AID AND INTERNATIONAL NORMS:
The Effects of Human Rights and Counterterrorism Regimes
On U.S. Foreign Assistance Pre- and Post-9/11

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by

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Chapter 1: Introduction and Literature Review

*Foreign aid is neither a failure nor a panacea. It is, instead, an important tool of American policy that can serve the interests of the United States and the world if wisely administered.*

—Former Congressman Lee H. Hamilton

I. INTRODUCTION

The United States, in absolute terms, is the world’s largest bilateral aid donor. U.S. foreign aid has a long history, stretching back prior to the passage of the Foreign Assistance Act (FAA) in September of 1961. The U.S. Agency for International Development, under the supervision of the State Department, began managing U.S. assistance programs in October of 1961. Just a year earlier, President John F. Kennedy, known for launching the Peace Corps, had given a 2 a.m. campaign speech to thousands of students in Ann Arbor, Michigan. That speech, and a later speech in San Francisco, heralded the creation of the Peace Corps—which receives a line in the foreign aid budget for many aid recipients to this day. The Peace Corps, as an organization, was created to work for democracy, peace, development and freedom—objectives associated by many with the advancement of human rights.
Fifty years later, in fiscal year 2011, the United States obligated a total of $49.6 billion dollars—$31.7 billion in economic assistance and $17.9 billion in military assistance (USAID 2013). This study focuses on foreign economic assistance,¹ which faces a range of domestic political attacks. Detractors maintain that aid is ineffective: ungrateful recipients vote against the United States in the United Nations, fail to embrace the Washington Consensus economic model, siphon aid into the pockets of corrupt government officials, and brutally silence domestic opposition. However, proponents claim giving aid can promote more human rights-friendly policy, strengthen ties with lesser-developed countries, and may be used to promote positive growth in recipient countries. Equally, suspending foreign assistance to countries that violate our moral standards serves as a signal of disapproval—and can encourage them to improve their practices in order to obtain aid (Roberts 2011; USAID 2013).

If we accept the premise that the decision to grant or deny aid is a form of signaling (McKinlay and Little 1977), questions then arise. Does the U.S. in fact refuse foreign aid to states whose behavior contravenes international regime norms? Which regime most influences decision-makers—the value-based human rights regime or the more security-based counterterrorism regime?² These questions are of both theoretical and policy relevance. The influence of global regimes on state behavior has been hotly

¹ The terms “foreign economic assistance” and “foreign aid” will be used interchangeably throughout this study from this point onward. “Foreign aid” will refer only to economic assistance; references to military assistance will be explicitly specified as such.
² Given the history of foreign assistance, legislation associated with it, and its humanitarian justifications, the human rights regime is a natural focus. More recent history reveals the counterterrorism regime as a contemporary competitor in foreign aid objectives. See below (and the following chapter) for additional exploration of the influence of the international human rights and counterterrorism regimes in aid appropriations.
debated among academics since the introduction of the concept in the 1970s, while more recently the international community finds itself facing the potentially conflicting interests of promoting human rights while effectively addressing the problem of transnational terrorism.³

The global human rights regime embodies human rights values increasingly accepted as universal and increasingly enforced in the international system (Lumsdaine 1993; Risse and Sikkink 1999; Schmitz 2010). Eighteen years after John F. Kennedy’s Ann Arbor campaign speech, President Jimmy Carter spoke to commemorate the 30th anniversary of the signing of the Universal Declaration of Human Rights, saying

> I want to stress again that human rights are not peripheral to the foreign policy of the United States. Our human rights policy is not a decoration. … Our pursuit of human rights is part of a broad effort to use our great power and our tremendous influence in the service of creating a better world, a world in which human beings can live in peace, in freedom, and with their basic needs adequately met.

> Human rights is the soul of our foreign policy. And I say this with assurance, because human rights is the soul of our sense of nationhood. (Carter 1978)

If we adhere to the argument that the decision to grant or deny foreign assistance is a form of signaling (McKinlay and Little 1977), human rights records of aid recipients can be used as proxies for whether or not U.S. foreign aid is allocated according to dominant global regimes.⁴ Researchers agree that granting foreign aid to human rights abusers may be viewed as accepting regime-flouting state authority. Thus, a large body of scholarship (dating back to the 1970s) attempts to investigate whether or not the United

³ Other global regimes which have been the subject of academic research include international environmental, trade, and finance regimes. This study focuses on the primary regimes in the U.S. foreign aid issue-area (see footnote 2).
⁴ For more on international regime theory, see chapter 2 of this dissertation. Additionally, see Keohane (1984) and Krasner (1983). For international regimes and human rights, see Lumsdaine (1993).
States accounts for human rights abuses in recipient countries when granting and allocating aid. More recently, scholarship has begun to address the connection between the comparatively nascent counterterrorism regime and foreign aid—and whether the new focus on norms articulated in the counterterrorism regime has shifted focus away from human rights accountability (Foot 2005; Hudson 2007; Thakur 2009; CFR 2013).

However, using the human rights records of aid recipients as the sole measure of the influence of the human rights U.S. foreign policy is in some instances a post-hoc and insufficiently dynamic approach. It fails, among other weaknesses, to account for how elected officials view U.S. foreign aid as both an incentive for and tool of change. In addition, the key assumption underpinning most research in this area—that aid appropriations to rights-abusing states equals a disregard for human rights on the part of decisionmakers—is inadequately explored and justified in existing literature.

When it comes to the counterterrorism regime, measuring international cooperation is further complicated by the fact that information is withheld from the general public due to security concerns. Thus, it is important to consider additional means of evaluating the impact of these regimes. For these reasons, this study creates an alternative measure of regime influence. It does so by examining the degree to which congressional rhetoric surrounding foreign aid is affected by the international human rights and counterterrorism regimes. This alternative measure of regime influence is then included in statistical analysis of aid determinants, providing a more robust examination of aid allocation.
In short, this study reaches for the heart of the issues introduced above, exploring the foreign aid appropriations process and advancing regime theory more broadly. It investigates whether or not congressional rhetoric surrounding foreign aid is influenced by global regimes, and whether congressional emphasis on themes embodied in global regimes in turn influences aid allocation. The guiding empirical research questions are: do global regimes influence U.S. foreign aid appropriations, and has the influence of international regimes during U.S. foreign aid appropriations changed in response to system-level shifts in significance of key issue-areas?

This introduction begins with a brief overview of the concept of international regimes, followed by a discussion of regimes and foreign aid. This is followed by an overview of the U.S. foreign aid appropriations process. The introduction then provides a brief summary of this study’s research design, accompanied by an explanation and justification of the use of congressional discourse in the project. It concludes with a preview of the rest of the dissertation. The chapter then moves into a comprehensive overview of existing relevant literature.

A. International Regimes

Stephen Krasner popularized the concept of international regimes in his 1982 introduction to a special edition of International Organization. Krasner’s (1983: 2) definition of regimes as “implicit or explicit principles, norms, rules and decision-making procedures around which actors’ expectations converge in a given area of international
relations” remains the standard for scholars who work in the field of regime theory. It is important to emphasize that “principles” and “norms,” as Krasner conceives of them are distinct from “rules” and “procedures.” The first two are basic and defining characteristics of regimes, while the second two follow from the first two; rules and decision-making procedures may vary widely yet still remain intuitive corollaries of a much smaller number of foundational norms. Indeed, Krasner explicitly states that “[c]hanges in rules and decision-making procedures are changes within regimes, provided that principles and norms are unaltered” (1983: 3, emphasis in the original) while “[c]hanges in principles and norms are changes of the regime itself” (1983: 4, emphasis in the original).

Krasner (1983: 1) notes that he conceptualizes regimes as intervening variables, to be found linking “basic causal factors on the one hand” to “outcomes and behavior on the other.” Such a conceptualization, Krasner observes, begs the two following questions: “…first, what is the relationship between basic causal factors such as power, interest, and values, and regimes? Second, what is the relationship between regimes and related outcomes and behavior (1983: 1)?” It is the second question, phrased more succinctly by Krasner and by later researchers (Haas 1989; Young 1992; Miles et al. 2002) as “do regimes matter?,” which forms a basis for this research.5

5 Krasner (1983) details five basic causal variables in response to the first question: egoistic self interest, political power, norms and principles, habit and custom, and knowledge. These factors lead to regimes, because regimes can more easily produce the outcomes and behavior desired to fulfill the requirements they pose. The two most influential variables, Krasner argues, are egoistic self-interest (generally economic) and political power. Values and norms (e.g. – sovereignty or private property), on the other hand, have more effect in terms of conditioning behavior in certain issue-areas, while usage, custom, and knowledge may play supporting roles.
This dissertation utilizes Krasner’s conceptualization to examine how the global human rights and counterterrorism regimes influence foreign aid appropriations. While Strange (1983) seeks to demonstrate that the regime concept is useless, Krasner (1983) and Keohane (1983), espousing the modified structural perspective, argue that regimes do have influence—though under restrictive conditions. As Young (1986: 115) stresses, the “ultimate justification for devoting” research efforts to studying regimes is the assertion that doing so can explain variation in foreign policy. Whether, and to what extent, regimes really matter remains a topic of debate in the literature (see Cortell and Davis, Jr. 1996; Mitchell 2003; Morrison and White 2011) and is the subject of this dissertation.

B. Regimes and Aid in the Literature

Wood (1986: 95) observes that the concept of regimes is useful in examining flows of international economic assistance. Wood believes it useful to consider Krasner’s “four categories of principles, norms, rules, and procedures” in terms of different levels of analysis (97). He further stipulates that each individual “core principle of an international regime can be further specified in terms first of general norms, then specific rules, and finally concrete procedures” (1986: 97, emphasis added). He particularly highlights the internationally recognized OECD Development Assistance Committee (DAC) Official Development Aid (ODA) target level of 0.7 percent of GDP to illustrate the concept of a “nonactualized norm”—which may occur when appropriate rules and procedures are not followed. Wood notes that when his manuscript was written approximately half of the
DAC countries were moving away from this target rather than toward it (Wood 1986: 97), despite the fact that if this figure were up for bail and bond it could be released anywhere in the Western world on its own recognizance. Similarly, a number of scholars have argued that the norms of the international human rights regime have not been adhered to in U.S. foreign policy decisions and aid allocation (Carlton and Stohl 1987; McCormick and Mitchell 1988; Keys 2010; Perkins and Neumayer 2010).

The relationship between human rights records and United States foreign assistance policy has been the focus of a number of scholars, particularly since the decade following the 1973 congressional hearings on human rights conditions (McKinlay and Little 1977, 1979; Schoultz 1981; Carleton and Stohl 1985, 1987; Apodaca and Stohl 1999; Apodaca 2005). Early research (McKinlay and Little 1977; Schoultz 1981; Carleton and Stohl 1985) found a lack of significant positive association between U.S. aid flows and respectable human rights records in candidate countries, despite the fact that “the privation and suffering of much of the world’s population” presents “a humanitarian challenge to which the traditional imperatives of national interest” perhaps ought not to apply (Hook 1995: 3). Scholars such as Lumsdaine (1993) emphasized the altruism of foreign aid, while others focused more on its geopolitical role (e.g., Lai 2003). The wealth of research in this field produced a debate in the literature regarding when and to what extent human rights matter for foreign aid decisionmakers. Recently, the “War on Terror” has led to an increased emphasis on the role of aid in the counter-terrorism regime, highlighting a security aspect of foreign aid that had been diminished.
following the end of the Cold War (Bandyopadhyay, Sandler, and Younas 2011; Bapat 2011; Fleck and Kilby 2010; Hook 2007; Sandler 2010).

C. U.S. Foreign Aid: An Overview of the Appropriations Process

In fiscal year 2011, the U.S. government funded foreign assistance activities through nineteen agencies. The five primary aid agencies are the Department of State, the U.S. Agency for International Development (USAID), the Department of the Treasury, the U.S. Department of Agriculture (USDA) and the Department of Health and Human Services. These five agencies together account for approximately 92 percent of total obligated economic assistance. The two main agencies, the State Department and the U.S. Agency for International Development (USAID), combined, account for 74 percent of economic assistance funding—39 percent and 35 percent respectively. The Department of the Treasury and Department of Agriculture (USDA) tie for a distant third with six percent each (USAID 2013).

Foreign aid is provided through the federal budget and appropriations process, which, for USAID and the State Department, begins with the formulation of a budget by the funding agency. The initial budget request begins over twelve months before the beginning of the fiscal year for which it is designed; the government’s fiscal year begins on October 1 of the previous calendar year and ends on September 30 of the year by which it is numbered. (This means that FY 2011 began on October 1, 2010, and ended on September 30, 2011—while the budget request for FY 2011 was initially prepared in
February of 2009.) Following this stage, a complete agency request is submitted to the Office of Management and Budget (OMB) in mid-September. The OMB reviews the agency request “within the context of the overall federal budget” and recommends the level of funding the agency may request from Congress (Foreign Assistance Dashboard 2013). The President then submits the budget to Congress, accompanied by each agency’s detailed supporting documents. Following hearings in defense of the budget submissions by each agency, Congress prepares a nonbinding budget resolution. However, it does not set annual spending for specific programs. That takes place during the appropriations process—which dictates the manner in which funding is finally distributed.

Appropriations bills are created separately in the House and Senate appropriations subcommittees, after which the two houses reach agreement on a single version. There are twelve subcommittees in each house, each of which is responsible for an appropriations measure (e.g., Agriculture, Commerce, Defense, etc). The Senate subcommittee responsible for USAID and State Department appropriations is the Senate Appropriations Subcommittee on State, Foreign Operations, and Related Programs (formerly the Subcommittee on Foreign Operations, Export Financing, and Related Programs). The subcommittee determines levels of funding through public hearings, taking into account prior funding and the president’s budget request (Center on Budget and Policy Priorities 2011; Foreign Assistance Dashboard 2013; RESULTS 2013). These hearings of the Senate Subcommittee on State, Foreign Operations, and Related Programs provide the data for the content analysis undertaken in the first phase of this research.
As noted above, the majority of U.S. bilateral economic aid is distributed through the State Department and the United States Agency for International Development (USAID). The primary institution for U.S. diplomacy, the Department of State was created in 1789. Two and a quarter centuries later, the central mission of the State Department is to “[a]dvance freedom for the benefit of the American people and the international community” in a variety of ways (U.S. Department of State 2012: 4). It focuses on a number of policy issues, and is solely responsible for two bilateral economic aid programs (the Global HIV/AIDS Initiative and the Nonproliferation, Anti-Terrorism, Demining & Related Programs account) as well as the Migration and Refugee Assistance (and Emergency Refugee and Migration Assistance) programs. It shares responsibility with USAID for programs funded under the FREEDOM Support Act of 1992 and Support for East European Democracy (SEED) Act of 1989. The Deputy Secretary of State also directs, “in cooperation with” the USAID Administrator, the Economic Support Fund (Department of State 2005). In FY 2011, the State Department obligated $12.5 billion in bilateral economic assistance.

USAID was created under the Foreign Assistance Act of 1961, which consolidated several existing organizations and programs to create a sole agency devoted to economic development. In the following decades, USAID first modified its approach to focus more on human needs-based programs, then shifted to encouraging free market approaches in recipient countries, and finally in the 1990s shifted focus to sustainable economic development. In the past decade, USAID administrators have concentrated on two matters in particular: agency reform and reconstruction efforts following the wars in
Afghanistan and Iraq. USAID’s programs are classified into 10 sectors (e.g., economic growth and trade, education, and water and sanitation) and three Presidential initiatives (Feed the Future, Global Climate Change, and the Global Health Initiative). In FY 2011, it obligated $11.2 billion in economic aid. Among other programs, USAID is specifically responsible for Child Survival and Health Programs; Development Assistance; and Transition Initiatives funding, which supports transitions to democracy and long-term development (USAID 2013; U.S. Department of State 2005).

Both Department of State and USAID economic assistance programs have had a long-standing focus on human needs and development issues. Efforts to mitigate human suffering have historically been the rationale for foreign assistance “least contested…by the American public and policymakers alike (Tarnoff and Lawson 2011: 3).” More recently, though, new concerns have come to the fore—specifically, counterterrorism interests. This can be seen in recent congressional reports on foreign aid programs and policy. In particular, Tarnoff and Lawson (2011: Summary) observe that significant “foreign assistance trends in the past decade include growth in…assistance directed toward U.S. allies in the anti-terrorism effort.” They (2011: 2) further observe that politicians and policymakers increasingly consider foreign aid to be “a tool in the global war on terrorism.”

D. Research Design

i. Overview
This study consists of two stages. The first stage analyzes transcripts of the Senate Appropriations Subcommittee on State, Foreign Operations, and Related Programs, distilling from the discourse contained therein rhetoric demonstrative of the influence of international human rights and counterterrorism regimes. From this discourse analysis, the study crafts quantitative scales, which measure regime impact during the aid process over time. The second stage conducts statistical analysis of foreign aid determinants using the scales created during the first stage. The effect of the scales as a moderating influence is tested for significance against variables established as noteworthy in the literature, such as recipient need, level of U.S. trade interdependence with recipient, and strategic importance of the recipient.

The design for this study has been chosen in order to establish whether or not global regimes influence the appropriations process and level of aid allocated, and whether that influence has shifted over time. The study will focus on comparing the seven years prior to the terrorist attacks of September 11, 2001 to the seven years post-September 11, 2001 (9/11).

The two different methodologies have been selected in order to appropriately address the specific empirical questions at each stage of the research design. Each approach has its merits. Quantitative statistical analysis offers an evaluation with high reliability (Cingranelli and Pasquarello 1985; Apodaca and Stohl 1999). Meanwhile, content analysis bridges the gap between quantitative and qualitative evaluation of data by providing a “technique [to] mak[e] replicable and valid inferences from texts (or other meaningful matter) to the contexts of their use” (Krippendorff 2004: 18).
Definition and measurement of variables used in this dissertation were determined through review and critique of existing literature. Control variables were carefully selected with an eye toward existing scholarship (Carlton and Stohl 1987; Poe 1992; Apodaca and Stohl 1999). The study provides key contributions at each of the two stages. Stage one examines a previously marginalized source of information during a key phase in the foreign aid allocation process. Stage two introduces key variables discovered during evaluation of senate discourse in stage one to a more traditional form of foreign aid analysis, testing for statistical significance of newly coded regime influence or “regime-based rhetoric” (RBR) scales.

ii. Congressional discourse

Stage one of this investigation contributes to the field by analyzing a previously marginalized part of the aid process: congressional discourse. The rhetoric pertaining to foreign assistance during hearings of the Senate Appropriations Subcommittee on State, Foreign Operations, and Related Programs is a previously unexplored explanatory variable in the foreign aid decision-making process (though prior research has analyzed the influence of liberal versus conservative congressional dominance on bilateral aid allocation⁶, and other work has focused on congressional voting on foreign aid bills⁷). Separate research has examined congressional discourse as it relates to other subjects, such as climate change (e.g., Fisher et al. 2013), the internet (e.g., Cheng et al. 2012), and immigration (e.g., Chock 1995).

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⁶ See, for example, Fleck and Kilby 2006b.
⁷ See, for example, Milner and Tingley 2010.
Congressional committees and subcommittees “investigate policies, gather information, and facilitate the exchange of ideas—all central components of policy development” (Gamble 2011: 294). Hearings held by committees, and particularly subcommittees, provide participants with the opportunity to learn about the justifications for, and costs of, various policy proposals (Cheng et al. 2012). They are an integral part of the U.S. policymaking process. According to the U.S. Government Printing Office, hearings are an essential means by which members of Congress “obtain information and opinions on proposed legislation…or evaluate/oversee the activities of a government department” (U.S. Governmental Printing Office ND).

Bearing in mind that prepared statements for such hearings have been carefully written and vetted, the hearings are nonetheless a source of valuable data for researchers. Testimony and question-and-answer sessions can expose the interests and values of senators, administrators, and departmental witnesses, providing useful material for analysis, as noted previously in the academic literature (e.g., Arnold 1990; Burstein and Hirsh 2007; Cheng et al. 2012; Fisher et al. 2013; Kingdon 1989). Transcripts from subcommittee hearings are primary, data-rich sources of discourse and debate about foreign aid programs and appropriations. They reveal concerns in the aid appropriation process voiced by senators and other participants.
E. Chapter Preview

The dissertation consists of five chapters. The remainder of this chapter offers an overview of the literature on theories of international regimes, with additional emphasis on literature pertaining to the international human rights and counterterrorism regimes and the relationship between those regimes and foreign assistance. Next, chapter two provides an explanation of the research design, methods, and data procurement for this project. Chapter three then explores the qualitative analysis conducted on transcribed hearings of the Senate Appropriations Subcommittee on State, Foreign Operations, and Related Programs (formerly the Subcommittee on Foreign Operations, Export Financing, and Related Programs). This is followed by a chapter devoted to statistical evaluation of aid determinants, using variables derived from existing literature as well as original data from the analysis of the transcripts. Finally, the dissertation concludes with a discussion of the significance of the project to the field.

II. REVIEW OF EXISTING LITERATURE

A. Overview

Regime theory grew out of an intellectual response to the increase in global interdependence in the decades following the Second World War. The period that saw the creation of the United Nations and the beginning of decolonization flowed into an economic boom in East Asia in the 1960s. As that region experienced a rapid increase in wealth, accompanied by significant demographic growth, Western scholars saw, empirically, that this new economic development abroad added a significant system-level
dimension of economic interest and influence (Mason and Kinugasa 2008; Page 1994; Sarel 1997). As Cohen (2008) notes, a number of them deemed existing aspects of realist and liberalist paradigms insufficient in accounting for this dimension.

Thus, moving into the 1970s, and through the collapse of the Bretton Woods system in 1971 and the OPEC implementation of “oil diplomacy” in 1973\(^8\), scholars began to think about alternative approaches. As international political economy gained prominence through the 1970s, theories of international regimes and the impact of international social institutions began to grow (Keohane and Nye 1977; see also Cohen 2008: Chapter 4). The events of the mid-twentieth century indicated fundamental shifts in international power distribution and the role of state actors, security, economics, and values. During the post-World War II period,

> The growth of...interdependence...implied a widening “control gap” between state aspirations and state capabilities. The essence of governance lies in the authority to define and enforce norms for the allocation of values in a collectivity… *If national governments were losing control, who then would make the rules for the global system, and how would compliance with those rules be assured?* (Cohen 2008: 95, emphasis added)

One of the answers to this question comes from regime theory—the theoretical basis for this study. This chapter provides an introduction to early conceptualizations of regimes, followed by an overview of well-known regime theory literature. It then discusses the human rights and counterterrorism regimes upon which the research for this dissertation is based. The conclusion follows an examination of relevant research on human rights, counterterrorism, and foreign assistance.

\(^{8}\) Fall-out of the 1973 Arab-Israeli War (also referred to as the “Yom Kippur War”). See Merrill (2007) and the Office of the Historian (2013).
B. Regime Theory

i. Early definitions of regimes

One of the first scholars to address the concept of international regimes was John Gerard Ruggie (1975), in the overview for an International Organization special issue on international responses to technology. Ruggie’s (1975: 558) introduction notes the significance of the tension between states’ needs to respond collectively to issues of international consequence and their “desire to maintain national autonomy and flexibility” while doing so. This tension can be resolved (to greater and lesser degrees) through effective regime creation, but remains the key difficulty faced by states in a variety of issue-areas.

While accepting a certain measure of disorder as a premise for theoretical analysis of the international system—at the international level, there are no objectively determined rights or responsibilities (James 1973)—the unpredictability of state behavior is limited by certain parameters. As Ruggie (1975: 559) notes, these parameters include “sets of mutual expectations” and the distribution of some types of authority to an assortment of non-state actors—i.e., “international behavior is institutionalized.”9 Such institutionalization is most likely to occur in issue areas in which actors have common interests and/or concerns; these interests and concerns are to greater and lesser degrees related to security and politics, economics, and values. Over the years we have seen

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9 “Institutionalization, as sociologists have defined it, is said to coordinate and pattern behavior, to set boundaries which channel behavior in one direction as against all others which are theoretically and empirically possible (Ruggie 1975: 55).”
international regimes, the particular type of institutionalization with which this project is concerned, manifest in a variety of issue areas. These include science and technology (Haas 1975; Ruggie 1975), security (Jervis 1983), economics (Cohen 1983; Ruggie 1983; Lipson 1983), pollution control (Haas 1989), the OECD DAC aid regime (Hook 1995, 2007) and, most relevant to this project, human rights (Hafner-Burton 2012; Moravscik 1995) and counterterrorism (Whitaker 2010; Witten 1998).

Early definitions of regimes emerged from work on political economy, interdependence (Keohane and Nye 1977), and a dissatisfaction with existing literature on international organizations (Cohen 2008: Chapter 4). The dissatisfaction with literature on international organizations produced a desire to take a step back and review the broader picture. This led to a discussion of the “collective situation” in which states find themselves—the “social milieu” resulting from “patterns of international exchange” and authority (Ruggie 1975: 567). Ruggie (1975: 568, 571) conceptualizes institutionalization and international regime creation as a “collective response” to the “collective situation”—a desire on the part of actors to standardize “comparability and compatibility” of behavior. Thus, initial definitions of regimes focus on the link between the bigger picture and more specific details. Ruggie (1975: 570) defined regimes as “set[s] of mutual expectations, rules and regulations, plans, organizational energies and financial commitments, which have been accepted by a group of states.” A few years later, Young (1980: 332) shortened the definition, conceptualizing regimes as “social institutions governing the actions of those interested in specifiable activities,” and noting
that, as such, regimes constitute acknowledged configurations of conduct around which the expectations of the actors concerned “converge.”

Young’s (1980) discussion of international regimes emphasizes that the degree of formality and material organizational design may vary. He delineates three main components of regimes: substance (rights and rules), procedure (processes to effect collective decision-making), and implementation (efficacy). Questions regarding regime effectiveness are addressed below (see Do Regimes Matter?). What Young (1980: 336) refers to as the procedural component concerns finding solutions to situations in which the preferences of two or more states do not match. This part of Young’s definition tracks with Krasner’s (1983: 1) decision-making procedures element (see next section).

Young’s (1980: 333) first component, “the substantive component,” consists of a “collection of rights and rules…[that] may be more or less extensive or formally articulated.” Rights are things states (or individuals) expect as a result of their position or role—i.e., how they understand their identity in the system vis-à-vis other states; rules are guidelines regulating action—or inaction—in specific situations (Young 1980: 333-334).

In short, early definitions of regimes demonstrate that regimes are conceptualized from the outset as serving to institutionalize useful understandings about the “rules of the game” (and the rights structuring those rules) at the international level. As will be seen in the next section, analyses of international regimes soon begin to draw more extensively and more explicitly on economics and behavioral approaches. These approaches view
regimes as existing to encourage and perpetuate utility-based cooperation. In fact, Cohen (2008: 100) notes, they may be viewed as a type of “institutionalized cooperation.”

**ii. Popularization of the regime concept**

The contributors to the special regime theory issue of *International Organization* (1982, published as a book in 1983), responsible for popularizing the term “international regime,” each sought to examine this “particular type of phenomenon [observable] in world politics” (Peterson 2012) using their own unique expertise. Krasner’s (1983: Chapter 1, Chapter 13) contributions are the most widely known. His definition from the issue remains the paradigm for scholars of international regimes, conceptualizing regimes as “implicit or explicit principles, norms, rules and decision-making procedures around which actors’ expectations converge in a given area of international relations.” As Peterson (2012) observes, this definition comprises three key elements: (i) the values, standards, regulations, and collective choice processes noted above, (ii) the actors whose behavior and whose expectations for the behavior of others is guided by those beliefs, standards, policies, and procedures, and (iii) an issue-area of enough import to engage

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10 Cohen’s (2008: 100) passage defining regimes leans heavily on Keohane (1983, 1984). It especially refers to Keohane’s (1984: 51-52) explanation of cooperation. See “Regimes as Variables” section below for greater detail on Keohane’s contribution to the literature.

11 Krasner’s definition is widely referred to as the 1982/1983 “consensus definition.” However, in the same volume, Young (1983: 93) provides a somewhat different definition of regimes (though he believes it “compatible” with Krasner’s), and other contributors—e.g. Puchala and Hopkins (1983) and Stein (1983)—have quite different understandings of what the “consensus” definition actually entails. For these reasons, this project refers to the definition as Krasner’s.
those expectations of behavior and principles, norms, “prescriptions or proscriptions for action,” and decision-making practices (Krasner 1983: 2).

Krasner (1983) and Wood (1986) both emphasize that “principles” and “norms” are distinct from “rules” and “procedures.” The first two are basic and defining characteristics of regimes, while the second two follow from the first two—an aspect of regime conceptualization integral to the research undertaken in this study (see Chapter 2). Specifically, as noted in the introduction to this chapter, rules and decision-making procedures may vary widely yet still remain linked to a much smaller number of foundational norms. This sets up Krasner’s (1983: 4) point that change in principles and norms constitutes a change between regimes, while variation in rules and decision-making procedures are changes within a regime. This is because regimes come into being through the convergence of actor interests in adhering to precisely such relevant principles and norms.

Over time, the Krasner definition has come under criticism from a variety of quarters (e.g., Milner 1993; de Senarclens 1993). Levy, Young, and Zürn (1995: 270) classify such critiques into two main categories: “indistinguishable components” and “vagueness.” Despite these concerns, this study uses Krasner’s definition for utilitarian purposes. First, it is the most widely accepted definition in the literature, enabling scholars to speak the same language—or at least share a conceptual starting point—when it comes to regime analysis. Second, the two main categories of critiques may be addressed as follows.
The indistinguishable components critique highlights concerns some scholars have regarding the “difficulty in differentiating” between the principles, norms, rules, and decision-making procedures specified in the definition. Yet Krasner (1983: 2) provides an explanation of each part of his definition at the beginning of his work, clearly differentiating each aspect:

Principles are beliefs of fact, causation, and rectitude. Norms are standards of behavior defined in terms of rights and obligations. Rules are specific prescriptions or proscriptions for action. Decision-making procedures are prevailing practices for making and implementing collective choice.

Levy, Young, and Zürn (1995: 273-274) expand on this brief passage in their own work, despite arguing that “differentiating among principles, norms, and rules does not figure in defining regimes in the first place.” They also provide their own definition of regimes, describing them as “social institutions consisting of agreed upon principles, norms, rules, procedures and programs that govern the interactions of actors in specific issue areas.” They also distinguish regimes from international organizations—which are specific, physical bodies—and from basic pervasive principles (e.g., sovereignty), which are valid across a wide range of issue-areas and fundamentally influence a range of international interaction (Levy, Young, and Zürn 1995: 274).

Levy, Young, and Zürn’s (1995: 271) second category of critique, “vagueness,” is itself a bit vague, but largely focuses on difficulties faced by scholars in trying to operationalize the regime concept. Much like Supreme Court Justice Potter Stewart’s take on obscenity (“I know it when I see it”)12, this critique highlights the trouble with

“knowing regimes when we see them” as opposed to having a firm definition which can be applied to analyze regimes in various manifestations and a variety of situations and policy areas. Although this problem complicates matters for cross-project comparison of research results, research designs for “in-house” projects can be crafted logically relying on an informal understanding of the concept.

In an effort to address this concern, Levy, Young, and Zürn focus on the “rules” element of the definition as a starting point for international regime operationalization. Unfortunately, this ignores Krasner’s declaration that rules and procedures are not basic and defining characteristics of regimes (see above). As noted in the introduction, Krasner (1983: 3-4, emphasis in the original) states that “[c]hanges in rules and decision-making procedures are changes within regimes, provided that principles and norms are unaltered” while “[c]hanges in principles and norms are changes of the regime itself”. This study, thus, operationalizes the international regimes under examination by utilizing foundational regime documents (United Nations General Assembly declarations) rather than relying on codified laws or treaties and accompanying regulations.13

This approach is consistent with the approach taken by major international relations theories (realist, liberal, and constructivist) in conceptualizing, though to a lesser degree in operationalizing, international regimes. Where the contending theories differ more greatly is the weight they assign to regimes. Constructivist approaches (see Finnemore 1996; Puchala and Hopkins 1983) emphasize shared understanding and meanings, and account for decisionmaker beliefs. Constructivists, or strong “Grotians”

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13 For a more in-depth discussion on operationalization of international regimes, see the next chapter.
(see next section) take the regime concept the furthest, regarding regimes as “data to be described,” rather than “phenomena…to be explained (Krasner 1983: 10).” The constructivist focus on intersubjective meaning and decisionmaker influence is useful in that it incorporates consideration of the personalities at play during the original drafting of the Universal Declaration of Human Rights and the variety of influences affecting the formulation of the Declaration on Measures to Eliminate International Terrorism.

