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Who Tortures the Terrorists? Transnational Terrorism and Military Torture[1]

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Do governments respond to terrorism with torture? Although governments face incentives to increase torture in response to terrorist attacks, previous research finds no relationship between terror and state torture. We argue that this is unsurprising because incentives to violate human rights differ across domestic government agencies. Using new data that disaggregates state torture by the government agency responsible for the abuse, we investigate the effect of transnational and domestic terrorism on torture perpetrated by military officials. We find that military agents —especially those in democracies—engage in substantively more widespread torture when confronted with terrorism and that this behavior is particularly likely in response to transnational attacks.

Governments are often accused of responding to terrorism by restricting human rights, including the right not to be tortured. In the decade following the September 11, 2001, nongovernmental organizations (NGOs) accused United States counterterrorism officials of the systematic and widespread torture of detainees suspected of involvement in terrorist plots (Human Rights Watch 2003). During the same period, other countries were similarly accused of instituting new counterterrorism laws and policies that eroded human rights and civil liberties (Whitaker 2007). These recent accusations are consistent with a larger historical pattern in which governments threatened by terrorism have engaged in more physically abusive policing and interrogation techniques against suspected terrorists and supporters. Government officials in a set of cases as diverse as military regimes in Central and South America in the 1970s (Sullivan 2011), democracies such as Britain, Spain and India in the 1970s and Turkey in the 1990s (Art and Richardson 2007), and revolutionary government such as the Islamic Republic of Iran in the early 1980s (Rejali 1994) all responded to terrorist attacks by increasing torture and other physical abuse.

In spite of these accusations, there is surprisingly little quantitative evidence that states engage in higher levels of torture in the wake of terrorist attacks.

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Comparing the experiences of five democracies faced with terrorist threats, Charters (1994) concludes that these governments implemented effective counterterrorism policies *without* resorting to widespread torture or the abuse of other physical integrity rights, thereby obviating the security value of torture for governments. Piazza and Walsh (2009) find that transnational terrorism leads governments to engage in more extrajudicial killings and disappearances, but they discover no link between terrorism and acts of government torture. These empirical findings contradict a widely held assumption, frequently articulated by human rights nongovernmental organizations (NGOs) and the global news media that state authorities regularly respond to terrorism by increasing the tactical use of torture and other forms of ill-treatment.

We address this contradiction by arguing that state incentives to violate human rights differ across government agencies and types of terrorist attacks. Because an important objective of the military is to defend against external enemies, we argue that military forces respond to transnational terrorist attacks—not domestic terrorist incidents—with heightened torture. Furthermore, because of the accountability generated by democratic institutions, democracies are more likely than autocracies to increase military torture following a transnational attack. The finding that democratic institutions are unlikely to ameliorate the effect of transnational terrorist attacks on military torture stands in contrast to much of the human rights literature, which typically concludes that democracy reduces the abuse of physical integrity rights.

In what follows, we present a theory about the conditions under which transnational terrorism leads to increased military torture. We test our hypotheses using terrorism data that distinguishes between transnational and domestic terrorist attacks and newly available human rights data that disaggregates government torture by the domestic agency responsible for the abuse. The disaggregation of terrorism and torture is key to our empirical analysis; we argue that over-aggregation is likely responsible for previous null quantitative findings on the relationship between terrorism and torture (Piazza and Walsh 2009). Two key findings emerge: first, terrorism has little effect on patterns of torture perpetrated by a country's police or prison officials, but countries experiencing transnational terrorism see a sharp increase in torture by military agencies; second, this effect is conditioned by regime type; militaries in democracies are more likely to respond to transnational terrorist attacks with torture than militaries in nondemocratic regimes. In the final section of the paper, we discuss suggestions for future research on the relationship between terrorism and state repression, as well as the policy implications of our work for limiting violations of human rights in the name of counterterrorism.

State Incentives to Torture in Response to Terrorism

Terrorist attacks can have far-reaching, long-term consequences.[2] Successful attacks directly and indirectly harm the target state's economy (Enders and Sandler 2006), especially as attacks often occur within the context of larger, more costly civil conflicts (Findley and Young 2011). Terrorist attacks can also lead to loss of support for incumbent leaders and influence voting patterns in democracies (Berrebi and Klor 2008). These negative consequences create strong pressures for governments to prevent attacks and minimize their repercussions when they do occur, and we argue that such pressures might lead governments to engage in higher levels of torture and physical abuse.

[2] Following United States Code, title 22, chapter 38, sec. 2656f(d), we define terrorism as the use of "premeditated, politically motivated violence against noncombatant targets by subnational groups or clandestine agents, usually intended to influence an audience."

First, although there is popular debate about the quality of intelligence produced when detainees are questioned under physical duress,[3] government officials may torture terrorist suspects to generate information about future attacks (e.g., Dershowitz 2002; Ignatieff 2004). For example, Bush administration official Mark Thiessen argues that the "enhanced interrogations" of Khalid Sheik Mohammed yielded intelligence that foiled terrorist plans to fly an aircraft into a California skyscraper: "Without enhanced interrogations, there could be a hole in the ground in Los Angeles to match the one in New York" (Thiessen 2009). Second, torture may deter future terrorist activities. Potential terrorists may be dissuaded from engaging in attacks against states that respond to terrorism with human rights violations and other forms of indiscriminate violence (Lyall 2009).[4] We discuss each of these mechanisms in turn.[5]

Torture and Intelligence

Governments often lack reliable information about terrorist groups and their activities. This is by design on the part of the terrorists themselves. Organizations that engage in transnational and domestic terrorism do so most often because they are weak, lacking the capabilities to engage in conventional military strategies, and because they lack popular support for their goals to engage in political mobilization (Crenshaw 1998; Lake 2002; Kydd and Walter 2006). Because of their relative weakness compared with the states they target, it is crucial for terrorists to keep their organization and activities clandestine, to misrepresent their capabilities and resolve (Lake 2002) and to keep secret the geographic location of their operations. Although some states have successfully negotiated with terrorists (e.g., Jones and Libicki 2008), the increased probability of bargaining failures and the higher risks of defection by terrorist actors make such negotiations fraught with difficulty, even if the state is willing to offer concessions.[6] States therefore frequently seek to deal with terrorism by eliminating groups and their members through policing and military action.

Due to the clandestine and opaque nature of terrorism and terrorist threats, a critical barrier to effective counterterrorism policy is a lack of intelligence about the details of terrorist organizations themselves and their plans for future terrorist attacks. During the height of the Iraq War, US government sources frequently cited lack of information about terrorist groups as a key reason for the persistence of the terrorist threat. As an example of the staggering dynamism and complexity of terrorist movements in that conflict, one journalist compiled a list of 103 groups claiming responsibility for attacks on Americans and Iraqis during a 6-month period in 2005 (Filkins 2008). As authorities become better able to gather intelligence on terrorist threats, the likelihood of successful deterrence, defence, and bargaining increases. Consequently, the occurrence of terrorist attacks is lower when states have accurate information about the capabilities and intentions of terrorist organizations that facilitates better counterterrorism efforts. Because intelligence collection is necessary for preventing terrorist attacks, governments

[3] Although there is popular debate about the quality of intelligence produced when detainees are questioned under duress, there are few systematic studies addressing this question. Johnson and Ryan (2012) provide an overview of the (lack of) systematic research in this area and show that coercive interrogation results in a higher quantity of accurate *and* a higher quantity of inaccurate intelligence information.

[4] For a discussion of the effect of indiscriminate violence on insurgent mobilization, see Mason and Krain (1989), Kalyvas (2006), and Sullivan (2011).

[5] The experience of a terrorist attack may also alter institutional and public norms in favor of torture, prompting political leaders, heads of bureaucracies, and the public to grant counterterrorism officials wider leeway in dealing with terrorists and terror suspects (Danner 2009).

[6] For conflicting views on the likelihood of terrorism resulting in state concessions, see Pape (2003), Bueno de Mesquita (2005), and Abrahms (2006).

faced with terrorist threats are incentivized to use whatever intelligence gathering techniques are available to generate counterterrorism information, including the use of physical abuse and torture of suspects and detainees.

