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Transnational Terror and Human Rights

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Do terrorist attacks by transnational groups lead governments to restrict human rights? Conventional wisdom holds that governments restrict rights to forestall additional attacks, to more effectively pursue suspected terrorists, and as an excuse to suppress their political opponents. But the logic connecting terrorist attacks to subsequent repression and the empirical research that addresses this issue suffer from important flaws. We analyze pooled data on the human rights behavior of governments from 1981 to 2003. Our key independent variable of interest is transnational terrorist attacks, and the analysis also controls for factors that existing studies have found influence respect for human rights. Repeated terrorist attacks lead governments to engage in more extrajudicial killings and disappearances, but have no discernable influence on government use of torture and of political imprisonment or on empowerment rights such as freedom of speech, assembly, and religion. This finding has important implications for how we think about the effects of terrorism and the policy responses of states, non-governmental organizations, and international institutions interested in protecting human rights.

Do terrorist attacks lead governments to restrict human rights? This question arises each time democratic countries have been the victims of terrorist campaigns. Advocates of human rights charge, for example, that the U.S. government has curtailed the political and civil liberties of non-citizens, expanded the detention and surveillance powers of law enforcement agencies, tortured detainees, and tightened government secrecy as a result of the terrorist attacks of September 11, 2001 (Human Rights Watch 2004; Jilani 2005). Many other countries facing terrorist campaigns, including Nepal, Tanzania, Uganda, Colombia, and Indonesia, in recent years have passed counter-terrorism legislation that has adversely affected the status of human rights protections (Whitaker 2007). Concerns about repression of human rights in the face of terrorism predate the contemporary focus on Islamic terrorism. Britain's Prevention of Terrorism Act, first passed in 1974, granted the government wide powers to detain and interrogate suspected Irish Republican Army terrorists. Spanish authorities in the 1980s and 1990s were accused of torturing and murdering suspected terrorists. In the Palmer Raids of 1920, the United States detained and deported thousands of suspected Communists after a terrorist bombing campaign.

Are these examples representative of governments' responses to terrorism? Or are they exceptional—do governments usually maintain extant levels of human rights protections after terrorist attacks? Existing research does not provide clear

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answers to these questions. Most legal scholars, political theorists, and human rights activists assume rather than evaluate empirically the proposition that terrorism creates very powerful incentives for governments to repress rights. A small comparative case study literature does address these questions directly, but does not reach clear conclusions and suffers from research design limitations. And while many scholars have sought to systematically account for governments' human rights behavior, none have used terrorism as an independent variable.

Our investigation of the links between terrorism and human rights builds on and extends these lines of inquiry. We distinguish between two types of human rights: rights to physical integrity, including freedom from torture, extrajudicial killing and disappearances, and political imprisonment, and empowerment rights, including rights to free speech and assembly. We develop two hypotheses linking transnational terrorist attacks to human rights protections. First, we expect that terrorist attacks lead governments to restrict physical integrity but not empowerment rights. We base this expectation on existing research that finds that governments restrict only physical integrity rights substantially when they face other forms of political violence such as civil wars. Second, we hypothesize that the substantive influence of terrorism on rights will be smaller than the influence of civil war involvement, the other form of political violence that has been analyzed in many quantitative studies of human rights. The reason is that terrorist violence usually does less physical damage and creates fewer casualties than does civil war.

Our empirical analysis uses pooled statistical data on the human rights behavior of governments of the world from 1981 to 2003. The key independent variable is the incidence of transnational terrorist attacks. We also control for political, economic, and historical factors that earlier studies have found influence government respect for human rights. We find that particularly intense terrorist attacks involving large numbers of victims do reduce some physical integrity protections. In particular, governments that experience many terrorist attacks subsequently engage in more extrajudicial killings and disappearances, but do not engage in more torture or political imprisonment. This finding contradicts the conclusion of much existing work that governments resort to torture to obtain intelligence that is useful for their counter-terrorism efforts. Empowerment rights are not influenced by terrorist attacks. Our findings on the effects of terrorism on empowerment rights differ from those who conclude that attacks lead governments to restrict rights to assembly and to free speech, as well as those who assume that terrorism produces an across the board restriction in rights. These conclusions have important implications for research on the effects of terrorism, theories of the relationships between political violence and repression, and the allocation of resources to protect rights. We discuss these implications briefly in the conclusion.

The next section discusses existing research on the links between terrorism and human rights, and explains how our work combines their insights to conduct a more systematic empirical investigation. We then articulate two hypotheses, describe our operationalization of variables, data sources, and method of analysis. The final two sections summarize our findings, discuss possible threats to their internal and external validity, and conclude with suggestions for future research.

Transnational Terrorism and Human Rights

Do transnational terrorist attacks lead governments to restrict rights? If so, which rights? Two streams of research address these questions. The first, generated mostly by lawyers, political philosophers, and policy analysts, *assumes* rather than investigates empirically that terrorism creates very strong pressures on governments to restrict rights; two exceptions being Meisels (2005) and Waldron (2003). This work posits two reasons why governments repress after terrorist

attacks. First, there is a security-liberty trade-off. Posner and Vermeule (2007) provide a detailed discussion of this in the context of terrorism. Governments cannot maximize both security and human rights. This trade-off exists because rights and liberties interfere with the authorities' ability to wage an effective counter-terrorism campaign. As Grant Wardlaw (1986, 191) puts it, ''the difficulty for democratic states is that attempts to limit the freedom of action of terrorists necessarily impact adversely on a wider group of people, interfering with the liberties enjoyed by many citizens.'' Terrorism is a sufficiently serious threat to security that governments respond by restricting freedoms. Indeed, a common argument is that the trade-off between security and liberty is sharper for transnational terrorism than for other threats—such as international war. Terrorist groups are weak; they control fewer material resources such as personnel, territory, and technology than the governments they oppose. Terrorist groups adopt ''asymmetric'' strategies and tactics to compensate for this material weakness. Many of these strategies and tactics exploit human rights freedoms. Rights to free speech and assembly, for example, allow terrorist groups to promote their cause, to attract supporters, and to conceal their activities. Governments thus face pressure to limit these rights. The British government, for example, has recently outlawed speech that incites hatred based on religion. Rights of privacy limit the authorities' power to collect intelligence on terrorists. Many governments introduced legislation after 2001 that limited privacy rights, justifying this change as a way to improve counter-terrorism efforts (Whitaker 2007). Freedom from torture, extrajudicial violence, and political imprisonment reduce the authorities' power to punish captured terrorists and to coerce intelligence from them. This is why the United States adopted harsher interrogation techniques and increased the extra-judicial extradition of suspected terrorists to countries that practice torture. U.S. Vice President Dick Cheney argued that terrorist threats meant that the U.S. intelligence agencies needed to move to the ''dark side'' and to ''spend time in the shadows'' to defeat Al Qaeda (White House 2001).

Second, domestic politics may also lead governments to restrict rights. Terrorist attacks may cause political groups and individual citizens to downplay internal conflicts with and rally around the government in power. The government may use this freedom of political maneuver to introduce restrictions on rights in the name of counter-terrorism, but have as its true objective reducing the ability of their political opponents to organize and to criticize government policy (Kassimeris 2007). Many recent terrorist campaigns have led to complaints that the targeted government is exploiting the situation by taking self-serving actions or introducing legislation that strengthens its influence over the political process (Whitaker 2007). A good example is the 1999 presidential election in Russia. Terrorist attacks in Moscow by Chechen separatists before the election appear to have had a substantial influence on the outcome. Prime minister and presidential candidate Vladimir Putin promised tough action against the terrorists, including the resumption of the use of military force in the province of Chechnya. Putin depicted those opposing his actions as weak and accommodating in the face of terrorist attacks on the Russian homeland. Putin's popularity increased sharply after the attacks, and he went on to win the presidential election by a wide margin (Kassimeris 2007).

