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## Licensing Repression: Dissent, Threats and State Repression in the United States

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The “War on Terror” has raised a great number of questions about how and why political authorities use coercion against those within their territorial jurisdiction. For example, within existing literature, state authorities are generally depicted as being the protectors of the status quo.<sup>1</sup> When behavior takes place that threatens the safety of citizens and/or the security of government personnel, policies and institutions (e.g., demonstrations, acts of terrorism or civil war), it is expected that relevant political agents will apply repressive behavior in an effort to eliminate the challenging activity and to restore domestic order.<sup>2</sup> This practice is commonly referred to as the “Threat Model” of state repression.<sup>3</sup> For over 30 years,

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1. See FRANK DONNER, *PROTECTORS OF PRIVILEGE: RED SQUADS AND POLICE REPRESSION IN URBAN AMERICA* 1 (1990) (noting that the police have served “as the protective arm of the economic and political interests of the capitalist system”).

2. See, e.g., Alexander DALLIN & GEORGE BRESLAUER, *POLITICAL TERROR IN COMMUNIST SYSTEMS* (1970); MARK IRVING LICHBACH, *THE REBEL’S DILEMMA* (1995); WILLIAM STANLEY, *THE PROTECTION RACKET STATE: ELITE POLITICS, MILITARY EXTORTION, AND CIVIL WAR IN EL SALVADOR* (1996); CHARLES TILLY, *FROM MOBILIZATION TO REVOLUTION* (1978); EUGENE V. WALTER, *TERROR AND RESISTANCE; A STUDY OF POLITICAL VIOLENCE, WITH CASE STUDIES OF SOME PRIMITIVE AFRICAN COMMUNITIES* (1969); Raymond Duvall & Michael Stohl, *Governance by Terror, in THE POLITICS OF TERRORISM* (Michael Stohl, ed. 3d ed. 1988); Scott Gartner & Pat Regan, *Threat and Repression: The Non-Linear Relationship Between Government and Opposition Violence*, 33 J. PEACE RES. 273 (1996); Ted Robert Gurr, *Persisting Patterns of Repression and Rebellion: Foundations for a General Theory of Political Coercion, in PERSISTENT PATTERNS AND EMERGENT STRUCTURES IN A WANING CENTURY* (Margaret P. Karns, ed. 1986).

3. Jennifer Earl, *Tanks, Tear Gas and Taxes: Toward a Theory of Movement Repression*, 21 SOC. THEORY 44 (2003).

quantitative analyses have supported this relationship. Across time, space, context, measures and statistical methods, dissent has increased repression in every single investigation of the topic.<sup>4</sup> While this empirical result is relevant to many areas of political science (e.g., democracy, power and civil society), it is particularly important for understandings of political conflict and human rights. Given the consistency of this finding in conjunction with the varied influence of repression on dissent,<sup>5</sup> it is likely the case that this represents the only known law in research concerning state-dissident interactions – what I refer to as the Law of Coercive Monopolization, where dissent sometimes responds to repression, but repression always respond to dissent.

While impressive in the sheer amount of support that the “Threat Model” has received, within this article I argue that existing work is misleading because it generally ignores the fact that repressive behavior could be applied without an overt behavioral challenge being present or that it significantly exceeds the amount of dissent that exists at the time under investigation. To qualitative scholars of repressive action<sup>6</sup> and those living amidst periods of international and/or domestic

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4. See, e.g., DOUGLAS HIBBS, *MASS POLITICAL VIOLENCE* (1973); Christen Davenport & David A. Armstrong II, *Democracy and the Violation of Human Rights: A Statistical Analysis from 1976-1996*, 48 AM J. POL. SCI. 538 (2004); Christen Davenport, *Human Rights and the Democratic Proposition*, 43 J. CONFLICT RESOL. 92 (1999) [hereinafter Davenport (1999)]; Christen Davenport, *Multi-Dimensional Threat Perception and State Repression: An Inquiry Into Why States Apply Negative Sanctions*, 39 AM. J. POL. SCI. 683 (1995) [hereinafter Davenport (1995)]; Matthew Krain, *State-Sponsored Mass Murder: A Study of the Onset and Severity of Genocides and Politicides*, 41 J. CONFLICT RESOL. 331 (1997); Barbara Harff, *No Lessons Learned from the Holocaust: Assessing Risks of Genocide and Political Mass Murder since 1955*, 97 AM. J. POL. SCI. REV. 57 (2003); Will Moore, *Repression and Dissent: Substitution, Context and Timing*, 42 AM. J. POL. SCI. 851 (1998); Steven C. Poe, C. Neal Tate & Linda Camp Keith, *Repression of the Human Right to Personal Integrity Revisited: A Global Cross-National Study Covering the Years 1976-1993*, 43 INT'L STUD. Q. 291 (1999); John King, *Repression, Domestic Threat, and Interactions in Argentina and Chile*, 26 J. POL. & MIL. SOC. 1 (1998); Sabine C. Zanger, *A Global Analysis of the Effect of Political Regime Changes on Life Integrity Violations, 1977-1993*, 37 J. PEACE RES. 213 (2000).

5. See, e.g., D.K. Gupta et al, *Government Coercion of Dissidents—Deterrence or Provocation* 37 J. CONFLICT RESOL. 301 (1993); Mark Lichbach, *Deterrence or Escalation?: The Puzzle of Aggregate Studies of Repression and Dissent*, 31 J. CONFLICT RESOL. 266 (1987); Moore, *supra* note 4.