State officials have long engaged in torture both to establish the credibility of witness testimony and to aid in the determination of guilt or innocence (Rejali 2007). Proponents have argued that torture of suspected terrorists and their supporters can provide actionable intelligence (Johnson and Ryan 2012), increasing the state's ability to foil future attacks, identify members and/or destroy terrorist group cells. State agents are especially likely to engage in torture when they believe that it will generate information to eliminate a potential threat (Wantchekon and Healy 1999) and/or prevent a future attack.[7] Increased intelligence is also important if the state wishes to respond to terrorism with more targeted violence. Indiscriminate repression, which is directed at the general population rather than specifically at members of terrorist and dissident groups, is unlikely to control dissent (e.g., Kalyvas and Kocher 2007; Kocher, Pepinksy, and Kalyvas 2011), eliminate insurgency (e.g., Findley and Young 2007, Sullivan 2011), or reduce terrorist attacks (e.g., Walsh and Piazza 2010; Dugan and Chenoweth 2012). Torture offers a focused method of gathering information about dissident activities, which increases the likelihood that state violence is targeted at insurgents and terrorists rather than at the population more generally.

Torture and Deterrence

Second, supporters of torture frequently claim it has a deterrent effect on terrorism. Torture—more broadly and indiscriminately applied—may be used to punish individual terrorists or as part of a strategy to intimidate and deter members and supporters of the terrorist organization. Physical punishment as a means of deterrence is a centuries-old legal and philosophical concept viewed as a legitimate function of sovereign governments (e.g., Hobbes 1651; Locke 1689). Sullivan (2011:6) argues that one of the "desired results" of torture is to, "create a link between disobedient behavior and pain, thereby reinforcing legal norms by associating transgression with negative sanctions." As with punishment for criminal offenses, individuals may refrain from participating in or supporting terrorism if authorities have a reputation for torturing suspected terrorists and sympathizers. The French Army, for instance, randomly tortured Algerian citizens during the Algerian War in the 1960s (DiMarco 2006), suggesting that torture was used as a punitive and deterrent tool to prevent additional terrorist attacks.[8] Supporters of this tactic argue that using torture to encourage fear (Walter 1969, Wantchekon and Healy 2005) among terrorist sympathizers and within the general populace can potentially stem the future growth of terrorist organizations.

Who Tortures Which Terrorists?

Disaggregating Terrorism and State Torture

Does terrorism therefore provoke governments to engage in torture, either to obtain information to use in counterterrorism efforts or to deter terrorists and

[7] See also Davenport, Moore, and Armstrong (2008) and Conrad and Moore (2010).

[8] DiMarco (2006) argues that practice was not official doctrine of the French Army and was instead carried out by individual military leaders. This argument is consistent with an agency view of torture (Conrad and Moore 2010), in which leaders delegate the acquisition of information to interrogators, who may engage in human rights violations even when they are not explicitly instructed to do so.

their supporters? We argue that the null or contradictory findings in previous empirical studies of terrorism and human rights abuses are affected by the failure to account for differences in the motives behind, and government reactions to, domestic and transnational terror. Previous empirical research on the relationship between terrorism and government torture has yielded mixed results. Although Charters (1994) and Piazza and Walsh (2009) find no relationship between terrorism and state torture, Regan (2009) argues that terrorist threats encourage states to engage in torture and finds that torture reduces terrorist attacks. Although important, all of this literature makes an implicit assumption that all state agents respond to political terror in the same manner, and that terrorism of all kinds elicits the same responses from governments. We argue below that military authorities, in particular, face-specific incentives to engage in torture in response to transnational terrorist attacks and therefore expect terrorism to elicit higher levels of military torture.

Although much of the literature on terrorism fails to distinguish between transnational and domestic attacks, there are potentially different motives behind—and different government reactions to—these types of terrorism (Findley and Young 2011). We define domestic terrorism as terrorist activity occurring within one country directed against conationals or conational targets. Such terrorism often indicates that a dissenting subnational group seeks policy change within the confines of the domestic political environment. Transnational attacks, which we define as terrorist activities perpetrated against foreign nationals, foreign targets or across national boundaries, involve groups seeking to force policy changes affecting other countries (Findley and Young 2011). Transnational attacks within a country involve threats generated *outside* of a state's borders.

We build on the differences between transnational and domestic terrorism to develop expectations about how heterogeneous government agencies change their practices in response to terrorist attacks. Previous work investigating the effect of terrorism on torture assumes the "state" to be responsible for violations of human rights. But there are several distinct agencies within the state that have the opportunity to engage in torture, and their incentives to torture change in distinct ways when a state experiences a terrorist attack. In what follows, we argue that the military has systematically different policy priorities and counterterrorism tools at their disposal than other agencies and that these differences influence decisions to employ torture in predictable ways.

Transnational Terrorism and Military Torture

Within the "state," Amnesty International (AI) most often accuses three agencies of torture: the military, the police, and prison and detention authorities (Conrad, Haglund, and Moore 2013). Although each of these agencies is frequently accused of torture, their incentives to respond to transnational terrorist attacks with torture are quite different from one another. For prison guards, the primary motivation for torture and ill-treatment is control of the prison population—not information acquisition or the intimidation of potential terrorists. As such, we do not expect prison officials to increase torture in response to terrorist activity.

What of police? The primary responsibility of police forces, unlike military officials, is to contend with domestic security threats, including the investigation and prevention of crime, political dissent, and public disorder. This focus provides police forces with strong motives to address domestic rather than transnational terrorist threats. Compared with the military, police have a comparative advantage in countering domestic terrorism. As the police provide security to local communities, they maintain ongoing connections that are useful for the collection of intelligence about domestic terrorist groups. Domestic terrorist groups are also likely to engage in violent and nonviolent crime, including bank

robberies and fraud, to fund their political activities (Hamm and Van de Voorde 2006). Police forces already have at their disposal a range of skills and techniques for identifying and punishing such criminal activity, including surveillance, connections with local informants, community policing, the ability to detain and question suspects, and the power to charge and try suspected criminals (McGarrell, Freilich, and Chermak 2007). These tools can be used to collect intelligence about and to punish domestic terrorist groups, making local police organizations the natural first line of defence against homegrown terrorism.

Police forces, then, are especially motivated to counter threats from domestic terrorist organizations. And like the military, they face incentives to engage in torture against individuals who are affiliated with such organizations; torture has the potential to provide immediate intelligence about future terrorist attacks and to deter individuals from joining or otherwise supporting terrorist organizations. But the police lack a clear advantage in countering transnational terrorists, because such groups are based overseas and outside of the area of police responsibility. Because transnational terrorism originates from outside national borders, states view it primarily as a foreign threat. As a result, both offensive and defensive responses to transnational terrorism fall primarily within the jurisdiction of the military. Militaries are especially likely to view transnational terrorism as their responsibility because transnational terrorism may be an attempt by a rival state to use force (Conrad 2011; Findley, Piazza, and Young 2012) in a clandestine manner. As militaries are primarily concerned with defending against aggression emanating from other states, the relationship between interstate rivalry and terrorism provides executives with incentives to delegate transnational counterterrorism to the military.

Why might military forces—unlike prison guards and police officers—respond to transnational terrorist attacks with torture? Militaries are especially likely to view torture as a means by which to quickly gain information about terrorist groups' headquarters, membership, organizational structure, and other details that can be used to plan counter-attacks. Militaries devote considerable resources to gathering and analyzing intelligence and planning methods by which to counter foreign military threats and on reducing uncertainty in their environment (Posen 1984). But they historically have devoted far less attention to threats emanating from transnational terrorist groups. Instead, most national militaries have emulated their counterparts in western great powers, focusing their energy and attention on developing offensive strategies and weapons systems and defining their key foes as similarly equipped, mechanized forces of foreign countries. The bureaucratic politics of military forces tend to downplay the importance of threats from non-state sources including terrorist groups (e.g., Posen 1984; Cassidy 2006). As a result, when a transnational terrorist attack occurs, the military often does not have intelligence about the responsible group. Torturing suspected terrorists is one way that military forces remedy these shortcomings, garnering intelligence to prevent attacks or to increase the likelihood that repression is targeted at terrorists rather than the general population.

Torture is also relatively easy for military forces to implement quickly in response to a terrorist attack; it does not require sophisticated or expensive equipment, and it can be practiced covertly without leaving marks on the victim's body (Rejali 2007). Militaries around the world have experience with torture techniques, both because torture is the most widely violated right to physical integrity (Cingranelli and Richards 1999) and because, unlike police officers and prison guards, they train their personnel to resist torture if captured by enemy forces. Following allegations that US servicemen during the Korean War had given up sensitive information after being tortured, for example, the US military began to systematically teach its soldiers to resist torture techniques. In the course of doing so, several branches of the US military became intimately

familiar with popular torture techniques. In short, torture offers an inexpensive, familiar tactic that militaries can quickly implement to gain intelligence against transnational terrorist groups and their supporters. This increased intelligence, combined with the military's traditional force capabilities, can potentially be used to reduce the likelihood of future attacks.

