

**Silencing Their Critics:
How Government Restrictions against Civil Society Affect International ‘Naming and Shaming’**

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Abstract: International ‘naming and shaming’ campaigns rely on domestic civil society organizations for information on local human rights conditions. To stop this flow of information, some governments restrict civil society organizations, for example by limiting their access to funding. Do restrictions reduce international ‘naming and shaming’ campaigns that rely on information by domestic civil society organizations? We argue that on the one hand, restrictions may reduce civil society organizations’ ability and motives to monitor local abuses. On the other hand, these organizations may mobilize against restrictions and find new ways of delivering information on human rights violations to international publics. Using a cross-national dataset and in-depth evidence from Egypt, we find that low numbers of restrictions trigger shaming by international non-governmental organizations. Yet, once governments impose multiple types of restrictions, it becomes harder for civil society organizations to adapt, resulting in fewer international shaming campaigns.

Key words: Civil society, restrictions, human rights, naming and shaming

‘Naming and shaming’ by international non-governmental organizations (INGOs) such as Amnesty International requires information on local human rights violations.¹ Civil society organizations (CSOs) that monitor government behavior locally provide this information (Keck & Sikkink, 1998; Risse, Ropp & Sikkink, 1999, 2013; Hafner-Burton and Tsutsui, 2005; Krain, 2012; Meernik, Aloisi, Sowell & Nichols, 2012).² In response to the activity of CSOs, some governments have imposed an increasing number and variety of restrictions on CSOs operating in their territory, including funding restrictions, arbitrary arrests, or travel obstruction (UN Human Rights Council, 2016). But what is the impact of these restrictions on international naming and shaming campaigns? This article investigates this question by examining how government-imposed restrictions influence CSOs’ ability and motivation to monitor, mobilize, and report about human rights abuses and, subsequently, affect international shaming campaigns.

We argue that the effect of government-imposed restrictions on international shaming campaigns is curvilinear. CSOs can withstand or adapt to lower numbers of restrictions, which may, in fact, motivate them to reach out to international allies and boost international shaming campaigns. However, as the number of types of restrictions on the organization and its staff increases, CSOs struggle to adapt to their constrained operating environment. By bundling different types of restrictions, governments impede CSOs’ monitoring activity and ability to supply information on government-sponsored violations to international allies. As a result, the flow of information from domestic CSOs to transnational advocacy networks decreases. Highly restrictive governments do, indeed, silence their critics.

¹ International ‘naming and shaming’ are efforts to bring attention to and condemn human rights abuses by specific governments.

² We define CSOs as formal organizations that are not part of the government or the for-profit sector, and which monitor government behavior and advocate for social or policy change. CSOs include domestic organizations as well as local branches of international organizations, such as the local chapter of Amnesty International.

Case evidence suggests restrictions on civil society reduce and modify human rights advocacy.³ In Uzbekistan, Carothers & Brechenmacher (2014, 2) report that “the number of independent organizations working on political and social issues is dramatically lower today than it was ten to fifteen years ago, before the government began curtailing access to foreign resources and support.” Of concern in China is a ratcheting up of restrictions with a 2016 Law on the Management of the Domestic Activities of Foreign Non-Governmental Organizations in China, which shifted responsibility for foreign CSOs from the Ministry of Civil Affairs to the Ministry of Public Security. The law requires foreign organizations to partner with an approved Chinese organization rather than linking with independent grassroots organizations and establishes registration procedures to encourage service-based rather than advocacy groups. INGOs have closed down or shifted focus (Sidel, 2018, 11; Noakes & Teets, 2018). In testimony collected by Amnesty International, Chinese NGO workers described how the impact of the new restrictions, including the increased harassment, affected them and their family members, making them move and hide their location, shift from human rights advocacy to other topics (domestic violence and labour rights), and shut down or move to Hong Kong. For INGOs, the requirement to provide more information to the Chinese government “increases their risk and also the risk for their partners in mainland China” (Amnesty International, 2019b, 32). These restrictions on local advocacy organizations and the ease with which INGOs can connect with them, are likely to impede the operation of the standard model of transnational advocacy.

We examine the dynamic relationship between civil society and the state and explore the observable implications of our argument about the likely impact of restrictions on naming and shaming campaigns through both statistical analyses and process-tracing. For the statistical analyses, we provide a 1994-2016 cross-national dataset on different types of

³ Thanks to the anonymous reviewer noting the need for some illustrative examples.

government-imposed restrictions of civil society (data for the main dependent variable is for 1998-2007 only). Accounting for the endogenous nature of restrictions, our analyses support the argument. The imposition of a low number of types of restrictions increases international shaming events. However, as governments increase restrictions to more than six types, restrictions reduce international criticism of governments. We examine the causal mechanisms of our argument with documentary and interview evidence from a prominent civil society organization in Egypt and Amnesty International. The case evidence confirms strategic adaptation to a low number of types of restrictions, the informational collaboration between INGOs and local CSOs, and, most importantly, the silencing effect of an accumulation of types of restrictions.

The article makes several contributions to the literature on transnational advocacy networks and the small but important body of research on government-imposed restrictions of civil society. First, it investigates the under-studied *consequences* of restrictions for civil society organizations and the closing civic space. To date, two studies have explored this topic by examining how legal restrictions constraining foreign funding harm the *domestic* activity of CSOs in a *select* set of countries (Dupuy, Ron & Prakash, 2015; Christensen & Weinstein, 2013, 86). We add to their work by investigating the *international* consequences for human rights advocacy in a *global* set of countries. Second, research on transnational advocacy tends to take it as a given that CSOs can supply information on human rights violations to their international allies (Keck & Sikkink, 1998; Krain, 2012; Meernik, Aloisi, Sowell & Nichols, 2012; Risse, Ropp & Sikkink, 1999, 2013). Yet, governments increasingly restrict CSO activities. A plausible but unexplored theoretical implication is that restrictions on CSOs impede international human rights campaigns and, as a result, reduce international criticism of human rights abusing governments. We theorize and test this implication, arguing that ignoring state-sponsored restrictions limits our understanding of transnational advocacy. Third, we employ a new dataset on a comprehensive range of different types of restrictions

imposed by governments on CSOs over time in a global sample. Comparative studies have examined restrictions on foreign funding (Christensen & Weinstein, 2013; Dupuy, Ron & Prakash, 2015, 2016). But governments use other measures, such as creating travel difficulties, manipulating taxation schemes, and orchestrating smear campaigns (e.g. Nah, Bennett, Ingleton & Savage, 2013; Carothers & Brechenmacher, 2014). A focus on funding belies the inventiveness of governments in their struggle to command information. Our data complements existing data collection efforts with a more comprehensive range of restrictions.

