Public Reactions to International Legal Institutions: The ICC in a Developing Democracy

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Abstract

We analyze factors that temper citizens' support for international legal actions. We argue that support is moderated by a citizen's "proximity" to the institutional action, which for institutions like the International Criminal Court (ICC) means that both perpetrators and victims of violations can be hesitant about the institution. We use survey experiment about the ICC in Kyrgyzstan - a country with recent, salient civil violence. The survey randomly assigned respondents to a control group, asked about foreign investigations, and a treatment group, asked about an investigation into Kyrgyz violence. Treatment significantly lowered otherwise relatively high approval for investigations. This effect was strongest in regions most proximate to the violence, especially among co-ethnics of victims of civil violence. Awareness of the court did not moderate negative reactions, while support for the government magnified the negative reactions. Our findings help explain why support for international law is often ephemeral and heterogeneous among citizens.

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In November of 2010, public opinion surveys indicated that nearly 80% of Kenyan citizens were happy with investigations by the International Criminal Court (ICC) into the 2007 election violence. In early 2011, the ICC charged several prominent politicians with crimes against humanity for their alleged roles in the violence. Despite strong support for the ICC a few months earlier, the Kenyan public responded to the indictments with a mixture of support and strident opposition to the ICC. Approval of the ICC plummeted, especially in the home regions of the indicted politicians. Two of those indicted formed a political alliance and eventually won the next Kenyan national election, largely on an anti-ICC platform (Chaudoin, 2016; Mueller, 2014). They have since used the power of their offices to thwart the ICC process and these indictments were ultimately dropped in 2014.

The Kenyan experience is not unique. Attitudes toward other the ICC in other member countries have soured as well. The rise of anti-ICC sentiment in Africa helped stymie the arrest of the indicted President of Sudan, Omar al-Bashir, during a 2015 visit to South Africa (a state party to the Rome Statute). In 2016 and again in 2017, the African Union (AU) endorsed African withdrawal from the ICC, despite the fact many AU countries once eagerly ratified the Rome Statute.[1]

These episodes illustrate that support for international law generally, and for specific legal institutions, can vary widely within countries and over time. Variation across subnational constituencies complicates the mandate of international courts, as it can often be difficult to predict which elements of a population will ultimately support, and which will oppose, international legal interventions.

Courts, like many institutions, require popular support to be influential. As Gibson et al. state, "not even the most powerful courts in the world have the power of the 'purse' or 'sword;"' which makes them dependent on support from their constituents to induce compliance with their actions

[1] "African leaders plan mass withdrawal from international criminal court." The Guardian (UK) 1-31-2017.

and rulings (1998: 343). The development of judicial power at both the domestic and international levels requires the construction of political hierarchy, including some acceptance of courts' authority and legitimacy (Staton and Moore, 2011). This is certainly the case for the ICC, which relies explicitly on state cooperation and consent. Governments, controlling police and armed forces, are in turn constrained or enabled by popular attitudes. As the ICC has learned, public opposition to the court can undermine or buttress its efforts.

Given courts' need for popular legitimacy, we ask the following: which members of the public are most likely to demur in the face of potential investigations? We argue that there are some systematic factors that affect feelings toward international legal institutions. In particular, we argue that for citizens with geographic or spatial proximity to a proposed intervention, the gap between general support for the institution and support for specific investigations will be largest. We also argue that these differences are not the result simply of perpetrators who resist prosecution. Rather, in many settings, lower support for international legal interventions can often be driven by victims of violence who fear upsetting a fragile peace. While the "justice vs. peace" debate is well known in scholarship on transitional justice,[2] ours is among the first empirical studies addressing these dynamics in the context of the ICC or with a survey experiment on salient violence in a relevant country.[3] Our findings thus speak to a much larger debate about whose interests are served by post-conflict legal processes.

We also link our research to extant work on domestic courts, assessing whether awareness of the court and approval of the government affect support. First, awareness of courts is thought to increase citizens' perceptions of the legitimacy of its process, increasing support for its actions. This theoretical argument has been applied to national courts (Gibson, Caldeira and Baird, 1998), and it is possible that greater awareness of international courts also increases public support for those bodies. Second, government approval likely decreases support for legal interventions. The

[2]For an overview, see Sriram et al. (2012); Shaw, Waldorf and Hazan (2010).

[3]For related within-country studies, see Glasius (2009); Robins (2011); Samii (2013)

interventions often target politicians in power during violence. Supporters of those politicians or their parties may be more disapproving of actions targeting their favored politicians, even if they espouse support for the court more generally. Work on national courts has found that an individual's real or perceived ideological congruence with the court affects their perceptions of the court (Bartels and Johnston, 2013; Malhotra and Jessee, 2014). The same is possible for international courts, as citizens use their own beliefs about the indicted persons to triangulate their response to the court.

To assess these arguments, we analyze results from a survey experiment conducted in Kyrgyzstan during the Fall of 2015.[4] Kyrgyzstan is emblematic of the type of country where proponents of the ICC would hope it could be effective: a less-developed democracy with a history of civil violence. Kyrgyzstan experienced violence in 2010, between ethnic Uzbeks and Kyrgyz residents, resulting in hundreds of deaths and widespread displacement. According to Simmons and Danner (2010), the deterrent and accountability effects of international courts are particularly likely to be felt in countries with weaker institutions and some history of intrastate violence. That is to say, these countries are precisely the places where violence occurred that may fall under the prosecutorial jurisdiction of the ICC and where domestic institutional constraints on violence may be insufficient. Kyrgyzstan is also an appropriate setting because it is relatively *tabula rasa* with respect to experience with the ICC. Kyrgyzstan has signed, but not ratified the Rome Statute, and the ICC has not yet been active in the country. This allows our survey to elicit reactions that more closely resemble what we'd expect of citizens who are newly introduced to an investigation, as opposed to citizens in a country where investigations are already major news and opinions have crystalized.

Our survey sampled 1,000 respondents proportionally to the population in each of Kyrgyzstan's sub-national regions. We randomly assigned respondents to either a prompt about an ICC investigation into a non-specific foreign country or a prompt about a possible ICC investigation

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

into events that occurred in the Southern regions of Kyrgyzstan in 2010. These events involved riots and ethnic violence, centered in the cities of Osh and Jalal-Abad, pitting Kyrgyz and minority Uzbeks against one another. NGOs and human rights groups allege that the Kyrgyz government was complicit in, and may have even aided, the targeting of ethnic Uzbeks. These events were widely reported at the time and remain salient in Kyrgyzstan today. The outcome variable of our survey measure respondents' perceptions of investigations. This allows us to compare support for a specific intervention to support for the application of international law in the abstract.

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

We find that citizens are significantly less supportive of specific investigations at home compared to abstract, foreign investigations.[5] This is, perhaps, unsurprising. After all, there are myriad reasons why international intervention into one's own country may be viewed less favorably than abstract interventions abroad. It does, however, underscore the importance of assessing likely local reactions rather than relying on general indicators of a population's support for international law.

[5]As we detail below, baseline support for ICC investigations in an abstract control condition is relatively high, at 83%. The treatment referring to specific, local investigations lowers approval by roughly 10%. Our claim is not that support for investigations in either condition is low. Rather, we seek to understand factors driving the significant difference in support in the treatment group.

More importantly, the difference in support for abstract versus local investigations is magnified by proximity to the proposed investigations; respondents in regions affected by the 2010 violence show the strongest aversion to an investigation. This is not simply explained by an aversion to prosecution among alleged perpetrator groups. Rather, members of the most victimized groups are among those that exhibit the largest treatment effect.

With respect to our arguments about awareness, we find, contrary to expectations, that awareness of the ICC does not mute the negative treatment effect. This is important because it suggests that awareness campaigns alone may be insufficient to increase support. However consistent with expectations, we find that government approval is associated with a strong, negative treatment effect. These findings suggest that some segments of the population — particularly government supporters or groups that stand to lose the most from reopening old ethnic wounds — may be especially susceptible to anti-ICC political contestation.

Our analysis sheds light on who is most likely to react positively and negatively to the prospect of an international legal intervention, which helps address the broader question of the conditions under which national governments will comply with or oppose the actions of international courts. Theories of international institutions that emphasize opinions, ideas, and preferences of citizens need to account for the intense heterogeneity of public reactions, especially in highly charged contexts, like developing countries with recent histories of violence – countries where international legal institutions like the ICC most frequently operate. Understanding public reactions to international courts, in turn, will help us better understand which sub-populations are most in need of persuasion and convincing, as international institutions seek to further their crucial goals by increasing public support.

International Law, Public Attitudes, and State Cooperation

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

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

Public attitudes also play a particularly prominent role in arguments specific to the ICC. Simmons and Danner (2010) argue that the Rome Statute lets governments credibly "tie their hands," signaling commitment to citizens the government's commitment to the rule of law. Jo and Simmons (2016) argue that ICC ratification triggers "social deterrence" against ICC violations by shaping social expectations.[6] Chaudoin (2016) argues that the ICC can provide information about leaders' action, which can embolden the efforts of both pro- and anti-accountability groups. The court's ultimate effectiveness depends on the ensuing contestation between opposing groups.

Given that citizens play a role in the effectiveness of international legal institutions, what do we know about how preferences about legal institutions are formed? Existing work on national and in-

[6]See also Dutton and Alleblas (Forthcoming).

ternational courts emphasizes the distinction between specific and diffuse support. Diffuse support refers to general feelings about the legitimacy of a court while specific support refers to feelings of legitimacy toward specific rulings. Analyzing cross-national variation in attitudes towards national courts, Gibson, Caldeira and Baird (1998) find positive correlations between citizens' awareness of a national court and their perceptions of its legitimacy. They also find that older courts enjoy greater specific and diffuse legitimacy. Other studies have found a positive relationship between perceptions of a court's legitimacy and citizens' approval of its decisions in the contexts of the United States Supreme Court (Gibson, Caldeira and Spence, 2003, 2005), the European Court of Justice (Gibson and Caldeira, 1995; Carrubba and Gabel, 2014), and other national courts (Staton, 2010; Nalepa, 2010).

The relationships between ideology and diffuse/specific support for a court are most appropriate where citizens live under the court's jurisdiction and where precedent and previous decisions influence domestic law. However, features of the ICC and other international courts make it difficult to develop reservoirs of diffuse support. Prior to an ICC investigation, citizens typically have very little experience with the court. They have little precedent or a track record of cases with which to form their beliefs. Diffuse legitimacy may therefore be driven by citizens' perceptions of their national courts (Voeten, 2013). Yet, the ICC operates on a principle of complementarity, meaning it only intervenes where national courts are unwilling or unable to prosecute accused criminals. Therefore, its presence is most likely in places where domestic courts are weak or perceived as less legitimate. Moreover, international courts face unique informational difficulties, whereby it is harder for them to identify likely sources of support or opposition, because these courts must serve very heterogeneous audiences (Lupu, 2013). This is certainly the case for the ICC. Investigations into civil violence trigger intense, heterogeneous reactions that are not easy to predict.

Despite the importance of citizens in theories about international legal institutions, only a handful of experimental studies assess the impact of international law on public attitudes. Tomz (2008)

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

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

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

In contrast, our experiment asks questions about an actual instance of violence that is very salient to the respondents. In doing so, we follow recent work by Hafner-Burton, LeVeck and Vic-

tor (2016) in directly surveying the populations of theoretical interest and asking asking questions about real, salient issues. To our knowledge, ours is the first nationally administered international law and human rights survey experiment conducted in a transitioning democracy, and one with a recent history of civil strife. While the aforementioned studies undoubtedly contribute to our understanding of international institutions, their respondents are not always the citizens for whom international organizations like the ICC were designed. A majority of the crimes that fall under the auspices of international humanitarian law take place outside of the United States in lesser developed countries more prone to internal conflict. Examining attitudes toward international law is especially important in such a context.