This stream of legal and policy analysis is important because it provides a theory explaining why terrorist attacks should lead governments to restrict rights. The analytical focus here is on how best to trade-off the benefits of security from terrorist attack against the costs of restrictions on human rights, rather than establishing that such a trade-off actually exists (Holmes 2001; Ishay 2004, 279). There are many discussions of how states can minimize their restrictions on rights and still wage effective counter-terrorist campaigns, for example, by adopting technologies and policies that are effective in countering terrorism but inflict

the least damage on civil liberties (Rosen 2004). Others analyze the ethical and legal permissibility of certain tactics—most prominently torture—in counter-terrorism campaigns, such as Ignatieff (2004). Experts on counter-terrorism suggest specific measures that governments wishing to respect rights should take to minimize the threat of terrorist attacks (Wilkinson 1981).

Work in this stream has not addressed important theoretical and empirical issues. The idea of a security-liberty trade-off does not generate particularly specific expectations about how governments will restrict rights after experiencing a transnational terrorist attack. It is unclear how many attacks or victims terrorists must generate to prompt restrictions of freedoms. Also unclear is precisely which rights are most imperiled by attacks. Should we expect transnational terrorism to influence respect for all or most human rights? Posner and Vermeule (2007), as well as the 9/11 Commission that investigated the response to the terrorist attacks on the United States committed on that date (National Commission on Terrorist Attacks on the United States 2004), mention a wide range of human rights that governments seek to curtail after attacks. Others argue that the effects of terrorism are limited to some rights but not others. Stone (2004), for example, draws attention to violations of civil liberties such as free speech, while Ignatieff (2004) pays particular attention to torture. Furthermore, the entire motivation for this work rests on the assumption that transnational terrorism creates pressures for governments to restrict freedoms. There would be little need to undertake such analyses without this assumption. It is not surprising, then, that this stream of research has devoted more cursory empirical attention to determining if a trade-off between transnational terrorism and human rights exists, and far more attention to evaluating the consequences and possible responses to such a trade-off. Heymann and Kayyem's (2005) important and influential legal analysis of balancing security and liberty devotes little attention to how such balances are achieved in practice beyond some comparisons of the experiences of the United States and Britain. Posner and Vermeule (2007) provide the most explicit theoretical discussion of the security-liberty trade-off. Their empirical contribution, like that of many other works in this stream, is essentially a list of rights-infringing measures governments have taken after experiencing terrorist attacks. It is not clear if such lists are comprehensive or representative, or are filled with examples that illustrate the authors' analytical conclusions. There has thus been no attempt to determine systematically how frequently or under what conditions governments suppress rights after terrorism. Yet establishing empirically the relationship between transnational terrorism and human rights protections is crucial for evaluating the policy responses that many of these authors propose; we cannot undertake such evaluations until we know if transnational terrorism does in fact lead governments to suppress human rights.

A second stream of research does seek to understand empirically the links between terrorism and human rights repression through case studies of the experiences of individual countries or small numbers of countries. Interestingly, the findings of this stream of research are mixed and do not provide a great deal of support for the idea that states trade security for liberty after terrorist attacks. Some conclude that terrorism does *not* lead governments to repress human rights protections substantially. Paul Wilkinson (1986), for example, finds that Italian and German governments were able to defeat domestic terrorist groups in the 1970s and 1980s by imposing only modest restrictions on political and legal rights. In both cases, strong public and cross-party support for limited counter-terrorism measures combined with political and judicial oversight allowed governments to take effective action against terrorist groups but prevented steps that might infringe substantially upon human rights. Freeman (2003) reaches a similar conclusion, and holds more specifically that governments constrained by a free press and the separation of powers are less likely to respond to terrorism with serious restrictions on human

rights. Others, however, find a consistent link. Brinkley (2003) and Stone (2004) conclude that U.S. episodes of political violence, especially involvement in international wars, has led the federal government to restrict civil liberties. Both authors worry that the contemporary ''war on terrorism'' already has led the American government to limit rights in important ways. The collaborative project summarized in Charters (1994), which compares the experiences of the United States, Britain, France, Germany, Italy, and Israel, is the most comprehensive study of this issue. Charters (1994, 213) concludes that the activities of domestic terrorist groups did lead governments to ''introduce countermeasures that impinged to a greater or lesser degree on democratic practices and civil liberties.'' Transnational terrorism, in contrast, had little influence on human rights practices among the countries included in the study. This stream of work takes seriously the task of using empirical evidence to determine if states attacked by terrorists respond with human rights violations. It also suggests some unexpected findings, such as the fact that in some cases the purported link between terror and repression does not exist, and the possibility that the effect of transnational terrorism is less severe than that of domestic terrorism. Yet the small number of cases investigated, the absence of a well-articulated research design that allows for the inclusion of control variables, and the fact that the cases analyzed are limited to wealthy democracies makes us uncertain about the internal and external validity of this work.

Why Terrorism Might Not Matter

We have seen above that a large body of literature assumes that transnational terrorist attacks lead governments to restrict rights with the objective of improving security. But another body of literature exists which provides substantial evidence that such policies are counter-productive. Restricting rights might actually increase rather than decrease support for terrorism. This idea is well-established in research on counter-insurgency. A consistent conclusion here is that government crackdowns on rights actually drive more individuals to support the insurgents. Counterinsurgency analysts frequently advise governments to instead focus on winning the ''hearts and minds'' of the population by respecting rights and carefully avoiding repression. Joes (2004) provides a good discussion of this. Others have suggested that this positive relationship between repression and insurgency can be extended to terrorism (Crenshaw 1981; Figueiredo and Weingast 2001; Rosendorff and Sandler 2004). Elsewhere (Walsh and Piazza 2007) we argue that abuse of the subset of rights known as physical integrity rights fuels terrorism by providing terrorists with additional grievances, by alienating the population from the government, which makes it more difficult for the authorities to collect intelligence, and by undermining domestic and international support for their counter-terrorism efforts. We find that respect for physical integrity rights is consistently associated with fewer terrorist attacks.

This implies that the relationship between terrorism and rights is more complicated than much of the literature summarized above concludes. It may very well be the case, as proponents of the security-liberty trade-off assume, that restricting rights will reduce terrorism. But it could also be true that restricting rights could simultaneously increase support for terrorism. The reason is that the effects of abusing rights could vary across individuals. Assume, for example, that a government responds to terrorist attacks by restricting physical integrity rights and using extrajudicial killings, disappearances, torture, and political imprisonment as counter-terrorism tools. If implemented effectively, these tools may allow the authorities to kill or incapacitate many members and supporters of the terrorist group. At the same time, though, such tools might increase support for and participation in the terrorist group. Individuals that previously took no position on, or were passively sympathetic to, the political goals of the

terrorist group may be so outraged by the government's abuses that they join or otherwise actively support the group's actions. Foreign governments that object to the government's repression may provide less political, economic, and intelligence support to its counter-terrorism campaign. Legitimate political groups within the country may oppose these abuses and stop supporting the government. Something like this seems to have occurred in the Algerian war of independence from France. Harsh measures by the French authorities allowed them to suppress the activities of terrorists and insurgents in much of the colony. But they also produced a great deal of political conflict within the metropole that hobbled successive governments, led other governments to criticize French actions or even to support their opponents, and gave the terrorists a new complaint about the illegitimacy of French rule (Abrahms 2007). Here the advantages to the French from restricting rights were ultimately outweighed by the ways such abuses increased the power and legitimacy of their opponents.

