

The Politics of Shame: The Condemnation of Country Human Rights Practices in the UNCHR

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Although the United Nations Commission on Human Rights served as the primary forum in which governments publicly named and shamed others for abusing their citizens, the practices of the commission have been largely ignored by political scientists. To address that deficiency, this study analyzes the actions of the commission and its members' voting records in the 1977–2001 period. It establishes that targeting and punishment by the commission decreasingly fit the predictions of a realist perspective, in which naming and shaming is an inherently political exercise, and increasingly fit the predictions of a liberal "reputation" perspective, in which governments hold others to their promises, and a constructivist "social conformity" perspective, in which governments distribute and respond to social rewards and punishments. With the end of the Cold War, the commission's targeting and punishment of countries was based less on partisan ties, power politics, and the privileges of membership, and more on those countries' actual human rights violations, treaty commitments, and active participation in cooperative endeavors such as peacekeeping operations.

Until 2006, the UN Commission on Human Rights (UNCHR) was the principal organ in the United Nations for achieving its Charter purpose of promoting respect for human rights. The 53-member commission adopted resolutions that specified general human rights standards that governments should maintain and, more controversially, it approved yearly resolutions that singled out individual countries for failing to live up to these standards. Among the dozens of targets of these resolutions were small, egregious, and politically isolated offenders like Burma, as well as some of the world's more influential states, such as Russia, Indonesia, and China. Understandably, then, the politics of the commission were contentious. In the Cold War years, the UNCHR was a battleground in interrelated political contests that pitted East against West and North against South. More recently, the UNCHR gained notoriety when the United States lost its seat on the commission, while countries like Syria, Cuba, and China were represented; then in 2003 when the chairmanship was assumed by Libya, a country not renowned for its enlightened

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rights practices and again in 2004 when Sudan was elected for a term in the UNCHR even while engaged in what many deem a genocide against its own people.

An expected consequence is that the actions and nonactions of the UNCHR prompted incessant calls for reforms. In an April 2005 speech to the Commission, UN Secretary General Kofi Annan (2005) argued the following:

[T]he Commission's ability to perform its tasks has been overtaken by new needs, and undermined by the politicization of its sessions and the selectivity of its work. We have reached a point at which the Commission's declining credibility has cast a shadow on the reputation of the United Nations system as a whole, and where piecemeal reforms will not be enough.

The Annan speech is a breathtaking indictment that draws implicitly from many of the theories that are familiar to international politics scholars. On the one hand, Annan embraces the realist contention that international organizations (IOs), like the UNCHR, have selectively enforced rules to support friends and punish adversaries. On the other, Annan assumes that at least some governments can rise above these tendencies in his calls for the formation of a new "Human Rights Council" that would be a "society of the committed," an institution that is populated by governments that "have a solid record of commitment to the highest human rights standards."¹ Moreover, by arguing that the Council should have an "explicitly defined function as a chamber of peer review," Annan assumes that singling out rights violators can facilitate their compliance with accepted human rights standards. In this, he echoes the assertions of institutionalists and constructivists for whom IOs have the prominent role of making public the extent to which governments comply with prevailing norms, rules, treaties, and regulations. To institutionalists, public resolutions confirming lack of compliance with human rights treaties affect the reputations of states for being reliable partners. To constructivists, public shaming creates pressures for governments to conform with societal norms within the international community.

Annan's reliance on these ostensibly incompatible assumptions is understandable given the questions begged by the practice of public shaming through majority votes in international governmental organizations. If the UNCHR's function was simply to provide information on the extent to which governments adhere to norms and promises then it is unclear why this task is delegated to a *political* institution rather than to a court or a commission of independent experts.² The obvious answer is that governments desire to control the shaming process and, thus, that the commission was political by design. But this response does not explain the apparent weight that UNCHR members attached to actual human rights abuses or that countries attach to shaming. If public shaming was a purely political act, the insincerity of the effort should be transparent to the participants. For that matter, if shaming was only about going after adversaries—regardless of their offense—it would be difficult to keep the shaming enterprise going. Why would governments expend political capital in targeting other governments, and why would the targets care to resist?

In what we believe is the first systematic study of post-Cold War UNCHR voting practices,³ we therefore seek answers to the basic questions, "Who got condemned

¹ To realize this goal, he proposed that members be elected by a two-thirds majority of the UN General Assembly. The United Nations High-Level Panel on Threats, Challenges, and Change (2004) proposed, in contrast, that the full General Assembly serve as a human rights commission. The 2005 UN World Summit outcome document called for the formation of a Human Rights Council but deferred decisions on its institutional characteristics (United Nations General Assembly 2005).

² The UN Human Rights Committee is such an institution of independent experts that could potentially fill that role.

³ For Cold War studies, see Donnelly (1988) and Tolley (1983, 1987).

and by whom?” Accordingly, we have collected data on UNCHR resolutions that target specific countries between 1977 and 2001, a period in which the human rights records of 92 countries were formally discussed and 61 countries were re-proached, at least once, by the commission. We study three aspects of UNCHR behavior: the selection of targets, the sanctions invoked against targets, and votes by individual member states on public resolutions. The latter analysis is most directly relevant to Annan’s reform proposal: selecting member states based on their human rights records matters only if righteous domestic practices translate into enlightened voting. But all three analyses provide perspective on how *any* political IO charged with upholding a global human rights standard will function. This includes the newly negotiated Human Rights Council, which replaced the UN Commission on Human Rights in June 2006.

We proceed as follows. First, we describe the evolution of UNCHR shaming practices since the commission’s inception and present descriptive data that convey important changes in commission practices over time. Second, we derive a set of hypotheses about commission and member-state behavior from International Relation (IR) theory. Third, we discuss the data employed in the analysis. We then test our hypotheses about the countries that were targeted and sanctioned by the commission, followed by a test of our hypotheses about the vote choices of individual member states. Finally, we offer conclusions. We find that commission targeting and punishment were driven to a considerable degree by the actual human rights records of potential targets and that reputation effects matter in the condemnation by the UNCHR of country human rights practices. States that ratified important human rights treaties were held to a higher standard, and states that were not actively involved in the production of global public goods were held to a lower standard when the commission administered punishment. This evidence notwithstanding, realist factors, such as capabilities and partisanship, were also important motivations for sanctioning states in the UNCHR, though less so overall with the end of the Cold War.

The UNCHR and Public Shaming

Created in 1946, as a subsidiary body of the UN Economic and Social Council (ECOSOC), the UNCHR was the first global, intergovernmental organization charged specifically with safeguarding and promoting human rights around the world. In this section, we briefly examine the commission’s development and options and then a number of relevant historic trends.

Commission Practices

At its face, the story of the UNCHR is one that realists can tell without flinching: in the early years, the role of the commission was circumscribed and its proceedings were choreographed to protect state prerogatives. Governments were simply uninterested in opening their doors to outside inspections given the loss of sovereignty and domestic interference this would entail. In later years, efforts to expand UNCHR powers were championed and resisted by generally predictable—albeit sometimes odd, politically contrived—coalitions of states. As the composition of the commission changed in the 1960s with the influx into the UN of a large number of countries from Africa and Asia, the new members pushed for additional powers to denounce and combat the vestiges of colonialism that lingered in Africa and the Middle East. Conversely, Western democracies derided the willingness of developing countries to renounce inhumanity in select locations while remaining indifferent to the ruthless practices of regimes in Uganda and elsewhere. Yet Western democracies also displayed considerable trepidation about expanding commission powers that could put their own domestic or colonial practices in the spotlight or

could compromise political allies. For much of its early history, then, the UNCHR focused on principle, not practice. It crafted a variety of major conventions, resolutions, and declarations (most significant among them, the 1948 Universal Declaration of Human Rights) and restricted its focus to symbolic cases—specifically, South Africa and Israel—that could sell an anticolonial message.

Over time, the powers of the UNCHR evolved nonetheless to yield three main procedures for addressing allegations of rights abuse in individual countries. First, under agenda item 12, the UNCHR could consider and, with a plurality vote, adopt resolutions that publicly condemn a country for its human rights record. (Sometimes these votes include mandates for country-specific rapporteurs.) Although this procedure was established after the 1967 ECOSOC resolution 1235 called for public investigations of human rights violations, it was used only to condemn South Africa and Israel until 1974. Then, for the first time, Eastern and nonaligned countries targeted repressive policies that lacked a racial basis—in Chile, with the violent overthrow of the Marxist Salvador Allende regime. Since then, the UNCHR passed public resolutions that targeted several dozen different countries. Second, under agenda item 19, the UNCHR performed advisory services. These are generally considered milder and less pejorative than item 12 resolutions and were typically used to avoid harsh public criticism of an offender (Tolley 1987:70). For that reason, the commission often expended considerable time in debate over whether the item would be discussed under one or the other procedure.⁴ The UNCHR also had the option of issuing statements from the chair that were backed by a commission consensus. The political weight of these statements was roughly comparable with that of advisory services. Third, the UNCHR worked in closed session. In 1970, ECOSOC resolution 1503 added a confidential procedure that allowed the commission to investigate “consistent patterns of gross and reliably attested violations of human rights and fundamental freedoms” that might exist within a country (United Nations 1970). Since 1978, the commission publicly listed the names of the countries that had been considered in confidence and whether this consideration is continued or discontinued (which terminates inquiry), although the specific allegations or justification for continuing consideration of a case were not made public.⁵

Effectively, then, the commission acquired four sets of options for dealing with an accused rights violator. These are positioned along a continuum from the least to the most severe sanction. First, the commission could choose not to act, either by discontinuing the confidential consideration of an allegation or by considering a matter in public without passing a resolution (i.e., the resolution failed or a motion not to consider the resolution passed). Second, the commission could continue consideration under confidential session (which means that the unreleased allegations are deemed to have merit). Third, the commission could initiate a somewhat mild sanction in the form of the advisory procedure or a critical statement from the chair of the commission. Fourth, the commission could pass a resolution that publicly condemns a state and expresses the reasons for doing so.⁶ The ranking of these options (for later analysis) reflects the following supportable assumptions: (a) discontinuing discussion or having a sanctioning resolution fail is the most favorable outcome from the standpoint of the alleged offender; (b) a public airing of grievances is more severe (shameful) and politically damaging to the offender than a private discussion (assuming that there is some merit to the charges); and (c) that a

⁴ The most informative treatment of the various country-specific measures are the yearly reports in the *American Journal of International Law*.