We begin with our theoretical argument on the relationships between government-imposed restrictions, the activity of domestic CSOs, and transnational human rights advocacy. We then describe the research design, our Civil Society Restrictions dataset, and how we deal with possibly endogenous relationships. Finally, we present our findings from the statistical and process-tracing analyses and conclude with implications for policy and theory.

STATES, CIVIL SOCIETY, AND TRANSNATIONAL ADVOCACY

International human rights actors tend to engage with a region, issue, or country only after local CSOs mobilize and advocate for it (Hafner-Burton & Tsutsui, 2005; Sikkink, 1993; Ron, 1997; Keck & Sikkink, 1998; Bob, 2001). Keck & Sikkink's "boomerang pattern" describes domestic activists seeking out resources and support from international allies, such as INGOs and media outlets, and supplying credible first-hand information on local conditions. However, cross-national statistical analyses find mixed effects of domestic CSOs on international shaming. The size of civil society in a given country has a weak positive influence on the coverage of human rights abuses in media in the global north, though not consistently (Ramos, Ron & Thoms, 2007). The number of CSOs has no effect on the quantity of Amnesty International's "background reports" and "press releases" on human rights (Ron, Ramos & Rodgers, 2005). What may help account for these mixed findings is the

imposition of more or less encompassing government-imposed restrictions on CSOs. We investigate this possibility.

Governments likely anticipate that CSOs attract international attention to human rights abuses, which may lead to reputational costs and sanctions (Barry, Clay & Finn, 2012; Peterson, Murdie & Asal, 2016; Dietrich & Murdie, 2017; Woo & Murdie, forthcoming). To avoid negative repercussions, repressive governments restrict CSO activities in order to silence their internal and international critics (Carothers & Brechenmacher, 2014; Bakke, Mitchell & Smidt, 2018). Yet, to date, no study has investigated the impact of government-imposed restrictions on international shaming campaigns.

While the *international* consequences of restrictions remain under-researched, in addition to what we know of Uzbekistan and China (Carothers & Brechenmacher, 2014; Sidel 2018, 11; Noakes and Teets, 2018), a few case studies have investigated how restrictions affect CSO operations *domestically* (Bratton, 1989; Dupuy, Ron & Prakash, 2015; Pousadela & Cruz, 2016). Examining civil society in Africa, Bratton (1989, 581) shows that, in response to monitoring, co-optation, and dissolution by governments, some CSOs reduce activity, while others engage in counter-strategies ranging from selective collaboration with the government to protest and advocacy. Whereas his work predicts adaptation and resistance, other studies point to the detrimental consequences of restrictions. With the law restricting foreign funding to NGOs in Ethiopia, Dupuy, Ron & Prakash (2015) show that most foreign aid-dependent human rights groups disappeared, while organizations that survived abandoned explicit advocacy for human rights and switched to non-sensitive topics. Overall, restrictions sometimes lead CSOs to abandon criticism but, in other cases, they withstand or adapt to restrictions and continue to monitor human rights abuses. In exploring what conditions these different responses, our article suggests that it is a function of the number of types of restrictions imposed.

THE STRUGGLE FOR THE COMMAND OF INFORMATION

We view governments and civil society as caught in a struggle for the command of information. As CSOs monitor and report government wrongdoing, governments push back with restrictions against CSOs operating in their territory. As restrictions are imposed, local CSOs choose to ‘fold’ or to raise their level of activity. Consequently, INGOs that rely on local activism and information decide whether to scale up or abandon an international shaming campaign. Either response by local CSOs and INGOs is plausible.

CSOs and International Shaming Campaigns

International shaming campaigns require credible information on specific violations. Both domestic CSOs or local branches of INGOs, in the following referred to as CSOs, supply this information (Keck & Sikkink, 1998). They visit sites of human rights abuses and receive testimonies from victims. Local offices of domestic and international human rights organizations become “repositories of information” for organizing a shaming campaign (Meernik, Aloisi, Sowell & Nichols, 2012, 240). The activism of CSOs attracts international attention to government abuses by organizing protests (Bob, 2001) and directly alerting the staff in INGO headquarters to specific human rights violations. Describing an Urgent Actions (UA) shaming campaign by Amnesty International (AI), Meernik, Aloisi, Sowell & Nichols (2012) explain:

The first step in the issuance of a UA notice occurs when local AI offices, NGOs, and individuals send information via fax, e-mail, letters, or phone regarding specific, alleged human rights violations in a nation to AI. Next, AI’s offices investigate the allegations/information they receive and evaluate its reliability. AI may then contact its local affiliates around the world to alert them to the human rights violations. This is the actual step that initiates an international campaign to raise awareness about the case at hand.

The transnational advocacy literature tends to assume that CSOs are capable and motivated to provide information on human rights violations. The increasing imposition of restrictions on CSOs’ activity questions this assumption.

How Restrictions Influence CSOs' Activity

On the one hand, restrictions may diminish CSOs' ability and motivation to provide information about human rights violations. Restrictions create an inhospitable environment for CSO activity—for example, making it difficult to find funding, travel, or locate office space—as such diminishing their 'resource mobilization' for activism targeting domestic and international audiences (cf. McCarthy & Zald, 1977). Restrictions heighten costs for activists—such as threats and intimidation-induced fear, experiences of harassment, or a reputation tarnished by smear campaigns—which may have adverse effects on CSOs' ability to recruit and retain supporters and supply information about a government's repressive tactics. Consider the 2012 law in Russia that identifies NGOs as 'foreign agents' if they are engaged in political activity and receive foreign funding. The 'foreign agents' label impugns their loyalty to the state. As reported by Human Rights Watch (2017), "(a)lthough there is solidarity among active NGOs, some fear of 'infection' is exhibited: many social organizations are now apprehensive of openly cooperating with human rights groups. (...) Laypeople are also increasingly wary of speaking to a 'foreign agent' organization."

On the other hand, the same report highlights an alternative adaptation dynamic, suggesting that restrictions of CSOs will not diminish these actors' ability, nor their motivation, to inform about the government's human rights violations. The report notes that, "(c)itizens' engagement finds new ways of expression.... People participate in non-registered movements and informal groups rather than joining or setting up registered organizations." Similarly, Natalia Taubina of the Russian human rights organizations Public Verdict outlined several strategies employed by CSOs in Russia.⁴ For example, some NGOs register as

⁴ See Taubina's profile via Frontline Defenders: <https://www.frontlinedefenders.org/en/profile/natalia-taubina> (accessed August 23, 2017). She spoke on "Shrinking Space for Civil Society in Russia: Challenges and New Strategies" at University [X] on [Date].

commercial entities in order to work around the ‘foreign agents’ law. Others turn to crowd-funding. If the government restricts organizations involved in certain types of activities (such as human rights), organizations can rebrand themselves to appear less threatening. CSOs also rely on the very same information strategies they use to highlight human rights abuses to highlight state restrictions, sometimes in partnership with INGOs such as Amnesty, Frontline Defenders, Article 19, CIVICUS, and the Fund for Global Human Rights. These adaptation strategies suggest resilience in the civil society sector, which could offset the impact of restrictions. In a related vein, Finkel (2015) suggests that experiencing selective repression may help activists develop skills to withstand repression in the future.