It may also be the case that most terrorist violence is simply not violent enough to provoke meaningful changes in human rights behavior. Consider the amount of harm done in the 20th century by the three measures of political violence used in this study—international war, civil war, and terrorism. The victims of both international and civil wars are measured in the tens of millions; victims of terrorism in perhaps the tens of thousands. Terrorist violence is simply not that violent in the aggregate when compared to war. If this is the case, we would not expect terrorism to have as substantial influence on human rights. Of course, the political impact of terrorist is often far greater than the material damage that it inflicts. As Mueller (2006, 13) emphasizes, ''the costs of terrorism commonly come much more from hasty, ill-considered, and over-wrought reactions, or overreactions, to it than from anything the terrorists have done.'' Large-scale human rights violations after terrorist attacks would certainly qualify as one such overreaction. And it is easy to think of cases in which such overreaction has taken place. After the 9/11 attacks, for example, the U.S. government interrogated tens of thousands of young men from predominately Muslim or Arab countries. Over the next few months, it increased the scope of its extraordinary rendition program, tortured suspected terrorists, and established secret prisons overseas. French officials in Algeria would often respond to terrorist attacks with savage reprisals on civilians. British and Spanish security agencies violated human rights after the outbreak of terrorist violence in Northern Ireland and the Basque region. Two issues remain unclear about such ''overreactions.'' First, are they large enough to be captured by the measures of human rights that are commonly employed in the literature, and that we use here? Second, are they sustained? That is, are such responses a short-term reaction to terrorism that are replaced by more moderate measures within a reasonable short period of time such as weeks or months, or are they maintained over longer periods of time?

Finally, a robust finding in the empirical literature is that democracies experience more terrorism than do non-democracies (Eubank and Weinberg 1994, 2001; Ivanova and Sandler 2006; Li and Schaub 2004; Piazza 2008). Democracies allow individuals some rights of speech, movement, and organization to express their political views. These rights also provide terrorist groups with more freedom to publicize their grievances, recruit members and supporters, and plan attacks. Democracies also have political institutions that make it more difficult for the government to introduce new restrictions on rights. Li (2005) argues that such constraints keep the government from engaging in systematic human rights violations. Democracies place more political and institutional constraints on the executive's freedom to develop and implement new policies, such as new restrictions on human rights. The effective separation of powers should make it more difficult for agencies that fall under the direction of the executive branch to institute new activities that impinge on human rights. A separate literature on

veto players provides theoretical support for this line of thinking. Tsebelis (2002) defines a veto player as a group or institution, such as a political party in a coalition government, a house of the legislature, or the executive branch, whose assent is required for any change in extant policy. The executive can more easily change policy when it faces fewer veto players. Conversely, policy change is more difficult to achieve in political systems with more veto players. The implications for human rights practices are straightforward: executive agencies, such as the military or police, should find it more difficult to institute new restrictions on human rights in democratic policies with more veto players. This perspective also is reflected in work dealing specifically with human rights. Many human rights advocates hold that the creation of powerful legislatures, effective political parties, and an independent judiciary is crucial for ensuring the protection of rights in newly democratizing countries. Only one study (Bueno de Mesquita et al. 2005) has attempted to evaluate this argument with quantitative evidence, but it does find that institutional constraints on the executive in democracies are associated with improved human rights.

Hypotheses

Existing research provides few concrete answers to questions surrounding government repression after terrorist attacks. Proponents of the position that attacks do lead to repression have not clearly specified which rights are at risk or undertaken persuasive empirical research. And there are important arguments about why rights will remain unchanged after terrorist attacks.

We draw on a different stream of research to develop hypotheses about which rights are sacrificed after terrorist attacks and the size of the restrictions that governments will impose. This research uses large cross-national data sets and multivariate statistical techniques to explain governments' human rights practices (Davenport 1995, 1996, 2004; Hathaway 2002; Keith 1999; Neumayer 2005; Poe and Tate 1994; Poe, Tate, and Keith 1999; Regan and Henderson 2002; Richards, Gelleny, and Sacko 2001). Two other forms of political violence—international war and civil war—regularly emerge as having statistically significant negative influence on rights to physical integrity. The explanation advanced in this literature is that international and civil war both represent a direct challenge to the legitimacy and hold on power of national governments, making them more willing to use all forms of violence, including human rights violations, to maintain their authority (Denardo 1985; Gartner and Regan 1996; Lichbach 1987; Poe 2004). Research in this tradition finds some evidence that involvement in international war against another state or states is associated with government violations of physical integrity rights (Poe and Tate 1994; Poe, Tate, and Keith 1999; Rasler 1986). An even more consistent finding is that governments involved in civil wars, rebellions, and other forms of large-scale violent domestic dissent that pose a direct and armed threat to their rule, regularly restrict physical integrity rights (Carey 2004; Davenport 1995, 1996; Poe and Tate 1994; Poe, Tate, and Keith 1999; Zanger 2000). Based on this literature, Davenport (2007) concludes that there exists a ''law of coercive responsiveness,'' in which governments respond to violent threats to their rule by repressing physical integrity rights but not other types of human rights. Terrorism is a different form of political violence directed against the legitimacy and authority of the state. Based on the pattern found in these studies, a reasonable conclusion is:

Hypothesis 1: *Terrorist attacks lead governments to repress physical integrity rights, but not other types of human rights, as they do when involved in civil or international wars.*

As discussed earlier, terrorists typically employ far less violence than do combatants in civil or international wars. The reason for this is that terrorist groups lack the material resources such as personnel, territory, or heavy weapons that would provide them with the means to undertake large-scale violence. Instead, terrorists seek to achieve their political objectives by attacking high-profile targets and non-combatants with the objective of creating widespread fear and anxiety. These differences in the *scale* of violence are clear in the data we employ. As discussed below, we follow the standard definitions of international and civil wars as conflicts that inflict at least one thousand casualties. Few terrorist campaigns approach this level of violence. In our data set, over 64 percent of the country-year observations experience zero terrorist attacks, and over 95 percent of country-year observations have fewer than 10 terrorist attacks. The fact that terrorism creates fewer human victims and less material damage than the other forms of political violence analyzed here leads us to expect that:

Hypothesis 2: *The substantive influence of terrorism on physical integrity rights will be smaller than the substantive influence of civil war.*

Variables, Data, and Method

We use a new data set measuring human rights performance developed by David Cingranelli and David Richards that distinguishes between protections afforded to individual rights. Previous empirical studies have not specified which human rights practices, if any, are altered by terrorist attacks. Some do not distinguish between different types of rights, implying that terrorism does affects all such rights equally. Other works emphasize the negative consequences of terrorism for government respect for rights to physical integrity. In particular, a large amount of recent literature holds that governments often resort to torture as an important element of counter-terrorism campaigns. Still others pay most attention to empowerment rights, such as freedom of speech, movement, and assembly. Our study is designed to determine which specific rights, if any, governments restrict after terrorist attacks.

