARDS)
Executive constraints (Polity)	Law and order (ICRG)	Energy consumption (NMC)	Average executive tenure (ARDS)
Checks and balances (DPI)	Internal conflict (ICRG)	Military expenditures (NMC)	Regime durability (Polity)
Legislative electoral competitiveness (DPI)	Government stability (ICRG)	Military personnel (NMC)	
Executive electoral competitiveness (DPI)	Judicial independence (POLCON)		

ARDS = Authoritarian Regimes Data Set; DPI = Database of Political Institutions; ICRG = International Country Risk Guide; Polity = Polity IV dataset; NMC = National material capabilities dataset; POLCON = Political Constraints Index.

Table 2. Two-stage Least-squares Estimates for the Conditional Effects of CAT Ratification on Physical Integrity Rights

	(1)	(2)	(3)	(4)	(5)	(6)
Ratified CAT (1=yes)	-.265*** (.072)	-.071 (.055)	-.113+ (.064)	-.158** (.060)	-.094+ (.055)	-.170** (.065)
Constraints factor	.013 (.092)					
Constraints*Ratification	.412*** (.107)					
Regime durability factor		.052 (.044)				
Durability*Ratification		.073 (.067)				
Material capabilities factor			.013 (.041)			
Capabilities*Ratification			.025 (.067)			
Domestic order factor				.104+ (.055)		
Order*Ratification				.272** (.088)		
Communist (1=yes)					.390+ (.212)	
Communist*Ratification					.067 (.418)	
Western (1=yes)						.391** (.132)
Western*Ratification						.158 (.168)
Physical integrity (lagged)	.641*** (.016)	.640*** (.016)	.627*** (.018)	.619*** (.018)	.644*** (.015)	.620*** (.016)
Democracy/Autocracy	.008 (.012)	.027*** (.004)	.023*** (.005)	.020*** (.005)	.026*** (.004)	.020*** (.004)
GDP per capita (ln)	.142*** (.020)	.122*** (.024)	.175*** (.024)	.109*** (.023)	.163*** (.019)	.113*** (.021)
Trade openness	.003*** (.001)	.004*** (.001)	.004*** (.001)	.003*** (.001)	.003*** (.001)	.003*** (.001)
Population density (ln)	-.051** (.018)	-.050** (.018)	-.053* (.021)	-.069*** (.020)	-.055** (.018)	-.063*** (.018)
Civil war (1=yes)	-.743*** (.095)	-.735*** (.091)	-.879*** (.102)	-.725*** (.103)	-.728*** (.092)	-.818*** (.092)
Name and shame index	-.054*** (.009)	-.062*** (.009)	-.072*** (.016)	-.060*** (.010)	-.064*** (.010)	-.054*** (.009)
Constant	.704*** (.156)	.816*** (.181)	.529** (.181)	1.131*** (.199)	.536*** (.150)	.999*** (.166)
<i>N</i> (country-year observations)	2470	2546	1930	2136	2547	2547
<i>N</i> (countries)	143	143	135	120	143	143
Years covered	1985–2005	1985–2005	1985–2001	1985–2005	1985–2005	1985–2005
Chi-square	6057	6172	4660	5490	6152	6268
df	10	10	10	10	10	10
Mean VIF	3.21	1.71	1.60	1.70	1.47	1.91
Largest VIF	10.07	2.68	2.25	3.09	2.04	3.71
R-squared	.711	.709	.708	.721	.708	.712

Standard errors in parentheses. + $p < .10$, * $p < .05$, ** $p < .01$, *** $p < .001$ (two-tailed)

Table 3. Two-stage Least-squares Estimates for the Conditional Effects of CCPR Ratification on Empowerment Rights

	(1)	(2)	(3)	(4)	(5)	(6)
Ratified CCPR (1=yes)	.014 (.061)	.095 (.060)	.103 (.064)	.211** (.079)	.030 (.061)	.070 (.068)
Constraints factor	.327** (.101)					
Constraints*Ratification	-.027 (.127)					
Regime durability factor		-.375*** (.063)				
Durability*Ratification		.472*** (.085)				
Material capabilities factor			-.105** (.040)			
Capabilities*Ratification			.097 (.061)			
Domestic order factor				-.393*** (.108)		
Order*Ratification				.441*** (.125)		
Communist (1=yes)					-.434* (.202)	
Communist*Ratification					.465 (.309)	
Western (1=yes)						.512* (.249)
Western*Ratification						-.180 (.285)
Empowerment (lagged)	.734*** (.014)	.718*** (.014)	.732*** (.015)	.720*** (.016)	.730*** (.014)	.721*** (.014)
Democracy/Autocracy	.043*** (.013)	.077*** (.006)	.081*** (.007)	.086*** (.007)	.079*** (.006)	.077*** (.006)
GDP per capita (ln)	.038+ (.020)	.062** (.024)	.031 (.022)	.037 (.024)	.043* (.018)	.005 (.022)
Trade openness	-.002* (.001)	-.001 (.001)	-.001+ (.001)	-.001 (.001)	-.002** (.001)	-.002** (.001)
Population density (ln)	-.018 (.019)	-.038* (.019)	-.022 (.021)	-.036+ (.022)	-.017 (.019)	-.021 (.019)
Civil war (1=yes)	-.096 (.089)	-.153+ (.086)	-.212* (.091)	-.222* (.101)	-.141 (.086)	-.127 (.085)
Name and shame index	-.051*** (.009)	-.044*** (.009)	-.005 (.014)	-.048*** (.010)	-.046*** (.010)	-.046*** (.009)
Constant	1.378*** (.180)	1.275*** (.199)	1.470*** (.197)	1.291*** (.224)	1.371*** (.175)	1.605*** (.196)
<i>N</i> (country-year observations)	2788	2866	2248	2225	2867	2867
<i>N</i> (countries)	143	143	135	120	143	143
Years covered	1982–2005	1982–2005	1982–2001	1984–2005	1982–2005	1982–2005
Chi-square	12868	12798	10332	10331	12939	13025
df	10	10	10	10	10	10
Mean VIF	3.63	2.08	1.73	2.61	1.69	2.92
Largest VIF	11.56	3.66	3.09	6.83	3.06	7.95
R-squared	.822	.817	.822	.823	.819	.820

