

## **Violence, Non-violence, and the Effects of International Human Rights Law**

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## **Abstract**

Under what conditions are individuals more likely to approve of human rights abuses by their governments? While various theoretical expectations have been offered about public approval of repression, many of them have not been directly tested. We analyze the effects of differing opposition tactics, differing government tactics, and legal constraints on approval of repression through a series of survey experiments in India, Israel, and Argentina. Our results indicate that violent action by opposition groups consistently increases support for government repression. In the context of contentious politics, we find that the effects of international law vary by national context. While our respondents in India were less likely to approve of their government when told the government violated international law, the same information likely increased approval of the government in our Israel experiment. The findings provide insights into the micro-foundations of existing theories and suggest areas for theory refinement.

**Replication Materials:** The data, code, and any additional materials required to replicate all analyses in this article are available on the *American Journal of Political Science* Dataverse within the Harvard Dataverse Network, at: <https://doi.org/10.7910/DVN/ZRZGTT>.

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## **1. Introduction**

Under what conditions are individuals more likely to approve of human rights abuses by their governments? One of the core responsibilities often mandated to governments, particularly in democracies, is guaranteeing basic rights and freedoms. Public support for abuses, especially violent forms like torture, therefore presents a puzzle. A common assumption is that individuals generally value human rights, despite differences in their precise content and contours (Donnelly 2003, 43-45, 89-92). Yet numerous historical and contemporary accounts reveal individuals (sometimes reluctantly, other times enthusiastically) supporting abuses (Rejali 2007, 22-23). Examining when publics are willing to reject or approve of repression can therefore provide a crucial understanding of the micro-foundations for the circumstances under which mass opinion serves as a constraint, or enabler, of human rights abuses.

Macro-level theory suggests that both conflict characteristics and legal institutions can affect support for human rights abuses. Public opinion depends in part on the tactics adopted by the targets of such abuses and the type of repressive tactics used by governments (DeMeritt 2016). International human rights treaties prohibiting many repressive tactics can shape individuals' perceptions of abuses (Simmons 2009; Sikkink 2011; Conrad and Ritter 2019). These claims ultimately rely on assumptions about public opinion that have not been directly tested at the micro level. While some important insights have been gained about public support for violence (Condra and Shapiro 2012; Piazza 2015), there has been little systematic study comparing the public opinion effects of alternative forms of repression and dissent. Likewise, existing work generally shows that knowledge of international law reduces public support for abuses (Wallace 2013; Chilton 2014, 2015; Chilton and Versteeg 2016), but has not analyzed this within the context of dissent and repression.

We seek to further our understanding of the conditions under which publics approve or disapprove of human rights abuses by conducting a series of survey experiments. Our experimental design allows us to test the effects on public approval of human rights abuses with respect to three competing factors – (1) differing opposition tactics; (2) differing forms of government repression; and (3) information about international law – both in general and taking into account possible interactions among these factors. Recent survey experiments about the effects of international institutions have been conducted mostly in the United States, which does not allow us to understand whether the findings are unique to the U.S. context. Societies have vastly different histories of state repression and differing experiences with international institutions. We therefore adopt a multi-country approach, fielding our survey in three different countries – India, Israel, and Argentina – allowing us to investigate whether the factors affecting public attitudes toward repression vary depending on the particular national context.

In all three countries, we find that individuals are more likely to approve of human rights abuses when such abuses are conducted in response to a violent opposition movement. This implies that governments have greater leeway when responding to violent movements in terms of reactions by their publics. Inversely, this relationship also implies non-violent opposition groups gain an advantage in the sense that governments may be relatively more limited in their choices when responding to such movements. While existing theory and macro-level data support these results (Chenoweth and Stephan 2011), our findings provide novel micro-level support of this phenomenon that we replicate in three countries.<sup>1</sup> A second key finding is that the effect of international law on public opinion is conditional on national context, in contrast to existing

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<sup>1</sup> As Chenoweth et al. (2017: 1956) note, “analyzing observational data alone would fail to accurately capture the true protest–repression nexus.”

theories positing a broader effect. While we find that information of the government violating international law reduces approval in India, as many existing theories would suggest, it may actually *increase* approval in Israel, suggesting a potential public backlash to international institutions in certain contexts. Finally, while our findings do not allow us to conclude that the effects of international law are conditional on actors' tactics, they provide insights into the mechanisms by which international law affects individual attitudes and point the way toward future research to further understand this issue.

We make several contributions to the study of the relationship between human rights abuses and public opinion. First, we provide empirical tests of the essential micro-foundations underlying many existing theories of the repression-dissent nexus and the effects of international human rights law. Our finding that individuals are less likely to approve of human rights abuses in response to non-violence provides important individual-level evidence in support of existing macro-level results. Second, because our experimental design includes variation in terms of both opposition and government tactics, we are able to test the effects of individual tactics both directly and conditional on each other. Third, ours is the first study that analyzes the effects of international law on public opinion in the context of contentious politics, the very circumstances in which most human rights abuses take place. Finally, by comparing results across multiple countries, we provide insights regarding which determinants of public support for human rights abuses may be more context-specific than others. Specifically, we find that the effects of

international may depend on national contexts; in some circumstances, international law may actually have important counteracting effects on public opinion.

## **2. Public Support for Human Rights Abuses**

This paper builds on the literatures on the repression-dissent nexus and international law, which each attempt to understand human rights abuses. Both literatures have increasingly emphasized the importance of public opinion and the need to better understand its role in government decision-making.

### **2.1 Repression and Dissent**

Does public approval of human rights abuses depend on the tactics used by governments and opposition groups? Scholars have long recognized the close relationship between repression and dissent. Groups seeking to challenge the state can choose among different forms of collective action and opposition tactics. In turn, governments choose from a repertoire of tactics with which they can respond to opposition movements.

The role of the public is crucial in the repression-dissent nexus. Opposition movements seek to attract new supporters, which underscores the importance of the effect of dissent and repression on individuals outside the movement (Mason and Krane 1989). DeNardo (1985, 191) notes that “[w]hen demonstrators become the victims of brutal repression, their movement often gains sympathy and even material support from people who have not suffered directly from the government’s excesses.” How the government chooses to respond to opposition can likewise affect mass support for the regime. Nonetheless, public preferences are often assumed (rather than established) based on wider collective outcomes, such as the relative success of the opposing sides in meeting their objectives.