Our analysis involved collecting data in country-year format for countries around the world from 1981, or year of independence, to 2003. We use pooled time-series, cross-sectional regressions with different mixes of independent and dependent variables. Earlier studies analyzed similar dependent variables using versions of ordinary least squares regression (see especially Poe and Tate 1994; Poe, Tate, and Keith 1999). We follow the pattern established in more recent papers on determinants of human rights practices (Davenport 2004; Neumayer 2005; Richards, Gelleny, and Sacko 2001) of using ordered logistic regression because this method is specifically designed for dependent variables, such as those we use here, that are ordinal measures with limited numbers of categories (Long 1997). We use a Huber/White/Sandwich estimator of robust standard errors clustered on the units—countries, in this case.

This research design allows us to evaluate in a systematic fashion the argument that transnational terrorist attacks lead to government restrictions on human rights. It also creates opportunities to investigate a number of issues that remain unresolved by the existing case study research on this topic. We can control rigorously for the influence of variables other than terrorism. Governments' human rights practices are subject to many political, economic, and cultural influences. Failing to control for these influences could lead to biased conclusions about the influence of terrorism. As we discuss below, controlling for the presence of other forms of political violence and for the degree to which a country is governed by democratic political institutions is particularly important. Existing

case studies have been conducted on the influence of terrorism primarily in wealthy, otherwise peaceful, and democratic states. Findings from these cases may not be applicable in poorer, more conflict-prone, and less democratic countries.

We operationalize respect for human rights with four separate measures derived from the Cingranelli–Richards (Cingranelli and Richards 2004) data set of physical integrity rights (the extent to which the government engages in disappearances, extrajudicial killings, holding political prisoners, torture), and five measures of political empowerment (rights to association, speech, political participation, movement, and religion). The first seven of these measures range in value from zero, indicating the least respect for the right in question, to a maximum value of 2. The measures of freedom of movement and religion take a value of zero (indicating less respect for this right) or 1.

Our key independent variable is transnational terrorism. In most of the models reported below, terrorism is operationalized as the number of transnational terrorist attacks experienced by a country in a given year. The measure is derived from the International Terrorism: Attributes of Terrorist Events (ITERATE) database. Two coding decisions involving terrorist incidents and casualties require brief explanation. First, in more than 95 percent of the observations the origination and termination of the terrorist incident occurs in the same country. Following Li and Schaub (2004), we conclude that the effects on the estimation results of <5 percent of the observations that originate and terminate in different countries—for example, a hijacking of an international flight—to be negligible. Furthermore, we assume that, in theory, the country in which an attack begins bears the lion's share of the costs of the attack because it is most likely to have had its security apparatus compromised by the perpetrators, and, again using the example of the international flight hijacking, is more likely to have its own nationals affected by the incident. Second, a flaw common to all such event-count databases is that ITERATE is complied using publicly reported media sources on terrorist events. This is particularly problematic when counting terrorist events in countries with state-controlled media that may have strong incentives not to report terrorist attacks (Sandler 1995). The ITERATE project attempts to minimize this effect by basing entries on both international and domestic media sources. ITERATE is the most complete set of data for transnational terrorist activities available to researchers.

We also control for variables other scholars have linked to change in the status of human rights protections (Davenport 1995, 1996; Hathaway 2002; Keith 1999; Poe and Tate 1994; Poe, Tate, and Keith 1999). In most of these studies civil war, international war, regime type, gross domestic product per capita (GDP per capita), population size, and signature of the International Covenant on Civil and Political Rights have been found to influence human rights performance. A consistent finding in the existing literature is that more democratic states do a better job of respecting human rights. To measure this concept we use the Polity project's (Marshall and Jaggers 2004) continuous variable of the degree to which a country is governed in accordance with democratic principles. This ranges from a low value of −10, indicating little or no democratic characteristics, to a high of 10. Another consistent finding is that civil war increases repression, as governments resort to human rights violations to suppress support for their armed opponents. We measure civil war as a dichotomous variable coded 1 for countries experiencing civil war and zero otherwise. We classify an internal conflict as a civil war when it produces at least 1,000 battle deaths and the national government is involved as a combatant facing an effective resistance movement that is able to inflict at least 5 percent of the fatalities it receives. Our definition of and coding of civil wars through 1999 is from Sambanis (2000), which we have updated for subsequent years from the PRIO/Uppsala Armed Conflict Dataset described in Gleditsch et al. (2002). Insurgents engaged in a civil war against the

government many also include terrorist attacks in their repertoire of violence (Ryckman and Goertz 2008; Sambanis 2008). We deliberately chose the measure of civil war that is least likely to overlap with our measure of terrorism. The number of battle deaths required for a conflict to be counted as a civil war is far larger than the number of victims of most terrorist campaigns. This allows us to be reasonably sure that these two variables, terrorism and civil war, are accurately measuring different phenomena.

Some papers find that involvement in an international war also leads governments to repress human rights, although this conclusion is not as consistent as it is for civil war. International war is a dichotomous variable coded as 1 if the country participated in an armed conflict with another state that resulted in at least 1,000 battle-related deaths per year. The source for this variable is also Gleditsch et al. (2002). GDP per capita is measured in millions of constant 1,995 U.S. dollars and should be positively associated with our measures of rights. It is often associated with superior human rights performance. Population is measured in millions. Populous states are more likely to engage in rights violations. The World Bank (2004) is our source for both of these variables. Signature of the International Covenant (labeled *ICCPR*), which in some studies is associated with superior human rights performance, is a dichotomous variable coded a 1 beginning with the year that the state ratified the Optional Protocol to the International Covenant on Civil and Political Rights and zero otherwise. The source for this variable is the United Nations (2008).

Results and Discussion

Main Results

Table 1 displays the main results of our analysis of nine regression models, one for each of the measures of different human rights analyzed here.

Consistent with our first hypothesis, terrorism is not significant for any of the models (5 through 9 in Table 1) using different measures of empowerment as a dependent variable (in some specifications reported below, terrorism is statistically significant for freedom of movement, but this is not a consistent finding). This lack of a relationship between terrorism and empowerment rights contradicts two claims of the existing literature. The first is that terrorism causes governments to restrict rights across the board. This is clearly not the case in the models reported in Table 1 or in the robustness checks we report below. The second, more specific claim that some authors make is that empowerment rights in particular are restricted after terrorism. Stone (2004), for example, writes that the U.S. government regularly restricts freedom of speech and assembly during national security emergencies. Our results provide no support for this idea in the context of cross-national comparisons of responses to terrorism. Instead, they are consistent with existing work which finds that political violence causes restrictions in physical integrity rights.