⁵ Tolley (1987) lists the countries widely regarded to have been considered in the confidential procedure before 1978.

⁶ Conversely, the commission has used some of these same mechanisms to voice support for a country, for example, with a change in its government or to laud improvements in a country's rights practices.

public vote of condemnation is the least favorable outcome from the standpoint of an alleged offender.⁷

Trends in Commission Targeting and Punishment

A better appreciation of commission practices can be achieved by focusing on important trends. In particular, it is useful to examine the changing frequency with which the UNCHR employed its available options and the countries that the commission targeted and punished.

Figure 1 displays the cumulative frequency (ordered by their severity) with which each set of options was employed by the UNCHR in the 1977–2001 period. (The figures and subsequent analyses record the most severe action taken against a country in a given year, as Israel was consistently subject to multiple actions, so that the top line in the figure also indicates the number of states that were targeted annually by the commission.) Immediately apparent is that UNCHR activity levels were considerably higher in the post-Cold War period than in prior years, ballooning in the mid-1990s when the human rights records of well over 30 countries were annually scrutinized by the UNCHR, and sometimes over a dozen countries were condemned through public resolutions (the difference between the top line and the line below it). In the 1991–2001 period, public resolutions were passed denouncing abuses committed by 24 different countries, 19 of which were condemned in multiple years. Most frequent among the condemned were Israel, Iraq, Iran, Afghanistan, Morocco (in the Western Sahara), and Equatorial Guinea—each, condemned in every year—followed closely by Burma, Cuba, the Democratic Republic of the Congo, Sudan, and Burundi. The top five countries accounted for only 38% of all public resolutions passed and the top 10 countries accounted for only 72% of resolutions passed. By way of contrast, in the 1980–1990 period, the UNCHR passed public resolutions that targeted 19 different countries,⁸ and even this comparison overstates the extent to which the commission employed sanctions in the earlier period. Given the ritualistic annual resolutions that the UNCHR passed condemning Israel, Chile, South Africa, Equatorial Guinea, and Cambodia, these (top) five countries accounted for over half of the resolutions that emerged from the commission. In the same years, 87% of public resolutions were directed at but 10 countries, a list that also includes El Salvador, Iran, Guatemala, Afghanistan, and Morocco. Interestingly, the propensity for the UNCHR to adopt resolutions did not drop in the late 1990s despite a reduction in the number of countries that were subject to UNCHR proceedings. Notably, too, even UNCHR members were frequent targets of these resolutions. The UNCHR adopted a public resolution against one of its own members on 50 occasions, with 40 of these votes occurring after 1990.

The UNCHR continued to employ lesser sanctions as well. Although the use of confidential condemnations was consistently strong between 1978 and 1985, much of the growing number of reprimands in the early 1990s came in the form of less severe sanctions, especially the commission's advisory procedures and consensus

⁷ The validity of our analysis that follows from this ranking depends only on the preference ordering of target countries, not the reasons for the ordering. Still, it is best to observe some caution when applying these plausible rankings. For one thing, because members prefer to be criticized in private rather than in public, bristle when charged with misconduct in open sessions, and appear to regard public resolutions as the most weighty penalty that a state can be assessed, members and targets might perceive any vote on a public resolution as a severe sanction, whatever the outcome. Indeed, for that reason, targeted states such as China have preferred to dispose of charges against them through procedural votes (motions not to consider a resolution).

⁸ In 1981, for instance, resolutions were passed condemning rights abuses committed by Israel and South Africa as well as Latin American dictatorships in El Salvador, Chile, Guatemala, and Bolivia that were seen as direct or tacit U.S. allies. In 1986, a plurality was garnered for resolutions that targeted Israel and South Africa as well as countries that included Cambodia, Cyprus, Morocco (for its policies in the Western Sahara), and Afghanistan.

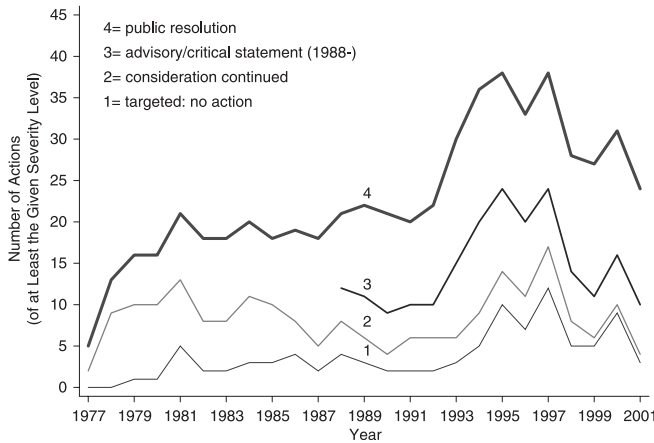


FIG. 1. Number of Actions Taken (Countries Targeted) by the UNCHR, 1977–2001

statements by the chair. The use of these procedures reached their high point in the mid-1990s. In the 1991–2001 period, 15 countries were the targets of advisory procedures or statements from the chair—the most frequent targets being Cyprus and Haiti (both in every year), followed by Cambodia, Indonesia, Somalia, Colombia, and Guatemala.

Despite the surge in commission activity into the 1990s, the growth in the number of hearings through the mid part of the decade (pertaining to as many as 36 countries a year) also boosted the number of instances in which the commission did not adopt some formal punishment for abuse (i.e., occasions in which the commission discontinued confidential consideration of abuses within a country, failed to pass a resolution of condemnation, or continued confidential consideration). In the 1991–2001 period, 38 different countries were discussed in confidential sessions or in public sessions that produced no immediate verdict. Perhaps the most heralded case of the commission's reticence to act on abuse allegations involved China. Despite consistent attempts in this period, the UNCHR failed to pass a public resolution condemning China for its human rights abuses. Saudi Arabia, too, was never formally punished by the UNCHR, although it was the subject of confidential proceedings in five different years in the 1977–2001 period.

One plausible explanation for the increase in activity in the 1990s is a global rise in the number of oppressive governments with the emergence of newly independent states from the former Soviet Union. Figure 2 reveals the relevant trend for states with different levels of rights abuses, as judged from the widely used "Political-Terror-Scales (PTS)" derived from Amnesty International reports.⁹ (These scores rank countries on a five-point scale, where countries with low values exhibit little or no political terror.)¹⁰ Whereas the "x's" in the figure establish that the

⁹ See also Carleton and Stohl (1985), Cingranelli and Pasquarello (1985), Gibney (2003), Hafner-Burton (2005), Hafner-Burton and Tsutsui (2005), Mitchell and McCormick (1988), and Poe and Tate (1994). These scores are found at: http://www.stanford.edu/~emiliehb/Data/data_hr_practices.zip. Other data are available based on State Department reports. Data from these two sources have become more similar over time (Poe, Carey, and Vazquez 2001).

¹⁰ *Level 1*: Countries under a secure rule of law, people are not imprisoned for their views, and torture is rare or exceptional; political murders are extremely rare. *Level 2*: There is a limited amount of imprisonment for non-violent political activity but few persons are affected, torture and beatings are exceptional; political murder is rare. *Level 3*: There is extensive political imprisonment, or a recent history of such imprisonment; execution or other political murders and brutality may be common; unlimited detention, with or without a trial, for political views is accepted. *Level 4*: The practices of level 3 are expanded to larger numbers; murders, disappearances, and torture are a common part of life; terror affects those interested in politics or ideas. *Level 5*: The terrors of level 4 have been

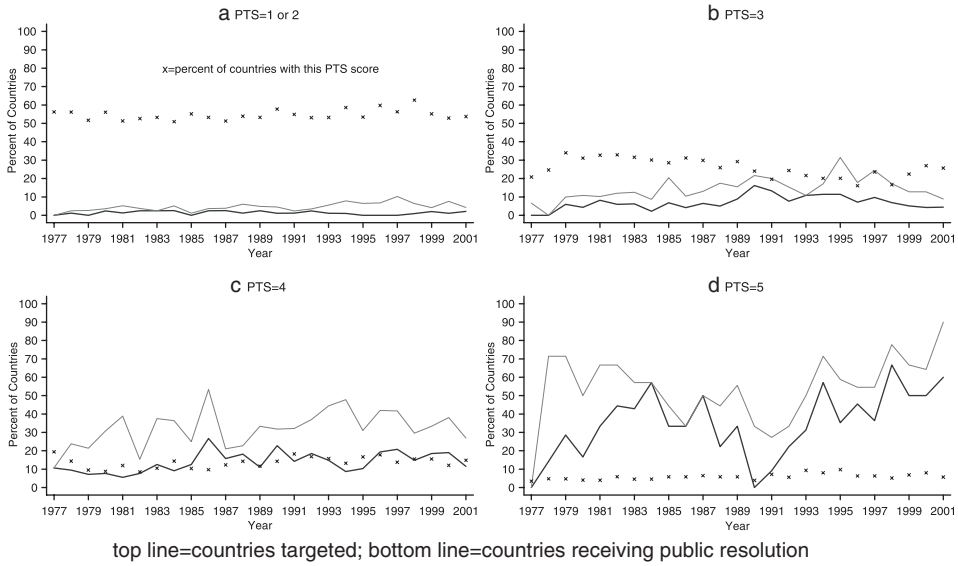


FIG. 2. Percent of Countries Targeted and Punished Severely by the UNCHR, per PTS Score

percentage of countries with good rights records (PTS = 1 or 2) increased slightly in the 1990s, the figure also shows that these gains were counterbalanced by the decreasing percentage of countries with mid-level scores (3) and increasing percentage of countries with bad rights records (PTS = 4 and 5). That the surge in UNCHR activity is not an artifact of the increase in the number of potential violators is apparent, however, from the percentage of states, at each level of abuse that were targeted and severely punished by the commission. The top lines in Figure 2c and d show that worse violators were somewhat more likely to attract commission attention in the 1990s than in the mid- to late 1980s.¹¹ By the mid-1990s, on average, around 60% of the worst violators (PTS = 5) and 40% of countries with PTS scores of 4 were brought before the commission. This record represents a marked improvement in UNCHR performance over the late 1980s, when only about one-third of the countries with bad PTS scores were scrutinized by the commission. Further evidence that the UNCHR was disproportionately targeting abusers is that the commission reserved the most severe sanctions for the *worst* rights offenders. Throughout the 1977–2001 period, a higher percentage of countries with PTS scores = 5 were successfully targeted with public resolutions than countries with PTS scores = 4, a higher percentage of countries with PTS scores = 4 were successfully targeted than countries with PTS scores = 3, and so forth.¹² Moreover, commission penalties increasingly fit the crime. Although roughly 70%

expanded to the whole population; no limits are placed on the means or thoroughness with which leaders pursue personal or ideological goals. (Levels 1 and 2 are aggregated in the figure because, compared with other proximate levels on the scale, countries at these levels invite the least scrutiny from the commission, other things being equal. In comparison, the additional abuse registered at Level 5 over Level 4 might be hard for governments to ignore.)

