



Does counterterrorist legislation hurt human rights practices? A longitudinal cross-national analysis



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ABSTRACT

In the aftermath of the 9/11 terrorist attacks, many countries have passed new counterterrorist legislation. One of the common assumptions about such legislation is that it comes with a price: a compromise to practices of human rights. Previous research, looking at a wide range of case studies, suggested that this is indeed the case and that counterterrorist legislation often leads to subsequent repression. However, no large-scale cross-national study has yet assessed this relationship. Relying on a newly assembled database on nation-level counterterrorist legislation for the years 1981–2009, we conduct a cross-national time series analysis of legislation and repression. Our analyses find little evidence for a significant relationships between national counterterrorist legislation and various measures of core human rights in most countries. However, while legislation does not affect repression of physical integrity rights in countries with low and high levels of repression, it is associated with greater state repression in countries with intermediate scores of repression.

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1. Introduction

Following the 9/11 terrorist attacks, scholars have increasingly engaged in a debate over the tension between states' counterterrorist measures and their respect for human rights principles (Shor, 2010). This debate has its roots already in the classic writings of thinkers such as Thomas Hobbes and Nicolo Machiavelli, who argued that individuals must be willing to surrender certain powers and rights so that states can provide them with better personal security. During the second half of the twentieth century, with the ascendance of modern terrorism in liberal democracies (mainly in Europe), sociologists and political scientists have begun writing on the tradeoff between counterterrorist policies and human rights (Charters, 1994; Crenshaw, 1983, 2001; Hewitt, 1984; Wilkinson, 2001). The aftermath of 9/11 brought with it an influx of new writings, largely focusing on the global war on terrorism and its perceived endangerment of what some human rights scholars have named the international human rights regime (Donnelly, 1989, 1999).

The current article focuses on one of the major counterterrorist policies, examining whether counterterrorist legislation is associated with greater violation of human rights. Previous empirical evidence, coming from a wide range of case studies in various locales, suggests that the answer to this question may be affirmative and that counterterrorist legislation often leads to subsequent repression. However, no cross-national study has yet assessed this relationship systematically. Using a newly

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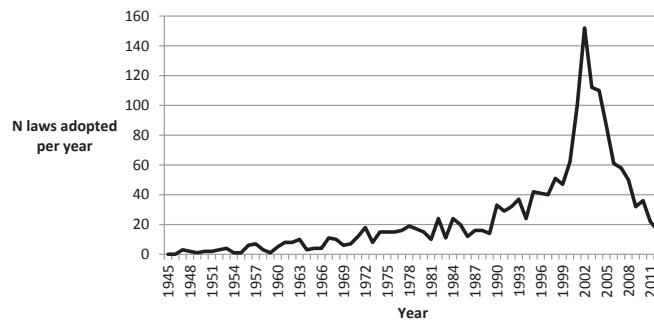


Fig. 1. Global trends in counterterrorist legislation, 1945–2012.

assembled exhaustive database on nation-level counterterrorist legislation, we therefore put to a systematic empirical test the common assumption that such legislation is harmful for core physical integrity human rights.

Our analysis corresponds with the growing sociological literature that examines the relationship between statements and declarations on the one hand and actual repression of human rights on the other. Some scholars have suggested that countries, in particular following 9/11, are happy to use the terrorist threat as an excuse to adopt legislation that assists them in increasing state control, surveillance over citizens, and repression of oppositional elements. This legislation, they argue, is tightly connected to repressive measures, including repression of core human rights, using practices such as extrajudicial killings, imprisonment without trial, and torture. Others, however, have pointed out that countries often fail to follow their statements and commitments, even when such commitments are institutionalized through formal legislation or through the ratification of international conventions (Hafner-Burton and Tsutsui, 2005, 2007; Keck and Sikkink, 1998; Lutz and Sikkink, 2000; Shor, 2008a). In this article, we put these competing approaches to an empirical test. That is, we seek to find out whether there is a decoupling between the adoption of legislation that includes potential repressive elements and actual practices of repression.

1.1. Counterterrorist legislation before and after 9/11

As early as the 18th Century (and perhaps even before that), countries have begun passing counterterrorist laws. Main legislators included Germany, France, the United Kingdom, and their colonies (e.g. India, Congo, Mozambique, and Bangladesh), but also some South American countries, such as Argentina and Chile. While the term “terrorism” itself did not appear in much of this early legislation, the measures and provisions that these laws entailed were largely directed at acts that today many scholars would define as terrorism. During the first half of the 20th century, national laws increasingly included the term terrorism itself, partly because the political advantages arising from declaring a law as a counterterrorist one became increasingly clear. Many countries around the world joined the growing trend, including Japan, Turkey, Thailand, Italy, Kenya, New Zealand, Austria, Switzerland, and Pakistan. This growth in counterterrorist legislation persisted during the second half of the 20th Century. The number of laws and legislating countries increased substantially and legislation became one of the main ways in which countries responded to domestic insurgency (Alexander, 2002; Chalk, 1996; Ramraj et al., 2005).

The attacks of September 11, 2001 marked a significant milestone in the global counterterrorist landscape, spurring a new wave of counterterrorist legislation. Three weeks after the attacks, on September 28, the United Nations Security Council passed Resolution 1373, binding all UN member states. The resolution states that all member countries should adopt measures to fight local and global terrorist threats. The Security Council further called member states to incorporate these measures into national laws by ratifying the international conventions on terrorism and ensuring the criminalization of terrorist offenses in domestic laws (United Nations Security Council, 2001).

In October 2001, less than two months after the September 11 terrorist attacks, the United States adopted the “Patriot Act”, a comprehensive piece of legislation that included increased powers to state authorities and courts, limitations on immigration, and other measures declared as necessary to fight terrorism in the new millennium. In addition, the US began applying pressures on its allies to act against terrorists, and demanded that various countries adopt new legislation or amend former laws. Indeed, The Patriot Act became just one of many counterterrorist laws passed around the world following the terrorist attacks of September 11. Fig. 1 presents the global time trends in counterterrorist legislation since 1850, demonstrating the sharp increase in legislation in the first decade of the twenty first century.¹

1.2. Theoretical framework and research hypotheses

The influx of counterterrorist legislation at the wake of the September 11, 2001 attacks has prompted many to examine the potential deleterious consequences of counterterrorist legislation. While most scholars argue that counterterrorist legislation

¹ The figure is based on the counterterrorist legislation data (Shor, 2011), updated to 2014. See further details on this dataset in the Data and Measurements section below.

is closely associated with greater repression of human rights, others have been more skeptical about this idea, suggesting that legislation is often largely declarative, and therefore may not have a significant effect on actual policies. Below we survey these two approaches, and subsequently present a more refined approach, taking into account the potential disaggregation of counterterrorist legislation and repressive behaviors across space and time.

1.2.1. Why legislation should matter?

Scholars who believe that counterterrorist legislation has a harmful effect on human rights practices can be divided into two main camps, according to the main explanation they offer for this effect. First, in particular in the wake of the 9/11 attacks, many have highlighted the delicate balance between security and rights. In this equation, legislation designed to assist states in fighting terrorism and securing the safety of their citizens often comes at the expense of maintaining important human rights. Indeed, some scholars have argued for a zero sum game, where counterterrorist legislation, even in liberal democracies, stands in opposition to human rights (Fitzpatrick, 2003; Scheppele, 2007, 2010; Shafir et al., 2007). However, while some scholars see this tradeoff as harmful for both human rights and security, and therefore unnecessary (Brysk, 2007; Charters, 1994; Donohue, 2008; Forsythe, 2007), others argue that at least some degree of violations is a necessary “lesser evil” (Dershowitz, 2002; Ignatieff, 2002, 2004).

The second theoretical approach that highlights the potential harmful effects of counterterrorist measures in general, and legislation in particular, is more cynical. According to Foucault's (1991) theory of governmentality, governments continuously seek means to control populations, and in particular political dissidents, through various repressive measures of “disciplining.” In this view, perceived terrorist threats and the counterterrorist legislation that might follow are often just an excuse for governments to adopt repressive measures designed primarily to increase state control. Other scholars have expanded this line of thinking and used it to examine state repression in particular locales. Ron (1997, 2000), for example, adopted Foucault's ideas to the study of state repression and torture in Israel, noting the link between the Israeli legal system and the repressive acts of the Israeli security forces. Brooks and Manza's (2013) study on public opinion and counterterrorist policies in the United States found a similar relationship between US counterterrorist legislation following 9/11 and various repressive measures, including torture and targeted assassinations. Brooks and Manza note that real or perceived terrorist threats increase public support for some abusive policies (also see Ben-Nun Bloom et al., 2014). These threats legitimize repressive legislation even when the relationship between the laws and the actual fight against terrorism is questionable. Thus, counterterrorist legislation provides governments with the tools they need to justify anti-democratic and repressive policies and practices.

Whether it is due to the price of achieving greater security or to a cynical adoption of legislation for increasing state control, a wide-range of empirical case studies seems to support the notion that counterterrorist legislation is indeed harmful to states' respect for human rights. Most of these studies have looked at Western countries, focusing mainly on post-9/11 legislation. In North America, many scholars have looked at the United States, arguing that the Patriot Act and subsequent counterterrorist laws have been harmful to the US respect for core human rights such as the rights to be free from torture and extrajudicial killings (Falk, 2007; Forsythe, 2007; Golder and Williams, 2006; Scheppele, 2004a). Similarly, Adelman (2007) criticizes the Canadian government for adopting excessive counterterrorist legislation after 9/11, which breached “absolute rights” in favor of security concerns, despite a very low level of risk.