National militaries also often have considerable institutional autonomy that gives them the leeway to respond to foreign threats. This is in contrast to their limited ability to respond to domestic threats, especially in democracies.[9] The relative freedom from oversight by civilian authorities and the public is rooted, in part, in the desire to mask military strategies and tactics from foreign foes. In other cases, formal legal restrictions limit or prohibit military engagement in domestic matters, except under extraordinary circumstances. Military autonomy to deal with foreign threats also reflects a desire to benefit from specialization, in which professional military personnel develop expertise in the most effective forms of violence for a given goal.

Oversight of military institutions may be less robust during times of threat from a foreign source, providing additional incentives for militaries to turn to torture when they face terrorist activities. Using a principal-agency framework to examine civil–military relations in the context of interstate war, Feaver (2003) argues that civilians (i.e., the principals) provide military forces (i.e., the agents) with extraordinary levels of institutional autonomy to deal with an external threat. The model is equally applicable to countries facing other significant external security crises such as transnational terrorist attacks. The institutional autonomy afforded to the military in times of crisis includes greater delegated decision-making power, greater tolerance of secrecy, and less external oversight. Under these conditions, militaries are freer to engage in ordinarily controversial practices including harsh interrogation techniques and torture. Civilians are willing to grant this autonomy because militaries offer specialization and opportunity cost advantages to the national effort to preserve security that other actors, such as police forces, cannot provide with comparable efficiency.[10]

At the same time, the military faces potential costs and risks when using torture to gain intelligence and coerce terrorists. In many countries, torture violates national and international law. Military personnel who have tortured have, on occasion, later been punished for their actions. Torture may also backfire. As discussed above, there is evidence that governments that violate physical integrity rights subsequently experience more terrorist attacks (Walsh and Piazza 2010). Arguments that torture is illegal and ineffective as a counterterrorism strategy were pushed by some military and law enforcement personnel who opposed the "enhanced interrogation" program put in place after the September 11, 2011 terrorist attacks (Mayer 2008).

On balance, though, there are good reasons to conclude that pressures to engage in torture will frequently outweigh such considerations. Torture is a quick and low-cost way for militaries to compensate for a lack of intelligence gathering capabilities aimed at terrorist group; this makes it a tempting solution a security problem like terrorism. The autonomy of the military in many countries from close civilian oversight has also led military officers in many countries to conclude that they would escape punishment for violating the law by engaging in torture. While there is strong evidence that indiscriminate physical integrity rights violations are associated with an increase in terrorist attacks, the

[9] The exceptional situation is in cases where national militaries face severe domestic insurgencies and civil wars. Because of this possibility, we control for magnitude of civil war deaths in our empirical tests.

[10] Feaver (2003) acknowledges that this situation potentially creates a dilemma. Civilians desire the security goods derived from granting autonomy to militaries fighting terrorists, but they become less able to monitor and check the behavior of military actors.

evidence that torture specifically leads to such a backlash is much less clear (Piazza and Walsh 2010). This discussion leads to our first hypothesis about the relationship between terrorism and torture by military officials:

Hypothesis 1: *Military officials respond to transnational terrorism, but not domestic terrorism, with increased torture.*

The Mediating Effect of Domestic Political Institutions

To this point, we have assumed that all executives face incentives to prevent terrorist attacks and that torture is viewed as a potentially effective method for generating intelligence and punishing perpetrators. But domestic political institutions also play a role in determining the likelihood that the authorities respond to the threat of terrorism by violating human rights. Although they are likely to engage in torture when they are threatened (Davenport et al. 2008; Conrad and Moore 2010),[11] Democracies are otherwise less likely to commit gross human rights violations than their dictatorial counterparts (Poe, Tate, and Keith 1999; Davenport 2007). These constraints affect both whether and how democratic leaders respond to terrorism with torture.

Torture is illegal in most countries according to domestic and international statute (Keith 2002). But polities vary in the extent to which they punish leaders who break such laws. In democracies, institutions like contested elections (Cingranelli and Filippov 2010), effective judicial institutions (Powell and Staton 2009), and impartial media observers (Whitten-Woodring 2009) increase the likelihood that allegations of state torture surface and are punished. Further, elected leaders in democracies are more vulnerable to changes in public opinion than their dictatorial counterparts, and the use of torture in counterterrorism policy is often controversial (e.g., Gronke, Rejali, Drenguis, Hicks, Miller, and Nakayama 2010).

More transparent political institutions mean that allegations of torture are more likely to surface and lead to the punishment of government officials in democracies than dictatorships. Because torture is a potentially useful government policy, however, democracies have not abandoned it completely. In response to public opinion and to maintain plausible deniability, democracies have innovated new techniques that are intended to cause pain but avoid leaving visible marks on the body of the victim (Ron 1997; Evans and Morgan 1998; Einholf 2007; Rejali 2007). Thus, although democracies are willing to violate human rights when they are faced with a threat, democratic leaders regard torture as a risky tactic and implement it more cautiously and selectively than their dictatorial counterparts.

As a result of their desire to use torture judiciously, democratic regimes are most likely to employ torture as part of their counterterrorism strategy when a threat is foreign or external in nature and is perceived as such by the public. This is the case for several reasons. First, there is evidence in the larger conflict literature that external threats, specifically international war or the threat of military subversion by external enemies, prompt domestic repression (Poe and Tate 1994; Enterline and Gleditsch 2000; Davenport et al. 2008). This effect is particularly profound in democracies and states with liberal traditions (Stohl 1976; Gibson 1988) because the presence of an external threat provides justification for domestic repression and alteration of human rights standards at home. External threats due to transnational terrorism are also linked to the decline of

[11] Mark Danner (2004:10) argues that the United States engages in torture because of terrorism: "As the attacks of September 11, 2001, officials of the United States at various locations around the world, from Bagram in Afghanistan to Guantanamo in Cuba to Abu Ghraib in Iraq, have been torturing prisoners."

human rights protections in developing world democracies like India, South Africa, and the Philippines (Whitaker 2007).

Second, citizens of democracies may be more likely to approve of torturing foreigners than of torturing citizens of their own state. Experimental research in social psychology, criminology, and sociobiology indicates that individuals exhibit less empathy toward persons of different racial, ethnic and cultural backgrounds (Avenanti, Sirigu, and Aglioti 2010). These studies demonstrate that subjects empathize less with the response to physical pain or the experience of physical or mental stress by victims perceived to be of a different race or ethnicity, and juries are more likely to find guilty and impose harsh sentences on racially and ethnically different defendants.[12] More directly, scholarship in sociology and social psychology has demonstrated that periods of perceived threat are accompanied by a greater public intolerance of culturally different "outgroups," including immigrant and foreign populations (Stephan and Stephan 1996, 2000; Stephan, Ybarra, and Bachman 1999), a phenomenon captured by polling data in the United States after the 9/11 attacks (Oswald 2005). The implication of these studies for our purposes is that democratic publics are less likely to object, and thereby less likely to pressure their governments to refrain from, the physical abuse of detained transnational terrorism suspects than of other dissidents.[13]

Popular willingness to use force against foreigners appears to be a universal human attribute. But its effects are, ceteris paribus, felt more strongly in democratic polities where elected leaders have stronger incentives to respond quickly to voters' preferences. Institutions that generate accountability in liberal democracies typically constrain the ability of the government to engage in human rights abuses. But as discussed above, these constraints weaken when the threat originates from overseas, as the public is willing to delegate more authority to the military in such situations.

Finally, although military forces typically have less responsibility for countering domestic threats than other agencies of the state, domestic conflict requiring military intervention is more common in dictatorships than democracies. For example, between 1945 and 2002, over 300 autocratic leaders were removed from office by non-constitutional means (Svolik 2009), suggesting that the militaries in such countries frequently involve themselves in domestic issues. Large-scale civil war is also more likely in nondemocracies than democracies (Krain and Myers 1997), and although civil wars are a form of internal conflict, they represent perhaps the most serious challenge to state authority. Even military organizations primarily oriented toward external threats will likely be drawn into such conflicts. Democratic militaries, on the other hand, are more likely to be focused on outside threats rather than on internal dissent. As a result, militaries in democracies are more likely to *increase* their use of torture in response to transnational terrorism than their dictatorial counterparts.

Hypothesis 2: *Military officials are more likely to respond to transnational terrorism, not domestic terrorism, with increased torture as the level of democracy increases.*

Data and Estimation Strategy

To test our hypotheses about the conditions under which terrorist attacks lead to increased human rights violations by the military, we estimate the level of

[12] Furthermore, wide majorities view transnational terrorism to be a greater threat than domestic terrorism (Newsweek Poll: Americans Are Mixed on U.S. Muslims 2007).