6. See, e.g., DONNER, *supra* note 1; ROBERT GOLDSTEIN, *POLITICAL REPRESSION IN MODERN AMERICA: FROM 1870 TO THE PRESENT* (1978); STANLEY, *supra* note 2; WALTER, *supra* note 2.

crisis, such observations would not come as a surprise because it is clear that authorities do not always wait for dissident behavior to (re)occur and they do not always apply repression proportionate to the challenge they are confronted with. On the contrary, it is frequently the case that political leaders identify threats after some dissent has taken place on the grounds that additional conflict is forthcoming (e.g., the current campaign against terrorism in the US and abroad) or they identify threats before dissent takes place in an attempt to head off possible challenges (e.g., the US campaign against communists during the Red Scare from the 1930s through the 1960s). In short, governments “license” repressive action, giving themselves the opportunity to pursue challengers and apply coercion without the normal costs that accompany such behavior (e.g., being removed from office).

These alternative conceptions of threat and state response represent very different perspectives on political repressive action. In the first (the behavioral), this activity serves as a reactive mechanism of “law and order.” Here, conflict occurs and authority’s respond. Adopting the second perspective (the political), repression serves as a proactive mechanism of control. In this case, repressive behavior does not respond to actual dissent but to potential dissent identified by political leaders. While both rely upon the Hobbesian notion that states should and will protect their citizens as well as themselves when they are threatened, the latter provides more opportunities for abuse (i.e., potentially larger amounts of political sanctions) because it does not rely on dissident behavior to justify state activity, merely the perception of challenge as provided by those in power. To date, quantitative research has focused exclusively upon the first possibility; correspondingly, the second has received no attention at all.

Within this paper, I begin with a discussion of the basic theoretical model and research design that underlies work on state repression/human rights violations. Second, I review and critique this approach, introducing the concept of “licensing.” Within the third section, I present the data used in the study as well as the specific methodology employed to examine them. From the statistical analysis of U.S. state coercion between 1948 and 1982 (section 4), it is found that: 1) political threats matter, consistently outweighing the influence of behavioral threats, and 2) the influence of political threats varies according to the

magnitude and type of the threat established at the time. The conclusion explores the implications of this investigation for future work in the area and it explores the implications of this research for social activism and political reform as the "War on Terror" is underway.

## I. WHY STATES REPRESS

At present, the dominant theoretical approach for investigating state repression combines elements of structuralism and rationalism.<sup>7</sup> Within this framework, political authorities engage in some form of cost-benefit analysis as they consider the application of repressive action. The components of this model emerge from diverse political-economic and behavioral factors. For example, the "costs" of repression include the removal from office that political leaders might be subject to for implementing relevant coercive policies; the "benefits" include factors such as the elimination of dissent, political survival and the continuation of repressive or accommodationist norms. To assess the probability of repressive action, the costs and benefits of repression are weighed against the existence of alternative mechanisms of control such as normative influence or economic development. As conceived, when costs are low, benefits are high and effective alternatives are not available, repression is anticipated. When costs are high, benefits are low and effective alternatives are available, however, repression is not expected.

It is clear from existing literature that not all components of the model receive comparable levels of scrutiny; indeed, several components have received the bulk of attention. For instance, individuals have consistently investigated the influence of dissent,<sup>8</sup> democracy,<sup>9</sup> economic development,<sup>10</sup> trade-

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7. See, e.g., DALLIN & BRESLAUER, *supra* note 2; GURR, *supra* note 2; STOHL, *supra* note 2, at 33; WALTER, *supra* note 2; Gartner & Regan, *supra* note 2; Lichbach, *supra* note 4; E.N. Muller, *Income Inequality, Regime Repressiveness, and Political Violence*, 50 AM. SOC. REV. 47 (1985).

8. See, e.g., HIBBS, *supra* note 4; Davenport (1995), *supra* note 4; Gartner & Regan, *supra* note 2; Poe, Tate & Keith, *supra* note 4.

9. See, e.g., HIBBS, *supra* note 4; Davenport & Armstrong, *supra* note 3; Davenport (1999), *supra* note 3; Poe, Tate & Keith, *supra* note 4; Zanger, *supra* note 4.

10. See, e.g., HIBBS, *supra* note 4, at 44-54; Davenport (1995), *supra* note 4, at 685, 691-2; Neil J. Mitchell & James M. McCormick, *Economic and Political*

dependence,<sup>11</sup> population<sup>12</sup> and the role of the military.<sup>13</sup> In all cases, the expectations of the decision calculus have been borne out. Variables associated with increasing costs have consistently decreased repression,<sup>14</sup> variables associated with increasing the benefits of repressive activity have consistently increased the likelihood that this behavior would be used<sup>15</sup> and variables associated with alternative mechanisms of control<sup>16</sup> decrease repression.

Regardless of the consistency with these findings, I argue that this work is limited because it uniformly maintains that authorities respond to political-economic endowments, dissident behavior and prior repressive activity in an almost mechanistic fashion; given certain contexts and previous contention, repression will be applied. It is possible however, and I believe more likely the case, that authorities try to alter the decision calculus through activities of their own design – diminishing costs, enhancing benefits and therefore increasing the likelihood of repressive behavior. This acknowledges the previously neglected role played by agency in state repression and it reveals that political authorities are not just reacting to situations, but they are also actively involved in creating them. The point is frequently highlighted in more qualitative research on the topic,<sup>17</sup> but it is completely ignored within the quantitative literature.

## II. LICENSING REPRESSION

As designed, the basic logic underlying the existing approach to study repression is both straightforward and commonsensical. Upon very little reflection, it seems reasonable

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*Explanations of Human Rights Violations*, 40 WORLD POL. 476, 488–92 (1988); Poe & Tate, *supra* note 4, at 294, 296.

11. See e.g., David L. Richards, Ronald D. Gelleny, & David H. Sacko, *Money with a Mean Streak? Foreign Economic Penetration and Government Respect for Human Rights in Developing Countries*, 45 INT'L STUD. Q. 223–24 (2001).

