

Contingent Public Support for International Legal Institutions

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Abstract

State cooperation with international institutions requires support from subnational constituencies. We argue that citizens often approve of abstract, foreign actions by institutions, yet disapprove of specific, local actions. We argue this aversion is greatest for citizens in closest “proximity” to institutional actions. We assess these arguments with a survey experiment about the International Criminal Court in Kyrgyzstan - a theoretically relevant country with recent, salient civil violence. The survey randomly assigned respondents to a control group, asked about abstract foreign investigations, and a treatment group, asked about an investigation into Kyrgyz violence. Treatment significantly lowered approval for investigations. This effect was strongest in regions most proximate to the violence. We also find that awareness of the court did not moderate negative reactions, and support for the government magnified the negative reactions. Our findings help explain why support for international law and institutions is often ephemeral, eroding government cooperation with institutions.

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In November of 2010, Kenyans strongly supported the International Criminal Court (ICC). Public opinion surveys indicated that nearly 80% of citizens were happy with ICC investigations into 2007 election violence. In early 2011, the ICC charged several prominent politicians with crimes against humanity for their alleged roles in the violence. Despite strong support for the ICC a few months earlier, the Kenyan public responded to the indictments with a mixture of support and strident opposition to the ICC. Approval of the ICC plummeted in the home regions of the indicted politicians. Two of those indicted formed a political alliance and eventually won the next Kenyan national election, largely on an anti-ICC platform. They have since used the power of their offices to thwart the ICC process and these indictments were ultimately dropped in 2014.

The Kenyan experience is not unique. Attitudes toward other the ICC in other member countries have soured as well. The rise of anti-ICC sentiment in Africa helped stymie the arrest of the indicted President of Sudan, Omar al-Bashir, during a 2015 visit to South Africa (a state party to the Rome Statute). In 2016, the African Union (AU) endorsed African withdrawal from the ICC, despite the fact many AU countries once eagerly ratified the Rome Statute.

These episodes illustrate that support for international law generally, and for specific legal institutions, can vary widely across countries and over time. Populations that once expressed high levels of support for international law and courts can and do change their minds, and these shifts in public opinion pose obstacles to institutional effectiveness.

Courts, like many institutions, require legitimacy to be influential. As Gibson et al. state, “not even the most powerful courts in the world have the power of the ‘purse’ or ‘sword;’ with limited institutional resources, courts are therefore uncommonly dependent upon the goodwill of their constituents for both support and compliance” (1998: 343). As Staton and Moore (2011) argue, the development of judicial power at both the domestic and international levels requires the construction of political hierarchy, including some acceptance of courts’ authority and legitimacy.

This is certainly the case for the ICC, which relies explicitly on state cooperation and consent. Governments, controlling police and armed forces, are in turn constrained or enabled by popular attitudes. As the ICC has learned, public opposition to the court can undermine or buttress its efforts.

Existing studies of how citizens perceive courts have generally have two features: (1) a focus on courts with longer histories, often in developed countries and (2) a focus on the difference between diffuse and specific support. Yet, the ICC and ad hoc criminal tribunals are distinct on both dimensions. First, they focus on countries and situations in which there has been widespread political violence or human rights violations. These tend to be countries with domestic political and/or economic instability, often without well-established rule of law. Second, the ICC is relatively new and its actions are infrequent. Most countries have not had repeated experiences with the court, so there is scant history upon which citizens could form diffuse support. Moreover, ICC actions pertain to highly salient events (e.g. mass killings, civil war atrocities) that activate intense feelings. Ordinary citizens are often not aware, prior to an investigation announcement, that their country may be subject to ICC proceedings. Thus, reactions to the court are most likely to be based on specific circumstances, with the ICC less able to draw on any sort of deeply held diffuse support for the institution.

We ask two questions related to the legitimacy of international courts like the ICC: who responds negatively to possible investigations, and second, under what conditions are citizens more or less likely to respond negatively? We argue, first, support for international courts is often higher in the abstract than for specific applications to one's home country. There are several potential reasons – ranging from feelings of sovereign exceptionalism to fears that interventions might lead to further unrest. Regardless of the mechanism, the implication is that building legitimacy is a challenging enterprise for international courts, one that is highly context specific and subject to contestation across time and space.

Second, we argue that there are some systematic factors that may widen or shrink the gap be-

tween support for international law in the abstract and its specific application. In particular, we argue that among citizens with geographic or spatial proximity to a proposed intervention, the gap between general support and support for specific investigations will be largest. Perhaps surprisingly, this difference is not solely explained by the attitudes of perpetrators of violence who resist prosecution. Rather, this difference can also be driven by victims of violence who fear upsetting a fragile peace. Linking our research with other factors from extant work on domestic courts, we also assess whether awareness of the court and approval of the government affect support. Taken together, our analysis of factors moderating support for specific investigations also speaks to the possible dynamics of domestic political contestation between supporters and opponents of transnational justice efforts.

To assess these arguments, we analyze results from a survey experiment conducted in Kyrgyzstan during the Fall of 2015.¹ Kyrgyzstan is emblematic of the type of country where the ICC should have the greatest influence: a less-developed democracy with a history of civil violence.² Kyrgyzstan is also an appropriate setting because it is relatively *tabula rasa* with respect to experience with the ICC. This allows our survey to elicit reactions that more closely resemble what we'd expect of citizens who are newly introduced to an investigation, as opposed to citizens in a country where investigations are already major news and opinions have crystalized.

Our survey sampled 1,000 respondents proportionally to the population in each of Kyrgyzstan's sub-national regions. We randomly assigned respondents to either a prompt about an ICC investigation into a non-specific foreign country or a prompt about a possible ICC investigation into events that occurred in the Southern regions of Kyrgyzstan in 2010. These events involved riots and ethnic violence, centered in the cities of Osh and Jalal-Abad, pitting Kyrgyz and minority Uzbeks against one another. NGOs and human rights groups allege that the Kyrgyz government was complicit in, and may have even aided, the targeting of ethnic Uzbeks. These events were

¹The analysis plan was pre-registered with Evidence in Governance and Politics (EGAP), ID#(anonymous).

²Simmons and Danner (2010).

widely reported at the time and remain salient in Kyrgyzstan today. The outcome variable of our survey measure respondents' perceptions of investigations. This allows us to compare support for a specific intervention to support for the application of international law in the abstract.

The treatment - specification of an investigation into Kyrgyzstan - is meant to elicit reactions similar to how one might first hear about a proposed international legal intervention. The period preceding the announcement of ICC investigations is often characterized by a precarious, post-violence status quo. Although there may be rumors of potential investigations, the ICC has incentives to keep news of these to a minimum, lest they tip their hand or, alternatively, decide against investigating. When the ICC announces an investigation, there may be an initial period — prior to any contestation by local authorities or national governments — wherein citizens form opinions based on the specific application of international law to the circumstance in question. By using our survey instrument to compare support for abstract versus tangible investigations, we wanted to partially mimic this, with the estimated treatment effects providing some rough guidance as to which populations might have less favorable initial views of investigations.