¹¹ The relatively high percentage of violators targeted in the early 1980s is attributable to the large number of rightist Latin American regimes that were targeted *and* the relatively small number of human rights violating countries in those years.

¹² Indeed, additional probing of the data for the full period reveals that countries targeted by successful public resolutions were generally more repressive than countries that were subject to lesser sanctions and that countries that were subject to lesser sanctions were generally more repressive than countries that were investigated but not sanctioned. In most of these years, countries with PTS scores of 4 or 5 accounted for around 60% of public resolutions, half of lesser sanctions, and only one-third of instances when no punishment was imposed.

of targeted countries with a PTS score of 5 were hit with a public resolution in the 1991–2001 and 1980–1990 periods, less serious offenders came to be treated less harshly. Half of countries with the lowest PTS scores (1 or 2) were subject to public resolutions in the earlier period, compared with 17% in the later period.

The UNCHR and International Relations Theory

Why do governments seek to shame other governments publicly for their human rights records in an international institution? Specifically, what can account for temporal and cross-sectional variation in this behavior? Theorists have not addressed this question explicitly, but we can derive preliminary answers from the main paradigms of IR theory. To liberals, the UNCHR arguably played a role in assigning reputations for compliance. To constructivists, public shaming is an attempt to distribute social rewards and punishments. To realists, the UNCHR was first and foremost a political organization, the primary purpose of which was not to hold human rights violators accountable for their conduct. This section elaborates on these assumptions and derives hypotheses regarding which states will be targeted and how members will vote.

Public Shaming: Reputation and Social Conformity

Liberal theorists have focused on human rights regimes with more “bite” than the UNCHR, such as treaties that can be enforced in domestic or international courts (e.g., Slaughter 1995; Moravcsik 2000). They have also stressed the emergence of human rights norms in communities of liberal democracies, arguing that behavior within such communities is distinct from behavior toward nonliberal outsiders (see Schmitz and Sikkink 2002:521). Obviously, such theories offer no clear explanation for active participation by states in global rights organizations, such as the UNCHR, which relied upon unenforceable measures and a large nondemocratic membership.

For liberal institutionalists, a plausible role for the UNCHR emerges as a contributor to, and evaluator of, reputations for good and bad behavior (see Axelrod and Keohane 1985). Reputations on human rights may be important by themselves but they can also help or hurt efforts by states to secure or improve their reputation in other, perhaps more consequential areas of interest. Indeed, coveted membership in IOs such as NATO and the European Community has hinged upon successful efforts at democratic and legal reform within candidate countries along the periphery of Western Europe. Damage to the reputations of states that are publicly condemned can also spillover into markets. For instance, Simmons (2000) shows in a study of international monetary affairs that competitive market forces punish states that renege on public legal commitments. Farber (2002) argues that investors infer from human rights protections that a government is willing to forego short-term power advantages in exchange for long-term benefits and hence that a rights-observant government poses a smaller expropriation threat than a government known for violating the rights of its subjects. Damage to reputations can also cause domestic legislatures to change the incentives for investment, for example, by granting most-favored nation status to countries with good or improving rights records or by denying favorable consideration to a publicly identified offender.

For their part, constructivists focus on institutions not so much for their role in enforcement or information provision, as is necessary if institutions facilitate a reputation effect, but because it is where “social conformity pressures are most concentrated” (Johnston 2001:508). In the constructivist view, public shaming is possible because governments internalize norms and principles that permit the exercise of social influence, the elicitation of norm-abiding behavior through the

distribution of social rewards and punishments (e.g., a loss in social status).¹³ Human rights violators can be shamed because, as members of an international society, they share common understandings, references, and standards (e.g., Risse and Sikkink 1999). Even countries that fail to internalize prevailing global human rights standards might yield to the wishes of the majority (or a dominant, liberal-oriented minority) because the prevailing group is positioned, by definition, to allocate social rewards and punishment within the international community. Indeed, by spreading human rights practices and fostering democratic transformations, the protagonists seek to promote a more general respect for rule-abiding behavior that makes countries more susceptible to the influence of global institutions (Kupchan and Kupchan 1991). Along these lines, Hafner-Burton and Tsutsui (2005) argue that the global institutionalization of human rights standards has created an institutional context that exerts independent social pressures on governments to comply with human rights treaties, whatever the actual motives of governments when they signed or ratified the treaties.

Despite their distinct theoretical ancestries, the empirical implications of the reputation and social conformity arguments are difficult to disentangle.¹⁴ They can reasonably be viewed as complementary influences that induce governments to adhere to—or to press other governments to adhere to—global rights standards and the overlap between sociological and institutionalist (or rationalist) mechanisms is well recognized in the literature (e.g., Schimmelfennig 2001; Hathaway 2002). Indeed, both perspectives imply that governments are sincere when they shame others that do not abide by human rights standards—that governments used the UNCHR to distribute rewards and punishments for actual adherence to an accepted standard. This leads to the following hypotheses regarding the characteristics of target states and states that are likely to vote to condemn others.

Hypothesis 1a: *The worse the human rights record of a state, the greater are its chances of being targeted and/or punished by the UNCHR.*

Hypothesis 1b: *The better the human rights record of a state, the greater its inclination to vote to condemn a target state.*

Both the reputation and the social conformity arguments imply, as well, that the role of human rights records in public shaming has increased over time. This has led some observers to speak of the emergence of a “new world order” based on the idea that liberal norms and ideas are coming to dominate the UN agenda (see Barnett 1997). We assume, then, that the growing priority of human rights and related norms within global society has increased the value of having a reputation as a good human rights performer and pressures to conform to rights norms (Hafner-Burton and Tsutsui 2004). More specifically, we presume that the subsiding of an overarching global conflict with the end of the Cold War—and the concomitant defeat of liberalism’s most important ideological challenge—made conformity with liberal standards a greater imperative for states. The Cold War had concentrated international attention and resources on a global security threat and arguably limited the willingness of governments to condemn the domestic practices of countries that could serve as useful military allies. The Cold War also gave states

¹³ Shaming is one among many mechanisms of social influence that include “shaming, shunning, exclusion, and demeaning, or dissonance derived from actions inconsistent with role and identity” (Johnston 2001:499).

¹⁴ It would require a test of whether leaders believe that others dislike public shaming out of discomfort of being labeled an outsider or out of concern that a resolution may hurt their country in some other material way (e.g., obtaining aid, entrance to an IO).

ideological leeway to defy Western principles with the claim that abridging political and civil rights was necessary to promote the economic and social rights of their populations. Because we recognize, however, that the shift in priorities may not have been as abrupt as the discrete division between a Cold War and post-Cold War period suggests, we also examine the possibility that change was more gradual. Our basic hypothesis is as follows:

Hypothesis 1c: *The positive relationship between the human rights violations by a state and its probability of being targeted and/or punished by the UNCHR has strengthened with the end of the Cold War.*

Not all states are necessarily held to a common benchmark. The reputation argument can be taken to suggest that members of the UNCHR targeted states for bad reputations acquired in other areas of interest and, conversely, gave the benefit of the doubt to states with a generally good record of cooperation. To similar effect, the conformity argument can be interpreted to mean that states reserve severe sanctions for those who lie outside the community, that is, those that do not embrace the liberal norms and principles that define membership within the community. Indeed, the violation of any specific norm by nonmembers might only serve to reinforce their standing as “outsiders” and the dangers they pose to the community. If so, reputations and community standing could well be determined through active participation in the global community more than formal IO membership. For example, states that aid in the production of global public goods through participation in UN peacekeeping missions may be given some leeway in their domestic practices. Whatever its source, a state’s general reputation or social standing as “good citizens” may be a basis of UNCHR action. This gives us the following hypothesis:

Hypothesis 2: *The more a state participates in the global community, the less likely it is to be targeted and/or punished by the UNCHR.*

Finally, both the reputation and conformity arguments imply that signing and ratifying human rights treaties are meaningful commitments. States do not “get a break” because they claim or aspire to be rights observant. Instead, states that ratify human rights agreements are held to a higher standard because a failure to punish their behavior would trivialize important normative commitments and risk undermining the broader sets of understandings and practices to which a norm violation is linked. Extending this logic, we expect states that have ratified these treaties to hold one another to a higher standard. That these assumptions are valid is not at all obvious. Scholars have found that there is no or little correlation between the actual human rights practices of states and their formal commitment to human rights treaties (Hathaway 2002), suggesting that signing treaties is cheap talk. Nonetheless, we offer these hypotheses.

Hypothesis 3a: *States that have committed to key human rights treaties are more likely to be targeted and/or punished by the UNCHR than states that have not.*

Hypothesis 3b: *States that have committed to key rights treaties are more likely to vote against states that have also committed to these treaties.*

Realism

Human rights are at best a peripheral or indirect concern in realist treatments of international politics. For contemporary neorealists, security is a state’s singularly

important policy objective. Given the logic of the “security dilemma” by which no state is permanently secure and all states can procure security only at another’s expense, states must marshal their resources to increase their capabilities and offset gains by competitors (Waltz 1979). States cannot afford the cost of pursuing objectives that will little effect, or might deleteriously effect, the capability balance. Neither can they afford the distractions of unnecessary conflict, as would most likely result from interfering in the domestic affairs of another state. This stark realist contention offers a relatively visible and convenient target for testing: human rights records should not explain why countries voted as they did in the UNCHR or which countries were targeted or punished by the commission, regardless of time period. In this realist view, the narrow pursuit of security objectives is a timeless feature of international competition.