Beyond adapting, the imposition of restrictions may boost the motivation of CSOs and citizens. There is a long-standing debate among scholars of conflict, revolutions, and social movements whether the state’s use of repression quells protest or, rather, promotes a backlash (e.g. Della Porta, 1995; Rasler, 1996; Moore, 1998; Goodwin, 2001; Carey, 2006; Davenport, 2007; Chenoweth, Perkoski & Kang, 2017). Similarly, state-imposed restrictions on CSOs may be perceived as illegitimate both among existing activists and potential recruits and boost the incentive to fight back.

However, we do not expect that activists always withstand restrictions and continue or even increase their activity. The cross-national spread of restrictions over time (from, on average, 0.77 restriction types in 1998 to 1.4 types in 2016) suggests that governments find them useful. Scholars of repression have argued that its effects on oppositional mobilization is contingent on whether the repressive practices are selective or indiscriminate, and how coercive they are (e.g. Lichbach, 1987; Rasler, 1996; Goodwin 2001; Lyall, 2009; Longo, Canetti & Rubin, 2014). These lessons about *repression* may apply to how *restrictions* shape the capability of organizations to monitor human rights abuses and mobilize international allies. We expect that CSOs are better able to adapt to lower numbers of types of restrictions. Initially these restrictions may even increase civil society’s motivation to mobilize against the

government and reach out to international allies. In contrast, the harsh environment created by a high number of types of restrictions allows little leeway for alternative modes of operating. By bundling restrictions, governments impose high costs on CSOs' efforts to develop and maintain a flow of high-quality information on which successful transnational advocacy depends.

The Consequences of Restrictions for Shaming Campaigns

Reliant on credible information about local human rights conditions, shaming campaigns organized by INGOs are likely to be affected by restrictions imposed on CSOs. When governments use a low number of types of restrictions, adaptation is possible and monitoring and reporting on human rights abuses can continue. Counter-mobilization may even draw more international attention to governments' misbehavior. Indeed, there is an international effort to provide external reinforcement for CSO resistance. Protection of human rights defenders is on the agenda of many INGOs (for example, Amnesty runs a Human Rights Defenders' Campaign),⁵ not least to secure information flows from those countries where activists face restrictions. Thus, a low number of different types of restrictions may trigger, rather than quell, international criticism (Schmitz, 2007). In contrast, in highly restrictive environments, CSOs may lose their ability and motivation to monitor, mobilize, and report on human rights abuses, and, consequently, the flow of information to international human rights allies may dry up. As international allies can no longer secure credible information on domestic human rights violations or fear putting local activists at risk, they may have to abandon international shaming campaigns. We, therefore, expect to observe, in general, a curvilinear relationship between restrictions and international shaming campaigns across countries and over time.

⁵ See <https://www.amnesty.org.uk/issues/human-rights-defender>.

Hypothesis: The relationship between restrictions and shaming is curvilinear: Low numbers of different types of restrictions increase international shaming events, but at a threshold, additional types of restrictions reduce shaming events.

RESEARCH DESIGN

We test our hypothesis across 159 countries from 1998 to 2007, the period for which the measures for our dependent variable, international shaming campaigns, are available. Beyond the average effect, we explore causal mechanisms and the possibility of spurious correlation with a case study of Egypt, a ‘typical case’ in our model of shaming.

Main Independent Variable

To measure restrictions, we rely on our new dataset on government-sponsored policies and practices impeding civil society actors that monitor and report on government behavior.⁶ Organized civil society in our empirical measure includes domestic civil society organizations (mainly NGOs), local branches of INGOs, and individual human rights activists. There are existing aggregate measures for government control of civil society (Pemstein, Marquardt, Tzelgov, Wang, Krusell & Miri, 2015; Coppedge et al., 2017), data on restrictions of foreign aid for non-governmental organizations (Christensen & Weinstein, 2013; Dupuy, Ron & Prakash, 2016), and information on the legal framework that affects CSOs for some 50 countries from the International Center for Not-for-Profit Law (2016). Our dataset provides disaggregated information for a more comprehensive set of restrictions for 174 countries from 1994 to 2016. This information comes from the country reports of the United States Department of State’s Bureau of Democracy, Human Rights, and Labor, and the section on “Governmental Attitude Regarding International and Nongovernmental Investigation of

⁶ The original dataset, replication data, and code will be made available online and is now available from the authors. Inter-coder reliability is between 85 and 98 percent for the different restriction types.

Alleged Violations of Human Rights.” The reports identify groups active on human rights issues and government measures directed against these groups. Consider the following excerpt from Belarus in 2015 (U.S. Department of State, 2015):

Authorities harassed both registered and unregistered human rights organizations, subjected them to frequent inspections and threats of deregistration, reportedly monitored their correspondence and telephone conversations, and harassed family members of group leaders and activists.

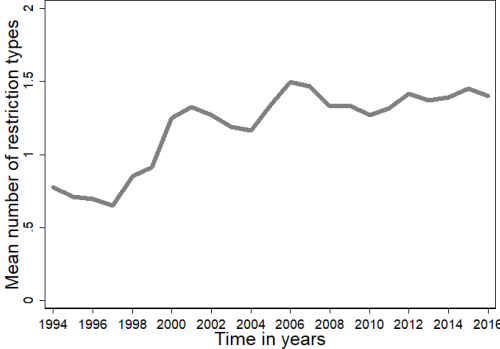
To measure the level of government restrictions, our main independent variable, we count the following types of restrictions on civil society in each country and year:

- banning specific CSOs,
- curtailing travel,
- restricting their visits to government sites (such as prisons),
- limiting their domestic funding sources,
- limiting their international funding sources,
- creating difficulties in registering as CSOs,
- censoring their publications,
- harassing civil society activists,
- surveilling activists,
- arresting activists, and
- killing activists.