12. See, e.g., Poe & Tate, *supra* note 4, at 294.]

13. See, e.g., Davenport (1995), *supra* note 4, at 687–89.

14. See Poe & Tate, *supra* note 4, at 293, 296.

15. See *id.* at 293.

16. See *id.*

17. See Dallin & Breslauer, *supra* note 2, at 5–8; Goldstein, *supra* note 6, at xvii–xxi; WILLIAM STANLEY, *THE PROTECTION RACKET STATE: ELITE POLITICS, MILITARY EXTORTION, AND CIVIL WAR IN EL SALVADOR* 164–69 (1996); Walter, *supra* note 2, at 42–55.]

to acknowledge that authorities are concerned with the factors identified in the previous section – especially the costs of repressive behavior. Almost no state can afford to use repression if such activity will significantly diminish their resources or legitimacy. At the same time, it also seems reasonable to acknowledge that authorities are frequently involved with trying to alter the components of the decision calculus to something more favorable to their desires. Under these circumstances, political leaders would attempt to create opportunities to eliminate rivals with repression when they had the chance.<sup>18</sup> Dissent provides a perfect opportunity for this.

#### A. BEHAVIORAL THREATS

Within prior research, “threats” are exclusively behavioral in nature – e.g., a boycott, demonstration or an instance of terrorism takes place. This type of threat is important because states probably benefit from countering and/or eliminating such activity and they likely enhance the probability of surviving politically as well as increasing legitimacy. The behavioral threat is also important because it reduces the costs of applying repressive action. For instance, within periods of behavioral threat, few citizens would be unwilling to allow authorities to enact repression; this is perhaps the closest situation to “just” or legitimate repressive action that one could find. Indeed, many have argued that individuals within threatened societies are more apt to view coercion as legitimate for it seeks to protect the status quo – one of the primary objectives of political leaders and one of the primary expectations of citizens.<sup>19</sup> Behavioral threats are thus crucial to understand because when authorities receive a benefit from coercively responding to dissent and when they do not fear sanctions for this behavior, it is likely the case that authorities would use coercion. Discussed above, the literature has supported this argument quite well.

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18. It is important to acknowledge that I assume that political authorities always have some domestic rival that they would like to limit, deter and/or eliminate. Repression is one common approach toward this end.

19. Public opinion research on this point is quite clear. See, e.g., Darren W. Davis & Brian D. Silver, *Civil Liberties v. Security: Public Opinion in the Context of the Terrorist Attacks on America*, 48 AM. J. POL. SCI. 28 (2004). Research on human rights violations, however, avoids this issue for underlying the research program is the inherent illegitimacy, illegality and unacceptability of coercive behavior.

## B. POLITICAL THREATS

Actual behavioral challenges represent only one scenario in which governments can overcome the costs associated with state repression. For instance, political leaders can also *establish* threats through press statements/releases, congressional hearings and the creation of laws based on the argument that potential challenges might occur in the future.<sup>20</sup> The establishment of these threats is important for three reasons.

First, it *prepares* citizens for what is to come and it provides an explanation/justification for state behavior. These preparatory efforts not only seek to reduce the costs of applying repressive activity but they also seek to convert them into benefits where the population would come to view the authority's activity as legitimate and even necessary. Within the context of threat, repressive applications make authorities appear as if they are fulfilling an important service: the protection of citizens and the existing political economy. As such, we would expect that

Hypothesis 1: State repression will increase when political threats are established.

Second, political threats are important because they can *outweigh* the direct influence of behavioral threats as they provide a compelling reason for citizens as well as authorities to reweigh the different components of the decision calculus in favor of state repressive activity. Here, I expect that when placed in the same model,

Hypothesis 2: Political threats would outweigh the influence of behavioral threats.

Third, it is possible that political threats have *interactive* effects. For instance,

Hypothesis 3: When political threats are established and dissent takes place, it is expected that the positive influence of dissent would be much greater than when political threats did not exist (in other words, the interaction between political threats and dissent will be statistically as well as substantively significant).

This influence is explained by the fact that state responsiveness to behavioral threat lies at the heart of a

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20. One could also argue that the objectives of challengers are important. See generally WILLIAM A. GAMSON, *THE STRATEGY OF SOCIAL PROTEST* (1975).



regime's legitimacy.<sup>21</sup> In a context where political authorities have identified threats as being worthy of attention, this is magnified several-fold. Indeed, within this scenario, if challengers are not met swiftly and severely, the regime could lose even more legitimacy than had there been no declaration at all – something that political leaders would prefer to avoid.

### C. BEHAVIOR TRUMPS POLITICS

Conventional wisdom (the Threat model) provides the rival argument to the hypotheses identified above. From this view, state repression is less sensitive to the influence of political threats than it is to the actions undertaken by challengers. Consequently, one would anticipate that when placed in the same model

Hypothesis 4: The influence of dissent would outweigh political threats, and

Hypothesis 5: The response of political authorities to dissent would not vary across political threats, but rather it would remain constant.

Of course, existing research also tells us that not all forms of dissent are comparable in their levels of behavioral threat. The primary distinction made within this work is between violent and non-violent activity.<sup>22</sup> Drawing upon this work, I would suggest that

Hypothesis 6: Violent forms of dissent provoke authorities to use repression in large amounts, whereas non-violent activities are less likely to provoke such a response.

The importance of these behavioral hypotheses are particularly important within a democracy – the focus of this study – because these political systems are expected to react to actual dissent and not something as intangible as a political threat.<sup>23</sup> Within the US, for example, there has been a large debate regarding the legality of using repression against citizens for reasons other than challenging behavior.<sup>24</sup> With

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21. As Hobbes suggests, protecting citizens is one of the main objectives of the state's claim to power and authority. THOMAS HOBBS, *LEVIATHAN* 132–33 (Michael Oakshott ed., New York, MacMillan 1962) (1651).