Variation in Support Within Countries

What characteristics of citizens or subpopulations might moderate - meaning, magnify or mute - their negative reactions towards investigations? We focus on three characteristics: an individual's proximity to the court's action, awareness or knowledge of the court, and approval of the government.

Proximity

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

Living among or near the populations involved in civil violence, either as victims or perpetrators, means that institutional actions have a more direct effect on one's life. Many of the most

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

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

This aversion to changes to the status quo also means that resistance to specific actions by an international institution can arise among *both* the victimizers, who potentially fear being held accountable, *and* the victimized, who are particularly vulnerable. For perpetrators, their hesitancy is straightforward. They may fear any tangible, material or intangible, social consequences from efforts to hold them or their in-group members accountable for violence. Victims too might fear an investigation. This fear may be tied to any indigenous post-violence efforts. For example, if the perpetrators and victims have reached a settlement with some sort of compensation, the victims may fear that international institutional actions might jeopardize those gains (Sriram et al., 2012; Lekha Sriram, 2007; Glasius, 2009). A similar phenomenon has been documented in the context of attitudes towards indigenous transitional justice efforts. In post-war Burundi, Samii (2013) found that insecurity made citizens less supporting of indigenous transitional justice efforts, for fear of

the insecurity that can come with justice efforts and of the possible loss of post-conflict political gains.

Domestic actors, like political elites, often attempt to counteract the efforts of international institutions, which can further heighten insecurity, especially among those proximate to the violence. Indicted politicians have every incentive to rally public support by accusing an institution of bias and malpractice. Initial supporters of an international institution can turn into opponents in response to these countermobilization efforts. In Kenya, political elites with agendas opposed to the ICC's efforts stoked opposition to the investigations (Chaudoin, 2016). This raised fears, particularly among those in the regions that experienced previous violence, of renewed clashes.

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

Hypothesis 1 (Proximity)**.** *The decrease in approval for specific investigations is likely to be stronger for individuals in closer proximity to the proposed investigation.*

Awareness of the court

We also seek to heed the call of Staton and Moore (2011) to link theoretical arguments about domestic courts to international legal bodies. We therefore focus on two theoretical arguments

that are emphasized in the literature on domestic courts: awareness of the court and a citizen's preferences over the underlying issue.

Knowledge and awareness of a particular court, empirically, are positively correlated with support for the court. Citizens who are knowledgable about courts are more likely to believe that the court acts impartially, basing decisions on a politically neutral interpretation of law (Gibson, Caldeira and Baird, 1998; Benesh, 2006; Hoekstra, 2003; Grimmelikhuijsen and Klijn, 2015). Awareness is particularly important for international courts, since they are generally less active in terms of caseload. Their judges and jurisprudence are often foreign, literally and figuratively, to the citizens in the country under investigation. The perception of neutrality is crucial for the ICC, which has seen its image suffer greatly from charges that the court is political or imperial tool of the West, or biased against African countries. Awareness of the court's activities may make citizens less prone to the negative reactions. If a citizen knows more about the court's activities, she may feel like an investigation into her country is consistent with the court's modus operandi, rather than a politically motivated intervention into her homeland.

Awareness of the ICC varies greatly across countries and time. In the United States, approximately 32% of people indicate that they have some knowledge of the ICC, which is slightly higher than the percentage in our Krygyz sample, 24%.[7] Citizens tend to have low awareness of international courts before the court takes any actions, with awareness increasing after any actions. Ratification of the ICC has not tended to be a highly controversial political decision for many member states. But once investigations begin, the court takes on a much higher, more politicized profile. In Europe, for example, Voeten (2013) finds that citizens seek information about international courts at rates comparable to other political institutions. In Kenya and other ICC situations, once the investigations were underway, awareness of the ICC was very high.[8]

[7] American Bar Association ICC Project Polling.

[8] Ipsos Synovate SPEC Barometer Survey Report, Nov. 20, 2012.

Hypothesis 2 (Awareness)**.** *The decrease in approval for specific investigations is likely to be weaker for individuals who are more aware of the court.*

Government Approval

Existing literature on courts emphasizes the importance of ideology in citizens' reactions. If a citizen believes that the court shares her ideology, she will react more favorably to a specific decision (Bartels and Johnston, 2013; Malhotra and Jessee, 2014; Clark and Kastellec, 2015). The matters before international courts are less coherently organized by political ideology. This makes it harder for a citizen to "triangulate" her reaction based on the alignment between her and the court's ideology.

However, the actions of international courts, especially the ICC, often target actors that are associated with particular political groups. Some of the ICC's most prominent cases targeted defendants who are current or former members of the ruling party or a head of state themselves, eg Omar al-Bashir of Sudan, Uhuru Kenyatta, and Muammar Gaddafi. In Kyrgyzstan, the government consists mostly of ethnic Kyrgyz representatives, and any investigation into recent violence in that country would scrutinize the actions of ethnically Kyrgyz citizens. This allows citizens to triangulate their reaction to a court case based on whether they support the current government. If a citizen thinks that a court's action will target the government, and she supports that government, she is more likely to react negatively to an investigation in her country.[9] Bush and Jamal (2015) conducted a survey experiment in Jordan, where foreign and domestic sources endorsed reforms to include women in politics. They found that both endorsements decreased support for the reforms among citizens who opposed the regimes, because those citizens thought the reforms would only strengthen the government.

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

Hypothesis 3 (Government Approval)**.** *The decrease in approval for specific investigations is likely to be stronger for individuals who are approve of their government.*

Research Design

To assess these hypotheses, we fielded a survey experiment in the Republic of Kyrgyzstan during the Fall of 2015. Kyrgyzstan is an excellent place to field this type of experiment for several reasons. First, Kyrgyzstan signed the Rome Statute in 1998 but has not ratified or been the subject of any ICC actions. Under the terms of the Rome Statute, ratification makes the initiation of an ICC case easier. Without ratification, a case requires a United Nations Security Council resolution or a request from the country itself, both of which have proven politically difficult. This amount of contact with the ICC is "just right" because it means that respondents are not likely to have highly defined opinions about the ICC, but it is also a country that could eventually fall under the purview of the Court. If we conducted this survey experiment in a country under investigation, opinions would be dominated by respondents' views of the highly-visible, recent ICC actions. Kyrgyzstan has had some experience with external inquiries into the 2010 violence. The Kyrgyz Inquiry Commission (KIC) investigated the violence at the behest of the government, but its conclusions were deemed "too harsh ... and too truthful," leading the Kyrgyz parliament to reject the report and ban its author from the country (Fiedler, 2016).

Kyrgyzstan is also the type of country for whom ICC commitments are thought to be most important, as the country experienced internal violence in the recent past, and it is a relatively new democracy, gaining independence only in late 1991 amidst the collapse of the Soviet Union.[10] In Spring of 2010, a revolution aimed at restoring democracy and ending corruption overthrew the

[10]Freedom House scores Kyrgyzstan at 5.5 on it's 7 point scale (1 is totally free, 7 is not free) in 2010, the year of the ethnic violence. The report cites concentration of power, restrictions on religious and press freedoms as reasons for it's poor rating. As of 2017, it is scored at a 5 out of 7; thus it remains in the "not free" category despite somewhat democratic institutions.

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

In Summer of 2010, at a time of heightened uncertainty following the revolution, lower-level disputes between ethnic Kyrgyz and Uzbeks in southern Kyrgyzstan escalated to widespread violence.[11] The KIC estimated that 470 people died as direct result of the violence, with another 1,900 wounded. Approximately 111,000 people were displaced into Uzbekistan, with another 300,000 internally displaced.[12] NGO estimates of the death toll and displacement are be higher. While both Kyrgyz and Uzbeks engaged in violence, the Uzbeks suffered disproportionately, both in terms of loss of life and destroyed property. The independent inquiry also concluded that some of the events likely constituted crimes against humanity under international law. A Human Rights Watch report argued that the Kyrgyz national security apparatus was at least tacitly involved in the violence, in part due to their selective disarmament of Uzbek — but not Kyrgyz — groups, as well as widespread extralegal arrest and abuse of Uzbeks.[13]

The maps in Figure 1 and Figure 2 divide Kyrgyzstan into nine administrative regions, marked by grey lines. While a minority in Kyrgyzstan, large populations of Uzbeks are concentrated in specific regions.[14] The 2010 violence largely occurred in three locations with significant Uzbek populations: Osh, Osh Oblast, and Jalal-Abad. Osh and Jalal-Abad are the two cities in the South-

[11]For a summary of the revolution and violence, see Collins (2011).

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

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

[14]Uzbek geography data from Bond and Koch (2010).

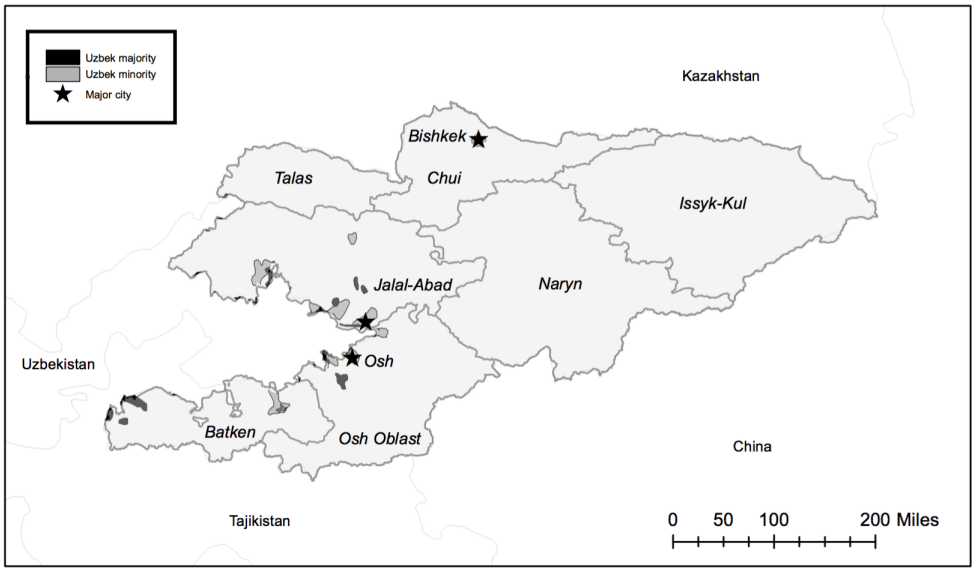

Figure 1: Ethnic Uzbek Citizens in Kyrgyzstan

western portion of the country marked with stars.[15] Osh Oblast refers to the rural area around Osh, as some accounts of the 2010 violence involve citizens coming to Osh from the rural surrounding areas of the Oblast to take part.[16] Of those three locales, Osh experienced the most violence, with UN satellite data indicating that approximately 75% of destroyed buildings were located in Osh.[17]

Survey Instrument

The sample consisted of 1,000 respondents aged 18 and older and the surveys were administered face to face in either Kyrgyz or Russian language, per the respondent's choice. SIAR Research and Consulting fielded the survey. The number of surveys conducted in a particular location was proportional to population along two strata: the region of the country and the urban/rural population. For example, approximately 17% of the population lives in the rural part of the Osh region,

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

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

[17]"Damage Analysis Summary." UNOSAT Report. July 2010.

