

Using Experiments to Study the Influence of International Law

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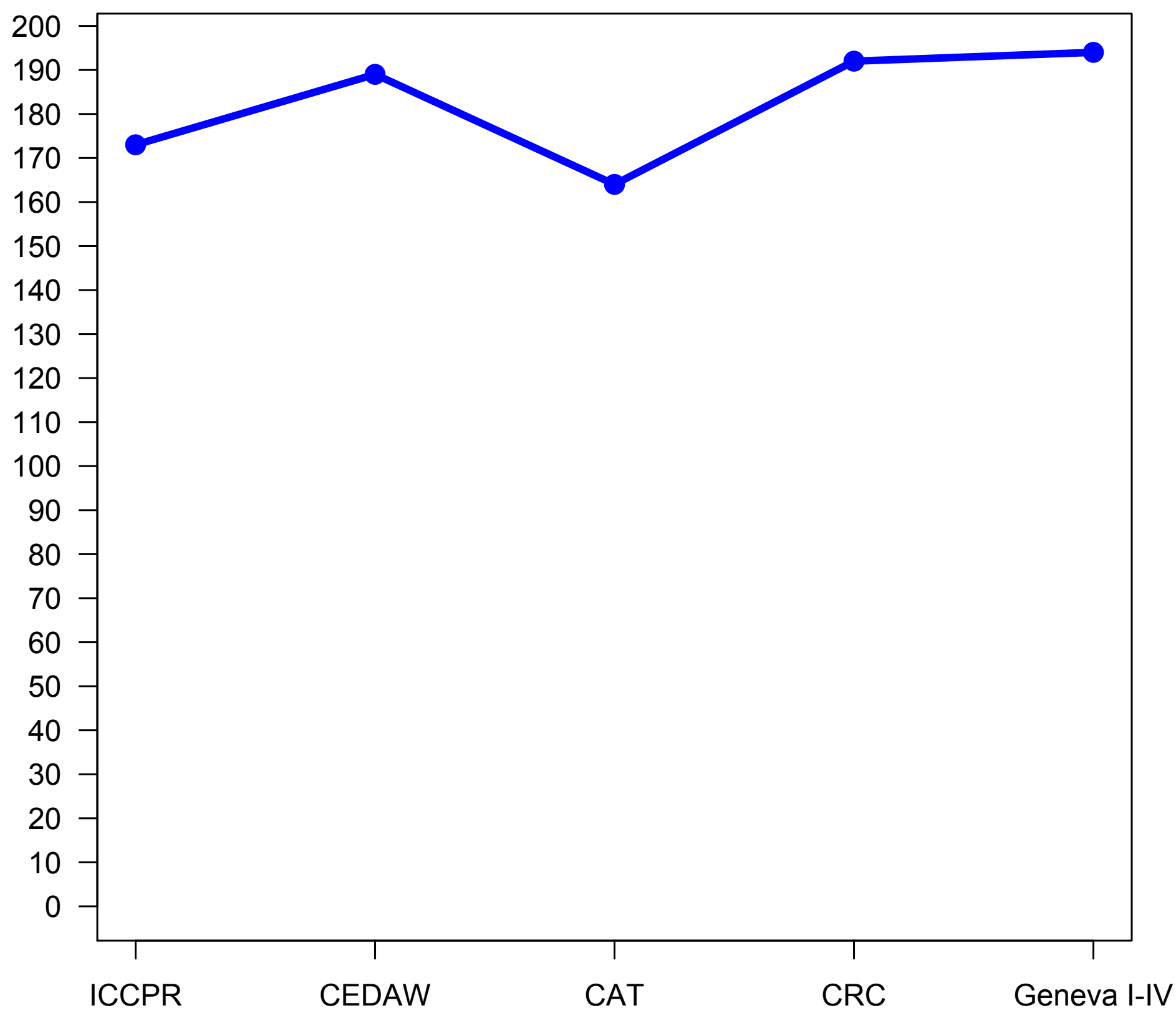
Motivation for the Project

Why Experiments

1. Lack of Variance in Treatments
2. Short Time Frame
3. Importance of Disaggregating Causes
4. Selection Effects
5. Overlapping Legal Constraints
6. Subjective Dependent Variables
7. Statements on IL Cannot be Trusted

Lack of Variance

Countries That Have Ratified Major Human Rights Treaties



Topics for Research

- Domestic Policy v. Foreign Policy
- Restrictive v. Enabling International Law
- Treaty Law v. Customary International Law
- Prospective v. Retrospective Restrictions
- Government v. Non-Governmental Speakers
- Influence of IL in Developing v. Developed Countries