22. See Davenport (1995), *supra* note 4, at 687.

23. See C.E.S. Franks, *Introduction to C.E.S. FRANKS, DISSENT AND THE STATE* 1, 6–7, 19 (1989).

24. See, e.g., CYNTHIA BROWN, *LOST LIBERTIES: ASHCROFT AND THE ASSAULT ON PERSONAL FREEDOM* (2003); KATHERINE DARMER, ROBERT BAIRD & STUART

behavior threats, authorities have the evidence necessary to justify the use of repressive action. Without dissent, however, state coercion would likely be viewed as illegal and illegitimate, across diverse audiences, for it hinders free speech, association and so forth, seemingly without reason. It is not believed that those subject to these actions or those responsible for enacting them would tolerate such behavior.

### III. DATA AND ANALYSIS

To operationalize my dependent variable and one of my independent variables, I use what has remained one of the most widely utilized cross-national databases in the social sciences: the *World Handbook of Political and Social Indicators (WHPSI)*.<sup>25</sup> Specifically, I use the quarterly data on the United States that is available from 1948 to 1982.

Within the *WHPSI*, the measure for repression (the dependent variable) is labeled *political sanctions*. These are “actions taken by the government to neutralize, to suppress, or to eliminate perceived threat to the security of the government, the regime, or the state itself.”<sup>26</sup> This includes political bans and mass arrests. Event counts of these overt and essentially non-violent actions are provided, by the quarter, over the relevant period. The measures for behavioral threat (or dissent) used in this study are drawn from the *WHPSI* as well. The five variables used were: 1) political strikes;<sup>27</sup> 2) student strikes;<sup>28</sup> 3) protest demonstrations;<sup>29</sup> 4) riots;<sup>30</sup> and 5) armed attacks.<sup>31</sup>

ROSENBAUM, CIVIL LIBERTIES VS. NATIONAL SECURITY IN A POST-9/11 WORLD (2004); C.E.D. FRANKS, DISSENT AND THE STATE (1989); PROTECTING WHAT MATTERS: TECHNOLOGY, SECURITY, AND LIBERTY SINCE 9/11 (Clayton Northouse ed., 2006).

25. See, e.g., CHARLES L. TAYLOR & DAVID A. JODICE, WORLD HANDBOOK OF POLITICAL AND SOCIAL INDICATORS (vol. 1 & 2 1983); CHARLES L. TAYLOR & MICHAEL C. HUDSON, WORLD HANDBOOK OF POLITICAL AND SOCIAL INDICATORS (vol. 2 1972).

26. Taylor, *supra* note 25, at 6.

27. E.g., “[A] work stoppage by a body of industrial or service workers ... to dissent a regime or its leaders’ policies or actions.” Taylor, *supra* note 25, at 4.

28. E.g., “[A] stoppage of normal academic life by students”... “to dissent a regime or its leaders’ policies or actions.” Taylor, *supra* note 25, at 4.

29. E.g., “[A] non-violent gathering of people organized for the announced purpose of dissenting a regime, a government, or one of its leaders; its ideology, policy, or intended policy; or its previous action or intended action.” Taylor, *supra* note 25, at 2-3.

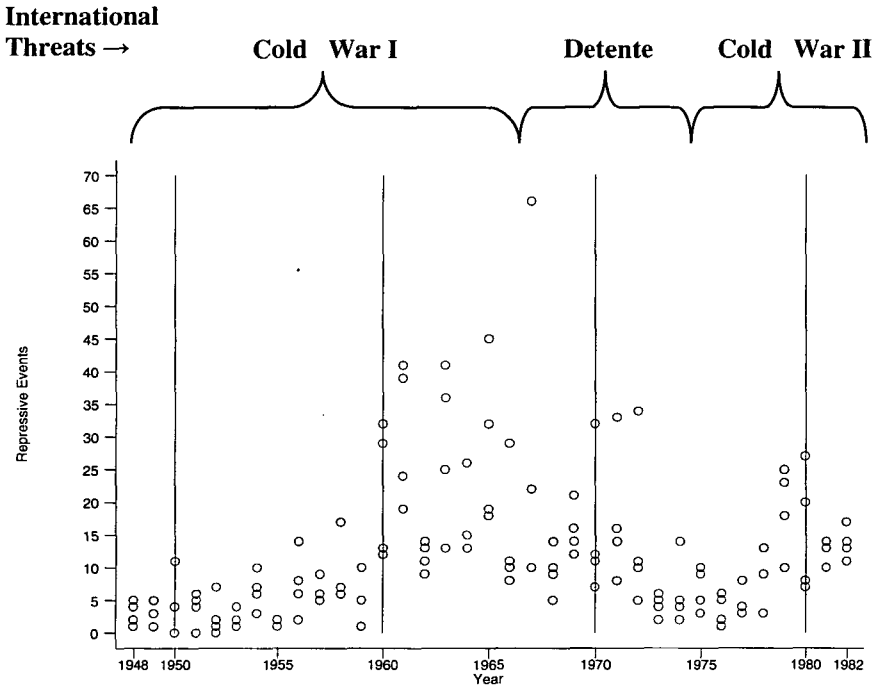
30. E.g., “[A] violent demonstration or disturbance involving a large number of people” denoted by the “presence of violence.” Taylor, *supra* note 25, at 3.

31. E.g., “[A] violent act undertaken to weaken another.” Taylor, *supra* note

Following a long-standing practice within the conflict literature,<sup>32</sup> I create two event count measures of dissent from these variables: one concerning non-violent behavior generated by combining student and political strikes with demonstrations and another concerning violent activity generated by combining riots with armed attacks.