Other studies in Western countries have looked at the cases of the UK, Spain, Italy, Germany, France, Australia, New Zealand, and Japan (Elliot, 2009; Fenwick, 2002; Fenwick and Phillipson, 2005; Fenwick, 2005; Golder and Williams, 2006; Haubrich, 2003; Head, 2002; Oehmichen, 2009; Scheppele, 2004b). They concluded that, to various degrees, counterterrorist legislation has been harmful to states' respect for core human rights. Similarly, studies in the developing world have mostly reported reduced respect for human rights principles following counterterrorist legislation in countries such as Turkey, India, China, Indonesia, South Africa, Morocco, and Kenya (Clarke, 2010; Kalhan et al., 2006; Kumar 2005; Whitaker, 2007).

The theoretical arguments and case studies presented above lead to the prediction that, as a rule, counterterrorist legislation will be associated with a subsequent increase in the repression of core human rights. Furthermore, there is reason to believe that legislation may be deleterious not only to human rights as a whole but also to specific rights. Various studies, for example, report an association between counterterrorist legislation and increased practices of political assassinations, political imprisonment, and torture in countries such as China, India, Indonesia, South Africa, and the United States (Clarke, 2010; Falk, 2007; Kalhan et al., 2006; Shafir, 2007a; Whitaker, 2007). Other scholars have also associated counterterrorist measures, including legislation, with state-initiated “disappearances” of political dissidents and other citizens in places like Argentina and other South American countries (Keck and Sikkink, 1998; Risse et al., 1999; Sikkink and Booth Walling, 2006). This literature leads to the following hypothesis:

H1a. Counterterrorist legislation will be associated with more overall repression of core human rights, as well as with increased repression of specific rights

1.2.2. Why legislation might not matter?

Those who believe that counterterrorist legislation may not be closely associated with human rights practices can also be divided into two main camps. First, some scholars of terrorism and counterterrorism believe that there is no inherent contradiction between counterterrorist legislation and basic human rights. In fact, they suggest that legislation may actually serve to enhance and preserve these rights. This is either because terrorism itself threatens the very existence of many rights (Biggio, 2002),

or because security can be achieved without the need to violate important individual rights and freedoms (Golder and Williams, 2006). In this view, when crafted with sufficient care, counterterrorist legislation should not interfere with states' respect for core human rights, especially in countries that traditionally care deeply about such rights (i.e. Western democracies).

The traditions of neo-institutionalism in sociology and constructivism in international relations theory offer another explanation for a potential disjuncture between counterterrorist legislation and state repression of human rights. Neo-institutionalists argue for a frequent decoupling between what organizations (including states) say and declare and what they actually do. They have shown that states are especially likely to emulate behaviors and structural components from their environment (that is, from other states) when facing complex situations involving a high degree of uncertainty (DiMaggio and Powell, 1983, 1991; Meyer and Rowan, 1977; Meyer and Scott, 1992). When confronted with such uncertainty, states are likely to adopt measures commonly used by other states, leading to a process of behavioral convergence. These measures may be adopted even when it is not clear whether they can actually achieve practical results, simply because "something must be done." Indeed, former research shows that countries often adopt counterterrorist legislation regardless of actual terrorist threats, mainly because other countries have previously adopted similar laws (Shor, 2013).

In this view, countries may often adopt counterterrorist legislation not because it is necessary to fight actual terrorist threats, but rather as a form of window dressing and in compliance with the demands of the international community. Laws in many cases are no more than a declarative statement with no real consequences to state practices. In the field of human rights research, studies have shown a frequent disconnect between the adoption of humanitarian legislation and actions on the ground (Risse et al., 1999; Shor, 2008a). Hafner-Burton and Tsutsui (2005), for example, demonstrated that governments' ratification of human rights treaties is often decoupled from human rights practices and at times even leads to a paradoxical exacerbation of repressive policies (at least in the initial period after adoption). We suggest that such decoupling may also occur in the other direction: the adoption of legislation that appears to be repressive in nature may be decoupled from actual repressive practices or perhaps even followed by an improvement in human rights practices. This is because countries that wish to repress human rights do not really need legislation in order to do that. In fact, legislation may sometimes be counterproductive to these goals, as it draws the attention of the international community and human rights activists to the country and highlights actual ongoing repressive practices, thus increasing the risk of international pressures and sanctions.

By this account, counterterrorist legislation may therefore be no more than an empty declaration, designed to send the message that the state is indeed doing something to fight real or potential terrorist threats. Regardless of whether this declaration is directed primarily toward other powerful nations and the international community (such as in the case of many countries following 9/11 and Resolution 1373 of the UN Security Council) or toward local constituencies, it may consequently carry little influence over policies on the ground. If that is the case, we may expect legislation to have very minor effects on both the actual fight against terrorism and the respect for human rights principles.

This view finds limited support in empirical research and case studies. While the large majority of studies associate counterterrorist legislation with an increase in subsequent state repression, Alonso and Reinales (2005) provide a counterexample from the Spanish case. They argue that over the years counterterrorist legislation, despite its harmful potential, did not in fact harm human rights in Spain. Whitaker (2007), who studied counterterrorist legislation in a few developing nations, rightfully observes that states often do not require formal legislation to take advantage of regional or global climates that support or allow human rights abuse, such as the "war on terror" in the new millennium. Indeed, leaders in Russia, Egypt, Malaysia, Syria, Uganda and elsewhere have justified crackdowns on political opponents with the rhetoric of fighting against terrorism, without feeling the need for passing intricate legislation to do that. Following this logic, we might question the actual effects of counterterrorist legislation on states' repressive practices thus:

H1b. Counterterrorist legislation will not be associated with the repression of human rights

1.2.3. Refining and disaggregating the relationship between legislation and repression across space and time

In reviewing the literature on political repression, both Davenport (2007) and Earl (2011) highlight the importance of disaggregating repressive behavior across space and time. Indeed, it is important to recognize that both state repression and counterterrorist legislation may not operate in the same way in various locales and across different time periods.

1.2.3.1. Differences between states with lower and higher levels of repression. First, we should consider the option that counterterrorist legislation operates differently in countries that are habitually more prone to repress human rights and in those that are less inclined to use repression regularly. Specifically, legislation may have no effect on repression in countries with very low levels of repression (such as Sweden or Canada), because political, military, and police leaders in these countries prefer to avoid repression of core human rights and will refrain from repression even when given the opportunity. In addition, governments in these countries tend to suffer from a low level of oppositional threat to violently subvert the regime, and thus do not see the need to heavily repress oppositional elements (an act which might in fact be counterproductive for political survival). Conversely, in countries with a medium to high level of repression to begin with, counterterrorist legislation is more likely to serve as an excuse for further exacerbating repression, as both ideological/cultural willingness to repress and the levels of internal threat are likely higher.

H2. Counterterrorist legislation will not be associated with the repression of human rights in countries with low levels of repression, but will be associated with more repression in countries with medium to high levels of repression

1.2.3.2. Differences by levels of democracy and development. Economic development and democracy are two potential factors that may affect both the form and content of legislation and its consequences. In terms of economic development, anecdotal evidence suggests that counterterrorist legislation in developing countries may take a different path and lead to more severe repression. Kalhan et al. (2006), for example, conducted a thorough review of Indian counterterrorist legislation over the years. They argue that it has led to serious violations of various rights, including torture, extrajudicial killings, and the violations of various freedoms. Similarly, Clarke's (2010) review of counterterrorist legislation in China suggests that it has led to a severe erosion in the standards of human rights protection and was used to criminalize dissent and imprison or even kill political dissenters. Similar effects have been reported for other developing countries, including Turkey, South Africa, Sri Lanka, and Indonesia (Whitaker, 2007).

Democracy may also be an important factor in determining the shape and consequences of legislation. According to Whitaker (2007), authoritarian regimes, such as Morocco, Jordan, Uganda and Cuba, have been more likely to pass speedy legislation, with minimal public and parliamentary debate, and this legislation has often served to justify serious violations of human rights and suppress political opposition. More democratic regimes, on the other hand, have demonstrated greater reluctance to pass anti-terrorist laws that might limit individual rights. This is true for well-established liberal democracies (although some of these still passed quick counterterrorist laws after 9/11), but also for less established ones, such as the Philippines, South Korea, and South Africa, where legislation has been passed only following extensive debate and controversy, which often served to soften potential repressive elements in the law.

H3. The relationship between counterterrorist legislation and repression will be stronger in developing countries and in less-democratic regimes

1.2.3.3. Differences between time periods. Finally, historical changes and events may bring with them changes in both countries' general respect for human rights and the relationship between legislation and state repression. We propose a theoretical distinction between three time periods: (1) pre-1990, the Cold War period, in which human rights violations were relatively more common; (2) 1990 to 2000, the post-Cold War period, in which scholars talk about an emergence of human rights ideas, in what some have named "the global human rights regime" (Donnelly, 1999); and (3) the post-9/11 era, which some refer to as the "global war on terror" or the "global counterterrorist regime" era, where respect for basic human rights norms seems to have declined (Okudzeto, 2007; Shafir, 2007b). Each of these periods was characterized by a distinct global atmosphere regarding both respect for human rights (which improved substantially in the 1990s but was somewhat brushed aside after 9/11) and counterterrorist legislation (which grew substantially throughout these years). Thus, counterterrorist legislation may have had a relatively stronger effect on repression during the Cold War era and prior to the emergence of a global human rights regime. In the post-Cold War era this effect may have weakened, because the global human rights regime deterred some countries from severe repression. Finally, we expect legislation to exhibit the strongest effect after 9/11, because many countries now use it as an excuse to engage in repressive policies, and repressive legislation in the name of fighting security threats has become a legitimate and even required practice.