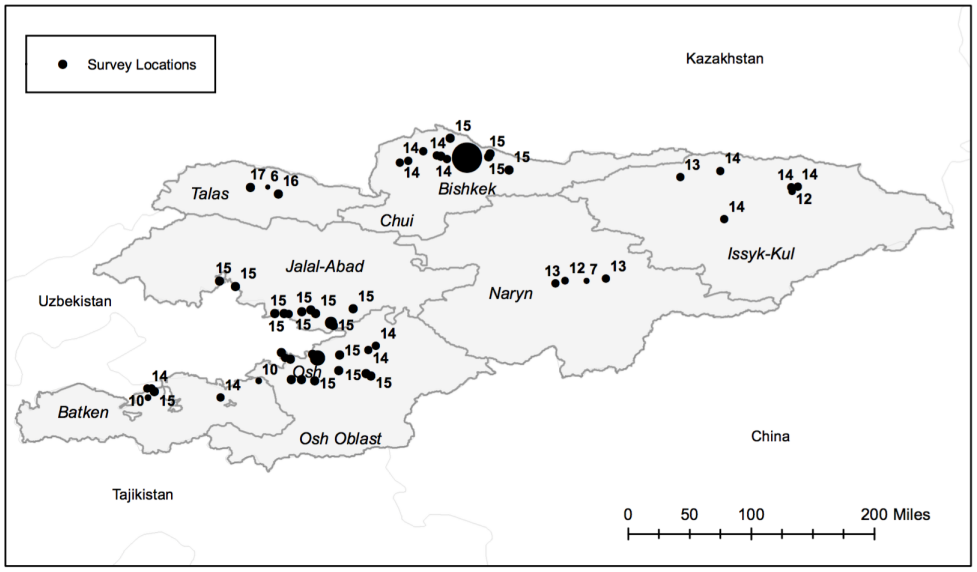

Figure 2: Survey Locations

so 177 interviews were conducted in that geographical unit. For sampling within a particular unit, SIAR divided the geographical units into rayons, selected a point in each primary sampling unit, and selected every third household after walking from that point. Within households, SIAR used a Kish grid to select respondents.

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

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

Respondents were then asked "Have you heard of the International Criminal Court?" and they could choose between "Yes" and "No." Approximately 25% of respondents chose "Yes."

Recognition rates for the Osh/Osh Oblast/Jalal-Abad region were 29% compared to 24% for the national average.

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

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

The structure of the treatment and control conditions was designed to mimic the "treatment" that citizens receive when the ICC opens an investigation in their country. The treatment effect, a comparison of approval for investigations under the treatment and control conditions, is meant to give an idea of whether and how much groups of citizens are likely to react negatively to an ICC action in their country. Before an investigation, the ICC is a distant actor, working on foreign issues. However, when the court opens an investigation in a particular country, it becomes much more specific and real, designating events from particular times and places.

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

to their country or themselves. Our analysis of the treatment effect is meant to help identify groups who are likely to react the least positively to a specific application of international law to their country.

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

Outcome variable

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

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

Very good	Somewhat good	Neither a good nor bad thing	Somewhat bad	Very bad

We code a binary and categorical version of the responses. For the binary version of *Inv. App.*, we coded a respondent as approving of the investigation if she chose "Very good" or "Somewhat good" when asked whether the investigation was a good or bad thing. The categorical version of this variable is an ordinal, 4 point scale, ranging from 1 (very bad) to 4 (very good).[18]

Some responses were coded as "Difficult to answer/refused to answer" by the survey enumerators. This was not a choice that was read aloud to the survey respondents, but the survey

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

enumerators were given this as an option for coding responses. For the main analyses, we exclude these respondents, because it is possible that they indicate a lack of opinion or a hesitancy to express disapproval. Our contextual knowledge and the knowledge of the survey firm do not cause us to suspect that non-response indicates a fear of responding. Nevertheless, we looked for ancillary evidence that would disconfirm this intuition. Fortunately, we did not find any significant effects of treatment on the likelihood of a respondent choosing to not respond. There was some heterogeneity across regions in non-response rates, but this was not strongly correlated with our regions of primary interest. As shown in the middle of Table 1, the non-response rates were approximately 22% in Osh/Osh Oblast/Jalal-Abad and 16% in the other regions.[19] The appendix also shows how the results are similar when we include these responses.

Sample Statistics and Randomization

Table 1 provides summary information. The first column shows the summary statistics for the full sample. Since we will later discuss the regions where the 2010 violence occurred, columns 2 and 3 split the sample between the three regions that experienced violence, Osh, Osh Oblast, and Jalal-Abad, and the remaining six regions. The remaining columns show each region individually.

[19]Luskin and Bullock (2011) present arguments for excluding these responses, though see also Kleinberg and Fordham (2015).

	Full mean	Osh/Ob./Jal. mean	Non-Osh mean	Osh city mean	Osh oblast mean	Jalal-Abad mean
Treatment	0.50	0.50	0.50	0.50	0.50	0.50
App. Inv.	0.63	0.63	0.62	0.68	0.70	0.53
App. Inv. Num.	2.98	3.03	2.92	2.76	2.97	2.92
App. ICC	0.54	0.50	0.60	0.68	0.73	0.44
App. ICC Num.	2.96	2.92	3.01	2.82	3.08	2.98
DK/RTA	0.19	0.22	0.16	0.00	0.06	0.32
Heard of ICC	0.24	0.29	0.17	0.42	0.17	0.10
Government Approval	2.63	2.59	2.68	2.48	2.77	2.65
Uzbek	0.12	0.05	0.20	0.18	0.23	0.18
Age Under 50	0.66	0.66	0.64	0.84	0.65	0.59
Male	0.40	0.40	0.40	0.32	0.40	0.44
Post Sec. Ed.	0.37	0.42	0.30	0.76	0.22	0.26
Employed	0.26	0.28	0.25	0.40	0.28	0.17
Inc. Aver.	0.78	0.73	0.84	0.94	0.85	0.79
N	1,000	579	421	50	192	179
	Bishkek mean	Chui mean	Issyk-Kul mean	Naryn mean	Talas mean	Batken mean
Treatment	0.50	0.50	0.51	0.49	0.51	0.51
App. Inv.	0.59	0.70	0.63	0.69	0.26	0.74
App. Inv. Num.	2.98	3.05	2.71	3.25	2.79	3.37
App. ICC	0.48	0.62	0.46	0.47	0.10	0.57
App. ICC Num.	2.82	3.08	2.57	2.76	2.57	3.31
DK/RTA	0.25	0.13	0.14	0.20	0.64	0.19
Heard of ICC	0.29	0.27	0.41	0.29	0.21	0.27
Government Approval	2.48	2.63	2.69	2.53	2.13	2.93
Uzbek	0.03	0.04	0.06	0.00	0.00	0.18
Age Under 50	0.72	0.70	0.58	0.62	0.62	0.61
Male	0.37	0.29	0.52	0.62	0.46	0.40
Post Sec. Ed.	0.54	0.39	0.54	0.31	0.31	0.21
Employed	0.33	0.21	0.35	0.18	0.49	0.17
Inc. Aver.	0.68	0.75	0.72	0.91	0.72	0.75
N	177	160	81	45	39	77

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

Table 1: Summary Statistics

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

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

Results

Before turning to the main hypotheses, we note that overall treatment effects were negative, meaningful, and statistically significant. Figure 3 shows a Bayesian estimate of the treatment effect on the binary *Inv. App.* variable.[20] Approval for the investigations is approximately 83% under the control group. Treatment lowers approval for the investigation by approximately 10%, to 73%. The significance is apparent using the Bayesian approach and the frequentist approach. The test statistic for a comparison of mean approval ratings is -3.50 ($p < 0.01$).[21] This occurs despite the fact that the treatment is not particularly "strong;" it does not make any value statements, judgments, or predictions about the desirability or undesirability of an investigation. The treatment effect is similar substantively to those found in other survey experiments in international relations. For example, Tomz (2007) found that audience costs treatments lowered approval of a leader who

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

[21]These results, as well as a set of regressions using various specifications, control variables, and region fixed effects are in the appendix.

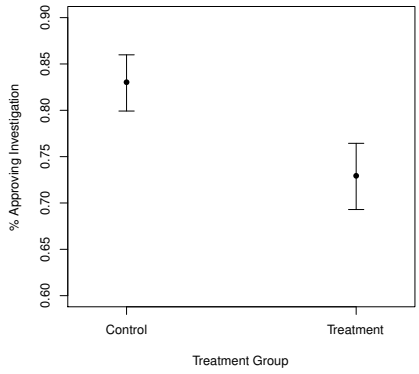

Figure 3: Treatment Effects: Investigation Outcome

broke promises by approximately 12%.

The presence of high overall approval of investigations, under both conditions (83% for control, 73% for treatment) is also interesting. These are relatively high rates of approval both for investigations in the abstract, and for specific, local investigations, although the 10% drop in the treatment condition is substantial. However, the 73% approval rate in the treatment condition is comparable to the approval rates of the ICC investigation in Kenya in November 2010 *before* the ICC took concrete actions, and those rates decreased substantially over time as the investigation unfolded.[22] Thus, these baseline rates may matter less than the difference between the treatment and control, which provide some sense of how wedges in support may occur amongst relevant constituencies.

Proximity Moderation: Perpetrators and Victims

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

[22]Chaudoin (2016).

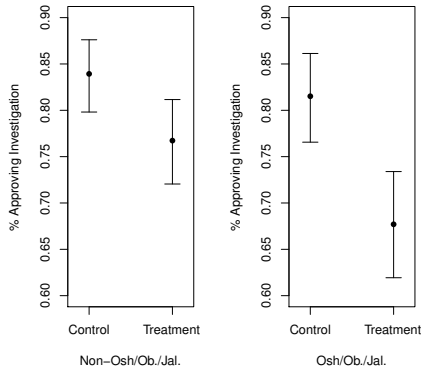

Figure 4: Treatment Effects: Investigation Outcome, by Regions

Jalal-Abad) vs. "Non-Osh" regions.

Consistent with Hypothesis 1, the treatment effect is approximately twice as strong in the Osh regions. Figure 4 shows the treatment effects for each sub-sample, constructed in the same way as the above Figure. In the non-Osh regions, treatment lowers approval of the investigation by approximately 8%, from 84% to 76%. In the Osh regions, treatment lowers approval by approximately 16%, from 82% to 66%. Interestingly, both regions display similar nominal levels of approval of the ICC in the abstract, yet approval for a specific investigation drops much more in the Osh regions. Had we simply asked respondents their opinion of the ICC in general, we would have omitted this meaningful, regional heterogeneity.

For an even more detailed assessment of region-specific effects, we estimated a multi-level model in which we included region-specific intercepts and treatment effects. Individual respondents are indexed by i and they reside in 9 regions indexed by j. X_i refers to a set of control variables that include the respondent's age, gender, education level, employment status and income. The model is shown in Equation 1.

$$
\begin{aligned}
y_i &= \beta_0 + \beta_i Treatment_i + X_i\Gamma + \epsilon_i \\
\beta_0 &= u_{1j} \\
\beta_i &= u_{2j}
\end{aligned}
\tag{1}
$$

Figure 5 orders the regions according to the direction and magnitude of their associated treatment effects.[23] Consistent with our expectations, Osh and Osh Oblast have the two largest, negative treatment effects and neither estimate overlaps with zero. The treatment effect for Jalal-Abad is negative, and ranks 6th out of 9 in terms of magnitude. While we would have expected the treatment effect in Jalal-Abad to be stronger than other regions, as mentioned above, the majority of violence occurred in Osh, so the strongly negative treatment effects for Osh and Osh Oblast provide the most direct support for our proximity arguments.