Yet realists are not of one mind in their contentions. Some realists acknowledge that concerns for human rights occasionally and conditionally affect foreign policy. Morgenthau (1985:276), for instance, indicates that foreign policy is guided by human rights when he regards them as a subordinate interest that can be pursued if costs permit or as a variable interest that prevails when policy mechanisms are “usurped” by various national and supranational actors (Morgenthau 1952:973).¹⁵ This suggests that public shaming may occur only in the following circumstances: (a) within a permissive international security environment or (b) when potential targets are too weak to fight back or to include in alliances for balancing against other states. Although the first possibility gives H1c a realist justification, we note that most realists would not predict a pronounced linkage between human rights practices and sanctioning in any time period. As Mearsheimer (1994/1995) has forcefully argued, the belief by policy makers that the Cold War’s end has created a new era in which liberal international institutions ameliorate security concerns rests on a “false promise.” The second possibility is more in keeping with mainstream realist theorizing in that it suggests that commission members weigh the capabilities of potential targets when considering whether to target and sanction them. For instance, China has arguably used its capabilities to threaten and reward weak states to deflect efforts to bring the country’s human rights practices to a commission vote. Weak countries like Burma have not had that luxury. Thus, we propose that the weaker capabilities of potential targets influenced commission behavior directly and interactively, by magnifying the effects of violations. The logic behind a posited interaction effect is that weaker (stronger) countries with rights violations are held to a higher (lower) standard than stronger (weaker) countries are.

Hypothesis 4a: *The stronger a country, the less likely it is to be targeted and/or punished by the UNCHR.*

Hypothesis 4b: *The stronger a country and the better its rights record, the less likely it is to be targeted and/or punished by the UNCHR.*

An alternative argument, with complementary implications, can be derived from the assertions of some realists that the struggle for power and security in international politics is in part a contest for legitimacy through which national leaders can strengthen or weaken their domestic and international positions (Walt 1987:39). In their view, positive or negative decisions by political institutions such

¹⁵ These superficial and transitory interests can be distinguished from “primary interests” which center by consensus on the survival of a country’s territory, institutions, and culture (Morgenthau 1952:973). See Mearsheimer (1994/1995) for a strong modern statement of the argument that liberal foreign policy pursuits occur only if governments are temporarily misguided by domestic concerns.

as the UNCHR are important because they can deny or build political support for a government's policies. These realists stress that the process of legitimation is not guided fundamentally by law, morality, or conscience. Instead, as Claude (1966:371) writes, "collective legitimation has developed, for better or worse, as essentially a political function, sought for political reasons, exercised by political organs through the operation of a political process, and productive of political results."

The contest for legitimacy within institutions such as the UNCHR amounts to what Krasner (1999) labels an "organized hypocrisy" in which states selectively observe global norms and subordinate them to the principles of power politics. Governments may talk the talk when it comes to human rights, but their intent is to inflict political damage on foreign adversaries, not to induce them to treat their citizens according to some universally accepted standard. This thesis receives considerable support from Donnelly's (1988) finding that the UNCHR was strongly biased and regularly applied double standards in its evaluation of states (although Donnelly notes that bias declined significantly in the 1980s). It also fits the popular assertion that the UNCHR was in the business of "selling morality" (Loconte 2004).

If organized hypocrisy best characterizes the behavior of the UNCHR, we expect that governments used the UNCHR for strategic reasons: they attacked rivals and assisted allies—whatever their actual rights records—so as to serve broader, political strategies. Given that the United States held countries accountable publicly for their rights practices, and that these countries reciprocated by holding the United States and its allies accountable for their rights practices, we expect that US alignment (right-wing governance and UN alignment, more generally) will feature heavily in shaming efforts, then, as countries target and punish these countries whatever their actual levels of abuse. Of note is that the UN was frequently criticized during the Cold War for singling out pro-Western and right-wing governments while ignoring the excesses committed by left-leaning regimes (e.g., Franck 1985; Donnelly 1988) and that conflict in the UN continues to be dominated by clashes between the United States and its ideological adversaries (Voeten 2000).¹⁶ This suggests a fifth set of hypotheses.

Hypothesis 5a: *The closer a country's ties to the US, the more likely the country is to be targeted and/or punished by the UNCHR.*

Hypothesis 5b: *Countries with right-wing regimes are more likely to be targeted and/or punished by the UNCHR.*

Hypothesis 5c: *Countries will be targeted and/or punished within the UNCHR by members that have dissimilar ideological views or alignments.*

Given the underlying logic, countries are not above using their rights records to political advantage against countries with poor records. In turn, rights abusers will do their part to sully those good records with charges of abuse to undercut the "moral advantage" of the accusers. In fact, traded accusations of abuse are part of a larger ideational contest if the literature on hegemonic stability is correct that strong states seek to pursue their policies within a facilitative ideological context (on this, see, Moravcsik 2000:221). Thus, a strong test of H1b, linking the rights records of members to their voting practices, must establish that members with better

¹⁶ Although these ideological battles abated in the post-Cold War years, they might intensify again in the post-2001 period with the United States led "war on terror."

(worse) rights records enforced a tougher (weaker) standard *overall*. This can be accomplished by controlling for the possibility that members with better records sought to target and punish countries with worse records and vice versa.

Most frequently, cynical appraisals of the UNCHR and its work center upon the privileges of membership. Power (2004:39) argues, for instance, that the UNCHR had become a politicized farce and that “until membership comes with responsibilities, the commission will shelter too many human rights abusers and condemn too few.” This and similar critiques assume that rights violators can use their leverage (e.g., vote trading, agenda control) within the commission to deflect abuse allegations. Thus, we present a final hypothesis:

Hypothesis 6: *Members of the UNCHR are less likely than nonmembers to be targeted and punished by the commission.*

We subject these realist hypotheses, and the constructivist and institutionalist hypotheses, to rigorous analysis through tests of multiple-variable models. These models assume that, in principle, all the identified variables can have significant and substantively important effects on public shaming. Thus, our modeling efforts provide an opportunity both to contrast and to synthesize theoretical arguments applied to a phenomenon—shaming within intergovernmental organizations—that does not fit comfortably with any theoretical perspective. The literature provides some basis for reconciling realist and nonrealist thinking. Implicit within the notion of “hypocrisy” is that interests and ideas are fundamentally intertwined and that norms matter. Because duplicity is impossible if words and commitments carry no weight, Krasner’s argument provides grounds for believing that the shaming process is conditionally sincere: under some circumstances, even a political body like the UNCHR can “do the right thing.” At the same time, constructivist and institutionalist perspectives surely posit that politics in the UNCHR was constrained to a greater degree by actual human rights violations than realists concede. We must carefully weigh the magnitude of apparent statistical effects, then, to determine whether *on balance* the UNCHR acted to hold violators accountable or whether the commission was mired in partisan politics and prone to empty posturing.

Data and Method

We estimate three different models. The first model seeks to explain whether or not a country is targeted by the commission. The dependent variable takes the value 1 if a state is targeted in a given year, and 0 if not. The second model seeks to explain how severely a targeted country is punished by the commission. The dependent variable was introduced in Figure 1 and is measured at the ordinal level, with a public resolution representing the most severe sanction. The third model investigates the determinants of vote choices of commission members on public resolutions. Together, then, the first two models examine the characteristics of countries that increase the chances they will be targeted and punished more severely by the commission; the third model examines the characteristics of UNCHR members that determine how they vote on targeted countries. In this section, we present the variables used in the first two models; in the analysis section, we discuss how we incorporated these variables into the voting model.

To test Hypothesis 1, we incorporate the human rights record of a (potential) target state, as measured on the scale ranging between 1 and 5, with a 5 recording the most severe violations (as discussed in our trend analysis). Missing human rights scores were imputed using PTS values derived from State Department reports and

controls for the GNP, domestic ideology, and domestic institutions of the given countries in a given year.¹⁷

To test Hypothesis 2, that countries that cooperate in other areas of world politics are less likely to be condemned for human rights abuses, we employ two measures of actual participation in IGOs. The first, a dummy variable, indicates whether a state participated in UN peacekeeping operations.¹⁸ This variable is only available for the post-Cold War period. Participants in post-Cold War era peace missions (unlike in prior years) were not screened for alignment and were asked to perform in risky, aggressive, and/or open-ended operations (Lebovic 2004). We therefore take participation in peacekeeping as an indicator of whether a state is willing to make a costly contribution to the production of global public goods. For example, China's now, more favorable attitude toward participation in peacekeeping missions is widely perceived as an important signal that China is willing to accept responsibilities flowing from that country's central role in global IOs (e.g., Medeiros and Fravel 2003). The second measure of participation is the proportion of votes in each year that a state fails to cast in the UN General Assembly (UNGA). This variable indicates voluntary exclusion from the world community despite formal integration into it.

To test Hypothesis 3, whether the ratification of human rights treaties by a country affects its treatment by the UNCHR, we create a dummy variable that (otherwise 0) assumes a value 1 if a country has ratified the 1966 *International Covenant on Civil and Political Rights* (ICCPR)—the treaty of primary concern to the UNCHR.¹⁹ It provides an independent measure of a country's public commitment to human rights because ratifying the ICCPR is uncorrelated with a state's human rights record. In addition, we assess the robustness of the results by incorporating a similarly constructed dummy for the ratification of another highly relevant treaty—the *Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment* (CAT)—in the post-Cold War analysis (the treaty came into force in 1987), and a continuous measure that records the number out of all six UN-monitored human rights treaties that a country ratified (Hafner-Burton and Tsutsui, 2004).²⁰

To test the realist hypotheses, Hypothesis 4 to Hypothesis 6, we include an additional set of measures in the models. First, we measure political ties to the United States by a state's vote correspondence with the United States in the UNGA, as is common in the literature (e.g., Gartzke 1998; Alesina and Dollar 2000).²¹ Second, to measure domestic partisanship, we include two dichotomous variables for targets that have a left-wing and a right-wing executive based on data from the World Bank's Database of Political Institutions (Beck et al. 2001). The remaining executives—a heterogeneous bunch, not easily classified as left or right wing in the classic

¹⁷ This is important because of a systematic exclusion bias in Amnesty reporting: in the early years Amnesty wrote disproportionately about the most severe human rights violators (Poe, Carey, and Vazquez 2001). An experiment that leaves 100 actual observed values out of the imputation indicates that the imputation performs very well (correlation between actual and imputed values exceeds 0.9).

¹⁸ These data are based on mid-year reports. Recent data were obtained from <http://www.un.org/Depts/dpko/dpko/contributors/index.html>. Earlier data were obtained from the Peace and Security Section of the Public Affairs Division of the Department of Public Information at the UN and www.globalpolicy.org. The data were made publicly available by the UN only for operations in the 1990s.