H4. There will be a positive relationship between counterterrorist legislation and repression in the Cold War era and in the post-9/11 era, but no relationship during the last decade of the twentieth century (the post-Cold War era)

2. Data and Measurements

Table 1 summarizes the variables examined in the study. The table includes data on the measurements of variables, on data sources, on the years for which data was available, on the number of countries for which data was available, and on key descriptive statistics.

2.1. Dependent variables: state repression

Data for the dependent variable—state repression of physical human rights—was obtained for the years 1981–2013 from the Cingranelli–Richards (CIRI) dataset (Cingranelli and Richards, 2010). CIRI information relies both on the annual US Department of State's country reports on human rights practices, and on Amnesty International's annual reports. CIRI has the advantages of being updated annually and containing data on specific (rather than just aggregated) state practices.² In order to make the interpretation of the results more intuitive (where a higher rank means more repression), the original CIRI measures are reversed.³ We examine the repression of four physical integrity rights (Extrajudicial Killings, Disappearances, Torture, and Political Imprisonment), as well as the combined scale of all four. Table 1 provides additional details about each of these items.

² Statistical analyses using alternative aggregated measures of state repression, such as the Political Terror Scale (PTS) (which also relies on the reports of US State Department and Amnesty International) produced similar results. They are available from the authors upon request.

³ In the original Cingranelli–Richards 9-point scale, a score of 0 on the cumulative scale represents no respect for physical integrity rights, while a score of 8 represents high respect. We reversed this scale so that a score of 0 represents low levels of repression while a score of 8 represents high repression levels. Similarly, each of the four distinct measures of repression was recoded, so that 0 represents no repression and 2 represents severe repression.

Table 1
Descriptive Statistics of study variables.

Variables	Variable description	Source	Mean	Std. dev.	Min	Max
Dependent						
Repression of physical rights Scale (high = 8)	A composite additive index of physical integrity rights (torture, killings, imprisonment, and disappearances)	Cingranelli and Richards (2010)	3.09	2.34	0	8
Extrajudicial killings (high = 2)	Government killings without due process of law	Cingranelli and Richards (2010)	0.68	0.76	0	2
Disappearance (high = 2)	People disappeared and not found (obvious political motivation)	Cingranelli and Richards (2010)	0.33	0.64	0	2
Imprisonment (high = 2)	Political Incarceration due to speech, non-violent practices, or membership in a group	Cingranelli and Richards (2010)	0.87	0.84	0	2
Torture (high = 2)	Purposeful inflicting of extreme pain by government officials	Cingranelli and Richards (2010)	1.22	0.75	0	2
Independent						
Counterterrorist legislation (yes = 1)	Whether or not a country passed a law focusing on terrorism during a given year	Shor (2011)	0.24	0.15	0	1
Number of terrorist incidents (ln)	Natural log of the number of attacks by non-state political actors against non-combatants	Global terrorism database (2013) ^b	−7.18	6.33	−11.51	7.27
Terror events in neighbor states (ln)	Natural log of yearly number of cases	Global terrorism database (2013)	3.64	1.88	−11.51	7.20
Internal dissent (ln)	A composite additive index of the number of strikes, riots, revolutions, and demonstrations in a given year	Banks (2008)	−7.32	5.84	−11.51	4.44
Regime instability (unstable = 1)	A dichotomous measure, where unstable regimes are defined as those that retained power for less than 5 years or are about to be replaced within 2 years	Polity IV (2014)	0.68	0.47	0	1
Civil war	Magnitude score of episode(s) of civil warfare involving the state (1 = lowest; 10 = highest; 0 = no episodes)	Peace research institute Oslo (2014)	0.23	1.00	0	7
International war	Magnitude score of episode(s) of international warfare involving the state (1 = lowest; 10 = highest; 0 = no episodes)	MID3: Ghosn and Bennett (2005)	0.75	0.59	0	9
Globalization index	A combined index of economic, social, and political globalization	Dreher (2006)	45.49	17.75	11.92	92.72
Avg. repression in neighbor states	Average repression in countries that share a border with the core country	Cingranelli and Richards (2010)	3.10	1.45	0	6.75
Democracy	General openness of political institutions	Polity IV (2014)	0.47	7.46	−10	10
Muslim (Muslim = 1)	Countries with more than 50% of the population Muslim	World bank (2015)	0.25	0.43	0	1
Commonwealth (yes = 1)	Part of the Commonwealth of Nations	Wikipedia (2015)	0.25	0.43	0	1
Population, Total (ln)	Natural log of a country's population in a given year	World bank (2015)	14.92	2.31	8.72	21.03
GDP per Capita (ln)	Natural log of gross domestic product per capita in constant 2000 US dollars	World bank (2015)	7.70	1.65	3.94	12.11

^a Number of countries (including political entities that no longer exist, such as the USSR) for which data was available for at least one country year. Actual analyses were conducted for a smaller number of nations (see Appendix 1).

^b The Global Terrorism Database (START National Consortium for the Study of Terrorism and Responses to Terrorism, 2013).

2.2. Independent variables

2.2.1. Counterterrorist legislation

The focal independent variable is counterterrorist legislation. To measure it we use data from the newly released Counterterrorism Legislation Database (CLD) (Shor, 2011), updated to 2014. The CLD was compiled using a wide variety of sources, including electronic databases, edited volumes, peer-reviewed publications, and internet websites. It covers nearly 2000 laws in 219 countries and territories between the years 1798–2014. The CLD defines counterterrorist legislation as any country-level act that was reported by at least one data source as a counterterrorist or anti-terrorist law. However, such an inclusive definition may be problematic, as the various data sources that were surveyed in constructing the CLD have often used differential criteria of reporting. This creates a potential problem of data reliability, where very similar types of legislation were considered as counterterrorist in some databases and for some countries, but not in others.

Attempting to minimize this selective reporting problem, we follow the recommendation to use a more restrictive definition of counterterrorist legislation (Shor, 2011). The analysis therefore includes only laws for which the CLD makes it clear that the focus of the legislation is on counterterrorist measures (based on a content analysis of each law in the database). Thus, for example, the Albanian 2000 Law on the Prevention of Money Laundering (Law No. 8610) is excluded from the present analysis because it only includes some sections related to terrorism. Conversely, the Austrian 1971 Law Prohibiting the Bringing of Dangerous Objects into Civil Aircrafts is included because it focuses directly on terrorist acts. Such laws (those focusing directly on terrorism) are more likely to be mentioned, regardless of the level of selectivity adopted by the original

data source surveyed. Thus, focusing only on these laws substantially enhances the standardization of this measure and its reliability.⁴

The present analysis examines the effect of adopting at least one counterterrorist law during a given year. The assumption underlying this choice is that if a country adopts multiple laws during the same year this does not necessarily mean that it has more counterterrorist legislation than a country adopting only one law. Therefore, we present analyses in which we collapsed country-year counts of counterterrorist legislation into a binary measure.⁵ To help increase sample size and generalizability, we chose to include in the analyses all countries for which data were available rather than only those countries for which data on counterterrorist legislation was of higher quality (according to the CLD). This choice was supported by a comparison between models that included all countries and those that included only the countries with high quality of information, showing no major differences in the results.

2.2.2. Control variables

We follow previous research efforts in this field and control for a number of variables that were consistently shown to matter in predicting countries' level of repression (Dreher et al., 2010; Dreher et al., 2012; Piazza and Walsh, 2009; Poe and Tate, 1994; Poe et al., 1999; Shor, 2008a, 2008b). First, and most important in the context of the present analysis, we look at **terrorism** itself. Following a growing consensus among social science scholars, we define terrorism here as *the strategic use of violence by non-state political actors against non-combatants for symbolic purposes, usually with the intention of influencing policies*. In order to adhere most closely to this definition, our measure of terrorism excludes events in which the main target of the attack was security personnel or armed forces (which, according to many, may be defined as guerilla attacks).⁶

We use the logged⁷ number of terrorist events in a given country-year,⁸ constructed from the recently-released Global Terrorism Database (GTD) (START National Consortium for the Study of Terrorism and Responses to Terrorism, 2013). The GTD includes data on close to 100,000 domestic and international terrorist events around the world since 1970. In an attempt to capture not only actual levels of terrorism, but also the level of terrorist threats, we also include in all models a measure of the number of terror attacks in neighbor states. This measure accounts for the plausible proposition that countries may react with repression to terrorist acts in neighboring countries, seeking to prevent terrorists and ideologies from crossing borders. Following previous studies, we expect terrorism to increase state repression of various physical rights (Dreher et al., 2010; Piazza and Walsh, 2009; Robison, 2006).

We also control for a range of other variables related to internal pressures, violence, and instability. These include (1) *internal dissent*, which is a log of the combined measure of the number of strikes, riots, revolutions, and demonstrations in a given year; (2) *regime instability*⁹; (3) the severity of a *civil war*; and (4) the severity of *international conflicts*. Following the previous literature, we predict that all these measures will increase state repression of physical integrity rights because they create a sense of instability and threaten regimes, leading them to increase repression in an attempt to regain control.

Next, we control for factors related to processes of globalization and cross-border diffusion, which are frequently highlighted by neo-institutionalist and constructivist scholars. We use the *globalization index*, developed by Dreher (Dreher, 2006; Dreher et al., 2012), as a measure of globalization and global influence. World Polity theory (Meyer et al., 1997) predicts that regimes with higher levels of social, political and economic integration in the global system will have a higher exposure to world culture and to political and economic pressures, and therefore will be more likely to adopt international humanitarian principles. To evaluate cross-border diffusion effects, we use the *average level of repression in neighboring countries* in the

⁴ Notwithstanding the above justification, we also ran models in which more inclusive definitions of counterterrorism were adopted. Appendix 2 presents a comparison of four different definitions of counterterrorism, from most exclusive to most inclusive: (1) legislation formally declared as counterterrorism (i.e. when the term terrorism is mentioned in the law's name, such as the Indian 2002 Prevention of Terrorist Activities Act); (2) Legislation clearly focusing on terrorism, but not necessarily including the term in the name (e.g. the Australian 2003 Legislation Amendment Bill); (3) legislation with at least one article focusing on terrorism (e.g. the 1981 French Amnesty Law); and (4) Legislation where terrorism is at least mentioned in the body of the law (e.g. the 1993 Spanish Law on the Prevention of Money Laundering). Appendix 2 shows that the differences between these categories are relatively minor, suggesting that our choice to use a relatively exclusive definition did not substantially alter the results.