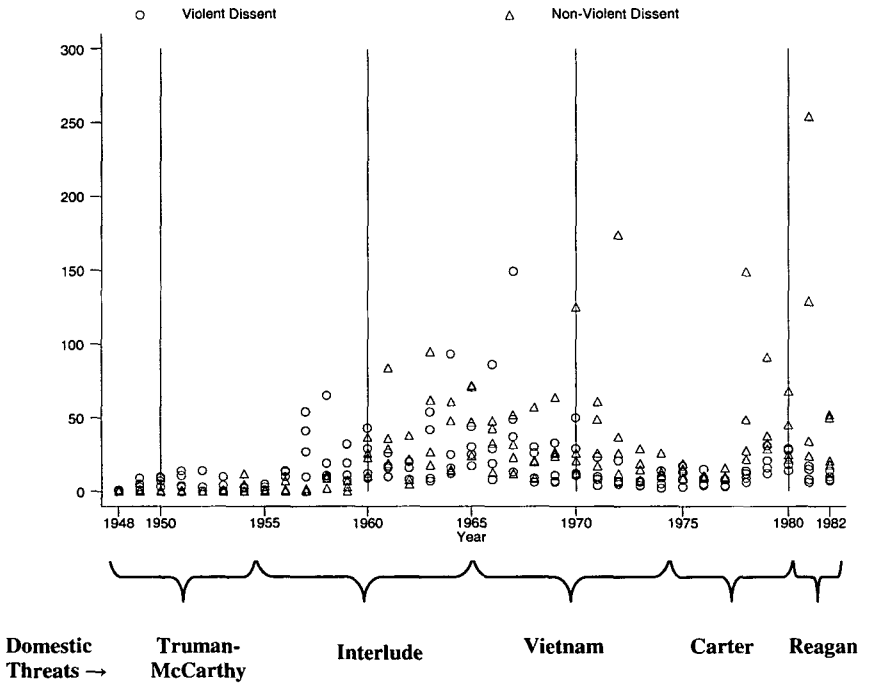
As provided in the previous section, I also created measures for both international and domestic political threats. For this, I conducted a detailed historical analysis of government records as well as academic research and coded the dates affiliated with a particular threat as "1" while those years not associated with this period are coded as "0." I have graphed these variables over time with the measures of repression and dissent discussed above.

**Figure 1. State Repression and Political Dissent in the US, 1948-1982 (by quarter) (continued on next page)**



25, at 4.

32. E.g., Davenport, *supra* note 4, at 687; Hibbs, *supra* note 4, at 8-9.



Viewing the figure is interesting for it is very informative about how the different variables relate to one another. For example, although they appear closely related behavioral threat (dissent) does not appear to account for variation in state repression – at least, not completely. While one can see a large growth in violent dissent in 1957 and 1958 as well as the mid-to late 1960s, there is no corresponding increase in state repression during the same time. Non-violent dissent appears to have more of an impact on repression, emerging in the early

1960s, early 1970s, late 1970s and early 1980s, but even here, the relationship is not as clear as one would expect. For example, the highest values of non-violence in 1981 and 1982 do not provoke large-scale applications of state repression. Additionally, political threats do not appear to account for variation in state repression – at least, not completely. The periods of interstate threat (Cold War I and II, noted at the top of the figure) are associated with the largest amounts of repression (1965 and 1967) but they also are associated with the smallest (1950 and 1951). Similarly, the period of Détente includes a wide range of repressive activity (from a high in 1972 to a low in 1979). Domestic political threats (noted at the top of the figure) reveal some variation as well. One period of large-scale threat (Truman-McCarthy) is associated with some of the lowest applications of repression, while another (Vietnam) is associated with some of the highest. Additionally, one of the smaller political threats is associated with the largest growth in repressive behavior (the Interlude). Of course, while intriguing, this type of ocular inspection is not definitive. There is neither a systematic comparison of repression, dissent and threats offered within this approach nor a consideration of control variables. I discuss this below.

In addition to the variables identified above, following the comparative literature on state repression,<sup>33</sup> I attempt to identify the importance of diverse political and economic characteristics. For example, to consider an element of democracy, I employ the yearly Electoral Competition measure from Keith Poole's (1998) database of roll call votes.<sup>34</sup> For this indicator, I took the number of house and senate democrats for each congress and divided by 535. This captures the percentage of democrats in the congress, a theoretically important characteristic as members of this party are expected to be more

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33. *E.g.*, Harff, *supra* note 4, at 62–65 (naming political upheaval, prior genocides, autocratic and ideological political systems, ethnic and religious cleavages, low economic development and international economic and political interdependence as main predictors of genocidal activity); Poe et. al., *supra* note 4, at 292 (“past levels of repression, democracy, population size, economic standing, and threats in the form of international and civil wars were statistically significant and at least moderately important determinants of repression levels). *See generally* Hibbs, *supra* note 4 (analyzing various economic, social, and political indicators); Davenport et. al., *supra* note 4 (discussing the effect of democracy on violations of human rights).

34. Keith Poole, *Recovering a Basic Space From a Set of Issue Scales*, 42 *Am. J. Political Sci.* 954, 982–989 (1998).

respectful of citizens' rights.<sup>35</sup> In an effort to measure another aspect of democracy (checks and balances), I consider the degree of divided government within the US (also on a yearly basis). This was coded "1" if the president was of a different party than congress and zero otherwise. In line with the literature on veto players,<sup>36</sup> this provides a measure of institutional restraint for the president would have to, at a minimum, convince members of a rival political party to acquiesce to the demand for repression and/or be subject to the efforts of this rival in hindering repressive activity. To address economic development, I rely upon four quarterly variables: Real GNP in 1996 dollars, change in GNP, the unemployment rate and the change in the unemployment rate.<sup>37</sup> As discussed within comparative literature, developed economies tend to reduce applications of state repression because they offer alternative mechanisms for socio-political control.<sup>38</sup> I seek to examine this explicitly.