Experiment #1: IL & Laws of War

Design

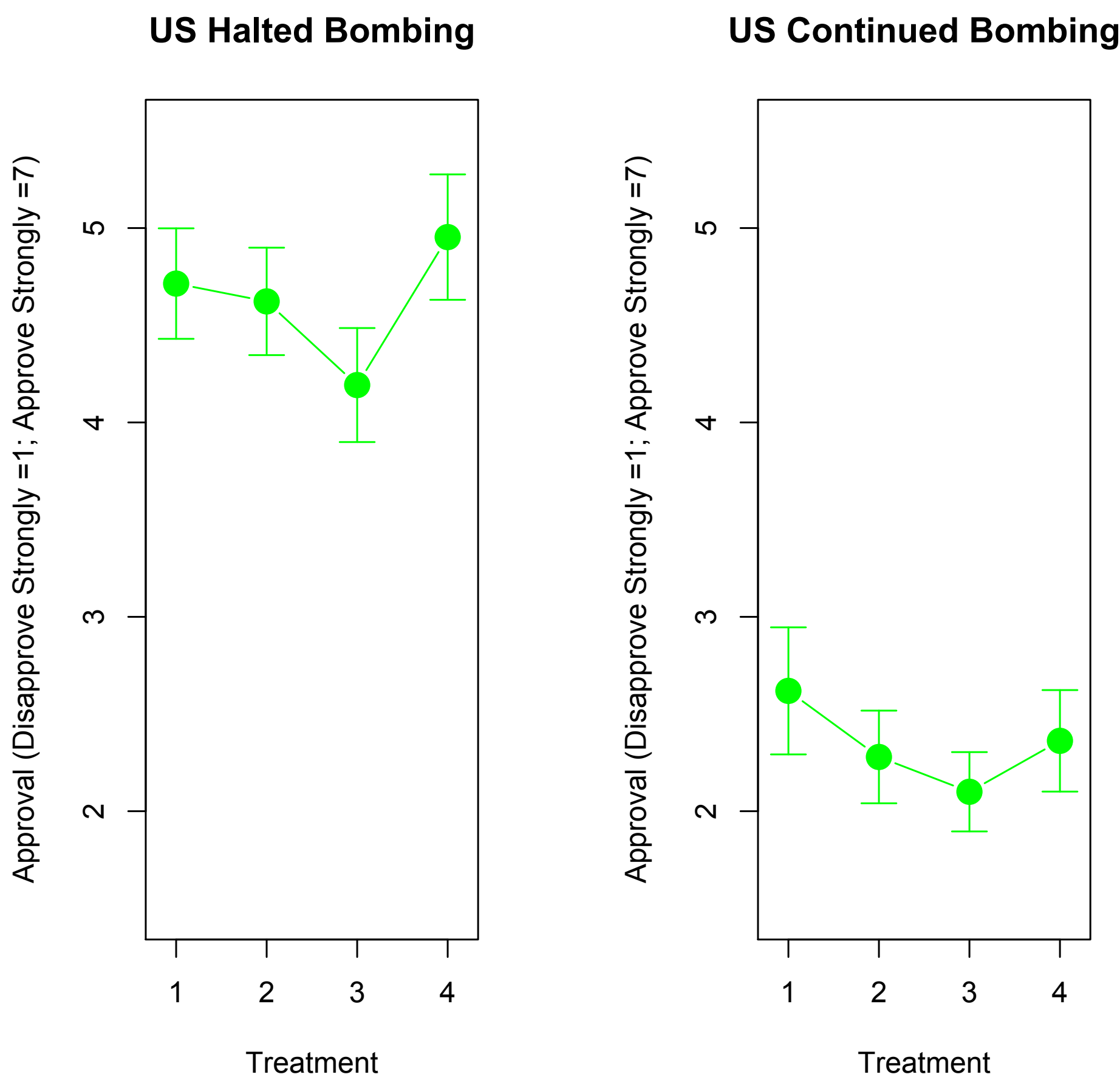
“In a country that is an ally of the United States, a rebel group has controlled areas of the country for a long time. The rebels decided to leave the areas of the country they controlled and attack the country’s capital.”

“The U.S. president responded by launching airstrikes to bomb rebel troops. After suffering initial casualties from the airstrikes, rebel troops took shelter with civilians in homes. This made the U.S. military unable to continue airstrikes while distinguishing rebel targets from civilian targets [Treatment 1]”

“Ultimately, the U.S. president decided [Treatment 2]”

“Do you approve, disapprove, or neither approve nor disapprove of the way the U.S. president handled the situation?”

Results



Treatments

Treatment #1:

1. “ ”
2. “Failing to distinguish between civilians and combatants violates norms of international law.”
3. “Failing to distinguish between civilians and combatants violates treaties the United States has signed.”
4. “Failing to distinguish between civilians and combatants violates norms of international law, but the United States government has not ratified the relevant treaties.”

Treatment #2:

1. “Ultimately, the U.S. president decided that it would be impossible to continue bombing without inflicting too many civilian casualties and halted the bombing campaign. The result was that the rebels were able to regroup and overtake our ally’s government.”
2. “Ultimately, the U.S. president decided that even though it would result in civilian casualties, to continue the bombing campaign. The result was that although there were civilian casualties, the rebels were unable to regroup and were not able to overtake our ally’s government.”