We find that citizens are significantly less supportive of specific investigations at home compared to abstract, foreign investigations. This effect is magnified by proximity to the proposed investigations; respondents in regions affected by the 2010 violence show the strongest aversion to an investigation. This is not simply explained by an aversion to prosecution among alleged perpetrator groups. Rather, members of allegedly victimized groups are among those that exhibit the largest treatment effect. Contrary to expectations, we find that awareness of the ICC does not mute the negative treatment effect. Consistent with expectations, we find that government approval is associated with a strong, negative treatment effect. These findings suggest that some segments of the population — particularly government supporters or groups that stand to lose the most from reopening old ethnic wounds — may be especially susceptible to anti-ICC political contestation.

Our analysis sheds light on who is most likely to react positively and negatively to the prospect of an international legal intervention, which helps address the broader question of the conditions

underlying institutional legitimacy. Our research also suggests that theories of international institutions that emphasize opinions, ideas, and preferences of citizens need to account for the intense heterogeneity of public reactions, especially in highly charged contexts, like developing countries with recent histories of violence – countries where international legal institutions like the ICC most frequently operate.

International Law, Public Attitudes, and State Cooperation

Public preferences play a central role in theories of international cooperation. Subnational groups influence compliance across many issue areas (Mansfield, Milner and Rosendorff, 2002; Dai, 2005, 2007; Simmons, 2009). Domestic politics can undermine or encourage compliance with international rules or agreements, depending on public attitudes (Vreeland, 2003; Nooruddin and Simmons, 2006).

Sub-national actors play a particularly important role in limiting or facilitating the effectiveness of legal institutions. For example, Vanberg (2005) and Staton (2006) argue that citizen support for an independent and autonomous judiciary can facilitate the court's ability to constrain other legal actors, despite the court's lack of direct enforcement powers. Staton and Moore (2011) argue that the distinction between international and domestic courts is somewhat arbitrary because courts face challenges of enforcement and need to develop authority and legitimacy at both levels of analysis. We build on this tradition, arguing that public attitudes are central to the functioning and effectiveness of international courts precisely because those institutions rely on government consent and cooperation. Governments, in turn, rely on the consent and cooperation of their citizenry.

Public attitudes also play a particularly prominent role in arguments specific to the ICC. Simmons and Danner (2010) argue that the Rome Statute lets governments credibly “tie their hands,” signaling commitment to citizens the government's commitment to the rule of law. Jo and Simmons (2016) argue that ICC ratification triggers “social deterrence” against ICC violations by shaping

social expectations.³ Chaudoin (2016) argues that the ICC can provide information about the likely guilt or innocence of a leader, which can embolden the efforts of both pro- and anti-accountability groups. The court's ultimate effect on the likelihood of accountability and compliance depends on the ensuing contestation between opposing groups.

Given that citizens play a role in the effectiveness of international legal institutions, what do we know about how preferences about legal institutions are formed? Existing work on national and international courts emphasizes the distinction between specific and diffuse support. Diffuse support refers to general feelings about the legitimacy of a court while specific support refers to feelings of legitimacy toward specific rulings. Analyzing cross-national variation in attitudes towards national courts, Gibson, Caldeira and Baird (1998) find positive correlations between citizens' awareness of a national court and their perceptions of its legitimacy. They also find that older courts enjoy greater specific and diffuse legitimacy. Other studies have found a positive relationship between perceptions of a court's legitimacy and citizens' approval of its decisions in the contexts of the United States Supreme Court (Gibson, Caldeira and Spence, 2003, 2005), the European Court of Justice (Gibson and Caldeira, 1995; Carrubba and Gabel, 2014), and other national courts (Staton, 2010; Nalepa, 2010). Other studies have examined the relationship between citizens' real and perceived ideological alignment with courts and their decisions (Bartels and Johnston, 2013; Malhotra and Jessee, 2014).

The relationships between ideology and diffuse/specific support for a court are most appropriate in contexts where citizens live under the court's jurisdiction and where precedent and previous decisions influence domestic law. However, features of the ICC and other international courts make it difficult to develop reservoirs of diffuse support. Prior to an ICC investigation, citizens typically have very little experience with the court. They have little data, precedents or a track record of cases with which to form their beliefs. Diffuse legitimacy may therefore be driven by citizens' perceptions of their national courts (Voeten, 2013). Yet, the ICC operates on a principle

³See also Dutton and Alleblas (Forthcoming).

of complementarity, meaning it only intervenes where national courts are unwilling or unable to prosecute accused criminals. Therefore, its presence is most likely in places where domestic courts are weak or perceived as less legitimate. Moreover, international courts face unique informational difficulties, whereby it is harder for them to identify likely sources of support or opposition, because these courts must serve very heterogeneous audiences (Lupu, 2013). This is certainly the case for the ICC. Investigations into civil violence trigger intense, heterogeneous reactions that are not easy to predict.

Despite the importance of citizens in theories about international legal institutions, only a handful of experimental studies assess the impact of international law on public attitudes. Tomz (2008) uses a survey experiment to assess whether international law affects attitudes toward foreign policy, finding that citizens prefer foreign policies that are consistent with international legal obligations. Chaudoin (2014) uses a survey experiment to demonstrate that consistency with trade agreements is a secondary concern compared to a respondent's underlying policy preferences. Firm level experiments assess factors undermining compliance with international law outlawing anonymous incorporation, e.g. (Findley, Nielson and Sharman, 2013). Tingley and Tomz (2014) and Chapman (2011) examine how UN Security Council authorization affects public attitudes toward uses of force. Bearce and Cook (2015) find that information from international institutions can have an effect in economic and security contexts, mostly for motivated and knowledgeable individuals.

A few studies have examined attitudes about human rights law, in particular. Chilton (2014) examines whether information about international human rights law affects public attitudes toward solitary confinement, showing a public preference for adherence to treaty commitments. Chilton (2015) analyzes experimental survey data showing that public preferences toward the laws of war may be driven by reciprocity. Wallace (2013) and Kreps (2014) find evidence that prior legal commitments influence attitudes toward the use of torture and drone strikes, respectively. McEntire, Leiby and Krain (2015) find that framing influences attitudes about a campaign against sleep deprivation interrogation techniques. Anjum, Chilton and Usman (2016) sample from a university

area in Pakistan, finding that United Nations endorsement increases support for women's rights reforms for respondents who expressed confidence in the UN more generally.

With the exception of Anjum, Chilton and Usman (2016), these studies employ a U.S. sample and generally ask questions about low salience issues. These studies also typically emphasize hypotheticals, as opposed to actual events, e.g. a hypothetical bombing campaign (Chilton, 2014) or instance of peacetime sleep deprivation (McEntire, Leiby and Krain, 2015), or non-specific instances of violations of laws of war (Wallace, 2013), illegal drone strikes (Kreps, 2014) or trade disputes (Chaudoin, 2014).

In contrast, our experiment asks questions about an actual instance of violence that is very salient to the respondents. In doing so, we follow recent work by Hafner-Burton, LeVeck and Victor (2016) in directly surveying the populations of theoretical interest and asking asking questions about real, salient issues. To our knowledge, ours is the first nationally administered international law and human rights survey experiment conducted in a transitioning democracy, and one with a recent history of civil strife that casts a shadow on the government's human rights policies. While the aforementioned studies undoubtedly contribute to our understanding of the theoretical mechanisms underlying the effects of international institutions, their respondents are not always the citizens for whom international organizations like the ICC were designed. A majority of the crimes that fall under the auspices of international humanitarian law take place outside of the United States in lesser developed countries more prone to international conflict. Examining attitudes toward international law is especially important in such a context.