¹⁹ This information was obtained from the UNCHR website (<http://www.unhchr.ch>).

²⁰ The other four treaties are: *The International Convention on the Elimination of All Forms of Racial Discrimination* (CERD 1965), the *International Convention on Economic, Social and Cultural Rights* (ICESCR 1976), the *Convention on the Elimination of All Forms of Discrimination Against Women* (CEDAW 1981), and the *Convention on the Rights of the Child* (CROC 1989).

²¹ We compute the Lijphart (1963) index of agreement based on valid votes only, where a 1 is given if a country votes with the United States, a 0 if the opposite, and a 0.5 if one of the countries abstains and the other votes yes or no. If countries do not vote in a given year, a country-specific mean-based interpolation is used (based on the mean of values closest to the missing data point).

socioeconomic sense—serve as the reference category. Third, we measure capabilities using the COW capability score, which is purported to assess the military power of a country.²² We do not include economic development as a variable in the model given, first, that realists generally focus on military rather than economic capabilities and, second, that economic development is strongly correlated with levels of human rights abuse and several other variables in the model. Finally, we include a dummy variable in all the models to measure whether a country was a UNCHR member in a given year. As UNCHR membership is generally determined (outside the Western group) by rotating through alphabetical lists, this variable can be taken as exogenous to others in the model.

The sample is limited to those countries that are UN members and have at least three valid observations on the PTS scale. We have 3,993 country–year observations for all variables (except the peacekeeping variable). All variables are rescaled to the 0–1 interval. As UNCHR votes occur typically in the spring, all independent variables are lagged 1 year. We include an orthogonal quadratic time trend in all models, using Hermite (orthogonal) polynomials.²³ We also add the natural log of the number of times a country has been targeted in the past.²⁴ Together, the trend variables and the spell counter adjust for temporal dependency in the observations (Beck, Katz, and Tucke 1998).²⁵

We estimate the models separately for the (pre-1990) Cold War period, the post-Cold War period, and the full (1977–2001) period. These analyses are useful because the end of the Cold War may interact with many variables in the model—not just the human rights records of states (Hypothesis 1c). Consequently, the full-period analysis may obscure the effects of realist variables that operate in one period more than the other. For example, left–right domestic partisanship appears more central to international politics during the Cold War than after it.

Who Was Targeted and Punished?

Tables 1 and 2 present the results from two different analyses. The first model answers the question, “*Who was targeted* by the commission?” through a probit analysis on a dichotomous-dependent variable that measures whether a country has been brought before the UNCHR (the “targeting model”). The second model addresses the question, “*Who was punished* by the commission?” through an ordered probit analysis of UNCHR actions, rank ordered (1–4) by their severity (the “punishment model”). (The values record only the most severe punishment accorded a *targeted* country in a given year.) These two questions properly specify a two-equation selection model. Empirically, however, we cannot reject the hypothesis that the two equations are independent, and thus we proceed with the more straightforward single-equation models.²⁶ The tables present results from the full specification as well as the coefficients from specifications that exclude the interaction effects. Because the inclusion of interactive effects obscures the influence of constitutive terms that are central to our hypotheses tests and because the interaction terms are generally insignificant, we simulate the effects of model variables from the leaner model specifications (see Braumoeller 2004; Brambor, Clark, and Golder 2005).

²² Capabilities data were obtained from <http://eugenesoftware.org>. On these data, see Bennett and Stam (2000). Unless otherwise indicated, data for other variables were also obtained from this source.

²³ Higher degree polynomials were tried but were not significant in any specification.

²⁴ The natural log of the counter fit the data better than a straight count, although all results are robust to including the regular count.

²⁵ The data and the STATA do files are available from the authors’ website (<http://home.gwu.edu/~voeten/>), including data on alternate measures of our concepts of interest that were used to assess the robustness of our findings.

²⁶ We used several exclusion restrictions, each resulting in a failure to reject the null hypothesis of independence. We should note that the results discussed below are qualitatively robust to the selection specification.

TABLE 1. The Determinants of Targeting a Country at the UNCHR

Interaction Terms	Full Period (1977–2001)		Cold War (1977–1990)		Post-Cold War (1991–2001)	
	Included	Excluded	Included	Excluded	Included	Excluded
Constant	– 2.64*** (0.33)	– 2.72*** (0.30)	– 3.58*** (0.58)	– 3.59*** (0.58)	– 4.03*** (0.81)	– 4.06*** (0.81)
Repression (PTS score)	1.40*** (0.31)	1.57*** (0.26)	1.72*** (0.32)	1.72*** (0.32)	1.33*** (0.28)	1.36*** (0.27)
ICCPR	0.03 (0.13)	0.03 (0.13)	– 0.02 (0.16)	– 0.02 (0.16)	0.20 (0.18)	0.20 (0.18)
UN voting absence	0.86*** (0.22)	0.86*** (0.23)	1.27*** (0.37)	1.27*** (0.37)	0.41* (0.25)	0.41 (0.25)
Peacekeeping participation	—	—	—	—	– 0.55*** (0.18)	– 0.54*** (0.18)
Capabilities	0.72 (0.58)	0.81** (0.35)	0.11 (0.90)	0.06 (0.41)	2.09*** (0.58)	2.39*** (0.53)
Capabilities × repression	0.22 (1.00)	—	– 0.11 (1.72)	—	0.72 (1.03)	—
Agreement with U.S.	0.81 (0.59)	0.80 (0.52)	1.08 (0.77)	1.09 (0.71)	– 0.12 (0.61)	– 0.23 (0.61)
Left executive	– 0.31** (0.13)	– 0.31** (0.13)	– 0.23 (0.16)	– 0.23 (0.16)	– 0.40** (0.20)	– 0.39** (0.20)
Right executive	– 0.31** (0.15)	– 0.30** (0.15)	0.07 (0.22)	0.07 (0.22)	– 0.45** (0.18)	– 0.44** (0.19)
Membership	– 0.26* (0.13)	– 0.26* (0.13)	– 0.13 (0.19)	– 0.12 (0.19)	– 0.26 (0.18)	– 0.26 (0.18)
Cold War	– 0.24 (0.23)	– 0.07 (0.15)	—	—	—	—
Cold War × repression	0.32 (0.32)	—	—	—	—	—
LN (count past targets)	0.94*** (0.07)	0.94*** (0.07)	1.23*** (0.11)	1.23*** (0.11)	0.80*** (0.09)	0.80*** (0.09)
Time (hermite polynomial, first term)	– 0.30** (0.15)	– 0.30** (0.14)	– 0.85 (0.62)	– 0.85 (0.62)	2.82** (1.29)	2.89** (1.28)
Time (hermite polynomial, second term)	– 0.11*** (0.04)	– 0.11*** (0.04)	– 0.21 (0.16)	– 0.21 (0.16)	– 0.71*** (0.25)	– 0.71*** (0.25)
N	3,993	3,993	2,116	2,116	1,714	1,714
Pseudo-R ²	0.434	0.434	0.487	0.487	0.441	0.440

* $p < .1$, ** $p < .05$, *** $p < .01$. All tests are two tailed. Robust standard errors adjusted for clustering on country in parentheses.

We also assess the robustness of the results by using alternative measures and (leaner) model specifications.

First and foremost, the results reveal unambiguously that the repression record of a country has a large positive influence on the probability of its being targeted and punished by the commission (Hypothesis 1a). To determine the substantive impact of this variable—or any other variable in the model—we vary its value (while holding continuous and dummy variables constant to their means and modes, respectively), using the simulation routines provided by the *Clarify* software (King, Tomz, and Wittenberg 2000). This widely used method employs the (hard-to-interpret) probit coefficients to obtain estimates of the probability that countries with certain characteristics are targeted and punished by the commission. In the full-period analysis, these simulations reveal that the mean predicted probability that a country with a PTS score of 5, 4, 3, 2, and 1 was targeted for scrutiny by the

TABLE 2. The Determinants of Punishing a Country at the UNCHR

<i>Interaction Terms</i>	<i>Full Period (1977–2001)</i>		<i>Cold War (1977–1990)</i>		<i>Post-Cold War (1991–2001)</i>	
	<i>Included</i>	<i>Excluded</i>	<i>Included</i>	<i>Excluded</i>	<i>Included</i>	<i>Excluded</i>
Repression (PTS score)	1.77*** (0.45)	1.23*** (0.36)	0.62 (0.56)	0.74 (0.54)	1.87*** (0.45)	1.94*** (0.44)
ICCPR	0.60** (0.26)	0.56** (0.26)	1.38*** (0.43)	1.35*** (0.44)	0.20 (0.30)	0.21 (0.30)
UN voting absence	0.49 (0.40)	0.57 (0.38)	2.41*** (0.55)	2.41*** (0.54)	0.02 (0.35)	0.01 (0.35)
Peacekeeping Participation	—	—	—	—	− 0.34 (0.38)	− 0.34 (0.38)
Capabilities	− 5.39*** (1.83)	− 2.72** (1.38)	− 8.94* (4.63)	− 4.67 (3.08)	− 5.20*** (1.72)	− 3.06*** (1.62)
Capabilities × repression	3.22 (2.44)	—	6.51 (4.81)	—	2.65 (2.34)	—
Agreement with U.S.	0.74 (1.14)	0.47 (1.14)	2.98* (1.60)	2.84* (1.76)	1.04 (1.01)	1.04 (0.98)
Left executive	0.37 (0.28)	0.35 (0.28)	0.48 (0.37)	0.46 (0.37)	0.15 (0.41)	0.16 (0.41)
Right executive	0.15 (0.31)	0.15 (0.31)	− 0.06 (0.47)	− 0.08 (0.47)	− 0.11 (0.29)	− 0.10 (0.29)
Membership	0.14 (0.26)	0.13 (0.26)	− 0.32 (0.38)	− 0.31 (0.38)	0.53 (0.31)	0.52 (0.32)
Cold War	0.82* (0.43)	0.03 (0.24)	—	—	—	—
Cold War × repression	− 1.31** (0.62)	—	—	—	—	—
LN (count past targets)	0.67*** (0.10)	0.68*** (0.10)	0.57*** (0.20)	0.58*** (0.19)	0.69*** (0.13)	0.68*** (0.13)
Time (hermite polynomial, first term)	− 0.52* (0.27)	− 0.48* (0.26)	1.31 (0.92)	1.38 (0.92)	− 2.09 (2.12)	− 2.22 (2.14)
Time (hermite polynomial, second term)	− 0.07 (0.06)	− 0.07 (0.06)	0.17 (0.23)	0.17 (0.23)	0.25 (0.40)	0.29 (0.41)
<i>N</i>	557	557	241	241	295	295
Pseudo- <i>R</i> ²	0.191	0.182	0.229	0.226	0.247	0.246

* $p < .1$, ** $p < .05$, *** $p < .01$. All tests are two tailed. Robust standard errors adjusted for clustering on country in parentheses. Cut-point estimates omitted.

commission is 0.30, 0.18, 0.09, 0.04, and 0.02, respectively.²⁷ Although there is no evidence that concerns about human rights were a greater determinant of *targeting* in the post-Cold War period than during the Cold War period,²⁸ the same cannot be said of *punishment* (Table 2). The human rights records of countries were an insignificant determinant of punishment during the Cold War, but a significant and strong influence on punishment in the post-Cold War period.²⁹ Whereas target countries with good rights records (PTS = 1) have a small predicted probability of being shamed by public resolution (0.07), countries with very poor records (PTS = 5) were regularly shamed in this manner (0.65) with the Cold War's end.