At the opposite end of the spectrum, realists (e.g., Strange 1983) view regimes as epiphenomenal and merely a function of those with the greatest international power. The realist approach would shrug off the influence of the human rights regime as being a function of Western values following World War II; after all, the strong are the winners and the winners write history and the international system. Similarly, the realist reaction to the counterterrorism regime is that it is simply an extension of the U.S. pursuit of vengeance following the September 11th terrorist attacks (see next chapter for additional discussion on this matter).

Taking the middle ground, the neoliberal approach views regimes as mattering under certain conditions—conditions under which Pareto optimal outcomes cannot be reached by isolated state action (see Keohane 1984). As human rights and counterterrorism concerns exist at the individual level as well as at the state level, these issue-areas require international coordination and cooperation to better address their individual and transnational aspects. While the human rights regime may at first glance be a less-than-obvious empirical case for neoliberal institutional explanations of regime
formation, Keohane (1984) emphasizes that actors regard some norms as morally binding—even to the potential detriment of narrow definitions of self-interest. The circumstances surrounding the birth of the international human rights regime (see Section III of this chapter, and also Chapter 3 of this dissertation), certainly lend themselves to this interpretation.

### iii. Regimes as intervening variables

Regimes, according to Krasner (1983: 1), can be conceptualized as intervening variables; they connect “basic causal factors” to “outcomes and behavior.” This conceptualization, he goes on to observe, begs two questions: “first, what is the relationship between basic causal factors such as power, interest, and values, and regimes? Second, what is the relationship between regimes and related outcomes and behavior?” In response to the first question, he details five basic causal variables to explain regime development: egoistic self interest, political power, norms and principles, habit and custom, and knowledge. These factors lead to regimes, because regimes can more easily produce the outcomes and behavior desired to fulfill the requirements they pose. The two most influential variables are egoistic self-interest (generally economic) and political power. He argues that diffuse values and norms (e.g., sovereignty or private property), on the other hand, have more effect in terms of conditioning behavior broadly. Usage, custom, and knowledge may play supporting roles.

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14 Many theorists in this school focus on financial and trade regimes, although Young (2005, 2011) who considers himself influenced by the new institutionalism, concentrates almost entirely on environmental regimes.
The second question is the focus of the *International Organizations* special issue, to which Krasner’s article serves as the introduction, and is addressed by a number of contributors. While those to whom Krasner refers as conventional structural theorists seek to demonstrate that the regime concept is useless, the other contributors are concerned with establishing the *degree to which* regimes matter. The modified structural perspective (precursor to neoliberal institutionalist approaches)\(^\text{15}\) grants that regimes matter under restrictive conditions, while the “Grotian” perspective considers regimes to be quite pervasive.

The modified structural approach begins from a conventional structural perspective and then posits that regimes emerge from voluntary agreements among states to “coordinate state behavior” in order to “achieve desired outcomes in particular issue-areas” (Krasner 1983: 7). In short, states cooperate in regimes out of enlightened self-interest. This is a key thrust of Keohane’s contribution to the *IO* special issue and also of his own work, *After Hegemony: Cooperation and Discord in the World Political Economy* (1984). Considered, along with the work detailed above, to be one of the foundational works of neoliberal institutionalism (Tarzi 2004; Young 2005), the theorizing in *After Hegemony* rests on the assumption that mutual interests between states exist. Keohane (1984: 6) is particularly interested in the conditions under which such mutual interests lead to cooperation even when there is no longer a hegemon to facilitate it. He emphasizes that cooperation is not the same as harmony, but, rather, is defined as mutual adjustment—what many of us would refer to as “compromise.” Because decisions

\(^{15}\) See Young (2005: 88) and also Rochester (2006: 25).
in the international system are difficult and costly for actors to make (states lack the complete information in any given situation required to make fully rational decisions), regimes provide a convenient vehicle for cooperation. Keohane makes use of economic and rational choice models in his work, emphasizing that it is, in part, the bounded rationality of actors in the international system\textsuperscript{16} which reveals that conventional realist theories alone are insufficient for effective analysis of interstate interaction.\textsuperscript{17} For maximum explanatory capability, it is advantageous to supplement and synthesize such theories with useful aspects of institutionalism (Keohane 1984: 12-14; Simon 1955).

Modified structuralists and neoliberal institutionalists such as Keohane believe that the aforementioned mutual adjustment of governments’ policies is absolutely necessary if discord in the anarchic world system is to be limited. International institutions and regimes arise in large part because they facilitate precisely this type of imperative mutual adjustment—avoiding serious conflict. In fact, Keohane (1984: 243-246) argues that theories of realism ought to be “reformulated” in order to account for the advantages and importance of international regimes, particularly in terms of their information-providing capabilities and the effects they have on state behavior.

Theorists whose work Krasner classifies as of the Grotian tradition argue that instead of simply reformulating the realist perspective, the concept of a regime actually moves \textit{beyond} the realist lens—which, according to Puchala and Hopkins (1983: 61), is “too limited for explaining an increasingly complex, interdependent, and dangerous

\textsuperscript{16} They can never be in possession of perfect information.

\textsuperscript{17} Alter and Meunier (2009: 17) also address the relevance of bounded rationality with regard to state behavior in the international system, noting that the complexity of the international system “leads to selective information processing and a reliance on relations and heuristics.”
world.” Such theorists consider regimes to be “a pervasive phenomenon of all political systems” because they view patterns of behavior that persist over long periods of time as becoming imbued with normative significance (Krasner 1983: 8-9). Once patterned behavior becomes normatively significant, the line between patterned behavior and regime blurs beyond distinction. This interpretation of regime also entails the beliefs that security and interests are not states’ sole objectives and, further, “states” cannot be analyzed without examining political elites as well (since decisions are made by individuals with both domestic and international ties). These beliefs separate Grotian theorists from both conventional and modified structuralists.

iv. Do regimes matter?

Krasner’s second question regarding the relationship between regimes and outcomes may also be phrased as “do regimes matter?” and has generated research by a number of scholars in the decades following the special IO issue. Levy, Young, Zürn (1995: 269) provide one overview of this literature, examining and synthesizing regime-related research “against the background of what an ideal ‘regime theory’” would involve. They divide their comprehensive review into sections examining literature on

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18 Krasner (1983: 9) describes the Grotian perspective in the special issue as arguing that “Elites act within a communications net, embodying rules, norms, and principles, which transcend national boundaries.” However, Puchala and Hopkins (1983: 61-91), classified under “Grotian perspectives,” evince support for certain ideas now more commonly associated with constructivism, particularly when noting that “regimes themselves are subjective: they exist primarily as participants’ understandings, expectations or convictions about legitimate, appropriate or moral behavior.” Similarly, Young (1983: 93, 95) refers to regimes as “social institutions” and as “human artifacts, having no existence or meaning apart from the behavior of individuals or groups of human beings”—though the rest of his contribution to the 1982/1983 project, as well as later work (e.g. 2005), place him with the new institutionalists in terms of approach.

19 Second, what is the relationship between regimes and related outcomes and behavior?” (Krasner 1983: 1)
regime formation, regime persistence, the impact of regimes on state behavior and problem-solving, and the long-term effects of regimes in terms of the structure of international politics. In doing so, they find that hegemonic imposition of regimes is less effective than helping weaker states comply (283), persistence of regimes cannot be attributed solely to initial conditions (287), and effectiveness may be measured in multiple ways, using different models (290-308). However, they devote far more attention to evaluating work on potential causes of effectiveness than to studies measuring actual effectiveness.

Hasenclever, Mayer, and Rittberger (1997: 1-7) provide a clearer theoretical overview of the literature on approaches to international regimes, dividing the subfield into three schools of thought: power-based theories of international regimes, interest-based theories of international regimes, and knowledge-based theories of international regimes. These distinctions are notable, as they differ somewhat from the categories created by Krasner in his classification of contributions to the special IO edition. Krasner (1983) appears to lump both liberal institutionalist approaches and some cognitivist (or knowledge-based, also referred to as constructivist) approaches into his “Grotian” grouping. This is further complicated by the fact that Grotius is more typically associated with idealism and international law than what is commonly referred to in international relations theory as “constructivism.” In fact, Finnemore (1996: 19, footnote 34) argues the Grotian label as Krasner uses it is “misapplied” as “few of the scholars in this large
and ill-defined group have any interest in natural law—which is, after all, the focus of Grotius’ work.’’

According to Finnemore (1996: 15), constructivists are interested in “shared knowledge and intersubjective understandings.” These theorists argue that the structure of international relations is socially constructed, rather than being objectively power- and/or interest-based. It is the constructivist approaches in the special IO edition, particularly those contributed by Puchala and Hopkins (1983: Chapter 3) and Ruggie (1983: Chapter 8), which emphasize the importance of diffuse norms and values—the third causal variable that Krasner (1983: 10-18) identifies as significant in regime formation, resilience, and impact. Haas’ (1983: Chapter 2) contribution to the issue, as well as later work, examines shared understandings more broadly. The constructivist response to the question “do regimes matter?” is, broadly, “of course they do.”

As Levy, Young, Zürn (1995) and Young (2005) observe, the approach with the greatest number of adherents is that of the neoliberal institutionalist bent (interest-based theories). Theorists in this school seek largely to conduct generalizable empirical research. The interest-based school includes theorists such as Keohane (see previous section), Stein (1983), and Lipson (1983). Many so-called neoliberal institutionalists purposely adopt realist assumptions about nature of the international system and the

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20 See also Donnelly (1986: 601, footnote 7).
21 See Haas 1990.
22 Ernst Haas is classified as a “weak cognitivist” by Hasenclever, Mayer, and Rittberger (1997), though others consider functionalism, and, thus, neofunctionalism, a part of the liberal idealist tradition (e.g. Rochester 2006: 27).
23 See Puchala and Hopkins (1983: 86), for example, who argue that international regimes are especially useful in drawing attention to “subjective and moral factors” relevant to certain aspects of international relations.
24 See Hasenclever, Mayer, and Rittberger (1997: 28) for an explanation of the controversy of the term “neoliberal institutionalism.”
actors operating within it (from whence Krasner’s appellation of “modified structuralism”). Hasenclever, Mayer, and Rittberger (1997: 28) point out that they do so, however, in order “to develop a theory which is opposed to orthodox realism in that it attributes international institutions a significant role in international politics.” Thus, this approach also recognizes the potential impact of international regimes in international relations. It seeks to demonstrate this impact empirically, as the extent to which regimes matter remains a subject of debate in the literature.

Lipson (1983) finds, for instance, that the modern trade regime exerts “unmistakable” influence over national trade policies; similarly, Finlayson and Zacher (1983) find that the GATT regime has a noticeable effect on member state policy. However, Lipson (1983) also finds that the trade regime exerts only questionable influence on international trade flows. Haggard and Simmons, in their 1987 overview of the literature, lament the lack of in-depth research in this area following the 1982 special issue, and emphasize the need for additional research on the question of regime effectiveness. Their call has been answered by a variety of researchers in the neoliberal institutionalist school over the ensuing years. The work begun in this area by scholars such as Lipson, Finlayson, and Zacher has been continued by a number of researchers; particular attention has been paid to the effectiveness of environmental regimes (e.g., Keohane and Levy 1996; Victor, Raustiala, and Skolnikoff 1998). Such studies have
produced mixed results, sometimes demonstrating strong regime effectiveness, sometimes mediocre success, and sometimes no apparent influence.  

One of the most prolific contributors to this approach to international regimes has been Oran Young. As Young (2005) notes, his own work has clearly evolved over the period under review. Shaped by the new institutionalism of the 1970s and 1980s, it exhibits a clear behavioral influence. Young’s research, spanning from 1979 to the present, demonstrates the enduring relevance of the regime concept as a tool for explaining international relations and phenomena associated with interstate cooperation more specifically. His 2011 review of recent literature on international regimes and international institutions notes that while some studies demonstrate regime influence in terms of altering the behavior of states in the international system, other studies reveal a lack of regime impact.

Thus, we can see that among a number of theorists, the jury is still out on the ways in which and the extent to which regimes matter (Mitchell 2013). The broad theoretical question is further complicated by the specific issue areas in which it is tested and the characteristics of the given regime under evaluation. For instance, while Hook (1995, 2007) demonstrates the influence and efficacy of the international development aid regime, others interpret the OECD DAC members’ failure to increase aid to the world’s poorest regions (such as sub-Saharan Africa) as evidence of regime

25 For an overview of the literature on the effectiveness of international environmental regimes and institutions, see R. Mitchell 2003.
26 See also Young 1989, as cited in Hasenclever, Mayer, and Rittberger 1997: 2-4, 14-16.
ineffectiveness (Chin and Quadir 2012; Woods 2008). As shown in the next section, the effectiveness of the human rights and counterterrorism regimes are likewise disputed.

**C. The Human Rights and Counterterrorism Regimes**

Human rights have a long and storied history. For instance, the “Cyrus roll,” which is sometimes referred to as the “first declaration of human rights” and which just finished its first tour of U.S. museums, dates back 2,600 years (Iran Heritage Foundation America ND). This tradition of human rights declarations and documents continues through the ages, more recently with the Magna Carta (1215), the Declaration of the Rights of Man and Citizen (1789), and the U.S. Bill of Rights (1791). Although less widely known perhaps, historians have also documented terrorism and means of dealing with it stretching back to the ancient world (Bolich 2006; Law 2009) and spanning known religious history (Rapoport 1984). More recently, contemporary international human rights and counterterrorism regimes have their roots in international organizing and multilateral treaties extending back to the League of Nations (Bassiouni 2001; Lauren 2003; Saul 2006).

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27 This critique may seem weak at first glance. However, combined with the historical nonactualization of the 0.7 percent of GDP aid regime norm (Wood 1986) and the fact that in 2011 official development aid actually decreased rather than increasing (Love 2012), one can see it has strengths. For a rebuttal of this critique, an analysis of the global aid regime’s impact on member states, and an overview of emerging donors, see Hook and Rumsey (unpublished paper).

28 “Discovered in the ruins of Babylon,” according to IHF America, “the Cyrus Cylinder is a 2600-year old object of modern importance, and a symbol of multi-culturalism, tolerance, diversity and human rights.” The British Museum specifies that although the cylinder “has sometimes been described as the ‘first charter of human rights’…it in fact reflects a long tradition in Mesopotamia, where, from as early as the third millennium BC, kings began their reigns with declarations of reforms.”
The contemporary international human rights regime can be traced most clearly to the adoption of the Universal Declaration of Human Rights (UDHR) by the UN General Assembly in December of 1948. Building on provisions in the UN Charter devoted explicitly to human rights, the UDHR marked the dawn of a new approach to humanitarianism. The international reaction to the events of the Second World War was channeled to produce this historic document articulating the concept of individual rights—rights which, due to the shocking nature of the Holocaust, gained an immediacy formerly unfelt (Lauren 2003).

Over time, the international human rights regime has spawned a variety of international governmental and nongovernmental organizations, as well as UN commissions, courts, and committees. Well-known nongovernmental organizations involved in human rights issues include Amnesty International and Human Rights Watch. UN bodies devoted to this issue-area include the Office of the United Nations High Commissioner for Human Rights (UNHCHR), the United Nations Educational, Scientific and Cultural Organization (UNESCO), and the Human Rights Council (HRC). Non-UN governmental organizations with a human rights portfolio include the U.S. State Department Bureau of Democracy, Human Rights, and Labor, and the Office of Democratic Institutions and Human Rights of the Organization for Security and Co-Operation in Europe (OSCE).29 The variety of organizational bodies encompassed under the umbrella of the human rights regime and the associated diversity of organizational

29 The international human rights regime has also given rise to a number of international courts and tribunals devoted to regime principles and norms. These include the European Court of Human Rights (ECHR), the Inter-American Court of Human Rights (IACHR), the International Criminal Court (ICC), the International Criminal Tribunal for the Former Yugoslavia (ICTY) and the International Criminal Tribunal for Rwanda (ICTR), among others.
rules and procedures provides strong support for the methodological determination to adhere to Krasner’s (1983) theoretical emphasis: as noted above, this study focuses on fundamental regime principles and norms when examining regime influence rather than using rules and procedures to create measurements of regime influence.30, 31

This methodological determination is appropriate for investigating the counterterrorism regime as well, both for the theoretical and methodological justifications explained above and for consistency. Although the much younger counterterrorism regime has yet to give rise to comparable numbers of committees and commissions, the number of international counterterrorist agencies is growing. The list is weighted heavily toward regional cooperation, and includes the OSCE’s Action against Terrorism Unit (ATU); the Inter-American Committee against Terrorism (CICTE); the Counter-Terrorism Task Force (CTTF) of the Asia-Pacific Economic Cooperation (APEC) forum; the Anti-Terrorism Center (ATC) of the Commonwealth of Independent States (CIS). The most well-known international counterterrorism organization is the UN Counter-Terrorism Committee, established in 2001, which focuses on improving member states’ abilities to prevent terrorism domestically and internationally.

Like the international human rights regime, the modern international counterterrorism regime can also be traced to a UN declaration: the 1994 Declaration on Measures to Eliminate International Terrorism (DMEIT) and its 1996 Supplement.

30 For the alternative, rule-focused approach, see Levy, Young, and Zürn 1995, or the summary of their suggestion in the previous section of this study.
31 As Rochester (2006) observes, international regimes may or may not give rise to their own, unitary, overarching international organization. While the number of international organizations associated with the human rights and counterterrorism regimes can make evaluating regime influence more difficult, it speaks to the significance of these issue-areas in international relations.
However, the procedural history of the 1994 DMEIT indicates that comprehensive UN efforts to address terrorism are traceable to the 1972 resolution to create an Ad Hoc Committee on International Terrorism (Perera 2008). As these efforts to tackle international terrorism in a comprehensive manner were stymied by the lack of agreement on a precise definition of terrorism (an issue which has dogged UN counterterrorism efforts into the 21st century), a “sectoral approach” was taken. This resulted in the formulation of a string of issue-specific conventions, beginning with conventions on plane hijackings and continuing through hostage-taking and maritime issues, each of which addressed a defined act identified by the use of “indiscriminate violence” (Perera 2008). Importantly, these piece-meal agreements, which generally followed a specific, dramatic incident, required States parties to either prosecute the terrorist perpetrators themselves or extradite the offenders (Bassiouni 2001; Perera 2008).

One major outcome of the sectoral approach to counterterrorism is that there remains no universal legal convention on the issue; similarly, there is no general international legal convention on human rights (Rochester 2006: 96-97). In fact, following the 1948 adoption of the UDHR, Cold War and North-South politics rapidly surfaced in international approaches to human rights. Given the comprehensive nature of the UDHR, and the litany of rights it enumerates, it is hardly surprising that states found themselves at odds over its contents and the declaration failed to become a binding treaty.

32 Along the lines of those already on the books at the time, e.g., the 1963 Tokyo Convention or the 1970 Hague Convention (Rochester 2006: 97).
33 General Assembly declarations are typically considered statements of objectives to be pursued by member state governments. They can be viewed as “customary law” rather than strictly binding international law (Rochester 2006: 96-97). Since the UDHR and DMEIT are not legally binding, there are no signatories to the declarations. In contrast, international treaties, conventions, and covenants are binding under international law.
Importantly, the trouble stems from different understandings of the role of the state versus the individual. Political ideologies based on these dissimilar understandings resulted in liberal democracies emphasizing individual freedom and negative rights while communist and developing countries evinced a preference for positive rights, in the form of the state promoting greater social and economic equality. Ultimately, this split led to the development and negotiation of two additional documents: the *International Covenant on Civil and Political Rights*, and the *International Covenant on Economic, Social, and Cultural Rights*. Both adopted in 1966, these legally binding agreements went into force in 1976 (Harrelson-Stephens and Callaway 2007: 6; Lauren 2003: Chapter 8). Since its 1948 passage, the UDHR has inspired more than 80 treaties and declarations on human rights (United Nations 2013).


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34 For a recent, comprehensive overview of existing scholarship on international human rights legal regimes, see Hafner-Burton 2012.
35 For the exception, see Donnelly (1986). See also Ruggie (1983) and Onuf and Peterson (1984).
Forms of Discrimination Against Women. Human rights literature also investigates norm diffusion and the involvement of nongovernmental actors and activists in spreading human rights standards (Keck and Sikkink 1998; Schmitz 2010).

Not unlike the human rights literature, counterterrorism regime and mandate-related literature largely focuses on the origins and outcomes of multilateral conventions and relevant treaty provisions (e.g., Bassiouni 2001), national discourse (e.g., Creлинстен 1998), and organizational policy—especially with regard to the UN’s Counter-Terrorism Committee (e.g., Rosand 2003). An added aspect of the counterterrorism regime literature, though, is the impact of post-9/11 UN Security Council resolutions pertaining to the “condemnation of terrorist acts” and the “importance of capacity building (Hudson 2007: 205).” These resolutions impose legal responsibilities on UN member states, requiring them to impose punishments on individuals who meet criteria qualifying them as a terrorist threat. Concerns have surfaced about whether or not these resolutions and the UNSC’s actions are compatible with preexisting domestic and international norms and law (Galloway 2011; Hudson 2007; Stevens 2012).

Recent international relations academic literature (e.g., Sasikumar 2010; Whitaker 2010; Wright 2005) and international legal scholarship (e.g., Hudson 2007; Kfir 2012) tend to mark the birth of the international counterterrorism regime using UN Security Council Resolution(s) 1267 and/or 1373 (adopted in October of 1999 and September of 2001, respectively).36 However, earlier literature, largely produced by criminologists and

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career terrorism researchers in the field prior to 9/11, makes references to the international counterterrorism regime which indicate recognition of its existence prior to the formation of the 1267 Committee (e.g., Crelinsten 1998, 2006). Scholars allude to conventions dating back to 1963 and include additional conventions negotiated throughout the 1970s, 1980s, and 1990s, when discussing the counterterrorism legal regime (e.g., Crelinsten 1998, 2009; Ranstorp 2006). In fact, Crelinsten (1998: 398) candidly remarks that experts who refer to terrorism as a “new” threat do so in order to make it seem more sensational and, thus, more deserving of additional funding and greater operational leeway. United Nations reports on the international counterterrorist regime also date the universal legal regime to conventions predating the creation of the 1267 Committee. Legal reports in particular note the “gradual development” of the “legal regime against terrorism” throughout the twentieth century (UNODC 2004, 2008).

Thus, there is an implicit debate in the counterterrorism literature for which there is no equivalent in the human rights literature: at what point in time do we mark the substantive emergence of the international counterterrorism regime? Taking a cue from the human rights literature, this project uses the 1994 Declaration on Measures to Eliminate International Terrorism (DMEIT) to denote the coalescence of existing legal

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37 See Ranstorp 2006 for remarks on the dearth of attention paid by post-9/11 terrorism studies to pre-9/11 research on terrorism, counterterrorism, and organized international counterterrorism cooperation. See also Romaniuk (2010) on counterterrorism, multilateralism and global governance in the twentieth century.
38 Crelinsten (1998: 398) notes that, “One expert who, in the 1970s, coined the phrase “terrorism as a new mode of warfare”, was still using the word “new” in an address to a conference in 1997. Clearly, the newness of the threat is in large part a semantic construction designed to justify increased funding and expanded powers.” This characterization appears particularly apt 16 years later, when reviewing the post-9/11 response to terrorism.
39 One report places additional emphasis on the importance of the 1994 General Assembly Declaration on Measures to Eliminate International Terrorism (UNODC 2009). This project follows that report in emphasizing the importance of the 1994 DMEIT in the international counterterrorism regime. See below, and chapters 3 and 4, for additional information regarding this methodological decision.
efforts to address terrorism and wider convergence of international norms into a manifest *international counterterrorism regime*. Although many empirical human rights researchers examine the effects of subsequent, specific legal regimes,\(^{40}\) scholars widely date the origins of *the international human rights regime* to the adoption of the UDHR in 1948—regardless of which particular legal (sub-)regime they are investigating (e.g., Hafner-Burton 2012; Onuf and Peterson 1984). This hearkens back to Krasner’s (see previous section) insistence that the foundations of international regimes are not binding regulations; they are, rather, the widely accepted principles and norms of behavior upon which rules and decision-making procedures rest.

This approach to conceptualizing the emergence of the international counterterrorism regime, then, has distinct advantages. It recognizes the importance of implicit principles and norms being made explicit in General Assembly declarations; it provides equivalence with the conceptualization of the human rights regime used for this research, enabling the researcher to be consistent;\(^{41}\) and it serves as a reasonable middle-way between those who would date counterterrorism regime origins to the 1960s and 1970s conventions on aircraft-related terrorism and hostage-taking and those who ignore twentieth-century international counterterrorism norms and regulations almost entirely in favor of emphasis on the United States-led “war on terror” following 9/11. In addition, Rochester (2006: 96) notes that General Assembly resolutions, though not binding, “can

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\(^{40}\) I refer here largely to those scholars engaged in statistical analysis of international compliance with human rights legal regimes (see Hafner-Burton 2012), as opposed to psychological, sociological, or organizational analyses (e.g., Sjoberg, Gill, and Williams 2001; Spini and Doise 1998) of the broader effects of “fundamental rights” regimes (see Donnelly 2013; Farrow 2005).

\(^{41}\) See the next chapter for more on this dissertation’s conceptualization and operationalization of the international human rights and counterterrorism regimes.
be taken as evidence of customary law.” Certainly the dramatic events from which the UDHR was born and the accumulation of terrorist incidents and multilateral conventions which preceded the DMEIT speak to their pivotal roles in their respective regimes. Taken as a whole, the literature on international counterterrorism conventions and efforts, as well as the literature on the international human rights regime, supports this approach. This is not to minimize the impact of the September 11th terrorist attacks in international relations, however. As the next section explains, research on U.S. foreign aid and counterterrorism demonstrates a sharp upswing in attention to and support for international counterterrorism efforts following 9/11.

D. Foreign Aid, Human Rights, and Counterterrorism

The relationship between the international human rights regime, recipient human rights records, and United States foreign assistance policy has been the focus of a number of scholars, particularly since the 1973 Congressional hearings devoted to human rights policy (Apodaca 2005; Apodaca and Stohl 1999; Carleton and Stohl 1985, 1987; McKinlay and Little 1977, 1979; Schoultz 1981). Early research established a lack of significant positive association between U.S. aid flows and respectable human rights records in candidate countries (Carleton and Stohl 1985; McKinlay and Little 1977; Schoultz 1981). Further scholarship featured refined efforts, which sought to establish whether U.S. foreign aid policy matched altered Presidential rhetoric and changes in international salience of the human rights regime (Cingranelli and Pasquarello 1985; Poe 1991, 1992). Researchers investigated additional factors, controlling for additional
variables. Their models became more complex, revealing greater nuance in the relationship between recipient human rights practices and U.S. aid policy. This wealth of research produced a debate in the literature regarding the degree to which the international human rights regime influences foreign aid decisionmakers. Recently, the War on Terror has produced a new wrinkle in this debate (Bandyopadhyay, Sandler, and Younas 2011; Bapat 2011; Fleck and Kilby 2010; Sandler 2010).

i. Human rights and foreign aid

One of the early influential research efforts is Cingranelli and Pasquarello’s (1985) “Human Rights Practices and the Distribution of U.S. Foreign Aid to Latin American Countries.” In this piece, they argue for a re-evaluation of prior theoretical assumptions and methodology. Where earlier research measured aid in one stage, Cingranelli and Pasquarello assert that the U.S. aid allocation process in fact consists of two discrete stages. They further argue that different variables determine the decisions made at each stage. The two stages consist of (i) the original decision to either grant or deny aid, and (ii) the subsequent decision concerning the amount of aid to allocate. Additionally, the initial commitment regarding whether or not to grant aid serves as a different type of signaling from the actual amount of aid assigned. It is the level of aid, not whether or not aid is initially granted, which may signal relative approval; this is
supported by the researchers’ findings that “higher levels of economic assistance were provided to nations with relatively enlightened human rights practices (1985: 560).”

More recently, Lai (2003) has applied the Cingranelli and Pasquerello two-stage approach in his study of U.S. foreign assistance during the post-Cold War period. In an effort to account for bureaucratic inertia, though, Lai only examines the onset of aid. His research demonstrates that security concerns remained significant following the Cold War. He further finds, like Cingranelli and Pasquarello (1985), that human rights are not significant during the first stage of gate-keeping (for initial onset of aid); however, human rights are significant for the amount of aid initially allocated (the second stage) in the post-Cold War period. His study demonstrates that during the six years from 1991-1996, the United States provided greater amounts of foreign assistance to new recipient states whose human rights records indicated they conducted themselves according to the norms of the international human rights regime.

The idea that aid is a scarce resource and that donors consider aid pledges important is highlighted by the limitations placed on both aid grants (the gatekeeping stage) and relative allocation (how much money is given). As McKinlay and Little (1977: 63) note, “Aid is related to commitment through the capacity of aid to signal commitment.” However, despite early findings regarding the significance of human rights and signaling, empirical support is mixed. Cingranelli and Pasquarello’s (1985) work, for example, has been subjected to challenges. In particular, Carleton and Stohl’s (1987) research reveals that Cingranelli and Pasquerello’s (1985) analysis suffered from

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42 Cingranelli and Pasquarello (1985) did not find that human rights practices influence the initial decision of whether or not to grant aid.
sampling issues and unreliable measures of human rights. Further, McCormick and Mitchell (1988) demonstrate that the relationship between human rights and aid level is considerably weakened by the inclusion of only one additional country (El Salvador) in the sample, indicating that the original sample size may have been too small to generalize.

More recent attempts to resolve this debate include work by Poe (1992) and Apodaca and Stohl (1999), which evaluate larger samples over longer periods of time. In Poe’s (1992) research, a random global sample confirms that human rights produce an effect on the amount of aid allocated, though this effect is mitigated by strategic importance and country size. Apodaca and Stohl (1999), using a similar research design, find broadly that human rights practices had a significant effect on levels of aid allocation as well. However, receiving countries’ level of economic development, in addition to U.S. geopolitical concerns, are of greater significance than human rights practices.

Prior to Boutton and Carter’s (2013) research, Apodaca and Stohl’s (1999) work is some of the most comprehensive to date. The time period spans from 1976-1995. The number of countries included in the dataset is a robust 140. The authors’ findings reveal that regardless of rhetoric, human rights practices did play a significant role in determining economic aid during the Carter, Reagan, and Bush administrations. The

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43 Boutton and Carter’s (2013) article covers 1976-2006. However, the focus is on U.S. foreign aid and terrorism. Although a measure of human rights is included, scant attention it paid to the variable and it is found to be statistically significant only in stage one determination of military aid over the whole time period analyzed. However, when the time periods are analyzed separately (Cold War, 1990s, post-9/11), human rights is found to be significant during the Cold War (in terms of amount of aid allocated) and post-9/11 (in terms of the initial decision to grant aid).
human rights variable is, however, of secondary importance to other concerns—which is consistent with a good deal of other research on this topic.

Overall, existing literature reveals that human rights practices are not the only, nor perhaps the primary, concern of U.S. policymakers when deciding how much aid to allocate or whether to grant aid to a recipient at all. Consistent with this existing research, Nielson (2013) shows that donors do punish some repressive states with aid sanctions—but in a selective and unequal fashion. This tracks with research on aid donor motivations more broadly, as Alesina and Dollar (2000) argue that international donors are more concerned with self-interest and historical ties than with recipient merit; Neumayer (2003) demonstrates that the majority of donors are inconsistent in human rights promotion through aid; and Hoeffler and Outram (2011: 247) find that “unobserved recipient characteristics” (e.g., history), donor self-interest, and recipient need explain the greatest variance in foreign aid—with “recipient merit” (a category comprising economic policy, democracy, and human rights) explaining less than 1 percent of the variance. Ultimately, while a recipient’s record on human rights frequently exhibits a statistical association with the amount of economic aid it receives from the United States and other donors, the significance vis-à-vis other variables is debated in the literature.

The lack of consensus surrounding the degree to which human rights matter in foreign aid allocation, particularly in terms of U.S. foreign aid, is an important one for foreign policy analysts. The literature remains inconclusive, with a number of researchers (Apodaca and Stohl 1999; Cingranelli and Pasquarello 1985; Lai 2003; Poe 1992) finding human rights significant in levels of aid allocated, and others (Boutton and Carter 2013;
Carlton and Stohl 1985, 1987; Demirel-Pegg and Moskowitz 2009; McCormick and Mitchell 1988) reporting mixed findings depending on measures used, time periods examined, and recipient countries included in the sample. The continued debate over the impact of human rights on foreign aid points to the need for alternative measures of regime influence in aid appropriations. The research undertaken in this study is designed to address this deficit in the literature, anticipating that a more comprehensive measure of the international human rights regime will demonstrate more clearly the impact of this regime during the aid appropriations process.


t. Counterterrorism and foreign aid

Adding to the complexity of aid determination, the events of September 11, 2001 resulted in changes in a number of areas of U.S. government policy. The high profile terrorist attacks raised public awareness of transnational terrorism and catapulted the international counterterrorism regime to prominence—a prominence accompanied by colossal expenditures on counterterrorism measures. As Sandler (2010) notes, estimates of the cost ran from $119 to $147 billion during the short period between 9/11 and the end of 2004.