Contingent Support

We focus on two arguments: (1) that citizens are likely to be more supportive of international institutions and international law "in the abstract" than compared to when they face tangible, specific situations than affect their country and (2) that their negative reactions to actions by international

institutions are potentially moderated by their “proximity” to the institution’s action, their knowledge of the institution, and their approval of their government.

There are several reasons for the first argument, that there is a gap between citizens’ stated opinions on international law and institutions in general, compared to their willingness to support specific interventions in their country. Classic conceptions of collective action and public goods provision, applied to the international level, suggest that individuals may simultaneously support public goods or normatively desirable concepts, like respect for human right, but resist paying the costs themselves. The costs of complying with an institution — and the ICC in particular — are often not felt until the institution initiates an intervention in that country. A citizen might support accountability for war criminals, but balk at the investigation of her favored politician or co-ethnic or regional neighbor.

There are also cognitive and social biases that can account for why citizens approve of international institutions in the abstract yet react negatively to concrete, specific applications. Citizens may rationalize their preferences for an indicted politician, explaining away the indictment as the result of foreign intrusion or institutional bias. Citizens might feel a natural exceptionalism about their own country that makes them feel targeted or victimized. There are several documented social and behavioral biases that may account for these tendencies. Defensive attribution bias (Shaver, 1970) suggests individuals view events more negatively as they become more proximate or likely to affect the individual. Egocentric bias (Greenberg, 1983) implies that individuals view themselves and their own country as less culpable and more equipped for domestic prosecution of war crimes than is warranted. The “illusion of asymmetric insight” (Pronin et al., 2001) may lead individuals to conclude that their understanding of violent events is better and more informed than that of outsiders. The general tendency of citizens’ reactions to differ across abstract and applied scenarios has been identified in the American political behavior (Jackman, 1978) and psychological literature (Petty, Cacioppo and Goldman, 1981).

For these reasons, there is likely to be a disconnect between citizens’ approval of actions by an

international organization in the abstract, compared to a specific initiative affecting their country. These reasons need not be thought of as mutually exclusive, and are often mutually reinforcing. Motivated reasoning, for example, makes it easier for countermobilization efforts to sway opinion against international legal institutions. The costliness of compliance can create further uncertainty about whether governments will cooperate with investigations and hinder the possibility of a just outcome. Thus, our first hypothesis regards reactions which may be driven by several of the above causal mechanisms.

Hypothesis 1 (Specific Vs. Abstract Support). *Citizens are less likely to approve of tangible, specific investigations into their own country than the abstract concept of an investigation into another country.*

Moderators of Negative Reactions

The second, more important, argument concerns what characteristics of citizens moderate - meaning, magnify or mute - their negative reactions towards specific investigations. We focus on three characteristics: an individual's proximity to the court's action, awareness or knowledge of the court, and approval of the government.

Proximity

By "proximity," we mean the degree to which the individual's personal livelihood is close to the institution's actions and the crimes involved. Often, especially with civil violence, this entails literal, geographic proximity. Crimes investigated by bodies like the ICC are often geographically concentrated, since the populations committing violence against one another tend to do so over contested homelands, distributive disagreements, or those with which they share familiar and long-standing emotional enmity (Toft, 2005; Kaufman, 2001; Cederman, Gleditsch and Buhaug, 2013).

Living among or near the populations involved in civil violence, either as victims or perpetrators, means that institutional actions have a more direct effect on one's life. Many of the most tangible effects can be negative, especially in the short run. Investigations can increase tensions and uncertainty among the relevant populations. Day to day life in the context of recent war crimes and other abuses is plagued by considerable insecurity. These situations involve at least one vulnerable population, and uncertainty arises when the relevant populations do not know what an international legal intervention will entail, its likely outcome, or how other populations will react. This creates fear that an intervention may upset whatever fragile peace and normalcy exist in the aftermath of violence. Peace after civil strife is often fragile, and the fear that post-conflict justice will raise old animosities and disturb a delicate post-conflict equilibrium is common (Scharf, 1999; Goldsmith and Krasner, 2003).

This is especially important since the wheels of international justice turn slowly. It can be years before investigations, arrests, and trials, and, in the interim, the expectation of a trial may incite retribution or additional crimes. The time between crime and trial has been 8-12 years among ICC situations that are either in the sentencing or closed phases of their trials. These numbers understate the length of time between violence and legal outcomes because they do not include the accused who have never been apprehended, like President Bashir of Sudan.

This aversion to changes to the status quo also means that resistance to specific actions by an international institution can arise among both the victimizers, who potentially fear being held accountable, *and* the victimized, who are particularly vulnerable. A similar phenomenon has been documented in the context of attitudes towards indigenous transitional justice efforts. In post-war Burundi, Samii (2013) found that insecurity made citizens less supporting of indigenous transitional justice efforts, for fear of the insecurity that can come with justice efforts and of the possible loss of post-conflict political gains.

Furthermore, domestic actors, like political elites, often attempt to counteract the efforts of international institutions. Indicted politicians have every incentive to rally public support by ac-

cusing an institution of bias and malpractice. Initial supporters of an international institution can turn into opponents in response to these countermobilization efforts. This happened in Kenya, where political elites with agendas opposed to the ICC's efforts stoked opposition to the investigations (Chaudoin, 2016). These countermobilization efforts by anti-compliance groups can further raise fears of renewed clashes.

“Proximate” may also have different meanings across contexts. Proximity could refer to social proximity. For an example, U.S. citizens may support the ICC generally, but react negatively to possible investigations into U.S. servicemen and women. This negative effect is likely stronger for citizens with family and friends in the military. Their close social ties to those most likely to be affected may magnify their negative reactions. In other contexts, the effect might be largest for those who might either be prosecuted or see members of their social groups (e.g. co-ethnics or religious group) prosecuted, or for those who might see reprisals from opposing groups in the aftermath of efforts to prosecute. Whatever the case, proximity is likely to increase hesitancy about specific institutional interventions.

Hypothesis 2 (Proximity). *The decrease in approval for specific investigations is likely to be stronger for individuals in closer proximity to the proposed investigation.*

Awareness of the court

We also seek to heed the call of Staton and Moore (2011) to link theoretical arguments of domestic and international courts. We therefore focus on two theoretical arguments that are emphasized in the literature on domestic courts. These are more clearly established in existing literature, so we focus less on their explanation.

Knowledge and awareness of a particular court, empirically, are positively correlated with support for the court. Citizens who are knowledgeable about courts are more likely to believe that the court acts impartially, basing decisions on a politically neutral interpretation of law. Awareness of

the ICC varies greatly across countries and time. In the United States, approximately 32% of people indicate that they have some knowledge of the ICC, which is slightly higher than the percentage in our Krygyz sample, 24%.⁴ In Europe, Voeten (2013) finds that citizens seek information about international courts at rates comparable to other political institutions. In Kenya and other ICC situations, awareness of the ICC is very high.