[13] Recent surveys show that while pluralities of the US public object to many of the controversial counterterrorism practices put in place after the 9/11 terrorist attacks (e.g., Gronke et al. 2010), pluralities support the arrest without charge and indefinite detention for foreign-born Muslim terrorism suspects (Newsweek 2007).

military torture as a function of transnational and domestic terrorist attacks using time-series cross-sectional data on 135 countries from 1995 to 2005. The unit of analysis in each of our estimations is the country year.[14]

The majority of cross-national, quantitative research on state torture relies on country-year data from Hathaway (2002) or Cingranelli and Richards (2004); these data report information on allegations of torture across all agencies within a given state over the course of a calendar year. To draw inferences about military torture, specifically, rather than government torture, more generally, we require disaggregated data that indicates the domestic agency responsible for the abuse. Our primary dependent variable, *Military (ITT) Torture*, comes from the Ill-Treatment and Torture (ITT) Data Collection Project (Conrad and Moore 2011a).[15] Based on content analysis of Amnesty International (AI) torture allegations,[16] the ITT Country-Year Agency of Control (CYAoC) database disaggregates country-year allegations of torture, allowing us to determine the specific state agency responsible for violations of human rights.[17] The CYAoC data disaggregate allegations of torture incidence into that perpetrated by six state agencies: Military, Police, Prison, Immigration Detention, Paramilitary, and Civilian Intelligence Services (Conrad and Moore 2011a). To our knowledge, this is the first paper to use the ITT country-year data to investigate the link between terrorism and torture by a specific government agency.

While we have clear expectations regarding the effect of terrorism on military torture, we have not developed similar expectations about other types of agencies. Yet anecdotal evidence in the case of the United States suggests that civilian intelligence agencies are primary drivers of torture. This does not seem to be the case cross-nationally, however, after examining the ITT data. Of the 1,672 observations in the data set, <3% are coded at any level of torture by intelligence agencies. By contrast, some level of military torture occurs in nearly 30% of the observations in the raw data. Police torture also occurs at a relatively high rate, yet we did not find a significant relationship with any of our three terrorism variables. In other words, our results suggested that police officials do not react to terrorist incidents by increasing physical abuse of citizens. Among the control variables in these models, however, domestic dissent had a significant influence on police torture levels. Taken together, we interpret these results to mean that police agencies do torture in response to domestic dissent. Yet terrorist events, *per se*, do not lead to significant increases in police torture.

The CYAoC data include Level of Torture (LoT), a five-point ordinal scale that measures the incidence of torture alleged by AI to have occurred at the hand of

[14] Country-year observations in cross-national time-series analyses presents several limitations, not the least of which is that it can present an over-aggregated view that obscures temporal and sub-national granularities. However, our use of a country-year unit of analysis is driven by data formatting of our main dependent variable: the ITT codes are formatted in country-years reflecting publication cycles of Amnesty country reports.

[15] Because states face incentives to hide their use of torture, the ITT measure is an undercount of actual repressive practices. Although much has been written on under-reporting bias in human rights data (e.g., Bollen 1986; Spirer 1990; Goodman and Jinks 2003; Hathaway and Ho 2004), such an undercount results in a conservative estimate of the effect of terror on state torture (King, Keohane, and Verba 1994, 130).

[16] ITT coding and data cleaning rules are described in Conrad and Moore (2011a,b).

[17] While ITT data permit us to examine torture based on the government agency that engages in it, the database does not differentiate between allegations of so-called "clean" torture—torture that is executed without leaving physical evidence on the bodies of victims—and "scarring" torture. The inability to consider clean torture allegation is not problematic for our first hypothesis; we would expect the same relationship regardless of whether the state used clean or scaring torture. Likewise, because democracies are theorized to be more likely to use clean torture (Rejali 2007) and are found in our analysis to be more likely to respond to terrorism with increased military torture than nondemocracies, and because clean torture is easier for states to hide, our results are likely to be a conservative estimate of the difference between democracies and dictatorships in their responses to terrorist threats.

TABLE 1. Frequency of Torture Incidence

Level of Torture	*Frequency*	*Percentage*
None	1,203	77.16
Infrequent	3	0.19
Often	52	3.34
Regular	78	5.00
Widespread	91	5.84
Systemic	132	8.47
Total	1,559	100.00

a particular government agency throughout an entire country over an entire year.[18] Higher numbers on the scale indicate a greater incidence of government torture (Conrad and Moore 2011b:5).[19] Using this data allow us to determine whether or not military personnel respond to transnational and domestic attacks with increased torture. ITT does not report values for LoT in failed states, states experiencing regime change and states occupied by third parties; in our analysis, we recoded these values as missing observations. Table 1 displays descriptive statistics for *Military (ITT) Torture*.

For comparison with previous research and to determine whether the aggregation of state torture to the country year is in part responsible for the mixed results found in previous research, we also specify models using the Cingranelli and Richards (CIRI) (2004) measure of government torture. Although important for determining the effect of terrorism on state torture more broadly, the highly aggregated nature of our *Government (CIRI) Torture* variable does not permit us to investigate the effect of terrorism on torture as perpetrated by different agents of the state. CIRI's three-point ordinal measure of torture catalogs the degree to which citizens of a country are protected against state torture, regardless of the government agency responsible for the abuse. On CIRI's original scale of state torture, higher values correspond with better protections against violations; to better allow for comparability with the ITT measure of state torture, we reverse the scale such that higher values correspond with increased human rights violations. Because both the ITT and the CIRI measures of state torture are ordinal, we conduct our analyses using ordered logistical regression. This modeling technique is standard when dealing with ordinal dependent variables with limited numbers of value categories (e.g., Davenport 2004; Neumayer 2005; Richards, Gelleny, and Sacko 2001).

We expect domestic terrorism—where the perpetrator of an attack and the victim or target are nationals of the same country—and transnational terrorism—where the victim and the perpetrator of an attack are of different nationalities—to prompt different responses by military agencies with regard to the use of torture. Our data for *Domestic Terrorism* incidents come from Enders, Sandler, and Gaibulloev (2011), which decomposes the Global Terrorism Database (GTD) published by the START Center at the University of Maryland (GTD 2008). The decomposition allows users to separate transnational from domestic attacks within the GTD database. To create our independent variables, we reshaped the domestic attacks reported by Enders et al. (2011) and the aggre-

[18] ITT CYAoC data do not include AI allegations of torture that are limited in their temporal or spatial domain (Conrad and Moore 2011a).

[19] ITT codes LoT as -99 for country years in which AI alleges torture but does not indicate the severity of its incidence (Conrad and Moore 2011b). In the analysis presented here, we recode these values to missing. Following the recommendations of Conrad and Moore (2011a), our results are robust to replacing the negative values with the modal LoT value for a given country, as well as using the Stata 11 mi suite of commands to replace the missing values with values derived from multiple imputation. These results are included in the Appendix to this paper and will be made available online upon publication.

gate measure of all terrorist attacks (both transnational and domestic) provided by the Global Terrorism Database into country-year format. Enders et al. (2011) determine that 85% of all terrorist events in the GTD database are domestic attacks. This shapes our expectations that the GTD-based domestic terrorism and aggregate terrorism (all terrorist attacks) variables are likely to have similar effects on our dependent variables.

Our data for *Transnational Terrorism* are derived from the International Terrorism: Attributes of Terrorist Events (ITERATE) database published by Mickolus, Sandler, Murdock, and Flemming (2009).[20] Quantitative studies of transnational terrorism have long relied on the ITERATE data set because it provides comprehensive measurement of transnational terrorist attacks around the world since 1968. ITERATE codes only terrorist incidents whose effects transcend borders due to the "location, the nature of [their] institutional or human victims, or the mechanics of [their] resolution" (Mickolus et al. 2009). We reshape the ITERATE data into country-year format and recode country-year counts of terrorist incidents based on where the incident *terminates* rather than where it *originates*. As such, our main independent variables are counts of the number of transnational and domestic terrorist attacks occurring in a given country-year.

We are also interested in the effect of democracy as it mediates the relationship between transnational terrorism and military torture. We measure *Regime Type* using a continuous indicator from Polity IV (Marshall, Jaggers, and Gurr 2006). The scale ranges from −10 to 10, with higher values indicating more democratic states.[21] To test our second hypothesis, we include in our models interaction terms that multiply our indicator of regime type by our indicator of transnational terrorism, as well as the appropriate constituent terms (Brambor, Clark, and Golder 2006).