²⁷ These simulations are based on the model that excludes the interaction effects.

²⁸ We also estimated a model that interacted human rights records with the continuous temporal controls and found no evidence of a change in the impact of human rights concerns.

²⁹ This result is very robust to changes in the specification of the model.

The evidence is, as well, that involvement in international institutions decreases the chances that a country was targeted by the UNCHR (Hypothesis 2). Holding other variables at their means and modes, states that did not participate in peacekeeping missions in the prior year had much greater mean predicted probabilities (0.12) of being targeted than did participating states (0.04); they were also more likely to be hit with a public resolution than participants (0.42 vs. 0.31),³⁰ though this effect is insignificant in the punishment model. Similar results hold using the second measure of global participation, UN nonvoting. In the full period, states that vote in the UNGA only half the time, were almost twice as likely (a predicted probability of 0.23 vs. 0.12) to be targeted than states that always vote. Thus, it appears that states with good participation records in the global community were treated more leniently than states with poor records.

Ratifying the ICCPR treaty does not affect the chances that a country was targeted by the UNCHR. This finding is robust with respect to the measure of human rights commitment employed, so we must reject the hypothesis (Hypothesis 3) that states that commit to key human rights treaties are attractive targets for the commission. Ratifying the treaty does, however, have an effect on the punishment that targeted countries received, albeit only (significantly) in the Cold War and full period analyses. During the Cold War, targeted states that ratified the ICCPR treaty were more than twice as likely (a mean predicted probability of 0.79 vs. 0.33) to be shamed by public resolution than were other states. That this effect is insignificant in the post-Cold War period is possibly due to the declining variation for that variable in the 1990s. (By 2001, 80% of the states in the database had ratified the treaty, up from 25% in 1977.)³¹ Given that the coefficient for the post-Cold War and full periods are signed in the predicted direction and that the full-period coefficient is statistically significant suggests nonetheless that committing publicly to uphold a set of human rights norms does carry political consequences: states that have made a formal promise are held to a higher standard than states that have not done so.

The findings also reveal that powerful states were more likely targets of the UNCHR, at least in the post-Cold War period. In these years, states with above average capabilities were somewhat more likely to be targeted than states with average capabilities (12% vs. 8%). Still, powerful states were better able to avoid public shaming once targeted (Hypothesis 4).³² In the post-Cold War years, a state with average capabilities was able to escape sanctions or to keep the charges against it confidential an estimated 23% of the time; a state with capabilities one standard deviation above the mean (equivalent to Austria or Morocco) avoided more than confidential treatment by the commission 36% of the time. (The effect is comparable with that observed – 43 and 63%, respectively—for the statistically insignificant capabilities coefficient for the Cold War years.) Notably, there is no evidence of an interaction effect between human rights records and capabilities; in none of the model specifications did the multiplicative term approach conventional levels of significance. Hence, we must reject the realist hypothesis (Hypothesis 4b) that human rights have a conditional effect on targeting and shaming behavior.

We find evidence, too, that countries that regularly vote with the United States in the UNGA were more severely punished by the UNCHR in the Cold War years (Hypothesis 5a). Although we do not find evidence, in Table 1, that these countries were more likely to be targeted, voting coincidence with the United States is reliably associated with targeting *and* punishment in the Cold War period (but not the post-Cold War period) when we remove the counter for past targeting from the equa-

³⁰ PTS scores and peacekeeping participation correlate only weakly ($r = -.10$).

³¹ These findings are confirmed in analyses based on the effects of ratification of all six human rights treaties.

³² Inference on the hypothesis that capability affects targeting and punishment is based on the models that omit the interaction effects, given that constitutive terms in multiplicative interaction models do not have a straightforward interpretation.

tion. This suggests that the UNCHR's bias in targeting United States allies did not extend beyond the "usual suspects" of the Cold War years—Israel, Chile, and South Africa. These results hold when similarity in military alliance portfolios is employed in place of the UN voting-based measure.³³

We find no evidence that the UNCHR systematically overlooked left-leaning regimes and specifically targets right-wing regimes for public shaming (Hypothesis 5b): in none of the specifications in Tables 1 and 2 can we reject the hypothesis that the coefficients on left- and right-wing regimes are equal. There is some evidence that in the post-Cold War period both left- and right-wing regimes were targeted less frequently than the miscellaneous group of "other regimes." Given the heterogeneity of this group, this effect is difficult to interpret. Moreover, it is substantively weak.

Finally, over the entire 1977–2001 period, members of the commission were less likely than nonmembers to be brought before the UNCHR (a 0.05 versus 0.10 predicted probability). This effect is almost significant at the 0.05 level ($p = 0.052$). Yet, surprisingly, once members were targeted, they were not treated more leniently than nonmembers. Consequently, membership appears to provide some measure of power over agenda setting on the commission but not over its final disposition of agenda items.

Viewed together, a distinctive and provocative post-Cold War pattern emerges. In the Cold War period, strong countries avoided scrutiny and harsh punishment; in the post-Cold War period, strong countries attracted scrutiny but were still more likely to avoid condemnation. More importantly, the end of the Cold War brought a tightened link between the rights violations of countries and their punishment by the commission. Whereas rights abusers were no more likely to be targeted by the UNCHR in the post-Cold War than in the Cold War period, rights abusers were more likely to be punished in proportion to their abuse in the latter period than in the first. Notably, too, capabilities is the only realist variable that is a statistically reliable and substantively important influence on commission targeting and punishment patterns in the post-Cold War period.

Who Voted Against Whom?

To determine the characteristics that guide voting by UNCHR members, we test a dyadic model for which the unit-of-analysis is a member's vote on each public resolution in a given year. In these tests, we exclude 125 public resolutions adopted without a vote, leaving us with 147 controversial public votes on 29 different target countries. Many of the resolutions that were adopted without a public vote were directed at small, unpopular targets, such as Burma. We did not include these cases in the analysis because we are unwilling to assume that the failure to call a public vote is equivalent to a vote by all states to support a public resolution and because we lack a theory for the process by which some states are selected for a public vote and others are not. Thus, politically controversial cases could be over-represented in our analysis, which could bias the results toward the realist hypotheses.

For each vote, we record whether a UNCHR member voted for the target, abstained, or voted against the target,³⁴ which produces an ordinal variable where higher scores indicate a vote in support of a target (and abstentions fall between support and opposition). We then estimate ordinal probit models with robust standard errors clustered on dyads (i.e., member–target pairings). As in the prior analyses, the models include trend variables and a spell counter. Given that votes on Israel are politically unique and constitute a substantial proportion of the public

³³ Weighted S as computed by Bennett and Stam (2000).

³⁴ On China's motions not to consider the public resolution, a no-vote was recorded as a vote in favor and a yes vote was recorded as a vote against punishing China.

TABLE 3. The Determinants of Vote Choices at the UNCHR

<i>Votes Included</i>	<i>Full Period (1977–2001)</i>		<i>Cold War (1977–1990)</i>		<i>Post-Cold War (1991–2001)</i>	
	<i>All</i>	<i>Without Israel</i>	<i>All</i>	<i>Without Israel</i>	<i>All</i>	<i>Without Israel</i>
Repression (PTS score) voter	– 0.04 (0.03)	– 0.19*** (0.03)	0.06 (0.04)	– 0.10*** (0.04)	– 0.15*** (0.03)	– 0.32*** (0.04)
Repression (PTS score) target	0.06** (0.03)	0.07*** (0.03)	– 0.11*** (0.04)	– 0.14*** (0.05)	0.16*** (0.04)	0.19*** (0.04)
Absolute difference repression scores	0.06** (0.03)	0.03 (0.03)	0.13*** (0.04)	0.10** (0.04)	– 0.02 (0.04)	– 0.07* (0.04)
Only voter ratified the ICCPR	0.17 (0.11)	0.36*** (0.11)	– 0.03 (0.15)	0.26* (0.15)	0.47*** (0.14)	0.48*** (0.15)
Only target ratified the ICCPR	– 0.06 (0.12)	0.03 (0.12)	0.09 (0.15)	0.11 (0.15)	– 0.13 (0.18)	– 0.22 (0.19)
Both target and voter ratified the ICCPR	0.35*** (0.11)	0.59*** (0.11)	0.37*** (0.14)	0.38*** (0.14)	0.57*** (0.15)	0.91*** (0.16)
Capabilities target	– 0.68*** (0.14)	– 0.72*** (0.15)	– 0.53*** (0.19)	– 0.45*** (0.19)	– 1.42*** (0.33)	– 1.79*** (0.38)
UNGA similarity	– 1.11*** (0.11)	– 0.56*** (0.10)	– 0.79*** (0.15)	– 0.21*** (0.14)	– 1.59*** (0.14)	– 1.00*** (0.13)
Both left executives	– 0.39** (0.08)	– 0.38** (0.09)	– 0.49** (0.11)	– 0.59*** (0.13)	– 0.31** (0.11)	– 0.12 (0.12)
Both right executives	– 0.60*** (0.11)	– 0.21 (0.16)	– 0.69*** (0.14)	– 0.47*** (0.18)	– 0.60*** (0.15)	0.20 (0.27)
Voter left, target right	0.17 (0.11)	0.50*** (0.11)	0.24 (0.11)	0.54*** (0.14)	– 0.23 (0.17)	– 0.64*** (0.21)
Voter right, target left	0.09 (0.09)	0.34** (0.10)	0.30 (0.14)	0.57*** (0.16)	– 0.09 (0.12)	0.28** (0.13)
Regional similarity	– 0.18** (0.08)	– 0.30*** (0.08)	– 0.13 (0.10)	– 0.24** (0.11)	– 0.18* (0.10)	– 0.31*** (0.11)
Colonial relationship	– 0.06 (0.35)	– 0.03 (0.37)	– 0.25 (0.44)	– 0.28 (0.37)	0.04 (0.37)	0.04 (0.41)
Target UNCHR member	– 0.30*** (0.07)	– 0.32*** (0.07)	– 0.70*** (0.16)	– 0.61*** (0.11)	– 0.17** (0.09)	– 0.08 (0.10)
Counter previous targets	– 0.02*** (0.01)	– 0.01 (0.01)	– 0.00 (0.01)	0.06*** (0.02)	– 0.03*** (0.01)	– 0.04*** (0.01)
Time (hermite polynomial, first term)	– 0.25*** (0.07)	– 0.18** (0.08)	0.42* (0.24)	0.02 (0.27)	– 2.75*** (0.73)	– 1.41*** (0.82)
Time (hermite polynomial, second term)	– 0.05*** (0.02)	– 0.07*** (0.03)	0.15** (0.08)	0.07 (0.10)	0.40*** (0.14)	0.17 (0.15)
<i>N</i>	5,375	4,402	2,615	2,116	2,760	2,286
Pseudo- <i>R</i> ²	0.11	0.12	0.10	0.10	0.16	0.16