⁵ We also ran analyses with counterterrorist legislation as a count variable. Results did not differ substantially from the ones reported here, supporting our choice to move into a binary measure.

⁶ Statistical analyses that used measures that included both terrorist and guerilla attacks, as well as those that included only guerilla attacks produced very similar results to those presented here.

⁷ We logged a few variables in the analysis in order to minimize skewness. In all of these cases, we recoded observations with a value of 0 into 0.00001, as is standard practice in many analyses.

⁸ While the number of incidents is commonly used in most similar research designs (e.g. Burgoon, 2006; Dreher et al., 2010; Lai, 2007; Piazza, 2006; Piazza and Walsh, 2009; and Robison, 2006), some suggest that studies must also try and capture the intensity, severity and consequences of the acts, rather than just their frequency. These dimensions of terrorism may be better captured by alternative measures, such as the number of people killed/wounded in those attacks, the amount of damage caused by the attacks, or the number of attacks defined as "successful" (from the point of view of the terrorists). We therefore examined equations including all of these measures (also compiled from the GTD). Results did not change substantially, and they are available from the authors.

⁹ calculated based on the Regime Durability measure from Polity IV, this variable gives a score of 1 to regimes that retained power for less than five years (four or less years since the last regime change) and to regimes that will have been replaced within the next two years (one or two years before regime change). All other regimes receive a score of 0. The rationale is that in both of these cases the regime is less stable, either because it is about to be replaced by another (often suggesting that turbulence has already begun), or because it has recently been replaced.

previous year. If we find that countries are affected by the practices of their neighbors, regardless of other threats and pressures, this would suggest the existence of diffusion effects.

Democracy is perhaps the single most studied predictor of state repression (Davenport and Armstrong, 2004). Similarly to previous studies (Davenport and Armstrong, 2004; Dreher et al., 2010; Piazza and Walsh, 2009), we adopt the commonly used Polity IV index, which identifies nations along a scale ranging from -10 (“strongly autocratic”) to $+10$ (“strongly democratic”). We expect democracies (in particular liberal democracies) to uphold a set of values and beliefs that should make them more respectful of human rights. We also control for Muslim and Commonwealth characteristics. Huntington (Huntington, 1996) and others (Barber, 1995; Blankley, 2005) have argued that *Muslim countries* (operationalized here as countries in which over 50% of the population is Muslim) tend to be more fundamentalist and less committed to human rights principles. Other studies (Mitchell and McCormick, 1988; Poe et al., 1999) have suggested that certain Western attitudes and cultural norms (such as respect for individual rights principles) have permeated former British colonies—*Commonwealth countries*—making them more respectful of human rights.

Finally, We also control for *Population size* and *GDP per capita* (constant 2000 US\$; logged). Countries with larger populations (e.g. China, India or Indonesia) may be able to better fend off humanitarian pressures from economic and political powers, and thus adopt more repressive policies following terrorist acts. In addition, a larger population may introduce higher levels of internal pressure and unrest, as well as greater difficulty in exercising control over the population, which according to theories of governmentality may all result in greater repression. Regimes in countries that enjoy higher levels of GDP per capita are likely to have a wider variety of options to fight terrorism, and therefore may adopt less repressive measures in response to terrorist attacks. On the other hand, a poorer regime, which lacks financial means, advanced technological measures, or efficient bureaucracies, may turn to wide repression simply because this is its most available policy.

2.3. Samples and analyses

We use pooled cross-national time-series regression models to analyze panel data ranging in years from 1981 to 2009. This large-scale approach has two important advantages over small-scale qualitative case-study research designs. First, the quantitative analysis relies on a much larger sample, which in turn increases our ability to generalize beyond the cases examined in the study. In fact, since the current study covers most countries of the world, the results enjoy high external validity. The second advantage of these methods lies in the meticulous nature of the data analysis. We examine counter-terrorist legislation and states’ repressive actions over a long period, thus minimizing the danger of focusing too much attention on spectacular or well-known incidents and responses and overstating their importance while neglecting other important occurrences.

Analyses cover all countries for which data are available (see Appendix 1). As is common in cross-national time-series study designs, the unit of analysis is the country-year. We first present models using ordinal logistic regression analysis for panel data, which serve to present a concise and parsimonious overview of the various effects. However, an *omodel* test of the proportional odds assumption shows that the data fails to satisfy this assumption ($p > .05$). Consistent with our theoretical discussion predicting possible variation in the legislation–repression association according to initial repression levels, we therefore also present generalized partial proportional odds models (*gologit2*). These models test whether the effect of different independent variables changes across the various levels of the dependent variable. Partial proportional odds models are less restrictive than proportional odds models, but are more parsimonious and interpretable than those estimated by non-ordinal methods such as multinomial logistic regression (Williams, 2006).

In order to account for possible global time trends in state repression, we include in all analyses a linear time measure. Consistent with recent research designs of this type (Allen and Colley, 2008; Burgoon, 2006; Piazza and Walsh, 2009; Robison, 2006, 2010; Shor et al., 2014), all independent variables are one year lagged. This enables us to better capture causality, by allowing social policies some time to percolate (Burgoon, 2006). However, in order to capture the longer-term effects of various predictors and policies, we also ran statistical models in which the independent variables were lagged 2–5 years.¹⁰ Outliers appeared in the analysis, but were not significantly influential. We thus chose to leave them in the data. Pairwise correlation analysis showed that no two variables had a correlation higher than 0.5. VIF analysis further suggested that multicollinearity is not likely a major problem in the models (no VIF score higher than 5).

One of the major problems that might influence the analysis is reverse causality, leading to endogeneity. In this particular case, one can reasonably suggest that government repression may lead to civil unrest and resentfulness and as a result to non-state violence, including in the form of terrorist acts. Indeed, a number of recent studies (Bell et al., 2013; Piazza, 2006; Piazza and Walsh, 2009; Robison, 2010) have suggested that state repression increases terrorism. In other words, state repression may not be the result of terrorism, but rather its cause. In order to further assess the potential reverse causality and endogeneity, we ran additional analyses employing an instrumental variable regression technique. Following Dreher et al. (2010) and Roodman (2006), we used Arellano-Bond panel-data estimation, with one-step difference generalized method of moments (GMM) (Arellano and Bover, 1995). In these models, we treated the lagged dependent variable and the measure for terrorism as endogenous and the other independent variables as exogenous. The results show that terrorism remains a

¹⁰ We do not present these models in the current paper, as they have poorer fit to the data. Further, results did not change substantially, suggesting that the findings are overall robust to the specification of time-varying influencing factors.

Table 2

Ordinal and binary logistic regression panel analyses of factors influencing repression of physical integrity rights, 1981–2009.

	Cumulative scale	Killings	Disappearances	Imprisonment	Torture
Year	1.11*** (7.10)	1.10*** (5.69)	1.03 (1.41)	1.05** (3.09)	1.13*** (8.28)
Counterterrorist legislation	1.14 (0.85)	1.16 (0.80)	1.03 (0.11)	0.91 (−0.59)	1.46 (1.56)
Terror events (ln)	1.04*** (4.16)	1.06*** (5.21)	1.06*** (4.19)	1.05*** (4.33)	1.01 (0.94)
Terror events in neighbor states (ln)	1.10 (1.80)	1.06 (1.04)	1.10 (1.33)	1.03 (0.42)	1.14* (2.33)
Internal dissent (ln)	1.04*** (4.33)	1.03*** (3.68)	1.02 (1.78)	1.04*** (3.90)	1.03** (3.26)
Unstable regime	0.97 (−0.15)	1.01 (0.05)	0.81 (−0.89)	1.18 (1.10)	1.18 (1.03)
Civil war	1.63** (3.11)	1.46*** (3.48)	1.42** (2.57)	1.39* (2.42)	1.07 (0.88)
International conflicts (ln)	1.15 (1.32)	1.00 (−0.01)	1.22* (2.39)	1.24 (1.65)	0.99 (−0.10)
Globalization index	0.97* (−2.09)	0.98 (−1.23)	0.98 (−1.08)	0.96** (−2.57)	0.99 (−0.95)
Avg. repression in neighbor states	1.16 (1.53)	1.09 (0.86)	1.04 (0.34)	1.35** (2.91)	1.06 (0.63)
Muslim country	0.87 (−0.37)	0.61 (−1.29)	0.60 (−1.28)	1.92* (2.05)	0.75 (−0.81)
Commonwealth country	1.10 (0.34)	1.88* (2.08)	0.84 (−0.50)	0.85 (−0.62)	1.02 (0.06)
Democracy	0.85*** (−7.82)	0.93** (−3.44)	0.94*** (−2.85)	0.83*** (−9.48)	0.89*** (−6.38)
Population (ln)	2.10*** (7.00)	1.91*** (6.50)	1.55*** (3.81)	1.75*** (5.81)	1.90*** (6.81)
GDP per capita (ln)	0.82 (−1.49)	0.71* (−2.40)	0.71* (−2.12)	1.05 (0.32)	0.68** (−2.75)
Number of countries	135	135	135	135	135
Observations	2868	2870	2870	2870	2871

Robust t statistics in brackets. *p < .05 **p < .01 ***p < .001.