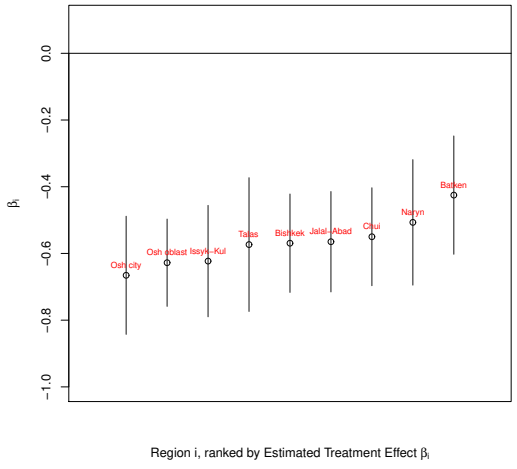

Figure 5: Treatment Effects: Investigation Outcome, Multi-Level Model

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

These effects were also not simply a case of violent perpetrators expressing disapproval of potential investigations. While the 2010 violence was two-sided, outside observers attribute a majority of the violence and destruction of property to Kyrgyz attacks on Uzbek neighborhoods.[24] One possible explanation for the negative treatment effects is that individuals who participated directly or indirectly in the violence, or have friends or family who participated, would not want an outside investigation that could generate personal consequences.

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

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

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

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

[24] "Where is the Justice?" Human Rights Watch Report. August 2010.

Treatment Effects, Uzbek/Non-Uzbek Respondents

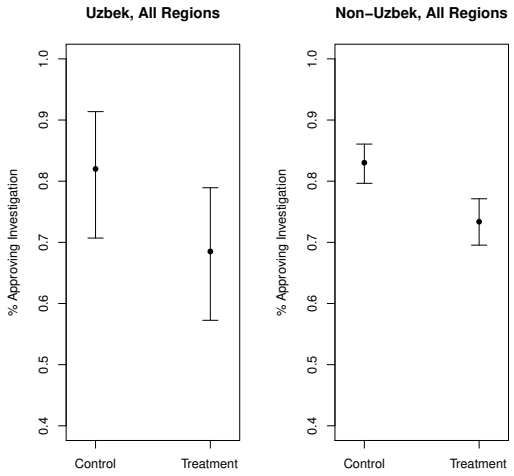

Figure 6: All Regions

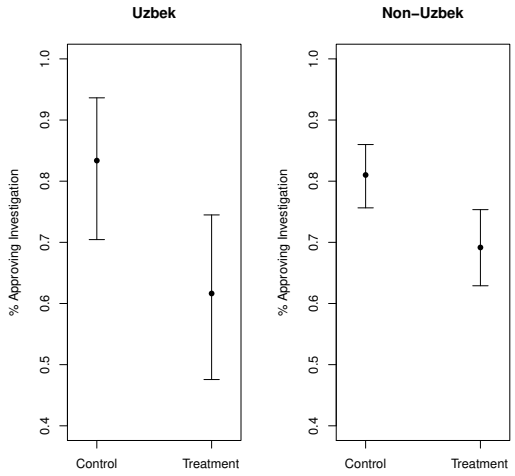

Figure 7: Osh/Osh Oblast/Jalal-Abad

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

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

Awareness Moderation

To assess whether awareness of the ICC moderated the treatment effects, we used the binary indicator variable that equals one if the respondent indicated that she had heard of the ICC, *Heard of*

ICC. To present these results, we used a logit regression of the outcome variable on treatment and a set of controls. The treatment indicator variable is interacted with an indicator for whether the respondent said she was aware of the ICC.[25] In different specifications, we also included region fixed effects.

The results, in Table 2 are not consistent with Hypothesis 2. Looking at the interaction term, the negative treatment effect was only marginally smaller for respondents who indicated awareness of the court. Looking at the constituent term, respondents who indicated awareness of the court were more favorable to a foreign investigation, those this effect was not always significant.

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

[25]Results are similar using the Bayesian approach above. See appendix.

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

Table 2: Treatment Effects: Investigation Outcome, Heard of ICC Interactions

Government Approval Moderation

To assess whether government approval moderated the treatment effects, we used a pre-treatment question asking whether the respondent was satisfied with the government on a four point scale, ranging from Very Dissatisfied (1) to Very Satisfied (4). We use a binary version of this variable, *Gov. App.* that equals one if the respondent indicated that she was Satisfied or Very Satisfied with the government. As in the awareness results, we interacted this with the treatment indicator.

The results, in Table 3, are consistent with Hypothesis 3. Respondents who approved of the government had a much stronger, negative reaction to treatment, compared to respondents who did not approve. Interestingly, government approval was positively correlated with approval of investigations in the abstract, under the control condition. It is possible that approval of the government

is associated with a greater trust in existing institutions, legal or legislative, in general, which led to higher approval of the ICC in the abstract. However, these citizens display consistent, significant negative reactions to the possibility of an investigation into Kyrgyzstan.

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

Table 3: Treatment Effects: Investigation Outcome, Gov. Approval Interactions

Conclusion

Our nation-wide survey experiment in Kyrgyzstan was designed to identify the contours of public reaction to the announcement of an international court's investigation into a developing democracy with a recent history of salient violence. We found a more negative reaction to a specific, local investigation compared to the evocation of an abstract, foreign investigation. This reaction was most intense for citizens living in closer proximity to the violence being investigated, and was more concentrated among victims of violence, compared to perpetrators. The negative reaction was also stronger for respondents who approved of the current government, and was not ameliorated for respondents who indicated awareness of the ICC.

Our analysis addresses at least two, interrelated scholarly questions, each with important policy implications. First, because international courts, like domestic courts, rely on and value political legitimacy, we sought to understand how popular attitudes toward international legal interventions are shaped. Discerning who is most likely to support or oppose interventions by institutions like the ICC, in turn, may help inform expectations about which constituencies are most primed for resistance, as well as which may be wellsprings of support for post-conflict justice.

These results is of practical importance for international legal institutions. The ICC recognizes the importance of subnational support, and has begun awareness campaigns and public outreach programs before and during their investigations.[26] Our research suggests the types of subpopulations that are most in need of these efforts, as well as some of the reasons for their likely resistance to the court. Just as McEntire, Leiby and Krain (2015) studied the most persuasive frames for human rights campaigns among U.S. citizens, we need a better understanding of the conditions under which citizens abroad react positively and negatively to institutional actions. Our results suggested that Kyrgyz citizens' resistance to the court was driven, in part, by their fear of upsetting a fragile peace that has settled after violence. Similar fears likely abound in other

[26] https://www.icc-cpi.int/get-involved/Pages/ngos.aspx.

countries in which ICC investigations will be conducted. Understanding very legitimate fears and concerns about external legal intervention can enhance institutional legitimacy.

These findings also contrast with most micro-level studies on international law and institutions, which generally find a positive effect of institutions on support for compliance with international law. However, these studies tend to emphasize hypothetical, lower salience issues, with surveys most often conducted in the United States. Our findings tell a different story for citizens living in more fragile situations, where investigations into violence are high salience issues and engender intense feelings. Institutions like the ICC will almost always find themselves operating in these highly charged environments. While the more positive influence of international institutions may operate, these may also be counterbalanced, or overwhelmed by, entrenched feelings over underlying conflicts and fears of disrupting fragile peace. This research thus suggests the importance of emphasizing heterogeneity in responses to international institutions, especially reactions following international legal interventions.

Second, our analysis speaks to debates about whose interests are served by post-conflict and transitional justice. Such efforts face an inevitable tension between providing accountability and justice and contributing to a stable peace. In some cases, the twin goals may be reinforcing. However, in other instances, these goals can conflict, as even victims prefer stable peace to "upsetting" the apple cart. This suggests the need for caution and careful analysis of subnational dynamics before an institution like the ICC chooses to launch an investigation. Of course, at some level these debates ultimately come down to normative questions about pragmatism vs. the ethics of justice, a debate which we sidestep here. But our analysis does provide some empirical evidence that the alleged victims of violence may often be, if anything, more likely than others to view transitional justice with hesitation.

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Appendix for: Public Reactions to International Legal Institutions

August 5, 2017

The main manuscript presents the results from our primary analyses. Space constraints prevent us from presenting or discussing all of the analysis, especially related to the United States survey. This appendix contains that additional analysis, along with the motivation for each additional set of results.

Contents

1 Kyrgyzstan Survey: Supplementary Analysis

1.1 Frequentist, Regression Analysis of Overall Treatment Effect

The main manuscript showed the effect of treatment on the investigation outcome variable using a Bayesian figure. Table 9 shows the treatment effects for the *Inv. App.* outcome in binary (top portion) and categorical form (bottom portion). The treatment effect is apparent in the categorical version of the outcome variable as well. The treatment more than doubles the percentage of respondents who indicated that the investigation was a "Very bad" thing.

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

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

Table 1: Treatment Effects: Investigation Outcome

These treatment effects are also robust to various regression specifications and techniques. Table 2 shows results from four logit regressions of the binary *Inv. App.* variable on a treatment indicator and control variables. The results are robust and display a consistent magnitude across specifications. The first column shows the treatment effect on approval in a simple logit regression, including standard errors that are clustered by geographical region. The second column shows results from a conditional region-fixed effects logit model. The third column includes a set of pre-treatment control variables.[1] The fourth column includes the controls in a conditional region-fixed effects logit model.

For the controls, *Uzbek* codes respondents based on whether their first name indicated that they were ethnically Uzbek.[2] *Under 50* is a binary variable indicating that the respondent was

[1] Again, with region-clustered standard errors.

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

under 50 years old. *Male* is a binary indicator for male respondents. *Any PS Educ.* is a binary variable indicating whether the respondent received any post-secondary education. *Employed* is a binary indicator for employed respondents. *Income Ab. Av.* is a binary variable for whether the respondent indicated that her income was above average. Among the control variables, none significantly affected approval for investigations.

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

Table 2: Treatment Effects: Investigation Outcome, Logit Regressions

1.2 Categorical distributions of the DVs

The main manuscript often uses a binary indicator variable for whether a respondent approves of an investigation or the ICC. Here, we show the full distributions of the outcome variables, for treatment and control conditions. The first two figures show the distributions for the full sample, for each of the two outcome variables. Figures 3-6 show those same distributions, broken down into Osh and Non-Osh regions. Osh regions consist of the same sub-sample as in the manuscript, with Osh referring to Osh, Osh oblast, and Jalal-Abad, for conciseness. The figures show how the treatment condition shifts the distributions leftward, towards disapproval.