Awareness is particularly important for international courts, since they are generally less active in terms of caseload. The perception of neutrality is crucial for the ICC, which has seen its image suffer greatly from charges that the court is political, an imperial tool of the West, or biased against African countries. Awareness of the court's activities may make citizens less prone to the negative reactions triggered by cognitive biases. If a citizen knows more about the court's activities, she may feel like an investigation into her country is consistent with the court's modus operandi, rather than a politically motivated intervention into her homeland.

Hypothesis 3 (Awareness). *The decrease in approval for specific investigations is likely to be weaker for individuals who are more aware of the court.*

Government Approval

Existing literature on courts emphasizes the importance of ideology in citizens' reactions. The general argument is that if a citizen believes that the court shares her ideology, she will react more favorably to a specific decision. The matters before international courts are less coherently organized by political ideology. This makes it harder for a citizen to "triangulate" her reaction based on the alignment between her and the court's ideology.

However, the actions of international courts, especially the ICC, target actors that are associated with particular political groups. Some of the ICC's most prominent cases targeted defendants who are current or former members of the ruling party or a head of state themselves, eg Omar al-Bashir

⁴American Bar Association ICC Project Polling.

of Sudan, Uhuru Kenyatta, and Muammar Gaddafi. In Kyrgyzstan, the government consists mostly of ethnic Kyrgyz representatives, and any investigation into recent violence in that country would scrutinize the actions of ethnically Kyrgyz citizens. This allows citizens to triangulate their reaction to a court case based on whether they support the current government. If a citizen thinks that a court's action will target the government, and she supports that government, she is more likely to react negatively to an investigation in her country.⁵ Bush and Jamal (2015) conducted a survey experiment in Jordan, where foreign and domestic sources endorsed reforms to include women in politics. They found that both endorsements decreased support for the reforms among citizens who opposed the regimes, because those citizens thought the reforms would only strengthen the government.

Hypothesis 4 (Government Approval). *The decrease in approval for specific investigations is likely to be stronger for individuals who are approve of their government.*

Research Design

To assess these hypotheses, we fielded a survey experiment in the Republic of Kyrgyzstan during the Fall of 2015. Kyrgyzstan is an excellent place to field this type of experiment for several reasons. First, Kyrgyzstan signed the Rome Statute in 1998 but has not ratified or been the subject of any ICC actions. This amount of contact with the ICC is “just right” because it means that respondents are not likely to have highly defined opinions about the ICC, but it is also a country that could eventually fall under the purview of the Court. If we conducted this survey experiment in a country like Kenya, opinions would be dominated by respondents' views of the highly-visible, recent ICC actions.

⁵Note that Voeten (2013) did not find a correlation between respondents' positive opinion of the ICC and their trust in their own government.

Kyrgyzstan is also the type of country for whom ICC commitments are thought to be most important, as the country experienced internal violence in the recent past. In 2010, lower-level disputes between ethnic Kyrgyz and Uzbeks in southern Kyrgyzstan escalated to widespread violence. An independent inquiry commissioned by the Kyrgyz government estimated that 470 people died as direct result of the violence, with another 1,900 wounded. Approximately 111,000 people were displaced into Uzbekistan, with another 300,000 internally displaced.⁶ NGO estimates of the death toll and displacement tend to be higher. The independent inquiry also concluded that some of the events likely constituted crimes against humanity under international law. A Human Rights Watch report argued that the Kyrgyz national security apparatus was at least tacitly involved in the violence, in part due to their selective disarmament of Uzbek — but not Kyrgyz — groups, as well as widespread extralegal arrest and abuse of Uzbeks.⁷

The maps in Figure 1 divide Kyrgyzstan into nine administrative regions, marked by grey lines. While a minority in Kyrgyzstan, large populations of Uzbeks are concentrated in specific sub-regions.⁸ The 2010 violence largely occurred in three locations with significant Uzbek populations: Osh, Osh Oblast, and Jalal-Abad. Osh and Jalal-Abad are the two cities in the Southwestern portion of the country marked with stars.⁹ Osh Oblast refers to the rural area around Osh, as some accounts of the 2010 violence involve citizens coming to Osh from the rural surrounding areas of the Oblast to take part.¹⁰ Of those three locales, Osh experienced the most violence, with UN satellite data indicating that approximately 75% of destroyed buildings were located in Osh.¹¹

⁶Report of the Independent International Commission of Inquiry into the Events of Southern Kyrgyzstan in June 2010. May 3, 2011. http://www.cmi.fi/images/stories/activities/blacksea/kic/kic_report_english_final.pdf. Accessed 12-27-2015.

⁷“Where is the Justice? Interethnic Violence in Southern Kyrgyzstan and its Aftermath.” Human Rights Watch Report. August 2010. <https://www.hrw.org/report/2010/08/16/where-justice/interethnic-violence-southern-kyrgyzstan-and-its-aftermath>. Accessed 12-27-2015.

⁸Uzbek geography data from Bond and Koch (2010).

⁹Though it has concentrated Uzbek populations, Batken did not experience significant violence in 2010.

¹⁰“Where is the Justice? Interethnic Violence in Southern Kyrgyzstan and its Aftermath.” Human Rights Watch Report. August 2010. <https://www.hrw.org/report/2010/08/16/where-justice/interethnic-violence-southern-kyrgyzstan-and-its-aftermath>. Accessed 12-27-2015.

¹¹“Damage Analysis Summary.” UNOSAT Report. July 2010.

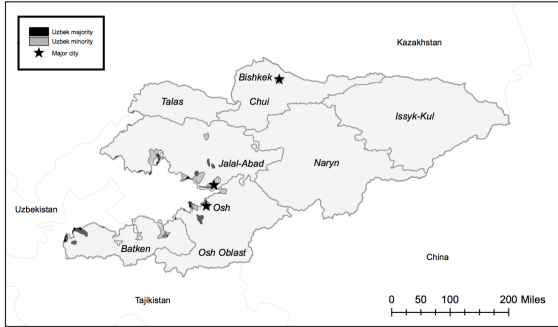


Figure 1: Ethnic Uzbek Citizens in Kyrgyzstan

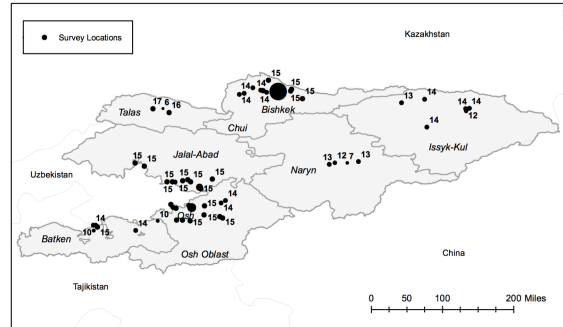


Figure 2: Survey Locations

Kyrgyzstan is also the type of country where we might expect the ICC to have a high likelihood of success. While it is not a fully matured democracy, it is also not a complete autocracy. In October of 2015, the country held relatively competitive and peaceful national elections, in contrast to its autocratic neighbors, Turkmenistan and Uzbekistan. NGOs and advocacy groups operate relatively freely in Kyrgyzstan. According to some existing theories, these are the types of countries where we should expect to see the greatest effects of ICC ratification on decreases in violence (Simmons and Danner, 2010).¹²

Survey Instrument

The sample consisted of 1,000 respondents aged 18 and older and the surveys were administered face to face in either Kyrgyz or Russian language, per the respondent's choice.¹³ The number of surveys conducted in a particular location was proportional to population along two strata: the region of the country and the urban/rural population. For example, approximately 17% of the population lives in the rural part of the Osh region, so 177 interviews were conducted in that geographical unit. For sampling within a particular unit, SIAR divided the geographical units into rayons, selected a point in each primary sampling unit, and selected every third household after

¹²To assess external validity, we replicated the experiment in an online survey in the United States. Space constraints prevent a full examination here, but we found similar results to those reported below. Full analysis and results are available in the appendix.