To test our hypothesis suggesting a curvilinear relationship between restrictions and international shaming events, we include the count of restriction types and its squared term. We use a count of restriction *types* rather than *instances* of restrictions for two reasons. First, restrictions are aimed at the different elements of an organization, whether, for example, at its financial resources, its organizational mission and brand, or at its personnel. A count of restriction types captures the comprehensiveness of restrictions, that is the operational, bureaucratic, funding, and personnel costs imposed on CSOs. Positive and significant pairwise correlations between almost all types of restrictions indicate that restrictions more often occur together than not (see supplementary material 1). Restriction types are complements rather than substitutes, and a count of different types measures the overall severity of constraints on CSOs’

operating environments. Second, some forms of restrictions, such as restrictive funding legislation or surveillance, cannot be measured in event format. As such, a count of restrictive events would fail to capture these forms of government interference. Figure 1 shows a significant positive trend for the yearly mean number of restriction types across countries. This trend is consistent with anecdotal evidence on the closing civic space (UN Human Rights Council, 2016) and mirrors the trend in foreign funding restrictions (Dupuy, Ron & Prakash, 2016).

Figure 1. Average number of restriction types over time



Dependent Variable

Our dependent variable is the number of Urgent Action (UA) campaigns by Amnesty International by country and year (Meernik, Aloisi, Sowell & Nichols, 2012, for data). The supplementary material 6 shows that results are similar for ‘naming and shaming’ events reported in mainstream media using information collected by INGOs (Murdie & Davis, 2012, for data). In the main analysis, we use UAs, for two reasons. First, our argument applies to shaming by international organizations that rely on first-hand information from local CSOs. UAs fulfil this scope condition. Such verifiable, high-quality, victim-level information is key to UAs and Amnesty’s reputation and advocacy strategy (e.g. Clark 2001, 16-18; Meernik, Aloisi, Sowell & Nichols, 2012).

For ‘naming and shaming’ events reported in mainstream media, we cannot ascertain whether the various information-providing INGOs rely directly on local sources. Second, Amnesty “is a global movement of more than 7 million people in over 150 countries and territories who campaign to end abuses of human rights” (Amnesty International, 2019a). Shaming events by Amnesty give credence to public criticism of governments by other organizations and states. If few restrictions on local CSOs trigger UA campaigns, then smaller INGOs start mobilizing too. If systematic restrictions silence a resource-strong organization such as Amnesty, they likely also affect smaller and less prominent organizations and suppress their criticism in the long-run (Clark, 2001). Our dependent variable depicts an important part of transnational human rights advocacy work.

Figure 2. Joint distribution of UAs and restrictions types

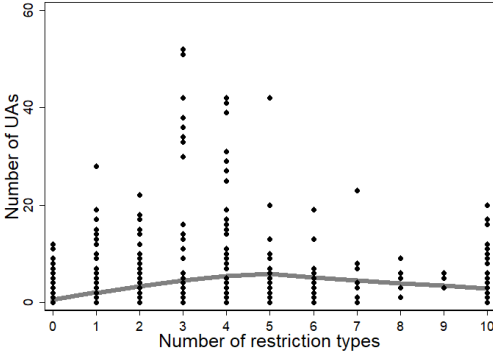


Figure 2 plots the bivariate distribution of restrictions and UA shaming campaigns. We observe the greatest variation in the number of shaming campaigns in countries with one to four restrictions. In contrast, when governments employ no restrictions or severely restrict civil society by imposing 10 restrictions, there are, on average, fewer shaming events. Consistent with our hypothesis, the non-parametric LOWESS curve suggests that restrictions shape international shaming in a non-linear

fashion.⁷

Controls

To evaluate the robustness of this curvilinear relationship, we estimate multivariate models with controls for potentially confounding factors (see supplementary material 7 for a fixed effects approach). Following Meernik, Aloisi, Sowell & Nichols (2012), we employ the Political Terror Scale, which measures physical integrity rights violations on a scale from 1 to 5 and captures an important determinant of shaming and restrictions (Gibney, Cornett, Wood, Haschke, Arnon & Pisanò, 2017). We include prior international and domestic anti-government mobilization in the statistical analyses to alleviate concerns that the relationship between restrictions and shaming is spurious, e.g. that prior mobilization leads the government to impose restrictions on CSOs and, at the same time, draws the attention of Amnesty to government abuses. That is, we include the number of human rights organizations with offices in a given country and year and the number of news reports concerning human rights violations (Meernik, Aloisi, Sowell & Nichols, 2012)⁸ as well as the number of protest events (Clark & Regan, 2016). We add an indicator for ongoing armed conflict, which may trigger human rights violations and shaming but also induce governments to control CSOs (Gleditsch, Wallensteen, Eriksson, Sollenberg & Strand, 2002; Pettersson & Eck, 2018). We control for political, economic, and global openness, which should increase the ability of CSOs to initiate a shaming campaign. In the most open societies, however, shaming events decrease because governments tend to protect rather than abuse human rights. Freedom House's political rights scale operationalizes political openness. Economic openness is measured as GDP per capita from the World Bank (2010). Global openness is captured using

⁷ LOWESS (LOcally WEighted Scatterplot Smothing) is a technique that repeatedly fits linear regression models with several polynomials of the explanatory variable on subsets of the data.

⁸ Data for news reports about human rights infractions come from *Newsweek* and *The Economist*.

the KOF (Swiss Federal Institute for Technology) measure of the overall level of globalization in a society (Dreher, 2006). To model the expected inverted U-shaped relationships, we use the squared terms of the three measures of openness. Finally, we control for population size (World Bank, 2010). All variables are z-standardized and summary statistics are in the supplementary material 2.

Model Specification

We model the discrete, positive count of shaming events with a count regression model. We choose negative binomial rather than Poisson regression to account for over-dispersion in events of shaming. Standard errors are estimated as robust to intra-country correlations and other forms of heteroscedasticity. We first estimate a baseline model, Model 1, which includes only our main explanatory variable, the number of restrictions, its squared term, and a constant. In Model 2, we control for potentially confounding factors. Comparing Models 1 and 2 allows us to assess whether the inclusion of potentially collinear factors change the coefficient of restrictions, our main variable of interest.

Model 3 accounts for the excess of zeros in the count of shaming with a zero-inflated negative binomial count model. This model assumes two processes. The first process determines whether a country is targeted by any shaming event or not ('categorical zeros'). For example, some governments may not face any shaming events because they committed no abuses. The second process results in the number of shaming events. For the zero-inflation stage of our model, we follow the model of UAs by Meernik, Aloisi, Sowell & Nichols (2012). We include the following variables: The lagged dependent variable; an indicator variable for states scoring in the lowest 10th percentile on the political rights scale; an indicator variable for states in the top 10th percentile on the political rights scale; an indicator for armed conflict (Gleditsch, Wallensteen, Eriksson, Sollenberg & Strand, 2002; Pettersson

& Eck, 2018, for data); and an indicator for the death penalty, which is at the core of Amnesty’s agenda (Meernik, Aloisi, Sowell & Nichols, 2012, for data).