We employ several control variables argued in the literature on state repression to affect state violations of human rights (e.g., Poe and Tate 1994; Davenport 1996; Hathaway 2002; Piazza and Walsh 2009). First, country wealth and national population are consistently related to state repression (e.g., Ziegenhagen 1986; Henderson 1993; Poe and Tate 1994). Economic wealth is widely believed to have a negative influence on the level of human rights abuses in a country (Poe and Tate 1994). We measure *Country Wealth* using gross domestic product per capita in constant (2000) US dollars (World Bank 2012). *Population* data are drawn from the Penn World Tables (PWT 7.0; Heston, Summers, and Aten 2011).

Second, engagement in internal or international armed conflict often leads to state violations of human rights (Poe and Tate 1994; Ryckman and Goertz 2008). We control for *Civil War* and *Interstate War* using dummy variables from PRIO. *Interstate War* is coded 1 if a state is involved in an interstate conflict in a given year, and zero otherwise. *Civil War* equals 1 if a state experienced an intrastate war, or participated in an internationalized civil war in a given year, and 0 otherwise. Aside from civil and international war, states are more likely to engage in repression if they face domestic dissent (Lichbach 1987, Moore 2000, Davenport 2007). To measure *Dissent*, we create a variable that is coded 1 if a state experienced any of the following events in a given year, according to the Cross-National Time-Series Data Archive (Banks 2002): assassinations, strikes, guerilla warfare, government crises, purges, riots, revolutions, or antigovernment demon-

[20] To check the sensitivity of our results, we also replaced the ITERATE transnational counts with the GTD transnational counts culled by Enders et al. (2011). Our main conclusions do not change, and there is very little substantive difference between using the two data sources. However, we choose to focus on the results using the ITERATE measure because we wish to test the robustness of our results across different sources of terrorism data, and because ITERATE is the most commonly used source for transnational attacks specifically.

[21] For ease of interpretation, we recode this scale to range from 0 to 20 when we analyze the interaction of *Regime Type* with the number of terrorist attacks.

strations. To account for the effect of international influences on state torture, we also include a binary measure indicating whether or not a country is a signatory to the United Nations Convention Against Torture (CAT) in any given year. Previous research has found mixed effects for this variable. Hathaway (2002) reports that signing the CAT does not influence torture; Vreeland (2008) finds that some nondemocracies with political parties are more likely to sign the CAT, but this little effect on their subsequent behavior; Simmons (2009) holds that treaties such as the CAT reduce human rights violations primarily in long-standing democracies. These different findings do not create a strong prior belief about the effects of the CAT; we include it as a control variable in case it has an influence on the disaggregated measures of torture employed in this paper.

Finally, ITT and CIRI torture data report information on AI torture *allegations* rather than actual state abuse. As such, it is possible that AI allegations of torture may be a *biased* undercount of actual state torture (Conrad and Moore 2011b:5) due to (lack of) AI access and the strategic concerns of the organization. We account for the data-generating process by which AI makes allegations by including in our models a measure of *Restricted Access*, a binary accounting of all country-years in which AI (or another INGO) commented on difficulties accessing victims of human rights violations. As is convention and to account for endogeneity, all independent variables except *Restricted Access* are lagged one period. For all models, we compute robust standard errors, clustered on the country.

Results and Discussion

Government agencies react to transnational and domestic terrorism in different and predictable ways. Because of the military's focus on external threat, especially in democracies, we hypothesize that the military—especially in democracies—will increase its use of torture in response to transnational terrorist attacks. The results of our estimations are shown in Tables 2, 3, and 5. We present our key substantive findings to test Hypothesis 1 in Table 4.

Table 2 presents the effects of terrorism on government torture using data from the CIRI human rights data collection project. Robust standard errors clustered on country are listed in parentheses. Consistent with previous research (e.g., Piazza and Walsh 2009), none of the counts of terrorism—domestic only, transnational only or domestic and transnational combined—are significant predictors of government torture as measured by CIRI.[22] Several of the control variables in Table 2 are statistically significant and consistent with previous research. Wealthier states and democracies exhibit better protections against torture; domestic dissent and civil wars tend to lead to worse torture climates.[23] Countries with large populations are also more likely to engage in torture. Signature of the CAT is associated with more torture, although the variable is significant at only the $p < .10$ level. As we have argued, however, we cannot test our hypotheses using the highly aggregated CIRI torture data; as a result, we now turn to the more disaggregated ITT measure of torture incidence by military officials to test our hypotheses about the effect of transnational and domestic terrorism on military torture.

Table 3 shows the effect of terrorism on the level of torture by a state's military. All three types of terrorism are significant positive predictors of military tor-

[22] The ITT data include an ordinal Country-Year Level of Torture (CYLoT) variable. That measure reports the highest level of torture reported within any agency in a given country-year. As a result, it is not a true aggregation of the level of torture within a given country-year; instead, it reports the level of torture for the worst violating agency within in a given year. As such, the CIRI data is more appropriate for this analysis.

[23] In robustness tests reported in the appendix, we replace democracy with executive constraints from the Polity IV project to see if this specific institutional feature is driving the relationship between democracy and torture. In none of the models, however, the measure of executive constraints is statistically significant.

TABLE 2. Terrorism and Government Torture (CIRI), 1995–2005

	Dependent Variable			
	Government (CIRI) Torture	*Government (CIRI) Torture*	*Government (CIRI) Torture*	*Government (CIRI) Torture*
Domestic Terrorism (GTD)	0.009 (0.012)		0.007 (0.012)	
Transnational Terrorism (ITERATE)		0.053 (0.042)	0.037 (0.036)	
All Terrorism (GTD)				0.008 (0.011)
Regime Type	−0.078 (0.018)***	−0.077 (0.018)***	−0.078 (0.018)***	−0.078 (0.018)***
GDP Per Capita	−0.001 (0.001)***	−0.001 (0.001)***	−0.001 (0.001)***	−0.001 (0.001)***
Population	0.001 (0.001)***	0.001 (0.001)***	0.001 (0.001)***	0.001 (0.001)***
Civil War	0.523 (0.231)**	0.562 (0.223)**	0.524 (0.229)**	0.502 (0.234)**
International War	0.230 (0.206)	0.249 (0.199)	0.235 (0.201)	0.217 (0.213)
CAT Signatory	0.470 (0.250)*	0.460 (0.249)*	0.457 (0.250)*	0.455 (0.251)*
Domestic Dissent	0.821 (0.169)***	0.835 (0.172)***	0.814 (0.168)***	0.812 (0.169)***
Observations	1,310	1,307	1,307	1,308
Wald χ^2	189.40***	188.88***	190.37***	184.88***
Pseudo R^2	0.239	0.239	0.240	0.240
Cut 1	−2.885 (0.325)	−2.877 (0.326)	−2.882 (0.324)	−2.898 (0.327)
Cut 2	0.433 (0.242)	0.443 (0.242)	0.436 (0.242)	0.425 (0.243)

(*Notes.* *$p \leq .10$ **$p \leq .05$ ***$p \leq .01$. All models are ordered logistical regressions. Robust standard errors clustered on country reported in parentheses. All independent variables lagged one period.)

ture. In short, both domestic and transnational terrorism increase the likelihood that a country's military engages in higher levels of torture.[24] These results provide preliminary support for our first hypothesis and stand in contrast to the results reported in Table 1 for torture across agencies.[25] Although the CIRI data have spurred a wealth of quantitative research on human rights practices, the torture measure is an ordered variable with only three categories; as a result, it is perhaps unsurprising to see no relationship between terrorism and torture. Disaggregating torture by the agency responsible for violations allows for a more precise look at the relationship between terrorist attacks and human rights violations.

Although there is a statistically significant relationship between domestic terrorism and military torture, its practical effect is rather limited, as is the effect of the aggregate measure of terrorism on military torture. Substantively, each additional domestic attack or aggregate attack in the GTD data increases the odds that a state's military will move into a higher category of torture by only 1%. By contrast, each transnational terrorist attack increases the odds that the military will move into a higher category by about 10%, offering support for our first hypothesis.

[24] The results for domestic terrorism become statistically insignificant with the inclusion of a lagged dependent variable in the model. The results for transnational terrorism, however, are robust to the inclusion of a lagged dependent variable.

[25] Additionally, to account for the possible influence of unit (i.e., country)-specific factors, we analyzed the same set of models in Table 3, incorporating random effects. The results are highly comparable to those reported here, and our main conclusions do not change. These results are reported in the appendix.