A series of studies has therefore sought to examine the relationship between human rights abuses and public opinion. Opp and Roehl (1990) show that police repression can indirectly increase individual support for protest among nuclear power opponents in Germany through micro-mobilization processes. Similarly, Anderson et al. (2002) investigate how actual levels of repression increase public perception of human rights abuses, while Davis et al. (2012) demonstrate how international non-governmental organizations (INGOs) supply information that can change the public's evaluations of their government's respect for human rights. Recent studies have also examined the conditions under which individuals support the use of torture (Piazza 2015), and how wartime tactics shape civilians' views of combatants (Condra and Shapiro 2012).

We have learned much from this recent research, yet a few limitations are important to keep in mind. While theory suggests opposition groups and governments both choose among differing tactics, in order to assess the consequences of a given tactic, it is crucial to consider the potential implications of available alternatives. Existing work tends to concentrate on public attitudes toward either a particular type of repression (e.g., torture), or to a particular type of dissent (e.g., violent conflict) in isolation. For example, in Piazza's (2015) important study of the effects of an opposition group's religious identity on public support for torture, all groups are identified as employing violent tactics.

## **2.2 International Law**

Does international law affect public support for human rights abuses? A vast literature has examined the relationship between international law and repression. Recent studies find that joining human rights treaties can lead to improvements in human rights practices (Simmons

2009; Conrad and Ritter 2019), yet these effects depend on mechanisms such as domestic and transnational activism, independent domestic courts, and domestic legislatures (Hill et al. 2013).

Human rights treaties also constrain governments by affecting public opinion. Simmons (2009, 139-144) argues human rights treaties can affect compliance via a public opinion mechanism, whereby mass opposition toward abuses can increase after a treaty is joined, thus facilitating mobilization. Similarly, Sikkink (2011) has argued international law can shape the public's perceptions of which policies are appropriate and included within the state's rightful sovereign powers. Most recently, Conrad and Ritter (2019) argue that human rights treaties change individuals' expectations of how governments will act when faced with mobilized dissent. These insights have spawned a recent wave of research using survey experiments to directly test the relationship between repression, human rights treaties, and public opinion (Chilton 2014, 2015; Chilton and Versteeg 2016). This work joins a broader literature analyzing the relationship between international institutions and public opinion (Chaudoin 2014).

While important progress has been made in recent survey experiments, this work does not systematically interrogate differences either in repression or dissent tactics. Many studies focus solely on wartime scenarios or similar highly violent situations (e.g., Chilton 2014, 2015; Chilton and Versteeg 2016). The key treatment in these experiments is the provision of knowledge that the government violated human rights law. Yet respondents were not informed about varying dissent tactics that may have preceded the government's use of repression. Thus, like many observational studies, existing experimental work does not fully consider the extent to which the effects of international law may depend on the varied tactical choices of both governments and opposition groups.



In addition, existing survey experiments on the effects of international law have mostly been fielded in the United States, leaving open the question of whether results are unique to the U.S. context. Attitudes toward international law can vary depending on factors such as political ideology, the history of a society's interactions with international institutions, and trust in domestic institutions (Wallace 2013, Simmons and Danner 2010). Moreover, support for political violence depends, in part, on individuals' exposure to past violence (Grossman et al. 2015), suggesting that support for abuses in a given society depends, in part, on that society's history of repression and political violence. Given that existing work has been used to inform both theory testing and development, it is valuable to investigate how these phenomena may differ across countries.

### **3. Theoretical Expectations**

Competing concerns can lead individuals to oppose or support government human rights abuses. Individuals are often worried, on the one hand, with issues of safety and security. To some extent, they may believe that human rights abuses are necessary, or at least justified, to safeguard a society from threats. The willingness of individuals to support human rights abuses depends, in part, on those individuals' understanding of *why* their leaders have chosen to act in certain ways, including the events to which the government is reacting. A competing concern is the extent to which individuals value justice and compliance with the law. The hypotheses we develop below are intended to reflect these competing motives, where individuals often need to make difficult trade-offs (Davis and Silver 2004).

#### **3.1 Violence and Non-violence**

We turn first to considering how the tactics used by opposition groups and governments may affect public support for the government. Both government and opposition tactics can vary

along many dimensions. Historical expressions of discontent with the government include actions as varied as food riots, machine breaking, labor strikes, protests, guerrilla warfare, assassinations, and even revolution. Opposition groups who have taken up arms to address their grievances with the government through means of violence, such as the Shining Path in Peru or Renamo in Mozambique, have attracted significant attention. Other movements have instead relied on a more non-violent approach emphasizing peaceful disruption through such varied actions as mass demonstrations, work stoppages, and boycotts, among others (Sharp 1973, 117-119).

Likewise, governments choose from a menu of actions designed to coerce and/or weaken oppositions, which can vary in their degree of violence. These include non-violent repression such as restricting speech, limiting Internet access, and closing media outlets; or more violent repression such as arbitrary arrests, torture, and mass killings.

We focus on the general distinction between non-violent and violent tactics. The overarching choice between violence and non-violence is a key decision that governmental and non-governmental actors face (Chenoweth et al. 2017). The choice of violence or non-violence has been shown to have a tremendous impact on the extent to which actors achieve their goals (DeMeritt 2016), but also has implications for the public's response and evaluation. Drawing on several relevant literatures, we formulate theoretical expectations regarding the main effects of each of three factors – opposition tactics, government repression, and international law – on public opinion. We also consider (a) the ways these factors can condition each other; and (b) why effects may also differ depending on the national context.

Looking first at opposition tactics, a long line of research across several different subfields suggests that violence by non-governmental groups is associated with strengthened

domestic support for the attacked regime. Such violence can activate deep fears in the public for their security, helping the ruling regime rally support to maintain and even consolidate power (Merolla and Zechmeister 2009, 44). In their comparative study of opposition tactics, Chenoweth and Stephan (2011, 45) remark, “A ‘rally around the flag’ effect is more likely to occur when the adversary is confronted with violent resistance than with a disciplined nonviolent campaign that makes its commitment to nonviolent means known.” By contrast, they note that non-violent opposition movements “engaged in civil resistance are more likely to appear as credible negotiating partners than are violent insurgents...” (Chenoweth and Stephan 2011, 11). Beyond immediate security concerns, an alternative mechanism suggests exposure to violence may activate vengeful tendencies within populations, giving their leaders a wider berth when choosing how to respond to opponents (Grossman et al. 2015). While offering potentially distinct rationales, this leads to similar observable implications for our first hypothesis:

*Hypothesis 1 (Opposition Violence):* Violence by an opposition movement increases public support for the government.