* $p < .1$, ** $p < .05$, *** $p < .01$. All tests are two tailed. Robust standard errors adjusted for clustering on dyad in parentheses. Cut-point estimates omitted.

resolutions considered by the commission,³⁵ especially in the Cold War period, we estimate models both with and without these votes. Table 3 presents the results of this analysis.

Given their dyadic form, the models employ a somewhat different set of independent variables than were used in the prior models. To gauge the effects of country human rights records, we include the PTS scores of both the voting and target countries. We expect that the better the human rights record of the voting

³⁵ Israel was subject to multiple resolutions in a single year (for its practices in the occupied territories, etc.). To avoid multiple counting of the same case in these instances, we selected for analysis the resolution that most generally targeted Israel's human rights practices.

country (lower PTS score), the higher the probability of a vote to condemn a target. Conversely, the worse the record of the target, the more likely it will receive a vote of condemnation. In addition, we also include a measure of the absolute difference between the PTS score of the voting and targeted country. The difference measure allows us to determine whether countries are more likely to vote against states with human rights records dissimilar to their own.³⁶ Incorporating this variable into the analysis allows us to judge whether countries with given (presumably worse) rights records are more likely to be punished, apart from the records of the voting members, and whether members with given (presumably better) rights records are inclined to cast sanctioning votes, apart from the records of the targets.

Governments with better records were significantly *more* likely to cast shaming votes (supporting Hypothesis 1b), in both periods, when votes on Israel are excluded from the analysis. (For the Cold War period, including Israel in the analysis creates the false appearance that rights-abusing countries, no less than rights-observant countries, were actively punishing rights abusers.)³⁷ More striking, however, is the discrepancy between the findings for target PTS scores for the Cold War and post-Cold War periods—results which are insensitive to whether Israel is included in the analysis. Even when controlling for the absolute difference between member and target scores in the Cold War years—that is, instances in which better rights performers targeted worse performers and vice versa—targets with better rights records were actually *more likely* to attract shaming votes than were targets with worse records. In the post-Cold War period, the opposite is true (supporting Hypothesis 1a). Thus, in the post-Cold War period unlike the Cold War period, there is evidence of a convergence of opinion that the worst rights abusers deserved to be most severely punished.

To facilitate the joint interpretation of the human rights effects, Figure 3 plots the 95% confidence intervals of the “yes-vote” probabilities, by period and voter PTS score, for targets with PTS scores of 3 and 5. These scores suggest the fate before the UNCHR of the worst violators—countries that were the strongest candidates for commission action—and violators that fell in the midrange of abuse—that is, countries with rights records that were more open to interpretation. Among the commission’s more liberal members in the Cold War period, there is no significant difference in the probability of voting to condemn countries with PTS scores of 3 compared with 5. In contrast, severe human rights violators in those years are more likely to vote against a country with a moderately poor record than a country with a record of severe rights violations. Consequently, the evidence is that, in the early period, human rights violators were protecting their own and going after more liberal targets.³⁸ In the post-Cold War years, these tendencies markedly changed: countries with very poor human rights records were more likely to receive a yes vote than targets with moderately poor records (the lighter-shaded intervals are always lower than the darker-shaded ones) and the probability of a yes vote increased with improvements in the voter’s rights record (both intervals are positioned higher on the left-hand than on the right-hand side of the figure).

³⁶ Multicollinearity problems prevent the estimation of directional differences or the introduction of an interaction term. This is especially problematic in the post-Cold War period when there is less variation in the records of targets.

³⁷ In a separate analysis on only Israel votes (not reported in the table), a state with a PTS score of 5 has a mean predicted probability of 0.99 of casting a vote against Israel, whereas this probability is 0.74 for a state with a PTS score of 1. For other targets, the probability of a vote to condemn is only 0.35 for a target PTS score of 5 but 0.66 for a target PTS score of 1, holding other variables at their means and modes. That votes on Israel followed a distinctive pattern is also apparent from the results for other variables. For example, UN voting patterns are a much stronger predictor of votes on Israel than for the other targets.

³⁸ If we omit the difference variable, the coefficient on voter PTS scores is negative and significant but so is the coefficient on target PTS scores, suggesting that targets with poor records are less likely to receive a vote to condemn! The plots are for analyses that exclude votes on Israel.

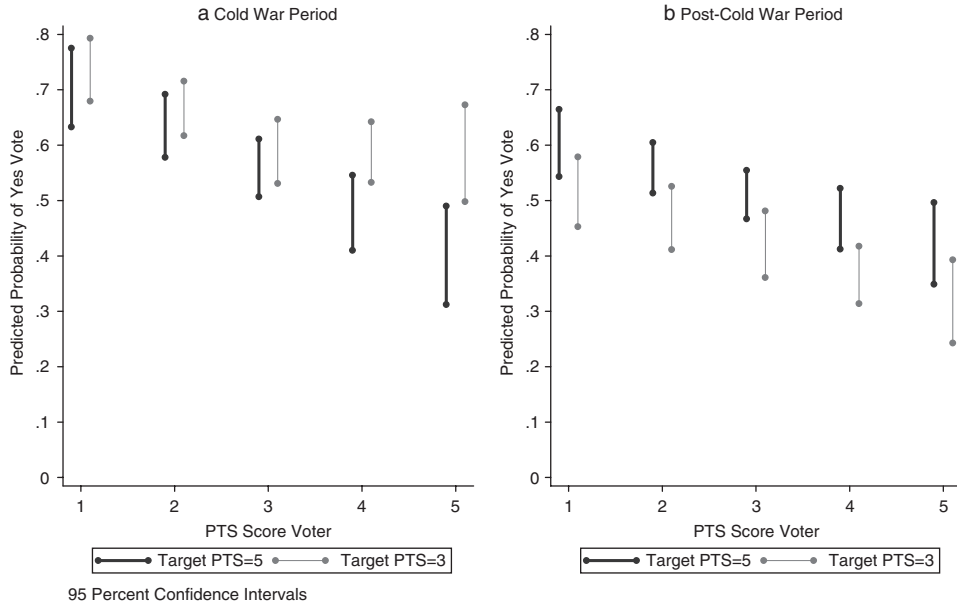


FIG. 3. Probability of a Yes-Vote by Target and Voting Member PTS Scores

Second, to assess the effect of treaty commitments, we created a set of dummy variables: one dummy receives a value of “1” *only* if the target committed to the treaty, another receives a value of “1” *only* if the commission member (voter) committed to the treaty, and a third receives a value of “1” *only* if both the target and member committed to the treaty. The last of these dummies is central to our hypothesis test of whether states that commit to human rights treaties are especially intolerant of alleged rights violations by countries that have publicly committed to abide by the terms of these treaties. That appears to be the case judging by the significant positive coefficients in the Cold War, post-Cold War, and full-period analyses. In the latter, the predicted mean probability of a yes-vote is 0.61 when both voter and target have ratified the ICCPR, 0.52 when only the voting country ratified the treaty,³⁹ and 0.39 when the voting country did not ratify the treaty (regardless of whether the target country ratified the treaty). The effect is even more pronounced in the post-Cold War period, when the predicted probability of a yes-vote drops from 0.56 when both target and voter ratified, to 0.40 when only the voting country ratified, and 0.20 when neither country committed to the ICCPR. This finding suggests that vote choices in the UNCHR were motivated, at least to an extent, by a desire to hold governments accountable for their human rights commitments. (We reiterate that countries that ratified the ICCPR treaty do not appear to share characteristics, e.g., human rights records, that explain the precipitous rise in the probability of a vote to punish a target when the target and voter are both parties to the ICCPR treaty.)

Third, reaffirming our earlier findings (Table 2), the significant coefficient for target capabilities shows that the strength of a country helps shield it from unwanted votes (Hypothesis 4a)—though now the effect is significant in every time period. This effect appears to be slightly more pronounced in the post-Cold War period: holding other variables at their means and modes, a targeted state with capabilities one standard deviation above the mean has a 0.49 probability of receiving a sanctioning vote compared to a 0.35 probability for a state with average

³⁹ The relevant coefficient is also positive and significant in the various models.

capabilities. The respective probabilities for the Cold War period were 0.61 and 0.58. (Because we again find no evidence the human rights records and capabilities of targets [Hypothesis 4b] interact to affect commission behavior, the multiplicative terms are unreported.)