TABLE 3. Terrorism and Military Torture (ITT), 1995–2005

	Dependent Variable			
	Military (ITT) Torture	*Military (ITT) Torture*	*Military (ITT) Torture*	*Military (ITT) Torture*
Domestic Terrorism (GTD)	0.010 (0.005)*		0.006 (0.004)	
Transnational Terrorism (ITERATE)		0.099 (0.030)***	0.081 (0.026)***	
All Terrorism (GTD)				0.009 (0.005)*
Regime Type	−0.064 (0.018)***	−0.061 (0.019)***	−0.062 (0.018)***	−0.063 (0.018)***
GDP Per Capita	−0.001 (0.001)	−0.001 (0.001)*	0.001 (0.001)*	−0.001 (0.001)
Population	0.001 (0.001)	0.001 (0.001)	0.001 (0.001)	0.001 (0.001)
Civil War	0.909 (0.235)***	0.995 (0.228)***	0.902 (0.233)***	0.884 (0.238)***
International War	−0.461 (0.564)	−0.503 (0.677)	−0.513 (0.633)	−0.491 (0.571)
CAT Signatory	0.535 (0.303)*	0.505 (0.305)*	0.505 (0.310)	0.511 (0.304)*
Restricted Access	0.805 (0.324)**	0.860 (0.324)***	0.855 (0.326)***	0.808 (0.321)**
Domestic Dissent	1.104 (0.209)***	1.064 (0.198)***	1.036 (0.200)***	1.088 (0.209)***
Observations	1,240	1,237	1,237	1,238
Wald χ^2	125.10***	118.00***	123.34***	122.91***
Pseudo R^2	0.106	0.110	0.112	0.108
Cut 1	2.169 (0.327)	2.182 (0.323)	2.170 (0.327)	2.148 (0.327)
Cut 2	2.186 (0.325)	2.199 (0.321)	2.187 (0.325)	2.165 (0.325)
Cut 3	2.476 (0.331)	2.492 (0.328)	2.481 (0.332)	2.456 (0.331)
Cut 4	2.926 (0.343)	2.934 (0.337)	2.929 (0.342)	2.909 (0.343)
Cut 5	3.541 (0.352)	3.546 (0.350)	3.549 (0.353)	3.526 (0.352)

(*Notes.* *$p \leq .10$ **$p \leq .05$ ***$p \leq .01$. All models are ordered logistical regressions. Robust standard errors clustered on country reported in parentheses. All independent variables except Restricted Access lagged one period.)

Table 4 shows the substantive effect of all three measures of terrorism on systemic military torture.[26] The table displays predicted probabilities from two scenarios: (i) when there are no terrorist attacks and (ii) when there are 20 terrorist attacks.[27, 28] Models using the GTD measures of terrorism show that an increase from 0 to 20 attacks increases the probability of systemic military torture by <1% point. By contrast, increasing the number of purely transnational attacks from 0 to 20 increases the probability of systemic military torture by nearly 21% points. Transnational terrorism appears to be the only type of terrorism that strongly influences military torture.[29]

In Figure 1, we further investigate these dynamics by plotting the predicted probabilities of military torture falling into each category of the ITT Level of

[26] ITT codes systemic torture as the highest value (5) on the LoT measure.

[27] The predicted probabilities in Table 4 and the marginal effects in Figure 2 are based on estimates from the ordered logistic regression, but rescaled assuming a normal distribution (i.e., using the distributional assumptions of an ordered probit model) for ease of interpretation. In each scenario, the other independent variables are held constant at their means (for continuous variables) or medians (for categorical variables).

[28] The choice to use 20 terrorist attacks is arbitrary, but as Figure 1 demonstrates, it is in the range where the effect of transnational attacks becomes substantively strong. At three transnational attacks, the probability of systemic torture is 1.3% points greater than when there are no attacks. The probability is about 6.5% points higher at 10 attacks versus 0 attacks.

[29] Each of the five cut points in the models is significantly different from each other, indicating that the categories of torture on the ITT scale are indeed tapping into distinct levels of torture.

TABLE 4. Substantive Effects of Terrorism on Systemic Military Torture

	Transnational Attacks (ITERATE)	*Domestic Attacks (GTD)*	*Transnational + Domestic Attacks (GTD)*
Predicted Probability (with 0 Terror Attacks)	0.028 (0.016, 0.044)	0.029 (0.018, 0.047)	0.029 (0.017, 0.046)
Predicted Probability (with 20 Terror Attacks)	0.236 (0.080, 0.457)	0.037 (0.022, 0.059)	0.035 (0.021, 0.056)
Difference	0.208 (0.047, 0.430)	0.008 (0.001, 0.018)	0.006 (0.001, 0.015)

(*Note.* Remaining independent variables set at mean or median values. 95% confidence intervals in brackets.)

Torture measure as the number of transnational terrorist attacks increases from zero to 100.[30] At low levels of terrorism, there is not much change across the categories. But beginning around 20 terrorist attacks, the picture begins to change dramatically. The probability of systemic torture starts on an upward trajectory, and by the time, a state experiences 100 attacks, systemic military torture is a near certainty. Conversely, by the time, 100 attacks occur, the probability of no military torture is practically nonexistent. This finding has important implications for states that have historically experienced high levels of transnational terrorism. Such states are much more likely to engage in systemic military torture than states experiencing milder levels of transnational terrorism.

To assess our second hypothesis, we add a multiplicative interaction term to our model specification, as shown in Table 5. This is the interaction of each country's regime type with the number of transnational terrorist incidents for a given year.[31] Following Brambor et al. (2006), we also include the requisite constituent terms in our model.

Because coefficient results from an ordered probit model can be misleading, we plot the marginal effect of terrorism on military torture in Figure 2. The figure displays the marginal effect of an increase of twenty transnational terrorist attacks on systemic military torture at different levels of democracy.[32] Consistent with our expectations, increased transnational terror has no significant effect on systemic military torture among the most autocratic countries. Only past a Polity score of around 12 does increased terrorism begin to have a significant effect on systemic military torture.[33] As predicted, the strongest relationship between transnational terrorism and systemic military torture is found in the most highly democratic countries.[34] Further, although the effects of all independent variables remain consistent, information criterion indicates that the model with the interaction term is preferred to the earlier model with no interaction term.

Finally, if the causal mechanism behind our second hypothesis is correct, then the effect of domestic terrorism on military torture should not vary with the level of democracy. Specifically, if the greater observed effect in democracies is occurring because of citizens' willingness to use torture against foreigners, then domestic terrorism should not have the same influence on military

[30] The maximum number of attacks in the sample is 101.

[31] Because the generation of substantive effects is more straightforward using assuming a normal distribution (i.e., using the distributional assumptions of an ordered probit model), we estimate the models in Table 5 using ordered probit.

[32] The figure displays the marginal effect of increasing the number of transnational terrorist attacks from 0 to 20 while holding the other variables constant at their means or medians.

[33] We use a 0–21 scale for Polity by converting the original 21-point scale (ranging from −10 to 10). A Polity score of "12" here is the same as a "2"on the original scale, corresponding to a regime classified as an anocracy.

[34] We believe that this is not simply a result of democracies having a lower baseline level of torture. Dichotomizing the Polity scale into democracies and autocracies, there is a statistically significant difference in their mean levels of torture, though it is less than a full category, and less than one standard deviation of the full sample. Both democracies and autocracies have relatively low average levels of torture, meaning that they both have substantial room to increase their level of torture in response to terrorist attacks.