Turning to the general relationship between government tactics and public approval, much of the literature on repression suggests that governments can be punished domestically for resorting to violence, even when responding to opposition challenges. When observing their government’s conduct toward an opposition group, individuals may make calculations not only about the consequences for that group, but also for future individual and collective actors, including themselves. While governments often provide important public goods and services, historically the biggest threat to life and liberty for citizens frequently comes from their own rulers (Rummel 1994, 3). Governments, both democratic and autocratic, ultimately rely on some form of consent from their subjects, but this acquiescence is contingent on the perceived fairness

of the government's conduct. Levi (1997, 16) highlights this conditional relationship, remarking that, "When citizens believe government actors promote immoral policies, have ignored their interests, or have actually betrayed them, citizens are unlikely to feel obligated to comply."

The resort to violence may be perceived as inherently illegitimate to domestic masses, especially in democratic systems with a deeper presumption of restraints on using force in domestic affairs (Weart 1998, 90-93). Violent government actions can also make citizens question not only their loyalty to the ruling regime and whether it best serves their interests, but also more fundamentally its ability and willingness to protect them. Mason and Krane (1989, 176) argue, for example, that "as the level of repressive violence escalates and becomes more indiscriminate, the option of remaining uninvolved is eventually precluded because non-elites can no longer assure themselves of immunity from repression by simply remaining politically inert. Under such conditions, they can be induced to support rebel organizations by the promise of protection from indiscriminate violence by the state." Even if segments of the public do not flee into the arms of an opposition movement, violent repression can lead to ambivalence or outright disapproval of the political leadership.

*Hypothesis 2a (Government Violence):* Violent government repression in response to an opposition movement decreases support for the government.

Alongside individuals' overall tendencies to react in certain ways to violence, public evaluations of their leaders may reflect a conditional relationship between opposition and government actions. There are several reasons to expect the public to be more likely to approve of government violence if it comes as a response to opposition violence rather than to opposition non-violence. First, as Chenoweth and Stephan (2011, 68) note, "the broader population's tolerance of government crackdowns may depend on whether the resistance campaign is

nonviolent or violent, as repressing nonviolent campaigns may backfire.” Notable instances of such backlash include the 1976 Soweto Massacre in South Africa, or the early days of the Velvet Revolution in Czechoslovakia in 1989. Second, governments face pressure to respond forcefully to violent oppositions. Publics have often endorsed, and even demanded, their government adopt more coercive policies in response to violence (Rejali 2007, 22-23; Merolla and Zechmeister 2009, 77-86). Finally, both traditional and modern concepts of fairness and justice often favor a reciprocal response to an adversary’s actions. Such ingrained notions of reciprocal justice appear in sources ranging from the Code of Hammurabi<sup>2</sup> and the Old Testament<sup>3</sup> to more recent domestic laws<sup>4</sup> and to a certain extent even in international treaties.<sup>5</sup> This leads to the following hypothesis:

*Hypothesis 2b (Government Violence conditional on Opposition Tactics):* The extent to which government violence decreases public support for the government is larger if the opposition is non-violent.

### **3.2 International Law**

Individuals’ concerns with safety and security may compete with concerns about compliance with law. We turn now to the ways in which international law may affect public support for human rights abuses. Public opinion is a key mechanism by which human rights

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<sup>2</sup> “If a man destroys the eye of another man, they shall destroy his eye. If he breaks another man's bone, they shall break his bone.”

<sup>3</sup> For example, Exodus 21:23-25: “If any harm follows, then you shall give life for life, eye for eye, tooth for tooth, hand for hand, foot for foot, burn for burn, wound for wound, stripe for stripe.”

<sup>4</sup> For example, in the United States, the Proportionality Doctrine, which was described by the Supreme Court in *Enmund v. Florida* (1982), *Solem v. Helm* (1983), and *Tison v. Arizona* (1987).

<sup>5</sup> For example, proportionality is also built into the 1998 Rome Statute of the ICC Article 8(2)(b)(iv).

treaties are thought to affect human rights practices. Over time, international law changes the range of government actions the public perceives as appropriate (Sikkink 2011). As the effects of normative mechanisms may take years to fully transform the public's perceptions, others point in addition to less delayed processes. Simmons (2009, 135-139) has argued that making human rights violations illegal increases popular disapproval of human rights abuses, raises the value individuals place on their rights, and thus facilitates mobilization to end such practices.

Experimental studies show that, under various conditions, international law can shape individual attitudes in important ways (Chaudoin 2014). In particular, research by Wallace (2013) and Chilton (2015) indicates that information about commitments to international human rights law reduces individuals' approval for the use of violent tactics by their governments. This leads to the following hypothesis:

*Hypothesis 3a (International Legal Constraints):* Government violations of international human rights law *decrease* public support for the government.

Against this view of the promise of international legal constraints is an alternative perspective that international law could actually have counterproductive tendencies. The turn to legalization is not always perceived to be an unalloyed good, and can mobilize affected domestic interests in ways that can undermine, rather than further, intended policy outcomes (Goldstein and Martin 2000). Past work on the promotion of universal human rights norms points to the potential for a local backlash against outside edicts seeking to over-regulate what is viewed as appropriately domestic conduct (Hafner-Burton 2013, 153-154). In the face of more legalized obligations, governments may take evasive steps leading to policies more damaging than what would have taken place in the absence of legalization (Búzás forthcoming). Likewise, efforts at

international legalization can result in backlash effects from political elites and the general public (Helfer 2002).

Existing research has yet to fully articulate the specific conditions under which such legal backlashes are more or less likely to occur. Nevertheless, this potential for counteraction might be even more prevalent in national contexts where the public holds negative baseline perceptions of international law, resulting either from the failure of international institutions to address local issues in the past and/or perceptions such institutions are biased. For example, using a survey experiment, Chapman and Chaudoin (2016) find that individuals in Kyrgyzstan who were told the International Criminal Court (ICC) had conducted investigations into violence in their country were less likely to approve of the Court than those who were simply told of a generic situation not involving their own country. Work in political psychology has analyzed how exposure to information correcting or disconfirming preexisting beliefs and preferences can engender a similar “backfire effect,” where individuals hold onto those views even more strongly than they did before (Nyhan and Reifler 2010). Beliefs over what the government should be allowed to do in the face of opposition threats is one such area where citizens may hold extremely strong views. The potential for international law to produce a backlash effect may thus be especially salient precisely in the context of the repression-dissent nexus.

*Hypothesis 3b (International Legal Backlash):* Government violations of international human rights law *increase* public support for the government.

As above, alongside the direct effects of international law, individuals’ reactions to the legality of government actions may be conditioned by the context of the contentious politics in question, including the tactics used by opposition movements and governments. If international law affects public opinion by limiting what individuals consider to be the scope of appropriate

government actions, it may have greater effects when governments act violently. Along similar lines, if and to the extent confirmation bias is at work, international law might have greater effects in contexts in which individuals are already least likely to approve of government actions. Existing work has not developed detailed theories regarding how and why the effects of international law on public opinion might depend on these conditions, nor has existing work tested whether such effects depend on the tactics of repression and dissent. Given space constraints, developing such a theory is beyond the scope of this paper, although we do provide empirical tests of whether these effects are conditional as a step toward future theory-building on this point.