* The cumulative scale in the Model 1 is a composite index referring to the violation of physical integrity rights. We reversed the original Cingranelli–Richards scale so that a low score now represents low levels of repression while a high score represents high repression levels. The disaggregated measurements of repression were also reversed, so that higher scores now represent higher repression levels.

* All predictors are lagged one year.

* We included a control for year in all models to account for linear time trends in repression.

significant predictor of physical rights repression, even when using instrumental variables model (see [Appendix 3](#)). These results attest to the robustness of the findings even when accounting for reverse causality.

3. Findings

[Table 2](#) presents the basic findings from the ordinal logistic regression models for the effects of various predictors on state repression of physical integrity rights (a cumulative scale of extrajudicial killings, disappearances, torture, and political imprisonment). We present odds ratios and t statistics (in parentheses). Odds ratios in an ordered logistic regression can be interpreted much like those reported in a binary logistic regression. Odds ratios above one are associated with an increased probability that a country will have higher levels of state repression, while odds ratios below one mean that higher levels of the particular variable are associated with lower levels of repression.

The coefficients for time (year) were positive and statistically significant in most models, meaning that over the entire period of the study, the average level of state repression has increased. The results of the ordinal logistic regression analysis, presented in [Table 2](#), seem to support hypothesis H1b rather than H1a, suggesting no association between counterterrorist legislation and the repression of physical integrity rights. In all of the models presented in [Table 2](#) we found no significant effect for counterterrorist legislation.¹¹

However, while [Table 2](#) presents a concise overview of the results, [Wolfe and Gould's \(1998\)](#) test shows that the data violates the proportional odds assumption ($p > .05$). Accordingly, and in order to test our second hypothesis (H2), in [Tables 3 and 4](#) we present partial proportional odds regression panel analyses. First, [Table 3](#) presents results for the effect of the various independent variables on the odds of moving between any two adjacent levels of repression in the physical integrity rights scale. The most important finding reported in this table is that counterterrorist legislation does affect the repression of physical integrity rights, but only among countries with intermediate repression scores. This provides partial support for our second hypothesis, which predicted that legislation may matter more for countries with medium to high levels of repression. Indeed, legislation does not affect countries that occupy the extreme ends of the distribution (i.e. moving from levels 0 to 1, 1 to 2, 6 to 7, and 7 to 8). However, it is associated with increased repression in the intermediate levels (i.e. moving from 2 to 3, 3 to 4, 4 to 5, and 5 to 6; significant at either the 0.05 or 0.1 levels). These results mean that in countries that hardly violate physical rights (such as Canada, Germany, Japan, or Sweden) and in those that violate them excessively (such as China, Colombia, Iran, or Liberia) legislation has no effect over repression. However, in countries that mostly occupy the intermediate

¹¹ This tendency does not change when differentiating between various types of legislation. In [Appendix 4](#), we run separate analyses by type of legislation. We differentiated between four (non-exclusive) categories of legislation. The first category is repressive legislation, defined as legislation that appears to directly curtail physical rights (e.g. legislation that gives special powers to police forces and courts to arrest or imprison people without due process). The second category is that of legislation concerning international terrorism and immigration, including limitations on immigration, and the sanctioning of “terrorist-supporting” countries. The third category, that of financial legislation, includes primarily laws that focus on money laundering and the fight against terrorist financing. The fourth and final category includes limitations on weapons for terrorists, including both conventional and unconventional weapons. We did not find a significant effect for any of these types of legislation.

Table 3

Partial proportional odds regression panel analyses of factors influencing repression of physical integrity rights, 1981–2009.

	1	2	3	4	5	6	7	8
Year	1.19*** (7.71)	1.10*** (6.86)	1.09*** (6.65)	1.09*** (6.31)	1.09*** (6.03)	1.09*** (5.29)	1.05* (1.97)	1.05 (1.42)
Counterterrorist legislation	0.92 (−0.25)	0.92 (−0.54)	1.48* (2.26)	1.48* (2.20)	1.64** (2.68)	1.44 (1.72)	0.84 (−0.62)	1.27 (0.71)
Terror events (ln)	1.02 (1.26)	1.07*** (4.74)	1.10*** (8.16)	1.09*** (7.39)	1.10*** (6.05)	1.11*** (5.36)	1.12*** (4.71)	1.14*** (4.75)
Terror events in neighbor states (ln)	1.16 (1.79)	1.16** (2.07)	1.05 (0.86)	1.02 (0.26)	1.02 (0.32)	0.97 (−0.37)	1.13 (1.31)	1.17 (1.55)
Internal dissent (ln)	1.08*** (5.03)	1.07*** (6.03)	1.05*** (4.83)	1.05*** (4.56)	1.06*** (4.35)	1.05*** (4.41)	1.05* (2.52)	1.07* (2.47)
Unstable regime	1.36 (0.84)	1.82** (2.58)	1.48* (2.21)	1.21 (1.07)	1.21 (0.95)	1.15 (0.64)	0.94 (−0.24)	1.17 (0.42)
Civil war	0.13*** (−3.69)	1.45* (2.27)	1.58* (2.14)	1.21* (2.50)	1.34** (3.10)	1.34*** (3.62)	1.35** (3.17)	1.36** (3.08)
International conflicts (ln)	1.40 (0.88)	1.45 (1.15)	1.62 (1.58)	1.64* (2.33)	1.37* (2.12)	1.31 (1.76)	1.46* (2.02)	1.61** (3.34)
Globalization index	0.99 (−0.90)	1.00 (−0.21)	0.97* (−2.40)	0.96** (−3.23)	0.93*** (−4.21)	0.93*** (−3.52)	0.96 (−1.90)	0.94* (−2.38)
Avg. repression in neighbor states	1.10 (0.86)	1.19 (1.78)	1.24* (2.39)	1.27* (2.36)	1.10 (0.81)	1.09 (0.67)	1.16 (0.97)	0.91 (−0.63)
Muslim country	0.66 (−0.67)	0.95 (−0.14)	0.87 (−0.47)	0.80 (−0.91)	0.79 (−0.91)	0.79 (−0.82)	0.87 (−0.42)	0.89 (−0.26)
Commonwealth country	1.94* (2.28)	1.34 (1.22)	1.13 (0.53)	0.76 (−1.36)	0.78 (−1.05)	0.72 (−1.18)	0.52 (−1.70)	0.62 (−1.03)
Democracy	0.86*** (−4.34)	0.86*** (−6.94)	0.88*** (−7.34)	0.90*** (−6.21)	0.92*** (−4.32)	0.94** (−3.16)	0.93** (−2.92)	0.94* (−2.00)
Population (ln)	1.76*** (4.99)	1.66*** (5.61)	1.76*** (7.03)	1.83*** (9.03)	1.65*** (6.37)	1.62*** (5.84)	1.61*** (4.60)	1.61*** (4.35)
GDP per capita (ln)	0.48*** (−4.19)	0.48*** (−3.68)	0.75 (−1.65)	0.93 (−0.45)	1.21 (1.00)	1.16 (0.68)	0.91 (−0.38)	1.01 (0.04)

Robust t statistics in brackets. * $p < .05$ ** $p < .01$ *** $p < .001$.

* In this table, Model 1 examines the difference in the dependent variable between no repression (a score of zero on the composite index of physical rights repression) and the next lowest level of repression (a score of one on the composite scale). Model 2 examines the difference between a score of one and a score of two, and so on.

* Number of observations: 2614.

* All predictors are lagged one year.

* We included a control for year in all models to account for linear time trends in repression.

levels of repression (such as Israel, Brazil, Turkey, or Mexico), counterterrorist legislation is associated with higher consequent repression of physical integrity rights.

Table 4 shows that this differentiation of effects by level of repression is also relevant to some particular repressive practices. Specifically, legislation is associated with higher odds of consequent disappearances and torture (significant at the 0.1 level) only for countries that already engage in these practices at least mildly (such as the Philippines, Haiti, Libya, or Nicaragua), but not among countries that rarely engage in them in the first place (such as New Zealand, Belgium, the Netherlands, or Switzerland).

Tables 2–4 also present results for the other independent predictors. The coefficient for the log of the number of terror events is positive and significant in most models that examine repression of physical integrity rights (except for torture, for which, as shown in Table 4, terrorism is only a significant predictor for moving between intermediate and high levels of repression). Furthermore, Table 3 shows that terrorism is a significant predictor for greater repression at almost any level of repression. This result is in line with recent studies, which consistently report a relationship between terrorism and state repression of physical rights (Dreher et al., 2010; Piazza and Walsh, 2009; Robison, 2006; Shor et al., 2014). Both internal dissent and civil war had a robust effect on state repression, increasing state repression of almost all physical integrity rights.

Consistent with the findings of previous studies and with neo-institutional theories, higher levels of globalization are associated with a decrease in repression of some physical integrity rights (and the cumulative physical rights index). Table 3 shows that the effects of globalization are significant among countries with intermediate and higher levels of repression, but not among those with low levels of repression. This is likely because the latter already had high levels of globalization to begin with. Results for spatial diffusion effects are also mixed. While Table 2 shows no significant effect for the cumulative index of physical rights, Table 3 indicates that there is an effect, but once again it is only significant among countries with intermediate levels of repression. This suggests a process of policy-diffusion in such countries, where events and policies that are not directly related to the country in question increase the chances that this country will adopt repressive policies.