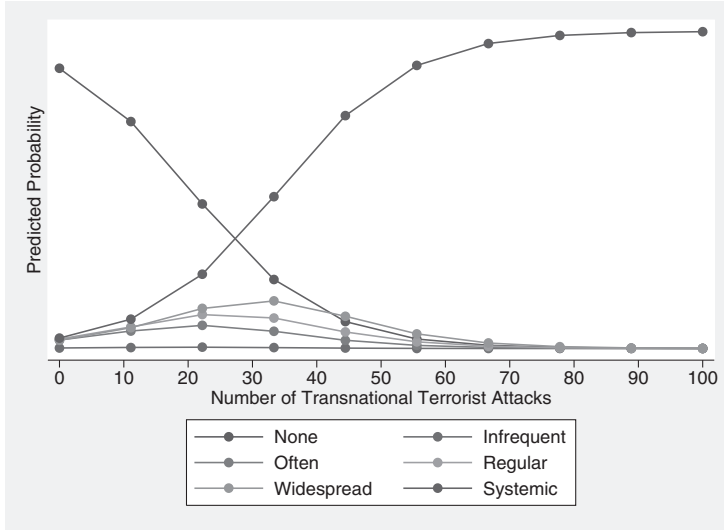

FIG 1. Predicted Probability of Military Torture as Transnational Terror Increases

TABLE 5. Terrorism and Military Torture (ITT Interactive Model), 1995–2005

	Dependent Variable: Military (ITT) Torture
Transnational Terrorism (ITERATE)	−0.043 (0.036)
Regime Type	−0.044 (0.011)***
Transnational Terrorism*Regime Type	0.007 (0.002)***
GDP Per Capita	0.000 (0.000)*
Population	0.000 (0.000)
Civil War	0.561 (0.128)***
International War	−0.109 (0.222)
CAT Signatory	0.271 (0.167)*
Restricted Access	0.451 (0.189)**
Domestic Dissent	0.611 (0.110)***
Observations	1,237
Wald χ^2	145.01***
Pseudo R^2	0.112
Cut 1	0.795 (0.208)
Cut 2	0.805 (0.206)
Cut 3	0.972 (0.207)
Cut 4	1.216 (0.208)
Cut 5	1.540 (0.210)

(*Notes.* $*p \leq .10$ $**p \leq .05$ $***p \leq .01$. Ordered probit regression. Robust standard errors clustered on country reported in parentheses. All independent variables except Restricted Access lagged one period.)

torture in democracies. Figure 3 depicts the marginal effect of an increase in twenty domestic attacks on systemic torture. The results suggest that the effect is always indistinguishable from 0, adding further support for our contention that transnational terror, in particular, is likely to lead to greater levels of military torture.

Conclusions and Implications

Although authorities face strong incentives to engage in torture after being attacked by terrorists, existing research has failed to find quantitative evidence of

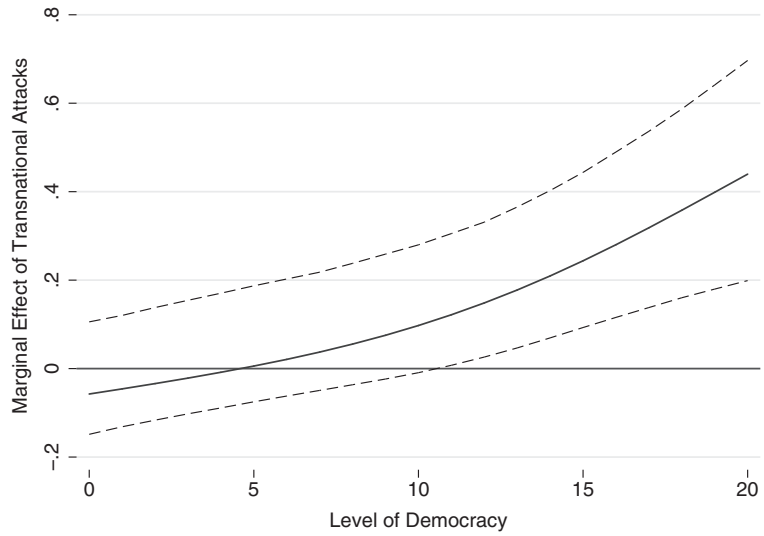

FIG 2. Marginal Effect of Increase in Transnational Attacks from 0 to 20 on the Probability of Systemic Military Torture

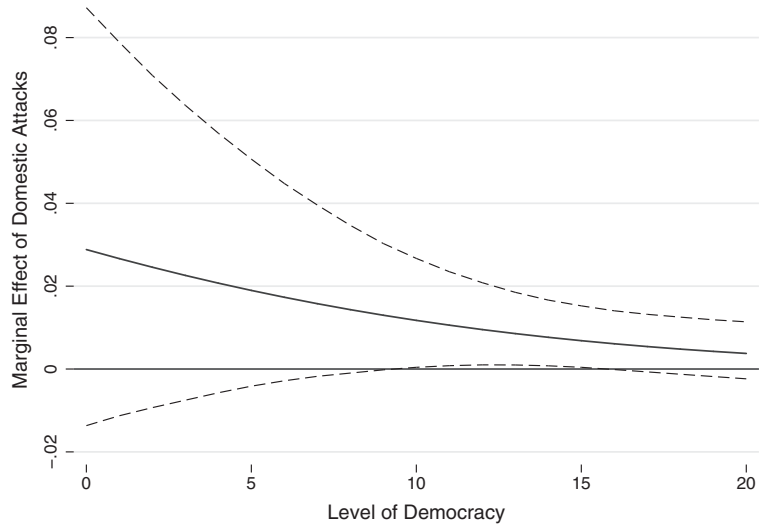

FIG 3. Marginal Effect of Increase in Domestic Attacks (0–20 Attacks) on the Probability of Systemic Military Torture

a robust relationship between terrorist attacks and government torture. We address these mixed findings by developing a more nuanced argument about the government agencies most likely to engage in torture in response to different types of terrorism. By focusing on the incentives of heterogeneous government agencies to torture, we argue that military forces engage in heightened torture in response to transnational terrorism, but not domestic attacks. It is perhaps unsurprising that earlier studies find no consistent link between terrorism and torture; the effect appears to be confined to military torture following transnational attacks. This empirical relationship was likely masked by the highly aggregated measures of torture and terrorism used in earlier work.

This paper has at least two limitations that could be addressed in future research. The first concerns endogeneity. We investigated the extent to which terrorism influences torture practices by different government agencies. It is possible that causality could run in the other direction, with state-sanctioned torture producing more terrorism (Hafner-Burton and Shapiro 2010; Piazza and Walsh 2010). We encourage additional theorizing about why, for example, military torture may produce transnational terrorism. Second, our theory is based on the assumption that militaries are primarily concerned threats from foreign states rather than from terrorist groups. Future investigation of the effect of transnational terrorism on military torture would benefit from more nuanced theory and data to capture how the goals and priorities of national military forces vary across time and space.

Our results have implications for states, international organizations, and nongovernment organizations that wish to end the practice of government torture. In contrast to Piazza and Walsh (2009), our empirical findings suggest that opponents of torture need to be concerned that terrorism can increase government human rights abuse. Concerns about terrorism resulting in increased state torture—including Amnesty International's "Counter Terror with Justice" campaign—are not misplaced.

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Appendix

Missing Values on ITT Measures

In the paper, we engage in listwise deletion and drop missing values on our measures of military torture. Our results are robust to two additional approaches, as recommended by Conrad and Moore (2011a). Our first approach replaces the missing observations with the modal value of the variable for each country over our temporal domain. We re-estimated the models presented in the paper using these alternative measures of the dependent variables. These results are presented in Table A1. Table A1 uses *Military Torture* as the dependent variable. All three forms of terrorism have a positive and statistically significant association with torture by the military. The statistical significance of transnational terrorism is at the .01 level, while those for domestic and for all terrorism are at the .10 level. These results are very similar to those reported in the paper. Table A2

shows our results testing the extent to which the effect of transnational terrorism on military torture is conditional on regime type. In these models, we replace missing data on Military Torture with the modal value of the variable for each country from 1995 to 2005.

Our second approach uses multiple imputation (specifically, Stata 11's mi package) to replace missing values of Military Torture with imputed data. These analyses are reported in Table A3. Results are quite similar to those reported in the paper. Finally, Table A4 shows our results testing the extent to which the effect of transnational terrorism on military torture is conditional on regime type, using multiple imputation to "fill in" the missing data on Military Torture.

TABLE A1. Terrorism and Military (ITT) Torture, 1995–2005 (Replacing Missing Values with Mode)

	Dependent Variable		
	Military (ITT) Torture	*Military (ITT) Torture*	*Military (ITT) Torture*
Domestic Terrorism (GTD)	0.010 (0.005)*		
Transnational Terrorism (ITERATE)		0.095 (0.031)***	
All Terrorism (GTD)			0.009 (0.005)*
Regime Type	−0.062 (0.018)***	−0.059 (0.018)***	−0.061 (0.017)***
GDP Per Capita	−0.001 (0.001)*	−0.001 (0.001)*	−0.001 (0.001)*
Population	0.001 (0.001)	0.001 (0.001)	0.001 (0.001)
Civil War	0.914 (0.231)***	0.976 (0.228)***	0.888 (0.235)***
International War	−0.623 (0.626)	−0.664 (0.741)	−0.664 (0.635)
CAT Signatory	0.298 (0.245)*	0.270 (0.248)*	0.275 (0.246)
Restricted Access	0.729 (0.305)**	0.777(0.307)***	0.730 (0.303)**
Domestic Dissent	1.034 (0.197)***	1.000 (0.187)***	1.020 (0.197)***
Observations	1301	1,298	1,299
Wald χ^2	120.00***	113.27***	117.68***
Pseudo R^2	0.095	0.098	0.097
cut 1	1.682 (0.262)	1.691 (0.259)	1.663 (0.262)
cut 2	1.965 (0.254)	1.977 (0.251)	1.948 (0.254)
cut 3	2.244 (0.260)	2.257 (0.258)	2.228 (0.260)
cut 4	2.682 (0.274)	2.687 (0.269)	2.668 (0.274)
cut 5	3.278 (0.289)	3.280 (0.286)	3.267 (0.288)

(*Notes.* *$p \leq .10$ **$p \leq .05$ ***$p \leq .01$. All models are ordered logistical regressions. Robust standard errors clustered on country reported in parentheses. All independent variables except Restricted Access lagged one period.)