#### A. METHODOLOGY

While most research in the area of state repression and human rights violation has employed some variant of OLS regression, newer investigations tend to tailor their selection of statistical techniques more specifically to the type of data that they use. Following this trend, I rely upon a variant of negative binomial maximum-likelihood regression<sup>39</sup> to estimate relationships. This technique allows one to deal with panel data – in particular, the "nbreg" command in STATA<sup>40</sup> The application of this methodology is appropriate because other research<sup>41</sup> suggests that previous investigations of repression

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35. See GOLDSTEIN, *supra* note 6 at 560–565 (standing for the proposition that the decisions of political authorities is the primary factor in political repression).

36. See generally Philip Keefer, *The Limits of Delegation: Veto Players, Central Bank Independence, and the Credibility of Monetary Policy*, 97 *Am. Political Sci. Rev.* 407 (2003) (giving a brief outline of veto player theory as it pertains to monetary policy).

37. This quarterly economic data is available at: <http://economics.about.com/cs/datasources/a/quarterlydata.htm> (follow hyperlink to "Right Click Here to Download the Quarterly Data").

38. See DALLIN & BRESLAUER, *supra* note 7, at 5–9.

39. See generally SCOTT LONG, *REGRESSION MODELS FOR CATEGORICAL AND LIMITED DEPENDENT VARIABLES* (1997).

40. STATA 2001, 386-394.

41. See, e.g., Mathew Krain, *State-Sponsored Mass Murder: A Study of the Onset and Severity of Genocides and Politicides*, 41 *J. CONFLICT RESOLUTION* 331

and human rights violation have not carefully dealt with the problems of left censoring and over-dispersion within event data, which may lead to substantial bias in the parameter estimates. Negative binomial regression addresses these problems.

#### IV. FINDINGS

I begin my statistical analysis with an evaluation of conventional wisdom (Table 1, model 1). Consistent with earlier work, I find that violent and non-violent dissident behavior as well as lagged repression increase repressive action. I anticipated the similar positive influence of all three variables, but not the similar magnitudes of influence (revealed by the incident rate ratio), which refutes Hypothesis 8 that violent dissent is more influential than non-violence on state repression.

Within model 2, I introduce variables concerning diverse political<sup>42</sup> and economic characteristics.<sup>43</sup> From the results, I find that while behavioral threat and previous repression retain their significance as well as causal direction, none of the contextual variables wield any statistically significant influence. Given these findings, I removed these variables from the remaining statistical models.<sup>44</sup>

**Table 1. Negative Binomial Models for US State Repression  
(N=140)**

	Model 1	Model 2	Model 3
Non-Violent Dissent	1.009* (0.002)	1.008* (0.002)	1.007* (0.002)
Violent Dissent	1.016* (0.002)	1.016* (0.002)	1.014* (0.002)
Lagged Repression	1.026* (0.005)	1.022* (0.005)	1.019* (0.005)

(1997) (drawing upon the work of Gary King, *Event Count Models for International Relations: Generalizations and Applications*, 33 INT'L STUD. Q. 123 (1989)).

42. The variables I introduced were (1) divided government and (2) electoral competition.

43. The variables I introduced were (1) real GNP, (2) percent change in GNP, (3) unemployment rate, and (4) the change in unemployment rate.

44. Within other versions of this paper, I retained these variables and found that they were consistently insignificant. These are available from the author.

GNP		1.048	
		(0.038)	
Change in GNP		1.051	
		(0.192)	
Electoral Competition		1.001	
		(0.064)	
Unemployment Rate		9.025	
		(12.145)	
Change in Unemployment Rate		0.996	
		(0.132)	
Coldwar1			1.079*
			(0.212)
Coldwar2			0.524*
			(0.167)
Interlude			2.031*
			(0.439)
Vietnam			1.997*
			(0.513)
Carter			3.885*
			(1.700)
Reagan			3.780*
			(1.591)
Ln(Alpha)	-1.365*	-1.464*	-1.547*
	(0.199)	(-0.199)	(-0.198)
Alpha	0.255*	0.231*	0.212*
	(0.050)	(0.046)	(0.042)

Legend: Main entries are incident rate ratios [ $\exp(b)$ ], robust standard errors in parentheses. \*  $p < 0.05$

Introducing international and domestic political threats into the examination (Table 1, model 3),<sup>45</sup> results disclose that dissent and lagged repression still wield statistically significant influences on repressive behavior – in the same direction and at comparable levels to that identified above. Supporting Hypothesis 1, results also disclose that “political threats” generally increase repressive activity. Supporting Hypothesis 2, results disclose that these influences generally exceed those of

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45. Here, I employ the period of *Détente* as the control category for the former and the Truman-McCarthy period as the control category for the latter.



behavioral threat. At the same time, I find that the inclusion of these variables does not substantively alter the influence of the conflict measures (refuting Hypothesis 3). While the general findings bode well for my argument, the hierarchy of influences was different than anticipated.

Without exception, domestic threats are larger in terms of their impact on state repression when compared to international threats. Additionally, the largest political threats, Truman-McCarthy (1948–1954) and Vietnam (1965–1975), did not result in the largest amount of repression – in fact, the latter had one of the weakest influences. Rather, the periods of Carter and Reagan (1981–1982) revealed the largest influences, political threats that I argued were more limited in scope. These findings are particularly interesting because while invocations of communism (at home and abroad), anti-radicalism and anti-subversion were widely associated with Reagan's administration (Curry 1988; Zwerman 1990), the period associated with Carter was not; indeed, the latter is commonly believed to be one of most pacific periods within US history. The Interlude (between 1955 and 1964) continued many anti-Red practices of the Truman-McCarthy period but at a much lower level and thus it makes little sense that this would be third in terms of overall influence on repression.