Fourth, similarity in foreign policy positions, as measured by the *S*-measure of vote similarity in the UNGA (Signorino and Ritter 1999), has a significant and strong influence over whether a state voted *not* to punish another (hence, the negative coefficients) in both the Cold War and post-Cold War periods. For example, in the post-Cold War period, when *S*-scores show very low levels of UN vote agreement (a -0.5 , roughly the similarity score for the United States and Cuba, on a scale of -1 to 1), the mean predicted probability of a vote against the target is 0.91 . If states are in perfect agreement ($S = 1$), the mean predicted probability of a vote to punish the target is only 0.28 . (The corresponding figures for the Cold War period are 0.71 and 0.59 .) Using military alliances rather than UN votes as the basis for a measure of foreign policy convergence yields a similar, albeit weaker, result. We note that similarity is significant in these analyses despite controls in the model for the effects of colonial relationships and regional membership—two factors, long assumed relevant to UN politics, that could affect positional similarities. (These variables obtain a value of 1 when the voting and target country had a colonial relationship or reside in the same geographical region, based on the Correlates of War project coding.) Indeed, similarity matters, though the findings provide strong evidence that states tended to spare countries from their home region—perhaps because members feared the precedent of sanctioning countries from their home regions or because members use regional affinities to build coalitions by drawing from common languages and heritages and greater interaction opportunities, for example, via organizational membership. In contrast, colonial relationships appear irrelevant to public shaming.

Fifth, providing further support for our hypothesis (Hypothesis 5c), the results indicate that convergence in domestic partisanship mattered—though only during the Cold War period, when left–right politics was linked in an obvious manner to geopolitical conflict. During the Cold War, leftist regimes tended to spare other leftist regimes and rightist regimes tended to look kindly upon other rightist regimes (the “Both Left” and “Both Right” coefficients are negative and significant). Predictably, too, countries governed by a right-wing executive were inclined, in these same years, to go after countries with left-wing executives and vice versa (the “left–right” and “right–left” coefficients are positive and significant). That the dummies for domestic regime convergence in the post-Cold War period were jointly insignificant is noteworthy given the sizeable effects of domestic ideology in the prior period: the 0.62 baseline mean predicted probability of a yes-vote increases, on average, to 0.80 for regimes with dissimilar domestic ideologies and decreases, on average, to 0.41 for regimes with similar domestic ideologies.⁴⁰ (Only the “right–left” coefficient remains significant, and positive, in the post-Cold War analysis.)

Finally, UNCHR membership allowed countries to deflect negative votes during the Cold War, but not thereafter. When Cold War-era targets were also members of the commission, the probability of an individual sanctioning vote dropped from 0.66 to 0.42 .

Conclusions

The realist argument that UNCHR behavior was selective and politically motivated receives its strongest validation when applied to member voting on public

⁴⁰ These numbers are based on the assumption that there are no asymmetries in the effects of left- and right-wing ideologies (reasonable given the similarity in coefficients).

resolutions. In the voting analysis, the realist partisanship, capabilities, and membership hypotheses acquire support in the Cold War period and, to a somewhat lesser extent, in the post-Cold War period. In fact, Cold War evidence does not suggest that better rights performers were able to deflect public shaming and does suggest that poor rights performers tended to vote against good performers, reflecting the insincerity of public resolutions—the most severe sanction in the commission’s arsenal.

At the same time, the analyses of targeting, levels of punishment, and public resolution voting speak to the strong—and strengthening—effects of reputation and social conformity on the commission’s behavior. The post-Cold War evidence demonstrates compellingly that the commission went after the worst offenders and that this effect dominated all others in the model. Indeed, given a possible selection effect by which the most controversial cases were subject to a (nonunanimous) public vote in the commission, the voting analysis probably exaggerates the degree to which partisanship, membership, and power helped rights violators to escape public condemnation.

Taken together, the findings point to both the strengths and weaknesses of the realist argument that IOs, such as the UNCHR, are forums within which states play out their rivalries and political insecurities. Even a casual glance at the descriptive evidence is sufficient to conclude that, throughout much of the early history of the commission, members were less in the business of punishing human rights abuses and more in the business of helping friends, undercutting adversaries, and deflecting criticism of their own (sometimes abysmal) rights records. Reinforcing that conclusion, our Cold War-era, multiple-variable analyses demonstrate that U. S. political allies were subject to relatively harsh penalties from the commission, that governments supported and opposed others based on their ideologies and alignment, and that UNCHR membership had its privileges. Unquestionably, too, hypocrisy continued to thrive on the commission. The analysis provides evidence, for instance, that the commission’s most severe punishment was dispensed based on a country’s alignment even into the post-Cold War years—though an elaborate model is hardly necessary to make this point. How else to explain that the rights records of governments throughout the Middle East have gone largely ignored and, when charged, the repressive governments of Saudi Arabia and China have always been let off the hook?

But this evidence must be evaluated in context. In the post-Cold War years, the effects of state capabilities and alignments on commission targeting and levels of punishment defy a realist explanation. In fact, powerful states were more likely than weak states to be brought before the commission, a consequence perhaps of the plurality of weak states and their ability to employ organizational leverage to their advantage. Although powerful states were more likely than weak states to escape condemnation once targeted, none of the other realist variables significantly explain the level of punishment that a state endured in those later years. Added to this is clear evidence that a record of abuses greatly increased the probability that countries would be scrutinized and sanctioned by the UNCHR, that the worst abusers tended to receive the most severe sanctions, and that countries with better rights records tended to look least kindly upon rights violators. Thus, while skeptics rightfully deride the willingness of the commission to target various serious offenders, they must concede that the commission was forcing an increasing number of repressive regimes to defend their records in private and in public. This is no small achievement.

No less importantly, the indications are that participation or reputation within the international community was a critical determinant of commission behavior. Other things being equal, the probability of being scrutinized by the UNCHR was lower, in the post-Cold War era, for states that contributed personnel to UN peacekeeping operations and, for the entire period, for states that absorbed the

costs of maintaining a regular presence within the UNGA (by simply casting votes, including abstentions). Because countries that contribute toward collective goods within the community seem to receive more favorable treatment than countries that shirk their responsibilities, it appears that “good citizenship” or at least a “good reputation” matters within the international community. That conclusion does not speak to the nature and depth of the criteria with which countries are evaluated. States might acquire reputations as law-abiding global citizens by consistently participating in international institutions. But they might also acquire reputations as reliable coalition partners, which could make them less inviting targets for condemnation. In this sense, the findings support both constructivist and liberal institutionalist arguments.

Certainly, it could be argued that our findings on participation are really tapping the long-observed “pariah” status of a select few countries within the international system or perhaps indirectly even the effects of international conflicts inasmuch as these foster rights abuses and preclude countries from contributing personnel to UN missions. In response, we note that participation in the UNGA is an option that is rarely denied to states, as is true as well of participation in UN peacekeeping operations (as evidenced by the diversity of yearly participants and nonparticipants).⁴¹ Hence, these variables are mainly measuring the effects of *voluntary exclusion* from the world community. Consequently, the findings provide reason to believe that the concept of a “pariah state” is somewhat deceptive. It places the focus on the few countries that achieve notoriety for their alleged abuses when, in actuality, insider or outsider status within international institutions is a matter of degree and commission targets are of more regular stature and circumstance. Rather than standing head and shoulders above the rest—with abuses that are “symbolic” of those committed by a type of government (e.g., Western or Marxist) or unusual enough that punishment will not set a “dangerous” precedent—countries might be rendered more or less vulnerable to targeting due to their nonparticipation in the international community. If so, the issue for analysis is not what countries serve as strategic targets or targets of convenience but, instead, how best to study the dynamics through which potential targets are identified and isolated and reputations form and change within the community.

Finally, the evidence suggests that human rights treaties are not entirely empty commitments. Apart from their human rights records and IO participation, countries that ratified the International Covenant on Civil and Political Rights, the main treaty that the UNCHR monitored, were held to a higher standard in the dispensing of punishment than other countries were. Thus, states did not get favorable treatment from the commission merely by paying lip service to important principles. To the contrary, ratifying treaties appears to have raised expectations when members of the community evaluated the conduct of other states. Public shaming in the UNHCR was one way, it seems, to call out states that had failed to deliver on their promises.

In all, the evidence provides reasons for both pessimism and optimism about the future of a successor to the human rights commission. Any commission that, within its membership, includes countries that are potential targets of the commission invites a political rather than an impartial resolution. This point hardly requires elaboration: it is accepted on principle within democracies that fair verdicts require that interested parties recuse themselves to avoid even an appearance of impropriety. Thus, it should come as no surprise that members of the rights commission, when allowed to campaign, build alliances, and vote in their own defense, sought to thwart unfavorable judgments and to weaken and limit the organizational powers of the accusers. Moreover, the evidence arguably speaks to the difficulty of

⁴¹ Over the entire period, roughly one-third of the UN membership failed to contribute a single person to these operations; in an average year, roughly 60% of countries participated in no UN operations.

developing alternative mechanisms and institutions for targeting and punishing rights violations as envisioned in Kofi Annan's call for a Human Rights Council with selective membership. Potential targets of a rights commission are unlikely to accept selection criteria that exclude those countries or their political allies from membership. For that very reason, the 2004 UN High-Level Panel on Threats, Challenges and Change had earlier recommended the creation of a rights commission with universal membership and the negotiations over a replacement body subsequently centered on contentious issues of membership—including periodic reviews of member's rights records, geographic representation, term limits, and required vote percentages—that would affect the ability of rights-observant countries to influence the membership and actions of a future rights body. Potential targets have cause to be concerned: our post-Cold War analysis of UNCHR voting choices reveals that a commission consisting of countries with better rights records would increase the sincerity of the shaming enterprise.

Our findings provide some basis for measured optimism about the practical impact of UN actions on human rights. Obviously, we cannot conclude from our investigation that states involved in shaming translate their votes into material sanctions, for example, by curtailing aid to countries that were subject to UNCHR action (all other things being equal) or that public shaming in a global arena actually induces governments to improve how they treat their citizens. Such behavioral patterns would provide compelling evidence that countries take the commission's actions to heart. But our results provide considerable empirical support for the existence of mechanisms—drawn from liberal institutionalist and constructivist theory—that could push commission targets toward domestic reforms. If it can be surmised from our evidence that governments are held accountable for their behavior and not just the “spin” put on that behavior, and that governments can acquire (or lose) legitimacy through their association (disassociation) with IOs, then there is reason to suppose that governments can change their behavior in response to nonmaterial rewards and punishments. It just might be, then, that governments can be induced to treat their citizens by a more humane standard.

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