Standard errors in parentheses. + p<.10, * p<.05, ** p<.01, *** p<.001 (two-tailed)

Table 4. Two-stage Least-squares Estimates for the Conditional Effects of CAT Ratification on Physical Integrity Rights, by Level of Democracy

	Autocracies (Polity < -5)				Anocracies (-6 < Polity < +6)				Democracies (Polity > +5)			
	(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)
Ratified CAT (1=yes)	-.137 (.434)	-.171 (.158)	.042 (.181)	-.195 (.188)	-.256+ (.141)	-.220 (.264)	.002 (.309)	-.216 (.224)	-.332 (.380)	-.033 (.069)	-.135+ (.079)	-.110 (.078)
Constraints factor	.093 (.207)				-.059 (.227)				-.054 (.233)			
Constraints*Ratification	-.007 (.512)				.830+ (.500)				.260 (.366)			
Regime durability factor		.028 (.073)				-.066 (.165)				.117 (.071)		
Durability*Ratification		.169 (.230)				.091 (.408)				-.041 (.079)		
Material capabilities factor			-.210 (.150)				-1.489 (1.225)				.020 (.039)	
Capabilities*Ratification			.294 (.208)				1.432 (1.235)				.012 (.070)	
Domestic order factor				.112 (.125)			.241 (.184)					.101 (.071)
Order*Ratification				.228 (.319)			.244 (.357)					.096 (.096)
Physical integrity (lagged)	.580*** (.035)	.574*** (.034)	.534*** (.040)	.481*** (.045)	.477*** (.037)	.507*** (.036)	.479*** (.041)	.445*** (.044)	.662*** (.021)	.660*** (.021)	.623*** (.025)	.644*** (.022)
Democracy/Autocracy	-.068* (.032)	-.040 (.028)	-.050+ (.029)	-.076* (.032)	-.045+ (.026)	-.024 (.017)	-.038* (.019)	-.032 (.021)	.035+ (.020)	.030+ (.016)	.039* (.018)	.033* (.017)
GDP per capita (ln)	.072 (.045)	.060 (.048)	.053 (.050)	-.002 (.071)	-.000 (.084)	.003 (.082)	.070 (.094)	-.099 (.096)	.168*** (.031)	.124*** (.036)	.213*** (.036)	.137*** (.034)
Trade openness	.005** (.002)	.005*** (.002)	.004** (.002)	.008** (.003)	.006** (.002)	.005** (.002)	.006* (.002)	.005* (.002)	.004*** (.001)	.004*** (.001)	.005*** (.001)	.003*** (.001)
Population density (ln)	-.096* (.042)	-.089* (.041)	-.105* (.045)	-.158* (.062)	-.078 (.068)	-.061 (.063)	-.072 (.077)	-.114 (.078)	-.049* (.021)	-.042+ (.021)	-.043+ (.025)	-.056* (.022)
Civil war (1=yes)	-.747*** (.196)	-.743*** (.193)	-1.007*** (.205)	-.909*** (.242)	-.567** (.204)	-.678*** (.196)	-.838*** (.215)	-.623** (.230)	-.918*** (.135)	-.897*** (.133)	-1.054*** (.151)	-.854*** (.138)
Name and shame index	-.052** (.018)	-.061** (.020)	-.088* (.037)	-.065** (.022)	-.052+ (.030)	-.046 (.029)	-.071 (.045)	-.030 (.035)	-.057*** (.012)	-.063*** (.012)	-.076*** (.020)	-.059*** (.012)
Constant	.882* (.362)	1.034** (.373)	1.287*** (.387)	1.802** (.574)	2.093*** (.606)	1.926** (.634)	1.294 (.853)	3.153*** (.751)	.318 (.264)	.642* (.278)	.051 (.248)	.643* (.266)
N (country-year obs)	610	620	498	442	577	606	452	467	1283	1320	980	1227
N (countries)	69	70	66	54	69	72	66	55	94	95	87	85
Chi-square	884	898	700	430	329	404	336	254	4043	4024	2892	3920
df	10	10	10	10	10	10	10	10	10	10	10	10
Mean VIF	2.08	1.48	2.31	1.60	1.60	1.59	6.33	1.46	3.55	2.04	1.61	1.92
Largest VIF	4.35	1.72	5.63	2.95	2.95	2.87	26.40	2.00	9.81	4.57	2.29	3.66
R-squared	.596	.596	.590	.610	.528	.526	.548	.497	.761	.754	.749	.763