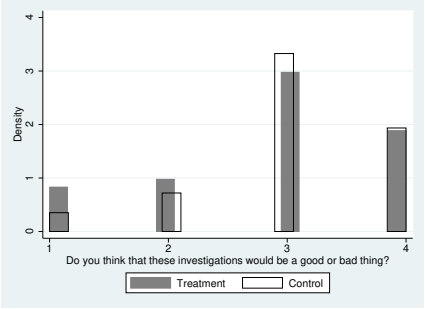

Figure 1: Investigation Outcome

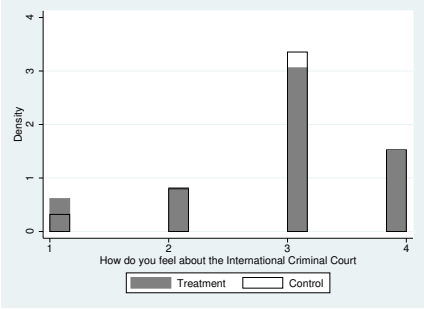

Figure 2: ICC Outcome

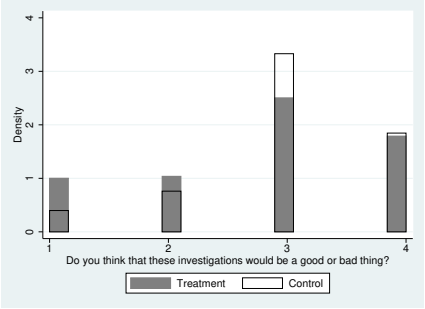

Figure 3: Osh (Inv. Outcome)

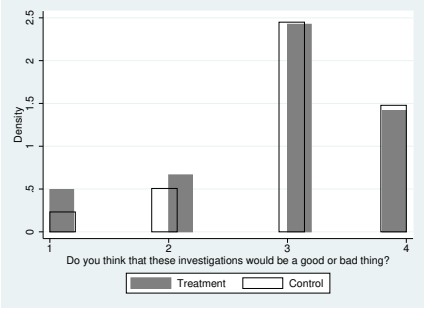

Figure 4: Non-Osh (Inv. Outcome)

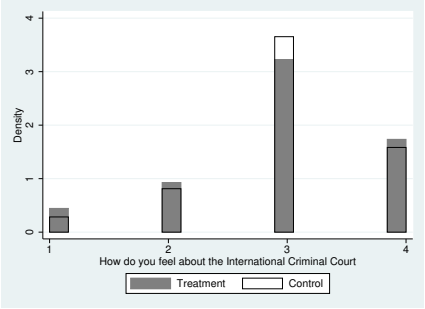

Figure 5: Osh (ICC Outcome)

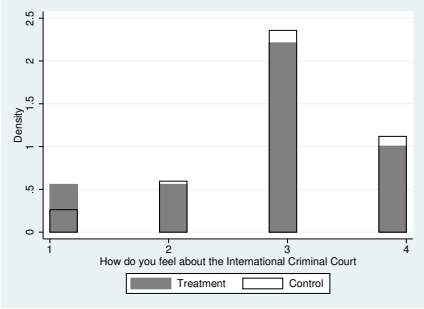

Figure 6: Non-Osh (ICC Outcome)

1.3 Treatment Effects for the ICC DV

This section replicates the first set of logit regressions from the preceding appendix section, only here, we use the ICC outcome measure instead of the investigations outcome measure. The results are generally similar. Treatment lowers approval for the ICC as an institution, although, in general, the effects are weaker in substantive terms. They are not statistically significant in some specifications.

Treatment Group	*ICC Approval* (Binary)					
	N	% Approv.	Difference	S.E.	t-stat	p-value
Control	338	81.3				
Treatment	351	76.1	-5.3	0.03	-1.70	0.09

	ICC Approval (Categorical)			
	Very neg.	Somewhat neg.	Somewhat pos.	Very pos.
	(1)	(2)	(3)	(4)
Treatment Group				
Control	18	45	189	86
	5.3%	13.3%	55.9%	25.4%
Treatment	36	48	179	88
	10.3%	13.4%	51.0%	25.1%

Table 3: Treatment Effects, ICC Outcome

	Logit	Region FE	w/ controls	Region FE w/ controls
	(1)	(2)	(3)	(4)
Treatment	-.317	-.301	-.241	-.216
	(0.075)***	(0.189)	(0.09)***	(0.197)
Uzbek			-.293	-.492
			(0.335)	(0.306)
Under 50			-.209	-.197
			(0.188)	(0.216)
Male			-.389	-.390
			(0.083)***	(0.206)*
Post Sec. Educ.			-.182	0.091
			(0.274)	(0.214)
Employed			-.240	-.229
			(0.21)	(0.219)
Income Ab. Av.			-.373	-.442
			(0.302)	(0.263)*
Constant	1.474		2.236	
	(0.161)***		(0.336)***	
N	689	689	689	689

Table 4: Logit table, ICC Outcome

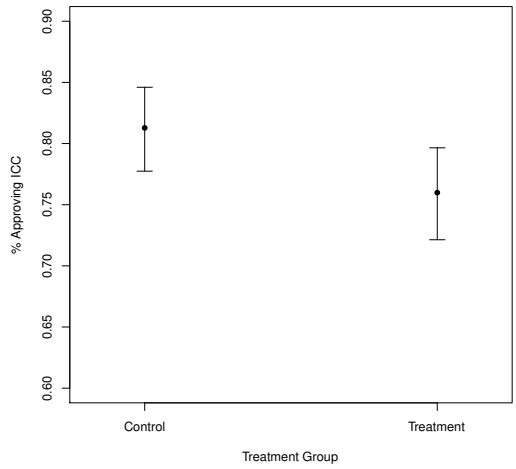

Figure 7: Treatment Effects, ICC Outcome

For the interaction terms models, awareness of the ICC actually magnified the negative treatment effect slightly. This is still consistent with the main manuscript's results, where awareness of the ICC does not mute the treatment effect, as would have been expected from extant predictions.

The results for the government approval interactions were similar to the main manuscript, with government approval raising approval of the ICC in the control condition, but magnifying the negative reaction in the treatment condition.

	Logit	Region FE	w/ controls	Region FE w/ controls
	(1)	(2)	(3)	(4)
Treatment	-.148	-.113	-.093	-.068
	(0.111)	(0.232)	(0.13)	(0.238)
Heard of ICC	0.095	0.32	0.191	0.298
	(0.187)	(0.319)	(0.228)	(0.328)
Tmt∗Heard	-.488	-.566	-.443	-.506
	(0.232)**	(0.41)	(0.236)*	(0.413)
Uzbek			-.304	-.401
			(0.328)	(0.304)
Under 50			-.206	-.196
			(0.183)	(0.216)
Male			-.377	-.384
			(0.086)***	(0.204)*
Post Sec. Educ.			-.162	-.034
			(0.287)	(0.222)
Employed			-.230	-.223
			(0.215)	(0.219)
Income Ab. Av.			-.378	-.426
			(0.295)	(0.262)
Constant	1.446		2.165	2.094
	(0.188)***		(0.335)***	(0.356)***
N	689	689	689	689

Table 5: Treatment Effects: ICC Outcome, Heard of ICC Interactions

1.4 Logit regressions for Uzbek and Non-Uzbek

The main manuscript showed the effect of treatment on approval for investigations for Uzbeks and non-Uzbeks, using the Bayesian figures. Those same results obtain using the frequentist regressions. The table below replicates the main regressions, only with treatment interacted with the indicator variable for Uzbek respondents. The first two columns show results using respondents from all regions, while the third and fourth columns limit analysis to Osh/Osh Oblast/Jalal Abad. We did not include fixed effects regressions here, because the Uzbek populations are heavily concentrated in three regions.

As in the beta distribution figures, there is a slightly larger, negative treatment effect in the full sample. However, the difference in treatment effects for Uzbek and non-Uzbek citizens is stronger and statistically significant in the Osh/Osh Oblast/Jalal Abad subsample.

	Logit	Region FE	w/ controls	Region FE w/ controls
	(1)	(2)	(3)	(4)
Treatment	0.244	0.262	0.355	0.352
	(0.161)	(0.293)	(0.135)***	(0.304)
Gov. App.	1.196	1.162	1.240	1.176
	(0.286)***	(0.304)***	(0.261)***	(0.307)***
Tmt*Gov. App.	-1.101	-1.085	-1.128	-1.053
	(0.338)***	(0.412)***	(0.295)***	(0.417)**
Uzbek			-.405	-.582
			(0.338)	(0.325)*
Under 50			-.119	-.108
			(0.21)	(0.226)
Male			-.490	-.479
			(0.11)***	(0.219)**
Post Sec. Educ.			-.086	0.221
			(0.315)	(0.229)
Employed			-.218	-.218
			(0.184)	(0.233)
Income Ab. Av.			-.386	-.449
			(0.259)	(0.274)
Constant	0.901		1.584	
	(0.151)***		(0.32)***	
N	657	657	657	657

Table 6: Treatment Effects: ICC Outcome, Gov. Approval Interactions

	Full Sample	Full Sample w/ controls	Osh Only	Osh Only, w/ controls
	(1)	(2)	(3)	(4)
Treatment	-.574	-.554	-.653	-.634
	(0.117)***	(0.129)***	(0.221)***	(0.178)***
Uzbek	-.017	-.018	0.241	0.271
	(0.27)	(0.285)	(0.167)	(0.217)
Tmt.∗Uzbek	-.213	-.194	-.573	-.577
	(0.497)	(0.483)	(0.291)**	(0.256)**
Under 50		-.038		-.209
		(0.166)		(0.177)
Male		-.149		-.086
		(0.204)		(0.223)
Post Sec. Educ.		0.159		0.31
		(0.208)		(0.314)
Employed		-.080		0.127
		(0.254)		(0.23)
Income Ab. Av.		-.176		-.586
		(0.241)		(0.404)
Constant	1.593	1.773	1.464	1.997
	(0.113)***	(0.245)***	(0.067)***	(0.528)***
N	806	806	352	352

Table 7: Uzbek Interaction Term Models, Investigation DV

1.5 Analysis with the "Don't Know/Refuse to Answer" (DKRTA)

The main manuscript excluded respondents who answered "Don't know" or refused to answer for each of the outcome variables. In the table headers, we abbreviate this with DKRTA. This section replicates the main results including those observations. We talked to our survey enumerators about the possibility that respondents hid approval or disapproval of investigations or the ICC, instead choosing DKRTA. Our survey enumerators did not think this was likely to be a significant problem, based on their expertise. This also comported with our prior beliefs. The 2010 violence is a heavy subject, but it is also a subject that we found Kyrgyz citizens generally willing to discuss. The survey was conducted at approximately the five year anniversary of the violence, and the violence was mentioned and discussed in the media in 2015. Where respondents choose DKRTA, we therefore thought it more likely than not that they did not have a strong opinion one way or another. We therefore coded the DKRTA respondents as not approving, suspecting that DKRTA was more likely to indicate a lack of support, rather than hidden support.

In general, the results are consistent with those in the main manuscript. There is a negative and significant treatment effect. The treatment effect is generally smaller than in the main analysis. Table 8 shows the simple descriptive from the main analysis. Treatment decreases approval for investigations by approximately 6% and the effect is significant at the 0.05 level. Figure 8 shows the analogous result using the Bayesian approach. Table 9 shows the logit regression specifications, with a negative and significant treatment effect across each model.

	Investigation Approval (Binary)					
Treatment Group						
	N	% Approv.	Difference	S.E.	t-stat	p-value
Control	500	65.8				
Treatment	500	59.8	-6	0.03	-1.96	0.05

Table 8: Treatment Effects: Investigation Outcome, including DKRTA

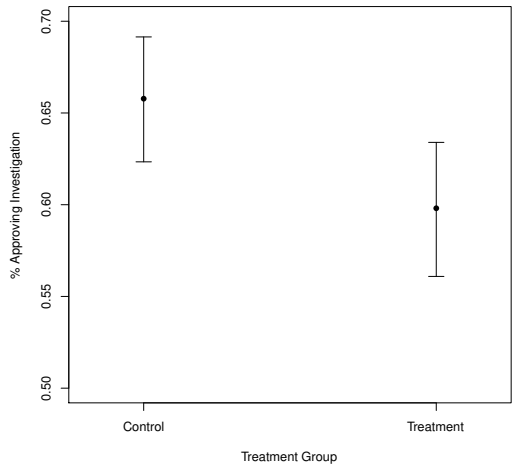

Figure 8: Treatment Effects: Investigation Outcome, including DKRTA

	Logit	Region FE	w/ controls	Region FE w/ controls
	(1)	(2)	(3)	(4)
Treatment	-.257	-.266	-.262	-.281
	(0.123)**	(0.134)**	(0.117)**	(0.137)**
Uzbek			-.409	-.565
			(0.204)**	(0.213)***
Under 50			0.162	0.137
			(0.176)	(0.145)
Male			0.061	0.081
			(0.195)	(0.145)
Post Sec. Educ.			0.263	0.322
			(0.172)	(0.154)**
Employed			-.053	0.036
			(0.255)	(0.168)
Income Ab. Av.			0.078	-.013
			(0.176)	(0.167)
Const.	0.654		0.434	
	(0.196)***		(0.352)	
Obs.	1,000	1,000	1,000	1,000

Table 9: Logit Regressions: Investigation Outcome, including DKRTA

The moderation results were also generally similar. For proximity moderation, the difference between treatment and control, including DKRTA, was particularly stark, as in Figure 9. The treat-

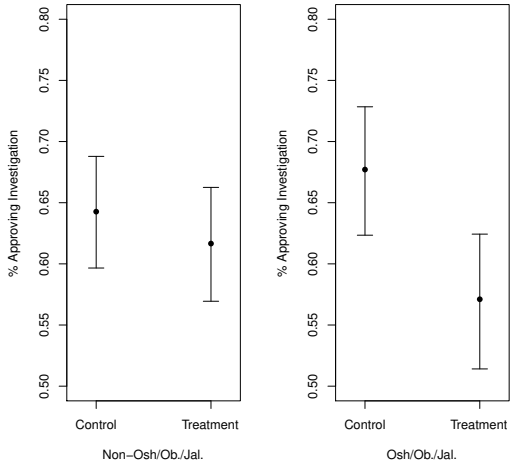

Figure 9: Treatment Effects: Investigation Outcome, including DKRTA, Osh vs non-Osh Regions

ment effect in Osh/Osh Oblast/Jalal Abad was approximately -10%, compared to a treatment effect of approximately -3% in the other regions. The region specific treatment effects were different in the multilevel model, though Osh Oblast had the largest, negative treatment effect estimate. The treatment effect for Uzbeks in Osh/Osh Oblast/Jalal Abad was negative, compared to a slightly positive treatment effect in other regions, which is consistent with the main results. Though, the differences are smaller.