#### 4. **Research Design**

To test this set of hypotheses, we employ a series of survey experiments. This methodology has both advantages and limitations. The main strength of survey experiments in this context is random assignment to treatment. This allows us to compare groups of survey recipients that are similar to each other on average across both observed and unobserved factors. By comparing differences in responses between experimental groups, we can infer with greater certainty the causal effects of opposition tactics, government responses, and international law respectively. One of the key limitations of such designs concerns external validity, i.e., the extent to which the phenomena we observe are generalizable to other contexts. Individuals may react differently when taking a survey than they would when faced with a similar real-world situation. Survey experiments also necessarily reduce complex and often changing social phenomena to a limited set of information, treatments, and outcome items. Nevertheless, the benefits of an experimental approach outweigh the costs in the study of topics like the effects of international law and the repression-dissent nexus given the prevalence of contradictory findings in existing



observational research, as well as obstacles posed by selection effects and issues of strategic interaction (Druckman et al. 2011).

## 5.1 Survey Experiment

All respondents were first presented with an introductory statement providing some background on contentious politics in general. We sought to balance the contending concerns of richer vignettes incorporating details of specific cases versus the desire to engage survey respondents in ways that isolate general public attitudes toward opposition tactics, government responses, and international law (Morton and Williams 2010, 264-265). We did not name a specific opposition group in the main scenario.<sup>6</sup> The full text is provided in Supplemental Information A.

The experimental component of the survey involved randomly assigning respondents to additional information concerning the scenario based on three separate sets of treatments – opposition tactics, government response, and international law. First, respondents were randomly assigned to one of the two statements below.<sup>7</sup>

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<sup>6</sup> In response to a follow-up question, the majority of Israelis unsurprisingly responded that they had believed the opposition group was Palestinian or Arab. Unfortunately, we were unable to ask a similar item in India and Argentina.

<sup>7</sup> This is designed to be a conservative test. Respondents could infer that the protests or strikes conducted by the opposition were violent. If this were the case, it would reduce our ability to detect any difference between the experimental conditions.

1. *Non-violent Opposition:* An opposition group recently began challenging the [country name] government's authority. Members of the opposition group have organized and conducted several protests and worker strikes.
2. *Violent Opposition:* An opposition group recently began challenging the [country name] government's authority. Members of the opposition group have organized and conducted several attacks against civilians and government officials.

Respondents were then randomly provided one of the following two prompts outlining the subsequent actions taken by the government.<sup>8</sup>

1. *Government Non-Violence:* "The government responded with significant restrictions on the media, such as newspapers and television stations, imposing curfews that require people to remain in their homes after dark, and restricting the ability of people to travel within and outside the country."
2. *Government Violence:* "The government responded by arresting without charge, beating, and torturing suspected members of the opposition group."

The vignettes were chosen to reflect representative types of non-violent and violent actions available to governments from the repertoire of repression. The text was designed to be as similar as possible *except* for tactics used in the government's response.<sup>9</sup> There are limits to

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<sup>8</sup> We also included a third set of experimental groups in which respondents were told the government issued a statement condemning the opposition. However, given our theoretical emphasis on the type of government repression, we focus on the non-violent vs. violent distinction in government repression. Results for these additional groups are provided in Supplemental Information J.

<sup>9</sup> One potential concern is that non-violent repression may be viewed by respondents as more indiscriminate than violent repression. To address this, we asked respondents in our Israeli sample who they believed the opposition

this construction, as we cannot capture the effects of alternative ordering or of iterated interactions between both sides. We chose this sequencing for theoretical reasons, as governments are often viewed as responding to opposition-initiated actions (or claim to be doing so). As Kalyvas (2006, 148) remarks in the context of contentious politics and political violence, “Insurgents are almost always the first movers.” In addition, because we are focused on understanding the conditions under which publics are more likely to approve of human rights abuses by governments, we first provide respondents the opposition tactics to which governments respond with such abuses.<sup>10</sup> All that said, varying the sequencing and interactions between incumbents and opponents represents an important area for further research.

Third, respondents in the relevant control condition were given no additional prompt. Respondents in the treatment condition were given the following text:

*International Law:* “The government's actions violated international law. The government had previously signed international treaties that do not allow the use of these actions.”<sup>11</sup>

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group consisted of. The answers to this question did not vary significantly across the experimental groups, suggesting that the inferred extent of (non)discrimination is not biasing the results.

<sup>10</sup> On more practical grounds, varying the order in which government-opposition tactics are presented would effectively double the number of experimental groups, greatly reducing statistical power or requiring a corresponding doubling of sample sizes.

<sup>11</sup> The international law treatment is purposely broad, rather than naming individual institutions. Our aim was to capture the effect of general attitudes toward international law, rather than those with respect to a specific institution. This is especially important because individuals may not have strong prior beliefs with respect to individual

This design choice is similar to that adopted in other survey experiments studying the consequences of international law (e.g., Chilton, 2015).<sup>12</sup> To avoid deception, we chose forms of both non-violent and violent repression that are prohibited under several international legal instruments, such as the International Covenant on Civil and Political Rights (ICCPR). Taken as a whole, the design involves a 2 x 2 x 2 factorial design with a total of 8 experimental groups.<sup>13</sup>

Respondents were asked to answer questions about the government's handling of the situation. The "Approval" item represents the main outcome of interest.<sup>14</sup> To further probe

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institutions and because backlash effects may instead be due to broad negative perceptions of international law and organizations.

<sup>12</sup> One potential concern is that participants may simply be responding to the inclusion of an additional critical frame rather than the international legal content of this prompt. To evaluate this possibility, Chaudoin (2014) also included a placebo group that received a generic critical prompt. However, he found the placebo was not significantly different from the control. In light of these prior findings, as well as to limit the total number of experimental groups in our study, we thus opted for a binary international law treatment.

<sup>13</sup> One additional concern in surveys is the relative attentiveness of respondents to the survey in general and the experimental assignments in particular. We thus incorporated a general "Screener" attentiveness item (Berinsky et al., 2014), as well as series of manipulation checks for each of the three treatments. Across all of these items, respondents demonstrated a high level of attention and correct identification of the treatment conditions to which they were exposed.