Counterterrorism spending manifests in a range of forms, including that of foreign aid. By 2009, President Obama was requesting $1.6 billion in diplomatic and development aid for Afghanistan, and $1.4 billion for similar programs in Iraq, with the goal of resolving the al-Qaeda threat; as these figures demonstrate, focus in some quarters in Washington was shifting away from military intervention and toward improving the
situation on the ground through aid programs instead (Azam and Thelen 2010). The post-9/11 emphasis on counterterrorism has, thus, resulted in a revision of primary objectives for U.S. foreign economic assistance. “Countering the threat of international terrorism” (Hook 2007: 87) and the role of aid “as a tool in the global war on terrorism” (Tarnoff and Lawson 2011: 2) can now be found among contemporary foreign assistance priorities. Counterterrorism and aid literature, while a smaller field than human rights and foreign aid, is a growing area of research (Bandyopadhyay, Sandler, and Younas 2010; Bapat 2011; Boutton and Carter 2013; Fleck and Kilby 2010; Sandler 2010).

Although research in this area remains limited, it is notable for its variety. Ranging from evaluations of the impact of counterterrorism efforts on the international aid regime (Woods 2005) to the measures of effectiveness of the Millennium Challenge Account in addressing causes of terrorism (Owusu 2007) to rigorous economic analysis (Fleck and Kilby 2010), researchers interested in U.S. foreign assistance and counterterrorism cover a range of questions using a variety of methods. For instance, Azam and Thelen (2010) approach the issue of the War on Terror and its effects on foreign aid distribution by developing their own theoretical framework and then testing it. They present a three-player game where foreign aid apportionment is based on terrorist risk (emanating from the country receiving aid) to the donor. Building on this work, Bandyopadhyay, Sandler, and Younas (2011a) note the link between counterterrorism and aid packages in a three-stage game; they particularly contribute to the literature by

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44 Azam and Thelen’s (2010) model includes consideration of aid used by recipient countries to improve humanitarian conditions (e.g., through education) which works to lessen terrorist activities. Their empirical analysis demonstrates that foreign aid is an effective counterterrorism tool when used to support human development.
emphasizing the importance of homeland security considerations in decisions about tying aid to counterterrorism objectives or providing more general aid.

Fleck and Kilby (2010) explore empirically how the strategic role of aid demonstrated by Azam and Thelen (2010) and Bandyopadhyay, Sandler, and Younas (2011a) has affected U.S. aid allocation decisions. To do so, they use a detailed econometric analysis of the changes over time in U.S. bilateral economic aid. Examining the period spanning 1955-2006 to investigate the War on Terror’s repercussions for the aid budget, they find that the emphasis on the geopolitical role of aid, which had diminished following the end of the Cold War, reappeared with the War on Terror. They then demonstrate that the renewed strategic importance of aid has coincided with a reduced emphasis on the need of the recipient country and human rights records. Especially noteworthy is that, despite an overall increase in U.S. aid flows, the poorest countries’ share of aid has increased to a lesser degree than share of higher-income aid recipients (Fleck and Kilby 2010: 186). This raises concerns about a return to Cold War focus on geopolitical concerns and neglect of spotty human rights records (Fleck and Kilby 2010: 185, 195).

Woods (2005: 397), meanwhile, notes that the “war on terrorism has mainly been funded through supplemental appropriations,” and that aid flows to select countries deemed strategically relevant to counterterrorism efforts (particularly in the Middle East and Central Asia) approximated aid flows to the rest of international recipients combined. Woods also posits that the creation of the Millennium Challenge Account (MCA) should protect a certain amount of money from U.S. efforts related to the international
counterterrorism regime. However, Owusu’s (2007) findings contradict Woods’ (2005) expectation regarding the MCA. Owusu’s (2007: 4) case study “highlights the multiple and conflicting objectives of the post-9/11 U.S. foreign aid strategies,” arguing that the MCA’s organizational design is actually indicative of the Bush Administration’s larger goal of revamping the process utilized for administering U.S. foreign assistance. This effort to change aid distribution requirements, Owusu (2007: 16-17) observes, seems to be an attempt to turn U.S. development aid into “an extension of” counterterrorism policy rather than an effort to mitigate suffering out of real concern for the people living in poverty. However, conclusions drawn regarding the MCA should be applied to U.S. foreign assistance more generally with a healthy dose of caution, as both Woods (2005) and Owusu (2007) note that the MCA’s funds are extremely limited in comparison to other foreign aid agencies.\textsuperscript{45}

Whether or not U.S. aid allocation more broadly serves counterterrorism policy is taken up for rigorous empirical analysis by Boutton and Carter (2013), who find that terrorist attacks aimed at U.S. citizens and organizations strongly influence the amount of U.S. aid allocated to recipient countries. This assistance appears well-spent: Young and Findley (2011) find, broadly, that aid decreases terrorism,\textsuperscript{46} while Whitaker (2010) finds that both receipt of counterterrorism-specific foreign assistance and reliance on foreign aid more broadly are associated with counterterrorism regime compliance in East Africa. Whitaker’s (2010) findings complement prior studies on regime effectiveness, which

\textsuperscript{45} For more information on the MCC and MCA (e.g., formation and objectives), see Hook 2008.

\textsuperscript{46} Bandyopadhyay, Sandler, and Younas (2011b), however, find that foreign aid does not mitigate the negative effects of transnational terrorism on FDI flows; they suggest that foreign aid may not effectively tackle the main causes of and supply structure for transnational terrorism.
suggest that helping less-developed states “implement the terms of international regimes” (Levy, Young, and Zürn 1995: 283) is more successful than hegemonic imposition of regime requirements—in spite of Young’s (1980: 388) observation that “coercion [is] central to the process of reaching social choices within most international regimes.” This study contributes to the literature on counterterrorism and foreign aid by using not only terrorist attacks as a proxy for importance in the counterterrorism regime, but also a more comprehensive measure of counterterrorism regime influence during the aid appropriations process (see next chapter). The study explicitly differs from Boutton and Carter (2013) in arguing that U.S. foreign assistance levels are affected by the international counterterrorism regime, rather than shifts in aid levels being motivated solely by direct terrorist attacks on U.S. interests.

III. CONCLUSION

As Young (2011) notes, the literature on international regimes is both broad and deep; hundreds of studies have been conducted to evaluate the usefulness of the regime concept in analyzing behavior in the international system. This chapter has examined some of the earliest and most cited literature on international regime theory. It has shown that, beginning with Ruggie’s (1975) explanation, introduced to a wider audience by Keohane and Nye’s (1977) *Power and Interdependence*, and cemented with the 1982 special issue of *International Organization*, regime theory made great strides in a short frame of time; the research published in the special *IO* issue has been especially
influential. The definition of international regimes introduced therein serves as the foundation for the research conducted in this dissertation.

This chapter has also evaluated the literature on human rights and counterterrorism regimes, explaining the historical context from which these regimes developed. Particular attention was devoted to explaining the implicit academic debate surrounding the origins of the counterterrorism regime and evaluating the case for conceptualizing the counterterrorism regime as both a pre-9/11 and a pre-Resolution 1267 phenomenon. The study outlined in the next chapter combines the theoretical power of the regime concept with the historical and empirical aspects of the human rights and counterterrorism regimes, examining the effects of these regimes during the end of the 20th and beginning of the 21st century. As Bovcon (2011) notes, shifts in systemic power and salience of key issue-areas contribute to change in regime influence; thus, this study particularly examines the effects of the September 11th terrorist attacks on the relative influence of the human rights and counterterrorism regimes on levels of U.S. foreign aid allocation.

This chapter has also reviewed well-known, relevant literature on the relationship between human rights, counterterrorism, and U.S. foreign aid appropriations. The time period covered in this study extends existing research on foreign aid, human rights, and counterterrorism. Although most of the existing literature on U.S. foreign aid, human rights, and counterterrorism does not explicitly align itself with regime theory, the foreign assistance section above drew connections between research on foreign aid determinants and the international human rights and counterterrorism regimes. This study does
explicitly align itself with regime theory, arguing that international regimes (specifically, the international human rights and counterterrorism regimes) affect state behavior in the international system. This contributes a theoretical depth missing from some of the most-cited work in foreign aid. Additionally, the study investigates a previously marginalized step in the aid process: congressional discourse. The analysis of congressional discourse produces evidence of regime influence during the foreign aid appropriations process, supporting the proposition that regimes influence U.S. foreign policy (Levy, Young, and Zürn 1995: 287-331, esp. 313-315).

This study also introduces new measures of regime influence on aid appropriations to statistical analysis of aid determinants. The empirical literature on aid appropriations reviewed in this chapter uses post-hoc proxies for measuring human rights and counterterrorism concerns, lagging the measures to simulate influence in decision-making. Through creating and incorporating comprehensive measures of regime influence derived from actual appropriations hearings, this study introduces an additional dynamic component, beyond the traditional time series aspect of the statistical analysis, largely absent from existing empirical work on U.S. foreign aid appropriations. The following chapter details the research design used to carry out the study.
Chapter 2: Research Design and Methods

All human beings, whatever their cultural or historical background,

suffer when they are intimidated, imprisoned or tortured . . .

We must, therefore, insist on a global consensus,

not only on the need to respect human rights worldwide,

but also on the definition of these rights . . .

—the Dalai Lama

I. INTRODUCTION

The initial inspiration for this dissertation came from the literature on human rights and U.S. foreign assistance. Extensive review of human rights and aid scholarship (see previous chapter) reveals tension in the relationship between human rights and U.S. foreign aid policy, as illustrated by counterintuitive findings for the significance of presidential administration; the importance of geographical region and inclusion or exclusion of particular countries; and the effects of the Cold War and its conclusion (Apodaca and Stohl 1999; McCormick and Mitchell 1988; Poe 1992; Woods 2005). However, while researchers reference 1974 legislation dictating consideration of human
rights in aid appropriations, notably absent from much human rights and foreign aid research is consideration of the aid appropriations timeline and process itself. For instance, many researchers fail to appropriately lag human rights measures in their analyses or fail to specify in their publications that they have done so. The steps followed in the development of an appropriations bill, and the impact of these steps and the overall timeline of the process, on appropriators’ knowledge and motivations at the time of aid allocation is largely overlooked. In short, much statistical work on U.S. foreign aid determinants ignores key steps in the aid appropriations process which can lend insight to interests and values of appropriators and, thus, policy outcomes.

The research design for this project contributes to the literature in two key ways. First, it begins to address the shortcoming explained above. It does so by analyzing discourse used by senators and witnesses during Senate subcommittee hearings on foreign aid appropriations. What influences discourse in Senate subcommittee hearings on aid appropriations? What do senators and witnesses care about in terms of allocating foreign assistance?

Second, the study provides an innovative conceptualization and operationalization of the international human rights and counterterrorism regimes. The conceptualization of the human rights and counterterrorism regimes is based on Krasner’s (1983: 2) definition

48 Some of the most frequently cited literature on human rights and foreign aid also fails to account for the effect on aid receipts of human rights improvement. See Poe (1992) for an exception notable for its thoroughness and for the clarity of methodological decisions pertaining to the use of human rights measures, lags (as relevant to decision-maker information), and controlling for recipient improvement in human rights performance.
49 As Poe (1990: 510-511) notes, the “relevant question for the purpose of foreign aid research is: What were our decision-makers exposed to?”
of regimes and the UN General Assembly declarations associated with human rights and counterterrorism. This is an important point to note with regard to the human rights regime, as Western academic (and U.S. government) conceptualizations of human rights, and, thus, the international human rights regime, emphasize to a far greater extent civil and political rights over economic and social rights—despite the fact that both are included in the Universal Declaration of Human Rights. Thus, much existing literature on human rights and foreign aid, using operationalizations based on this conceptualization, fails to account for an important dimension of human rights altogether, or classifies it separately and fails to connect it theoretically to the human rights regime. The comprehensive conceptualization of the international human rights regime offered in this dissertation is a valuable contribution to a literature saturated with research into the importance of bodily integrity rights (as opposed to economic and social rights; see previous chapter).

The operationalization of the human rights and counterterrorism regimes is drawn from the explicit content of the declarations. For comprehensiveness, it includes synonymous terms. This study posits that the influence of international regimes in decision-making can be gauged by their presence in Senate discourse during the aid appropriations process. To measure this effect, the study conducts content analysis, creating quantitative scales of regime-based rhetoric in discourse. These quantitative scales then serve as proxies to measure the impact of international regimes in statistical

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50 See previous chapter.
51 The most common example of this separate classification is to create a variable for “recipient need” or “needy people,” operationalized as GNP, GDP, or income per capita. See for example Apodaca and Stohl (1999) or Hoeffler and Outram (2011).
analysis. This operationalization is valuable for research on both the international human rights regime and the international counterterrorism regime. Because the human rights regime is associated to a greater degree with values than with material interests, its impact on aid appropriations is more difficult to measure than variables such as levels of trade or number of military personnel stationed in a recipient country. This is illustrated by the difficulty researchers have experienced in seeking to create a measure accounting for decisionmakers’ belief that aid can be used as an incentive and tool for change or as a reward for improvement.

Measuring the impact of the counterterrorism regime throughout the 1996-2009 time frame can be problematic in other ways. The two primary concerns are that (1) there is no actual international counterterrorism regime, only U.S. national security interests, and (2) there is a global counterterrorism regime, but it only came into existence following 9/11. Countering the first critique is evidence that, at least in the United States, terrorism simply is not a significant national security threat. By its nature, terrorism induces outsized fear in the general population for the level of damage it inflicts, and certainly 9/11 should be viewed as a catalyst for change in public opinion surrounding the issue. However, the number of people killed by terrorism is negligible in comparison to the steps taken at the national and international levels and armed conflicts generated in response to it. Even mainstream media outlets regularly remind their readers to take a deep breath, noting that the U.S. State Department reported only 17 worldwide deaths of
U.S. citizens in 2011 (a figure that includes deaths in Afghanistan and Iraq). As the media (Bailey 2011; Goldberg 2013; Zenko 2012) observes, U.S. citizens are:

- 1,904 times more likely to die as a result of a motor vehicle accident than a terrorist attack
- 87 times more likely to drown than be killed in a terrorist attack
- 22 times more likely to die as a result of brain parasites than by terrorism
- 8 times more likely to be killed by a police officer than by terrorism
- 4 times more likely to be killed by a lightning bolt than in a terrorist attack
- 1.67 times more likely to be killed by a toddler than by a terrorist.

While counterterrorism-related spending in the United States is estimated at over $1 trillion since 9/11, furniture and televisions falling or tipping over kills a “comparable number of Americans” to terrorism each year (Gipson and Suchy 2011; Stewart and Mueller 2011; Zenko 2012).

In this way, we can see that the battle waged against terrorism is less about the loss of life and material and economic damage it inflicts than about the conviction that terrorism (and the outsized psychological and emotional damage it wreaks) like human rights abuse, is “wrong”—while countering terrorism, like propagating respect for human dignity, is “right.” The human rights and counterterrorism regimes, at their cores, have more in common than meets the eye; the counterterrorism regime cannot be dismissed as a mere extension of realist-based national security interests. The regime, after all, speaks to deep-seated principles of personal freedom from fear, though with an added emphasis

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on national freedom from said fear and collective responsibility to combat it. This is particularly evident in the way American counterterrorist measures moved front and center in the period following 9/11.

The outrage following 9/11, and the resultant “war on terror,” leads to the second critique: the global counterterrorism regime was birthed only following, and probably as a result of, the 9/11 attacks. This is incorrect for two key reasons. The first is that, as Peterson (2012) notes, Krasner’s definition of regimes “indicates that to qualify as an international regime, actor expectations must be converging because they all accept and follow a particular array of normative and procedural guidelines.” It is not enough that a state (or multiple states) be driven simply by some fear-inspiring event; rather, they must be cooperating out of acceptance of, adherence to, and (to a certain degree) evangelicism of, the same principles and norms, with appropriate accompanying rules.

The second reason is that, as noted above and in chapter one, the counterterrorism regime was developed over a long period of time. Its roots can be traced back to the League of Nations, and then through the 1960s and 1970s. Beliefs about how to address terrorism and research related to such issues expanded over the decades to reach, in the 1990s, the critical mass necessary to formulate a General Assembly Declaration on the matter (DMEIT 1994), which marks the “birth” of the regime proper. This was followed two years later by a Supplement (Supplement to the DMEIT 1996), and discourse about counterterrorism and international cooperation in this issue-area continued to grow. While 9/11 did serve as a critical juncture (Collier and Collier 1991; Peters 2005: 78)

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53 See Ranstorp 2006, for an excellent overview of terrorism studies literature.
motivating the United States, as global hegemon, to take leadership in the regime and increase interest in cooperation in this issue-area, the regime itself did exist and exert low levels of influence prior to the 9/11 attacks (see the following chapter).

This chapter details the research design used to evaluate the influence of the international human rights and counterterrorism regimes on U.S. foreign aid appropriations during the years from 1996 to 2009. The dissertation analyzes the periods pre- and post-9/11 to establish the impact of the terrorist attacks as a critical juncture galvanizing U.S. adherence to, and leadership in, the international counterterrorism regime. This design consists of a two-stage process. The first uses content analysis to create a measure of the influence of the international human rights regimes in Senate subcommittee discourse. The second uses that measure as an independent variable in statistical analysis of aid determinants.

Thus, this chapter explains what content analysis and regression analysis using panel-corrected standard errors are. Additionally, it details why the Senate Appropriations Subcommittee on State, Foreign Operations, and Related Programs (SASSFORP) was selected for the content analysis; why the specific SASSFORP hearings analyzed were selected; how the regimes are conceptualized and operationalized; and the process by which coding of the transcribed hearings took place. It then explains what the variables selected for stage two statistical analysis represent, why they were chosen, and how they are coded.
II. STAGE ONE: CONTENT ANALYSIS OF SENATE TRANSCRIPTS

This stage of the study conducts qualitative content analysis of transcripts of the Subcommittee on State, Foreign Operations and Related Programs (renamed from the Senate Appropriations Subcommittee on Foreign Operations, Export Financing, and Related Programs in 2005).\(^{54}\) It addresses the manner in which congressional testimony and discussion during appropriations hearings articulate the goals of foreign assistance—particularly in terms of the international human rights and counterterrorism regimes. Researchers are now investigating more seriously the impact of the congressional process in foreign aid appropriations; this study contributes to research in the growing field of congressional politics and aid allocation (Boone 1996; Irwin 2000; Fleck and Kilby 2010; Berger 2012) as well as research on congressional discourse more broadly (Gamble 2011; Guetzkow 2010).

The design for this stage of the study has been chosen in order to address the following questions: Do global regimes influence Senate subcommittee decisions during aid appropriations hearings? Is this influence evident in subcommittee discourse during hearings? Did the 9/11 terrorist attacks alter the levels of influence of the human rights regime vis-à-vis the counterterrorism regime?

To answer these questions, the study evaluates Senate subcommittee transcripts from the seven years leading up to the terrorist attacks of September 11, 2001 and the seven years following the attacks. The research focuses on hearings held to receive testimony from the secretary of state and from the administrator for the U.S. Agency for

\(^{54}\) Hearings for fiscal year 2006 were the first following a reorganization in which the subcommittee received jurisdiction over the State Department’s entire operation (see Tollestrup 2011: 9-11).
International Development (USAID). Special hearings on specific topics or programs (e.g., HIV/AIDS or assistance for the Colombian counter-drug initiative) are not included for analysis as they would skew results. The hearings chosen were selected for two main reasons: (a) the State Department and USAID are the two organizations responsible for the disbursement of the majority of U.S. foreign economic assistance; and (b) hearings held to receive testimony from the Secretaries of State and USAID Administrators were largely consistent over the time period sampled.  

There is one hypothesis pertaining to both regimes; two hypotheses regarding the international human rights regime; and three hypotheses specific to the counterterrorism regime for this stage of the research. The hypothesis regarding both regimes is as follows:

*Overall H1: International human rights regime-based rhetoric is more salient in subcommittee discourse than international counterterrorism regime-based rhetoric throughout the time period under analysis.*

This hypothesis is based on two key factors: (i) the UDHR is 46 years older than the DMEIT, giving it almost half a century longer to grow stronger and become more embedded in the international system, and (ii) as conceptualized and operationalized for this research endeavor, the international human rights regime is far broader than the international counterterrorism regime, potentially touching many more aspects of international relations.

The hypotheses pertaining to the international human rights regime are:

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55 There are three exceptions during the sample time period. The data analyzed for fiscal year 1997 does not include a hearing with the Secretary of State, as Secretary Christopher did not testify that year. The data analyzed for fiscal years 2001 and 2005 do not include USAID hearings as USAID hearings were not held those years. The final data analysis utilizes weights to account for the lower number of pages coded for these years.
HR H1: Human rights regime-based rhetoric is salient in subcommittee discourse prior to the 9/11 terrorist attacks.

HR H2: Human rights regime-based rhetoric does not decrease in the post-9/11 period.

Much post-Cold War scholarship on human rights and international relations views the end of the Cold War as marking a shift in policy—denoting the commencement of an increase in strength and influence of the international human rights regime. With the threat of the Soviet Union no longer looming, empirical analysis has been used to ascertain whether or not human rights increased in salience during the 1990s and decreased following the 9/11 terrorist attacks. Many researchers view 9/11 as having an effect opposite to the crumbling of the Soviet Union (Cingranelli and Richards 1999; Foot 2005, 2007). This research, however, argues that the influence of the international human rights regime was not deeply affected by the events of 9/11. As humanitarian concerns are the “most broadly supported purpose of aid,” and counterterrorist concerns are not necessarily incompatible with these impulses, we expect the human rights regime to maintain salience in discourse throughout the period under review (Tarnoff and Lawson 2012: 3). The hypotheses regarding the effect of this regime on Senate discourse articulate the expectation that it will prove influential throughout the post-Cold War and post-9/11 periods. That is, the regime will continue to exert constant or increased levels of influence on discourse following the terrorist attacks.

Despite its lack of impact on the salience of the human rights regime in Senate discourse, 9/11 is expected to alter the amount of counterterrorism regime-based rhetoric.
The terrorist attacks provide the catalyst for U.S. lawmakers and appropriators to “buy into” the international counterterrorism regime on a deeper and more explicit level. The hypotheses for the counterterrorism regime are as follows:

**CT H1:** Counterterrorism regime-based rhetoric is present in low concentration during the period prior to 9/11.

**CT H2:** The period post-9/11 will reveal a sharp increase in counterterrorism regime-based rhetoric as a function of the shift in regime salience resulting from the terrorist attacks.

**CT H3:** As a function of the post-9/11 increase in counterterrorism regime-based rhetoric, there will be a decrease in language articulating alternative concerns.

As noted in the introduction to this chapter, although the American public and some researchers tend to think of the global counterterrorism regime as a post-9/11 phenomenon, the regime predates the terrorist attacks. As articulated in counterterrorism hypothesis one, the research conducted in this stage aims to confirm this assertion.

Hypotheses two and three address post-9/11 counterterrorism regime influence on Senate discourse, anticipating an increase in regime influence in discourse and an accompanying decrease in conversation devoted to other interests and values. The researcher anticipates this decrease due to the limited time available for hearings: if counterterrorism discourse increases, and human rights discourse does not decrease, then, *ceteris paribus*, other concerns will be neglected in subcommittee proceedings.
A. Data

i. Subcommittee Transcripts

The data analyzed in this research are transcribed hearings of the Senate Appropriations Subcommittee on State, Foreign Operations, and Related Programs (SASSFORP). The hearings selected address foreign aid appropriations for fiscal years 1996-2009. In total, the researcher read and coded 740 pages of transcribed testimony and question and answer sessions for this analysis. These pages contained a total of 333,828 words. Hearings took place to obtain testimony from the Agency for International Development and the Department of State. The purpose of this analysis is to measure the incidence of international human rights and counterterrorism regime-based language in Senate discourse and to evaluate the manner in which senators tie foreign aid to regime principles, norms, and rules.

SASSFORP is responsible for setting the annual spending levels for foreign aid programs. They do so through obtaining agency testimony during hearings such as those analyzed in this research (Tollestrup 2012). The subcommittee consists of 15 members: eight from the majority party and seven from the minority. During the 1995-2008 time period (hearings for fiscal years 1996-2009), chairmanship of the subcommittee was exchanged back and forth between Mitch McConnell (R-KY) and Patrick Leahy (D-VT). From 1995-2001, McConnell held the chairmanship; in 2002 (during hearings for FY
2003), Leahy served as chair.\textsuperscript{56} From 2003-2006, McConnell again held the chairmanship; in the hearings that took place during 2007 and 2008, Leahy took over.

Krippendorff (2004: chapters 6-9, 13-14) stipulates that every content analysis design ought to address which data are analyzed, how the data are defined, from what population they are drawn, the context relative to which they are analyzed and the limitations of the analysis. As noted, the data analyzed in this research are transcribed SASSFORP hearings. The researcher analyzes them relative to the context of the theories of international regimes and empirical research on foreign aid appropriations, human rights, and counterterrorism outlined in chapter two. The limitations of the analysis include (i) methodological constraints on the number of documents analyzed, and (ii) the data-related concern that discourse in the documents may be compromised by participant awareness of the transcripts being publicly available. The first limitation will be addressed in the next section. The second may be attended to as follows.

While chapter 1 addresses the general use of congressional discourse in research and its availability in the public domain, the analysis of these hearings reveals that in this case, perhaps, such concerns may be overstated from the outset. It is evident throughout the hearings that the senators do not expect the general public to be interested in the proceedings in real time, let alone in the recorded transcripts. The content of the senators’

\textsuperscript{56} During the 107\textsuperscript{th} Congress (January 3, 2001-January 3, 2003), the Senate started with a one-seat Democratic majority (while Al Gore was still in office), only to switch to a Republican majority when Vice President Dick Cheney was inaugurated on January 20\textsuperscript{th}. However, the Democrats regained the majority June 6\textsuperscript{th} of 2001, when Senator Jim Jeffords defected from the Republican Party—joining the Democratic caucus and giving control back to the Democrats. The Democrats then ceded the majority to the Republicans after the 2002 election (CongressLink.org ND; Senate.gov ND).
language reveals this in a variety of areas, most notably in their discussions of foreign aid and public opinion:

- “I don’t have too many people back home saying, ‘Please give more money for foreign aid.’” – Senator Leahy (Hearings for Fiscal Year 2009: 20)

- “The public continues to believe foreign assistance is mismanaged and ineffective. On the other hand, they believe we should cut it back to 5 percent, suggesting we all need to work harder to improve the understanding of just what it is and how much it is since it has been under 1 percent of the budget for quite some time.” – Senator McConnell (Hearings for Fiscal Year 1996: 382)

In fact, when the senators are interested in establishing a particular point “for the record,” rather than for the discussion at hand or out of a more organic process, they come right out and say it. Answers to particularly cumbersome and/or probing questions are provided in writing “for the record” if a witness is uncomfortable answering off-the-cuff. Additionally, spending time immersed in reading these transcripts provides the researcher with a subjective sense of when statements are being made for a more formal reason. This can be seen particularly in the hearings for 2003, where senators and witnesses alike expressed a desire to “pay tribute to” and “mourn” Canadian soldiers who died in Afghanistan (Hearings for Fiscal Year 2003: 127, 177).

Additionally, that senators do not expect each other, let alone the public (or perhaps even very many researchers), to review the proceedings, is also apparent in the manifestation of a variety of what this researcher has come to refer to as “zombie
anecdotes”: little stories that are repeated throughout the hearings, as examples to make a point. A notable example is the story of the finance minister of an unnamed country:

Senator BENNETT. Thank you very much, Mr. Chairman. … I remember a dinner I had with a finance minister...I said to him, what do you need the most. And he did not hesitate for a minute. He said I need 15 people I can trust. I preside over a bureaucracy that is about 50,000 people. And this is a country where the government is the employer of last resort maybe. And he said I could fire every one of them if I had 15 people I could trust and I keep trying to get AID to pay for scholarships. This particular man has a Ph.D. in economics from one of America’s most prestigious universities. And he said if I could get 15 young people to come back with Ph.D.s from legitimate American universities, I could run my whole bureaucracy and fire the other 50,000. USAID says to me, no, we do not do scholarships. And the reason is you will just pick your nephew and your brother-in-law and whatever and send them to the United States to study at our expense. And he said my response to them was, okay, you pick. Do you think our government is sufficiently corrupt, we will not pick. He says I still cannot get them to do it. (Hearings for FY 2006: 99-100)

Senator Robert Bennett first offered this anecdote in hearings for FY 2002, when he named the minister in question as Youssef Boutros Ghali, the Economics Minister in Egypt (Hearings for FY 2002: 33-34). He repeated the story the following year (Hearings for FY 2003: 107-108), and again in hearings for 2006 (above) and 2009 (Hearings for FY 2009: 15).

Finally, although protestors have been known to attend Senate hearings (see for example Hearings for FY 2008: 96), this does not seem to translate to expectations for wide coverage of or public attention to such hearings. This expectation of a certain degree of in-group comfort was demonstrated strikingly by events that took place in 2012 in a subcommittee hearing in a different issue-area: when Josh Fox, an Academy Award
nominated documentary filmmaker, tried to record a public congressional subcommittee hearing on hydraulic fracturing (fracking), he was ejected from the hearing and arrested.

The fact remains, though, that the hearings used in this analysis are in the public record. Thus, potential bias must be acknowledged. Given that international regimes are theorized to affect public and state behavior, however, and that this project does not make claims to attribute purely altruistic and truthful motives to the senators and witnesses whose speech is recorded in these transcripts, this matter may be laid to rest for the purposes of this research.  

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ii. Conceptualization and Operationalization of International Human Rights and Counterterrorism Regimes

Concepts, according to Kaplan (2004: 48-49), are “famil[ies] of conceptions.” A conception is a personal understanding, or “mental image” of an intangible and, thus, indistinct phenomenon (Babbie 2007: ch 5). The process by which researchers articulate their individual understandings and come to a decision that a concept does indeed represent the phenomenon they wish to study is referred to as “conceptualization.” Conceptualization reduces the indistinctness surrounding individual conceptions by providing an explicit explanation of what a term means in a given research endeavor. In brief, conceptualization articulates what we seek to measure; operationalization, as we will see below, explains how we measure it.

\[57\] See chapter 1 for additional discussion of the use of congressional discourse in research.
The conceptualization of international regimes used for this project is Krasner’s (1983: 2) definition: regimes are “implicit or explicit principles, norms, rules and decision-making procedures around which actors’ expectations converge in a given area of international relations.” To conceptualize the international human rights regime specifically, we combine Krasner’s regime concept with the particular principles, norms, and rules delineated in the Universal Declaration of Human Rights (see Appendix A to this dissertation), while specifying that we are concerned with the existence the international human rights regime during the years spanning 1995-2008. The conceptualization of the international counterterrorism regime is reached in the same manner, utilizing the values, standards, prescriptions, proscriptions, and consequences of violating them articulated in the Declaration on Measures to Eliminate International Terrorism (see Appendix B to this dissertation).