Finally, Models 4 and 5 address the endogeneity in our main independent variable, restriction types by implementing a Generalized Methods of Moments (GMM) estimator of Poisson regression.⁹ Our argument suggests that low numbers of restriction types lead to greater mobilization and, subsequently, more international shaming, while many restriction types reduce public criticism of governments. However, restrictions may also be endogenous to shaming.¹⁰ Governments may anticipate international shaming and, therefore, impose more restrictions on civil society. While government anticipation may make it harder to find the expected negative relationship between many restriction types and shaming, endogeneity could explain a positive correlation. Lagging our measure of restrictions does not necessarily rule out simultaneity bias (Reed, 2015). Therefore, we employ a GMM estimator, which uses the second and third lag of restrictions as exogenous instruments. We can show that restrictions two or three years ago affect contemporary restrictions because of path-dependencies in repressive practices and the stickiness of restrictive laws. Yet, we argue that restrictions two or three years ago are not affected by current shaming. That is, we assume that if governments have already adopted what they expect to be effective restrictions due to anticipated shaming in the next year, they do not adjust their restrictions towards CSOs in anticipation of international shaming in the more distant future. While Model 4 only instruments our measure of restrictions, Model 5 also instruments the other endogenous explanatory variables (EEVs)—the Political Terror Scale and Freedom House’s measures of

⁹ As a GMM estimator for negative binomial regression has not been developed, we adjust the standard errors to over-dispersion using a bootstrap resampling technique. The bootstrap estimates are accurate even if data is over-dispersed (Charmaine & Lundy, 2016, 5).

¹⁰ A Hausman-Durbin-Wu test indicates that both restrictions and squared restrictions are endogenous.

political rights and freedoms, as well as protest events—with their respective second lag.¹¹

FINDINGS

We find strong evidence consistent with our argument. The relationship between restrictions and international shaming events is curvilinear. Low numbers of government-imposed restriction types tend to increase shaming campaigns, whereas restrictions beyond a threshold of six types significantly decrease shaming.

¹¹ We address inferential challenges—overdispersion and endogeneity—in separate models because a unified framework to do so has not yet been developed. See: <https://www.statalist.org/forums/forum/general-stata-discussion/general/1308457-endogeneity-issue-negative-binomial>.

Table 1. Regression of UAs on restrictions on civil society organizations

	Model 1	Model 2	Model 3	Model 4	Model 5
	Neg. bin.	Neg. bin.	Zero-infl.	GMM	GMM
	Reduced	Full	Full	1 EEV	All EEVs
Restrictions	0.929*** (0.121)	0.512*** (0.107)	0.416*** (0.090)	0.668*** (0.166)	0.710*** (0.173)
Restrictions sq.	-0.079*** (0.012)	-0.039*** (0.011)	-0.034*** (0.010)	-0.055** (0.017)	-0.059*** (0.017)
Political Terror Scale		0.595*** (0.097)	0.468*** (0.089)	0.500*** (0.133)	0.653** (0.210)
Human rights CSOs		0.002 (0.003)	0.001 (0.002)	-0.001 (0.003)	-0.004 (0.004)
Human rights news		0.179*** (0.052)	0.119*** (0.034)	0.121*** (0.028)	0.104** (0.033)
Protest count		0.326*** (0.092)	0.316*** (0.075)	0.292** (0.104)	0.370* (0.180)
Armed conflict		0.344 (0.249)	0.229 (0.235)	0.269 (0.250)	0.147 (0.294)
Political rights		0.565* (0.230)	0.359 (0.276)	0.379 (0.344)	0.183 (0.427)
Political rights sq.		-0.057* (0.028)	-0.040 (0.032)	-0.047 (0.040)	-0.030 (0.049)
GDP per capita		0.728* (0.326)	0.667* (0.328)	0.976+ (0.502)	0.988+ (0.516)
GDP per capita sq.		-0.254* (0.123)	-0.253* (0.127)	-0.447+ (0.259)	-0.419 (0.267)
Globalization		0.099* (0.043)	0.083* (0.040)	0.081 (0.081)	0.077 (0.084)
Globalization sq.		-0.001* (0.000)	-0.001* (0.000)	-0.001 (0.001)	-0.001 (0.001)
Population size		0.092 (0.166)	0.065 (0.174)	-0.002 (0.254)	0.009 (0.261)
Constant	-0.465** (0.160)	-6.089*** (1.230)	-3.971*** (1.161)	-4.188+ (2.137)	-4.212+ (2.293)
Zero: Armed conflict			-0.788+ (0.425)		
Zero: Pol. rights best			0.600 (0.515)		
Zero: Pol. rights worst			-1.794+ (1.037)		
Zero: Death penalty			0.137 (0.314)		
Zero: UAs (lag 1 yr)			-1.213*** (0.228)		
Zero: Constant			0.302 (0.262)		
Observations	1,693	1,250	1,250	1,250	1,248
Log-Likelihood	-2595.2	-1837.9	-1767.3		
BIC	5220.2	3789.9	3691.6		
AIC / QIC	5198.5	3707.8	3578.7		
Sargan-Hansen-test				0.0 (p=0.99)	0.0 (p=0.99)

Notes: Cluster-robust standard errors (Models 1-3) and clustered bootstrapped standard errors in parentheses; p-values: ***<0.001, ** <0.01, * <0.05, + <0.1.