Turning to the physical integrity rights analyzed in models 1 through 4, we see that terrorism does have a negative and statistically significant relationship with disappearances and extrajudicial killings. These variables are statistically significant at the 10 percent level in the models reported in Table 1. They are also significant at this level or at the 5 percent level in all of the regressions we report below, indicating that this conclusion is reasonably robust to model specification. Terrorism does not have a statistically significant influence on torture or on political imprisonment. This is surprising because a great deal of attention focuses precisely on the motives that governments have to engage in torture after terrorist attacks. The debate about if and when it is justifiable for governments to torture to prevent terrorism is a good example (Ignatieff 2004). Regardless of

Table 1. Ordered Logistic Regressions of Terrorist Attacks and Human Rights

Model	*1*	*2*	*3*	*4*	*5*	*6*	*7*	*8*	*9*
Dependent Variable	*Disappearances*	*Killings*	*Political Prisoners*	*Torture*	*Freedom of Association*	*Freedom of Movement*	*Freedom of Speech*	*Political Participation*	*Religious Freedom*
Terrorist Attacks	−.027 (−1.76)*	−.026 (−1.89)*	−.039 (−1.63)	−.005 (−.47)	.003 (.24)	−.012 (−1.43)	.011 (1.22)	.005 (.45)	.008 (.54)
Polity	.022 (0.86)	.007 (.37)	.158 (8.04)**	.053 (2.79)**	.266 (13.31)**	.167 (6.70)**	.257 (13.04)**	.319 (15.72)**	.131 (6.71)**
Civil War	−2.349 (−9.26)**	−2.319 (−9.58)**	−2.099 (−6.73)**	−1.335 (5.23)**	−.424 (−1.38)	−.598 (−1.81)*	−.925 (−4.21)**	−.682 (−2.39)**	.042 (.15)
International War	−.211 (−.32)	−.57 (1.08)	−.397 (−1.03)	.265 (.66)	.475 (.95)	−.962 (−2.44)**	.147 (.41)	.632 (1.68)*	−.886 (−2.28)**
ICCPR	−.105 (−.46)	.001 (.00)	.161 (.85)	.348 (2.01)**	.384 (1.73)*	.126 (−.43)	.044 (.25)	.281 (1.28)	.267 (.98)
Population	−.001 (−2.10)**	−.003 (−2.85)**	−.007 (−2.26)**	−.009 (−2.45)**	−.001 (−1.29)	−.001 (−1.69)*	−.001 (−3.44)**	−.000 (−1.87)*	−.002 (−2.37)**
GDP per capita	.000 (1.11)	.000 (2.63)**	.000 (1.76)*	.000 (2.89)**	.000 (.11)	−.000 (−.02)	.000 (1.62)	.000 (2.37)**	.000 (−.61)
Observations	2,636	2,625	2,632	2,623	2,665	2,633	2,633	2,632	2,632
Pseudo-R^2	.17	.19	.26	.14	.34	.21	.31	.42	.52
Countries	144	144	144	144	146	144	144	144	144
Wald-χ^2	137.86	141.24	216.55	102.11	281.48	74.69	332.34	530.32	78.36
Log-likelihood	−1,577	−2,149	−2,132	−2,399	−1,897	1,167	−1,894	−1,635	−1,328

Note. Robust z-statistics in parentheses; clustering on country.
*Significant at 10% level; **significant at 5% level.

their position on this issue, authors on both sides assume that the pressures for governments to torture after terrorism are very powerful. We find little evidence to support this assumption. These findings provide partial support for our first hypothesis that governments restrict physical integrity rights, but not empowerment rights, after experiencing terrorist attacks.

Recall that our second hypothesis posits that terrorism will have a smaller substantive influence on human rights than will other forms of political violence. The results summarized in Table 1 indicate that terrorism influences far fewer types of rights than does the occurrence of a civil war. The coefficient on the civil war variable is negative and statistically significant for all of the measures of human rights except for freedom of association and religious freedom. Civil war thus influences a wider range of human rights than does terrorism. We can thus conclude that terrorism has a narrower influence on physical integrity rights than does civil war. The dependent variables for which both terrorism and civil war are statistically significant are extrajudicial killings and disappearances. This allows us to compare the substantive influence of terrorism and civil war on these two physical integrity rights. We used the CLARIFY utility developed by King, Tomz, and Wittenberg (2000) to simulate how changing the value of terrorism and civil war variables influences disappearances and extrajudicial killings. Table 2 reports the results for these simulations. For the results in the first and third rows, which simulate changes in the number of terrorist attacks, we set all of the other independent variables to their mean except for the dummy variables civil war and international war (both set to zero, indicating the absence of such conflicts) and ICCPR (set to one, indicating ratification of this treaty). For the results in the second row, which simulate changes in civil war, we set the other independent variables to the same values, and set the number of terrorist attacks to its median. Recall that disappearances and extrajudicial killings are both measured on a three-point scale, where 0 is the worst performance and 2 is the best performance. Changing the independent variable terrorism from its minimum to its maximum value results in noticeable changes in the predicted probabilities of each of these variables. Raising terrorism from its minimum (zero attacks) to its maximum (181 attacks) value leads to an increase of 66 percent in the predicted probability that a country-year will have the lowest score on disappearances and a 70 percent increase in the predicted probability of a country-year assuming the lowest value for the extrajudicial killings variable. The onset of a civil war leads to qualitatively similar changes in respect for these rights; the probability that the government will engage in no killings or disappearances falls by almost 50 percent, while the chance that it will implement such abuses rises by over 25 percent. Thus an enormous increase in terrorism from its lowest to its highest level results in about the same shift in governments' extrajudicial killings and disappearances as the onset of a civil war. The results of less extreme comparisons are far smaller, however. The third row of Table 2 simulates raising terrorism from its minimum value to the 75th percentile. This is still a very large increase in terrorism, but results in tiny changes to the predicted probabilities. While these simulated changes in disappearances and extrajudicial killings are small, the changes in terrorism associated with them are quite large. Two conclusions follow from this. First, the general effect of terrorism on these rights is very small compared to that of civil war. Second, a huge increase in terrorism, such as an attack like 9/11, might produce a noticeable effect on human rights, but only for disappearances and killings.

Although we do not resolve the issue definitely here, we can suggest reasons why terrorism is associated with an increase in extrajudicial killings and disappearances but not of torture or of political imprisonment. Darius Rejali (2007) argues that a global human rights regime emerged in the 1970s and 1980s that systematically monitored and criticized the use of torture by governments around the world. Many governments responded to this development by adopting new torture techniques that leave few discernable traces on their victims. These

Table 2. The Substantive Influence of Terrorism on Disappearances and Extrajudicial Killings

	Change in Probability that Disappearances = 0	*Change in Probability that Disappearances = 1*	*Change in Probability that Disappearances = 2*	*Change in Probability that Killings = 0*	*Change in Probability that Killings = 1*	*Change in Probability that Killings = 2*
Increasing terrorism from minimum to maximum values	.66	.03	−.68	.7	−.15	−.55
Onset of Civil War	.25	.24	−.49	.39	.08	−.47
Increasing terrorism from zero to 75th percentile	.0004	.001	−.002	.0009	.002	−.003

''clean'' techniques were designed to make it more difficult for human rights groups to find credible evidence of the use of torture. If this analysis is correct, it is possible that states do respond to terrorist attacks by engaging in more torture, but that this change is not detected. Recall that the Cingranelli–Richards data set on human rights utilized here begins in 1981, after the beginning of global monitoring of human rights abuses. This is not a coincidence; the data set is based on the coding of reports of human rights practices generated as part of the development of the global human rights regime. States may have begun responding to such monitoring by implementing ''clean'' torture techniques. These techniques are by definition difficult for human rights monitoring groups to detect. This means it is possible that states engage in torture that is not recorded in our data set. If this is the case, it is also possible that states respond to terrorist attacks by engaging in more ''clean'' torture, and that this response is not detected. Future research could investigate this possibility more systematically. We can note in passing, however, that many of the practices for which the United States has been criticized by human rights groups since the terrorist attacks of September 11, 2001—such as ''waterboarding,'' sleep deprivation, and isolation—are consistent with this analysis.