¹³SIAR Research and Consulting fielded the survey.

walking from that point. Within households, SIAR used a Kish grid to select respondents.

For the instrument itself, first, respondents were read a brief introduction to the issue of the International Criminal Court:

As you may or may not know, Kyrgyzstan has taken steps to join an international organization called the International Criminal Court. The International Criminal Court is located in The Hague, in the Netherlands, but addresses issues in many countries. The court tries to investigate and prosecute individuals who are accused of serious crimes like genocide, crimes against humanity or crimes committed during wartime.

Respondents were then asked “Have you heard of the International Criminal Court?” and they could choose between “Yes” and “No.” Approximately 25% of respondents chose “Yes.” Recognition rates for the Osh/Osh Oblast/Jalal-Abad region were 29% compared to 24% for the national average.

Respondents were then randomly assigned to either the treatment or control condition. The *control* group was given a prompt about a generic, non-specific, hypothetical ICC investigation. They were told “Some people have suggested that the International Criminal Court should investigate the violence that occurred in other countries.”

The *treatment* group was given a prompt about a hypothetical ICC investigation in Kyrgyzstan, regarding violence in 2010. Specifically, they were told “Some people have suggested that the International Criminal Court should investigate the violence that occurred in the Southern part of Kyrgyzstan in 2010.”

The structure of the treatment and control conditions was designed to mimic the “treatment” that citizens receive when the ICC opens an investigation in their country. The treatment effect, a comparison of approval for investigations under the treatment and control conditions, is meant to give an idea of whether and how much groups of citizens are likely to react negatively to an ICC action in their country. Before an investigation, the ICC is a distant actor, working on foreign

issues. However, when the court opens an investigation in a particular country, it becomes much more specific and real, designating events from particular times and places.

The structure and emphasis on the treatment effect, as opposed to nominal levels of approval under each condition, is also meant to deal with issues of desirability bias and misrepresentation that occur in surveys regarding sensitive issues like human rights. For instance, in a study of female genital mutilation (FGM) and early marriage, Cloward (2014) finds that many Kenyan citizens expressed opposition to these practices, despite engaging in them. Psychological and material incentives inclined respondents toward deceptive self-representations of their beliefs and actions. The same is likely true of surveys regarding international law and the ICC. Asking citizens whether they support hypothetical applications of international laws against genocide or other forms of violence can provide a biased representation of their reactions if those laws were applied directly to their country or themselves. Our analysis of the treatment effect is meant to help identify groups who are likely to react the most negatively to a specific application of international law to their country.

To ensure that respondents had a common understanding of this prompt, we extensively pre-screened the survey instrument. During this screening, we conducted in-depth pilot surveys with 13 citizens in the Kyrgyz capital of Bishkek. After each survey item, we asked open-ended questions to see how the respondent interpreted the prompt. For example, after the treatment item, we asked “You were asked about violence that occurred in the Southern part of Kyrgyzstan in June of 2010. What events did this make you think of?” All of the respondents recalled and thought of the events surrounding the 2010 violence. While they sometimes selected different specific events or acts, they all chose events from the location and time period referred to in the survey. This is unsurprising, since these events were widely covered and nationally important. Most likely, all respondents knew about the constellation of events that the prompt referenced.

Outcome variable

Immediately after random assignment to treatment or control, respondents answered were asked:

Do you think that these investigations would be a good or bad thing?

Very good	Somewhat good	Neither a good nor bad thing	Somewhat bad	Very bad
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We code a binary and categorical version of the responses. For the binary version of *Inv. App.*, we coded a respondent as approving of the investigation if she chose “Very good” or “Somewhat good” when asked whether the investigation was a good or bad thing. The categorical version of this variable is an ordinal, 4 point scale, ranging from 1 (very bad) to 4 (very good).¹⁴

Some responses were coded as “Difficult to answer/refused to answer” by the survey enumerators. This was not a choice that was read aloud to the survey respondents, but the survey enumerators were given this as an option for coding responses. For the main analyses, we exclude these respondents. We did not find any significant effects of treatment on the likelihood of a respondent choosing to not respond. There was some heterogeneity across regions in non-response rates, but fortunately, this was not strongly correlated with our regions of primary interest. As shown in the middle of Table 5, the non-response rates were approximately 22% in Osh/Osh Oblast/Jalal-Abad and 16% in the other regions.¹⁵

Sample Statistics and Randomization

Table 5 provides summary information. The first column shows the summary statistics for the full sample. Since we will later discuss the regions where the 2010 violence occurred, columns 2 and 3 split the sample between the three regions that experienced violence, Osh, Osh Oblast, and Jalal-Abad, and the remaining six regions. The remaining columns show each region individually.

¹⁴We also asked respondents for their feelings about the ICC itself, *ICC Approval*. Results are qualitatively similar using this outcome measure. See appendix.

¹⁵Luskin and Bullock (2011) present arguments for excluding these responses, though see also Kleinberg and Fordham (2015). The results are qualitatively similar when we include these respondents. See appendix.

	Full mean	Osh/Ob./Jal. mean	Non-Osh mean	Osh city mean	Osh oblast mean	Jalal-Abad mean
Treatment	0.50	0.50	0.50	0.50	0.50	0.50
App. Inv.	0.63	0.63	0.62	0.68	0.70	0.53
App. Inv. Num.	2.98	3.03	2.92	2.76	2.97	2.92
App. ICC	0.54	0.50	0.60	0.68	0.73	0.44
App. ICC Num.	2.96	2.92	3.01	2.82	3.08	2.98
DK/RTA	0.19	0.22	0.16	0.00	0.06	0.32
Heard of ICC	0.24	0.29	0.17	0.42	0.17	0.10
Government Approval	2.63	2.59	2.68	2.48	2.77	2.65
Uzbek	0.12	0.05	0.20	0.18	0.23	0.18
Age Under 50	0.66	0.66	0.64	0.84	0.65	0.59
Male	0.40	0.40	0.40	0.32	0.40	0.44
Post Sec. Ed.	0.37	0.42	0.30	0.76	0.22	0.26
Employed	0.26	0.28	0.25	0.40	0.28	0.17
Inc. Aver.	0.78	0.73	0.84	0.94	0.85	0.79
<i>N</i>	1,000	579	421	50	192	179