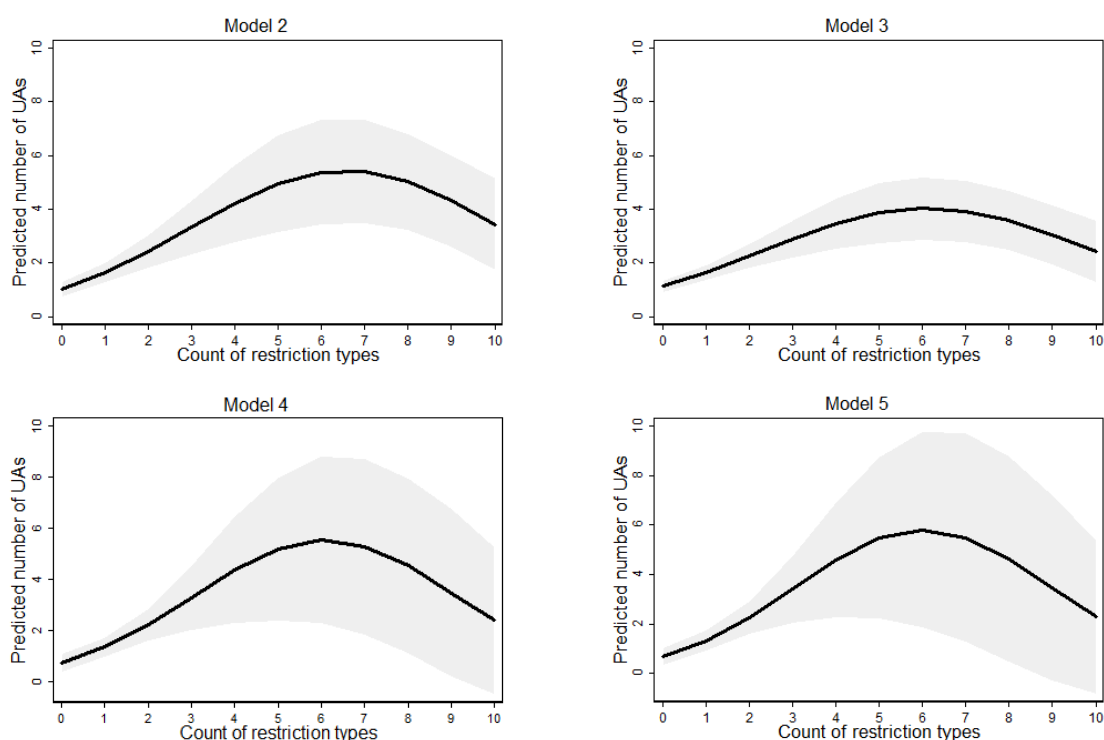
As Table 1 shows, the coefficient for the count of restriction types on CSOs is

positive, whereas the coefficient of its squared term is negative across all models.¹² To interpret the main results, we calculate the predicted number of UAs conditional on the count of restriction types, holding all other variables constant at their mean. Figure 3 plots predictions based on the negative binomial model (Model 2), the zero-inflated model (Model 3), and the instrumental variable Poisson models estimated with GMM (Models 4 and 5). While the size of the substantive effects depends on the model specification, the predictions lend support to our hypothesis. The number of shaming events increase until a threshold level of six restriction types is reached.¹³ Upon reaching this threshold level, additional restrictions on CSOs decrease UAs.

¹² The zero-inflated Model 3 accounting for the excess of zero shaming events provides a better fit to the data than Models 1 and 2, according to a comparison of the AIC, BIC, and Log Likelihood statistics reported in Table 1 and a Vuong test. Models 4 and 5 are not estimated with Maximum Likelihood. Therefore, they do not produce (comparable) goodness-of-fit-statistics. Yet, the over-identifying restrictions test (Sargan-Hansen test) suggests that the instruments in both models are jointly valid and the model is properly identified. The coefficients are largest in Models 4 and 5 estimated with GMM, which suggests that simultaneity bias leads us to under-estimate the curvilinear relationship between restrictions and shaming in the models that do not consider endogeneity.

¹³ In Model 2, with lower fit to the data, the threshold is seven types.

Figure 3. Predicted number of UAs, conditional on number of restriction types



As shown in Table 2, an increase from zero to six restriction types is associated with a minimum average *increase* of 2.8 UAs. If restrictions increase from six to 10 restrictions, the mean number of UAs *decreases* by at least 1.5 UAs. Given the sample mean of 1.9 UAs, systematic restrictions seem to have a substantively important detrimental effect on international shaming. Overall, there are 107 countries where civil society never faces more than five restriction types, including consolidated democracies but also hybrid regimes and autocracies (such as Burkina Faso, Cambodia, and Georgia). In 40 countries, however, governments have imposed six or more restriction types on CSOs for some period of time. Examples come from different world regions and include Algeria, Belarus, Gambia, India, Turkey, and Zimbabwe.

Table 2. Predicted differences for different scenarios and models

Model	Predicted increase in UAs if restrictions increase from 0 to 6 types [95 % Confidence Inter.]	Predicted decrease in UAs if restrictions increase from 6 to 10 types [95 % Confidence Inter.]
Model 1: Negative binomial (reduced specification)	9.1 [4.3 – 13.8]	-7.1 [-11.8 – -2.5]
Model 2: Negative binomial (full specification)	4.4 [2.4 – 6.4]	-2.0 [-3.8 – -0.2]
Model 3: Zero-inflated negative binomial	2.8 [1.4 – 4.3]	-1.5 [-2.8 – -0.2]
Model 4: Instrumental var. Poisson model (2 EEVs)	4.8 [1.3 – 8.3]	-3.2 [-6.4 – 0.1]*
Model 5: Instrumental var. Poisson model (all EEVs)	5.2 [0.9 – 9.3]	-3.5 [-6.9 – -0.2]

Note: *significant within 90 % confidence interval [-5.9 – -0.4].

The controls provide further confidence in the model specification. The Political Terror Scale has the expected positive effect. While the number of human rights groups is positive but not significant, news reports on human rights and protest events (logged) tend to increase UA campaigns. Armed conflict is not significant. The measures for political, economic, and global openness are positive and their squared term negative, as shown in previous research. However, the coefficients are not consistently significant. These null results suggest that explanations for UA campaigns need to account for *exactly how governments behave towards civil society groups*—the types of restrictions they impose—beyond the extent of political freedom, economic development, or globalization (e.g. Meernik, Aloisi, Sowell & Nichols, 2012, 243). Finally, population size is not significant. The zero-inflation stage of Model 3 predicts zero shaming events. Armed conflict, the worst political rights score and past UA campaigns decrease the likelihood of no shaming (e.g. increase the risk of at least one UA), mirroring the results by Meernik, Aloisi, Sowell & Nichols (2012).

Robustness Tests

The main results are robust against different measures and model specifications.

We briefly describe the motivation and findings of these additional tests. The supplementary material (SM) provides further detail.

First, the results might be driven by specific types of restrictions rather than their overall number. Yet, substantive results remain robust for different operationalizations of restrictions that leave out one restriction type at a time or even different bundles of restrictions, for example, all restrictive practices classified as harassment, arrests, and killings (SM 4).

Second, Autocracies may impose more restrictions and attract more shaming. Yet, when the models control for regime type with the Polity IV index (Marshall, Gurr & Jaggers, 2014), the squared term of restrictions remains significant (SM 5). Independent of regime type, concrete “autocratic and illiberal practices” limit transnational advocacy (Glasius, 2018).

Third, our results are substantively similar for an alternative measure of international shaming that counts Reuters Global News Services’ reports using INGO-provided information on human rights abuses (Murdie & Davis, 2012). Although the positive effect of low numbers of restrictions fails to reach conventional significance, as restrictions increase from four to ten types, predicted shaming events significantly decreases. While INGOs other than AI may not increase their advocacy as a result of few restrictions, they fall silent if governments impose systematic restrictions on CSOs (SM 6).