<sup>14</sup> As discussed further below, randomization allows us to make more reliable inferences that any differences in approval are caused by the treatments rather than any pre-treatment differences between experimental groups, such as on general support for the government.

possible mechanisms underlying respondents' approval or disapproval of the government, we asked a series of follow-up questions.<sup>15</sup>

1. *Approval*: Do you approve, disapprove, or neither approve nor disapprove of the way the government handled the situation?
2. *Security*: How much do you think the government's handling of the situation will help or hurt the country's security?
3. *Competence*: In the scenario we described earlier, how would you describe the government's competence?
4. *International Reputation*: How much do you think the government's actions will help or hurt the country's reputation in the world?
5. *Morality*: Do you think the way the government handled the situation is, or is not, morally acceptable?
6. *Threat*: How much of a threat do you think the opposition group poses to the government?

## 4.2 Countries

We fielded this survey experiment across three countries – India, Israel, and Argentina. This design allows us to directly evaluate whether or not effects are general, or instead may be contingent on national contexts. On the one hand, finding similar patterns across various countries would offer convincing evidence that more general processes are at work in publics' attitude formation toward repression (Merolla and Zechmeister 2009, 61). On the other hand,

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<sup>15</sup> The sequencing of the follow-up items was randomized to guard against possible order effects. Due to time constraints, we were unable to ask the morality and threat items in the Argentina sample.

establishing the presence of significant cross-national differences is an important step in thinking concertedly about the specific underlying factors that may account for such variation in attitudes toward law and violence.

We chose these countries based on several criteria. First, they are all democratic, and thus levels of public approval of government are likely to be more salient. Second, they have experienced significant non-violent and violent opposition movements, as well as variation in government responses. Respondents are thus more likely to view the conditions as more realistic. Third, while these three countries are similar in the ways described above, differences in terms of their histories of human rights abuses and attitudes toward international law allow us an opportunity to begin to assess how support for human rights abuses may depend on these particular contexts. India was home to a largely non-violent independence movement, but has also been affected by a number of armed insurgencies and ethnic violence. The Indian government has likewise responded in ways both constrained and less restrained when addressing a variety of challenges to its authority. While India has been home to several secondary conflicts, its primary internal conflict has reflected Hindu-Muslim rivalries.

Israel has experienced a series of high-profile violent and non-violent movements. From the First Intifada, which began as a non-violent or low-scale-violence movement to the Second Intifada, which included numerous fatal suicide bombings, to the more recent “Silent Intifada” or “Stabbing Intifada,” Palestinian groups have used a broad range of tactics. While the history of conflict in Israel is certainly complex, it largely centers on a rivalry between Jews and Arabs.

Argentina has likewise experienced a series of violent and non-violent confrontations. During the Dirty War of the 1970s and 1980s, the government infamously conducted wide-scale abuses. For decades, the non-violent Mothers of the Plaza de Mayo held regular demonstrations

to protest these abuses. Yet opposition groups have often also taken to the use of violence, including the guerrilla movements of the 1960s and 1970s and deadly protests during the financial crisis of 2001. Unlike Israel and India, Argentina has not experienced a highly salient decades-long internal ethnic conflict; the most highly publicized human rights abuses in Argentina were not directed at an ethnic out-group.

International law is an especially salient political and social issue in all three countries. Compared to other democracies, India has been somewhat less willing to join international human rights and related institutions. Israel has had an especially contentious relationship with international law and organizations. This include the disproportionately large number of U.N. General Assembly resolutions condemning Israel, and international legal controversies surrounding Israel's settlement policy and the construction of the West Bank Barrier. This history has led to the widespread perception among Israelis that international institutions are biased against their country.<sup>16</sup> Israel is therefore a candidate country for testing whether international law can have a backlash effect. International law has also been especially salient in Argentinean society in recent decades, including as part of the human rights and transitional justice movements that followed the Dirty War. All three countries have joined the ICCPR.

We fielded the Indian survey in March-April 2015. The sample consisted of 796 respondents, aged 18 and over. The survey experiment was conducted online using Amazon

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<sup>16</sup> A common saying in Israel is "Um shmum". "Um" is the acronymic pronunciation of "U.N." in Hebrew, and the "shm" prefix is intended to express disdain or dismissal (e.g., "Joe Shmoe" in American English). The phrase is so commonly used it was quoted by U.N. Secretary-General Kofi Annan in 1998.

Mechanical Turk (mTurk).<sup>17</sup> In the U.S. context, mTurk has been shown to produce comparable results to studies using more representative national samples (Berinsky et al. 2012). Our sample has some important limitations as it may not be representative of the Indian population as a whole, but the results are nonetheless likely to be informative. The India mTurk sample tends to have a higher level of education, a greater interest in politics, and higher levels of political participation than the wider India population.<sup>18</sup> The results from the survey experiment thus offer a window into the attitudes of that segment of the population most likely to be aware of government-opposition relations, as well as more willing and able to hold the government accountable.

We fielded the Israel survey in May 2015. The sample consisted of a nationally representative sample of 1,292 Jewish respondents, aged 18-64. The survey experiment was conducted online using the Midgam Project Web Panel, a private polling company that administers Internet surveys in Israel for both commercial and academic clients.<sup>19</sup> This survey was conducted in Hebrew.

Lastly, we fielded the Argentina survey in November-December 2015. The sample consisted of 1,096 adult respondents, aged 18 and over. The experiment was conducted through

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<sup>17</sup> Participants were paid US\$0.40 for completing the survey. The survey was conducted in English. This follows the standard practice of other studies using mTurk with Indian samples (Bernauer et al., 2014).

<sup>18</sup> Comparison benchmark data comes from recent series of the National Election Studies administered by the Lokniti Research Center, available at <http://www.lokniti.org/national-election-studies>.

<sup>19</sup> For further information, see <http://www.midgampanel.com/research/en/index.asp>.



face-to-face interviews as part of the Argentina Panel Election Study, which surveyed a nationally representative sample of Argentine voters living in cities of 10,000 inhabitants or more (Lupu et al. 2015).<sup>20</sup> This survey was conducted in Spanish. We included a battery of socio-demographic and political attitudes items interspersed both before and after the experimental portion of the survey. Supplemental Information B and D provide additional details about these items and our samples respectively. As expected, randomization ensured that respondents in each experimental group were similar across a range of baseline covariates that are generally associated with individual attitudes toward repression and international law.<sup>21</sup> The balance evident across groups thus gives us greater confidence that any differences in attitudes are due to the treatments rather than other underlying individual factors.

## **5. Analysis**

Our Indian respondents reported the highest overall levels of approval of their government, whereas our Argentine respondents reported the lowest levels of approval. There is little reason for us to believe, however, that this finding reflects any of our experimental treatments; it is more likely due to prior beliefs about the respondents' governments at the times our surveys were fielded. Supplemental Information E provides descriptive statistics.