	Bishkek mean	Chui mean	Issyk-Kul mean	Naryn mean	Talas mean	Batken mean
Treatment	0.50	0.50	0.51	0.49	0.51	0.51
App. Inv.	0.59	0.70	0.63	0.69	0.26	0.74
App. Inv. Num.	2.98	3.05	2.71	3.25	2.79	3.37
App. ICC	0.48	0.62	0.46	0.47	0.10	0.57
App. ICC Num.	2.82	3.08	2.57	2.76	2.57	3.31
DK/RTA	0.25	0.13	0.14	0.20	0.64	0.19
Heard of ICC	0.29	0.27	0.41	0.29	0.21	0.27
Government Approval	2.48	2.63	2.69	2.53	2.13	2.93
Uzbek	0.03	0.04	0.06	0.00	0.00	0.18
Age Under 50	0.72	0.70	0.58	0.62	0.62	0.61
Male	0.37	0.29	0.52	0.62	0.46	0.40
Post Sec. Ed.	0.54	0.39	0.54	0.31	0.31	0.21
Employed	0.33	0.21	0.35	0.18	0.49	0.17
Inc. Aver.	0.68	0.75	0.72	0.91	0.72	0.75
<i>N</i>	177	160	81	45	39	77

Summary statistics of respondent characteristics, for the full sample, Osh/non-Osh sub-samples, and regional sub-samples. The numbers are the mean of that variable for that sub-sample.

Table 1: Summary Statistics

Before assessing treatment effects, we checked for balance in treatment assignment. First, we used the test from Hansen and Bowers (2008) to assess treatment assignment by region. The over-

all χ^2 statistic for balance on treatment assignment across regions was insignificant, indicating balance. Second, we assessed balance in treatment assignment across various respondent characteristics. We included indicator variables for whether the respondent chose to have the survey conducted in Krygyz or Russian, whether the respondent was over 50 years of age, male, had any post-secondary education, was employed, and had an above average income. The overall χ^2 statistic was significant; however, the differences in treatment assignment by characteristic do not appear to be substantively meaningful. The only covariate for which there was an individually significant result was gender, with males being slightly more likely to be assigned to treatment than control.

Results

Investigation Approval

Table 2 shows the treatment effects for the *Inv. App.* outcome in binary (top portion) and categorical form (bottom portion). Figure 3 shows a Bayesian estimate of the treatment effect on the binary *Inv. App.* variable.¹⁶

The figures and table show that the treatment effect is negative, meaningful, and statistically significant. This is consistent with Hypothesis 1. Approval for the investigations is approximately 83% under the control group. Treatment lowers approval for the investigation by approximately 10%, to 73%. The significance is apparent using the Bayesian approach and the frequentist approach.¹⁷ The treatment effect is apparent in the categorical version of the outcome variable as well. The treatment more than doubles the percentage of respondents who indicated that the inves-

¹⁶Let θ_t be the prior distribution of respondents who approve of the investigation under treatment regime $t \in \{Control, Treatment\}$. We used the non-informative Beta Jeffrey's prior for the distribution of θ_t . Let n_t and a_t represent the number of respondents who received treatment t and who approved under treatment t , respectively. The conjugate posterior distribution for θ_t is $\theta_t \sim \beta(a_t + 0.5, n_t - a_t + 0.5)$. The figures show the mean and 95 percent credibility intervals for 5,000 draws from this posterior distribution.

¹⁷For the table, test statistics were calculated from a normal approximation of the binary data.

tigation was a “Very bad” thing. This occurs despite the fact that the treatment is not particularly “strong;” it does not make any value statements, judgments, or predictions about the desirability or undesirability of an investigation.

The presence of high overall approval of investigations, under both conditions is also interesting. It is very unlikely that 70-80% of citizens in Kyrgyzstan would welcome an ICC investigation. The 73% approval rates for the investigation are comparable to the approval rates of the ICC investigation in Kenya *before* the ICC took concrete actions, and those rates decreased substantially over time as the investigation unfolded. This lends credence to the idea that the treatment effect is likely to be more meaningful for predicting sources of resistance than simple levels of support. The treatment effect found here is also similar to those found in other survey experiments about international institutions. For example, Tomz (2007) found that audience costs treatments lowered approval of a leader who broke promises by approximately 12%.

Treatment Group	<i>Investigation Approval (Binary)</i>					
	N	% Approv.	Difference	S.E.	t-stat	p-value
Control	396	83.1				
Treatment	410	72.9	-10.2	0.03	-3.50	<0.01

Treatment Group	<i>Investigation Approval (Categorical)</i>			
	Very bad (1)	Somewhat bad (2)	Somewhat good (3)	Very good (4)
Control	22 5.6%	45 11.4%	208 52.5%	121 30.6%
Treatment	51 12.4%	60 14.6%	183 44.6%	116 28.3%

Table 2: Treatment Effects: Investigation Outcome

These treatment effects are also robust to various regression specifications and techniques. Table 3 shows results from four logit regressions of the binary *Inv. App.* variable on a treatment

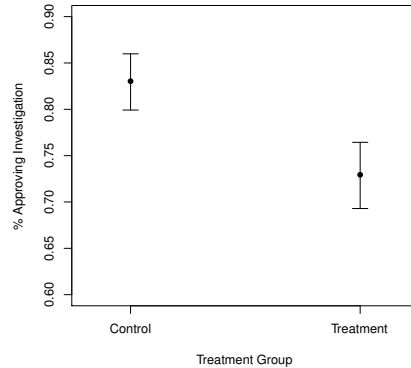


Figure 3: Treatment Effects: Investigation Outcome

indicator and control variables. The results are robust and display a consistent magnitude across specifications. The first column shows the treatment effect on approval in a simple logit regression, including standard errors that are clustered by geographical region. The second column shows results from a conditional region-fixed effects logit model. The third column includes a set of pre-treatment control variables.¹⁸ The fourth column includes the controls in a conditional region-fixed effects logit model.

For the controls, *Uzbek* codes respondents based on whether their first name indicated that they were ethnically Uzbek.¹⁹ *Under 50* is a binary variable indicating that the respondent was under 50 years old. *Male* is a binary indicator for male respondents. *Any PS Educ.* is a binary variable indicating whether the respondent received any post-secondary education. *Employed* is a binary indicator for employed respondents. *Income Ab. Av.* is a binary variable for whether the respondent indicated that her income was above average. Among the control variables, none significantly affected approval for investigations.

¹⁸Again, with region-clustered standard errors.

¹⁹We did not directly ask the respondents' ethnicities. The survey firm coded respondent ethnicity based on first names with a high degree of confidence. Highlighting ethnicity in the survey might have heightened the treatment effect since the Osh events involved inter-ethnic violence.

	Logit (1)	Region FE (2)	w/ controls (3)	Region FE w/ controls (4)
Treatment	-.600 (0.134)***	-.606 (0.175)***	-.574 (0.139)***	-.578 (0.18)***
Uzbek			-.145 (0.12)	-.118 (0.284)
Under 50			-.039 (0.167)	-.035 (0.19)
Male			-.151 (0.205)	-.175 (0.187)
Post Sec. Ed.			0.16 (0.211)	0.269 (0.197)
Employed			-.080 (0.255)	-.017 (0.208)
Income Ab. Av.			-.176 (0.24)	-.177 (0.224)
Const.	1.591 (0.1)***		1.786 (0.251)***	
Obs.	806	806	806	806

Table 3: Treatment Effects: Investigation Outcome, Logit Regressions

Proximity Moderation

In the context of the 2010 violence, proximity is most easily thought of in geographic terms. The violence was geographically concentrated in the Southern regions of Kyrgyzstan, specifically Osh, Osh Oblast, and Jalal-Abad. For ease, we refer to these three as the "Osh" (Osh, Osh Oblast, and Jalal-Abad) vs. "Non-Osh" regions. Here, we compare the treatment effects for Osh and Non-Osh regions.