Fourth, we re-estimate all models with country-specific fixed effects and show that our argument holds not only across but also within countries. The parameter estimates of restrictions remain highly significant, and the average predicted effects are

the same as in the pooled models (SM 7).¹⁴

Fifth, following Murdie & Davis (2012), as within-country observations may be correlated over time, we estimate a population average model with a generalized estimating equation and a robust estimation of an autoregressive lag one correlation structure of the variance-covariance matrix (cf. Zorn, 2001). The coefficient for restrictions remains highly significant (SM 8).

Mechanism Implications

To explore the domestic mechanism implications of our argument, we estimate additional regression models on the number of human rights CSOs and protest events. Figure 4 and 5 show that more than four restrictions indeed reduce the number of human rights CSOs (Dupuy, Ron & Prakash, 2015, for evidence from Ethiopia) and also weakly relate to a decline in anti-government protests.¹⁵ The negative effects support our argument that government-imposed restrictions make it difficult for CSOs to operate and to mobilize. Yet, fewer than four restriction types neither increase nor reduce CSOs or protest. These results support an adaptation mechanism by CSOs but not a domestic backlash. Therefore, the positive effect of *few* restrictions on international shaming seems to result from Amnesty's awareness of the plight of its domestic allies rather than an increased domestic mobilization (see SM 9).

¹⁴ Stata has not implemented a proper fixed effects negative binomial model (see discussion <https://www.statalist.org/forums/forum/general-stata-discussion/general/1383403-panel-data-count-model-fe-vs-re-different-predicted-counts>). Therefore, we use a fixed effects Poisson model.

¹⁵ Figures 4 and 5 are based on the pooled negative binomial model with robust standard errors. For the number of CSOs, we estimate models with GMM too with substantively similar results. For the number of protest events, we estimate zero-inflated negative binomial models and get substantively the same results. Protest events are, however, not endogenous to restrictions and we therefore do not use GMM estimation.

Figure 4. Predicted number of CSOs, conditional on number of restriction types

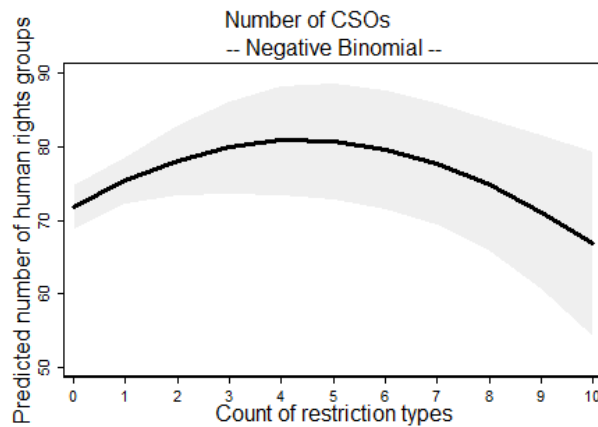
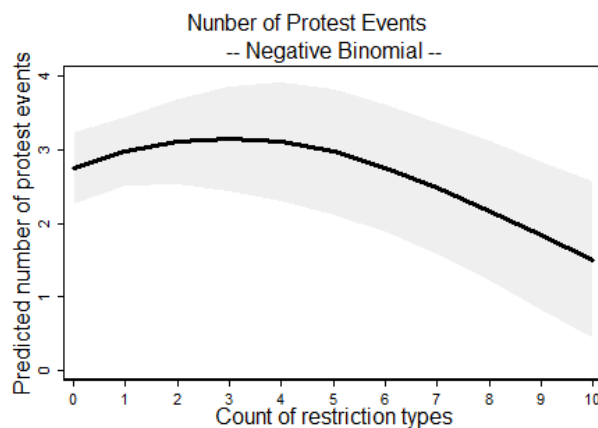


Figure 5. Predicted number of protest events, conditional on number of restriction types



CAUSAL PATHWAYS OF SILENCING CIVIL SOCIETY

With interview and archival evidence we describe the process through which restrictions on civil society in Egypt affected international shaming campaigns by Amnesty International. Egypt is a typical model-testing case because the empirical pattern of shaming is well-predicted by our argument (Lieberman, 2005). There is over-time variation in restrictions and UAs, allowing us to trace the process linking restrictions to changes in CSO activity and international shaming (see SM 3). We investigate the activities of the Egyptian Organization for Human Rights (EOHR), one of Egypt’s oldest human rights NGOs with 17

offices nationwide. For the period of analysis, 1998-2007, the EOHR had strong transnational connections, working closely with Amnesty (EOHR, 2018), and faced government restrictions.

We explore four implications of our argument: First, a domestic CSO initially withstands the imposition of a low number of restrictions. Second, as restrictions further increase, the CSO avoids criticizing the government, and its activity declines. Third, Amnesty's campaigns depend on credible information about local human rights conditions. Fourth, government crackdowns on a domestic CSO decreases the number of UAs as Amnesty struggles to find reliable information on violations. We now detail evidence for these core mechanisms.

EOHR applied for registration as an independent NGO in 1987, but registration was denied until 2003 (Hicks, 2013). In the 1990s, the EOHR campaigned on torture by Egyptian authorities, providing information to international partners. By the late 1990s, the government began targeting organization leaders. After the publication of another report on its anti-torture campaign, on August 16, 1998, the EOHR's Secretary General was briefly detained by the authorities (EOHR, 1998a). Despite his detention, the EOHR continued documenting extrajudicial killings and torture by Egyptian security forces (*ibid.*, 1998b). Broadly in line with the first implication, restrictions did not silence the EOHR and the EOHR responded by vigorously condemning the crackdown as an "assassination of civil society" (EOHR, 1999). It released 17 press statements in 1999, although these had declined to six by 2000.

Indeed, from 1998 onwards, the Egyptian government ratcheted up the numbers of restrictions. The EOHR Secretary General, Hafez Abu Seada was detained again, accompanied by a smear campaign accusing the EOHR of participating in an international effort to discredit Egypt ((EOHR, 1998c; Human Rights Watch, 2002). This stage of the crackdown extended to foreign funding. British government funding of EOHR was offered as evidence of the efforts to discredit Egypt. The authorities froze the EOHR's assets (EOHR,

1998d; Hicks, 2013), and further strengthened laws governing civil society. In 1999, Law 153 required all NGOs to get permission to receive foreign funding and it included broad powers to dissolve an organization (Human Rights Watch, 2005).