Operationalization of the international human rights and counterterrorism regimes took place in two steps. The first step was deductive, consisting of preliminary data code development based on the explicit content of the General Assembly declarations. The second, inductive, step recalibrated original coding classifications to account for transcript content. The second step was iterative, consisting of multiple phases (see Methods section below). Ultimately, the operationalization of the international human rights and counterterrorism regimes for this stage of the project derives from (i) initial analysis and classification of content of the UDHR and the DMEIT, and (ii) application and adjustment of the initial coding scheme in content analysis of transcripts.
### Table 1

**Codes for the International Human Rights Regime**

<table>
<thead>
<tr>
<th>Code</th>
<th>Description</th>
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| 1. Agency | a. Freedom  
|   | b. Liberty  
|   | B1. No repression  
|   | b2. Dictator  
|   | c. Security of person  
| 2. Assembly | a. Assembly  
| 3. Asylum | a. Protection of refugees  
|   | a1. Abuse of refugees  
|   | b. Refugees, general  
|   | c. Repatriation of refugees  
|   | c1. Forced repatriation  
|   | c2. Unforced repatriation  
| 4. Dignity | a. Human dignity  
| 5. Due Process and Justice | a. Arbitrary arrest  
|   | b. Effective remedy  
|   | b1. National tribunal  
|   | c. Judicial system  
|   | d. Just rule, justice  
|   | e. Legal counsel  
|   | f. Political arrest  
|   | g. Political assassination  
|   | h. Rule of law  
| 6. Education | a. Education  
| 7. Equality | a. Equal participation  
|   | b. Equal protection  
|   | c. Racism, Anti-Semitism  
|   | d. Women’s issues  
| 8. FA Contingent on HR Record | a. Neutral re: conditionality  
|   | b. Pro-conditionality  
| 9. FA to Support HR Regime | a. FA to support HR  
|   | b. FA to improve HR conditions  
|   | b. Freedom of thought / expression  
| 11. HR Violations / Violators | a. Serbia / Kosovo human rights abuse (not otherwise coded)  
|   | b. Chechnya human rights abuse (not otherwise coded)  
|   | c. Ethnic cleansing  
|   | d. Abuse of human rights (and synonyms)  
|   | e. Paramilitary organizations / death squads  
|   | f. State organized political violence  
|   | g. War crimes  
|   | h. War criminals  
| 12. Respect for HR | a. Human rights  
|   | b. People’s rights  
| 13. Life | a. Right to life  
|   | b. Genocide  
| 14. Political Participation | a. Elections  
|   | b. Opposition groups  
| 15. Standard of Living | a. Food, water  
|   | b. Housing  
|   | c. Humanitarian concerns  
|   | d. Medical/health care  
|   | e. Poverty  
|   | f. Refugee basic assistance  
|   | g. Social protection – mothers and children  
| 16. Work and Remuneration | a. Fair pay  
|   | b. Right to work / mass unemployment  

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The final codes used for the international human rights regime can be seen in Table 1 (for examples of human rights regime codes in context, and for codes for the international counterterrorism regime, see chapter three).

B. Methods: Directed Content Analysis

This stage of the research utilizes directed content analysis (Potter and Levine-Donnerstein 1999; Hsieh and Shannon 2005). Content analysis is a systematic, replicable research method in which a large number of words are compressed into fewer content categories, constructed using explicit coding requirements (Berelson 1952; Weber 1990; Krippendorff 2004). The content analysis undertaken for this project is “qualitative” in the sense that the researcher read and manually encoded each instance of regime-based rhetoric found in the data. In contrast to solely quantitative, typically automated, content analysis, this approach requires researcher immersion in the data, resulting in higher validity of the results. The primary limitation to using qualitative content analysis is that, unlike mechanical quantitative content analysis, the researcher can only read so many documents (Graneheim and Lundman 2003). This risks a sample size too limited for reliability. Given that 740 pages of transcribed hearings, spanning a 14-year time frame, were ultimately included for analysis, concerns in this regard should be allayed.

58 See Lowe (2008), for an overview of a popular automated content analysis software and its application; Monroe, Colaresi, and Quinn (2009) for an explanation of the difficulty of introducing substantive validity to the automated content analysis process; and Pang, Lee, and Vaithyanathan (2002) for an overview of the potential of machine learning techniques in this research area. The chief limitation to both strictly quantitative content analysis and computer-intelligence-driven analysis is the lack of depth and probable lack of validity (Pang, Lee, and Vaithyanathan 2002; Janis 1965; Lowe 2008; Monroe et al. 2008).
Directed content analysis specifically is a more structured approach than conventional inductive content analysis; it enables researchers to make use of existing literature in order to identify key concepts (in this case, human rights and counter-terrorism regimes) and craft initial coding categories from which to develop further codes and interpretations (Potter and Levine-Donnerstein 1999; Hsieh and Shannon 2005).

The primary advantage of the qualitative, semi-inductive aspect of directed content analysis is that it promotes focus on process and encourages flexibility. Directed content analysis offers standardization in data collection and coding without being limited by the less advantageous aspects of mechanical/purely quantitative content analysis (e.g, software-directed word searches). Pure quantitative content analysis typically fails to account for all euphemisms and/or context and meaning. Qualitative content analysis, however, permits the researcher to account for context, euphemisms, and alternative vocabularies. Directed qualitative content analysis draws its strength as a research method by combining the advantages of qualitative and quantitative methods; it confirms hypotheses, corrects misapprehensions, and inspires new hypotheses to test.

Content analysis offers standardization in data collection and coding, while self-limiting to certain aspects of the data (enabling the researcher to avoid being overwhelmed by the possibilities inherent in more interpretive inductive research—a potential problem more significant when dealing with the amount of data involved in a project such as this one). With directed content analysis, a process of informed revision progresses as coding takes place. The analysis for this research involved multiple stages of coding and employed the constant comparative method, in which coding decisions are
checked against prior coding decisions in order to confirm consistency and quality (LaRossa 2005: 841; Patton 1990). Once coding is completed the researcher determines the salience of various concepts. This is done according to the number of references and amount of topical conversation. The primary strength of a directed approach to content analysis is that existing theory can be supported and refined. While a sizable literature addresses foreign aid allocation using statistical analyses, connections to the larger canon of global regime theory (e.g., Keohane 1984; Krasner 1983; Lumsdaine 1993) remain in short supply.  

Preliminary data codes were developed in a primarily deductive manner, based on the UDHR and DMEIT, existing academic literature on human rights and counterterrorism, Congressional Research Service texts, and research on U.S. foreign aid agencies. However, one of the strengths of a directed, qualitative approach to content analysis is that it permits initial broad coding categories, subcategories, and individual codes to be supplemented through a more inductive process if (as frequently happens) they are found to be insufficient for fully analyzing the data (Potter and Levine-Donnerstein 1999; Hsieh and Shannon 2005). As this research progressed, initial codes were indeed revised and supplemented during the early stages. Themes aside from those drawn from the foreign aid and regime literature were determined inductively from a preliminary reading of sample transcripts and a pilot project in which the researcher read and coded five years of transcripts.

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59 For a notable exception, see Hook (1995).
A number of regime-specific codes from the preliminary coding scheme were discarded during the pilot project, while new codes derived from the international human rights and counterterrorism regimes replaced them. Codes added that related to the human rights regime tended to be specific terms associated with concepts from the Declaration but not originally included in the coding system under their own labels (e.g., genocide). However, the largest number of codes added addressed topics unrelated to the regime focus of the research (e.g., codes related to national interests or narcotics trafficking). The coding system was revised repeatedly during this process, resulting in a scheme firmly grounded both in theory and in the data.

III. STAGE TWO: STATISTICAL ANALYSIS OF AID DETERMINANTS

This stage of the study conducts linear regression to establish determinants of U.S. foreign aid appropriations. The design for this stage of the study has been chosen in order to address the following questions: Do global regimes influence U.S. foreign aid appropriations? Did the 9/11 terrorist attacks alter the balance in the influence of the human rights regime versus the counterterrorism regime?

Using variables chosen based on existing literature, this dissertation modifies and expands Apodaca and Stohl’s (1999) study of the impact of human rights practices on U.S. foreign assistance, applying more contemporary statistical methods.\(^6\) Apodaca and

\(^6\) Rather than relying on a least squares dummy variable (LSDV, or covariance) model as Apodaca and Stohl (1999) do, this study uses linear regression with panel-corrected standard errors and a panel-specific PSAR(1) specification (see below and next chapter for additional clarification).
Stohl’s research extended only as recently as the first Clinton administration. This project picks up at 1995, continues through the second Clinton administration and first G.W. Bush administration, and finishes with the end of the second G.W. Bush administration. In addition, it adds two original variables, operationalizing the international human rights and counterterrorism regimes, derived from the data analysis undertaken during the first stage of this research. Finally, it also adds a “terrorism” variable to the analysis—one of few studies to date to include both terrorism and human rights measures in rigorous evaluation of U.S. foreign aid appropriations.61

Using the 9/11 terrorist attacks to divide the 14-year time period, the project evaluates post-2001 foreign aid against the post-Cold War baseline. In the main, the analysis focuses first on whether or not during the 1990s foreign assistance policy reflected a strong global human rights regime (Keck and Sikkink 1998; Risse and Sikkink 1999), and second on whether or not post-9/11 foreign assistance policy differed from the post-Cold War period. The timeline of the Bush administrations post-9/11 is particularly interesting, given the contrast between the “war on terror” (and accompanying, widely publicized, human rights abuses) and the creation of the Millennium Challenge Corporation (Hook 2008).

The key hypotheses for this stage of research deal with the evaluating the overall influence of the international human rights and counterterrorism regimes. Specifically, the focus is on (i) the recipient-specific independent variables usually used as proxies for evaluating regime effects and (ii) the moderating effects of the regime influence scales.

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61 Boutton and Carter’s (2013) study does so, but the human rights variable is included more as a control than anything else; scant attention is paid to it.
created during the content analysis phase on the association between these more traditional regime measures and foreign aid allocation. The hypotheses for the human rights regime are as follows:

*Hypothesis 1a: There is a negative association between recipient respect for human rights and U.S. foreign aid obligations.*

*Hypothesis 1b: The marginal effect of recipient respect for human rights on U.S. foreign aid obligations is moderated by the influence of the international human rights regime during Senate subcommittee hearings such that as levels of regime influence increase the negative effect of recipient respect for human rights strengthens in magnitude.*

These hypotheses convey the expectations that (i) recipient human rights records matter, because policymakers are influenced by regime norms and (ii) there is an interactive relationship between regime influence during Senate subcommittee hearings and recipient human rights scores. The relationship between the human rights regime and foreign aid is expected in each of the periods under analysis. Although the post-9/11 period has seen the objectives of foreign economic aid rewritten to include counterterrorist goals, the root interest of the State Department remains diplomatic relations, while USAID’s key focus lies in sustainable development.

Apodaca and Stohl (1999) find a statistically significant positive association between recipient human rights records and foreign assistance during the period spanning 1976-1995—a time frame that includes both Cold War and post-Cold War contexts. However, based on more recent research (see especially Demirel-Pegg and Moskowitz...
2009), this study anticipates a more complicated association. Using the more comprehensive measure of the human rights regime derived from stage one analysis of Senate subcommittee hearings, this study posits a conditional relationship between levels of regime influence during subcommittee hearings and the influence of human rights records on amount of aid allocated. The time period for research permits evaluation of foreign aid in both post-Cold War and post-9/11 contexts. (See chapter four for additional discussion of these hypotheses.)

The hypotheses for the counterterrorism regime are as follows:

*Hypothesis 2a:* There is a positive association between the volume of terrorist incidents in a recipient state and U.S. foreign aid obligations.

*Hypothesis 2b:* In the seven years post-9/11 and the fourteen year time span taken as a whole, the marginal effect of terrorist incidents on U.S. foreign aid obligations is moderated by the influence of the international counterterrorism regime during Senate subcommittee hearings; this moderation is such that at higher levels of regime influence during hearings the positive effect of volume of terrorist incidents increases.

While the international counterterrorism regime did exist prior to highly publicized actions taken to strengthen it post-9/11, norms associated with it were not salient enough to warrant a great deal of discussion during subcommittee hearings. However, as high levels of terrorist incidents occurred in a number of recipient countries both prior to and following the 9/11 attacks, and as the United States supported international counterterrorism norms during this time period, this research anticipates a statistically
significant, positive association between number of terrorist incidents suffered in a recipient country and foreign aid obligations.

In addition, these hypotheses note a similar the expectation to the one for the human rights regime: an interactive effect between counterterrorism regime influence in appropriations hearings and terrorist incident effects on aid. In this case, the relationship is anticipated in the post-9/11 and full time period model. However, as the counterterrorism regime impact was inconsistent during Senate subcommittee meetings prior to the 9/11 attacks, the moderating effect articulated in Hypothesis 2b is not expected for the post-Cold War, pre-9/11 model. The 9/11 attacks put the counterterrorism regime on the U.S. radar, so to speak. (See chapter four for additional discussion.)

A. Data

The dependent variable in this analysis, *foreign aid*, is the level of U.S. foreign economic assistance obligated by country in constant 2011 US dollars. Following Apodaca and Stohl (1999) and others (e.g., Demirel-Pegg and Moskowitz 2009; Poe 1992), U.S. foreign aid totals by country have been calculated using the program-level data available in USAID’s annual publication *U.S. Overseas Loans and Grants: Obligations and Loan Authorizations*. As Boutton and Carter (2013: 9) note, there is “a high level of variance” in the levels of U.S. aid allocated to recipients, resulting in

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62 Also known as the *Greenbook*. 
variables consisting of raw aid measures skewing right. Following Boutton and Carter (2013), and others in the literature (e.g. Bueno de Mesquita and Smith 2007; Demirel-Peg and Moskowitz 2009), this analysis resolves the issue by using the natural log of aid appropriated to each recipient. Recipient countries included in this analysis may be seen in Table 2.

As noted above and in chapter 1, human rights and counterterrorism are not the only concern of U.S. policymakers, nor even necessarily the primary concern of the agencies responsible for the distribution of the majority of foreign assistance. The Department of State is primarily a diplomatic agency, while USAID, as its title indicates, focuses on economic development in poor countries.63 Bearing in mind that the United States government uses foreign aid as a tool for achieving strategic interests as well as encouraging conformity to international regime principles and standards, this analysis includes a number of control variables in addition to key independent variables.

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63 Both agencies do, however, administer programs of particular interest for our research, including the Nonproliferation, Anti-Terrorism, Demining & Related Programs account (the State Department) and Child Survival and Health programs (USAID), as well as administering programs devoted to increased access to water and education.
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<th>Recipient Countries</th>
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<td>Eritrea</td>
</tr>
<tr>
<td>Estonia</td>
</tr>
</tbody>
</table>
i. Independent Variables

The key independent variables for this analysis are the subcommittee regime-based rhetoric scales, recipient human rights ratings, and terrorist attacks suffered in recipient countries.

The human rights and counterterrorism regimes: The international human rights regime (HR regime) and counterterrorism regime (CT regime) are operationalized through the subcommittee regime-based rhetoric (RBR) scales created in stage one of this research. These scales measure regime influence each year at the subcommittee level during hearings on foreign aid appropriations. The lowest counterterrorism RBR rating is 3.09, while the highest is 66.24. The lowest human rights RBR value is 58.53, while the highest is 331.83. Existing literature (e.g., Apodaca and Stohl 1999; Demirel-Pegg and Moskowitz 2009; Poe 1992) on the human rights regime uses Amnesty International and/or State Department reports to account for abuses of bodily integrity rights and the influence of records of abuse on policy. These measures of the influence of the international human rights regime likely fail to capture important effects during the appropriations process. Additionally, although empirically valuable (see below), such measures fail to capture other aspects of the human rights regime, in much the same way that theoretical studies which focus solely on human rights treaties (see previous chapter) fail to fully capture the essence of the regime concept.⁶⁴ Similarly, the recent work on the international counterterrorism regime focuses on the legal obligations imposed on UN

⁶⁴ As Finlayson and Zacher (1983: 305) observe, principles and norms are the crux of the regime concept, as opposed to the specific regulations agreed upon in international legal conventions: “it must be emphasized that it is the norms of a regime, and the importance the most influential members attach to them, that largely determine the regime’s rules and rule implementation as well as its decision-making mechanisms.”
member states by UNSC Resolution 1373 (see Whitaker 2010: 641), marginalizing the 12 preexisting UN counterterrorism conventions and protocols, and generally ignoring the 1994 DMEIT. The regime-based rhetoric scales used in this analysis serve as a unique operationalization of the international human rights and counterterrorism regimes, and a step forward in the effort to examine the substantive effects of these regimes.

**Recipient human rights records:** Operationalization of recipient respect for human rights (*human rights respect*) is achieved through use of the Political Terror Scale (PTS), which converts State Department and Amnesty International country reports each into 5-point ranking scales. The PTS figures used in this research are the average of the two numerical values assigned to each recipient country based on annual State Department and AI reports. The particular merit of this scale is that the relative neutrality of the AI values serves as a balance to the potentially politically-biased State Department reports (Apodaca and Stohl 1999). This research reverses the values coded in this variable, so that a “5” represents the highest respect for human rights (rather than the highest degree of human rights abuses) and a “1” the lowest. The coding reversal simplifies discussion of results, as the variable is discussed in terms of respect for human rights rather than levels of human rights abuse (Demirel-Pegg and Moskowitz 2009). Additionally, it is necessary for the interactive term created between *HR regime* and *human rights respect*; expectations include an interactive relationship between the human rights regime and the impact of recipient respect for human rights on aid appropriations. Regressions are run with the *human rights respect* variable (the reversed PTS value) lagged two years, as Poe

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65 As noted in Demirel-Pegg and Moskowitz (2009: 188), “Where State Department or Amnesty International values are missing in PTS, the value that is available is taken as the average.”
(1992) notes correctly that the aid appropriations timeline means policymakers are provided with country-level human rights analyses from two years prior to the fiscal year under evaluation (see also Cingranelli and Pasquarello 1985).66

Terrorism in recipient country: A recipient country’s susceptibility to terrorism is captured using START’s Global Terrorism Database (GTD). The GTD includes both domestic and international terrorist incidents worldwide during the time period analyzed.67 It is an open-source database, which is an advantage when tracking terrorist incidents, as terrorism frequently occurs in less-developed countries where formal record-keeping is poor. Specially trained researchers with fluency in key languages track terrorism events through wire services (e.g., Reuters), newspapers, and internet databases (LaFree 2010). The terrorist attacks variable derived from the GTD consists of incidents per country summed by year. Following Boutton and Carter (2013), the natural log of the number of attacks is used. This addresses the right skew of the data and also the more substantive concern of the incommensurably high number of terrorist attacks in Iraq toward the end of the time period under evaluation. Terrorist attack totals are lagged one year.

Demirel-Pegg and Moskowitz (2009) also use the two-year lag, but note that their results are not substantively affected by substituting the alternative one-year lag.

While some critics argue in favor of the RAND Database of Worldwide Terrorist Incidents (DWTI), the RDWTI records only international terrorist incidents (incidents which involve a foreigner in some way, e.g., target or perpetrator) prior to 1998. As the time period covered in this research begins in 1995, and as the international counterterrorism regime is not limited to international terrorism in scope (the DMEIT emphasizes “the imperative need to…prevent, combat, and eliminate all forms of terrorism…wherever and by whomever committed”), the GTD is the preferred choice.
\textit{ii. Control Variables}

This research includes four control variables, as well as a specification for serial correlation, in line with much existing literature. The control variables are: \textit{population, economic development, economic importance, military presence}. There are also a number of specific dummy variables as special case controls (see chapter four for additional discussion).

\textbf{Bureaucratic inertia}: Apodaca and Stohl (1999) find that past aid is a significant determinant of present aid. They note that, barring dramatic events and deliberate efforts by policymakers to initiate change, aid appropriations result from institutional procedures and bureaucratic routines. Such practices are tied to organization self-interest and permit only slow, modest change (Allison 1971; Apodaca and Stohl 1999). To account for bureaucratic inertia and the limits of incremental change as serial correlation, a PSAR(1) specification is used on the models in this study. This approach addresses the autocorrelation in the time dimension without the less desirable effects of including a lagged dependent variable in the vein of Apodaca and Stohl (1999).\footnote{See below and chapter 4 for additional discussion. See also Plümper, Troeger, and Manow (2005: 334-343, esp. 342).}

\textbf{Population}: A number of researchers (e.g., Blanton 1994; McKinlay and Little 1977; Poe 1992) include a control variable for population. This addresses the expectation that countries with higher numbers of people may need greater amounts of foreign aid. The measure used in this analysis consists of total recipient country population, and comes from the United Nations Population Division. The measure is lagged one year.
**Economic development:** Provided the aid directly benefits regular citizens in need, U.S. legislation permits foreign economic assistance to be sent to states engaged in human rights abuses (Apodaca and Stohl 1999). As evidenced by Senate subcommittee discourse, policymakers direct aid flows even to countries on their “worst of the worst” list (e.g. Myanmar) in an effort to ease the suffering of the people on the ground. Drawn from the World Bank’s World Development Indicators (supplemented with data from the UN where necessary), GDP per capita is used as a proxy for recipient need (*recipient need*). Higher levels of economic development represent lower levels of recipient need; thus, there should be an inverse relationship between this variable and foreign aid levels. This variable is also lagged one year.

**Economic importance:** Economic interdependence affects U.S. interests with regard to foreign aid as well (Apodaca and Stohl 1999). Exports from the U.S. to the recipient country from one year prior to the aid package are used as a proxy for measuring the impact of U.S. economic interests. Annual data on goods exported, in millions of U.S. dollars, are drawn from the U.S. Department of Commerce, Bureau of the Census, Foreign Trade Division.

**Strategic importance:** Following Apodaca and Stohl (1999), the number of active duty military personnel proxies the recipient country’s importance in terms of U.S. security interests (*strategic importance*). Personnel levels for the time period under analysis come from yearly tables of Active Duty Military Personnel Strengths by Regional Area and by Country (U.S. Department of Defense, various years). This variable is also lagged one year.
B. Methods: Statistical Analysis

This stage of the research utilizes pooled cross sectional time series data, which is data that combines observations on a set of variables for a unit of analysis at a single point in time (cross-sectional data) with fixed, recurring, chronological observations on a unit of analysis (time series data) (Sayrs 1989: 5, 7). If this project used only cross-sectional data, it would be able to analyze all the countries included, but only at one year out of the time period; the time series aspect permits observation of the values of variables (foreign aid, human rights records, GDP per capita, strategic importance) for a number of years. Pooled time series (or “time series cross sectional”/TSCS) data follows all the recipient countries over time, providing multiple observations on each country for each year.

To estimate a regression using a pooled cross sectional time series dataset, the cross sections (variables on each country, at each point in time) are “stacked” country by year. This means that all the years for country 1 (Afghanistan) are then followed by all the years for country 2 (Albania), and so on. This is easiest to visualize as an Excel spreadsheet (see Figure 1).
Regressions estimated using this type of data are vulnerable to a number of potential problems, including autocorrelation in the time dimension, heteroskedasticity, and structural issues (each country has a distinct history and U.S. aid allocation will thus vary by recipient). Structural problems are considered some of the most serious with pooled time series data, as they can bias estimates rather than merely making them less efficient. Unit effects—systematic differences across countries in this case—can be addressed using panel-corrected standard errors (Beck and Katz 1995). Rather than using elaborate models, Beck and Katz (1995) argue in favor of using Ordinary Least Squares (OLS) and computing panel-corrected standard errors (PCSEs). This approach leverages the information available in the panel structure of the data (Kristenson and Wawro 2003), and produces more reliable standard errors than alternative models (Beck and Katz 1995).
As with any statistical method, there are disadvantages to the Beck and Katz approach. Plümper, Troeger, and Manow (2005), specifically, caution against including a lagged dependent variable (LDV) and unit dummies per the Beck and Katz (1995) model. This study follows their advice with minor modifications, using the PSAR(1) specification instead of an LDV, as the disadvantages associated with using an LDV increase when the dependent variable exhibits a trend. In such instances, the LDV may bias estimates by absorbing too much of the trend and, overall, leaving little variance to be explained by the key independent variables (Plümper, Troeger, and Manow 2005: 335-337). Plümper, Troeger, and Manow (2005: 342) note that, in addition to being more consistent than LDV models, the PSAR(1) specification is superior as “the elimination of serial correlation by inclusion of the lagged residuals gives more appropriate coefficients than the inclusion of a lagged dependent variable.”

IV. CONCLUSION

The question most relevant when researching foreign economic assistance is: “What were our decision-makers exposed to?” (Poe 1990: 510-511). What aspects of the international system influence policymakers during the aid appropriations process? How do we measure those aspects?

Despite the wealth of literature and empirical research on determinants of U.S. foreign assistance, existing statistical work on human rights, counterterrorism, and foreign aid neglects crucial stages of the appropriations process. These stages, including
Senate subcommittee hearings, provide insight for researchers seeking to determine the power of various influences during the “foreign aid appropriations dance” (Irwin 2000).

This dissertation research is expressly designed to synthesize the empirical, statistical research on U.S. foreign aid and human rights; the statistical work on U.S. foreign aid and counterterrorism; and a more comprehensive approach to the U.S. appropriations process and congressional discourse. It achieves this goal by analyzing Senate subcommittee discourse to create a measure based on comprehensive conceptualizations of the international human rights and counterterrorism regimes and then using the data gleaned from that process to operationalize these regimes in statistical analysis. In doing so, it fills a gap in the literature and paves the way for future projects.

This chapter has explained the unique research design for this project, providing a transparent roadmap. The two stages have been outlined, and justifications provided for the methodological decisions taken. The next chapter provides an in-depth analysis of stage one of the empirical research, in which transcribed Senate subcommittee hearings are analyzed to assess levels of regime influence during the hearings phase of the foreign aid appropriations process.
Chapter 3: Analysis of Transcripts

Mr. Chairman, the subcommittee has my written statement which, as I am assured by those who wrote it, is brilliant in its entirety.

—Secretary of State Albright

I. INTRODUCTION: THE HUMAN RIGHTS AND COUNTERTERRORISM REGIMES

As noted in the introduction, the global human rights regime is one of the clearest benchmarks of our human rights values (Lumsdaine 1993; Risse and Sikkink 1999; Schmitz 2010). If we accept the premise that the decision to grant or deny aid is a form of signaling (McKinlay and Little 1977), human rights records of aid recipients can be used as proxies for whether or not U.S. foreign aid is allocated according to dominant global regimes. Granting foreign aid to human rights abusers implicitly accepts violent and immoral state authority. Thus, a large body of scholarship addresses whether or not the United States considers human rights abuses in recipient countries when allocating aid. More recently, researchers have begun to examine the connection between former President George Bush’s “war on terror” and foreign aid—and whether the new focus on counterterrorism, and the newly strengthened global counterterrorism regime, has shifted

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However, using human rights records as a measure of the influence of human rights cannot account for how elected officials view aid as an incentive for change or as a method of improving the situation on the ground in spite of, or perhaps because of, recipient government abuses. This chapter creates an alternative measure of the importance of the human rights regime in the foreign aid appropriations process by analyzing whether or not congressional rhetoric surrounding foreign aid pre- and post-9/11 was influenced by the global human rights regime and by the global counterterrorism regime. It further examines whether the influence of the human rights regime was diminished following the terrorist attacks of 9/11, and whether there was a corresponding increase in counterterrorism regime-based discourse.

The conceptualization of the human rights regime for this project combines Krasner’s (1983) definition of international regimes with the Universal Declaration of Human Rights, adopted by the United Nations General Assembly on December 10, 1948. As noted previously, the Universal Declaration of Human Rights (UDHR) grew out of the horrific experiences of World War II. Following a 1944 report by the Commission to Study the Organization of Peace (which emphasized the need for international action to protect basic rights) and the drafting of the United Nations (UN) Charter, world leaders, activists, and the UN General Assembly sought to lay out the importance of human rights in writing—having found that the UN Charter failed to address many of their concerns. The General Assembly then voted to create a preparatory commission, the members of
### Table 3

**EXAMPLES OF CODES, SUB-CATEGORIES, CATEGORY AND THEME FOR HUMAN RIGHTS REGIME CONTENT ANALYSIS**

<table>
<thead>
<tr>
<th>Codes</th>
<th>Sub-category</th>
<th>Category</th>
<th>Theme</th>
</tr>
</thead>
<tbody>
<tr>
<td>Human rights—abuse of</td>
<td>Human rights violation</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Human rights—general</td>
<td>Respect for human rights</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Human dignity</td>
<td>Dignity</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Equal protection under law</td>
<td>Equality</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Women’s issues in recipient countries</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Freedom—physical</td>
<td>Right to agency, broadly defined</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Liberty</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Security of person</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Of thought / expression</td>
<td>Right to freedom of thought / expression</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Of the media</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Of religion</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Right to effective remedy</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Legal counsel</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>No arbitrary arrest/detention/exile</td>
<td>Right to due process, justice</td>
<td></td>
<td></td>
</tr>
<tr>
<td>No cruel/unusual punishment</td>
<td>(effective remedy)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Rule of law</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Assembly</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Association</td>
<td>Right to assembly, broadly</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Union</td>
<td>defined</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Elections</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Opposition groups</td>
<td>Right to political participation</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Food</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Housing</td>
<td>Right to reasonable standard of</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Medical care</td>
<td>living</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
which elected Eleanor Roosevelt as its chairwoman in 1947. Following much effort and debate among the members of the commission and in the United Nations, the General Assembly adopted the declaration in 1948 (Lauren 2003: 154, 187, Chapter 7; United Nations 2008). For this research, the language of the UDHR is used to formulate the subcategories and codes for the content analysis (see Table 3).

Addressing terrorism at the international level has likewise required effort and debate. While scholars note that terrorism has been a thorn in the side of the state stretching back long before 9/11, arguably to the ancient world (Fromkin 1975; Law 2009; Townshend 2001), transnational coordination on terrorism also has a history. The international community sought to handle it in a coordinated fashion during the 1970s and before (Perera 2008; Saul 2006). These attempts met with narrow success, as efforts to define terrorism and decide how to address it proved challenging. The decades following the 1970s saw an attempt to resolve these disagreements, resulting in negotiation to adopt a broad declaration of principles—to articulate the norms and principles of the emergent counterterrorism regime—rather than focus on problematic international convention efforts. This resulted in the 1994 Declaration on Measures to Eliminate Terrorism (DMEIT), and, two years later, the 1996 Supplement.

Adopted by the UN General Assembly in December of 1994, the DMEIT articulates the concerns described above. It focuses on the importance of a united front in the face of terrorism—the need to fight the problem comprehensively. Specific concerns about the involvement of state actors in terrorism are addressed, including the sensitive issue of territory used as a base of operations. Additionally, emphasis is placed on the
importance of political or religious considerations not justifying the commission of terrorist acts. Finally, the imperative for international cooperation and preventive measures is stressed. Broadly, the DMEIT articulates important counterterrorism principles and norms, contributing to the institutionalization of these norms and laying the groundwork for subsequent, binding conventions—and the normalization of rules and decision-making procedures associated therewith (Perera 2008; UN General Assembly 1996). For this research, the DMEIT serves as the foundation for the classifications created for and during content analysis. Principles and norms as articulated in the Declaration serve as the source for this project’s conceptualization of regime-based references (see Table 4).
### Table 4

**EXAMPLES OF CODES, SUB-CATEGORIES, CATEGORY AND THEME FOR COUNTERTERRORISM CONTENT ANALYSIS**

<table>
<thead>
<tr>
<th>Codes</th>
<th>Sub-category</th>
<th>Category</th>
<th>Theme</th>
</tr>
</thead>
<tbody>
<tr>
<td>Suicide bombings / attacks</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Specific instances of terrorism (WTC, etc)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Terrorism (term) / terrorist act (term)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>State sponsors of terror / terrorist states</td>
<td></td>
<td>States and Terrorism</td>
<td></td>
</tr>
<tr>
<td>State-permitted terror</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Terrorists / terrorist groups</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Terrorist watch list</td>
<td></td>
<td>Countering terrorists</td>
<td></td>
</tr>
<tr>
<td>Combat terrorists</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Foreign aid as counterterrorism tool</td>
<td>Foreign aid and counterterrorism</td>
<td></td>
<td>Declaration on Measures to Eliminate International Terrorism (1994)</td>
</tr>
<tr>
<td>Foreign aid indirect counterterrorism</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>National/domestic-level measures to eliminate terrorism</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Alleviate recruitment conditions</td>
<td></td>
<td>Counterterrorism broadly: Measures to prevent, combat, and eliminate terrorism</td>
<td></td>
</tr>
<tr>
<td>Counterterrorism—term</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Defeat terrorism</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Fight against terrorism</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Anti-terrorism (term)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Nuclear terrorism</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Chemical / biological weapons</td>
<td>Weapons of mass destruction</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Terrorist financing</td>
<td>Terrorist financial networks</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
II. ANALYSIS: THE HUMAN RIGHTS REGIME

This research analyzes the transcripts for hearings held by the Senate Subcommittee on Foreign Operations, Export Financing, and Related Programs from May 11, 1995 through April 9, 2008. The hearings were held to discuss foreign aid appropriations for fiscal years 1996-2009. During this time period, major foreign policy concerns ranged from addressing the fall-out from the collapse of the Soviet Union to how to effectively fight narcotics trafficking in Latin America to what to do in response to the 9/11 terrorist attacks to how to address reconstruction in Afghanistan and Iraq. As noted in the previous chapter, a total of 740 pages of transcribed testimony and discussion were read and coded for this analysis. The total words included for analysis equals 333,828. As expectations for this research include higher salience of the human rights regime versus the counterterrorism regime throughout the time period evaluated, this chapter addresses analysis focused on the human rights regime first.