Consistent with Hypothesis 2, the treatment effect is approximately twice as strong in the Osh regions. Figure 4 shows the treatment effects for each sub-sample, constructed in the same way as the above Figure. In the non-Osh regions, treatment lowers approval of the investigation by approximately 8%, from 84% to 76%. In the Osh regions, treatment lowers approval by approximately 16%, from 82% to 66%. Interestingly, both regions display similar nominal levels of approval of the ICC in the abstract, yet approval for a specific investigation drops much more in the Osh

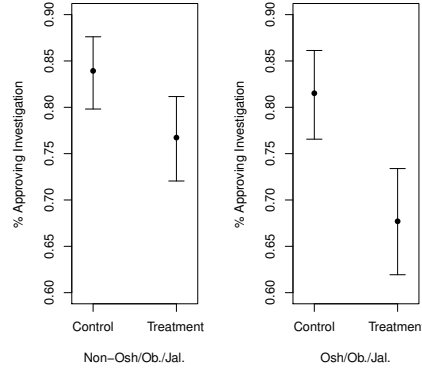


Figure 4: Treatment Effects: Investigation Outcome, by Regions

regions. Had we simply asked respondents their opinion of the ICC in general, we would have omitted this meaningful, regional heterogeneity.

For an even more detailed assessment of region-specific effects, we estimated a multi-level model in which we included region-specific intercepts and treatment effects. Individual respondents are indexed by i and they reside in $j = 9$ regions of Kyrgyzstan. X_i refers to the control variables included in the logit regressions above. The model is shown in Equation 1.

$$y_i = \beta_0 + \beta_i Treatment_i + X_i \Gamma + \epsilon_i$$

$$\beta_0 = u_{1j}$$

$$\beta_i = u_{2j}$$

(1)

Figure 5 orders the regions according to the direction and magnitude of their associated treatment effects.²⁰ Consistent with our expectations, Osh and Osh Oblast have the two largest, negative

²⁰The bands show the estimated coefficient plus/minus two times the standard error of that estimate.

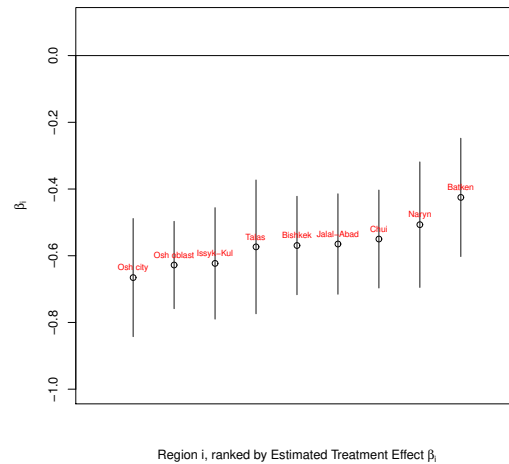


Figure 5: Treatment Effects: Investigation Outcome, Multi-Level Model

treatment effects and neither estimate overlaps with zero. The treatment effect for Jalal-Abad is negative, and ranks 6th out of 9 in terms of magnitude. While we would have expected the treatment effect in Jalal-Abad to be stronger than other regions, as mentioned above, the majority of violence occurred in Osh, so the strongly negative treatment effects for Osh and Osh Oblast provide the most direct support for our proximity arguments.

Perpetrators and Victims

The findings regarding the strong, negative treatment effect, especially in regions that were more proximate to violence, raise two important questions: (1) what might be driving the negative treatment effects and (2) are the effects simply a case of violent perpetrators expressing disapproval of potential investigations? While the 2010 violence was two-sided, outside observers attribute a majority of the violence and destruction of property to Kyrgyz attacks on Uzbek neighborhoods.²¹ One possible explanation for the negative treatment effects is that individuals who participated directly or indirectly in the violence, or have friends or family who participated, would not want an

²¹“Where is the Justice?” Human Rights Watch Report. August 2010.

outside investigation that could generate personal consequences.

To assess this possibility, Figure 6 and Figure 7 show estimates of treatment effects for Uzbek and Non-Uzbek respondents, both in the full sample and in the Osh/Osh Oblast/Jalal-Abad sub-sample. As above, all four estimates of the treatment effect show negative and meaningful effects. However, the results are striking in that the treatment effects are *stronger* for Uzbek respondents, compared to non-Uzbek respondents. This is contrary to what would be expected if the negative effects were predominantly explained by perpetrators wishing to avoid scrutiny. If anything, the more victimized of the two populations shows an even greater reticence for ICC investigations.

The difference between the estimated treatment effects by ethnicity is even more pronounced in the Osh/Osh Oblast/Jalal-Abad sub-sample. Treatment for Uzbek respondents in the Osh regions lower approval by approximately 23%, which is approximately twice as large as the treatment effect found for non-Uzbek respondents in the same regions and 50% bigger than the treatment effect found for Uzbek respondents in all regions.

Treatment Effects, Uzbek/Non-Uzbek Respondents

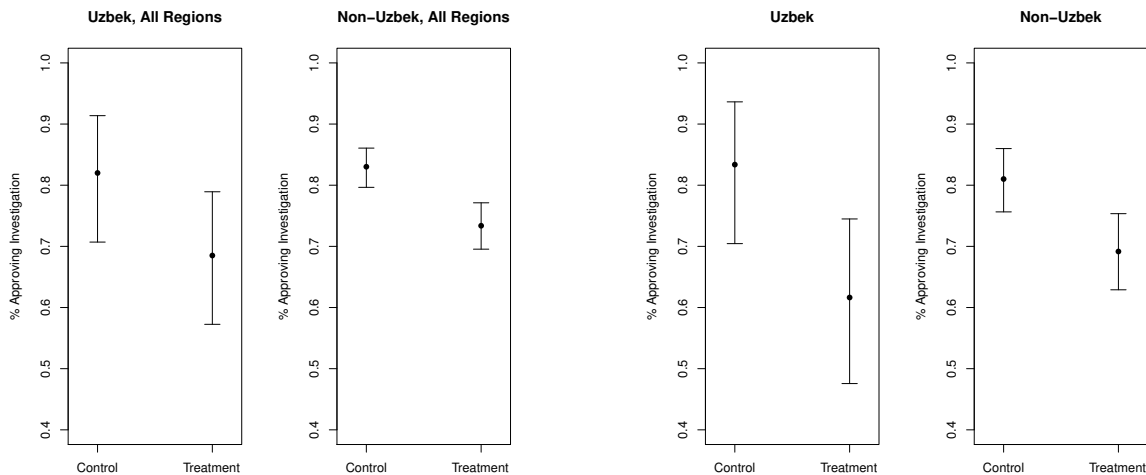


Figure 6: All Regions

Figure 7: Osh/Osh Oblast/Jalal-Abad

Our survey enumerators even made note of these patterns. In their post-survey technical report, the enumerators noted:

Respondents from Osh city and Osh oblast perceived the [investigation question] in the [forms with the treatment] extremely negatively. These respondents said that this question had to be raised in 2010, and now there is no necessity to raise this question up, since it was difficult to improve the situation but the stability has been finally restored.