#### A. INTERACTIVE RELATIONSHIPS

As discussed above, I not only anticipated that political threats would exhibit direct influences on state repression, but I also argued that there would be interactive influences as well (Hypothesis 3).

At first thought, it would appear that an investigation of interactive relationships would be simple. One would just consider the influence of violent dissent during Cold War I (when the latter was coded 1) and compare this to periods after this time (when the latter was coded 0). The problem with this approach is that it does not adequately capture the complexity of the situation. For example, there are actually two sets of dummy variables in the model representing political threats. The first set operationalizes international historical context – these are Cold War I and Cold War II (with the period of Détente left out as the excluded category). The second set operationalizes domestic political context – these are Interlude, Vietnam, Carter and Reagan (with the Truman-McCarthy

period as the excluded category). While interested in the distinct effects of these two sets of variables, it is clear that they overlap. This is important because one would need to incorporate this directly into investigations since these two sets of historical context dummy variables work together to shift the intercept (the baseline count) up or down for these different combinations.

Guided by this information, it is clear that in order to investigate interactive relationships, one would need to examine the influence of dissent and lagged repression by historical periods of international as well as domestic threat. This acknowledges that the two overlap and explicitly forces us to include such information into the estimation process.

From this model, I identify that there were seven historical periods between 1948 and 1982. For the analysis, I examine periods four and five together as well as periods six and seven. This was done for two reasons: 1) they each represent distinct historical periods (the former identifies the period of Vietnam and the latter identifies Cold War II); and 2) the number of observations within some of these periods were quite small, precluding rigorous investigation.

**Table 2. The Effects of Violent Dissent, Non-Violent Dissent and Previous Repression on Current Repression by Historical Period - Negative Binomial Regression**

	Cold War I Period 1	Cold War I and Interlude Period 2	Cold War I and Vietnam Period 3	Vietnam as well as Vietnam and Cold War II Period 4/5	Cold War II and Carter as well as Cold War II and Reagan Period 6/7
Violent Dissent	1.291 (0.351)	1.016* (0.005)	1.016* (0.005)	1.012* (0.004)	1.000 (0.000)
Non- Violent Dissent	1.064 (0.035)	1.012* (0.003)	1.011* (0.001)	1.005 (0.001)	1.049* (0.008)
Sanctions <sub>t-1</sub>	0.930 (0.043)	1.021* (0.009)	1.000 (0.005)	1.025* (0.008)	1.003 (0.012)
Intercept	2.611* (0.299)	4.966* (0.201)	6.740* (0.221)	4.415* (0.178)	5.704* (0.189)

Legend: Main entries are incident rate ratios [ $\exp(b)$ ], robust standard errors in parentheses. \*  $p < 0.05$

Upon observing the empirical results (provided in Table 2), there are numerous findings that are worthy of discussion. For example, results disclose that both forms of dissent increase repression. This further supports the Law of Coercive Monopolization because political challenges increase state coercive behavior – presumably to counter/eliminate it. Interestingly, there is some variation across contentious behavior and across periods. As found, non-violent dissent is positive in its influence on repression but only in periods 2 (Cold War I and the Interlude), 3 (Cold War I and Vietnam) and 6/7 (Cold War II with Carter as well as Reagan). Violent dissent is also positive in its influence on repressive behavior but only in

periods 2, 3 and 4/5 (Vietnam as well as Cold War II and Vietnam). Lagged repression increases the likelihood of subsequent repression but only in periods 2 and 4/5. The finding is especially important because within these two contexts international threats are present and domestic threats are limited/selective (Cold War I and the Interlude [2]) and international threats are mixed and domestic threats are encompassing (Vietnam and Détente [4] as well as Cold War II and Vietnam [5]). Consequently, authorities were most likely influenced by previous repressive activity exactly when the reinforcing nature of political threats was lacking. Finally, results disclose that the amount of repression expected within each period varies significantly – all else held constant. Observing the intercept, the most repression was expected during the period of Cold War I and Vietnam (period 3), followed by Cold War II with Carter and Reagan (period 6/7), Cold War I and the Interlude (period 2), Vietnam as well as Cold War II and Vietnam (period 4/5) and finally Cold War I (period 1).

These results generally reflect well upon my theoretical argument – albeit with somewhat greater complexity than anticipated. For instance, political threats (as identified by the intercept) are the most important variables within each of the estimated models, supporting Hypothesis 2 that political threats outweigh the influence of behavioral threats; in fact, the former exceeds the latter by 2 to 6 times. Periods within which threats are identified at international and domestic levels (e.g., Cold War I and Vietnam [3] and Cold War II with Carter as well as Reagan [6/7]) tend to have more repression than periods when either international threats are mixed and domestic threats are encompassing (Vietnam and Détente [4] as well as Cold War II and Vietnam [5]) or when international threats exist and domestic threats are limited/selective (Cold War I and the Interlude [2]). This tends to move against Hypothesis 5 which maintained that either selective or encompassing threats were consistently greater than the other, but it does suggest that the combination of international and domestic threats is important – an argument that was not considered earlier.

Refuting Hypothesis 3, there is no difference in state responsiveness to either type of dissent across historical periods. According to the results, US political authorities were just as likely to respond to dissent under a situation of international threat and selective targeting of domestic threats as they were

during a period of international threat and extensive targeting of domestic threats. The only exception here is Cold War I (period 1) where there was no influence on repression identified at all.

The results concerning types of political threat are mixed. Again, observing the intercept, while the largest amount of repression is associated with international and domestically encompassing political threats (Cold War I and Vietnam – period 3), another period of high international and domestic political threats (Cold War I and Truman-McCarthy – period 1) is statistically insignificant and the other period associated with international threat, Vietnam as well as Cold War II and Vietnam (period 4/5), is lower in magnitude than the two international and domestically limited political threats (Cold War I and the Interlude [period 2] as well as Cold War II viewed during Carter and Reagan [period 6/7]).