Standard errors in parentheses; + p<.10, * p<.05, ** p<.01, *** p<.001 (two-tailed)

Table 5. Two-stage Least-squares Estimates for the Conditional Effects of CCPR Ratification on Empowerment Rights, by Level of Democracy

	Autocracies (Polity < -5)				Anocracies (-6 < Polity < +6)				Democracies (Polity > +5)			
	(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)
Ratified CCPR (1=yes)	-.377 (.473)	-.110 (.100)	-.588* (.251)	-.131 (.177)	-.374* (.183)	.164 (.307)	.472 (.329)	-.104 (.328)	.154 (.437)	.415*** (.092)	.540*** (.097)	.494*** (.102)
Constraints factor	.112 (.275)				.905** (.310)				-.518 (.409)			
Constraints*Ratification	-.272 (.476)				-1.141** (.424)				.266 (.462)			
Regime durability factor		-.186* (.079)				-.457+ (.255)				.040 (.098)		
Durability*Ratification		-.023 (.138)				.623 (.427)				.070 (.109)		
Material capabilities factor			-.209* (.084)				-3.238* (1.327)				.030 (.040)	
Capabilities*Ratification			-2.456* (1.174)				2.721* (1.339)				-.034 (.057)	
Domestic order factor				-.257 (.179)				-.414 (.305)				.368* (.183)
Order*Ratification				-.024 (.232)				.143 (.397)				-.332 (.203)
Empowerment (lagged)	.773*** (.023)	.757*** (.024)	.744*** (.027)	.749*** (.033)	.540*** (.035)	.509*** (.034)	.451*** (.038)	.475*** (.040)	.603*** (.021)	.604*** (.021)	.582*** (.023)	.606*** (.022)
Democracy/Autocracy	-.003 (.030)	-.026 (.028)	-.000 (.030)	-.014 (.033)	-.017 (.030)	.017 (.021)	.006 (.023)	.006 (.025)	-.000 (.022)	-.033* (.016)	-.026 (.017)	-.025 (.018)
GDP per capita (ln)	-.068 (.043)	-.031 (.043)	-.042 (.049)	-.086 (.062)	-.016 (.093)	.074 (.104)	.237+ (.140)	-.052 (.123)	.232*** (.030)	.173*** (.033)	.195*** (.030)	.198*** (.035)
Trade openness	-.000 (.001)	-.001 (.001)	-.001 (.002)	.001 (.002)	-.006** (.002)	-.004+ (.002)	-.005+ (.003)	-.002 (.003)	.000 (.001)	.000 (.001)	.001 (.001)	-.000 (.001)
Population density (ln)	.003 (.038)	-.015 (.036)	.041 (.041)	.020 (.054)	-.049 (.077)	-.082 (.083)	-.226* (.113)	-.133 (.099)	-.022 (.021)	-.020 (.022)	-.037 (.024)	-.010 (.024)
Civil war (1=yes)	.025 (.159)	-.049 (.154)	.046 (.165)	-.313 (.211)	-.316 (.210)	-.250 (.196)	-.529* (.214)	-.673** (.239)	-.094 (.125)	-.113 (.124)	-.223+ (.128)	-.007 (.132)
Name and shame index	-.034* (.017)	-.031+ (.017)	-.002 (.028)	-.036+ (.020)	-.112*** (.034)	-.109** (.035)	-.005 (.046)	-.144*** (.041)	-.069*** (.011)	-.071*** (.011)	-.031+ (.017)	-.067*** (.011)
Constant	1.199** (.390)	.864* (.352)	.957* (.399)	.964+ (.542)	3.517*** (.717)	2.706*** (.817)	2.422* (1.153)	3.967*** (1.012)	1.649*** (.421)	1.876*** (.288)	1.888*** (.251)	1.490*** (.297)
N (country-year obs)	777	787	663	485	614	644	490	479	1397	1435	1095	1261
N (countries)	74	75	71	58	73	76	70	56	95	96	88	85
Chi-square	1370	1465	1123	1084	393	348	200	279	2079	2142	1471	1947
df	10	10	10	10	10	10	10	10	10	10	10	10
Mean VIF	2.57	1.41	1.59	2.05	1.74	1.58	7.30	1.87	2.79	2.51	1.58	3.14
Largest VIF	6.89	2.19	2.20	4.23	3.84	3.07	31.31	3.87	6.89	7.81	2.54	10.42
R-squared	.646	.654	.632	.696	.542	.537	.549	.584	.600	.600	.576	.609

Standard errors in parentheses. + p<.10, * p<.05, ** p<.01, *** p<.001 (two-tailed)