Turning to the tests of our hypotheses, we begin with an examination of main effects by presenting the results of several difference-of-means tests.<sup>22</sup> Each value reported in Figure 1

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<sup>20</sup> Inclusion of post-stratification weights does not substantially alter the results.

<sup>21</sup> Results of balance tests are provided in Supplemental Information C.

<sup>22</sup> For ease of presentation, we rescaled the values for the approval outcome variable to range between 0 and 1, so that effect sizes indicate first differences in the percentage change in government approval.

represents the first difference in percentage point terms between the opposition treatment (violent) versus control (non-violent) groups. In all three countries, we find consistent support for H1, indicating that individuals are more likely to approve of government repression when opposition groups are violent, all else equal. The estimate of the effect size is largest in Israel (an increase in approval of about 13%) and smallest in Argentina (an increase in approval of about 5%). Given the differences in the historical context of the three countries, the consistency of this finding is especially striking and provides strong support for the notion that non-violent opposition groups enjoy important advantages.

[Figure 1 here]

We test the effects of government repression in each country by comparing levels of government approval among respondents who were told the government responded with violent repression to those who were told the government responded with non-violent repression. As reported in Figure 2, our estimates of this effect are all negative, indicating decreased support for governments that respond violently, although this effect is significant only in Argentina. As noted above, Argentina differs from India and Israel in the sense that, historically, the most notorious human rights abuses in Argentine history have targeted broad sectors of society, especially during the Dirty War. This historical context might explain why our Argentine respondents were sensitive to the use of government violence. In Israel, by contrast, most government violence has historically been targeted at Arabs, whereas respondents in our sample were all Jewish. India is in some ways a more complex case because the country has experienced multiple internal conflicts, although the broad conflict between Hindus and Muslims

is likely the most salient. Our respondents' relative insensitivity to government violence may be due to the fact that only 64 of our respondents in the Indian sample were Muslims.<sup>23</sup>

[Figure 2 here]

Finally, we compared approval levels between respondents who were told their government violated international law to those who were not provided this information. As Figure 3 demonstrates, our results indicate remarkably different effects across countries. In India, respondents who were told their government violated international law were significantly less likely to approve of the government, with an effect size of about 8%. Our estimate of this effect in Argentina, however, is very close to zero. At the other extreme, our estimate of the effect of international law on Israeli respondents is an *increase* in the level of government approval by about 4%. While this effect just fails to meet conventional thresholds of statistical significance ( $p \sim 0.054$ ), it is worth noting.<sup>24</sup> It may be the case that the reactions of our Israeli respondents reflect a backlash against international law, which may be due to the many controversies involving international law in Israel. While this effect may seem relatively unique to the Israeli context, it provides broader support for the possibility of such a backlash effect across other contexts (Helfer 2002). This suggests the need for additional theorizing in future

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<sup>23</sup> The difference between the levels of government approval for Hindu and Muslim respondents is not significant ( $p \sim 0.504$ ).

<sup>24</sup> The p-value of this estimate *is* smaller than 0.05 in some alternative specifications we report in Supplemental Information F and G.

work that specifies the conditions under which international law can reduce versus increase support for human rights abuses.

Our analysis points to modest, though discernable, effects of international law on public attitudes in India and Israel, though the direction depends on national context. The absolute size of the effect is similar to other experimental studies on international law, such as Wallace (2013) (6%) and Chilton (2014) (4%). Although a treatment effect in either direction of 4%-8% is not enormous, such changes can have disproportionate policy implications in situations where public support is relatively divided (Canes-Wrone and Shotts 2004), which is evident to varying degrees in the baseline levels of government approval in both the Indian and Israeli samples.<sup>25</sup> In such situations, changes of even modest size can make it more likely official policy will be responsive to public sentiments (Page and Shapiro 1983), further pointing to the potential substantive implications of the findings.

We also tested our hypotheses using OLS and ordered probit models, which included common socio-demographic covariates. As reported in Supplemental Information F and G, the results of these models are consistent with the difference-of-means tests reported above. We did not find any statistically significant heterogeneous treatment effects conditional on socio-demographic traits (see Supplemental Information H).

[Figure 3 here]

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<sup>25</sup> See Supplemental Information E.

## 5.1 Conditional Effects

We continue our analysis by examining conditional effects. While we found that the effect of government violence is only significant in our Argentina sample, examining whether this effect is conditional on opposition tactics (in any of the samples) requires additional tests. To do so, we first estimated the effects of government violence separately for the individuals who were told the opposition was violent and for those who were told the opposition was non-violent. The results are provided in Figure 4. While we found that, in all three countries, the extent to which government violence reduces support for the government is estimated to be larger when the opposition is non-violent (as Hypothesis 2b suggests), this difference was not significant at the 95% level in any of the countries, so we cannot reject the null hypothesis that the effect of government violence is not conditional on opposition tactics.

[Figure 4 here]

We also examined whether the effects of international law depend on opposition or government tactics. We first separately estimated the effects of the international law treatment in each of the four opposition/government tactics subsamples in each country, as reported in Figure 5. Within each country, none of these effects is significantly different from any other, meaning we cannot reject the null hypothesis that the effect of international is not conditional on opposition or government tactics.

Nonetheless, two of our results, while only suggestive, may be informative to future theory-building. In India, the estimated effect of the international law treatment is negative in all four groups, but is only distinguishable from zero when the opposition is non-violent and the

government responds with violence. This suggests that international law may have reinforced or strengthened underlying notions that the government response was unjust or illegitimate. In Israel, the effect of the international law treatment is also distinguishable from zero in the same group, but importantly in the *opposite* direction. When told the Israeli government responded to non-violence with violence, our respondents were more likely to approve of the government's response when told it violated international law. This appears to be consistent with our hypothesized backlash effect (H3b), i.e., that Israeli respondents may not perceive of international law as legitimate, and thus view the information that the government violated such law as a signal that the leadership must have had an important and justifiable reason to respond as it did. It is also possible that Israelis have a negative perception of non-violent movements given that the initially non-violent First Intifada later turned increasingly violent. We urge caution, however, in interpreting both of these results because the treatment effects in these subsamples, while statistically distinguishable from zero, are not statistically distinguishable from the treatment effects in the other subsamples.