Finally, I consider the influence of behavioral threat. As discussed in Hypothesis 4, I expected that the influence of this variable would outweigh the influence of political threats. This was not the case; political threats consistently outweighed dissent, regardless of type. Drawing upon existing literature, in Hypothesis 5, I maintained that the influence of dissent on repression would be constant over time and results confirmed this expectation. In conjunction with the findings above, however, concerning the varied influence of distinct historical periods, this result actually lends greater support to my licensing argument for it suggests that the differences in government response could not possibly be attributed to the influence of dissident behavior. Rather, it is the distinct political threats that increased state repression. Regarding Hypothesis 6, my results did not support the argument that the influence of violent dissent exceeded that of non-violent dissent; indeed, according to the statistical findings of this research, the effects were more or less comparable. Essentially, US political authorities were just as likely to employ repression in response to violent dissent as they were to non-violent dissident behavior.

## CONCLUSION

For almost 40 years, researchers have maintained that authorities respond to political dissent with state repression to maintain the status quo. The activities of the U.S. government

following 9/11 declared a domestic war against terror are based on such an argument. This finding has so consistently been identified that it stands as perhaps the only law within the area of state-dissident interactions – the Law of Coercive Monopolization: dissent sometimes responds to repression, but repression always responds to dissent. This argument is not without alternatives, however, which have to date been unexamined. For example, within this study, I was interested in understanding the relative importance of behavioral threats (dissent) compared to another form of threat – political threats (periods within which authorities identify that potential challenges exist).

To investigate this topic, I analyzed state-societal relations in the United States from 1948 to 1982. From the results, I find that there were indeed distinct phases in the application of repressive activity. During periods when international and domestic political threats were present, repression increased, regardless of behavioral threats. During periods when either of these conditions did not exist, repressive behavior was much less likely – again, regardless of behavioral threats. Additionally, I find that political threats were generally largely in their effects on repression than behavioral threats. If one were interested in understanding when repressive behavior is applied, they would be well advised to understand the latter as opposed to the former.

The exploration of these issues is important for several reasons. To date, our understanding of state repression has been significantly influenced by a domestic realist model where the repressive response to dissent has been central to this research. Additionally, a political model has significantly influenced our understanding of state repression where the degree of democracy held by a political system conditions the state's response to contentious behavior away from repression. While useful in guiding research, this work has predisposed those interested in the topic against investigating exactly what role the state plays in the repressive process. Relevant to the "War on Terror," researchers have been focused on terrorists and terrorism and less on government officials and repression (commonly referred to as counter-terrorism). Upon little reflection, however, it is clear that governments can and do establish political threats without dissent being present and they can and do establish political threats in autocracies as well

as in democracies. For example, following the terrorist attacks in Washington, DC and New York, relevant authorities established a political threat and legislation as well as other measures effectively institutionalized the government's response to this behavioral challenge.<sup>46</sup> After the two attacks, however, there was no more dissent undertaken by Al-Qaeda in the US (e.g., additional acts of terrorism or protests). Indeed, this was precisely the reason for the establishment of the threat and repressive behavior – to assure that there would be no other actions taken. When will the repression after 9/11 be lifted? If behavioral regulation is not the criteria to evaluate repression, then what is?

While quite familiar to those interested in and aware of the US case, what is important about this process is that existing research generally ignores the issues outlined above. Specifically, it ignores exactly how the establishment of political threats influences actual state-dissident interactions. In the context of more encompassing political threats, are we more likely to find states using repression, are we less likely to find relevant actions or laws withdrawn, are we more likely to see severe forms of repressive behavior and are we likely to find fewer challenges or fewer challengers engaged in dissent throughout civil society? We simply do not know. In part, this is because these questions have not been asked. In part, this is because researchers have been more concerned with political threats and public opinion about infringements on political and civil liberties<sup>47</sup> than they have been with political threats and their influence on actual infringements of these rights.<sup>48</sup> This is beginning to change as the ramifications of the US Patriot Act and Homeland Security come under greater scrutiny. Unfortunately, however, we are far from understanding the implications of such behavior for contentious politics and political freedom.

My response to this situation is simple. We need to focus on

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46. DHS: Homeland Security Advisory System, [http://www.dhs.gov/xinfoshare/programs/Copy\\_of\\_press\\_release\\_0046.shtm](http://www.dhs.gov/xinfoshare/programs/Copy_of_press_release_0046.shtm). The Department of Homeland Security's "Threat Advisory" provides information about threats consistently over time. *Id.*

47. *See, e.g.*, Davis and Silver *supra* note 19 (explicating the relationship between people's sense of threat and their support for civil liberties).

48. *See, e.g.*, James L. Gibson, *Political Intolerance and Political Repression During the McCarthy Red Scare*, 82 AM. POL. SCI. REV. 511 (1988) (examining the influence of public opinion on repression).

what authorities do coercively but also what they do to facilitate, promote or hinder such activities: e.g., making pronouncements and enacting laws, which may or may not influence state behavior. In short, we must “bring politics back into” the study of state repression. To accomplish this, we must collect the data necessary for such an analysis. At present, we do not collect information on how governments justify their behavior but it is imperative that we compile this information because it may provide insights into the decision-making process that authorities engage in when they decide to use or abstain from using repressive action. Within existing research, much of this process is inferred from diverse structural characteristics and behavior, but it is clear that such information would be useful for understanding exactly *why* authorities use repression. If we are better able to understand this process, then we may be able to get some leverage on better understanding exactly *how* authorities use repressive activity and *when* changes are likely to occur in the application of this behavior. In sum, bringing politics back into the study of repression might just make it relevant to current popular debates in the US and abroad about state power, human rights, protest policing and democracy and, at the same time, it might just make it relevant for current mobilization around social activism and political reform as well.