TABLE A2. Terrorism and Military (ITT) Torture, 1995–2005 (Replacing Missing Values with Mode)

	Dependent Variable: Military (ITT) Torture
Transnational Terrorism (ITERATE)	−0.053 (0.036)*
Regime Type	−0.043 (0.011)***
Transnational Terrorism*Regime Type	0.008 (0.002)***
GDP Per Capita	−0.001 (0.001)**
Population	0.001 (0.001)
Civil War	0.562 (0.128)***
International War	−0.142 (0.242)
CAT Signatory	0.167 (0.141)

(continued)

Table A2. (continued)

	Dependent Variable: Military (ITT) Torture
Restricted Access	0.417 (0.180)**
Domestic Dissent	0.598 (0.105)***
Observations	1298
Wald χ^2	140.07***
Pseudo R^2	0.101
cut 1	0.561 (0.180)
cut 2	0.727 (0.177)
cut 3	0.886 (0.178)
cut 4	1.125 (0.180)
cut 5	1.440 (0.183)

(*Notes.* *$p \leq .10$ **$p \leq .05$ ***$p \leq .01$. All models are ordered probit regressions. Robust standard errors clustered on country reported in parentheses. All independent variables except Restricted Access lagged one period.)

TABLE A3. Terrorism and Military (ITT) Torture, 1995–2005 (Replacing Missing Values Using Multiple Imputation)

	Dependent Variable		
	Military (ITT) Torture	*Military (ITT) Torture*	*Military (ITT) Torture*
Domestic Terrorism (GTD)	0.009 (0.004)**		
Transnational Terrorism (ITERATE)		0.032 (0.010)***	
All Terrorism (GTD)			0.009 (0.003)***
Regime Type	−0.033 (0.011)***	−0.037 (0.013)***	−0.039 (0.012)***
GDP Per Capita	−0.001 (0.001)*	−0.001 (0.001)**	−0.001 (0.001)**
Population	0.001 (0.001)	0.001 (0.001)*	0.001 (0.001)
Civil War	0.708 (0.226)***	0.815 (0.244)***	0.741 (0.234)***
International War	−0.221 (0.282)	−0.233 (0.268)	−0.282 (0.250)
CAT Signatory	0.248 (0.163)*	0.283 (0.171)*	0.272 (0.173)*
Restricted Access	0.513 (0.309)*	0.439 (0.304)	0.414 (0.298)**
Domestic Dissent	0.625 (0.146)***	0.725 (0.153)***	0.683 (0.152)***
Observations	1159	1375	1378
F > 0	0.00	0.00	0.00

(*Notes.* *$p \leq .10$ **$p \leq .05$ ***$p \leq .01$. Robust standard errors clustered on country reported in parentheses. All independent variables except Restricted Access lagged one period.)

TABLE A4. Terrorism and Military (ITT) Torture, 1995–2005 (Replacing Missing Values with Multiple Imputation)

	Dependent Variable: Military (ITT) Torture
Transnational Terrorism (ITERATE)	0.003 (0.058)
Regime Type	−0.041 (0.013)***
Transnational Terrorism*Regime Type	0.003 (0.004)
GDP Per Capita	−0.001 (0.001)**
Population	0.001 (0.001)*
Civil War	0.802 (0.238)***

(continued)

Table A4. (continued)

	Dependent Variable: Military (ITT) Torture
International War	−0.235 (0.267)
CAT Signatory	0.244 (0.180)
Restricted Access	0.521 (0.325)*
Domestic Dissent	0.711 (0.154)***
Observations	1326
F > 0	118.00***

(*Notes.* *$p \leq .10$ **$p \leq .05$ ***$p \leq .01$. standard errors clustered on country reported in parentheses. All independent variables except Restricted Access lagged one period.)

TABLE A5. Terrorism and Military (ITT) Torture, 1995–2005 (Replacing Polity with Xconst Measure of Democracy)

	Dependent Variable		
	Military (ITT) Torture	*Military (ITT) Torture*	*Military (ITT) Torture*
Domestic Terrorism (GTD)	0.009 (0.004)**		
Transnational Terrorism (ITERATE)		0.038 (0.051)	
All Terrorism (GTD)			0.007 (0.003)**
Executive Constraints	−0.008 (0.005)*	−0.006 (0.005)	−0.007 (0.005)
GDP Per Capita	−0.001 (0.001)**	−0.001 (0.001)**	−0.001 (0.001)**
Population	0.001 (0.001)	0.001 (0.001)	0.001 (0.001)
Civil War	0.997 (0.245)***	1.08 (0.235)***	0.982 (0.246)***
International War	−0.395 (0.551)	−0.361 (0.561)	−0.397 (0.554)
CAT Signatory	0.383 (0.311)*	0.406 (0.308)	0.394 (0.312)
Restricted Access	0.974 (0.285)***	0.993 (0.286)***	0.987 (0.282)***
Domestic Dissent	0.967 (0.220)***	1.00 (0.211)***	0.956 (0.218)***
Observations	1246	1246	1246
F > 0	0.00	0.00	0.00

(*Notes.* *$p \leq .10$ **$p \leq .05$ ***$p \leq .01$. Robust standard errors clustered on country reported in parentheses. All independent variables except Restricted Access lagged one period.)

TABLE A6. Random Effects Models of Terrorism and Military Torture (ITT), 1995–2005

	Dependent Variable			
	Military (ITT) Torture	*Military (ITT) Torture*	*Military (ITT) Torture*	*Military (ITT) Torture*
Domestic Terrorism (GTD)	0.005 (0.002)***		0.005 (0.002)**	
Transnational Terrorism (ITERATE)		0.030 (0.016)**	0.019 (0.014)	
All Terrorism (GTD)				0.005 (0.001)***

(continued)

Table A6. (continued)

	Dependent Variable			
	Military (ITT) Torture	*Military (ITT) Torture*	*Military (ITT) Torture*	*Military (ITT) Torture*
Regime Type	−0.008 (0.012)***	−0.080 (0.012)***	−0.080 (0.012)***	−0.080 (0.012)***
GDP Per Capita	−0.001 (0.001)***	−0.001 (0.001)*	0.001 (0.001)*	−0.001 (0.001)***
Population	0.001 (0.001)***	0.001 (0.001)	0.001 (0.001)	0.001 (0.001)
Civil War	0.378 (0.140)***	0.452 (0.142)***	0.364 (0.148)***	0.371 (0.147)***
International War	−0.191 (0.193)	−0.210 (0.195)	0.158 (0.194)	−0.196 (0.192)
CAT Signatory	−0.030 (0.158)	−0.009 (0.162)*	−0.020 (0.159)	−0.025 (0.158)
Restricted Access	0.189 (0.184)	0.210 (0.185)	0.259 (0.185)	0.203 (0.184)
Domestic Dissent	0.093 (0.119)	0.119 (0.117)	0.093 (0.118)	0.081 (0.122)
Observations	1235	1235	1235	1235
LR χ^2	55.66***	52.03***	54.88***	58.15***
cut 1	1.012 (0.152)	1.030 (0.154)	1.003 (0.152)	2.010 (0.152)
cut 2	1.027 (0.152)	1.045 (0.155)	1.018 (0.152)	1.025 (0.152)
cut 3	1.284 (0.154)	1.301 (0.157)	1.274 (0.153)	1.647 (0.154)
cut 4	1.647 (0.158)	1.659 (0.161)	2.101 (0.162)	2.111 (0.157)
cut 5	2.108 (0.163)	2.114 (0.166)	.664 (0.048)	0.676 (0.162)

(*Notes.* *$p \leq .10$ **$p \leq .05$ ***$p \leq .01$. All independent variables except Restricted Access lagged one period.)

Supporting Information

Additional Supporting Information may be found in the online version of this article:

Data S1. Supporting information and robustness checks..