While our survey cannot directly adjudicate between each possible mechanism for the treatment effect, these patterns and their interpretation by our enumerators suggest that one explanation of the negative treatment effect is the fear, especially among victimized populations, that external investigations may upset a fragile, post-violence peace.

In contrast to theoretical predictions about a uniform effects of international interventions on public opinion, these findings suggests much more heterogeneous and contested reactions. Some populations fear that outside investigations will create a new arena for competition and violence among groups, raising the possibility of a reignition of hostilities. If motivated reasoning or a desire to avoid prosecution and accountability among perpetrators was the sole source of negative reactions to international institutional actions, then we would not expect to see negative effects among group members who were more likely to have been victims.

Awareness Moderation

To assess whether awareness of the ICC moderated the treatment effects, we used the binary indicator variable that equals one if the respondent indicated that she had heard of the ICC, *Heard of ICC*. We replicated Table 3, only we used a multiplicative interaction term between the treatment indicator and this variable. The results are not consistent with Hypothesis 3. Looking at the interaction term, the negative treatment effect was only marginally smaller for respondents who indicated awareness of the court. Looking at the constituent term, respondents who indicated awareness of the court were more favorable to a foreign investigation, those this effect was not

always significant.

These results are interesting because they suggest that simply increasing awareness of the court may be insufficient to engender support among populations. While awareness increases their support for the institution in the abstract, this support dissipates for a specific, local investigation. And it does so at a rate similar to those who are not aware of the court.

	Logit (1)	Region FE (2)	w/ controls (3)	Region FE w/ controls (4)
Treatment	-.631 (0.175)***	-.617 (0.202)***	-.601 (0.18)***	-.600 (0.204)***
Heard of ICC	0.267 (0.12)**	0.326 (0.325)	0.271 (0.142)*	0.276 (0.327)
Tmt*Heard of ICC	0.071 (0.305)	0.006 (0.409)	0.089 (0.3)	0.073 (0.409)
Uzbek			-.135 (0.114)	-.122 (0.278)
Under 50			-.017 (0.159)	-.019 (0.189)
Male			-.175 (0.2)	-.177 (0.184)
Post Sec. Educ.			0.079 (0.189)	0.101 (0.202)
Employed			-.106 (0.263)	-.089 (0.209)
Income Ab. Av.			-.186 (0.247)	-.184 (0.222)
Constant	1.525 (0.103)***		1.754 (0.271)***	1.757 (0.28)***
N	806	806	806	806

Table 4: Treatment Effects: Investigation Outcome, Heard of ICC Interactions

Government Approval Moderation

To assess whether government approval moderated the treatment effects, we used a pre-treatment question asking whether the respondent was satisfied with the government on a four point scale, ranging from Very Dissatisfied (1) to Very Satisfied (4). We use a binary version of this variable,

Gov. App. that equals one if the respondent indicated that she was Satisfied or Very Satisfied with the government. As above, we interacted this with the treatment indicator.

The results are consistent with Hypothesis 4. Respondents who approved of the government had a much stronger, negative reaction to treatment, compared to respondents who did not approve. Interestingly, government approval was positively correlated with approval of investigations in the abstract, under the control condition. It is possible that approval of the government is associated with a greater trust in existing institutions, legal or legislative, in general, which led to higher approval of the ICC in the abstract. However, these citizens display consistent, significant negative reactions to the possibility of an investigation into Kyrgyzstan.

	Logit (1)	Region FE (2)	w/ controls (3)	Region FE w/ controls (4)
Treatment	-.207 (0.138)	-.244 (0.274)	-.183 (0.18)	-.224 (0.278)
Gov. App.	0.652 (0.269)**	0.632 (0.276)**	0.673 (0.289)**	0.634 (0.277)**
Tmt*Gov. App.	-.706 (0.237)***	-.643 (0.367)*	-.697 (0.257)***	-.618 (0.369)*
Uzbek			-.198 (0.108)*	-.148 (0.295)
Under 50			-.020 (0.192)	-.005 (0.194)
Male			-.196 (0.243)	-.227 (0.192)
Post Sec. Educ.			0.229 (0.214)	0.34 (0.204)*
Employed			-.086 (0.254)	-.026 (0.214)
Income Ab. Av.			-.145 (0.242)	-.145 (0.228)
Constant	1.240 (0.135)***		1.384 (0.303)***	
N	775	775	775	775

Table 5: Treatment Effects: Investigation Outcome, Gov. Approval Interactions

Conclusion

International institutions like the ICC rely on member state cooperation to execute their aims. Member state cooperation is influenced by popular support and how citizens react to the court's investigations. We analyzed these reactions using a nation-wide survey experiment in Kyrgyzstan designed to identify likely sources of resistance to an international court's investigation into a developing democracy with a recent history of salient violence. We found a negative reaction to a specific, local investigation compared to the idea of an abstract, foreign investigation. This reaction was most intense for citizens living in closer proximity to the violence being investigated, and was more concentrated among victims of violence, compared to perpetrators. The negative reaction was also stronger for respondents who approved of the current government, and was not ameliorated for respondents who indicated awareness of the ICC.

Each of these results is of practical importance for international legal institutions. The ICC recognizes the importance of subnational support, and has begun awareness campaigns and public outreach programs before and during their investigations.²² Our research suggests the types of sub-populations that are most in need of these efforts, as well as some of the reasons for their likely resistance to the court. Just as McEntire, Leiby and Krain (2015) studied the most persuasive frames for human rights campaigns among U.S. citizens, we need a better understanding of the conditions under which citizens abroad react positively and negatively to institutional actions. Our results suggested that Kyrgyz citizens' resistance to the court was driven, in part, by their fear of upsetting a fragile peace that has settled after violence. Similar fears likely abound in other countries in which ICC investigations will be conducted. Understanding very legitimate fears and concerns about external legal intervention can enhance institutional legitimacy.

Our results are also important for the study of international legal institutions more broadly. Our findings contrast with those of many micro-level studies on international law and institutions,

²²<https://www.icc-cpi.int/get-involved/Pages/ngos.aspx>.

which generally find a positive effect of institutions on support for compliance with international law. These findings are consistent with many theoretical claims that suggest international law can influence domestic actors to support compliance. As we noted above, however, these studies tend to emphasize hypothetical, lower salience issues, with surveys most often conducted in the United States. Our findings tell a different story for citizens living in more fragile situations, where investigations into violence are high salience issues and engender intense feelings. Institutions like the ICC will almost always find themselves operating in these highly charged environments. While the more positive influence of international institutions may operate, these may also be counterbalanced, or overwhelmed by, entrenched feelings over underlying conflicts and fears of disrupting fragile peace. This research thus suggests the importance of emphasizing heterogeneity in responses to international institutions, accounting for the contestation and reactions that follow international legal interventions.

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