Also consistent with the results of previous studies, the level of democracy was a robust and powerful predictor of state repression. Table 2 through Table 4 show that more democratic regimes were much less likely to engage in serious violations of core human rights in comparison to their less democratic counterparts. This finding emphasizes the importance of cultural ideals and political traditions in predicting state repression. The dominance of Muslim culture in the country was not a significant predictor for the repression of most physical integrity rights. Conversely, the coefficient for population was

Table 4

Partial proportional odds regression panel analyses of factors influencing repression of physical integrity rights, 1981–2009.

	Killings		Disappearances		Imprisonment		Torture	
	1	2	1	2	1	2	1	2
Year	1.08*** (5.90)	1.09*** (4.43)	1.03* (2.31)	1.01 (0.59)	1.02 (1.23)	1.03 (1.88)	1.16*** (6.36)	1.11*** (7.41)
Counterterrorist legislation	0.96 (–0.18)	1.11 (0.47)	1.13 (0.55)	1.73* (2.11)	1.15 (0.57)	1.07 (0.37)	1.04 (0.11)	1.49 (1.90)
Terror events (ln)	1.07*** (5.48)	1.10*** (5.14)	1.08*** (5.54)	1.12*** (4.14)	1.07*** (5.27)	1.08*** (4.98)	1.02 (1.11)	1.05*** (3.92)
Terror events in neighbor states (ln)	1.05 (0.69)	0.96 (–0.56)	1.10 (1.64)	1.09 (1.05)	1.04 (0.64)	1.03 (0.40)	1.10 (1.16)	1.13* (2.17)
Internal dissent (ln)	1.07*** (6.83)	1.05*** (4.62)	1.03* (2.36)	1.06*** (4.21)	1.04*** (3.59)	1.04** (3.03)	1.07*** (5.00)	1.04*** (3.71)
Unstable regime	1.29 (1.69)	0.96 (–0.21)	1.12 (0.55)	1.08 (0.25)	1.28 (1.56)	1.55* (2.49)	1.17 (0.63)	1.29 (1.54)
Civil war	1.45** (2.88)	1.34*** (3.87)	1.42** (3.25)	1.31** (2.99)	1.20 (1.32)	1.22 (1.62)	1.15 (0.83)	1.03 (0.50)
International conflicts (ln)	1.24 (1.22)	1.39 (1.62)	1.37** (2.90)	1.42* (2.25)	2.18** (2.99)	1.61*** (5.06)	1.32 (0.72)	1.20 (0.94)
Globalization index	0.96* (–2.36)	0.93*** (–4.18)	0.97* (–2.34)	0.98 (–0.55)	1.00 (–0.19)	0.97 (–1.70)	0.98 (–1.22)	0.96* (–2.43)
Avg. repression in neighbor states	1.11 (1.21)	1.01 (0.05)	1.05 (0.53)	0.91 (–0.60)	1.29* (2.46)	1.22 (1.68)	1.12 (1.09)	1.00 (–0.03)
Muslim country	0.75 (–0.98)	0.66 (–1.49)	0.60* (–2.06)	0.63 (–1.31)	2.21** (2.85)	1.34 (0.96)	0.70 (–0.62)	0.75 (–1.03)
Commonwealth country	1.68* (2.29)	0.99 (–0.04)	0.67 (–1.58)	0.45* (–2.02)	1.01 (0.04)	0.79 (–0.82)	1.55 (1.79)	0.75 (–1.27)
Democracy	0.98 (–1.37)	0.99 (–0.67)	0.96* (–2.41)	0.96 (–1.37)	0.84*** (–9.20)	0.84*** (–8.18)	0.91** (–2.96)	0.92*** (–4.80)
Population (ln)	1.39*** (4.35)	1.66*** (6.18)	1.34*** (3.67)	1.35** (3.24)	1.54*** (4.54)	1.59*** (4.89)	1.62*** (5.28)	1.52*** (5.49)
GDP per capita (ln)	0.73 (–1.65)	1.19 (0.99)	0.90 (–0.65)	0.84 (–0.86)	0.71* (–2.09)	1.14 (0.71)	0.61 (–3.37)	0.85 (–0.88)
Number of observations	2613	2613	2613	2613	2613	2613	2614	2614

Robust t statistics in brackets. *p < .05 **p < .01 ***p < .001.

* All predictors are lagged one year.

* We included a control for year in all models to account for linear time trends in repression.

consistently positive and significant across all measures of physical integrity rights, suggesting that when the population is larger regimes tend to be more repressive. One possible explanation for this finding, suggested earlier, is that these regimes may be less susceptible to external pressures to reduce repressive practices. An alternative explanation would be that countries with a larger population find it harder to exercise their autonomy and control, and consequently are more likely to resort to repressive measures.

3.1. Economic development, democracy, and time period effects

One critique on the analyses presented above may be that beyond accounting for baseline repression levels, counterterrorist legislation may also be a substantively different practice in various countries and across different time periods. For example, one may argue that this kind of legislation means something very different in Western democracies and in developing countries and that this may also be motivated by diverging mechanisms. Similarly, it may be that the association between legislation and repression only holds for certain time periods (e.g. following the events of 9/11). To examine such possible differences, we present in Table 5 comparisons of OECD and non-OECD countries¹² and of more and less democratic nations,¹³ while Table 6 dissects the results by three distinct periods. We predicted (H3) that the relationship between counterterrorism and state repression would be stronger in non-OECD countries and in non-democracies. We found no support for these predictions, as there is no significant relationship between legislation and repression of physical integrity in any of the four sub-groups. Similarly, we found no support for our final hypothesis (H4) regarding differences between various periods: The association between legislation and repression is not significant in any of the time periods examined here.

While the effect of counterterrorist legislation on repression does not differ by levels of democracy and economic development, this categorization is important for the relationship between terrorism itself and repression. Table 5 demonstrates that the robust relationship reported in Tables 2 and 3 between terrorism and repression is not universal. This

¹² The following were classified as OECD nations: Australia, Austria, Belgium, Canada, Czech Republic (starting 1995), Denmark, Finland, France, Germany (West Germany before 1990), Greece, Hungary (since 1996), Iceland, Ireland, Italy, Japan, South Korea (since 1996), Luxembourg, Mexico (since 1994), The Netherlands, New Zealand, Norway, Poland (since 1996), Portugal, Slovakia (since 2000) Spain, Sweden, Switzerland, Turkey The United Kingdom, and The United States.

¹³ Following Bueno de Mesquita (2005) and Allen and Colley (2008), we use here a binary measure of consolidated democracy, where a country with a score of 7 or higher on the Polity scale in a given year is considered to be a consolidated democracy.

Table 5

Ordinal logistic regression panel analyses of factors influencing repression of physical integrity rights, 1981–2009.

	OECD	Non-OECD	Democracy	Non-democracy
Year	1.18*** (4.97)	1.07*** (4.14)	1.18*** (6.73)	1.06** (3.36)
Counterterrorist legislation	0.78 (–0.92)	1.25 (1.18)	0.90 (–0.48)	1.33 (1.26)
Terror events (ln)	1.00 (0.05)	1.06*** (5.12)	1.02 (1.12)	1.06*** (5.05)
Terror events in neighbor states (ln)	1.08 (0.57)	1.13* (2.25)	1.20* (2.18)	1.08 (1.06)
Internal dissent (ln)	1.06*** (4.24)	1.03*** (3.09)	1.06*** (4.87)	1.02 (1.28)
Stable regime	1.02 (0.03)	0.98 (–0.13)	1.09 (0.25)	0.96 (–0.24)
Civil war	Omitted	1.62** (3.24)	1.40*** (5.66)	1.60** (3.32)
International conflicts (ln)	1.19 (1.83)	1.17 (1.22)	1.15 (1.60)	1.19 (1.36)
Globalization index	0.98 (–0.92)	0.99 (–0.44)	0.96 (–1.79)	1.00 (–0.23)
Avg. repression in neighbor states	1.29 (1.28)	0.99 (–0.12)	1.12 (0.73)	0.95 (–0.39)
Muslim country	64.94** (3.48)	0.65 (–1.34)	0.97 (–0.04)	0.66 (–1.21)
Commonwealth country	0.70 (–0.50)	0.99 (–0.05)	0.92 (–0.18)	0.80 (–0.74)
Democracy	0.74*** (–3.93)	0.88*** (–6.73)	0.80** (–2.79)	0.92** (–3.23)
Population (ln)	1.97* (2.31)	2.46*** (8.92)	2.70*** (5.63)	2.27*** (7.51)
GDP per capita (ln)	0.57 (–1.57)	0.93 (–0.46)	0.71 (–1.71)	0.97 (–0.20)
Number of countries	30	105	81	101
Observations	676	2192	1294	1573

Robust t statistics in brackets. *p < .05 **p < .01 ***p < .001.

* The cumulative scale in the Models 1–4 is a composite index referring to the violation of physical integrity rights. We reversed the original Cingranelli–Richards scale so that a low score now represents low levels of repression while a high score represents high repression levels.

* All predictors are lagged one year.

* We included a control for year in all models to account for linear time trends in repression.

relationship is highly significant in non-OECD countries and in countries with lower levels of democracy, but not in Western democracies. One possible explanation for this finding may be that poorer non-democratic regimes use the threat of terror as an excuse to increase repression, without the need for formal legislation as a mediating factor. Richer more democratic countries, on the other hand, respond to terrorism more moderately, perhaps because repression is not a reflexive response to security threats in these countries.

Similarly, the association between some of the control variables and repression changes according to the time period examined. Most notably, actual terrorist acts and the threat of terrorism (as measured by terror events in neighboring countries) do not have a significant effect in the post-Cold War era, but their effect is noticeable in both the 1980s and following the 9/11 attacks. We suspect that this difference may be due to the proliferation of human rights principles during the last decade of the twentieth century, which dictated a more moderate response to terrorist threats during that time period. A similar pattern is true for globalization, which is associated with higher respect for human rights principles in the 1980s and post 9/11, but not during the 1990s. Conversely, civil wars and international conflicts have no effect over repression levels in the twenty first century, with the former having a significant effect throughout the twentieth century and the latter

Table 6

Ordinal logistic regression panel analyses of factors influencing repression of physical integrity rights, by time period (1981–2009).