As explained and defended in the previous chapter, the hypotheses specific to the human rights regime are as follows:70

HR H1: Human rights regime-based rhetoric is salient in subcommittee discourse prior to the 9/11 terrorist attacks.

HR H2: Human rights regime-based rhetoric does not decrease in the post-9/11 period.

The hypothesis addressing the comparison between the two regimes during the total time period (14 years) is:

70 See also: chapter 2.
Overall HI: International human rights regime-based rhetoric is more salient in subcommittee discourse than international counterterrorism regime-based rhetoric throughout the time period under analysis.

Some scholars argue that during the post-Cold War, pre-9/11 period, human rights was the dominant organizing moral narrative for international relations. Others speculate that the events of September 11th altered the way the international community, and particularly the United States, adheres to human rights norms (e.g., McLagan 2003; Foot 2005, 2007). This researcher posits, however, that the strength of the human rights regime was not fundamentally changed by the infamous terrorist attacks. The first two hypotheses anticipate evidence of this strength pre-9/11 and further anticipate that the period under analysis post-9/11, analyzed in contrast to the first, will not reveal a decrease in human rights regime-based discourse. The comprehensive (overall) hypothesis lays out the expectation that the influence of the human rights regime is greater than that of the counterterrorism regime when the 14 years examined are taken as a whole.

Analysis of the transcripts indicates that human rights regime-based discourse totals a striking 2,351 references during the 14-year time span: 994 instances of regime-based language in the seven years prior to the September 11, 2001 attacks and 1,347 in the seven following years. Confirming the comprehensive hypothesis, human rights regime-based rhetoric far surpassed discourse devoted to other major topics and concerns, including the counterterrorism regime, national interests, and nuclear non-proliferation,
during the time frame taken as a whole as well as the two periods divided (see Table 5; see also Section IV, Figure 7).

Table 5

<table>
<thead>
<tr>
<th>Category</th>
<th>Total</th>
<th>Pre-9/11 period</th>
<th>Post-9/11 period</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>HR Regime</strong></td>
<td>2,351</td>
<td>994</td>
<td>1,347</td>
</tr>
<tr>
<td><strong>National Interests</strong></td>
<td>305</td>
<td>238</td>
<td>67</td>
</tr>
<tr>
<td>(broadly defined)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>CT Regime</strong></td>
<td>301</td>
<td>63</td>
<td>238</td>
</tr>
<tr>
<td><strong>Nuclear Non-</strong></td>
<td>272</td>
<td>181</td>
<td>91</td>
</tr>
<tr>
<td><strong>Proliferation</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

The content analysis thus reveals support for each of the three hypotheses. As illustrated in Table 5, rhetoric based on norms articulated in the Universal Declaration of Human Rights is highly salient in overall subcommittee discourse. Its presence is also notable in the separated periods pre- and post-9/11. As expected in HR H2, human rights regime-based rhetoric does not diminish in the years post-9/11. In fact, looking at the unweighted data, we can see that the total amount of human rights regime-based rhetoric is actually greater in the post-9/11 period than in the pre-9/11 period.

Weighting the data to account for differences in page and word counts between transcripts provides us with a less noticeable increase in human rights regime-based
discourse over the two periods. The pre-9/11 weighted total is 1,083.92, while the post-9/11 weighted total is 1,256.96. One- and two-tailed t-tests indicate there is not a statistically significant difference between the weighted reference counts for the two periods.

The weighted results of the content analysis enable us to compare frequencies across hearings for different fiscal years, and demonstrate that human rights regime-based language was at its highest during hearings for fiscal years 2000 and 2006 (see Figure 2), when the weighted totals are 331.83 and 293.11 respectively, and the unweighted counts come to 322 and 361 respectively. The amount of transcript space devoted to human rights regime-inspired discourse both pre- and post-9/11 reveals support for constructivist and liberal-functional approaches to regime theory, which emphasize the importance of ideas and patterned behavior, as opposed to realist or modified structuralist/neoliberal institutionalist approaches, which focus more on maximization of state interests and security.

71 To compensate for differences in page and word counts across hearings, weights have been created according to the median-based formula used by Woehrle, Coy, and Maney (2008). See appendix C for formula.
The large gap between the amount of human rights regime-based discourse and discourse influenced by other factors (see Table 5) indicates that the subcategories and codes composing the human rights regime category warrant disaggregation. Examination of the subcategories that the human rights regime category comprises reveals particularly high total reference counts for four specific subcategories: **Standard of Living** (total references: 871), **Asylum** (278), **Human Rights Violations and Violators** (total: 211), and **Equality** (total: 195). The **Equality** subcategory comprises references to the broad value of equality, including the importance of equal protection and non-discrimination, under which senators’ concerns about racism, anti-Semitism, and ethnic intolerance are coded. The most commonly used code in this subcategory, however, is *women’s issues in recipient countries*. Senators expressed a desire to further the equality of women and improve women’s rights in a variety of countries throughout the time period under
examination. They expressed repeated interest in providing a variety of income and
education opportunities specifically for women, as well as aiding victims of gender-based
violence, as illustrated by the following quotes:

- “…spending money to provide education and job opportunities for women…is a
good idea.” – Senator Leahy (Hearings for Fiscal Year 1996: 384)

- “In deference to the Senators’ pleas that the funds were urgently needed to
provide rape counseling and related services, I released the funds.” – Senator
McConnell (Hearings for Fiscal Year 2001: 234)

- “One of the big concerns of many Members of Congress has been the role of
women since they were so brutally oppressed… And we know under that
religion—and others, not just Islam—but women’s roles in terms of freedoms
have been severely restricted.” Senator Landrieu (Hearings for Fiscal Year 2005:
44)

The Human Rights Violations and Violators subcategory is essentially eponymous,
comprising codes for those specific terms and important synonyms. Most of the instances
of human rights regime-based discourse in these are found in the following codes: human
rights abuse (term), meaning direct usage of the term “human rights abuse/atrocity;” war
criminals, which refers to direct uses of the term “war criminal;” and war crimes, which
comprises references to war crimes and the importance of supporting what the senators
refer to as “the Bosnia War Crimes Tribunal”—the International Criminal Tribunal for
the Former Yugoslavia (ICTY). A characteristic example of summary statement content
devoted to war crimes is Secretary of State Madeleine Albright’s (FY 2000: 185) request
for subcommittee support in opposing “war crimes in Kosova.” Examples illustrative of discourse addressing the ICTY are Secretary Albright’s (FY 1998: 238) remark that “what we need to do—and as I said, I am delivering a speech on this tonight—is to be much more assertive in terms of supporting the War Crimes Tribunal” and Senator Leahy’s (FY 1999: 203) declaration that he “want[s] to see an effective War Crimes Tribunal.” References to the ICTY are not classified under (subcategory) Right to due process and justice and (code) effective remedy as the UDHR calls for effective remedy by a national tribunal, not an international one (see UDHR Article 8).

The Asylum subcategory is particularly volatile over time (see Figure 3). Nearly 200 of the 278 unweighted total references in this node occur in hearings for fiscal year 2000 alone, while the second-highest number of references (33) occurs in hearings for fiscal year 2009. The Asylum subcategory houses discourse devoted to refugees. Examples of human rights regime-based language in the Asylum subcategory include Secretary of State Madeleine Albright’s (Hearings for Fiscal Year 1998: 223) remarks on the Democratic Republic of Congo regarding the United States’ desire to see a government established that would “cooperate with the international community in caring for refugees.”
As mentioned, refugee issues were particularly salient during the hearings for fiscal year 2000 (held April 29, 1999 and May 20, 1999). At this time, the dire situation in Kosovo was resulting in large-scale refugee problems in Macedonia and Albania. Senators had grave concerns about refugees being able to find safety and about the treatment of refugees in the camps. Concerns about oppressive summer heat were followed by concerns about the freezing winter if the refugees remained abroad; in the vein of Article 14 of the UDHR, Senator Leahy (Hearings for Fiscal Year 2000: 131) noted that refugees were seeking to avoid persecution and added, “How do they go back? Their property has been looted, their homes destroyed. Family members summarily executed, raped, tortured by people they may have to live near if they go back. I think we have to prepare for many of these refugees not going back.”

As noted above, disaggregating the human rights regime theme reveals a particular emphasis on *Standard of Living* norms in senate discourse. This subcategory of
human rights regime-based rhetoric comprises, among others, codes for medical/health care (327 observations), food and/or water (246 observations), humanitarian concerns (131 observations), and special care/social protection (63 observations). The special care/social protection code is devoted to UDHR Article 25:2, which notes that “motherhood and childhood are entitled to special care and assistance.” Discourse coded under this node includes positive words about “maternal and child support initiatives” (Hearings for Fiscal Year 1999: 162), and expressed discomfort about budget cuts which would negatively affect programs for “assist[ing] vulnerable children” (Hearings for Fiscal Year 2003: 2). The humanitarian concerns code relates to maintaining a minimum standard of living for those experiencing natural disasters and suffering the consequences of military operations and/or occupation. Witness summary statements and senators’ questions in this category relate to droughts or floods on the African continent (Hearings for Fiscal Year 1996: 383; Hearings for Fiscal Year 2001: 206) and humanitarian assistance in the Middle East (Hearings for Fiscal Year 2004: 74, 97), among other issues.
The two largest codes in the *Standard of Living* subcategory are *medical/health care* and *food and/or water*. These two codes contribute visibly to the fluctuations in the *Standard of Living* subcategory over time, and in the UDHR category more broadly (see Figure 4). The *food and/or water* code comprises references to food shortages and droughts, among other issues, in recipient countries. Throughout the 14 years under evaluation, senators, AID administrators, and secretaries of state repeatedly expressed concern about living conditions related to these matters. The following quotes illustrate their attention to the topic:

- “We clearly believe that the food security request that we have made is extremely important in light of the fragility of some of these countries with respect to
growing crops.” – AID Administrator Brian Atwood (Hearings for Fiscal Year 1998: 36)

• “I have accepted the conventional wisdom that food assistance should not be held hostage to a change of direction in the North Korean regime.” – Senator Mitch McConnell (Hearings for Fiscal Year 1998: 253)

• “I want to address the issue of hunger, famine, and food aid. Historically, America has been the largest donor of assistance for victims of famine and food emergencies.” – Secretary of State Colin Powell (Hearings for Fiscal Year 2004: 12)

• “I am glad you drew attention to the Ethiopia/Eritrea situation because we are actually quite concerned about the potential for a …problem there concerning food. We have begun to discuss with the Ethiopians the prepositioning of some food supplies there to deal with what could potentially be a famine situation.” – Secretary of State Condoleezza Rice (Hearings for Fiscal Year 2006: 27)

Over the 14-year time span, especially with regard to codes in the Standard of Living subcategory, senators and witnesses repeatedly articulated the importance of making sure that citizens in recipient countries have access to basic necessities such as food and water. As seen in the McConnell quote above, senators and witnesses further argued that basic necessities ought not to be “held hostage” to international politics and interests. Sentiment is similar with regard to the medical/health care node. The biggest overall contributor to the Standard of Living subcategory, medical/health care discourse references concerns about making sure people in aid recipient countries have access to
treatment for diseases such as tuberculosis and malaria, the importance of electricity in hospitals, the significance of proper training for nurses, and the repercussions of lack of family planning access.

Discourse related to medical and health care in foreign aid recipient countries peaks in hearings for fiscal year 2006 (70 references, unweighted) and fiscal year 2003 (57 references, unweighted). However, these numbers do not reflect special events during those years. Rather, they reflect senators’ concerns over budget cuts in areas related to health—particularly in childhood survival and diseases programs (including vaccination efforts against a variety of diseases), but also health-related programs more generally. In the context of defending programs that address important needs, senators and witnesses spoke firmly about the importance of adequate health and medical care in less-developed countries. Senators and AID administrators also emphasized the importance of building capacity to attend to medical issues within recipient countries (e.g., Hearings for Fiscal Year 2006: 87) and efforts to treat malaria in Africa (see Hearings for Fiscal Year 2006: 97-99).

Overall, analysis of human rights regime-based rhetoric pre- and post-9/11 reveals support for the two human rights regime-specific hypotheses tested as well as the comprehensive hypothesis. Additionally, it demonstrates that certain aspects of the human rights regime are more salient than others in subcommittee discourse—namely, the right to medical and health care, the right to asylum, and the right to food and water. The prevalence of these concerns may be viewed as logical given USAID’s mission. Interestingly, they are also observable during State Department hearings—as are
concerns regarding violations of bodily integrity rights (including war crimes) throughout the transcripts.

III. ANALYSIS: THE COUNTERTERRORISM REGIME

The content analysis of discourse recorded in the transcripts for counterterrorism regime-based rhetoric was conducted in a straightforward manner. References to the global counterterrorism regime as articulated in the Declaration on Measures to Eliminate International Terrorism (DMEIT) have been discerned and coded into appropriate categories. Expectations include an emphasis on counterterrorism as a function of the nascent counterterrorism regime during the pre-9/11 period, with a marked upswing of regime-based rhetoric following the events of 9/11.

The hypotheses for the analysis of counterterrorism regime-based rhetoric are as follows:

CT H1: Counterterrorism regime-based rhetoric is present in low-concentration during the period prior to 9/11.

While many people think of global counterterrorism efforts as post-9/11 phenomena, the international counterterrorism regime did exist and exert mild influence previously. This research seeks to confirm the presence of counterterrorism regime-based rhetoric in aid appropriations hearings prior to 9/11.
**CT H2:** *The period post-9/11 will reveal a sharp increase in counterterrorism regime-based rhetoric as a function of the shift in regime salience resulting from the terrorist attacks.*

This is an intermediate hypothesis, the confirmation of which is necessary for the assumptions underlying hypothesis three. An accompanying expectation of this hypothesis is that rhetoric explicitly addressing the connection between foreign aid and counterterrorism will increase, i.e., rhetoric conceptualizing foreign aid as counterterrorism or as a tool in the box of the counterterrorism regime.

**CT H3:** *As a function of the post-9/11 increase in counterterrorism regime-based rhetoric, there will be a decrease in language articulating alternative concerns.*

With the limited amount of time to devote to public hearings, we can postulate that to some extent content inclusion in senate subcommittee rhetoric is a zero-sum game. With the need to make room for rhetoric devoted to counterterrorism, we expect a decrease in rhetoric associated with other principles, norms, and interests.

Analysis of the transcripts reveals that counterterrorism (CT) regime-based rhetoric during appropriations hearings for foreign assistance totals 301 references in the 14 transcripts: 63 instances of regime-based rhetoric prior to the September 11, 2001 attacks and a more robust 238 following the attacks. This confirms the first counterterrorism hypothesis, demonstrating the presence of, but low concentration of, rhetoric based on norms of the international counterterrorism regime in subcommittee discourse prior to 9/11. This also confirms the second counterterrorism hypothesis,
verifying a sizeable increase in counterterrorism regime-based rhetoric following the September 11, 2001 terrorist attacks.

Figure 5

Content analysis demonstrates that regime-based rhetoric was at its highest in hearings for fiscal year 2003—the first of these hearings held following the September 11, 2001 terrorist attacks (see Figure 5). It was at its lowest during hearings for fiscal years 1997, 2000, and 2001; concerns about how to address terrorism were only raised twice in 1997, and three times in each of the two latter hearings. However, hearings for fiscal year 1998, long before the 9/11 terrorist attacks, also contained relatively high levels; its 26 instances of regime-based rhetoric surpassed those found in a number of other years (see Figure 5).
Examination of discourse during hearings for fiscal year 2003 demonstrates that 9/11 was indeed the catalyst for increased CT regime-based rhetoric. In fact, 11 of the 89 instances of regime-based rhetoric include direct references to the September 11 attacks. Regime-based rhetoric also manifested in the context of the Israeli-Palestinian conflict—which was likewise an important focal point during the hearings for fiscal year 1998.

These hearings, 1998 and 2003, each contain the highest scale marks for their respective time periods; they are also each the first in their respective time periods. While the gross reference counts show hearings for fiscal year 2003 as dramatically high in regime-based rhetoric, this is in fact (somewhat) mediated by the relatively large page count in the transcripts for that year. The weighted totals for 1998 and 2003 are 24.04 and 66.24 respectively.

It is informative to compare the pre- and post-9/11 periods, in which the individual years are grouped together. Added together, the total weighted references of regime-based rhetoric for the seven years prior to 9/11 comes in at 61.81; tallying the mean figures for regime-based rhetoric per page for the post-9/11 seven-year period, in contrast, totals 218.79—three and a half times the pre-9/11 figure. The change is shown in Figure 6, which illustrates the sharp increase between hearings for fiscal year 2002 (held on May 8 and May 15, 2001) and hearings for fiscal year 2003 (held on February 26 and April 24, 2002), as well as the sustained interest on the part of the senators and witnesses thereafter.
Much of the regime-based rhetoric over the entire 10-year period of analysis consists of explicit references to terrorism as a stand alone term, terrorists and terrorist groups, and, separately, the war on/against terror(ism). The subcategory Terrorism holds 99 instances of regime-based rhetoric, subdivided into codes such as sources of support for terrorism, specific instances of terrorism (e.g., September 11), suicide bombings, and, as mentioned, terrorism/terrorist act (term). Terrorism/terrorist act (term) and terrorists/terrorist groups earned 57 and 46 mentions respectively throughout the 14 years. The former first appears in the hearings for fiscal year 1996, when Senator McConnell (Hearings for Fiscal Year 1996: 424) mentioned the need to address United States and Russia’s “common problems with international crime and with terrorism.” The latter is also present from the first hearing coded, when Secretary of State Warren

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72 The phrase “war on terror(ism)” was evaluated independently of the stand-alone term “terrorism,” and thus the terms were not double-counted in analysis.
Christopher (Hearings for Fiscal Year 1996: 437) hails the use of “overseas resources to capture Ramzi Ahmed Yousef, the alleged mastermind of the bombing of the World Trade Center.”

The topic of the *war on/against terror*(is) was raised 33 times—first in hearings for fiscal year 2000, then again in hearings for each fiscal year following September 11, 2001. The first reference in the transcripts analyzed to the *war against terror* was made by Secretary of State Albright. During her summary statement for the State Department hearing for fiscal year 2000, which took place on May 20, 1999, she mentioned a number of foreign policy focuses, including “our international economic leadership, the war against terror, drugs and crime, and initiatives to promote human rights and sup-port humanitarian de-mining efforts around the globe.”

While Figure 6 illustrates the peaks and valleys in counterterrorism regime salience in senate subcommittee discourse over time, the change between pre- and post-9/11 can also be examined statistically. In fact, the difference in amount of regime-based rhetoric used pre- and post-9/11 is statistically significant at or above the .01 level for both one- and two-tailed t-tests (see Table 6). The tests indicate that (a) there is a statistically significant *difference* in amount of regime-based rhetoric in use prior to and following the September 11, 2001 terrorist attacks, and (b) this difference results from the post9/11 *increase* in regime-based rhetoric.74

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73 34 times, if one adds a single reference to “the war against fundamentalism” in the hearings for fiscal year 2008.

74 The t-test was conducted assuming homoskedasticity, following an insignificant Bartlett’s Test at the 0.05 level (p = .08). Conducting the t-test assuming unequal variance did not substantively change the results (two-tailed test, p = .01; one-tailed test, p = .005).
Table 6  
SALIENCE OF COUNTERTERRORISM REGIME PRE- AND POST-9/11

<table>
<thead>
<tr>
<th>Transcript</th>
<th>N</th>
<th>Mean</th>
</tr>
</thead>
<tbody>
<tr>
<td>Pre-9/11</td>
<td>7</td>
<td>8.83</td>
</tr>
<tr>
<td>(weighted scales for hearings pre- 9/11)</td>
<td></td>
<td>(2.83)</td>
</tr>
<tr>
<td>Post-9/11</td>
<td>7</td>
<td>31.26</td>
</tr>
<tr>
<td>(weighted scales for hearings post-9/11)</td>
<td></td>
<td>(6.17)</td>
</tr>
</tbody>
</table>

\[ H_a \] (two-tailed) 0.006
\[ H_a \] (one-tailed) 0.003
\[ t \] -3.3047

Combined 10 .393

DF = 12
Standard errors in parentheses
Two-tailed test indicates difference; one-tailed test indicates increase.

Overall, this research reveals that the international counterterrorism regime was present but not highly salient in subcommittee discourse each fiscal year prior to 9/11.\(^{75}\) During that time period, rhetoric articulating norms enumerated in the Declaration on Measures to Eliminate Terrorism was less common than some alternative expressions of interests and/or international norms. Indeed, weighted reference observations reveal that counterterrorism regime-based rhetoric was less common than references to broad national interests\(^{76}\) each year prior to 9/11 and was more common than references to nuclear non-proliferation only during hearings for fiscal years 1998 and 2002 (barely). However, counterterrorism regime-based rhetoric was more frequent than references to the War on Drugs (broadly defined) during hearings for fiscal years 1996-1998 and 2000.

\(^{75}\) The hearings for fiscal year 1998 are the only exception. The anomalous results from 1998 do not alter the overall low salience of the counterterrorism regime during the pre-9/11 period.

\(^{76}\) National interests broadly defined: a category comprising codes for references to the national interest as well as national security, security interests, and compelling federal interests.
In contrast, the years post-9/11 reveal that counterterrorism regime-based rhetoric generally, though not always, overshadowed each of the other categories. While it dramatically outpaced other language in hearings for 2003, transcripts for fiscal year 2004 hearings reveal that nuclear non-proliferation language slightly surpassed counterterrorism regime-based rhetoric. In hearings for 2006, the counterterrorism regime and non-proliferation achieved equal salience; in 2009, nuclear non-proliferation again came out on top.

Confirming the third counterterrorism hypothesis broadly, though, not only did counterterrorism regime-based rhetoric increase in the post-9/11 period, rhetoric based on other norms decreased (see Table 3.5). In fact, a quick glance at the table below indicates that weighted counts for the counterterrorism regime and national interests appear to have essentially flip-flopped or exchanged positions.

Table 7

<table>
<thead>
<tr>
<th>Category</th>
<th>Total</th>
<th>Pre-9/11 period</th>
<th>Post-9/11 period</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>CT Regime</strong></td>
<td>280.6</td>
<td>61.81</td>
<td>218.79</td>
</tr>
<tr>
<td><strong>HR Regime</strong></td>
<td>2340.88</td>
<td>1,083.92</td>
<td>1256.96</td>
</tr>
<tr>
<td><strong>National Interests</strong></td>
<td>320.90</td>
<td>258.58</td>
<td>62.32</td>
</tr>
<tr>
<td>(broadly defined)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>War on Drugs</strong></td>
<td>119.29</td>
<td>67.51</td>
<td>51.78</td>
</tr>
<tr>
<td><strong>Non-Proliferation</strong></td>
<td>262.62</td>
<td>176.7</td>
<td>85.92</td>
</tr>
<tr>
<td>(nuclear weapons)</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
As Table 7 shows, references to the war on drugs and international narcotics trafficking dropped by 23%, references to non-proliferation by 51%. Most dramatically, rhetoric related to broad national interests experienced a 76% reduction. This decrease in rhetoric associated with other principles, norms, and interests is attributable to the need to make space for rhetoric devoted to counterterrorism. With the limited amount of time to devote to public hearings, senate subcommittee rhetoric is, in terms of content inclusion, in some respects a zero-sum game.

Senators addressed the connection of foreign aid programs to anti- and counterterrorism throughout the sample time period—both pre- and post-9/11. However, the most notable and specific references to the use of foreign economic assistance as counterterrorism came following the September 11, 2001 attacks. There were 17 main instances of this type of language, beginning in hearings for fiscal year 2003. The importance of foreign aid as counterterrorism tended to manifest in remarks like the following, found in Senator Mitch McConnell’s (R-KY) opening statement for the fiscal year 2003 State Department hearing:

Let me begin by saying that I fully support the President’s $16.1 billion foreign operations request for this year. While Congress will undoubtedly amend the request, as we typically do every year, the proposed $783 million increase over last year’s level does reflect a growing sense that foreign aid is an important weapon in our arsenal against terrorism. This is one conservative Republican who is a believer in foreign aid, and who is going to help you increase our foreign aid levels. I am enthusiastic about the President’s request to dramatically increase our foreign assistance over the next few years. (Hearings for Fiscal Year 2003: 132, emphasis added)

Senators and witnesses continually stressed the specific importance of foreign economic assistance in combating terrorism. The concept of foreign aid as
counterterrorism was especially emphasized by McConnell, who repeated the above-quoted view almost verbatim three years later, when he exhorted his fellow subcommittee members to

…keep in mind that we will not succeed as a Nation in the global war on terror unless we employ our foreign assistance programs as weapons in America’s arsenal. (Hearings for Fiscal Year 2006: 1)

A particular focus was the use of foreign aid in addressing what speakers considered to be root causes of terrorism, as evidenced by the summary statement of Senator Patrick Leahy (D-VT) in the USAID hearing for fiscal year 2003. In that statement he called for increased spending on foreign aid to fight the relationship between poverty, instability, corruption, and terrorism. Secretary of State Colin Powell’s testimony during the State Department hearing on April 4, 2004, referred to similar goals:

Mr. Chairman, 48 percent of the President’s Budget for Foreign Affairs supports the war on terrorism. … Some $3.5 billion indirectly supports the war on terrorism by strengthening our ability to respond to emergencies and conflict situations. And finally, $190 million is aimed at expanding democracy in the Greater Middle East, which is crucial if we are to attack successfully the motivation behind people engaging in terrorism. (Hearings for Fiscal Year 2005: 9, emphasis added)

These examples also reveal an underlying desire to contemplate the wider, more long-term effects of foreign economic assistance. The analysis of the discourse found in these hearings brings to light a deeper post-9/11 appreciation of how globalization is making the world a smaller place. As Senator Leahy (FY 2003: 20) remarked, “there is far more of a realization that it is an interdependent world, and we have to be involved.”
IV. ANALYSIS: OTHER INTERESTS

This analysis demonstrates that human rights regime-based rhetoric is by far the most prodigious over time in the hearings of the Senate Subcommittee on State, Foreign Operations, and Related Programs on USAID and the State Department. The level of human rights regime-based language over time vis-à-vis the counterterrorism regime and national interests can be seen in the graph below (see Figure 7). Only during the hearings for fiscal year 1996 (held on May 11, 1995 and May 18, 1995) does another category outsCore that crafted from the UDHR in order to operationalize the international human rights regime. The weighted reference observations for the human rights regime total 58.53 that year, while unweighted references total 71; in contrast, national interests rack up 96 raw references, reaching a 79.14 on the weighted scale.

Figure 7

Regime-Based Rhetoric and References to National Interests over Time

Fiscal Years 1996-2009
The “national interests (broadly defined)” category comprises codes such as long-term interests and U.S. foreign policy interests. The largest contributors to its total observations are codes located in the subcategories National Interests, National Security, and U.S. Economic Interests. These subcategories are small, largely made up of codes directly derivative of the subcategory classification. For instance, National Interests comprises codes such as national interests as a stand alone phrase (incorporating variations such as “this Nation’s interests,” “American interests,” etc) and FA for national interests, a code which classifies a particularly common context (foreign aid) in which the topic of national interests arises. In fact, 27 of the 96 unweighted national interests observations for fiscal year 1996 come directly from the national interests and FA for national interests codes; an additional 37 are found in the U.S. economic interests code, with 11 more from the frequently used FA for U.S. economic interests code.

Economic-related interests, thus, account for half of the 96 total national interest-based observations during the May 1995 hearings. In these hearings, senators especially focused on the importance of “export promotion activities” (Hearings for Fiscal Year 1996: 382) using a variety of terms to indicate that they thought the expansion of U.S. export markets was a significant topic.

While discourse related to the human rights regime, national interests, and the counterterrorism regime is the most salient in subcommittee hearings during the time period analyzed, other concerns were raised by senators and witnesses as well. As shown in Figure 8, hearing participants also raised concerns about nuclear proliferation and the
HIV/AIDS pandemic, and expressed support for spreading democracy and fighting the “war on drugs.”

The weighted total for nuclear non-proliferation comes to 176.7 pre-9/11 and 85.92 post-9/11, or 181 and 91, respectively, unweighted. An additional 27 raw observations regarding broad, non-specific non-proliferation efforts, and 15 references to chemical or biological weapons control efforts, were coded in separate categories over the entire time period. Non-proliferation concerns are salient throughout the 14 years of transcripts, and the gap between pre- and post-9/11 totals is not as drastic as for national interests-related discourse.

References to non-proliferation are, however, fairly volatile. The weighted scale ranges from lows of zero in hearings for fiscal year 2005, 1.98 in hearings for fiscal year 2008, and 2.23 in hearings for fiscal year 2003 (when counterterrorism discourse peaked) to highs of 48.63 in 1999 and 64.3 in 1996. As Senator McConnell noted (Hearings for Fiscal Year 1996: 424), nuclear non-proliferation was one of the United States’ “highest priorities”—which is borne out in the category’s comparative resilience in the post-9/11 period when references to national interests dropped sharply.
In contrast to national interests and non-proliferation, the weighted scale for measuring concerns about the HIV/AIDS pandemic showed a large increase in the post-9/11 period. In fact, during four of the seven pre-9/11 transcripts, HIV/AIDS did not rate a mention; in 1996 and 1999, weighted reference scales reached only 4.12 and 0.99 (5 and 1 raw observations) respectively. References increased in hearings for fiscal year 2002, held on May 8, 2001 and May 15, 2001. Concerns were voiced about the HIV/AIDS pandemic in two geographic areas in particular: the former Soviet Union and Africa. As USAID Administrator Andrew Natsios (Hearings for Fiscal Year 2002: 5) observed in his summary statement, “Now, we are facing the most visible challenges of current periods, particularly in Africa, but also increasingly the alarming growth rates of the HIV/AIDS epidemic in the former Soviet States. That is the place where the infection is spreading the fastest. We are very concerned.” Subsequently, the launch of the President’s Emergency Plan for AIDS Relief (PEPFAR) in 2003 raised government and
public awareness of the HIV/AIDS pandemic and likely contributed to the greater attention devoted to HIV/AIDS later hearings (following the 2002 publication of the unclassified government report *The Next Wave of HIV/AIDS: Nigeria, Ethiopia, Russia, India, and China*).

Attention devoted to democracy also increased overall in the post-9/11 period, though less dramatically. In fact, rhetoric devoted to democracy actually reaches its individual-year peak on the weighted scale pre-9/11 in hearings for fiscal year 1998.\footnote{The democracy category peaks at 20 unweighted observations during hearings for both fiscal years 1998 and 2006. However, the weighted scales refine the data and show that hearings for fiscal year 1998 did devote more attention to the topic than hearings for fiscal year 2006 (18.48 and 16.24 on the weighted scale, respectively).}

This category comprises codes for discourse devoted to the importance of *democracy/governance programs, democratic values, and democratic institutions*. The codes with the greatest number of observations in this category are direct references to the standalone term *democracy* (110 raw observations) and *democratization* (35 raw observations). Much of the attention to democratic concerns post-9/11 is attributable to U.S. activity in Afghanistan and Iraq. U.S. presence in these countries resulted in senators and witnesses devoting greater attention to regional governance and government structures. Secretary of State Powell’s (Hearings for Fiscal Year 2005: 9) words are illustrative of subcommittee sentiment on this matter, evincing the desire to “continue to expand democracy and help generate prosperity, especially in the Middle East.”

Finally, variation in discourse devoted to the “war on drugs” reveals no apparent association with the events of 9/11 (see Figure 9). This category comprises language indicating the importance of “the war against drugs” (Hearings for Fiscal Year 1998:
221), “counter-narcotics” (Hearings for Fiscal Year 1996: 382), and “fighting drugs” (Hearings for Fiscal Year 2000: 185). It also contains references to the desire to eliminate “narco-trafficking” and crack down on “Colombia’s heroin production” (Hearings for Fiscal Year 2001: 219, 204). The “war on drugs” reaches peak salience during hearings for fiscal year 2002, when senators raised concerns in two hearings (first with USAID Administrator Natsios then with Secretary of State Colin Powell) about perceived successes and failures of the Andean Counterdrug Initiative—a U.S. aid program developed to support Andean countries in an effort to bring a stop to cocaine and opium production in the region (Veillette 2006).