This logic might also help explain why we find that governments engage in more disappearances and extrajudicial killings after experiencing many terrorist attacks. Disappearances and extrajudicial killings can be difficult for human rights monitors to detect. Governments that engage in extrajudicial killings often seek to hide the bodies of their victims to avoid being blamed for their deaths or disappearances. The military dictatorship in Argentina in the 1970s, for example, infamously pushed victims out of aircrafts over the sea so that their bodies would not be discovered, and other governments use mass graves in remote locations to hide their victims. Masking responsibility thus is an essential goal of engaging in this form of violence, and as Cingranelli and Richards (1999, 408) note, it is often difficult to classify a particular act of violence: ''Disappearances and killings are closely related practices. Many victims of human rights abuse who initially are categorized as having been disappeared are later found to have been killed.'' Unlike ''clean'' torture, however, disappearances and extrajudicial killings do create physical evidence in the form of dead bodies, and it is sometimes difficult for the authorities to completely destroy this evidence or to consistently hide it for long periods of time. Extrajudicial killings in Bosnia in the 1990s and in Iraq after 2003 soon led to the unearthing of mass graves in both countries, for example, and government agencies or their allies in militia forces were considered the most likely perpetrators of this violence.

Countries in the analysis that respond to the threat of terrorism by engaging in extrajudicial killings and disappearances share two distinctive characteristics.[1] These regimes[2] are 26 percent younger than the average in our data set, are twice as likely to have experienced civil wars, and are 50 percent more likely to have experienced ethnic wars.[3] They are newer states saddled with a recent legacy of a type of internal armed conflict, ethno-sectarian strife, that Kaufmann

[1] This subset was produced by splitting the main data set by country and then conducting pearson's *r*-correlations on terrorist incidents and physical integrity index measurements for killings and disappearances country-by-country. The subset was then subjected to a means comparison of a variety of other variables with the entire data set.

[2] The countries where terrorism is a significant predictor of extrajudicial killings and/or disappearances are Algeria, Argentina, Azerbaijan, Burundi, Colombia, Croatia, El Salvador, Fiji, Guatemala, Guinea, Honduras, Jamaica, Kuwait, Mali, Mexico, Mozambique, Panama, Peru, Romania, Rwanda, Sierra Leone, South Korea, Sri Lanka, Sudan, Syria, Swaziland, Tajikistan, Thailand, and the United Kingdom.

[3] Ethnic war here is measured using data from the Political Instability Task Force's Internal Wars and Failures of Governance 1955–2006 database (http://globalpolicy.gmu.edu/pitf/) and is coded using an ordinal variable between 0 and 4 based on the size of mobilization of combatants and the number of resulting deaths above 1,000. Ethnic war is defined as, ''episodes of violent conflict between governments and national, ethnic, religious, or other communal minorities (ethnic challengers) in which the challengers seek major changes in their status [sic].''

(1996, 1998) argues greatly increases the probability that state agents will commit atrocities against civilians. Because killings and disappearances are arguably the worst or most objectionable types of physical integrity violations, states that commit them run a higher risk of provoking a domestic or international backlash (Cingranelli and Richards 1999). But states that have experienced civil wars with an ethnic component to them might behave differently. Noting that all states seek to preserve a modicum of moral legitimacy in the eyes of their constituents, Kaufman explains that ethnic-based armed conflicts reduce ethnic minority groups to a status of ''otherness'' in the minds of majority populations, and thereby substantially widen the level of publicly acceptable brutality that states can employ when fighting civil wars. Furthermore, it is likely that intelligence, police and bureaucratic agents of states that have fairly recently experienced brutal ethnic conflicts have been habituated to using kidnappings and death squads against regime opponents and are less inhibited by institutional checks on their behavior due to the newness and fragility of the regimes themselves.

Turning to the control variables, we find few differences from the earlier quantitative studies of human rights. Democratic rule, measured in Table 1 as the Polity measure, has a very strong positive relationship with empowerment dependent variables. It also has a positive and statistically significant relationship to two of the measures of physical integrity rights—torture and political imprisonment. This is consistent with earlier studies, and not surprising as many of these rights are important components of democracy. Civil war has a strong negative influence on the physical integrity dependent variables and some of the empowerment dependent variables. Signature of the ICCPR seems to have little influence on the specific rights discussed here other than torture and freedom of association. Population has a negative and statistically significant influence on all of the physical integrity and empowerment rights. These effects of the control variables generally hold in the robustness checks reported below, so we do not discuss them in detail there.

Robustness Checks

We also conducted additional analyses to determine how robust these main findings are to the use of alternative model specifications and variables. We summarize these results here rather than present them in full; they are available from the authors.

Our first robustness check begins with a body of research which holds that the relationship between political regime and human rights is curvilinear, rather than linear as we have assumed to this point. Governments occupying an intermediate position between full democracy and authoritarianism—so-called ''anocracies''—are most likely to violate human rights when faced with threats to their rule such as terrorism or other forms of political violence (Fein 1995; Regan and Henderson 2002). We thus want to evaluate the hypothesis that the greatest threat to human rights protections from terrorism may occur in anocracies. The argument here is that full democracies do a better job of maintaining their human rights performance in the face of terrorist attacks. Such regimes are generally more legitimate in the eyes of their citizens, which should minimize the need for the government to engage in widespread repression to maintain the political system. Democracies also may have more practice in managing internal security practices through judicial oversight and the socialization of law enforcement to human rights norms. Human rights performance in authoritarian regimes might not worsen in response to terrorism for a different set of reasons. The protection of rights in such regimes usually is already quite poor, making a great deal of further deterioration impossible. The powerful organizations designed to stifle internal dissent in authoritarian regimes also reassure

elites that terrorist attacks are unlikely to threaten their hold on power and provides the government with a powerful tool for shutting down terrorist cells quickly. Because they are politically fragile, anocracies may react differently to terrorism than do democratic and authoritarian regimes. A tenuous hold on power may lead elites to perceive terrorism as a much more fundamental challenge to their hold on power. Political leaders in anocratic regimes may be unable to resist popular pressure to respond to terrorism by restricting human rights.

To evaluate this argument, we ran regressions identical to those in Table 1 but replaced the Polity score with a variable interacting terrorism and a measure of anocracy. Following Fearon and Laitin (2003), we define anocracies as countries with a Polity score between −5 and 5 inclusive. We assigned these countries a score of one on our anocracy dummy variable. All other countries (i.e., those with a polity score of <−5 or >5) are assigned an anocracy score of zero. The coefficients of the interaction term between anocracy and terrorism describe the difference between the baseline coefficient of the relationship between terrorism and rights in the residual category that includes both democracies and dictatorships and the relationship in anocracies. If anocracies are more prone to restrict rights after terrorist attacks than are autocratic or democratic regimes, then the coefficients on the interaction terms should be statistically significant and negative. This is the case only for the models using disappearances and freedom of association as the dependent variables. This provides little support for the idea that anocratic regimes are especially prone to respond to terrorism by repressing human rights, and reinforces our confidence that the results reported in Table 1, which assume a linear relationship between democracy and human rights, are an appropriate specification.