	Cold war era (pre-1990)	Post-cold war era (1990–2000)	Post-9/11 era (2001–2009)
Year	1.14*** (3.73)	1.14*** (3.57)	1.46*** (5.57)
Counterterrorist legislation	1.00 (0.00)	0.92 (–0.21)	1.05 (0.20)
Terror events (ln)	1.05** (2.78)	1.03 (1.78)	1.05** (2.60)
Terror events in neighbor states (ln)	1.18 (1.52)	0.99 (–0.22)	1.32** (2.71)
Internal dissent (ln)	1.02 (1.31)	1.05*** (3.93)	1.04* (2.22)
Unstable regime	0.93 (–0.26)	1.14 (0.67)	0.80 (–0.66)
Civil war	1.87** (3.19)	1.40** (2.62)	1.04 (0.13)
International conflicts (ln)	1.43* (2.18)	1.12 (1.03)	0.77 (–1.75)
Globalization index	0.92*** (–3.41)	0.97 (–1.69)	0.92** (–2.73)
Avg. repression in neighbor states	0.97 (–0.22)	1.24 (1.95)	1.21 (1.35)
Muslim country	0.85 (–0.31)	1.48 (0.80)	0.59 (–1.07)
Commonwealth country	0.46 (–1.71)	0.97 (–0.07)	1.60 (1.09)
Democracy	0.88** (–3.37)	0.89*** (–3.96)	0.85*** (–4.13)
Population (ln)	1.81*** (3.82)	2.37*** (6.32)	4.83*** (8.32)
GDP per capita (ln)	0.81 (–0.71)	0.53** (–3.05)	0.68 (–1.12)
Number of countries	106	130	133
Observations	830	1070	711

Robust t statistics in brackets. *p < .05 **p < .01 ***p < .001.

* The dependent variable in the Models 1–3 is a composite index referring to the violation of physical integrity rights. We reversed the original Cingranelli–Richards scale so that a low score now represents low levels of repression while a high score represents high repression levels.

* All predictors are lagged one year.

* We included a control for year in all models to account for linear time trends in repression.

only showing an effect prior to the end of the Cold War. One possible explanation for these results is that they are driven by the decreasing global frequency of such high-intensity violence.

4. Conclusion and discussion

This study examined the association between counterterrorist legislation and the repression of physical integrity rights. In the standard ordinal logistic regression analyses we found no significant relationship between these two variables. Furthermore, these results were robust when disaggregating legislation and repression by type, space and time. No significant association emerged when we examined specific types of counterterrorist legislation and specific types of repression, when we grouped the countries in the sample according to socio-economic and cultural-political measurements, or when we differentiated between major time periods. Such results call into question the common assumption that there is a zero-sum-game between security demands and respect for core human rights (Brysk, 2007; Charters, 1994; Donohue, 2008; Forsythe, 2007). They also appear to stand in contrast to the wealth of anecdotal evidence that highlights the harmful potential of counterterrorist legislation.

While many would find these results surprising and counterintuitive, the findings of the present study are in line with theoretical thinking that highlights the declarative nature of many organizational practices. Neo-institutionalist scholars have long been studying the frequent disconnect between states' declared policies, regulations and laws and the actual results of such declarative acts (Frank et al., 2000; Meyer et al., 1997; Schofer and Meyer, 2005; Shor and Yonay, 2010, 2011). Indeed, countries often adopt counterterrorist legislation regardless of actual terrorist threats, mainly because other countries have previously adopted similar laws (Shor, 2013). Thus, it appears that governments that are interested in crushing local opposition or violating individuals' rights for other purposes (e.g. to instill fear or increase state control) often do not see the need for legislation. Instead, they may use the current laws or rely on extra-legal actors and measures.

In fact, avoiding new explicit legislation may prove to be a preferable strategy for many states, because by adopting such legislation governments often invite fierce parliamentary and media debates that draw attention to the questionable aspects of the legislation and expose it to domestic and international criticism. This appears to have been the case in many North American and European countries following the 9/11 attacks (Donohue, 2008; Haubrich, 2003), but also in other nations. Whitaker (2007) brings the examples of South Africa, Indonesia, South Korea and the Philippines, where passing counterterrorist laws has provoked fierce parliamentary debates and widespread critiques from domestic opposition. Others note the ferocious debates and critiques over the 2002 Prevention of Terrorism Act (POTA) in India, which eventually led the Indian government to repeal the law in 2004 (Kalhan et al., 2006; Kumar 2005).

The examples above demonstrate the potential for a legislation backlash, or what Keck and Sikkink (1998) call a *boomerang effect*, where states that resist local and international pressures to comply with human rights norms risk greater future pressures. We suspect that declarative legislation, including clear policies that potentially endanger respect for core human rights, may produce pressures by local opposition and human rights advocates, as well as by transnational monitoring bodies, NGOs, and powerful liberal democracies. In other words, in the wake of seemingly repressive legislation, governments may come under the watchful eye of both domestic and international actors. These form powerful transnational alliances that monitor the government's activities and demand special care in protecting human rights. While governments may not be willing to abort the legislation itself, they would consequently feel the need to be especially careful and refrain from adopting overt repressive policies.

The current study thus joins a long line of research that questions the relationship between what governments say and declare (in the form of formal statements or, in this case, adopted legislation) and their actual practices. In the field of human rights research, studies have shown a frequent disconnect between such statements and actions on the ground (Risse et al., 1999; Shor, 2008a; Yonay and Shor, 2014). Hafner-Burton and Tsutsui (2005), for example, demonstrated that governments' ratification of human rights treaties is often merely window dressing, decoupled from human rights practices and at times even leading to the exacerbation of repressive policies (at least in the initial period after adoption). The current study suggests that such decoupling may also occur in the opposite direction: the adoption of ostensibly repressive legislation is often decoupled from repression of physical integrity practices.

While such dynamics may be at work for many of the countries in this study, the results indicate that the initial level of repression in a given country is important in predicting where counterterrorist legislation will have an effect over repressive practices. We found that while legislation has no significant effect in countries with low or high levels of repression to begin with, it may affect the repressive practices of countries with intermediate repression scores, such as Israel, Brazil, Turkey, or Mexico. One interpretation for such results is that these countries are often more likely to suffer from high levels of terrorist threats and acts, and thus at least some of their legislation is adopted in an actual attempt to fight terrorism (coupled with a trade-off for personal rights), rather than a declarative practice.

Another way to interpret the differential results by baseline level of repression is to examine the countries in the two extremes. On the lower end of the spectrum, we find countries such as Canada, Germany, Japan, and Sweden. These countries tend to have great respect for physical integrity rights and take great pains to avoid any practice that would

hurt these rights. Such ideals are likely coupled with lower levels of terrorism and other serious threats of political violence, but also with greater attention to humanitarian pressures from the international community and a vibrant local network of human rights activists, who carefully monitor governmental violations. Legislation in these countries is thus likely to be careful and measured and is unlikely to lead to more repressive practices. On the other end of the spectrum, countries that habitually repress core rights (e.g. China, Iran, or Liberia) may already be using as much repression as they deem needed. For them, counterterrorist legislation may truly be redundant and when it is adopted the reason is purely declarative. These countries have no real need for such legislation, neither for fighting security threats nor for exercising control over their population and crushing the opposition. This is because they likely already achieve both of these goals with their current ongoing repressive measures. In contrast, countries with intermediate repression scores are indeed most susceptible to the potential harmful effects of legislation. Unlike highly repressive states, they have substantial room for further aggravation of repressive policies. And when compared with states with low levels of repression, they often suffer from more serious security threats, while their level of commitment to human rights principles and the ability of local and international human rights networks to monitor repressive acts are less well established.

The study results suggest that trying to explain state repression by focusing on declarative acts, such as legislation, is misguided. Instead, our findings highlight a number of more powerful explanations for state's violation of human rights principles. Most notably, consistent with previous studies, democracy and country size were the most robust predictors of respect (or lack of respect in the case of larger countries) for all physical integrity rights. The effects of these two measures were robust across various levels of initial repression, economic development, geographical regions, and time periods. This finding is consistent with the results of former studies on state repression (Davenport, 1999, 2007; Davenport and Armstrong, 2004; Dreher et al., 2010; Earl, 2011; Piazza and Walsh, 2009; Shor et al., 2014).

Also consistent with former cross-national studies (Dreher et al., 2010; Dreher et al., 2012; Piazza and Walsh, 2009; Poe and Tate, 1994; Poe et al., 1999; Robison, 2006), we found support for the importance of political conflict and violence, in particular internal strife, in predicting state repression. Civil wars, various acts of internal dissent, terror attacks, and in some cases involvement in international conflicts were all powerful predictors of most forms of physical rights repression. Still, their effect is less robust than that of democracy and country size. Most notably, terrorism and terrorist threats are associated with greater repression only in poorer and less democratic nations, but not in established Western democracies. The latter, it seems, are better equipped to deal with such threats without having to resort to major acts of repression and are also less willing to engage in such egregious violations of physical rights even when they are under threat, most likely due to better mechanisms of checks and balances, such as free press and a stronger court system. In addition, the negative effects of terrorism on respect for physical integrity rights have been most acutely felt since the beginning of the new millennium. This suggests that 9/11 and the global fight on terrorism that ensued were indeed detrimental to human rights, although in most cases this effect was not a direct result of the massive wave of counterterrorist legislation that followed.