Supporting the second mechanism, the EOHR ‘folded’ under the high number of restrictions and avoided sensitive issues, such as government complicity in human rights abuses. With funding restrictions, the organization cut staff and closed provincial offices. According to one observer, in the early 2000s the group rapidly went from an institution to a collection of activists (Hicks, 2013, 84-85). The 17 press statements in 1999, included nine on grave human rights abuses. Of the six press statements in 2000, not one related to severe abuses such as the torture. As the government ratcheted up restrictions, the EOHR reduced its reporting of violations.

As to the third expectation and the informational collaboration between local CSOs and international groups, Amnesty’s Egypt team describes Egyptian civil society as vital in directing Amnesty’s attention and lobbying for UAs.¹⁶ Between 1998 and 2007, specific information provided by the EOHR was cited in numerous UA campaigns (see below) and in six Amnesty annual reports, with five instances referring directly to restrictions faced by the organization and one highlighting human rights abuse documented by EOHR (Amnesty International, 1998a, 1999a, 2000, 2001a, 2002, 2007). Amnesty, which relies on local, high-quality information (including victim testimony) to pressure repressive governments, was aware of the plight of its local partner.

Finally, the case shows that Amnesty’s campaigning on torture and other violations declined with increasing restrictions. In 1996, Amnesty published a report on torture by Egyptian security forces. It used local sources, including testimonial information on the time, date, and specific type of mistreatment or torture (Amnesty International, 1996). In 1998 and

¹⁶ An important consideration is the safety of named individuals in the UAs given fears of reprisal.

early 1999, Amnesty released dozens of UAs for Egypt, with five appeals containing information on the specific details of torture and mistreatment during detention (ibid., 1998d, 1998e, 1998f, 1998g, 1998h). With the increasing restrictions on civil society, Amnesty issued two UAs calling for an end to the harassment of the EOHR and the release of the Secretary General (ibid., 1998b, 1998c). After the imposition of the 1999 law, however, Amnesty released only one more UA on torture. In that UA, Amnesty was unable to verify whether Magdi Ibrahim al-Sayyid al-Naggar was actually subjected to mistreatment during detention (ibid., 1999b). Commensurate with the decline in EOHR activities locally, Amnesty released only three UAs on torture in 2000 and four in 2001. Only one of these contained testimony from victims (ibid., 2001b). The other UAs simply warned of the potential use of torture. The government was never shamed by more than four UAs for torture or any other violation in any of the years 2004 to 2007.

Overall, the strength of organizations like Amnesty in their struggle with repressive governments is in delivering information-rich, reliable reports on human rights conditions—whether in Egypt or elsewhere. To do so, they are dependent on an information supply line from local CSOs. As our narrative describes, government restrictions target that supply line and reduce international shaming.

CONCLUSION

This study reveals a fierce struggle for the “command of information” (cf. Keck & Sikkink, 1998, 24). We capture this struggle by assessing the range of measures governments use to control civil society—from seemingly innocuous bureaucratic registration hurdles to surveillance—and the impact these restrictions have on international shaming campaigns. For a low number of restriction types the results are mixed, with a positive effect on international shaming by Amnesty, or no effect on news reports in the robustness test. Yet when faced with a high number of different types of restrictions, it becomes more difficult for activists to

maintain their activities, and we observe fewer international shaming campaigns by Amnesty and other INGOs. At a threshold, the accumulation of restrictions impedes the flow of information.

Our findings demonstrate that governments are far from passive in their relationship with civil society. We fail to understand transnational advocacy without considering governments' counter-measures against CSOs. Indeed, an accurate assessment of the human rights situation critically depends on restrictions facing CSOs. This insight may inform data collection efforts and statistical methods for correcting measurement error and biases in source data on human rights (Fariss, 2017). Our findings also speak to existing research on the effects of pre-emptive repression by specifying one important tactic of forward-looking efforts in de-mobilizing domestic and international dissent (e.g. Ritter & Conrad, 2016).

Empirically, we examine the impact of restrictions up to 2007. We expect the pattern to hold in the post-2007 period. It is clear from our data for the 1994-2016 period that restrictions are 'sticky' once imposed. Since the early 2000s, the trend is for governments to maintain or escalate rather than de-escalate restrictions. Our focus is on restrictions imposed by governments, but we need data on the restrictive activities of non-state actors more generally. Moreover, while we have investigated conditions for human rights advocacy, other global public goods and development goals—such as the environment, good governance, and corruption—are also dependent on third party monitoring and an independent flow of information from civil society.

We do not expect that our findings about the mixed information effects of restrictions are news to governments with human rights abuses to hide. Governments will be aware of the criticism that they receive at home and abroad. What the research does provide is systematic evidence of the importance of protecting civil society, particularly at the local level, and the justified alarm regarding closing civil society space, particularly in the awareness of the

widespread nature of abuses and the necessarily selective attention of international organizations.

We expect that restrictions have an adverse impact on human rights advocates domestically and internationally. Where these restrictions are imposed, CSOs and their staff are at risk. Local organizations may form networks, use litigation to resist restrictions, and provoke shaming of restrictions. However, as the number of types of restrictions increase, CSOs may have few options but to shift focus or shut down, and INGOs must fear putting activists at risk. Some CSOs anonymously broker information to international groups, but as restrictions bite, documentary capacity reduces.

Action sensitive to the risks that activists face may be taken at the international level and provide some responses to the dilemmas faced by civil society. A range of international sanctions are available, including trade suspension, aid cuts, and, though rarely used, exclusion from international organizations, to pressure governments into re-opening civic space. As Barry, Bell, Clay, Flynn & Murdie (2015, 87) argue, INGOs, noting the difficulty of operating in Egypt or Russia, may locate in neighboring states and seek to channel resources across the border. To protect individual activists, the Centre for Applied Human Rights invites ten defenders per year to join the Centre for the purposes of research, networking and rest from a difficult working environment.¹⁷ In-country, individual activists may seek assistance from embassies of sympathetic governments. Other responses to restrictions include the enhanced monitoring of restrictions by INGOs and the use of encryption technology to share sensitive information among advocacy groups (assuming access to the internet is not restricted).¹⁸ The struggle between civil society and states continues, but if the closing of civil space is normalized, then the implications are troubling.

¹⁷ See <https://www.york.ac.uk/cahr>.

¹⁸ Thanks to the anonymous reviewer raising the issue of the implications and choices for those in these restrictive environments.

What may seem to the international community a relatively innocuous imposition on civil society (given the repressive choices open to governments), may signal a dangerous development for the work of domestic and international human rights defenders and the communities they serve.

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Supplementary material. The data, replication instructions, and the data's codebook can be found at <https://doi.org/10.7910/DVN/CW7SXR> and online appendices at [URL to journal homepage here]

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