Our next robustness check uses an alternative measure of terrorism. Recall that the terrorism variable used for the models in Table 1 is a count of the number of terrorist attacks for each country-year. This is the measure that is used most frequently in the literature. One might argue that this measure minimizes the political and psychological influence of more violent terrorist attacks. To account for this possibility, we re-ran the models in Table 1 using the number of victims of terrorist attacks—defined as individuals killed, injured, or kidnapped by terrorists—as the measure of terrorism. These results are reported in Table 3. Using this measure, the coefficient on terrorism is negative and statistically significant at the 5 percent level for models using disappearances, extrajudicial killings, political imprisonment, and freedom of movement as dependent variables. It is not statistically significant for the remaining variables. Terrorism continues to have little or no influence on the incidence of torture or on most empowerment measures. However, more violent attacks do improve slightly the statistical significance of the models using disappearances and killings as dependent variables, and shifting to this measure makes terrorism statistically significant for imprisonment as well as freedom of movement. This specification is consistent with our interpretation of the results reported in Table 1, where we concluded that the substantive influence of terrorism is rather modest except in cases were a country experiences more terrorist violence.

The third robustness check replaces the control variable ICCPR. One might argue that the signature of the ICCPR Optional Protocol is a weak constraint on respect for human rights, and that governments with little interest in protecting rights can rather easily make and then ignore this commitment. To evaluate this claim, we re-ran the regressions reported in Table 1 replacing the variable ICCPR with a measure constructed by Landman (2005) of the number of major human rights treaties the country has ratified. The major advantage of this alternative measure over the ICCPR variable is that it provides a more complete picture of the country's legal commitment to the international human rights

Table 3. Ordered Logistic Regressions of Terrorism Victims and Human Rights

Model	*1*	*2*	*3*	*4*	*5*	*6*	*7*	*8*	*9*
Dependent Variable	*Disappearances*	*Killings*	*Political Prisoners*	*Torture*	*Freedom of Association*	*Freedom of Movement*	*Freedom of Speech*	*Political Participation*	*Religious Freedom*
Terrorist Victims	−.001 (−2.06)**	−.002 (−2.51)**	−.003 (−2.72)**	−.001 (−1.03)	.001 (.55)	−.001 (−1.9)*	−.001 (−1.21)	.000 (.52)	−.001 (−1.51)
Polity	.019 (.78)	.006 (.29)	.157 (7.98)**	.053 (2.77)**	.266 (13.29)**	.165 (6.6)**	.259 (13)**	.32 (15.76)**	.133 (6.77)**
Civil War	−2.41 (−9.37)**	−2.37 (−9.88)**	−2.18 (−7.30)**	−1.34 (−5.43)**	−.419 (−1.37)	−.618 (−1.9)*	−.882 (−4.14)**	−.673 (−2.48)**	.07 (.25)
International War	−.26 (.645)	−.634 (−1.22)	−.45 (−1.26)	.269 (.69)	.468 (.93)	−.967 (−2.48)**	.196 (.56)	.622 (1.68)*	−.826 (−2.14)**
ICCPR	−.099 (−.42)	.01 (.05)	−.168 (.88)	−.351 (−2.03)**	.384 (1.74)**	.13 (.44)	.03 (.17)	.28 (1.28)	.255 (.94)
Population	−.001 (−1.97)**	−.003 (−2.72)**	−.007 (−2.28)**	−.009 (−2.45)**	−.000 (−1.31)	−.001 (−1.62)	−.001 (−3.18)	−.000 (−1.9)*	−.002 (−2.32)**
GDP per capita	.000 (.000)	.000 (2.73)**	.000 (1.79)*	.000 (2.91)**	.000 (.11)	.000 (−.22)	.000 (1.66)*	.000 (2.37)**	−.000 (−.55)
Observations	2,636	2,625	2,632	2,623	2,665	2,633	2,633	2,632	2,632
Pseudo-R^2	.16	.19	.26	.14	.34	.21	.31	.42	.16
Countries	144	144	144	144	146	144	144	144	144
Wald-χ^2	134.84	138.8	223.59	102.35	277.64	70.27	330.05	542.1	83.6
Log-likelihood	−1,582	−2,153	−2,136	−2,397	−1,997	−1,167	−1,894	−1,635	−1,327

Note. Robust z-statistics in parentheses; clustering on country.
*Significant at 10% level; **significant at 5% level.

regime; countries that have ratified most of these treaties would be expected, ceteris paribus, to have a better human rights performance. The major disadvantage is that this measure is only available for the years from 1988 to 2000, and its inclusion reduces the number of cases in the regression models. This change does not alter the results with regard to the terrorism measure. As was the case for the models reported in Table 1, terrorism remains negative and statistically significant (at the 10 percent level) only for the models using disappearances and extra-judicial killings as dependent variables and is not statistically significant for the remaining seven models. We are thus confident that our earlier findings continue to hold when we change the measure of commitment to international human rights law. However, this alternative measure does alter somewhat conclusions about the influence of treaty commitments on human rights protections. While the ICCPR variable was not statistically significant in any of the models in Table 1, the alternative measure developed by Landman is statistically significant in the models using disappearances, torture, freedom of association, and political participation as dependent variables. This finding may be of interest to those who are directly concerned with the influence of international human rights law on state behavior (such as Hathaway 2002 and Landman 2005). For the model using torture as the dependent variable, we also replaced the variable ICCPR with Hawkins and Goodliffe's (2006) measure of commitment to the Convention Against Torture (CAT), which is coded as zero for countries that have not signed the Convention, one for those that have signed but not ratified, and two for those that have signed and ratified the Convention. Our thinking is that, as the CAT specifically defines and prohibits the type of human rights violation captured in the dependent variable for this model, it is important to include this measure as an independent variable. We find that while this variable is, as expected, negative and statistically significant, terrorism does not become a statistically significant independent variable. In sum, the findings reported in Table 1 concerning the influence of terrorism on human rights seem robust to a variety of ways of measuring the state's international legal commitments in the human rights area.

Table 1 reports results where the control variable for regime type is the Polity IV project's measure of democracy. This summary measure of regime type is composed of three components: the manner in which the chief executive is recruited, the degree of political competition and opposition, and the constraints on the independence of the executive. While this measure is widely used in comparative studies, Gleditsch and Ward (1997) and Keith (1999) argue that that the third dimension, the constraints on the executive, determines most of the relationship between regime type and human rights performance. To evaluate the influence of this claim on our results, we re-ran the models reported in Table 1 substituting the Polity project's measure of executive constraints for the overall measure of regime type. Terrorism remains a significant and negative predictor (at the 10 percent level) of only extrajudicial killings and disappearances. Thus replacing regime type with executive constraints does not alter our earlier conclusions about the influence of terrorism on human rights. Note, however, that executive constraints has a stronger relationship to human rights performance than does the regime type measure. While the Polity variable is positive and statistically significant in six of the nine models in Table 1, executive constraints is positive and statistically significant in eight of these models (the exception is the model using extrajudicial killings as the dependent variable).

As discussed earlier, there is likely to be some overlap between terrorism and civil war. Civil war combatants often have the motive and opportunity to engage in terrorist attacks on civilians. Including civil war as a control variable is very important so that we do not incorrectly count terrorist attacks that are in fact part of a larger civil war. To see if this is the case, we re-estimated the models

reported in Table 1 but did not include civil war as an independent variable. This change increased the statistical significance of the terrorism variable; it is now statistically significant at the 1 percent level for the disappearances model, and at the 5 percent level for the extrajudicial killings, freedom of movement, and political prisoners models. It is not statistically significant for the remaining variables. This is not a very substantial change from the results reported in Table 1, making us confident that our measure of terrorism has been operationalized in a manner that distinguishes it from the measure of civil war.