4.1. Study limitations

The findings of this study should be viewed with some caution. One possible limitation may be the restricted nature of the dependent variable. While the Cingranelli–Richards scale we used encompasses quite a broad spectrum of physical integrity rights, it does not provide information on the violation of some rights that may be of importance in the current context. For example, Almqvist (2008) argues that financial legislation mainly hurts the right for individual possession of property and for due trial and criminal procedures. However, these two rights are not directly measured by the Cingranelli–Richards scale and one cannot rule out the option that these rights are in fact adversely affected by legislation. Similarly, legislation may affect other civil liberties that were not examined in the present study, such as the right to free movement or the right to freely exercise a religion (e.g., Ben-Nun Bloom, 2016; Ben-Nun Bloom et al., 2014).

A second limitation of the human rights measurements we used in this study is that they are subjective assessments, based on reports from the US State Department and from Amnesty International. This fact makes the measurements susceptible to some personal views and idiosyncrasy. It also means that the assessments may at times be based on declarations and legislation rather than actual practices, potentially confounding the dependent variable with the main independent variable. However, if this is indeed the case, we would expect the relationship between seemingly repressive laws and consequent negative human rights ratings to be even stronger. The fact that we found relatively little association between the two therefore suggests that in many cases legislation really *does not* lead to more repression of core physical integrity rights.

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Appendix 1. List of countries included in the most inclusive analyses (n = 135)

Afghanistan	Dominican Republic	Kuwait	Portugal
Albania	Ecuador	Kyrgyzstan	Qatar
Algeria	Egypt	Latvia	Romania
Angola	El Salvador	Lebanon	Russia
Argentina	Eritrea	Lesotho	Saudi Arabia
Armenia	Estonia	Liberia	Senegal
Australia	Ethiopia	Libya	Sierra Leone
Austria	Fiji	Lithuania	Singapore
Azerbaijan	Finland	Madagascar	Slovenia
Bahrain	France	Malawi	South Africa
Bangladesh	Gabon	Malaysia	Spain
Belarus	Gambia	Mauritania	Sri Lanka
Belgium	Georgia	Mauritius	Swaziland
Benin	Germany	Mexico	Sweden
Bhutan	Ghana	Mongolia	Switzerland
Bolivia	Greece	Morocco	Syria
Botswana	Guatemala	Mozambique	Tajikistan
Brazil	Guinea	Myanmar	Thailand
Bulgaria	Guyana	Namibia	Togo
Cambodia	Haiti	Nepal	Tunisia
Cameroon	Honduras	Netherlands	Turkey
Canada	Hungary	New Zealand	Turkmenistan
Chad	India	Nicaragua	USSR
Chile	Indonesia	Niger	Uganda
China	Iran	Nigeria	Ukraine
Colombia	Iraq	Norway	United Arab Emirates
Comoros	Ireland	Oman	United Kingdom
Costa Rica	Israel	Pakistan	United States
Croatia	Italy	Panama	Uruguay
Cuba	Jamaica	Papua New Guinea	Uzbekistan
Cyprus	Japan	Paraguay	Venezuela
Czech Republic	Jordan	Peru	Zambia
Denmark	Kazakhstan	Philippines	Zimbabwe
Djibouti	Kenya	Poland	

Appendix 2. Ordinal logistic regression panel analyses: Different definitions of legislation and their influence on the repression of physical integrity rights, 1981–2009

	1	2	3	4
Year	1.10*** (6.18)	1.10*** (6.20)	1.10*** (6.22)	1.10*** (6.19)
Terrorism in title of the law	1.24 (1.18)			
Law focuses on terrorism		1.18 (1.03)		
At least one article focuses on terrorism			1.13 (0.94)	
Terrorism mentioned in law				1.22 (1.39)
Terror events (ln)	1.04** (3.49)	1.04** (3.50)	1.04** (3.50)	1.04** (3.52)
Terror events in neighbor states (ln)	1.09 (1.61)	1.09 (1.62)	1.09 (1.62)	1.09 (1.61)
Internal dissent (ln)	1.04*** (3.99)	1.04*** (4.00)	1.04*** (3.98)	1.04*** (3.97)
Unstable regime	0.99 (–0.04)	0.99 (–0.03)	0.99 (–0.03)	0.99 (–0.04)
Civil war	1.64** (2.92)	1.64** (2.92)	1.64** (2.92)	1.64** (2.92)
International conflicts (ln)	1.15 (1.30)	1.15 (1.30)	1.15 (1.31)	1.15 (1.33)
Globalization index	0.98 (–1.84)	0.98 (–1.84)	0.98 (–1.84)	0.97 (–1.87)
Avg. repression in neighbor states	1.16 (1.52)	1.16 (1.52)	1.16 (1.53)	1.16 (1.55)
Muslim country	0.87 (–0.36)	0.87 (–0.36)	0.87 (–0.36)	0.87 (–0.35)
Commonwealth country	1.09 (0.31)	1.09 (0.30)	1.09 (0.31)	1.09 (0.32)
Democracy	0.86*** (–7.07)	0.86*** (–7.07)	0.86*** (–7.07)	0.86*** (–7.06)
Population (ln)	2.08*** (7.06)	2.08*** (7.05)	2.08*** (7.04)	2.08*** (7.07)

(continued)

	1	2	3	4
GDP per capita (ln)	0.77 (−1.85)	0.77 (−1.85)	0.77 (−1.84)	0.77 (−1.83)
Number of countries	134	134	134	134
Observations	2611	2611	2611	2611

Robust t statistics in brackets. *p < .05 **p < .01 ***p < .001.

* The cumulative scale in the Models 1–4 is a composite index referring to the violation of physical integrity rights. We reversed the original Cing-ranelli–Richards scale so that a low score now represents low levels of repression while a high score represents high repression levels.

* All predictors are lagged one year.

* We included a control for year in all models to account for linear time trends in repression.

Appendix 3. Arellano-Bond Dynamic Panel-Data Estimation, One-Step Difference Generalized Method of Moments (GMM) Analysis of Counterterrorist legislation and State Repression (Physical Integrity Rights Index), 1981–2009

Lagged dependent variable	0.62 (0.62)
Terror events (ln)	0.02** (2.79)
Counterterrorist legislation	0.13 (1.14)
Terror events in neighbor states (ln)	0.04 (1.01)
Internal dissent (ln)	0.01 (1.78)
Unstable regime	−0.26 (−1.64)
Civil war	0.45*** (3.59)
International conflicts (ln)	−0.12 (−1.17)
Globalization index	0.02 (0.76)
Avg. repression in neighbor states	0.28*** (3.93)
Democracy	−0.04 (−1.55)
Population (ln)	−7.08 (−0.93)
GDP per capita (ln)	0.30 (1.28)
Hansen test of overid (chi square)	0.972
Arellano-bond first-order test	0.000
Arellano-bond second-order test	0.108
Number of instruments	58
Number of countries	128
Observations	1605

Robust t statistics in brackets. *p < .05 **p < .01 ***p < .001.

* All predictors are lagged one year.

* We included a control for year in all models to account for linear time trends in repression.

Appendix 4. Ordinal logistic regression panel analyses: Different types of legislation and their influence on the repression of physical integrity rights, 1981–2009

	1	2	3	4
Year	1.11*** (7.09)	1.11*** (7.12)	1.11*** (7.11)	1.11*** (7.10)
Repressive legislation	0.88 (−0.44)			
International terror & immigration laws		0.74 (−1.46)		
Terrorist financing legislation			0.96 (−0.28)	
Limitations on weapons legislation				0.91 (−0.38)
Terror events (ln)	1.04*** (4.15)	1.04*** (4.14)	1.04*** (4.15)	1.04*** (4.16)
Terror events in neighbor states (ln)	1.10 (1.79)	1.10 (1.80)	1.10 (1.79)	1.10 (1.80)
Internal dissent (ln)	1.04*** (4.33)	1.04*** (4.33)	1.04*** (4.33)	1.04*** (4.33)
Unstable regime	0.97 (−0.15)	0.97 (−0.14)	0.98 (−0.14)	0.97 (−0.14)
Civil war	1.63** (3.12)	1.64** (3.12)	1.63** (3.12)	1.63** (3.12)
International conflicts (ln)	1.15 (1.32)	1.15 (1.31)	1.15 (1.31)	1.15 (1.31)
Globalization index	0.97* (−2.06)	0.97* (−2.04)	0.97* (−2.06)	0.97* (−2.06)
Avg. repression in neighbor states	1.16 (1.53)	1.16 (1.53)	1.15 (1.53)	1.16 (1.53)
Muslim country	0.87 (−0.37)	0.86 (−0.38)	0.87 (−0.37)	0.87 (−0.37)
Commonwealth country	1.10 (0.35)	1.11 (0.37)	1.10 (0.35)	1.10 (0.34)
Democracy	0.85*** (−7.80)	0.85*** (−7.81)	0.85*** (−7.80)	0.85*** (−7.80)
Population (ln)	2.10*** (7.03)	2.10*** (7.06)	2.10*** (7.03)	2.10*** (7.01)

(continued on next page)

(continued)

	1	2	3	4
GDP per capita (ln)	0.82 (−1.49)	0.82 (−1.51)	0.82 (−1.50)	0.82 (−1.50)
Number of countries	135	135	135	135
Observations	2868	2868	2868	2868

Robust t statistics in brackets. *p < .05 **p < .01 ***p < .001.

* The cumulative scale in the Models 1–4 is a composite index referring to the violation of physical integrity rights. We reversed the original Cingranelli–Richards scale so that a low score now represents low levels of repression while a high score represents high repression levels.

* All predictors are lagged one year.

* We included a control for year in all models to account for linear time trends in repression.

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