![Figure 9](image)

*Figure 9*

Rhetoric Related to the War on Drugs over Time

<table>
<thead>
<tr>
<th>Fiscal Years 1996-2009</th>
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</thead>
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<tr>
<td>0</td>
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Ultimately, while these other themes can be discerned in subcommittee discourse during the 14 years of hearings transcripts analyzed, the majority do not reach salience similar to the two international regimes which form the focus of this research. The only
exception is the theme of broad national interests. Given that the category for national interests comprises both U.S. economic interests and national security concerns, it is unsurprising that the category reaches somewhat greater overall prominence than the counter-terrorism regime—though this finding is, of course, qualified by the sharply lower findings for national interests post-9/11.

V. CONCLUSION

The findings reported in this chapter provide supporting evidence for each of the six hypotheses it was designed to test. Not only was the influence of the international human rights regime maintained throughout the 14-year time frame, it was markedly more influential than the counterterrorism regime both overall and in the pre- and post-9/11 periods considered separately. The counterterrorism regime also performed as expected. It demonstrated marginal levels of influence during the pre-9/11 period; peak influence immediately following the watershed events of 9/11 as its relevance in the international system skyrocketed; and sustained, though more moderate, levels of influence thereafter. Additionally, the research demonstrates that the influence of values and interests unrelated to the human rights and counterterrorism regimes noticeably diminished during the post-9/11 period. While regime-based discourse increased during the post-9/11 period (the weighted human rights reference measure increased by 173.04 units, or 15.96%, while the weighted counterterrorism measure leapt up 156.98 units—a
253.97% increase), the influence of national interests, nuclear non-proliferation, and the War on Drugs decreased.

Perhaps the most notable takeaway from the research recounted in this chapter is the substantial sway of the international human rights regime compared to other primary foci. Weighted measures of human rights regime influence reach above 1,000 both pre- and post-9/11. Overall, the international human rights regime reference scale out-values the combined total of all other key influences (including the counterterrorism regime) by a ratio of 2.38:1.

The amount of transcript space devoted to discourse inspired by the human rights regime supports constructivist, or cognitive, approaches to regime theory. These approaches emphasize the importance of ideas and collective values, as opposed to modified structuralist/neoliberal institutionalist approaches, in which the principles and norms underpinning international regimes typically derive from self-interest or state security concerns (see chapter 2). However, the strength of the international human rights regime can also be explained using neoliberal approaches, as these stress the value of international regimes in regulating behavior in issue-areas associated with marginal economic cost and little risk to security. This description may be apt for the human rights regime. While the more powerful world players may view no imminent threat associated with human rights abuses in many cases, the lingering effects of the Holocaust and periodic atrocities in the Balkans and Africa keep human rights on the international agenda. Though Donnelly (1986:616, 618) argues that the lack of "perceived material
interest” involved renders the international human rights regime “weak,” this research demonstrates that, at the level of subcommittee discourse, it is decidedly robust.

In fact, Donnelly (1986: 605) notes that the “strength” of a regime increases “with its normative… ‘scope;’” additionally, a regime’s power, in practical terms, is associated with actor acceptance of its principles and norms, and commitment to its standards. The international human rights regime benefits from both of these aspects. Its normative scope is wide-ranging: it encompasses, as shown in this chapter, the rights to agency, assembly, due process, equality, freedom of thought, political participation, and a reasonable standard of living. Additionally, analysis of language employed by senators, USAID administrators, and secretaries of state that the United States not only accepts the principles and norms of the regime but is, at least rhetorically, committed to its standards. Whether or not regime influence at the level of subcommittee discourse translates to aid outcomes—does America put its money where its mouth is?—is at the heart of the next phase of this research. In the following chapter, the relevant findings from this study of transcribed senate subcommittee hearings will be applied to statistical analysis of foreign aid determinants.

\[\text{Donnelly (1986: 607) takes a different approach, classifying the rights described in the UDHR as personal, legal, civil, subsistence, economic, social/cultural, and political.}\]
Chapter 4: Statistical Determinants of Foreign Aid

I have talked with the President on occasion about what we are trying to do in Korea, to feed starving people. But obviously, we have some concerns, about where the food aid goes and where not.

—Senator Leahy

On a strictly humanitarian level, we have provided approximately $33 million in cash and in-kind support for emergency relief assistance, basically medical supplies and food for targeted sectors of the North Koreans.

—Acting Assistant Secretary of State Kartman

I. INTRODUCTION

This chapter investigates the statistical merit of the human rights and counterterrorism regimes as determinants of U.S. foreign policy—specifically, foreign aid allocation. The key premise of regime theory is that international regimes influence state behavior in the international system. Different theories of international relations posit differing degrees of regime influence. As solely realist and power-based approaches consider regimes misleading and epiphenomenal at best (Strange 1983), the primary approaches considered in this research are the broader interest-based and constructivist approaches. While at first glance constructivist theories—with their emphasis on norms
and decisionmaker beliefs (Finnemore 1996)—might appear the best theoretical
grounding for research regarding the human rights regime, interest-based approaches—
especially neoliberal institutionalism—may offer a firmer middle ground.

As Keohane (1984) observes, even in interest-based expectations of state behavior
there is the acknowledgement that actors regard some norms as morally binding—at
times to the potential detriment of narrow definitions of short-term self-interest. In
addition, key aspects of neoliberal institutionalist understandings of international regimes
are that (i) they form in issue-areas which require international coordination and
cooperation to achieve transnational goals, and (ii) they form more easily in issue-areas
that do not directly affect state security. The international human rights regime meets
both these criteria. The international counterterrorism regime does as well. Though the
counterterrorism regime does share some similarities with more traditional security
regimes (see Jervis 1983), terrorism itself may be considered less a national security
threat against the state and more a problem in terms of civilian casualties and political
fallout.79

This approach to expectations of regime influence is applicable to the foreign aid
puzzle. When contemplating the determinants of foreign aid, taking into account strategic
interests, past history, and economic concerns, a scholar of international regimes would
expect to see the impact of the human rights and counterterrorism regimes in levels of
U.S. foreign aid allocated by country. This impact would manifest in higher levels of aid
being allocated to recipients experiencing predicaments related to regime issue-areas—

79 See chapters 1 and 2, especially the introduction to chapter 2.
especially those directly addressed in foundational regime declarations such as the Universal Declaration of Human Rights and/or the Declaration on Measures to Eliminate International Terrorism.

Drawing from the foundation laid earlier in the dissertation, the research conducted in this chapter builds three empirical models of foreign economic assistance. These models, which take into account the influences of international regimes on aid outcomes, are devoted to different time periods. The first evaluates the 14-year time span as a whole. The second examines the seven years leading up to the 9/11 terrorist attacks. The final model evaluates foreign aid outcomes during the seven years following 9/11.

The findings from these models support the argument that international human rights and counterterrorism regimes each play a role in foreign aid appropriations. Further, the findings demonstrate that their respective roles change over the course of the period investigated. Finally, this change in effects illustrates the merit of approaching analysis of U.S. foreign aid determinants with a pre- and post-9/11 perspective.

The chapter begins with key hypotheses and their accompanying explanations. This is followed by a brief description of the variables incorporated in the statistical analysis. The results of the regression models are then reviewed and explained, and implications discussed. The conclusion reviews key findings of the research undertaken herein.
II. HYPOTHESES

This statistical analysis involves three regression models: one spanning the full 14-year time period, one devoted to the seven years pre-9/11, and one covering the seven years post-9/11. The regressions use panel-corrected standard errors and a panel-specific AR(1) specification.

The hypotheses for these models articulate the argument noted in the introduction that the international human rights and counterterrorism regimes influence the U.S. foreign aid appropriations process. Recipients experiencing concerns related to regime issue-areas should receive higher levels of aid. The study uses two measures for each regime: one measure of the situation on the ground in each recipient country (human rights records, for the human rights regime, and terrorist incidents, for the counterterrorism regime) and one measure of regime influence in appropriations hearings (see below). A more complex relationship is anticipated between the human rights regime and recipient human rights records than typically considered in research on human rights and foreign aid. The relationship is hypothesized as follows:

**Hypothesis 1a:** There is a negative association between recipient respect for human rights and U.S. foreign aid obligations.

**Hypothesis 1b:** The marginal effect of recipient respect for human rights on U.S. foreign aid obligations is moderated by the influence of the international human rights regime during Senate subcommittee hearings such that as levels of regime influence increase the negative effect of recipient respect for human rights strengthens in magnitude.
These hypotheses convey the expectations that (i) recipient human rights records matter, because policymakers are influenced by regime norms and (ii) there is an interactive relationship between regime influence during Senate subcommittee hearings and recipient human rights scores. The influence of the human rights regime during Senate subcommittee hearings, a time-only varying measure, is expected to modify the impact of recipient human rights records on foreign aid allocation in all three models.

The expectation of a negative relationship between recipient respect for human rights and foreign aid may seem counterintuitive at first. However, content analysis of Senate subcommittee transcripts (see chapter 3) reveals that senators and witnesses argue in favor of higher levels of foreign aid in order to combat poor human rights conditions. Thus, lower levels of human rights conditions are anticipated to correspond to higher levels of foreign aid obligations, in order to ameliorate precisely these conditions.

This hypothesis is partially based on the content analysis conducted as the first part of this research, and thus has firm grounding in both theory and empiricism. The expectation of a negative association, and the justification for that explanation, runs largely contrary to existing literature on human rights and foreign aid which views aid as a mechanism for signaling approval or disapproval of state behavior (McKinlay and Little 1977). Most theorists posit a positive relationship between recipient respect for human rights and foreign aid obligations—though not all find it (e.g., Apodaca and Stohl 1999; Blanton 1994; Carleton and Stohl 1987; Cingranelli and Pasquarello 1985; Demirel-Pegg and Moskowtiz 2009; Poe 1992).
The hypotheses regarding the counterterrorism regime articulate the expectation that its influence on the U.S. foreign aid appropriations process may be evaluated using terrorist incidents in recipient countries and counterterrorism regime influence on Senate subcommittee hearing content. Research on foreign aid and counterterrorism is only beginning to come into its own, and existing research is not grounded in regime theory. This empirical analysis, however, is grounded in theoretical propositions described above, and the measures correspond to the principles and norms articulated in the Declaration on Measures to Eliminate International Terrorism.

**Hypothesis 2a:** There is a positive association between the volume of terrorist incidents in a recipient state and U.S. foreign aid obligations.

**Hypothesis 2b:** In the seven years post-9/11 and the fourteen year time span taken as a whole, the marginal effect of terrorist incidents on U.S. foreign aid obligations is moderated by the influence of the international counterterrorism regime during Senate subcommittee hearings; this moderation is such that at higher levels of regime influence during hearings the positive effect of volume of terrorist incidents increases.

As high levels of terrorist incidents occurred in some recipient countries both prior to and following the 9/11 attacks, and as the United States supported international counterterrorism norms during this time period, this research anticipates a statistically significant, positive association between number of terrorist incidents suffered in a recipient country and foreign aid obligations in all three models. As the number of terrorist attacks in a recipient state increase, the level of aid it receives increases.
In addition, these hypotheses state the expectation of an interactive effect between counterterrorism regime influence in appropriations hearings and terrorist incident effects on aid in both the post-9/11 and full time period model. However, as the counterterrorism regime impact was inconsistent during Senate subcommittee meetings prior to the 9/11 attacks, the moderating effect articulated in Hypothesis 2b is not expected for the post-Cold War, pre-9/11 model. As noted in the previous chapter, following the 9/11 attacks, the counterterrorism regime generated much more influence during Senate subcommittee meetings. Given increase U.S. commitment to international counterterrorism regime norms following the attacks, and concurrent increase of counterterrorism regime influence in Senate subcommittee hearings, the effects of this interaction are expected to be particularly strong post-9/11.

III. VARIABLES

The data for this research is pooled cross-sectional times series data; 142 countries are included over fourteen years. As noted in chapter 2, this analysis includes six key independent variables (plus two interaction terms) and four main control variables. The six key independent variables are human rights regime, recipient respect for human rights, counterterrorism regime, terrorist incidents, and the respective regime-based interaction variables. Human rights regime measures human rights influence during Senate subcommittee appropriations hearings. It is a scale consisting of weighted values derived from content analysis of Senate subcommittee transcripts. The values range from
59 to 332. *Recipient respect for human rights* measures the human rights scores of countries receiving aid. The multiplicative term \( HR_{regime} \times HR_{respect} \) tests for an interactive relationship between the two variables.

The measure of recipient respect for human rights comes from the values assigned by the Political Terror Scale (see also chapter 3). The scale officially consists of levels one through five, one being the best and five being the worst. For this project, the values have been reversed, in order to provide an intuitive measure of state respect for human rights. Thus, the values used in this analysis are as follows:

**Level 1:** “Terror has expanded to the whole population.” State leaders consider no methods off the table in pursuing their “personal or ideological goals” (Wood and Gibney 2010: 373).

**Level 2:** “Civil and political rights violations have expanded to large numbers of the population.” These violations include murders, kidnappings, and torture—none of which are uncommon. However, terror is restricted to citizens who “interest themselves in politics or ideas” (Wood and Gibney 2010: 373).

**Level 3:** “There is extensive political imprisonment, or a recent history of such imprisonment.” This level includes societies in which execution or political assassinations occur, as well as “[u]nlimited detention, with or without a trial, for political views” (Wood and Gibney 2010: 373).

**Level 4:** “There is a limited amount of imprisonment for nonviolent political activity.” The majority of the population is unaffected, and “torture and beatings are exceptional. Political murder is rare” (Wood and Gibney 2010: 373).
Level 5: These states operate “under a secure rule of law, people are not imprisoned for their views, and torture is rare or exceptional. Political murders are extremely rare” (Wood and Gibney 2010: 373).

Counterterrorism regime measures the influence of counterterrorism principles and norms in discourse during Senate subcommittee appropriations hearings, a measure derived in the same fashion as human rights regime. The values range from 3 to 66. Terrorist incidents is the natural log of the number of terrorist attacks that took place in the recipient country the year before the aid package. The multiplicative term CTregime*Terrorist incidents tests for an interactive relationship between these two variables.

The four main control variables are population, strategic importance, recipient development, and economic importance. They measure recipient population levels in hundreds of millions of citizens; number of active duty U.S. military personnel stationed in recipient countries in thousands; the per capita GDP for countries receiving aid in thousands of U.S. dollars; and U.S. exports to each aid recipient in hundreds of millions of US dollars.80

In addition, in order to account for the effects of influential outliers, the models include dummy variables for key cases in key years and a variable to control for otherwise unmeasured 9/11 effects. These dummies are as follows:

Russia, fiscal year 1999: In 1997 and 1998, Russia experienced a massive economic crisis, hit hard by the Asian crash of the 1990s. In 1998, the United States was

80 See chapter 2 for details on key independent and control variables.
instrumental in securing revised IMF terms for loans to Russia. In addition, the United States provided a sizable aid package. Aid obligations to Russia for fiscal year 1999 thus topped $2 billion—by far the largest amount of aid allocated that year. A dummy variable is included for this case to control for U.S. interests in not permitting Russia, a country with sizable nuclear, biological, and chemical weapons capabilities, to continue its economic free-fall and descend into total chaos.

Afghanistan and Pakistan, fiscal year 2002: While the foreign aid budget is typically decided far in advance of the fiscal year for which it is created, sometimes events on the world stage require that action be taken in a speedier manner. The result is what are referred to as “emergency supplementals,” which is when money is appropriated outside of the normal aid process. Following the 9/11 terrorist attacks, and the ensuing bombing campaign (which took place during the weeks prior to the beginning of fiscal year 2002), Congress pushed through emergency supplementals to send aid to Afghanistan during fiscal year 2002. Thus, although aid obligations to other countries for fiscal year 2002 were largely unaffected by the terrorist attacks, obligations to Afghanistan were altered. Similarly, aid obligations to Pakistan were also increased at the last minute (in terms of the regular appropriations process). For this reason, case specific dummies are included to account for the over $700 million increase in aid to Pakistan and the almost $500 million increase in aid to Afghanistan that took place outside of the regular process.

9/11 shock: This dummy variable is included to assess the shock to U.S. foreign policy broadly and U.S. foreign aid specifically of the 9/11 terrorist attacks. It improves
model estimates by measuring the overall impact of the attacks on aid obligations during fiscal years 2003 and 2004.

Afghanistan and Pakistan, post-9/11 budgets: These dummy variables account for Afghanistan and Pakistan as influential outliers in aid obligations resulting from the normal budget and appropriations process (FY 2003 and beyond). It is important to note that these dummies are not included only due to the high levels of aid allocated to these countries, as logging the DV does smooth out the variance. These dummies are included to account for U.S. interests not fully accounted for by other control variables. For instance, although Pakistan has been extremely strategically important during U.S. operations in Afghanistan, total active duty military personnel stationed in the country range from only 21-36 during the total 14 years under analysis.

Iraq, OIF budgets: This dummy variable accounts for the unique effects of Operation Iraqi Freedom in foreign aid obligations. Not only does foreign aid to Iraq outstrip aid to every other country from FY 2003 (emergency supplementals) through FY 2009 by a wide margin, serious political concerns associated with invasion, subsequent failure to discover WMDS, and lampooned efforts at nation-building must be accounted for.

IV. RESULTS

A. The International Human Rights Regime
In the model for the full 14 years analyzed (see Table 8), the level of influence of the human rights regime during senate subcommittee hearings is not statistically significant in its own right. However, the multiplicative term indicates there is indeed an interactive relationship between human rights regime influence in appropriations and the effects of recipient human rights scores. This relationship is also demonstrated in the model for the pre-9/11 time period. This confirms Hypothesis 1b, which posited that levels of human rights regime influence during subcommittee hearings moderate the effects of recipient human rights records on foreign aid obligations, as applied to the full time period and pre-9/11 models.

However, in the post-9/11 model we fail to reject the null for Hypothesis 1b (see Table 8). Interestingly, in this model each of the variables displays strong negative associations with levels of foreign aid obligated to recipient countries. Despite the strength of the individual negative association in this model, the substantive effects of human rights regime influence during subcommittee hearings are small. This is unsurprising given that regime influence for subcommittee hearings is identical across all countries for each year. Holding other variables constant, a 1-unit increase in human rights regime-based rhetoric is associated with a .14 percent increase in foreign aid allocation. The impact of recipient human rights records is more substantial, with a one-unit increase in human rights scores being associated with a 30 percent decrease in foreign aid obligations, which supports Hypothesis 1a.
Table 8: Regression Models

<table>
<thead>
<tr>
<th>VARIABLES</th>
<th>Full Time Period</th>
<th>Pre-9/11</th>
<th>Post-9/11</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Foreign Aid (LN)</td>
<td>Foreign Aid (LN)</td>
<td>Foreign Aid (LN)</td>
</tr>
<tr>
<td>HR regime</td>
<td>-0.001</td>
<td>-0.001</td>
<td>-0.003***</td>
</tr>
<tr>
<td></td>
<td>(0.002)</td>
<td>(0.002)</td>
<td>(0.001)</td>
</tr>
<tr>
<td>Human rights respect</td>
<td>-0.543***</td>
<td>-0.342**</td>
<td>-0.593***</td>
</tr>
<tr>
<td></td>
<td>(0.096)</td>
<td>(0.145)</td>
<td>(0.133)</td>
</tr>
<tr>
<td>Interactive HR regime*HR respect</td>
<td>-0.002**</td>
<td>-0.001**</td>
<td>-0.001</td>
</tr>
<tr>
<td></td>
<td>(0.001)</td>
<td>(0.001)</td>
<td>(0.001)</td>
</tr>
<tr>
<td>CT regime</td>
<td>0.006</td>
<td>0.001</td>
<td>-0.015***</td>
</tr>
<tr>
<td></td>
<td>(0.008)</td>
<td>(0.019)</td>
<td>(0.004)</td>
</tr>
<tr>
<td>Terrorist attacks (LN)</td>
<td>0.212***</td>
<td>0.322**</td>
<td>0.221***</td>
</tr>
<tr>
<td></td>
<td>(0.056)</td>
<td>(0.131)</td>
<td>(0.059)</td>
</tr>
<tr>
<td>Interactive CT regime*Terrorist attacks</td>
<td>0.001</td>
<td>-0.004</td>
<td>0.005**</td>
</tr>
<tr>
<td></td>
<td>(0.003)</td>
<td>(0.008)</td>
<td>(0.002)</td>
</tr>
<tr>
<td>Population</td>
<td>0.116***</td>
<td>0.100**</td>
<td>0.050</td>
</tr>
<tr>
<td></td>
<td>(0.027)</td>
<td>(0.039)</td>
<td>(0.038)</td>
</tr>
<tr>
<td>Strategic importance</td>
<td>-0.029**</td>
<td>-0.085</td>
<td>-0.024*</td>
</tr>
<tr>
<td></td>
<td>(0.012)</td>
<td>(0.062)</td>
<td>(0.012)</td>
</tr>
<tr>
<td>Recipient development</td>
<td>-0.166***</td>
<td>-0.458***</td>
<td>-0.140**</td>
</tr>
<tr>
<td></td>
<td>(0.062)</td>
<td>(0.068)</td>
<td>(0.064)</td>
</tr>
<tr>
<td>Economic importance</td>
<td>0.002***</td>
<td>0.004***</td>
<td>0.002***</td>
</tr>
<tr>
<td></td>
<td>(0.000)</td>
<td>(0.001)</td>
<td>(0.001)</td>
</tr>
<tr>
<td>9/11 shock dummy (two yr)</td>
<td>-0.301</td>
<td></td>
<td>-0.422***</td>
</tr>
<tr>
<td></td>
<td>(0.459)</td>
<td></td>
<td>(0.159)</td>
</tr>
<tr>
<td>Russia (1999)</td>
<td>1.971***</td>
<td>1.832*</td>
<td></td>
</tr>
<tr>
<td></td>
<td>(0.386)</td>
<td>(0.957)</td>
<td></td>
</tr>
<tr>
<td>Afghanistan 2002 (control for emergency supplemental)</td>
<td>2.683***</td>
<td>2.494***</td>
<td></td>
</tr>
<tr>
<td></td>
<td>(0.660)</td>
<td>(0.733)</td>
<td></td>
</tr>
<tr>
<td>Pakistan 2002 (control for emergency supplemental)</td>
<td>3.871***</td>
<td>3.237***</td>
<td></td>
</tr>
<tr>
<td></td>
<td>(0.655)</td>
<td>(0.954)</td>
<td></td>
</tr>
<tr>
<td>Afghanistan</td>
<td>3.856***</td>
<td></td>
<td>2.556***</td>
</tr>
<tr>
<td></td>
<td>(0.386)</td>
<td></td>
<td>(0.508)</td>
</tr>
<tr>
<td>Pakistan</td>
<td>2.575***</td>
<td></td>
<td>1.524***</td>
</tr>
<tr>
<td></td>
<td>(0.303)</td>
<td></td>
<td>(0.331)</td>
</tr>
<tr>
<td>Iraq (following onset of OIF)</td>
<td>10.300***</td>
<td></td>
<td>7.135***</td>
</tr>
<tr>
<td></td>
<td>(2.159)</td>
<td></td>
<td>(1.993)</td>
</tr>
<tr>
<td>Constant</td>
<td>16.074***</td>
<td>15.917***</td>
<td>17.170***</td>
</tr>
<tr>
<td></td>
<td>(2.238)</td>
<td>(3.797)</td>
<td>(2.017)</td>
</tr>
<tr>
<td>Observations</td>
<td>1,988</td>
<td>994</td>
<td>994</td>
</tr>
<tr>
<td>R-squared</td>
<td>0.845</td>
<td>0.872</td>
<td>0.899</td>
</tr>
<tr>
<td>Number of countryid</td>
<td>142</td>
<td>142</td>
<td>142</td>
</tr>
</tbody>
</table>

Standard errors in parentheses
*** p<0.01, ** p<0.05, * p<0.1
Note: interaction terms have been centered
Hypothesis 1a is also confirmed in the full time period and pre-9/11 models, as recipient country respect for human rights displays a strong, negative association with increase in the amount of foreign aid granted. The effects of this association, as noted above, are moderated by levels of influence of the human rights regime during subcommittee hearings. Marginal effects calculations for the first model (see Table 9), which spans all fourteen years under consideration, indicate that at minimum levels of human rights regime influence, a one-unit increase in recipient government level of respect for human rights corresponds with a 0.383-unit decrease in the natural log of foreign aid allocated. This translates to a 32% decrease in foreign aid.

Table 9: Marginal Effects of Recipient Human Rights Records at Varying Levels of Human Rights Regime Influence during Full Time Period (pre- and post-9/11 combined)

<table>
<thead>
<tr>
<th>Human Rights Regime &amp; Human Rights Records</th>
<th>Min (59)</th>
<th>Median (155)</th>
<th>Max (332)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Human Rights Record</td>
<td>-.383</td>
<td>-.525</td>
<td>-.787</td>
</tr>
<tr>
<td></td>
<td>(.116)</td>
<td>(.096)</td>
<td>(.157)</td>
</tr>
<tr>
<td></td>
<td>( t = -3.294 )</td>
<td>( t = -5.483 )</td>
<td>( t = -5.021 )</td>
</tr>
</tbody>
</table>

Additional calculations for the full time period indicate that holding observed levels of human rights regime influence at the median values (155) produces a 41% decrease in foreign aid obligated for each one-unit increase in recipient respect for human rights. Finally, at the maximum value of human rights regime influence (332), a one-unit increase in respect for human rights is associated with a 55% decrease in aid obligations. T-scores indicate that recipient respect for human rights is statistically significant holding human rights regime influence at any observed value. These effects are shown in Figure
10, which illustrates the marginal effects of recipient human rights throughout the range of human rights regime values and includes dashed lines to indicate the 95% confidence interval.

Figure 10: Marginal Effects of Recipient Human Rights Respect during Full Time Period (pre- and post-9/11 combined)
Marginal effects calculations for the model specific to the seven years pre-9/11 (see Table 10) indicate that at minimum levels of human rights regime influence, a one-unit increase in recipient government level of respect for human rights corresponds with an 18% decrease in the natural log of foreign aid obligated. However, the variable is not statistically significant at this level human rights regime influence, though has gained significance by median levels of human rights regime influence.

Holding observed levels of human rights regime influence at the median values (155) produces a 28% decrease in foreign aid obligated for each one-unit increase in recipient respect for human rights. At the maximum value of human rights regime influence (332), respect for human rights is associated with a 43% decrease in aid obligations. T-scores indicate that the marginal effect of recipient human rights is statistically significant holding human rights regime influence at the median and maximum. A graph of marginal effects (see Figure 11) indicates that levels of respect for human rights become statistically significant just above values of 100 for human rights regime influence. The human rights regime reaches values above 100 during eleven of the fourteen years under evaluation; the three exceptions are 1996, 1997, and 2008.

Table 10: Marginal Effects of Recipient Human Rights Records at Varying Levels of Human Rights Regime Influence during Pre-9/11 Time Period (FY 1996-2002)

<table>
<thead>
<tr>
<th>Human Rights Regime</th>
<th>Min (59)</th>
<th>Median (155)</th>
<th>Max (332)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Human Rights Record</td>
<td>-.196 (.138)</td>
<td>-.325 (.143)</td>
<td>-.564 (.213)</td>
</tr>
<tr>
<td></td>
<td>$t = -1.419$</td>
<td>$t = -2.282$</td>
<td>$t = -2.652$</td>
</tr>
</tbody>
</table>
Calculating expected values (see Table 11) of foreign aid at different levels of the human rights variables for the full time period model indicates that holding recipient respect for human rights at its lowest score (1) produces values of $14.6 million in foreign aid allocations at minimum levels of human rights regime influence during senate subcommittee hearings. This increases to $29.3 million in foreign aid at maximum levels of human rights regime influence. Holding recipient respect for human rights at its highest possible score (5) produces an expected $3.2 million in foreign aid at the
minimum level of human rights regime influence. However, expected values equal only $1.3 million at maximum levels of regime influence.

Table 11: Predicted Values of Foreign Aid at Minimum and Maximum Levels of Key Independent Variables during Full Time Period (pre- and post-9/11 combined)

<table>
<thead>
<tr>
<th>Human Rights Regime</th>
<th>Human Rights Record</th>
<th>Min (59)</th>
<th>Max (332)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Worst (1)</td>
<td>$14,645,782</td>
<td>$29,291,456</td>
<td></td>
</tr>
<tr>
<td>Best (5)</td>
<td>$3,177,003</td>
<td>$1,258,250</td>
<td></td>
</tr>
</tbody>
</table>

African and Latin American countries in particular serve as examples of countries that meet these criteria and received the predicted aid obligations. The human rights regime exerted its lowest levels of influence during Senate subcommittee hearings for fiscal year 1996. In 1996, Somalia received only a “1” on recipient respect for human rights, and was allocated approximately $13 million in foreign economic assistance. Also during 1996, Costa Rica had scored a “5” for its human rights record. In this fiscal year, Costa Rica was allocated approximately $3 million.

Later, the human rights regime exerted high levels of influence during hearings for fiscal years 2000 and 2006. During fiscal year 2000, Estonia and the Bahamas received $1.3 million and $1.4 million, respectively, with top human rights records. In 2006, Bahrain also scored highly in terms of recipient respect for human rights, and was allocated approximately $1 million. Empirical examples of states with level 1 respect for
human rights in 2000 end up with foreign aid allocation above or below the predicated amount, though the average of the two closest states (Burundi, with $9.4 million, and Sierra Leone, with $40.8 million) comes within range, at $25.1 million.

Calculating predicted values for the pre-9/11 model (see Table 12) indicates that holding recipient respect for human rights at its lowest score (1) produces values of $10.9 million in foreign aid allocations at minimum levels of human rights regime influence during senate subcommittee hearings. This increases to $18.2 million in foreign aid at maximum levels of human rights regime influence. With recipient respect for human rights at its highest possible score (5), the expected level of foreign aid is almost $5 million in foreign aid at the minimum level of human rights regime influence. However, expected values equal only $1.9 million at maximum levels of regime influence.

Table 12: Predicted Values of Foreign Aid at Minimum and Maximum Levels of Key Independent Variables during Pre-9/11 Time Period (FY 1996-2002)

<table>
<thead>
<tr>
<th>PRE 9/11: HUMAN RIGHTS REGIME &amp; HUMAN RIGHTS RECORDS</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Human Rights Regime</strong></td>
</tr>
<tr>
<td>Min (59)</td>
</tr>
<tr>
<td>Max (332)</td>
</tr>
<tr>
<td>Worst (1)</td>
</tr>
<tr>
<td>$10,872,187</td>
</tr>
<tr>
<td>$18,161,138</td>
</tr>
<tr>
<td>Best (5)</td>
</tr>
<tr>
<td>$4,965,291</td>
</tr>
<tr>
<td>$1,903,399</td>
</tr>
</tbody>
</table>

These values match U.S. aid obligations to states all over the globe—from Eastern Europe to the Middle East, and Latin America to Central Asia. During the pre-9/11
period, the human rights regime exerted its lowest levels of influence during Senate subcommittee hearings for fiscal year 1996. In 1996, Iraq received only a “1” on recipient respect for human rights, and was allocated approximately $10 million in foreign economic assistance. Empirical examples of recipient states with the highest level of human rights come close to the expected $5 million. In fact, averaging the two closest (Mongolia, at $7 million, and Costa Rica, at $3 million) during fiscal year 1996 provides the expected value.

Later, the human rights regime exerted high levels of influence during hearings for fiscal year 2000. Examples of aid allocation during this fiscal year to recipients with good human rights records spans a wide range, from Moldova, at $60 million, to the Comoros, Grenada, the Seychelles, and Slovenia—who each received no aid. Belize and Lithuania were each allocated approximately $2 million in aid, corresponding with the expected value for recipient states with excellent human rights records in years in which international regime influence reached maximum levels.

Finally, examples of recipient states with low levels of respect for human rights also span a wide range during fiscal year 2000. Interestingly, there are no instances of a state with a poor human rights record receiving no aid during this fiscal year, though the lowest amount of aid ($1.4 million, obligated to Iraq) is miniscule in comparison to the $1.3 billion allocated to Colombia. While there are no cases corresponding precisely to the regression-derived expected values, averaging the three closest (Algeria, Burundi, and Sierra Leone) produces the predicted number of dollars obligated.
B. The International Counterterrorism Regime

Confirming Hypothesis 2a, the number of terrorist attacks in recipient countries does display a statistically significant positive association with amount of aid obligated to recipients (see Table 8) in both the full time period model and the pre-9/11 model. The value of the uncentered coefficient for the overall model indicates that a 1 percent increase in terrorist incidents is associated with a .193 percent increase in foreign aid, while a 20 percent increase in terrorist incidents is associated with a 3.6 percent increase in foreign aid. The uncentered coefficient for the seven years prior to 9/11 indicates that a 1 percent increase in terrorist incidents corresponds to a .39 percent increase in aid allocated, while a 10 percent increase is associated with approximately a 4 percent rise in aid levels, and a 20 percent increase with a 7.4 percent rise in aid.