Our final set of robustness checks introduces lagged variables into the equations. We re-ran the models reported in Table 1 twice, first lagging the terrorism measure by one period (i.e., 1 year) and then lagging all of the independent variables by one period. It is common in comparative research to lag some or all independent variables because their influence on the dependent variable is unlikely to occur immediately. In our case, it seems reasonable to evaluate the argument that it might take some time for government agencies to respond in a meaningful way to any political incentives to restrict rights after terrorist attacks. The measures of human rights reported in the Cingranelli–Richards data set capture systematic abuses of, or respect for, human rights. Government agencies need time to develop the capacity to engage in such abuses on a large enough scale that they can be measured. For example, restricting freedom of speech effectively would require the government to select some (but not all) media outlets to be forcibly shut, to develop a system for censoring the remaining outlets, and to control international sources of information by placing restrictions on satellite television, internet communications, and so on. Similarly, creating death squads that can disappear and kill suspected terrorists means that the authorities have to develop some intelligence about who might be a terrorist, to recruit and train death squad members, and to consider how it can plausibly deny responsibility for subsequent murders. Our best guess is that the time required for deciding on and implementing these sorts of human rights restrictions is measured in months, not weeks or years. A few weeks seems like too short of a time period for a government to implement widespread human rights abuses. Ideally, then, we would prefer to lag the independent variable of terrorism by months. However, almost all of our variables are available only in annual measures. Our solution to this is to lag the variables by 1 year. If the results of models with and without lagged variables are consistent with each other, we can be reasonably secure that the influence of terrorism on human rights is captured by the results presented in Table 1. Lagging the independent variables did not change the basic results reported in Table 1. Terrorism was statistically significant at the 10 percent level and had a negative coefficient only for the models of disappearances and extrajudicial killings. This does seem to support the idea that it does take some period of months, stretching perhaps to a year, for the full effects of terrorism on human rights to materialize.

Governments that begin to restrict rights after a terrorist attack face strong incentives to maintain such restrictions for a considerable period of time. The reason for this is that the government is uncertain if the terrorists plan to or have the capability of carrying out subsequent attacks. A government worried enough about the political impact of terrorist attacks to restrict rights in a meaningful way should maintain such restrictions for a period of at least some months to prevent additional attacks. Furthermore, once security policy has been changed in this way, inertia and political considerations may make it difficult to quickly revert to the previous policy stance. To address this issue, we re-calculated the models in Table 1 by adding as independent variables the human rights measures lagged one period. Lagging the dependent variable could be valuable for two reasons. First, it counters the effects of autocorrelation in the model. But it also has substantive meaning, and is widely employed in the literature on human rights.

Poe and Tate (1994) hold that we should expect a state's human rights performance to persist over time because of the development of political institutions, bureaucratic organizations within the government, and social norms that encourage or discourage the abuse of rights. Adding a lagged dependent variable makes terrorism a negative and statistically significant predictor of disappearances and extrajudicial killings at the 5 percent level. This differs slightly from the results presented in Table 1, where terrorism was statistically significant for these dependent variables at the 10 percent level. Terrorism remains insignificant for the remaining models.

Conclusions and Implications

Our results contradict much of the existing thinking regarding the relationships between transnational terrorism and human rights. The influence of terrorism on rights is more limited than much of the existing research on the topic would lead one to expect. We find that (controlling for other influences) governments do not respond to terrorist attacks by systematically restricting human rights across the board. They also do not restrict rights to freedom from torture or empowerment rights, as much existing work might lead one to expect. Instead, governments react by restricting some physical integrity rights by engaging in more extrajudicial killings and disappearances. The scales of these abuses are smaller than they are for a related form of political violence, civil war. The use here of many observations, numerous control variables, and established statistical techniques marks an important advance over the existing case-study literature that examines the relationship between terrorism and human rights. In particular, the ability to control explicitly for the many other factors that influence governments' human rights performance is an important advance. We are thus quite confident that the results reported here reflect true patterns of behavior. Having said this, we should acknowledge the grounds upon which future research might have to investigate these issues further. It is possible that our measures of key variables fail to capture accurately concepts such as democracy or terrorism—a potential pitfall for all quantitative analyses in the social sciences. Our paper also only analyzes the influence of transnational terrorist attacks. One might argue that terrorist attacks by domestic groups would be more likely to goad a government into limiting rights (as suggested in Charters 1994).

The results presented indicate that a fruitful avenue for future work is the development of more nuanced theory linking political violence, including terrorism, to specific classes of rights or to individual rights. Our focus here has been on using multivariate statistical analysis and a large number of observations to achieve a more detailed understanding of what empirical data tell us about the relationships between terror and rights. One problem that our research highlights is how existing studies tend to lump most rights together into overly broad aggregates. An important strength of the Cingranelli–Richards data set on human rights is that is built up from individual rights to produce such aggregates. Steps in the direction of better theorizing links between violence and rights would seem to require a better understanding of how allowing individuals' specific rights may undermine the authorities' hold on power or their ability to counter-terrorism.

Our empirical work has implications for states, international organizations, and non-governmental organizations that wish to improve respect for human rights. These promoters of human rights have limited resources to achieve their objectives. They cannot pressure all governments to respect all human rights all of the time, but must carefully target their efforts toward the greatest threat to human rights. The research reported here can help these groups to determine if a government is more likely to repress after experiencing terrorist attacks, and

which specific rights are most at risk. We found no evidence that governments restrict empowerment rights, such as freedom of speech, assembly, and religion, after terrorist attacks. This implies that human rights promoters should not be primarily concerned about the influence of terrorism on the status of this class of rights, and could better devote their resources to defending empowerment rights from other threats. This might involve a significant change in strategy for groups such as Amnesty International and the Council of Europe that have argued that empowerment rights are threatened by governments' responses to terrorism.

Turning to physical integrity rights, our results indicate that governments are more likely to engage in disappearances and extrajudicial killings, but not torture or political imprisonment, after experiencing many terrorist attacks. This has three implications for defenders of human rights. First, it is important to emphasize that the substantive influence of terrorism on physical integrity rights is generally quite small. Only those governments that experience the largest number of terrorist attacks are significantly more at risk for subsequently engaging in more disappearances and extra-judicial killings. This would suggest that human rights groups could usefully devote much of their efforts to the protection of physical integrity rights to those countries that are frequent targets of terrorism, such as India, Pakistan, Colombia, or Israel, and less effort to countries that are the victims of fewer attacks, such as most countries in the Western Hemisphere or in Western Europe. Second, these groups could focus less of their efforts relating to the consequences of terrorism on torture, and more on disappearances and killings. Torture has attracted the greatest attention in debates about responses to terrorism, sparking discussions about the legality and morality of the practice and its effectiveness in providing the authorities with useful counter-terrorism intelligence. Disappearances and killings are less frequently discussed. Finally, our results suggest that human rights defenders should pay especially close attention to the subset of states that we identify as the most likely to respond to terrorism with these types of violations: states with newer regimes that have experienced an ethnic-based civil war in their recent past. These are the states more likely to engage in disappearances and extrajudicial killings.

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