[Figure 5 here]

## **5.2 Causal Mediation Analysis**

The preceding discussion clarifies the conditions under which members of the public support or oppose the use of violence by their governments, but additional analysis can help uncover the possible reasons *why* they may form these evaluations. Individuals are not only concerned with justice and legal compliance, but often also with counterbalancing concerns about protection from threats. Our candidate mediators are the follow-up questions included in our survey, which are intended to probe some of the most likely rationales for our respondents'

responses: security, government competence, international reputation, morality, and opposition threat.<sup>26</sup> Each of these factors may be mediating the effects of the treatments on our main outcome of interest concerning government approval. We use causal mediation analysis (Imai et al. 2011) to assess which of these concerns underlie our results. We conduct this analysis for two treatments – opposition violence and international law – because our results indicated that government violence did not have causal effects in most of the samples.

Due to space constraints, these and other findings are provided in detail in Supplemental Information I. With respect to opposition violence, our results suggest that while the effect was similar in all three countries, the mechanisms underlying it may differ. In both India and Israel, a significant part of why respondents were more likely to support human rights abuses in response to violent oppositions is that they viewed such abuses as (a) necessary for the maintenance of security; (b) the government's morally *correct* response; and (c) indicative the government was competent. In Israel, they also viewed the opposition as a fundamental threat. The finding that morality concerns mediate the treatment effect in the direction of *greater* support for human rights abuses is especially striking given the normative basis for many theories of human rights and public support for their protection.

With respect to the international law treatment, we did not analyze the Argentina sample, where the treatment effect was clearly not significant. In India, concerns about security, competence, reputation, and morality all mediated the negative effect of the international law treatment. In Israel, however, none of these variables was a significant causal mediator,

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<sup>26</sup> As noted earlier, the morality and threat follow-up questions were not included in the Argentina survey due to time constraints.

suggesting that these issues do not underlie the apparent backlash effect we observe in our Israel sample. The combined results thus point to the importance of testing theories of international law and the repression-dissent nexus across multiple national contexts, because not only can treatment effects differ but also the underlying factors mediating those effects.

## **6. Conclusions**

This paper has sought to shed light on the relationship between human rights abuses and public opinion. This relationship is clearly a complex one, and our research design has attempted to account for some of the possible dimensions that make the systematic analysis of such relationships difficult. Specifically, our design allows us to understand when publics are more or less likely to oppose or condone human rights abuses while taking into account differences in national contexts, opposition tactics, government repressive tactics, and information about international legal commitments.

Read together, our findings suggest that concerns about protection from violent opposition groups may be more consistently important for individuals, irrespective of national context, than concerns about the appropriateness or legality of human rights abuses. In all three countries, when opposition groups are violent, this leads to significant increases in support for human rights abuses. That this result replicates in all three samples suggests it may have strong external validity. Our causal mediation analysis suggests that, at least in Israel and India, part of the reason for this is a concern with government competence. In addition, while morality seemed to have played a role as well, the direction of the effect suggests respondents may have considered it a moral imperative for the government to respond to violence with human rights abuses. This is a troubling and striking result given the extent to which both human rights



scholarship and advocacy focus on the immorality of such abuses; in some contexts, individuals may view the government's moral duty as being to conduct, rather than refrain from, such abuses. Normative concerns do not inherently restrain repressive conduct, but can actually be used to justify more aggressive policies (Kertzer et al. 2014).

By contrast, we find weaker support for the notion that concerns about legality reduce support for human rights abuses. While theory suggests that international human rights law works, at least in part, by generally reducing public support for abuses, we find that support for this proposition depends on the national context. Information about international law had this effect on respondents in our India survey, yet in Israel it likely had the opposite effect. These findings suggest that theories about the relationship between international law and public opinion may benefit from refinement, focusing on the conditions under which a backlash versus restraining effect may be more, or less, likely to occur.

Our results offer several additional implications. First, our findings are consistent with arguments made by Chenoweth and Stephan (2011) and others about the tactical advantages of non-violent oppositions. While their study provides observational data to indicate that such movements are more likely to be successful, they do not directly test whether this may be due in part to effects on individual attitudes. Our results complement their research by showing that individuals are less likely to approve of government repression when an opposition movement is non-violent. Our results indicate that a public opinion constraint on the government may be an important advantage of groups that pursue these types of tactics.

In turn, our findings indirectly point to the importance of framing. We presented our respondents with short, simple descriptions of the tactics used by the opposition movements and governments. In real-world situations, individuals receive this information from many, often

biased, sources. Governments often attempt to provoke non-violent protesters to use violence; our results suggest that, when governments succeed in doing so, the public may allow the government more leeway to strike back. Likewise, when confronted with large-scale peaceful demonstrations, governments often engage in an anti-human-rights discourse and attempt to frame the opposition as “terrorists” in order to justify repression. Such strategies of framing a situation as one of maintaining security do not necessarily work, yet our results indicate that individuals have these concerns in mind when evaluating government abuses. The more control such governments have over information, the better they may be able to frame such conflicts and manipulate public opinion in their favor accordingly.

This paper offers a number of avenues for further inquiry. Our findings point to some similarities in attitudes, such as towards opposition violence, but also important differences, especially around international law, between the publics in the three countries surveyed. While we point to promising candidate factors to explain this, such as past interactions with international institutions, future research could work to more systematically unpack which institutional, cultural, political, or other elements may help to account for cross-national differences in opinion formation surrounding law and violence. Second, in future work, we hope to allow for changes in tactics as the scenario unfolds. Tactical choices are not made in isolation from other actors, or expectations of how mass audiences will react. Finally, while our existing work has focused on international legal violations by governments, recent work suggests that opposition groups, especially organized rebellions, may strategically choose to comply with the laws of war to gain legitimacy (Jo 2015). Future experiments could examine how non-state actor commitments affect public approval of such groups.