Treatment Effects, Uzbek/Non-Uzbek Respondents, including DKRTA

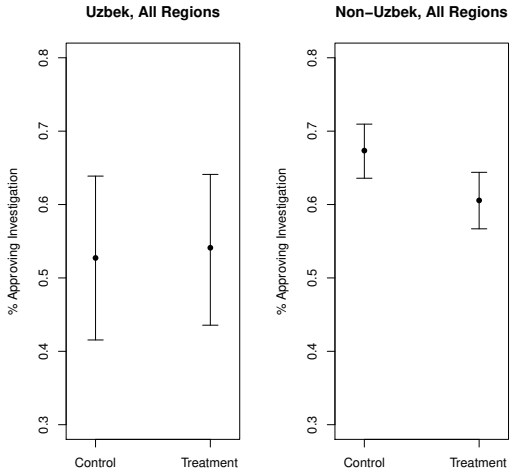

Figure 10: All Regions

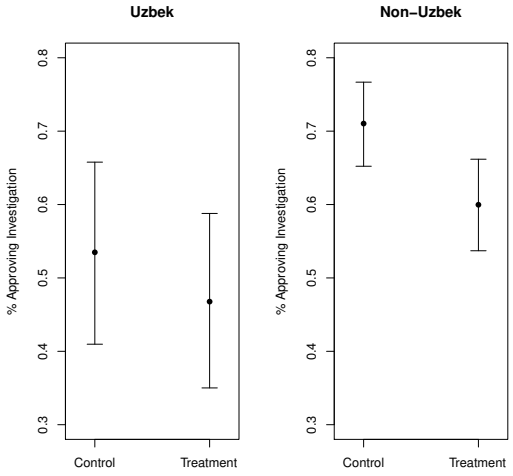

Figure 11: Osh/Osh Oblast/Jalal-Abad

For the moderation arguments about awareness of the ICC and government approval, the results were again consistent. Having heard of the ICC was actually associated with a slightly larger, negative treatment effect, as in Table 10. Like the main results, this is inconsistent with the predictions of extant arguments that awareness of the court should mute disapproval of specific investigations. Government approval again magnified the negative treatment effect, as in Table 11. Though, this effect was smaller in magnitude and the interaction term was not statistically significant.

	Logit	Region FE	w/ controls	Region FE w/ controls
	(1)	(2)	(3)	(4)
Treatment	-.265	-.286	-.249	-.276
	(0.155)*	(0.151)*	(0.157)	(0.153)*
Heard of ICC	0.989	0.946	0.979	0.939
	(0.184)***	(0.27)***	(0.21)***	(0.275)***
Tmt.∗Heard	-.182	-.107	-.184	-.135
	(0.357)	(0.352)	(0.372)	(0.354)
Uzbek			-.387	-.535
			(0.214)*	(0.215)**
Under 50			0.209	0.192
			(0.165)	(0.147)
Male			-.003	0.015
			(0.193)	(0.147)
Post Sec. Educ.			0.071	0.151
			(0.157)	(0.158)
Employed			-.119	-.057
			(0.257)	(0.17)
Income Ab. Av.			0.043	-.035
			(0.184)	(0.168)
Constant	0.466		0.344	0.34
	(0.219)**		(0.38)	(0.264)
N	1,000	1,000	1,000	1,000

Table 10: Treatment Effects: Investigation Outcome, Heard of ICC Interactions, including DKRTA

	Logit	Region FE	w/ controls	Region FE w/ controls
	(1)	(2)	(3)	(4)
Treatment	-.107	-.059	-.104	-.067
	(0.17)	(0.224)	(0.184)	(0.228)
Gov. Approval	0.167	0.149	0.216	0.179
	(0.156)	(0.201)	(0.149)	(0.203)
Tmt.∗Gov. App.	-.244	-.324	-.257	-.335
	(0.283)	(0.284)	(0.29)	(0.287)
Uzebk			-.480	-.633
			(0.235)**	(0.218)***
Under 50			0.152	0.124
			(0.166)	(0.148)
Male			0.036	0.066
			(0.209)	(0.148)
Post Sec. Educ.			0.316	0.362
			(0.179)*	(0.158)**
Employed			-.027	0.052
			(0.248)	(0.171)
Income Ab. Av.			0.072	-.003
			(0.169)	(0.171)
Constant	0.562		0.318	
	(0.174)***		(0.335)	
N	960	960	960	960

Table 11: Treatment Effects: Investigation Outcome, Gov. Approval Interactions, including DKRTA

1.6 Effect of Treatment on DKRTA

Perhaps most importantly, we also assess whether treatment assignment affected the probability that a respondent chose DKRTA. The main worry would be that treatment assignment caused certain respondents to be more likely to choose the DKRTA answer. Under the control condition, there should be less worry about misrepresentation among respondents. There isn't much to fear from indicating approval or disapproval of an abstract, foreign investigation.

Fortunately, this does not appear to be the case. Table 12 shows the effect of treatment assignment on a binary indicator variable for whether the respondent chose DKRTA, from a logit regression. The columns indicate different subsamples: full sample, Osh/Osh Oblast/Jalal Abad only, non Osh/Osh Oblast/Jalal Abad regions, Uzbeks in all regions, non Uzbeks in all regions, and finally Uzbeks in Osh/Osh Oblast/Jalal Abad.

The estimated effects are all negative and insignificant in all but one specification. This indicates that treatment did not make respondents more likely to choose DKRTA. If anything, this indicates that treatment made them more willing to express a particular opinion. We were particularly interested in these relationships in the Osh regions and for Uzbeks in those regions. There

is not evidence that assignment to treatment increased the likelihood of a respondent choosing DKRTA for any of those more vulnerable - and therefore potentially more likely to choose DKRTA - populations.

	All	OOJ	Non-OOJ	Uzbek, All Reg.	non-Uz., All Reg.	Uz., OOJ
	(1)	(2)	(3)	(4)	(5)	(6)
Treatment	-.179	-.098	-.229	-.747	-.090	-.578
	(0.16)	(0.264)	(0.203)	(0.42)*	(0.174)	(0.475)
e(N)	1,000	421	579	116	884	86

Table 12: Treatment Effect on DKRTA, Investigation Outcome

1.7 Balance Checks, Kyrgyz Survey

In the main manuscript, we briefly described balance across control and treatment conditions. The full results and comparisons for the Kyrgyz survey are below. The first table describes balance in treatment across regions. The second table describes treatment versus control for the respondent-level characteristics we used in the main analyses. We also included the Uzbek indicator variable here, since ethnicity was a focus of the analysis.

As mentioned in the manuscript, the balance is generally good, with the exception of males being more likely to receive the treatment. If we limit the balance analysis to the control variables, excluding the male variable, the overall χ^2 statistic is insignificant, indicating a failure to reject the null of balance.

	Control	Treatment	Adj. Difference	Adj. Diff. Null SD	SD	z
Bishkek	0.17800	0.17600	-0.00200	0.02415	-0.00523	-0.08281
Chui	0.16000	0.16000	0.00000	0.02320	0.00000	0.00000
Issyk-Kul	0.08000	0.08200	0.00200	0.01726	0.00732	0.11585
Naryn	0.04600	0.04400	-0.00200	0.01312	-0.00964	-0.15247
Talas	0.03800	0.04000	0.00200	0.01225	0.01032	0.16326
Osh Oblast	0.19200	0.19200	0.00000	0.02492	0.00000	0.00000
Jalal-Abad	0.18000	0.17800	-0.00200	0.02426	-0.00521	-0.08245
Batken	0.07600	0.07800	0.00200	0.01687	0.00749	0.11856
Osh City	0.05000	0.05000	0.00000	0.01379	0.00000	0.00000

Table 13: Balance Assessment, Kyrgyz Survey, Region Indicators

	Control	Treatment	Adj. Difference	Adj. Diff. Null SD	SD	z
Uzbek	1.10e-01	1.22e-01	1.20e-02	2.03e-02	3.74e-02	5.92e-01
Age Under 50	6.74e-01	6.38e-01	-3.60e-02	3.01e-02	-7.58e-02	-1.20e+00
Male	3.18e-01	4.82e-01	1.64e-01	3.10e-02	3.39e-01	5.29e+00***
Any PS Educ.	3.58e-01	3.84e-01	2.60e-02	3.06e-02	5.38e-02	8.51e-01
Employed	2.44e-01	2.84e-01	4.00e-02	2.79e-02	9.07e-02	1.43e+00
Income Ab. Av.	7.88e-01	7.66e-01	-2.20e-02	2.63e-02	-5.28e-02	-8.35e-01

Table 14: Balance Assessment, Kyrgyz Survey, Controls

2 United States Survey: Main Analysis

Our use of the Kyrgyz setting raises two threats to external validity. First, our finding that citizens reacted negatively to an investigation into Osh could be influenced by some features of those events, such that an investigation would simply be viewed as a bad idea. In other words, there could be some unobservable factor, that Kyrgyz citizens understand, but not us as analysts, that generates a negative reaction to a hypothetical investigation. Citizens may not have a negative reaction to all investigations, only those that are unproductive or unnecessary. Although unlikely based on contextual knowledge, open-ended survey responses, and information from the survey enumerators, it is possible.

Second, respondents' negative reaction to local investigations, compared to foreign investigations, may be more pronounced in some types of countries. For example, we might find negative reactions in lesser-developed, lower rule of law countries like Kyrgyzstan, as opposed to countries with deeper traditions of rule of law. Perhaps in a country with a more developed judiciary, lower levels of corruption, or a greater experience with and perceived legitimacy of legal institutions, respondents would be more open to ICC scrutiny.

To assess whether our findings are artifacts of either feature of Kyrgyzstan, we replicated our study in the United States. While the U.S. undoubtedly occupies a unique role in world affairs, it shares some contextual similarities with Kyrgyzstan. Like Kyrgyzstan, the U.S. has signed but not ratified the Rome Statute. The two countries' legal status vis-a-vis the ICC are thus similar. The U.S. has also been considered a possible target for ICC investigations due to military actions in Afghanistan and elsewhere. Like the Kyrgyz setting, there has not been any investigation into violence in Afghanistan, allowing us to construct a plausible hypothetical condition. On the other hand, the U.S. is a more developed country, generally thought to have a strong tradition of rule of law. If we find that U.S. citizens react negatively to ICC investigations, it provides some support that our findings are generalizable.