However, the full time period model demonstrates that during the fourteen year time span overall, there is not an interactive relationship between levels of counterterrorism regime influence during appropriations hearings and number of terrorist attacks in recipient countries in terms of impact on foreign aid obligations. Likewise, the model specific to the pre-9/11 period also demonstrates no relationship between levels of counterterrorism regime influence during appropriations hearings and the impact of number of terrorist attacks in recipient countries on foreign aid obligations. Levels of counterterrorism regime influence during appropriations hearings are insignificant in both of these models.
The post-9/11 model does confirm Hypothesis 2b, which posited an interactive relationship between levels of counterterrorism regime influence during appropriations hearings and volume of terrorist attacks in recipient countries in terms of impact on foreign aid obligations (see Table 8). In addition, levels of counterterrorism regime influence during appropriations hearings and the number of terrorist attacks in recipient countries each display a statistically significant positive association with amount of aid obligated to recipients (see Figure 12). Interestingly, Figure 13 illustrates that the variable for levels of counterterrorism regime influence during hearings only contributes
significantly as an aid determinant itself when the natural log of terrorist incidents in recipient countries falls below approximately 2.5, which is around 12 terrorist incidents per year. However, as 878 of the 994 observations for terrorist incidents post-9/11 fall below the 2.5 level, this encompasses a far larger number of cases than a brief glance at Figure 13 would indicate.

Figure 13: Marginal Effects of Counterterrorism Regime Post-9/11, Levels of Substantive Significance Noted (FY2003-2009)

Marginal effects calculations (see Table 13) indicate that at minimum levels of counterterrorism regime influence (a value of 18), a one percent increase in terrorist incidents suffered in recipient countries corresponds with a .21% increase in foreign aid
obligated (or a 10% increase in attacks corresponds with a 2% increase in aid). Holding observed levels of counterterrorism regime influence at the median value (42) produces a 3.14% increase in foreign aid obligated for each 10% increase in terrorist attacks in the recipient country. At the maximum value of counterterrorism regime influence (66), a ten percent increase in terrorist incidents is associated with a 4.25% increase in aid obligations. T-scores indicate that the marginal effect of number of terrorist incidents in recipient country is statistically significant holding counterterrorism regime influence at all observed levels.

Table 13: Marginal Effects of Recipient Terrorist Incidents at Varying Levels of Counterterrorism Regime Influence during Post-9/11 Time Period (FY 2003-2009)

<table>
<thead>
<tr>
<th>Counterterrorism Regime</th>
<th>Min (18)</th>
<th>Median (42)</th>
<th>Max (66)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Terrorist Incidents (LN)</td>
<td>.211 (.061)</td>
<td>.324 (.066)</td>
<td>.437 (.107)</td>
</tr>
<tr>
<td></td>
<td>$ t = 3.462$</td>
<td>$ t = 4.921$</td>
<td>$ t = 4.087$</td>
</tr>
</tbody>
</table>

Calculating expected values (see Table 14) indicates that holding recipient terrorist incidents at zero produces predicted values of $12.5 million in foreign aid allocations at minimum levels of counterterrorism regime influence during senate subcommittee hearings. This actually decreases to approximately $5 million in foreign aid at maximum levels of counterterrorism regime influence. With the natural log of recipient number of terrorist attacks suffered at its highest possible level (7), the expected amount of foreign aid is approximately $54.5 million in foreign aid at the minimum level.
of human rights regime influence. If levels of counterterrorism regime influence are also at a maximum, expected values rise to over a hundred million dollars.

Table 14: Predicted Values of Foreign Aid at Minimum and Maximum Levels of Key Independent Variables during Post-9/11 Time Period (FY 2003-2009)

<table>
<thead>
<tr>
<th>Counterterrorism Regime</th>
<th>Min (18)</th>
<th>Max (66)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Terrorist Incidents (LN)</td>
<td>Min (0)</td>
<td>$12,490,590</td>
</tr>
<tr>
<td></td>
<td>Max (7)</td>
<td>$54,592,314</td>
</tr>
</tbody>
</table>

Similar values for the minimum levels of these variables can be found in U.S. aid obligations to countries in Central Asia. During the post-9/11 period, the counterterrorism regime exerted its lowest levels of influence during Senate subcommittee hearings for fiscal years 2006 and 2009. In 2006, Mongolia experienced no terrorist attacks and was allocated $12.7 million in foreign economic assistance; in 2009, Turkmenistan experienced no terrorist attacks, and $12.1 million.

The counterterrorism regime reached peak influence during hearings for fiscal year 2003. Aid obligations this year also provide examples of the predicted values of foreign aid at zero terrorist attacks in Latin America, and Africa. For instance, Costa Rica received $4.2 million in aid allocations, and the Gambia received with $5.2 million.
The predicted value of foreign aid at maximum levels of counterterrorism regime influence and terrorist incidents does not bear out in the observations included in the data for this analysis. The peak level of counterterrorism regime influence during appropriations hearings occurred in 2003, and the highest number of terrorist attacks was suffered by Iraq in 2007—both the wrong year and a special country case. Inspection of a scatterplot of counterterrorism regime influence levels (see Figure 14) also reveals that 2003 is an outlier.

*Figure 14: Counterterrorism Regime Influence during Subcommittee Hearing: Observed Values by Fiscal Year, Post-9/11 (FY2003-2009)*
Recalculating predicted values to match empirical cases can be accomplished by using the secondary maximum for counterterrorism regime influence (33), and a natural log of terrorist incidents equaling 6.25 (the highest maximum number of terrorist incidents suffered in a county not included as a dummy variable in the regression equation). Calculating the regression equation at these levels produces an expected foreign aid value of $54,370,678. Counterterrorism regime influence approximated the secondary maximum during fiscal years 2007 and 2008. During both years, the expected value can be matched to empirical cases of aid to Thailand—in 2007, Thailand was obligated approximately $58 million, and in 2008, $57 million. In both years, the country experienced a relatively high number of terrorist incidents.

C. Control Variables

In terms of control variables, population and economic importance are both positively and statistically significantly associated with levels of foreign aid obligation in the full time period model and the pre-9/11 model. This means that the greater the number of citizens in a recipient country, the larger the amount of foreign aid it is likely to receive. Likewise, the more economically important a country is to the United States, the more aid the country is likely to be allocated. The coefficients for these variables in the fourteen-year model indicate that for each additional hundred million people in recipient country population, there is an associated 12 percent increase in foreign aid obligations, while for an additional hundred million dollars worth of U.S. exports, however, the associated aid increase is only .24 percent.
The coefficient for the economic importance variable in the pre-9/11-specific model indicates that a hundred million dollar increase in U.S. exports to a recipient country is associated with a .4 percent increase in aid obligations—almost double that of the overall model, but still miniscule. The coefficient for recipient population in this model, as for the overall model, is associated with a more substantive effect on aid: a one hundred million citizen increase in recipient country population is associated with a 10.5 percent increase in aid obligations.

In the post-9/11 model, economic importance is the only continuous control variable statistically significantly and positively associated with levels of foreign aid obligation. However, as in the other models, the substantive effect of the variable is small: the coefficient indicates that each hundred million dollar increase in U.S. exports to recipient countries is associated with only a .21% increase in foreign aid allocation. The coefficient for the population measure is also positive, but statistically insignificant.

As expected, recipient levels of GDP per capita are negatively associated with foreign aid obligations in all three models. This means that the poorer a country is, the larger its share of expected aid. The coefficients for recipient economic development reveal that an additional one thousand dollars in GDP per capita corresponds with a 15 percent decrease in U.S. economic aid obligations in the overall time span and a 13 percent decrease in the period following the 9/11 attacks taken alone. The magnitude of the negative relationship is far greater in the period prior to 9/11: a one thousand dollar increase in recipient GDP per capita is associated with a 38 percent decrease in U.S. foreign aid.
There is some interesting variation in the models with respect to the results for the strategic importance measure. While it is insignificant in the pre-9/11 model, it is significant in both the full time period model and the post-9/11 model—though weakly so in the latter. The direction of the coefficients in all three models is negative, however, indicating that an increase in U.S. active duty personnel stationed in a country is actually associated with a *decrease* in foreign economic aid allocated to that country. In the fourteen-year model, the associated reduction is 2.8 percent in aid obligations for a one thousand-personnel increase active duty military personnel; in the post-9/11 model, where the significance is weaker, the magnitude of the effect is a 2.3 percent reduction in aid. The negative direction on the coefficients is likely attributable in part to the controls for Afghanistan and Iraq. With the advent of increasingly distance-oriented military capabilities (e.g., drone warfare), these results may also raise questions for future researchers about the contemporary efficacy of using active duty military personnel stationed abroad as a good indicator of strategic importance.

Results for the dummy variables are largely as expected. The coefficients on the dummy variables created to account for the special circumstances associated with foreign aid flows to Afghanistan and Pakistan following 9/11 (in FY 2002) are statistically significant and positive in both the overall model and the pre-9/11 model. The dummy for Russia in 1999 is also statistically significant and positive, though the significance is weak in the model for the seven years leading up to 9/11.

The three country dummies included on the overall model and the post-9/11 model to account for unique post-invasion reconstruction effects, nation-building efforts,
and other strategic interests not captured by military personnel levels in Afghanistan, Pakistan, and Iraq are significant in both models. The countries are all outliers in terms of total aid allocated, and also possess unique characteristics in the pool of countries included for analysis. Pakistan, for instance, is not host to large numbers of U.S. soldiers but is considered extremely strategically important. The coefficients for these variables are positive, indicating higher levels of aid.

Finally, the two-year 9/11 shock dummy is insignificant in the overall model (although it improves the model fit) but significant in the post-9/11 model. This interesting lack of consistency is likely attributable to a combination of the special country control dummies and the increase in overall aid levels in the seven years following 9/11. While the two years immediately post-9/11 did not see significantly lower amounts of aid obligated compared to levels in the fourteen years taken as a whole, they were early days in a post-9/11 foreign aid increase. Thus, out of the seven years post-9/11, these two years actually saw comparatively lower levels of aid allocated. Fleck and Kilby (2010: 187) note that aid averaged “$15.2 billion during the 12 inter-war years (1990-2001) and $25.0 billion during the first five years of the War on Terror.” The first two fiscal years following the 9/11 attacks fall at the beginning of a rise in aid spending (see Figure 15). The effects of this increase may be magnified by controlling for Afghanistan, Pakistan, and Iraq, as the aid flows to other countries did not rise until later in the period.
Figure 15: Overall Aid Flows

US Total Annual Economic Aid Obligations
(US$ billion)

V. DISCUSSION

A. Foreign Aid and the International Human Rights Regime

The results for the overall and pre-9/11 models demonstrate that U.S. foreign aid levels to recipient countries increase as recipient human rights records indicate they have committed a greater number of human rights abuses. In the literature, allocating foreign aid to states with poor human rights records is generally viewed as a dereliction of moral duty. In line with realist and interest-based theoretical approaches, provision of foreign aid to human rights abusers is frequently attributed to strategic or ideological concerns overriding normative goals. Researchers, thus, construct and interpret their models with the assumption that a statistically insignificant or negative association between recipient respect for human rights and aid allocation indicates that the international human rights regime has little impact on U.S. policy and policymakers. In fact, many researchers argue that in seeking to establish human rights as a key determinant in aid allocation, scholars may be focusing on something more “mythical” than real (Blanton 1994: 340; see also Alesina and Dollar 2000; Nielsen 2013).

The content analysis stage of this research (see previous chapter) enables this researcher to provide an alternative, theoretically and empirically grounded, explanation: the United States gives more aid to countries with poorer human rights records because policymakers view aid as a way to ameliorate these poor conditions.

This explanation is different from the hypothesis occasionally set forth in the literature that aid levels are empirically associated with recipient human rights improvement. Some research (e.g., Poe 1992) attempts to establish whether or not
policymakers take into account improvement in human rights records when allocating aid, but these efforts return little in terms of statistically or substantively interesting results. This is perhaps one reason scholars have not considered alternative explanations for statistically insignificant or negative associations between human rights records and aid allocation. However, whether or not the United States rewards measurable human rights improvement with increased aid is a different question than whether or not the United States increases aid levels in an effort to use foreign aid as a tool to improve human rights conditions.81

That the negative relationship between respect for human rights and aid appropriations is moderated by regime influence during subcommittee hearings is logical: the greater the amount of subcommittee hearing time devoted to human rights regime-related principles and norms, the greater decisionmaker interest in and enthusiasm about improving poor human rights conditions. Indeed, when secretaries of state and USAID administrators give their statements, these statements are essentially an exercise in “drumming up business”—they are highlighting poor human rights conditions with the goal of motivating senators to finance efforts to change those conditions. That senators respond to these calls for action by appropriating greater amounts of money to the places they have been told it is most needed is, ultimately, intuitive.

Although policymakers desire to use foreign aid as a tool for improving poor human rights conditions, analysis of Senate subcommittee transcripts also reveals that senators are aware of the inherent difficulties associated with allocating foreign aid in this

81 It is also different from the question of whether or not aid actually does improve the human rights situation on the ground, as witnesses in subcommittee hearings argue.
manner. They work to be cautious accordingly. This can be seen in an excerpt from a hearing held to hear testimony from Madeleine Albright in 1997, when she was the U.S. Representative to the United Nations.82

Senator McConnell: So my question basically is this: Do you think it is actually possible to operate in Burma and not collaborate in some fashion with the regime?

Ambassador Albright: … [The UNDP program we support is designed to help] the poorest people in Burma, and delivers services to them at the township level. What is very hard, I think, always in various countries is to make sure that programs actually get to the grassroots, and we are insisting that the UNDP program in fact do that in Burma. (Hearings for Fiscal Year 1997: 206)

While Senator McConnell, in particular, revealed a personal struggle with the morality of sending aid into a state controlled by such an oppressive regime, then-Ambassador Albright reminded appropriators of the importance of fulfilling basic human needs. She also noted that money allocated to Burma was disbursed through UN organizations and additional NGOs. Thus, throughout the pre-9/11 time period, money was obligated to Burma through a variety of programs, ranging from migration and refugee assistance to child survival and health, as well as broader development assistance.

The Burma case serves to illustrate that economic aid is provided with a focus on improving conditions on the ground. Policymakers view foreign aid as a tool for improvement: a tool for providing support for human rights advocates; improving human rights conditions; and, in some cases, actually combating rather than propping up repressive governments. This can also be seen in statements made about other countries.

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82 Analysis of this hearing, though conducted as part of this research, was not included in creation of the regime influence scale (and thus not referenced in chapter 3). Only hearings with secretaries of state and administrators for USAID were used to create the human rights and counterterrorism regime measures. See chapter 2 for data selection justifications pertaining to consistency across years sampled.
with poor human rights records, such as Rwanda (Hearings for Fiscal Year 1998), North Korea (Hearings for Fiscal Year 1999), and Afghanistan (Hearings for Fiscal Year 2000).

Decades of literature views aid grants as a means of signaling commitment to recipient governments (McKinlay and Little 1977) and considers aid obligations to countries with poor human rights records as evidence supporting realist and strict interest-based approaches to international relations. However, interpreting the regression results in the light of senators’ and witnesses’ stated goals provides support for a more comprehensive understanding of U.S. foreign aid goals. This alternative interpretation offers support for the more encompassing of the interest-based theories of international relations (Keohane 1984), as well as constructivist theories (Finnemore 1996).

B. Foreign Aid and the International Counterterrorism Regime

The results for the key counterterrorism regime-related measures confirm a positive relationship between terrorist attacks suffered by aid recipients and levels of aid allocated in each of the three models. However, that relationship is only moderated by counterterrorism regime influence during hearings in the final model. While the positive association between terrorist incidents in recipient countries and aid levels may be attributable to counterterrorism regime-based motivation during the overall time span, and even pre-9/11, attributing these effects to the counterterrorism regime sans moderating regime influence during subcommittee hearings finds weaker justification.

This does not mean, however, that the regime did not exert some influence. In fact, in 1997, a special hearing was held on international crime and terrorism. In this hearing,
witnesses focused on highlighting measures being taken to combat international terrorism, as the following excerpt illustrates.

Ambassador GELBARD. In October 1995, President Clinton spoke at the 50th anniversary of the United Nations in New York. The subjects he decided to address were not the traditional ones that one might have expected. Instead of talking about issues related to what might have been expected to be a geopolitical tour de raison, he focused on the issues that this hearing is about. He focused on the new foreign policy and international security issues, of drug trafficking, transnational crime, terrorism, traffic and weapons of mass destruction, and money laundering. (Hearings for Fiscal Year 1998: 65).

The State Department hearing for fiscal year 1998 also included references to counterterrorism regime norms. When Secretary of State Madeleine Albright declared that there was “no room for terrorism” in the Middle East peace process (p. 223), Senator Arlen Specter followed up by pressing her as to whether or not Palestinian leaders had given a “green light” for terrorist attacks (p. 239). Both agreed that terrorism was “totally unacceptable,” a stance which was paraphrased later in the hearing by Senator McConnell in reference to a terrorist attack in Cambodia (p. 251). These examples serve to demonstrate to the reader the firm, though comparatively low-impact, influence of the counterterrorism regime during hearings even prior to the 9/11 attacks.

The results for the post-9/11 model, in contrast, demonstrate much stronger support for the argument that the international counterterrorism regime exerts influence on U.S. foreign policy in terms of foreign aid appropriations. This model confirms both that U.S. foreign aid levels to recipient countries increase as those countries experience a greater number of terrorist incidents, and that this effect is moderated by levels of counterterrorism regime influence during Senate subcommittee hearings. While recent literature has begun to explore the connection between counterterrorism and foreign aid...
allocation, results have been mixed. Boutton and Carter (2013), for instance, find that terrorist incidents matter only when they directly affect U.S. interests. The results of this research, however, indicate otherwise. Total terrorist incidents in recipient countries do have a statistically significant impact as a determinant of U.S. foreign aid. In addition, the results of this model are more nuanced than existing research, given the exploration of the interactive relationship between counterterrorism regime influence during hearings and subsequent obligations.

The magnifying effect of counterterrorism regime influence during hearings corresponds with the importance of human rights regime influence during subcommittee hearings demonstrated by the full time period and pre-9/11 model. Taken together, the models indicate the relevance of regime influence during appropriations hearings to ultimate aid allocation. Interestingly, however, the interactive effect between human rights regime influence during subcommittee hearings and recipient human rights records disappears in this final model. This can be attributed to the critical juncture of the 9/11 attacks and the subsequent strengthening of the international counterterrorism regime. However, such an explanation must be offered cautiously, as overall levels of human rights regime-based rhetoric actually increased slightly during subcommittee hearings post-9/11 (see chapter 3). As recipient respect for human rights remains a significant aid determinant even in this final model, we cannot assume that senators, post-9/11, suddenly rejected existing beliefs about the value of foreign aid in improving human rights conditions abroad. However, that the human rights regime loses its moderating effect post-9/11 does pose an interesting puzzle.
One possible solution is that, much as counterterrorism regime influence cancels itself out in the overall model due to conflicting effects pre- and post-9/11, the human rights and counterterrorism regimes are canceling each other out as influences in aid appropriations to rights-abusing governments. While subcommittee hearing discourse indicates that the human rights regime is still highly influential, actual aid flows are now increasingly influenced by counterterrorism regime norms and goals. As Whitaker (2010) notes, repressive governments may have greater success at implementing counterterrorism regime-consistent policies, which makes them better foreign aid candidates under that measure.

Finally, it is important to add that the differences observable between the three models demonstrate the importance of conceiving of the 9/11 terrorist attacks as a critical juncture in U.S. foreign aid research. Scholars are only just beginning to explore the post-9/11 period as separate from the post-Cold War period. While those who focus on counterterrorism and foreign aid are rapidly embracing this distinction (e.g., Boutton and Carter 2013; Fleck and Kilby 2010), those who focus on human rights have been slower to do so.

VI. CONCLUSION

The analysis in this chapter moves forward the research on determinants of U.S. foreign aid by investigating the articulated hypotheses. The results support the hypotheses explained at the beginning of the chapter, with the exception of Hypothesis 1b for the
post-9/11 model and Hypothesis 2b for the full time period model. Hypothesis 1b anticipated an interactive relationship between recipient human rights records and human rights regime influence during subcommittee hearings. Hypothesis 2b posited an interactive relationship between terrorist incidents in recipient countries and counterterrorism regime influence during subcommittee hearings for the model for the full fourteen years as well as the post-9/11 model.

Taken as a whole, these results indicate strong support for the argument that the international human rights and counterterrorism regimes influence U.S. foreign aid policy. At the theoretical level, this supports the proposition that international regimes influence state behavior. In addition, the consistent statistical significance of the economic importance control may be taken as support for neoliberal institutionalist, or interest-based, approaches to this application of international regime theory.

Further, the findings highlight three important methodological aspects of aid research. First, they draw attention to the relevance of the comprehensive approach to measuring the international human rights and counterterrorism regimes proposed in this dissertation. Second, the findings demonstrate the imperative of including a pre- and post-9/11 aspect to research on aid determinants. Finally, researchers who focus on human rights and foreign aid should consider including counterterrorism controls. The impact of the counterterrorism variables, particularly in the time period following the 9/11 terrorist attacks, warrants attention from all researchers engaged in aid research rather than merely those focused primarily on counterterrorism concerns.
In the concluding chapter of this dissertation which follows, the results of this chapter will be incorporated into an overall project review. Theoretical implications of the project will be examined. In addition, methodological recommendations for future research will be discussed. Finally, policy implications of the research will be considered.
Chapter 5: Conclusion

Aid is related to commitment through the capacity of aid to signal commitment.

In the first place, aid is a concessional transfer, and the donor necessarily incurs some cost when it provides aid. Since states do not incur costs for other states unless they wish to register support, donating aid provides a clear demonstration of a commitment to the recipient.

—McKinlay and Little (1977)

I. INTRODUCTION

This dissertation began with the goal of answering one central question (do international regimes matter?) and one related question (did 9/11 affect regime power?). Seeking to establish whether or not regimes influence state behavior in the international system, one may naturally look to a state’s foreign policy. Foreign aid, as a specific subsection of foreign policy, provides an area particularly friendly to empirical research, given the careful records kept on aid obligations—and the inherently (necessarily so) quantified aspect of aid obligations.

In terms of narrowing the focus on international regimes (for there are many from which to choose), the human rights regime, as noted in the first chapter, is an intuitive choice. Given U.S. economic aid’s humanitarian justifications from the outset, it is an
area rich for research. Questions concerning the effect of human rights values on foreign aid appropriations have long been explored in the literature, though admittedly seldom with strong theoretical connections to underlying regime theory.

The events of 9/11 added a new dimension to the question of regime power in international relations, as the formerly low-profile international counterterrorism regime suddenly received a shot of adrenaline from the U.S. as global hegemon. The aftermath of the terrorist attacks also added an interesting new aspect specific to the human rights and foreign aid puzzle. Media reports emerged over the following years of the U.S. government’s disregard for domestic civil rights in cases related to the PATRIOT Act in a series of arrests related to “sleeper cells” (such as the Detroit Four) which turned out to be groundless; of the disregard of U.S. troops for human rights norms in operations abroad, with particularly egregious cases being reported at Bagram in Afghanistan and Abu Ghraib in Iraq; and, most relevant to this project, of the U.S. government partnering with repressive and abusive governments to pursue counterterrorism goals—through the use of CIA black sites in countries such as Poland and Syria and what some have seen as a new version of proxy wars, in which autocratic rulers receive funds from the U.S. government to pacify rebel groups with possible terrorist connections. Lesser known examples of foreign aid supporting repression as a (perhaps unintended) corollary of international adherence to UNSC counterterrorism mandates are also available in the literature (e.g. Whitaker 2010)—bringing to mind Cold War comparisons.

Thus, the decision to include the counterterrorism regime in the analysis for this dissertation was a logical one, for both theoretical and empirical reasons, as well as from
the view of the international system overall and the U.S. case in particular. In addition, it provided the opportunity to substantively contribute to the literature by synthesizing two existing but different foci in analysis of foreign aid determinants. The extensive literature on aid with a human rights focus has largely ignored the increase in counterterrorism influence, while the more recent literature on counterterrorism and aid has yet to seriously include human rights considerations. In addition, as noted in the first chapter of this study, much of the work in both of these approaches to foreign aid lacks a solid connection to theory—though some newer analyses are more explicitly grounded in theory.83

Hence, the two canonical questions noted at the beginning of this chapter have been established empirically by evaluating the influence of the international human rights and counterterrorism regimes on U.S. foreign aid appropriations. However, in consciously grounding this study in the regime theory literature, the additional goal emerged of exploring these questions in a manner both thoughtful and rigorous. Holding these aims in mind, the study began by questioning the assumptions underpinning prior approaches to and interpretations of empirical research in the fields relevant to this work.

Thus, the questions “Do regimes matter?” and “did 9/11 impact regime influence (especially the relative influence of the human rights and counterterrorism regimes)?” were soon augmented with three additional questions:

1. How do we properly conceive of international regimes?

83 Boutton and Carter (2013:2-3), for example, explicitly connect their rigorous statistical analysis to arguments on international hierarchy. Nielsen (2013), also gestures at theory (rationalist versus constructivist approaches).
2. How do we accurately measure their influence?

3. How do we accurately interpret the results of our statistical analyses when evaluating regimes as determinants of foreign aid?

The research design developed and carried out for this study was crafted, at first implicitly and then explicitly, in response to these questions. Ultimately, research on a topic is only as useful and relevant as its conceptual and operational clarity: a measure of something is essentially meaningless if it is not valid and accurate. Further, elaborate statistical work may be elegant, but it is empty if interpretations are not grounded in reality.

In order to answer the question “do regimes matter?” and the accompanying question “has regime influence changed following 9/11?” it was necessary to first answer the three conceptual and methodological questions posed. The process of answering these questions produced the research design and kept this research on track throughout. Adhering to these guidelines while seeking the answers to the original, theory-based questions regarding regime influence, this study has successfully maintained focus on key goals throughout.

II. THE THREE “SMALLER” QUESTIONS

A. How Do We Properly Conceive of International Regimes?

As noted in chapter 1, the literature on theories of international regimes grew out of an intellectual response to changes in the international system during the decades
following World War II. Ruggie’s (1975: 569) definition of international regimes as a collective response of states to transnational issues, “consisting of sets of mutual expectations, generally agreed-to rules, regulations and plans” was adapted by later researchers and tweaked to turn into Krasner’s (1982, 1983) definition of regime as “implicit or explicit principles, norms, rules, and decision-making procedures, around which actors’ expectations converge in a given issue-area.” It is this definition, with Krasner’s explicit emphasis on principles and norms being the most relevant and necessary part of this definition,\(^84\) that formed the basis of this study’s conceptualization of international regimes.

In order to bring this conceptualization to bear on the specific regimes evaluated herein, this study combined Krasner’s emphasis on principles and norms with the stated principles and norms of the regimes in question. The principles and norms used in this study’s conceptualization of the international human rights and counterterrorism regimes were drawn from these regimes’ most foundational and least controversial documents: the Universal Declaration of Human Rights and the Declaration on Measures to Eliminate International Terrorism. The documents were analyzed, their principles and norms organized into subcategories, and these subcategories used to generate codes for content analysis—turning conceptualization into operationalization. The content analysis provided a quantified measure of regime influence that could be used in statistical regression.

\(^{84}\) “Changes in rules and decision-making procedures are changes within regimes, provided that principles and norms are unaltered” while “[c]hanges in principles and norms are changes of the regime itself” (1983: 3-4, emphasis in the original).
One of common critiques of Krasner’s definition is “vagueness.” What critical scholars refer to as “vagueness,” however, is a necessary aspect of regime conceptualization due to the widely varying focus and purpose of different types of regimes; one could hardly expect the international trade regime to share the defining principles and norms of the international human rights regime. The method of applying the Krasner definition to the process of conceptualizing the regimes in this study may serve to illustrate, for more skeptical scholars, (i) the value in the generalizability of Krasner’s approach to the regime concept, and (ii) that taking the next step to apply this concept to particular regimes and research is less complicated than one might at first imagine. The question then becomes—now we know how to conceive of particular regimes, how do we measure their influence?

B. How Do We Accurately Measure Regime Influence?

The appeal of the more traditional approach to measuring influence of regimes—by evaluating adherence to rules set out in legally binding treaties—is that establishing whether or not states are following explicit rules of behavior is less complicated than establishing whether or not an international regime, as conceived in this project, influences state activity in a broader sense. To analyze whether or not certain regimes affect state behavior requires developing a way to accurately measure that influence. This

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85 See Levy, Young, and Zürn (1995) for an overview, and the first chapter of this dissertation.
86 For an overview of research on adherence to human rights legal regimes, for instance, see Hafner-Burton 2012.
project narrows state behavior to foreign aid as foreign policy. Thus, the appropriations aspect of the policymaking process is a logical place to examine regime influence. As appropriations hearings are an integral part of the foreign aid process, during which Congress obtains information and exercises its role as an oversight body, this study focused on this aspect of the policymaking process.

For this study, the influence of the international human rights and counterterrorism regimes in the policy process was measured by coding the contents of hearings held by the Senate Appropriations Subcommittee on State, Foreign Operations, and Related Programs (SASSFORP). This process of coding and analysis produced two useful results. The first is a substantive understanding of what regime influence in the policy process looks like—i.e., how it impacts behavior by affecting motivation. The second is a quantified measure of annual regime influence consisting of a scale accounting for regime-based rhetoric. The validity of this measure is ensured by the substantive understanding that helped produce it.

The quantitative aspect of the scale measuring regime influence during SASSFORP hearings permits its use in statistical analysis of aid determinants. The annual influence of regimes during SASSFORP hearings for key foreign aid disbursing agencies moderates the effects of variables more traditionally used to proxy regime effects in aid appropriations. In this study, the country and year-specific regime proxies used are recipient respect for human rights and terrorist incidents. The statistically demonstrated interactive effects of regime influence and these proxies indicate additional

\[87\] See next subsection for further development of this point.
support for the argument that the effects of these variables on aid obligations derive from the international human rights and counterterrorism regimes (see chapters two and four). This incorporation of the annual regime measure into literature-established formulas for aid determinants provides an answer to the question of how to accurately measure regime influence in (this aspect of) state behavior using rigorous methods.

C. What Is an Accurate Interpretation of the Regression Results?

Any statistical analysis rests, ultimately, on the researcher’s ability to provide an explanation of the results grounded in both theory and fact. The literature on foreign aid and human rights to this point uniformly seeks a positive relationship between recipient respect for human rights and foreign aid obligations when establishing the influence of human rights principles and norms in aid allocation. The previously under-explored and undefended premise on which this interpretation rests is that the only reasonable explanation for a negative relationship between foreign aid and recipient respect for human rights is that the U.S. foreign aid process neglects the importance of human rights.

Yet this is exactly the opposite of how researchers approach U.S. commitment to counterterrorism in policy responses to terrorist incidents. The limited current research into foreign aid and counterterrorism assumes the U.S. will put money into states suffering a high incidence of terrorist attacks: there will thus be a positive relationship
between terrorism and foreign aid.\textsuperscript{88} If we reverse the values of human rights records, the results of this statistical analysis would likewise reveal a positive relationship between human rights abuse and foreign aid—a relationship no less logical than the one between terrorist incidents and aid. While some may argue that terrorist incidents are less frequently connected to the central government than human rights abuses, this varies on a case-by-case basis for recipient countries and in many cases, particularly where there are high levels of corruption, the relationship is in fact difficult to untangle.\textsuperscript{89}

The strength of any interpretation of regression results offered rests on the ability of the researcher to provide evidence in support of it. This study, as noted above, incorporated an entire phase of research devoted to a substantive understanding of how regime influence manifests in the policy process and how it affects appropriator motivation. This understanding not only produced a valid quantitative measure of regime influence in the policy process, it also provided the researcher with a more informed capability to interpret the ultimate regression results.

At the very least, good empirical foreign policy research must take into account that policymakers operate within the existing international structure and within the confines of international reality. Thus, efforts to implement regime principles and norms within the international system are shaped by this reality. This means that just as analysts

\textsuperscript{88} Boutton and Carter (2013) do question this assumption (and prod at it by disaggregating terrorist incidents by number of casualties and whether or not U.S. interests specifically are targeted), but they accept it as a common premise before doing so. Azam and Thelen (2010) and others express skepticism about the effectiveness of aid as a counterterrorism tool, but there is little question in the academic community that American policymakers consider it worthwhile.