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## Figures and Tables

Figure 1: Change in Government Approval – Opposition Violence

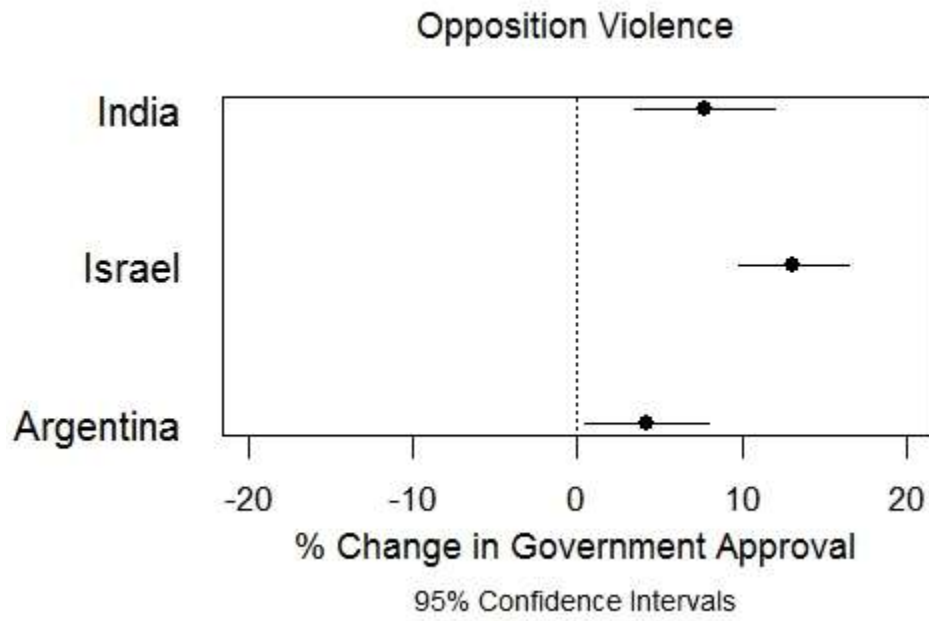




Figure 2: Change in Government Approval – Government Violence

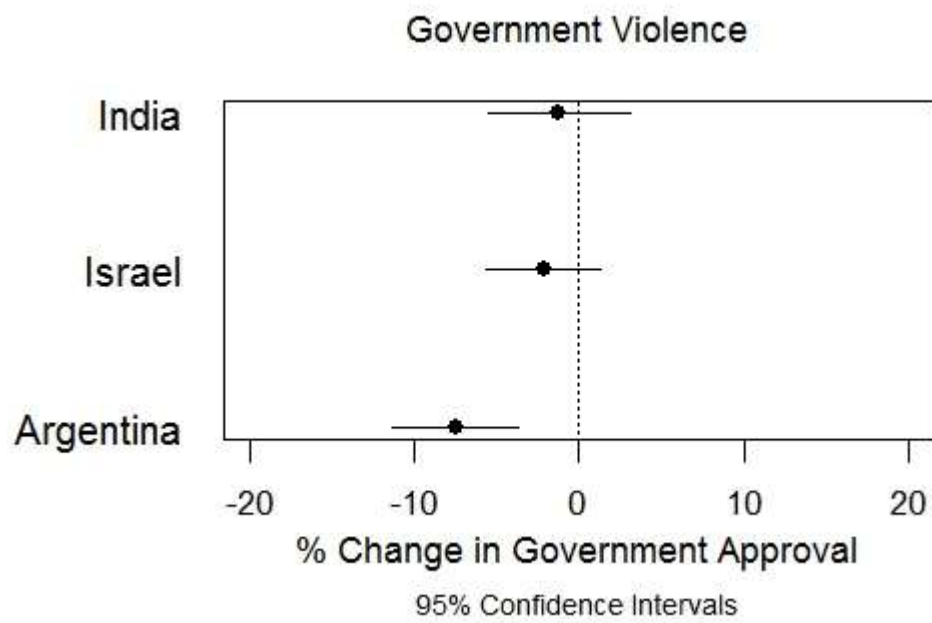


Figure 3: Change in Government Approval – International Law

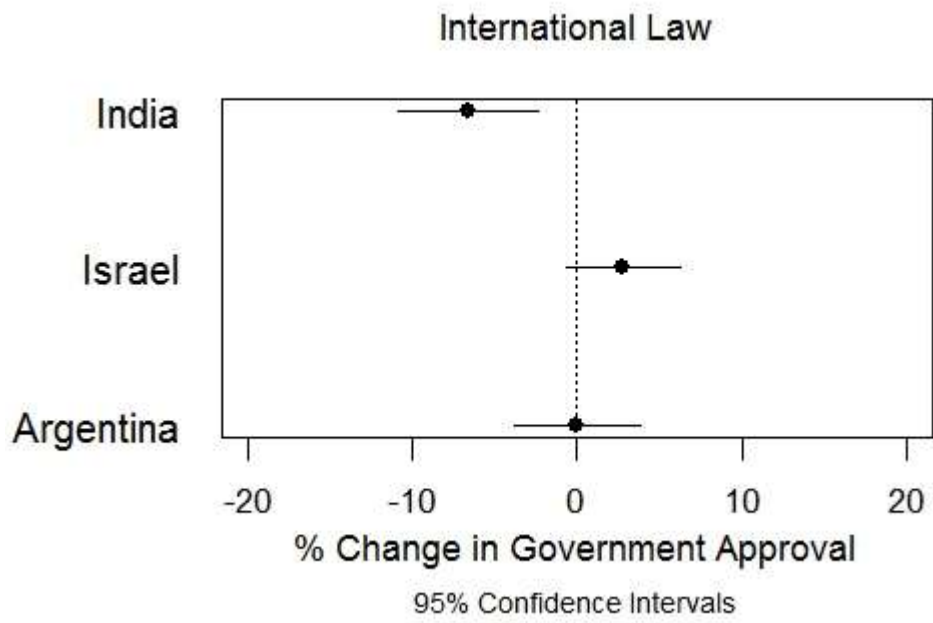


Figure 4: Tests of Conditional Effects of Government Violence

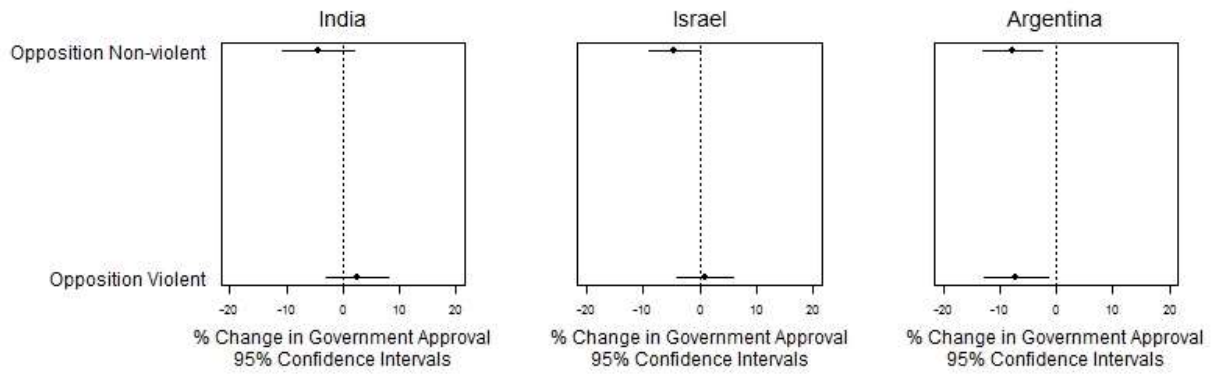


Figure 5: Tests of Conditional Effects of International Law