Experiment #2: IL & Domestic Policy

Design

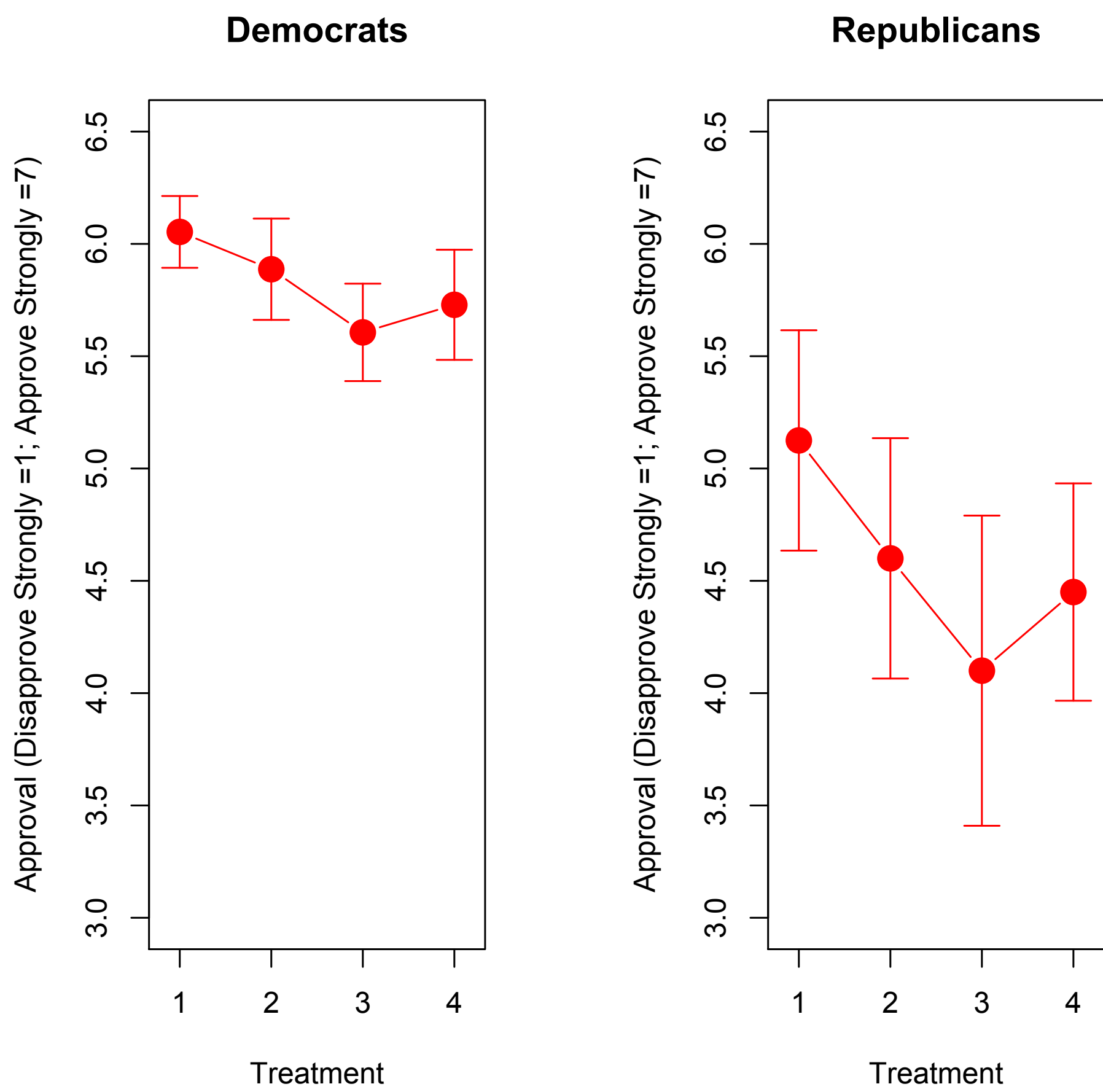
“The U.S. often subjects prisoners in federal prisoners to solitary confinement for extend periods. These periods can last years. When in solitary confinement, prisoners are held in their cell for up to twenty-three hours a day and are deprived of human contact. Supporters of the use of solitary confinement argue that it’s use is necessary to maintain prison discipline and ensure the safety of prisoners and guards alike.”

“In contrast, some [Treatment 1] have argued that solitary confinement should be eliminated except in the most extreme cases because it is inhumane and ineffective [Treatment 2]”

“U.S. lawmakers are currently considering reforms that would eliminate the use of solitary confinement in prisons except in extreme circumstances where keeping the inmate in the general population poses immediate safety risks.”

“Do you approve, disapprove, or neither approve nor disapprove of this proposed reform?”

Results



Treatments

Treatment #1:

1. “U.S. government officials”
2. “human rights organizations”

Treatment #2:

1. “ ”
2. “, and because it is bad policy.”
3. “, and because it violates international legal norms.”
4. “, and because it violates international human rights treaties the United States has signed.”