As with the Kyrgyz study, we preregistered with EGAP (Protocol no. [anonymous]). Overall, analysis of our U.S. survey suggests that the identified treatment effect is not idiosyncratic to Kyrgyzstan. The significant negative treatment effect for investigation and ICC approval suggests that a lack of respect for the rule of law does not explain our Krygyz findings. In a country where the citizens ostensibly respect the rule of law, the United States, respondents were just as, if not more, prone to react negatively to a local investigation and to further reduce approval for the institution itself.

The U.S. results are also telling since they are unlikely to be explained uncertainty about disrupting the domestic status quo. Even if the ICC investigated allegations of US crimes in Afghanistan, it is unlikely that US citizens would experience violence or domestic conflict. The US results are more likely explained by the psychological explanations in the theoretical section, such as biases that affect one?s evaluation of personal, as opposed to abstract, events. This may be one source of the exceptionalism often associated with U.S. citizens' foreign policy views (**?**).

2.1 U.S. Survey Recruitment

We fielded our survey using Amazon's Mechanical Turk (mTurk) platform in April of 2016, recruiting 1,503 respondents. Respondents accepted a task that entailed taking the survey after being directed to an the survey website Qualtrics. Respondents received compensation of $1.10, with an additional $0.05 bonus. The bonus was mentioned as a way to incentivize respondents to pay closer attention to the survey.

2.2 U.S. Survey Instrument

For the U.S. survey, we made three changes. First, we kept the control prompt the same ("Some people have suggested that the International Criminal Court should investigate the violence that occurred in other countries."), but changed the treatment prompt to be specific to an investigation that might involve U.S. actions in Afghanistan. The treatment read "Some people have suggested that the International Criminal Court should investigate the violence that occurred during the United States' war in Afghanistan from 2001-2014." This wording closely matches the Kyrgyz wording. It has a nearly identical word count, word tone, and time-frame as the Kyrgyz treatment.[3]

The second change concerns our measure of proximity. Geographical proximity does not make sense for U.S. respondents concerning war in Afghanistan. While there is variation in geographical proximity (California is closer to Afghanistan than Iowa), the variation doesn't have meaningful implications. However, U.S. respondents vary in their social proximity to the war in Afghanistan. Many U.S. citizens have close friends or family who serve in the military, which may heighten their sensitivity to an ICC investigation of the military. To measure this proximity, we included two pre-treatment items that ask "Have [you]/[your close friends or family] ever served in the United States Armed Forces (Army, Navy, Air Force, Marine Corps, Coast Guard) or the National Guard?" We expect that the treatment effect to be stronger for individuals who respond to either of these questions in the affirmative.

Third, we included a longer battery of post-treatment questions. Since our U.S. recruitment platform was much less costly than the face-to-face Kyrgyz surveys, we included some open-ended items asking respondents to provide a brief explanation for their answers. We also included items that measured the degree to which respondents espoused Realist beliefs about international relations, their overall trust in institutions, and their political knowledge. These inclusions allow us to explore a few alternative ideas about attitudes toward the ICC. We collected the usual demographic information as well, such as party idea and the respondent's ideology.

[3] We also made a slight change to the introductory prompt. The U.S. survey does not say that the U.S. "has taken steps to join the ICC," because the veracity of that claim is ambiguous. The U.S. has signed the Rome Statue, but moved to abrogate its signature.

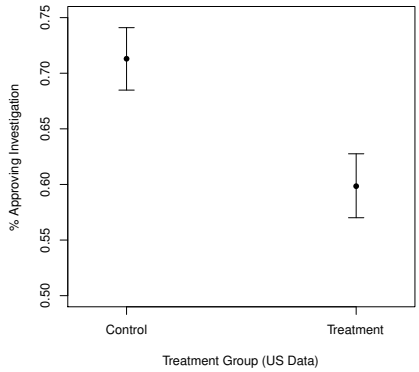

Figure 12: Treatment Effects: Investigation Outcome (US Data)

2.3 U.S. Investigation Approval

We first analyzed whether U.S. respondents would approve less of U.S. investigations compared to foreign ones. Table 15 replicates the analysis conducted in the Kyrgyz sample as closely as possible. The table shows coefficients from a logit model regressing the binary measure of approval for investigations on a treatment indicator and a set of respondent characteristics. In both specifications, approval for investigations was significantly lower for respondents assigned to the treatment compared to the control group. The magnitude of the treatment effect was slightly larger for the U.S. sample, compared to the Kyrgyz sample. In the control group, approximately 71% of respondents approved of investigations, compared to only roughly 60% in the treatment group. Figure 12 shows these same results using the Bayesian estimation approach.

We also included indicator variables for whether the respondent was male, under 50 years old, had any post-secondary education, was employed, white, and had an income that was above the sample average. We did this to match the set of control variables used in the main, Kyrgyz analysis. We further included standard party identification and ideology measures, as well as measures of how the respondent scored on a 5 item international relations-specific political knowledge battery and a battery assessing the respondent's general confidence in institutions.

Drawing on research from **?**, we included a set of questions designed to measure the degree to which the respondent held "folk realist" views about international relations. The results regarding standard respondent characteristics are as one might expect. More liberal respondents and those who identify with the Democratic party are more likely to approve of investigations under both treatment and control conditions. Consistent with **?**, respondents who hold more realist views are less supportive of investigations. None of the other variables are statistically significant predictors on investigation approval.

	(1)	(2)	(3)	(4)	(5)
Treatment	-.515	-.465	-.448	-.457	-.498
	(0.11)***	(0.128)***	(0.132)***	(0.132)***	(0.14)***
Male		-.153	-.048	-.032	-.097
		(0.129)	(0.134)	(0.135)	(0.143)
Age Under 50		0.726	0.707	0.622	0.538
		(0.174)***	(0.183)***	(0.183)***	(0.195)***
Any PS Educ.		0.183	0.102	0.037	0.075
		(0.181)	(0.186)	(0.188)	(0.2)
Employed		0.128	0.144	0.15	0.237
		(0.172)	(0.177)	(0.178)	(0.187)
Income Ab. Av.		-.102	0.002	0.014	-.078
		(0.135)	(0.139)	(0.14)	(0.15)
Democrat			0.766		0.586
			(0.15)***		(0.163)***
Republican			-.424		-.043
			(0.18)**		(0.204)
Liberal				0.948	
				(0.175)***	
Conservative				-.177	
				(0.192)	
White			0.037	-.016	-.009
			(0.164)	(0.164)	(0.174)
Polit. Know.					0.06
					(0.072)
Folk Realism Sum					-.216
					(0.033)***
Conf. Inst. Sum					-.014
					(0.03)
Constant	0.913	0.105	-.246	-.295	0.714
	(0.081)***	(0.241)	(0.314)	(0.324)	(0.469)
N	1,494	1,111	1,109	1,109	1,036

Estimates from logit regressions of investigation dependent variable on treatment and various covariates.

Table 15: Effect of Treatment on Investigation DV, U.S. Survey

2.4 US Results: Proximity Moderation

We then analyzed whether treatment effects were moderated by proximity. To measure the respondent's connection with the military, we coded a binary variable equal to one for respondents who either had served in the military themselves or indicated they had close friends or family in the military. Interestingly, and contrary to our expectations, this variable did not substantially moderate the treatment effect. Among respondents without contact with the military, approval for investiga-

tions was approximately 74% in the control group, compared to 62% in the treatment group, for a difference of approximately -12%. Among respondents with contact with the military, approval for investigations was approximately 69% in the control group, compared to 57% in the treatment group, for a difference of -12%. Table 16 shows these same results statistically, with logit regressions analogous to those in the Kyrgyz analysis. In general, the treatment effects are smaller for those with family or friends in the military.

	(1)	(2)	(3)	(4)	(5)
Treatment	-.561	-.523	-.504	-.482	-.427
	(0.157)***	(0.181)***	(0.185)***	(0.186)***	(0.195)**
Mliitary	-.280	-.282	-.224	-.119	-.007
	(0.164)*	(0.19)	(0.194)	(0.196)	(0.209)
Tmt.∗Mil.	0.081	0.109	0.108	0.046	-.150
	(0.221)	(0.256)	(0.263)	(0.264)	(0.281)
Male		-.151	-.047	-.033	-.099
		(0.13)	(0.134)	(0.135)	(0.143)
Under 50		0.702	0.691	0.614	0.536
		(0.175)***	(0.183)***	(0.184)***	(0.196)***
Post Sec. Educ.		0.188	0.108	0.041	0.079
		(0.181)	(0.186)	(0.189)	(0.2)
Employed		0.143	0.156	0.157	0.243
		(0.173)	(0.178)	(0.179)	(0.187)
Income Ab. Av.		-.104	0.0002	0.013	-.081
		(0.135)	(0.139)	(0.14)	(0.15)
Democrat			0.762		0.581
			(0.151)***		(0.163)***
Republican			-.416		-.046
			(0.18)**		(0.204)
Liberal				0.937	
				(0.175)***	
Conservative				-.176	
				(0.192)	
White			0.046	-.010	0.0008
			(0.164)	(0.164)	(0.175)
Pol. Know.					0.06
					(0.072)
Folk Realism					-.216
					(0.033)***
Conf. in Inst.					-.014
					(0.03)
Constant	1.056	0.248	-.142	-.235	0.701
	(0.118)***	(0.262)	(0.33)	(0.341)	(0.477)
N	1,494	1,111	1,109	1,109	1,036

Estimates from logit regressions of investigation dependent variable on treatment and various covariates.

Table 16: Effect of Treatment on Investigation DV by Military and Non-Military, U.S. Survey

2.5 US Results: Heard of ICC, Democrat Moderation

Respondents who had heard of the ICC did have weaker treatment effects in the US survey, as in Table 17. This is different from the Kyrgyz results and consistent with the predictions of existing work. For government approval, we used an indicator variable for whether the respondent was a Democrat. Unlike in Kyrgyzstan, the government generally associated with abuses that the ICC might investigate (that of George W. Bush) was not in power at the time of our survey. This implies a smaller treatment effects for Democrats as a result. This would be consistent with the idea that Democrats support an investigation of the previous administration. The results are consistent with this expectation as in Table 18.

	1	2	3	4	5
	(1)	(2)	(3)	(4)	(5)
Treatment	-.733	-.763	-.770	-.886	-.561
	(0.354)**	(0.404)*	(0.415)*	(0.418)**	(0.442)
Heard of ICC	0.033	-.062	-.038	-.047	0.139
	(0.163)	(0.192)	(0.197)	(0.198)	(0.214)
Tmt.∗Heard	0.144	0.198	0.215	0.285	0.044
	(0.221)	(0.256)	(0.263)	(0.265)	(0.281)
Male		-.147	-.037	-.016	-.078
		(0.131)	(0.136)	(0.137)	(0.145)
Under 50		0.71	0.685	0.59	0.506
		(0.176)***	(0.185)***	(0.186)***	(0.197)**
Post Sec. Educ.		0.182	0.108	0.043	0.092
		(0.183)	(0.188)	(0.191)	(0.201)
Employed		0.124	0.139	0.144	0.23
		(0.173)	(0.177)	(0.179)	(0.187)
Income Ab. Av.		-.095	0.012	0.029	-.064
		(0.135)	(0.14)	(0.141)	(0.15)
Democrat			0.766		0.587
			(0.151)***		(0.164)***
Republican			-.434		-.052
			(0.181)**		(0.205)
Liberal				0.963	
				(0.175)***	
Conservative				-.184	
				(0.193)	
White			0.037	-.016	-.007
			(0.164)	(0.164)	(0.175)
Pol. Know.					0.081
					(0.074)
Folk Realism					-.218
					(0.033)***
Conf. in Inst.					-.013
					(0.03)
Constant	0.863	0.207	-.180	-.221	0.419
	(0.264)***	(0.391)	(0.447)	(0.462)	(0.611)
N	1,493	1,110	1,108	1,108	1,035

Estimates from logit regressions of investigation dependent variable on treatment and various covariates.