\textsuperscript{89} It also ignores research conducted on military aid (e.g., Bapat 2011) which indicates recipient governments are actually motivated to permit terrorists to continue operating in their territory to maximize receipts from the United States.
expect higher levels of aid to go to poorer countries so it may be equally reasonable to expect aid flows to increase as disregard for human rights increases and/or as terrorist incidents increase. These are all markers of undesirable aspects of life in a recipient country…and a time-honored tradition of solving problems on the ground is to throw money at them.

The analysis of subcommittee transcripts undertaken in this study permits this researcher to go further than to just entertain this possibility as a useful thought experiment. Based on the analysis of the SASSFORP transcripts, this study concludes that the interpretation that senators appropriate foreign aid to recipient countries in which respect for human rights is low out of a desire to improve these conditions stems from a commitment to international human rights regime norms is indeed the appropriate interpretation. The significant moderating effect of regime influence in SASSFORP discourse in regression models for the entire fourteen year time span and the pre-9/11 period strengthens this position. (The post-9/11 period taken separately presents a more complicated picture, to be discussed below.)

III. THE BIG QUESTIONS

A. Do Regimes Matter?

The results of the research undertaken for this study have, thus far, pointed to the appropriateness and applicability of two approaches to international regimes: the constructivist, or knowledge-based, approach, and the neoliberal, or interest-based,
approach (see chapter one). Because they originate from differing meta-theoretical orientations, as Hasenclever, Mayer, and Rittberger (1997) observe, these two schools of thought focus on different aspects of international relations. The constructivist school’s meta-orientation is sociological, while neoliberals adhere to rationalism. This leads to dissimilar approaches to institutionalism. Constructivists consider institutionalism a strong force—capable of producing “repercussions…on the identities of international actors,” while neoliberals are more moderate in their approach to institutionalism—it, like an actor’s rationality, is “a bounded one” (Hasenclever, Mayer, and Rittberger 1997: 4-5; Simon 1955, 1972).

These different meta-theoretical orientations also give rise to a focus on different central variables and different behavioral models. The central variables, knowledge and interests for constructivists and neoliberals respectively, serve as alternative means of labeling these approaches. The behavioral models, role playing for constructivists and absolute gains maximization for neoliberals, round out our understanding of these schools of thought.

As noted in the first chapter, those who adhere to strong constructivist approaches to international regimes argue that international regimes are “data to be described rather than phenomena to be explained” (Krasner 1983:10). As they conceptualize states as “embedded” in a preexisting international normative structure and society, the existence and importance of international regimes as part of this international structure is natural.91

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90 Hasenclever, Mayer, and Rittberger (1997) refer to this school as “cognitivist” rather than “constructivist.”
91 For additional background on this idea of international society broadly, and in contrast to assumptions of anarchy, see Wendt (1992) and Wendt and Duval (1989).
Ultimately, taking this approach, the main theoretical question posed at the outset of this study seems more rhetorical than anything else—the answer is assumed to be “yes” from the beginning.

For this reason, though including the constructivist approach in discussions of theory and empirical results, this study has focused more explicitly on making an interest-based case throughout. Although rationalist approaches are more commonly associated with research demonstrating a lack of impact by the international human rights regime—economic and strategic interests take precedence, leaving little space for other concerns—this study follows Keohane (1984) in arguing that in certain circumstances, some principles and norms may be considered on par with the importance of utility maximization. Keohane (1984: chapter 7) makes a case for what he refers to as “empathetic interdependence,” which describes a situation in which “actors may be interested in the welfare of others for their own sake, even if this has no effect on their own material well-being or security.”

The empirical research conducted in this study strengthens this claim, provided it is made within specific confines. The impact of the human rights regime during the policymaking process throughout the fourteen year time span may be taken in support of this argument. In addition, its impact on actual aid obligations during the pre-9/11 period also serves as evidence in favor of this claim. Stein (1983) and Keohane (1983) argue that regime effects on behavior are useful in situations in which optimal outcomes cannot be reached through individual, uncoordinated state action. As noted in the first chapter, the human rights regime came into existence in part due to global recognition of the necessity
of coordinating behavior in this issue-area; without coordination, there was little hope of
achieving the desired outcomes. The human rights regime, from the beginning, has
embodied the necessary "sense of general obligation" to justify governing behavior in a
fashion not directly connected to "short-term calculations of interest" (Krasner 1983: 3).

B. Did 9/11 Matter?

The post-Cold War, pre-9/11 period may now be viewed as a transition period
between two epochs, each dominated by strategic interests imbued with moralistic
overtones: the Cold War and anticommunism, and the "war on terror" reinforcing the
global counterterrorism regime. Being careful not to carry the parallels between these
periods too far—the stand-off with the Soviet Union is generally considered to have been
of far greater existential threat to national security than analyses of contemporary
transnational terrorism assess the terrorist threat to be\textsuperscript{92}—the 1990s may be viewed as the
"in-between" decade. Indeed, some scholars argue that during this period human rights
was the dominant organizing moral narrative for international relations; others speculate
that September 11\textsuperscript{th} has altered the way the international community adheres to human
rights norms (McLagan 2003; Foot 2005, 2007). Thus, the 1990s, the "golden age" of
human rights, may be considered a decade in which international conditions permitted a
greater focus on empathy.

\textsuperscript{92} See chapters one and two for more on academic and analyst skepticism of the severity of the terrorist
threat to U.S. national security. This skepticism should not be read as a claim that the threat is not real in
many other ways, nor as insinuating that concerns about terrorism do not play a large role in U.S. and
international politics.
However, as Keohane (1984: 125) observes, “[e]mpathetic explanations of behavior in world politics are limited to relatively small spheres of activity: situations in which actions do not have obvious explanations in terms of more narrowly defined self-interest.” This study’s empirical examination of foreign aid obligations following the 9/11 attacks adds to this observation the caveat that these spheres of empathetic activity are vulnerable to disruptive events in the larger international system. Such events in the international system may reorder state priorities and in the process possibly weaken the influence of regimes in unrelated issue-areas.

The results from the statistical analyses in chapter four indicate that although empathetic motivations remain strong (as evidenced by the continued intensity of human rights regime influence in Senate subcommittee hearings), other concerns have become stronger. The period following the 9/11 terrorist attacks is notable for the rise in influence of the counterterrorism regime both in subcommittee discourse and in its moderating effects on actual aid obligations. A neoliberal explanation for this is that the attacks resulted a refocusing of priorities for the United States—an increased emphasis on utility maximization as opposed to the prior “more modest interpretation of the national interest...more concern for the interests of other[s]” (Wolfers 1962, as quoted in Keohane 1984: 121).

Indeed, while arguments about the counterterrorism regime’s relationship to existential national security concerns may be tenuous, there is little doubt that engaging in the behavior dictated by the counterterrorism regime has utility. Counterterrorism regime norms serve to protect U.S. economic and political interests all over the world, as
many terrorists see themselves as, and explicitly present themselves to their acolytes as, freedom fighters against U.S. and capitalist domination.\footnote{This should not be interpreted to mean that a large number of terrorist organizations are interested in attacking the United States proper. Rather, terrorist groups abroad frequently fight at their own local and national level for autonomy or independence from U.S. backed governments and in opposition to U.S. influence in their own countries. For more information on terrorism, see Bloom (2007), Crenshaw (1989), and Pape (2003).} Aiding foreign countries in their fight against terrorist groups located within their borders also provides the U.S. with potential leverage in terms of influencing the aid recipient’s behavior in the international system.

In addition, global counterterrorist norms serve U.S. policymakers on the domestic front. Using fear as a motivating factor is historically effective in American politics, and the public responds well to seeing politicians act against terrorism (Altheide 2006). For policymakers predisposed to favor foreign aid as an instrument of foreign policy, this is an area particularly suited for it. While foreign aid is not typically popular with U.S. voters, international counterterrorism efforts are. Thus, it may also be the case that using foreign aid to fulfill counterterrorism regime objectives, which can be framed in terms of “keeping the American public safe,” is an easier sell than helping the unfortunate abroad while Americans suffer high unemployment rates.

In short, both the phases of the research undertaken in this study confirm that international regimes influence state behavior in the international system and that the terrorist attacks of 9/11 impacted the relative influence of these regimes. Interestingly, although the research in both chapters three and four of this study provide the same answers in general terms, they each reveal interesting nuances in the effects of this influence at different stages of the appropriations process. The content analysis
undertaken in chapter three reveals consistent human rights regime influence during Senate subcommittee hearings throughout the entire fourteen years under evaluation. While it also reveals a marked upswing in counterterrorism regime influence following the 9/11 attacks, it gives no indication that this should impact human rights regime outcomes in aid obligations.

The findings in chapter four, however, indicate that this is indeed the case. In the seven years after the attacks, counterterrorism regime influence during hearings moderates the effects of terrorist incidents in recipient countries on aid obligations. During the same time period, the regression model fails to reveal a significant moderating effect on recipient human rights records for human rights regime influence during the appropriations process. Taken together, the findings of these two phases of research indicate continued human rights regime influence in terms of hearing attendees’ motivations for requesting aid, but that additional concerns may be affecting the statistical relationship between subcommittee regime influence and aid outcomes. This possibility is explored below.

IV. CONTRIBUTIONS AND IMPLICATIONS

This study drew from existing literature in a number of subfields: international relations theory, congressional discourse, foreign aid, human rights, and counterterrorism studies. It encompassed more than one theoretical school in exploring thoroughly the literature cited on theories of international regimes. It drew from both qualitative and
quantitative methodologies, conducting content analysis and statistical analysis. Finally, it synthesized and extended existing empirical research on human rights and counterterrorism as determinants of foreign aid.

The research conducted for this dissertation produced theoretical, methodological, and empirical contributions to the literature. Its theoretical contribution lies largely in testing and supporting the basic premise of regime theory—that international regimes can explain variation in state behavior (Young 1986). This contribution comes from a deliberate refocusing on the key aspects of Krasner’s (1983: 2) definition of international regimes: principles and norms. This clarifies the regime concept, which, for purposes of methodological facility, has “traveled” somewhat over time, in the literature, toward rules and explicit legal conventions.

This theoretical contribution is solidified by the methodological contribution developed to translate the conceptual to the operational. The back to basics reconceptualization of international regimes required deriving the key principles and norms from foundational regime documents—in this case, the Universal Declaration of Human Rights and the Declaration on Measures to Eliminate International Terrorism. Consulting these documents permitted the researcher to develop a better way of measuring regime influence. In this instance, measuring influence was accomplished through analyzing Senate subcommittee transcripts for regime-based rhetoric.

The resultant measure of regime strength enabled a more accurate evaluation of regime effects in the foreign aid policymaking process. This regime-based rhetoric measure itself is one part of the empirical contribution of this study. The second is the use
of this measure as a moderating variable in the statistical analysis. Taken together, these innovations provide a blueprint for future researchers in terms of how to accurately and effectively conceptualize, operationalize, and evaluate the impact of international regimes.

There are some key implications of this research, particularly for literature on empirical analyses of determinants of foreign aid. The first of these stem from the finding that claims that a negative relationship between recipient respect for human rights and foreign aid obligations reflect a disregard for human rights norms are not borne out in the research. This study demonstrates that U.S. policymakers appropriate aid to countries with poor human rights records not necessarily for strategic reasons but out of a stated desire to facilitate adherence to human rights regime norms by improving the situation in the recipient country. Importantly, the results show that desire on the part of appropriators to fulfill the principles and norms articulated in the UDHR—that people have a right to bodily integrity, freedom of the press, food, water, shelter and medical care—to some degree overrides the desire to punish recipient states for denying these rights in the first place. There is also the recognition that in some instances, recipient states simply do not have the resources to improve conditions on their own.

Ultimately, these findings call into question the established argument in the literature that foreign aid is used as a “signaling” device to indicate approval of recipient governments (McKinlay and Little 1977). Instead, these findings support the contention that foreign aid is used as a tool to move toward human rights goals. Rather than

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94 To be clear, this study by no means argues that U.S. foreign aid obligations are solely and completely motivated by the influence of the human rights regime.
conceiving of U.S. foreign aid obligations solely as signaling commitment to the
governments of recipient countries, researchers would be better served to think of aid
obligations as signaling commitment to specific interests and the principles and norms of
influential international regimes.95

Finally, certain aspects of this study’s findings are more generalizable than others.
The cautionary discovery that a negative statistical relationship between an independent
variable and a dependent variable does not necessarily imply disregard for the
independent variable is applicable to many types of research. However, the
generalizability of the overall results is less broad. Specifically, the finding of the
influence of international regimes on state behavior is somewhat limited by the use of
Congressional discourse for constructing the measure of regime influence. This stated, it
is worth considering that if international regimes can exert such power in the
international system that the global hegemon behaves accordingly, it is likely these
results will hold for less powerful countries.96

V. DIRECTIONS FOR FUTURE RESEARCH

The evidence in chapter four of the distinctly different roles the counterterrorism
and human rights regimes play in aid appropriations during the pre- and post-9/11 time

95 This approach is further supported by the fact that senators discussed appropriating aid to countries
governed by leaders of whom they explicitly (and at length) expressed disapprobation. Aid obligations
show that aid did indeed flow into such countries (North Korea and Burma are two particularly salient
examples).
96 In addition, the research design itself is transferable. Future researchers can modify the analysis to
evaluate regime influence in their own appropriating bodies.
periods provides an important starting point for future research. Despite the extensive literature on change in U.S. foreign policy following 9/11, many analyses of foreign aid determinants are still adhering to the pre-and post-Cold War mindset. This involves folding pre- and post-9/11 into one time period. While the attractiveness of such an approach is understandable for studies spanning larger time periods, the results of this study and others (e.g. Boutton and Carter 2013; Fleck and Kilby 2010) indicate that any research which fails to treat the post-9/11 era as a distinct period in U.S. foreign aid likely suffers from serious weakness. Future empirical studies of U.S. foreign assistance should at the very least include a separate model of the post-9/11 time period for comparison, or offer strong justification for excluding one.

Relatedly, perhaps the most intriguing avenue for future research that comes out of this study is the disappearance of the interactive effect between human rights regime influence during Senate subcommittee hearings and recipient human rights records following the terrorist attacks. Had the human rights regime also diminished in influence during Senate subcommittee meetings, this finding would be of less interest. However, since the regime’s impact during hearings remained consistent, this finding presents an interesting puzzle.

The most likely explanation is that countries with lower levels of human rights respect (in particular, less political freedom) may perform better in terms of UNSC counterterrorism mandate implementation. This explanation addresses both the disappearance of the moderating effect of human rights regime influence during hearings and the continued negative relationship between recipient respect for human rights and
foreign aid while taking into account the increase in influence of the counterterrorism regime.

As Tarnoff and Lawson (2011: Summary) note, significant “foreign assistance trends in the past decade include growth in…assistance directed toward U.S. allies in the anti-terrorism effort.” As politicians and policymakers increasingly consider foreign aid to be a tool in the counterterrorism toolbox, it behooves us to contemplate what types of power structures are most conducive to pushing through rapid counterterrorism measures. Whitaker (2010) finds that African countries with greater repression and fewer civil and political rights are more successful at implementing UNSC counterterrorism protocols than states with more democratic processes and stronger institutions. Such success makes these countries more attractive in terms of foreign aid investments, as the “return” on the investment is considered good. Thus, these successful countries receive larger aid packages as a reward for their good counterterrorism implementation record, and as assistance in and incentive for keeping up the good work.

This explanation addresses why the interactive relationship between human rights regime-based rhetoric and human rights records has disappeared, despite the fact that policymakers continue to express concern about improving human rights in recipient countries. Many cases of aid to countries with poor records of human rights may still be attributable to policymaker desire to mitigate poor conditions as a result of human rights regime influence. However, other cases may be connected to implementation of counterterrorism regime-related objectives, leading to insignificant statistical results when combined. This is a rich area for future research, as it involves interrogating
established theoretical explanations for aid appropriations. Further, given the potentially competing forces at work described above, it presents methodological complexity to challenge future researchers.

Overall, the research conducted in this dissertation has contributed to and moved toward synthesizing subfields that, at first glance, may appear disparate. However, the deep history of the human rights regime and the new strength of the counterterrorism regime mean that their influence has become a fixture in foreign policy. With increasing global interconnectedness and relevance of global governance, regime theory presents a useful avenue of research for contemporary scholarship. As debates about the motivations and utility of foreign aid continue to play out, foreign assistance will remain a fruitful area in which to continue asking these theoretical and empirical questions.
Appendices

APPENDIX A: Universal Declaration of Human Rights

United Nations

General Assembly

Third session

Distr. GENERAL

10 December 1948

Resolution adopted by the General Assembly

[Part A of General Assembly resolution 217 (III). International Bill of Human Rights]

217 A (III). Universal Declaration of Human Rights

Preamble

Whereas recognition of the inherent dignity and of the equal and inalienable rights of all members of the human family is the foundation of freedom, justice and peace in the world,

Whereas disregard and contempt for human rights have resulted in barbarous acts which have outraged the conscience of mankind, and the advent of a world in which human beings shall enjoy freedom of speech and belief and freedom from fear and want has been proclaimed as the highest aspiration of the common people,
Whereas it is essential, if man is not to be compelled to have recourse, as a last resort, to rebellion against tyranny and oppression, that human rights should be protected by the rule of law,

Whereas it is essential to promote the development of friendly relations between nations,

Whereas the peoples of the United Nations have in the Charter reaffirmed their faith in fundamental human rights, in the dignity and worth of the human person and in the equal rights of men and women and have determined to promote social progress and better standards of life in larger freedom,

Whereas Member States have pledged themselves to achieve, in co-operation with the United Nations, the promotion of universal respect for and observance of human rights and fundamental freedoms,

Whereas a common understanding of these rights and freedoms is of the greatest importance for the full realization of this pledge,

Now, Therefore THE GENERAL ASSEMBLY proclaims THIS UNIVERSAL DECLARATION OF HUMAN RIGHTS as a common standard of achievement for all peoples and all nations, to the end that every individual and every organ of society, keeping this Declaration constantly in mind, shall strive by teaching and education to promote respect for these rights and freedoms and by progressive measures, national and international, to secure their universal and effective recognition and observance, both among the peoples of Member States themselves and among the peoples of territories under their jurisdiction.

Article 1.

All human beings are born free and equal in dignity and rights. They are endowed with reason and conscience and should act towards one another in a spirit of brotherhood.

Article 2.

Everyone is entitled to all the rights and freedoms set forth in this Declaration, without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status. Furthermore, no distinction shall be made on the basis of the political, jurisdictional or international status of the country or territory to which a person belongs, whether it be independent, trust, non-self-governing or under any other limitation of sovereignty.

Article 3.

Everyone has the right to life, liberty and security of person.

Article 4.

No one shall be held in slavery or servitude; slavery and the slave trade shall be prohibited in all their forms.

Article 5.

No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment.

Article 6.
Everyone has the right to recognition everywhere as a person before the law.

Article 7.
All are equal before the law and are entitled without any discrimination to equal protection of the law. All are entitled to equal protection against any discrimination in violation of this Declaration and against any incitement to such discrimination.

Article 8.
Everyone has the right to an effective remedy by the competent national tribunals for acts violating the fundamental rights granted him by the constitution or by law.

Article 9.
No one shall be subjected to arbitrary arrest, detention or exile.

Article 10.
Everyone is entitled in full equality to a fair and public hearing by an independent and impartial tribunal, in the determination of his rights and obligations and of any criminal charge against him.

Article 11.
(1) Everyone charged with a penal offence has the right to be presumed innocent until proved guilty according to law in a public trial at which he has had all the guarantees necessary for his defence.
(2) No one shall be held guilty of any penal offence on account of any act or omission which did not constitute a penal offence, under national or international law, at the time when it was committed. Nor shall a heavier penalty be imposed than the one that was applicable at the time the penal offence was committed.

Article 12.
No one shall be subjected to arbitrary interference with his privacy, family, home or correspondence, nor to attacks upon his honour and reputation. Everyone has the right to the protection of the law against such interference or attacks.

Article 13.
(1) Everyone has the right to freedom of movement and residence within the borders of each state.
(2) Everyone has the right to leave any country, including his own, and to return to his country.

Article 14.
(1) Everyone has the right to seek and to enjoy in other countries asylum from persecution.
(2) This right may not be invoked in the case of prosecutions genuinely arising from non-political crimes or from acts contrary to the purposes and principles of the United Nations.

Article 15.
(1) Everyone has the right to a nationality.
(2) No one shall be arbitrarily deprived of his nationality nor denied the right to change his nationality.

Article 16.

(1) Men and women of full age, without any limitation due to race, nationality or religion, have the right to marry and to found a family. They are entitled to equal rights as to marriage, during marriage and at its dissolution.
(2) Marriage shall be entered into only with the free and full consent of the intending spouses.
(3) The family is the natural and fundamental group unit of society and is entitled to protection by society and the State.

Article 17.

(1) Everyone has the right to own property alone as well as in association with others.
(2) No one shall be arbitrarily deprived of his property.

Article 18.

Everyone has the right to freedom of thought, conscience and religion; this right includes freedom to change his religion or belief, and freedom, either alone or in community with others and in public or private, to manifest his religion or belief in teaching, practice, worship and observance.

Article 19.

Everyone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers.

Article 20.

(1) Everyone has the right to freedom of peaceful assembly and association.
(2) No one may be compelled to belong to an association.

Article 21.

(1) Everyone has the right to take part in the government of his country, directly or through freely chosen representatives.
(2) Everyone has the right of equal access to public service in his country.
(3) The will of the people shall be the basis of the authority of government; this will shall be expressed in periodic and genuine elections which shall be by universal and equal suffrage and shall be held by secret vote or by equivalent free voting procedures.

Article 22.

Everyone, as a member of society, has the right to social security and is entitled to realization, through national effort and international co-operation and in accordance with the organization and resources of each State, of the economic, social and cultural rights indispensable for his dignity and the free development of his personality.

Article 23.
(1) Everyone has the right to work, to free choice of employment, to just and favourable conditions of work and to protection against unemployment.
(2) Everyone, without any discrimination, has the right to equal pay for equal work.
(3) Everyone who works has the right to just and favourable remuneration ensuring for himself and his family an existence worthy of human dignity, and supplemented, if necessary, by other means of social protection.
(4) Everyone has the right to form and to join trade unions for the protection of his interests.

Article 24.

Everyone has the right to rest and leisure, including reasonable limitation of working hours and periodic holidays with pay.

Article 25.

(1) Everyone has the right to a standard of living adequate for the health and well-being of himself and of his family, including food, clothing, housing and medical care and necessary social services, and the right to security in the event of unemployment, sickness, disability, widowhood, old age or other lack of livelihood in circumstances beyond his control.
(2) Motherhood and childhood are entitled to special care and assistance. All children, whether born in or out of wedlock, shall enjoy the same social protection.

Article 26.

(1) Everyone has the right to education. Education shall be free, at least in the elementary and fundamental stages. Elementary education shall be compulsory. Technical and professional education shall be made generally available and higher education shall be equally accessible to all on the basis of merit.
(2) Education shall be directed to the full development of the human personality and to the strengthening of respect for human rights and fundamental freedoms. It shall promote understanding, tolerance and friendship among all nations, racial or religious groups, and shall further the activities of the United Nations for the maintenance of peace.
(3) Parents have a prior right to choose the kind of education that shall be given to their children.

Article 27.

(1) Everyone has the right freely to participate in the cultural life of the community, to enjoy the arts and to share in scientific advancement and its benefits.
(2) Everyone has the right to the protection of the moral and material interests resulting from any scientific, literary or artistic production of which he is the author.

Article 28.

Everyone is entitled to a social and international order in which the rights and freedoms set forth in this Declaration can be fully realized.

Article 29.

(1) Everyone has duties to the community in which alone the free and full development of his personality is possible.
(2) In the exercise of his rights and freedoms, everyone shall be subject only
to such limitations as are determined by law solely for the purpose of securing due recognition and respect for the rights and freedoms of others and of meeting the just requirements of morality, public order and the general welfare in a democratic society.

(3) These rights and freedoms may in no case be exercised contrary to the purposes and principles of the United Nations.

Article 30.

Nothing in this Declaration may be interpreted as implying for any State, group or person any right to engage in any activity or to perform any act aimed at the destruction of any of the rights and freedoms set forth herein.
APPENDIX B: Declaration on Measures to Eliminate International Terrorism

The General Assembly,

Recalling its resolution 46/51 of 9 December 1991 and its decision 48/411 of 9 December 1993,

Taking note of the report of the Secretary-General,

Having considered in depth the question of measures to eliminate international terrorism,

Convinced that the adoption of the declaration on measures to eliminate international terrorism should contribute to the enhancement of the struggle against international terrorism,

1. Approves the Declaration on Measures to Eliminate International Terrorism, the text of which is annexed to the present resolution;

2. Invites the Secretary-General to inform all States, the Security
Council, the International Court of Justice and the relevant specialized agencies, organizations and organisms of the adoption of the Declaration;

3. Urges that every effort be made in order that the Declaration becomes generally known and is observed and implemented in full;

4. Urges States, in accordance with the provisions of the Declaration, to take all appropriate measures at the national and international levels to eliminate terrorism;

5. Invites the Secretary-General to follow up closely the implementation of the present resolution and the Declaration, and to submit to the General Assembly at its fiftieth session a report thereon, relating, in particular, to the modalities of implementation of paragraph 10 of the Declaration;

6. Decides to include in the provisional agenda of its fiftieth session the item entitled "Measures to eliminate international terrorism", in order to examine the report of the Secretary-General requested in paragraph 5 above, without prejudice to the annual or biennial consideration of the item.

ANNEX

Declaration on Measures to Eliminate International Terrorism

The General Assembly,

Guided by the purposes and principles of the Charter of the United Nations,

Recalling the Declaration on Principles of International Law concerning Friendly Relations and Cooperation among States in accordance with the Charter of the United Nations, the Declaration on the Strengthening of International Security, the Definition of Aggression, the Declaration on the Enhancement of the Effectiveness of the Principle of Refraining from the Threat or Use of Force in International Relations, the Vienna Declaration and Programme of Action, adopted by the World Conference on Human Rights, the International Covenant on Economic, Social and Cultural Rights and the International Covenant on Civil and Political Rights,

Deeply disturbed by the world-wide persistence of acts of international terrorism in all its forms and manifestations, including those in which States are directly or indirectly involved, which endanger or take innocent lives, have a deleterious effect on international relations and may jeopardize the security of States,

Deeply concerned by the increase, in many regions of the world, of acts of terrorism based on intolerance or extremism,

Concerned at the growing and dangerous links between terrorist groups and drug traffickers and their paramilitary gangs, which have resorted to all types of violence, thus endangering the constitutional order of States and violating basic human rights,

Convinced of the desirability for closer coordination and cooperation among States in combating crimes closely connected with terrorism, including drug trafficking, unlawful arms trade, money laundering and smuggling of nuclear and other potentially deadly materials, and bearing in mind the role that could be played by both the United Nations and regional organizations in
this respect,

Firmly determined to eliminate international terrorism in all its forms and manifestations,

Convinced also that the suppression of acts of international terrorism, including those in which States are directly or indirectly involved, is an essential element for the maintenance of international peace and security,

Convinced further that those responsible for acts of international terrorism must be brought to justice,

Stressing the imperative need to further strengthen international cooperation between States in order to take and adopt practical and effective measures to prevent, combat and eliminate all forms of terrorism that affect the international community as a whole,

Conscious of the important role that might be played by the United Nations, the relevant specialized agencies and States in fostering widespread cooperation in preventing and combating international terrorism, inter alia, by increasing public awareness of the problem,


Welcoming the conclusion of regional agreements and mutually agreed declarations to combat and eliminate terrorism in all its forms and manifestations,

Convinced of the desirability of keeping under review the scope of existing international legal provisions to combat terrorism in all its forms and manifestations, with the aim of ensuring a comprehensive legal framework for the prevention and elimination of terrorism,

Solemnly declares the following:

1. The States Members of the United Nations solemnly reaffirm their unequivocal condemnation of all acts, methods and practices of terrorism, as criminal and unjustifiable, wherever and by whomever committed, including those which jeopardize the friendly relations among States and peoples and
threaten the territorial integrity and security of States;

2. Acts, methods and practices of terrorism constitute a grave violation of the purposes and principles of the United Nations, which may pose a threat to international peace and security, jeopardize friendly relations among States, hinder international cooperation and aim at the destruction of human rights, fundamental freedoms and the democratic bases of society;

3. Criminal acts intended or calculated to provoke a state of terror in the general public, a group of persons or particular persons for political purposes are in any circumstance unjustifiable, whatever the considerations of a political, philosophical, ideological, racial, ethnic, religious or any other nature that may be invoked to justify them;

II

4. States, guided by the purposes and principles of the Charter of the United Nations and other relevant rules of international law, must refrain from organizing, instigating, assisting or participating in terrorist acts in territories of other States, or from acquiescing in or encouraging activities within their territories directed towards the commission of such acts;

5. States must also fulfil their obligations under the Charter of the United Nations and other provisions of international law with respect to combating international terrorism and are urged to take effective and resolute measures in accordance with the relevant provisions of international law and international standards of human rights for the speedy and final elimination of international terrorism, in particular:

(a) To refrain from organizing, instigating, facilitating, financing, encouraging or tolerating terrorist activities and to take appropriate practical measures to ensure that their respective territories are not used for terrorist installations or training camps, or for the preparation or organization of terrorist acts intended to be committed against other States or their citizens;

(b) To ensure the apprehension and prosecution or extradition of perpetrators of terrorist acts, in accordance with the relevant provisions of their national law;

(c) To endeavour to conclude special agreements to that effect on a bilateral, regional and multilateral basis, and to prepare, to that effect, model agreements on cooperation;

(d) To cooperate with one another in exchanging relevant information concerning the prevention and combating of terrorism;

(e) To take promptly all steps necessary to implement the existing international conventions on this subject to which they are parties, including the harmonization of their domestic legislation with those conventions;

(f) To take appropriate measures, before granting asylum, for the purpose of ensuring that the asylum seeker has not engaged in terrorist activities and, after granting asylum, for the purpose of ensuring that the refugee status is not used in a manner contrary to the provisions set out in subparagraph (a) above;

6. In order to combat effectively the increase in, and the growing international character and effects of, acts of terrorism, States should enhance their cooperation in this area through, in particular, systematizing
the exchange of information concerning the prevention and combating of terrorism, as well as by effective implementation of the relevant international conventions and conclusion of mutual judicial assistance and extradition agreements on a bilateral, regional and multilateral basis;

7. In this context, States are encouraged to review urgently the scope of the existing international legal provisions on the prevention, repression and elimination of terrorism in all its forms and manifestations, with the aim of ensuring that there is a comprehensive legal framework covering all aspects of the matter;

8. Furthermore States that have not yet done so are urged to consider, as a matter of priority, becoming parties to the international conventions and protocols relating to various aspects of international terrorism referred to in the preamble to the present Declaration;

III

9. The United Nations, the relevant specialized agencies and intergovernmental organizations and other relevant bodies must make every effort with a view to promoting measures to combat and eliminate acts of terrorism and to strengthening their role in this field;

10. The Secretary-General should assist in the implementation of the present Declaration by taking, within existing resources, the following practical measures to enhance international cooperation:

(a) A collection of data on the status and implementation of existing multilateral, regional and bilateral agreements relating to international terrorism, including information on incidents caused by international terrorism and criminal prosecutions and sentencing, based on information received from the depositaries of those agreements and from Member States;

(b) A compendium of national laws and regulations regarding the prevention and suppression of international terrorism in all its forms and manifestations, based on information received from Member States;

(c) An analytical review of existing international legal instruments relating to international terrorism, in order to assist States in identifying aspects of this matter that have not been covered by such instruments and could be addressed to develop further a comprehensive legal framework of conventions dealing with international terrorism;

(d) A review of existing possibilities within the United Nations system for assisting States in organizing workshops and training courses on combating crimes connected with international terrorism;

IV

11. All States are urged to promote and implement in good faith and effectively the provisions of the present Declaration in all its aspects;

12. Emphasis is placed on the need to pursue efforts aiming at eliminating definitively all acts of terrorism by the strengthening of international cooperation and progressive development of international law and its codification, as well as by enhancement of coordination between, and increase of the efficiency of, the United Nations and the relevant specialized agencies, organizations and bodies.
APPENDIX C: Median-Based Formula for Weights

To account for differences in transcript length (word count, page count, and number of hearings) across the time period under analysis, the data was weighted according to the following formula:

\[
\frac{\text{Median number of total words for all years}}{\text{Total words for individual year}} \times \frac{\text{Mean number of words per page for individual year}}{\text{Median of year word per page means}}
\]
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