Table 17: Effect of Treatment on Investigation DV, Heard of ICC Interaction Terms

	(1)	(2)	(3)	(4)	(5)
Treatment	-.429	-.821	-.818	-.539	-.731
	(0.145)***	(0.151)***	(0.151)***	(0.16)***	(0.164)***
Democrat	0.928				
	(0.17)***				
Tmt.∗Dem.	-.168	0.779	0.774	0.175	0.483
	(0.229)	(0.179)***	(0.18)***	(0.204)	(0.196)**
Male		-.089	-.089	-.015	-.109
		(0.133)	(0.133)	(0.137)	(0.144)
Under 50		0.686	0.672	0.598	0.482
		(0.178)***	(0.18)***	(0.185)***	(0.195)**
Post Sec. Educ.		0.132	0.126	0.042	0.102
		(0.185)	(0.186)	(0.191)	(0.201)
Employed		0.149	0.147	0.145	0.232
		(0.174)	(0.174)	(0.179)	(0.186)
Income Ab. Av.		-.054	-.053	0.037	-.093
		(0.137)	(0.137)	(0.141)	(0.149)
Liberal				0.905	
				(0.186)***	
Conservative				-.179	
				(0.193)	
White			-.075	-.009	-.064
			(0.16)	(0.164)	(0.172)
Pol. Know.					0.078
					(0.073)
Folk Realism					-.244
					(0.03)***
Conf. in Inst.					-.009
					(0.03)
Constant	0.496	0.031	0.109	-.435	0.858
	(0.107)***	(0.324)	(0.365)	(0.401)	(0.535)
N	1,492	1,108	1,108	1,106	1,035

Estimates from logit regressions of investigation dependent variable on treatment and various covariates.

Table 18: Effect of Treatment on Investigation DV, Democrat Interaction Terms

2.6 US Results: ICC Approval

We also analyzed the ICC institutional approval outcome. The effect of treatment on the respondents' approval of the ICC was negative and significant in the U.S. sample. Like the Kyrgyz respondents, U.S. respondents' approval of the institution itself decreased with treatment. The suggestion of an investigation into the U.S. depressed general support for the institution. Among respondents in the control group, approximately 72% felt favorably about the ICC, compared to

66% in the treatment group. This difference remains significant in regression analysis in the U.S. sample. Perhaps feelings of American exceptionalism account for the persistence of this effect. Regardless, it is noteworthy, and perhaps grounds for further research, that the mere suggestion of a specific, hypothetical investigation can generate a negative effect on an institution's general legitimacy.

	(1)	(2)	(3)	(4)	(5)
Treatmentt	-.273	-.297	-.274	-.280	-.321
	(0.112)**	(0.13)**	(0.133)**	(0.133)**	(0.143)**
Male		-.110	-.023	0.003	-.031
		(0.132)	(0.135)	(0.136)	(0.146)
Age Under 50		0.109	0.074	-.008	-.001
		(0.182)	(0.188)	(0.19)	(0.205)
Any PS Educ.		0.336	0.272	0.245	0.219
		(0.181)*	(0.185)	(0.187)	(0.202)
Employed		0.014	0.023	0.041	0.013
		(0.177)	(0.181)	(0.182)	(0.194)
Income Ab. Av.		-.041	0.039	0.033	-.103
		(0.138)	(0.141)	(0.142)	(0.154)
Democrat			0.652		0.368
			(0.152)***		(0.166)**
Republican			-.259		0.014
			(0.18)		(0.209)
Liberal				0.703	
				(0.177)***	
Conservative				-.260	
				(0.193)	
White			0.05	0.013	-.129
			(0.165)	(0.165)	(0.18)
Polit. Know.					-.022
					(0.074)
Folk Realism Sum					-.238
					(0.033)***
Conf. Inst. Sum					0.139
					(0.033)***
Constant	0.938	0.62	0.305	0.351	1.443
	(0.082)***	(0.248)**	(0.317)	(0.327)	(0.487)***
N	1,493	1,110	1,108	1,108	1,035

Estimates from logit regressions of investigation dependent variable on treatment and various covariates.

Table 19: Effect of Treatment on ICC DV, U.S. Survey

3 United States Survey: Supplementary Analysis

3.1 US Survey with Time Limit Restriction

The US survey was conducted online, which raises the possibility that respondents were distracted or answered questions too quickly. While we do not have any reason to expect this to bias treatment effects in any particular way, we also wanted to replicate the analyses using a "time limited sample" (TLS). The respondents took an average of approximately 10 minutes to complete our survey. For the TLS, we excluded respondents that took the survey in less than four minutes or who took over 20 minutes to complete the survey. This corresponds, roughly, to cutting the 5% of the sample who were fastest and slowest.

Table 20 and Table 21 replicate the main analyses for both the investigation and ICC outcome variables. The results are very similar. For both outcome variables, the treatment effects are negative and statistically significant in each specification.

	(1)	(2)	(3)	(4)	(5)
Treatment	-.533	-.490	-.479	-.502	-.550
	(0.118)***	(0.138)***	(0.142)***	(0.143)***	(0.152)***
Male		-.160	-.046	-.029	-.121
		(0.14)	(0.146)	(0.146)	(0.156)
Age Under 50		0.727	0.724	0.626	0.543
		(0.183)***	(0.193)***	(0.193)***	(0.205)***
Any PS Educ.		0.112	0.016	-.075	-.027
		(0.196)	(0.202)	(0.205)	(0.218)
Employed		0.233	0.227	0.258	0.341
		(0.184)	(0.19)	(0.192)	(0.201)*
Income Ab. Av.		-.046	0.095	0.086	0.025
		(0.145)	(0.151)	(0.152)	(0.163)
Democrat			0.837		0.718
			(0.163)***		(0.179)***
Republican			-.402		0.022
			(0.192)**		(0.218)
Liberal				1.027	
				(0.192)***	
Conservative				-.146	
				(0.208)	
White			-.072	-.119	-.095
			(0.182)	(0.182)	(0.194)
Pol. Know. Sum					0.123
					(0.08)
Folk Real. Sum					-.210
					(0.035)***
Conf. in Inst. Sum					-.034
					(0.033)
Constant	0.946	0.084	-.211	-.253	0.5
	(0.087)***	(0.255)	(0.343)	(0.352)	(0.51)
N	1306	965	963	964	901

Table 20: US Survey Investigation Outcome, with TLS

	(1)	(2)	(3)	(4)	(5)
Treatment	-.287	-.322	-.300	-.329	-.366
	(0.12)**	(0.141)**	(0.143)**	(0.144)**	(0.154)**
Male		-.122	-.022	-.0003	-.052
		(0.143)	(0.147)	(0.148)	(0.158)
Age Under 50		0.13	0.124	0.023	0.035
		(0.191)	(0.199)	(0.2)	(0.215)
Any PS Educ.		0.3	0.228	0.168	0.153
		(0.196)	(0.201)	(0.204)	(0.22)
Employed		0.029	0.023	0.05	0.004
		(0.191)	(0.195)	(0.197)	(0.21)
Income Ab. Av.		-.055	0.055	0.043	-.067
		(0.148)	(0.153)	(0.154)	(0.166)
Democrat			0.795		0.553
			(0.165)***		(0.18)***
Republican			-.190		0.116
			(0.191)		(0.222)
Liberal				0.828	
				(0.194)***	
Conservative				-.203	
				(0.208)	
White			0.046	-.0009	-.153
			(0.182)	(0.182)	(0.197)
Pol. Know Sum.					0.018
					(0.082)
Folk Real. Sum					-.228
					(0.035)***
Conf. in Inst. Sum					0.11
					(0.035)***
Constant	0.959	0.668	0.261	0.356	1.317
	(0.087)***	(0.262)**	(0.344)	(0.354)	(0.526)**
N	1305	964	962	963	900

Table 21: US Survey ICC Outcome, with TLS

3.2 US Survey Manipulation Checks

The US survey instrument included manipulation checks. We asked one question asking where the ICC was located (since this was included in the introductory text before treatment/control assignment) and another question that asked them to recall, essentially, whether they had been assigned to treatment or control. The respondents did very well on these checks. For the two questions, over 95% of respondents got each question correct.

Table 22 also shows that treatment assignment did not have a large effect on whether respondents answered the manipulation checks correctly. Both respondents in the treatment and control conditions seem to have paid attention well. For these two regressions, the dependent variable is a binary indicator for whether the respondent answered the question correctly.

	Manip 1	Manip 2
	(1)	(2)
Treatment	0.064	0.185
	(0.27)	(0.251)
Constant	3.195	2.969
	(0.189)***	(0.171)***
N	1494	1494

Table 22: (Non)Effect of Treatment on Manipulation Checks

3.3 Balance Checks and ANES Comparison, US Survey

Table 23 does the same balance checks for the US survey, using each of the respondent-level characteristics that we included in the regressions. There were not any significant differences in these characteristics across treatment and control conditions.

Table 24 compares our mTurk sample to the 2012 United States ANES face-to-face survey. As is common with mTurk and other online samples, ours tends to be younger, more liberal, and better educated than the respondents in the ANES. If anything, we might have expected those characteristics to be associated with *weaker* treatment effects, though we cannot say anything about population treatment effects with our online sample.

	Control	Treatment	Adj. Difference	Adj. Diff. Null SD	SD	z
Age Under 50	0.83718	0.84941	0.01223	0.01881	0.03363	0.64993
Male	0.50611	0.55218	0.04607	0.02584	0.09234	1.78320
Any PS Educ.	0.89145	0.88243	-0.00902	0.01640	-0.02847	-0.55020
Employed	0.80054	0.81506	0.01452	0.02039	0.03683	0.71184
Income Ab. Av.	0.55224	0.54557	-0.00666	0.02576	-0.01338	-0.25871

Table 23: Balance Assessment, US Survey, Controls

Variable	**MTurk Sample**		**2012 ANES**	
Gender	Male	Female	Male	Female
	731 (52.5%)	661 (47.5%)	2,845 (48%)	3,069 (52%)
Under 50	YES	NO	YES	NO
	1,172 (84%)	221 (16%)	2,805 (47%)	3,109 (53%)
Post-Secondary Education	YES	NO	YES	NO
	877 (85%)	159 (15%)	3,842 (65%)	2,072 (35%)
Employed	YES	NO	YES	NO
	1,121 (80.5%)	272 (19.5%)	3,095 (52%)	2,819 (48%)
Income above avg.	YES	NO	YES	NO
	763 (55%)	630 (45%)	3,095 (52%)	2,819 (48%)
White	YES	NO	YES	NO
	1,092 (78%)	301 (22%)	4,339 (73%)	1,575 (27%)
Democrat	YES	NO	YES	NO
	666 (48%)	727 (52%)	2,361 (40%)	3,553 (60%)
Republican	YES	NO	YES	NO
	266 (19%)	1,127 (21%)	1,389 (23.5%)	4,525 (76.5%)
Liberal	YES	NO	YES	NO
	799 (57.5%)	591 (42.52%)	1,474 (25%)	4,440 (75%)
Conservative	YES	NO	YES	NO
	341 (24.5%)	1,049 (75.5%)	3,916 (66%)	1,998 (34%)

Table 24: US Survey, Comparison to ANES