Look Who Is Talking: Direct and Indirect Effects of Criticism on LGBT Rights

Gino Pauselli[*]

August 2023

Abstract

When do countries adopt progressive and restrictive human rights policies? The scholarship is inconclusive on whether naming and shaming leads to compliance with or backlash against human rights norms. To solve this theoretical puzzle, I distinguish between the direct and indirect effects of state-to-state criticism. I argue that public condemnation has potential effects in the target country as well as in observer countries. Second, I draw from social psychology theories to argue that the ingroup/outgroup relationship between sender and target countries affects the outcome of criticism. I draw on original data of state-to-state public criticism of the situation of LGBT communities in other countries based on the webscrapping of more than 254,000 Ministries of Foreign Affairs' press releases. I implement a difference-in-differences design and find that criticism increases (indirectly) the likelihood of the adoption of progressive LGBT policies in ingroups. At the same time, public condemnation generates backlash when targets are outgroups. These findings contribute to our understanding of the heterogeneous effects of criticism, how it leads to the adoption of progressive and restrictive rights policies, and the role of bilateral pre-existing relationships in norms promotion.

1 Introduction

In 2013 Uganda passed the Anti-Homosexuality Act, also known as the "Kill the Gays Bill," which criminalized same-sex acts with life imprisonment penalties. The following year, ten countries publicly criticized the situation facing the LGBT community in Uganda, condemning discrimination and calling on the government to reverse the legal situation. International pressure not only failed to reverse the situation, but it fueled the Ugandan elite to rally against foreign intervention in Ugandan culture and passed further anti-LGBT laws in 2016 and 2018.

Peru adopted a set of policies aimed at protecting the LGBT community from discrimination and hate crimes in 2017. Partnership for same-sex couples was adopted by an Executive decree in 2020. Peru adopted progressive LGBT policies despite a conservative and Catholic society. Unlike the international spotlight put on Uganda, Peru was not directly criticized by other countries. Although Peru was free from direct criticism from the international community, neighboring Chile and Ecuador were not. A couple of years before the policy change in Peru, Belgium criticized Ecuador and Germany criticized Chile for their treatment of the LGBT community. Criticism was successful in bringing about change, indirectly, in Peru.

Why did Uganda and Peru follow different paths in LGBT rights recognition? How did international pressure affect these outcomes? The standard explanations for human rights change point to the effect of domestic and transnational activism (Keck and Sikkink 1998; Risse, Ropp, and Sikkink 1999) as well as the ratification of international human rights treaties (Simmons 2009). When criticism is taken as the explanatory variable, scholars are divided into those that assign a positive effect on human rights change (Murdie and Davis 2012; Dietrich and Murdie 2017) and those that argue it leads to backlash (Terman 2019; Snyder 2020a). The cases of Peru and Uganda offer puzzling evidence against these explanations: as international criticism increases, we observe the adoption of more progressive human rights policies in countries that are not targets of criticism as well as

2

backlash against these norms in some target countries. This paper will empirically assess the role of public criticism in the adoption of pro- and anti-LGBT policies.

To address the progress-backlash puzzle, I propose a theory of relational criticism and two mechanisms through which criticism affects the adoption of rights policies. I argue that the ability of a country to influence a target's policy depends on its social relations with targets of criticism and non-criticized countries — what I call observers. Particularly, the effectiveness of criticism depends on the relationship a target has with the sender. Moreover, public condemnation by states has an indirect effect — both in terms of progress and backlash — on a larger audience of states through demonstration effects. I show that criticism leads to the adoption of progressive LGBT policy change indirectly in the senders' ingroups. At the same time, criticism generates backlash when targeted to outgroups.

To test my theory, I collect novel data on state-to-state criticism from more than 254,000 Ministries of Foreign Affairs' (MFA) press releases. This is, to the author's knowledge, the first effort to systematically collect data on state-to-state non-material pressure on human rights. I use a difference-in-difference after matching design to evaluate the effect of criticism on LGBT policy change. The empirical evidence supports the theoretical expectations that state-to-state pressure affects human rights change but that change is conditioned by the social relationship between sender and target. Moreover, I show how criticism has (negative) direct effects and (positive) indirect effects. Results suggest the need to carefully think about the heterogeneous — intended and unintended — effects of human rights promotion through direct and indirect mechanisms. Moreover, the theoretical and empirical contribution of this paper allows for the synthesis of opposing expectations from the existing literature about the effect of public condemnation on rights enjoyment.

This paper contributes to the literature on persuasion and socialization (Sikkink 2018; Hopgood, Snyder, and Vinjamuri 2017) as well as the role of states in this phenomenon. It is widely accepted that transnational activists (Brysk 1993; Keck and Sikkink 1998),

international organizations (Lebovic and Voeten 2009; Nielsen and Simmons 2015; Kelley and Simmons 2019), and domestic civil societies (Simmons 2009) play an important role in advancing rights. However, how states' tool of public condemnation affects the adoption of human rights policies has been under-explored. I show that state promotion strategies can have heterogeneous effects dependent on ingroup and outgroup relationships with targets of criticism.

2 Human Rights Policy Change

What is the effect of criticism on human rights? A first wave of scholars argued that a transnational coalition of non-governmental organizations (NGOs), governments, and inter-governmental organizations (IOs) has the potential ability to induce human rights change in a target country by sharing information and exercising pressure on a repressive government (Risse, Ropp, and Sikkink 1999; Risse and Ropp 2013). Pressure is applied by both IOs through public condemnation and governments through economic and diplomatic sanctions. International NGOs' (INGOs) main role is to publicize abuses that otherwise might go unnoticed. Sikkink notes that "for the greatest success, information politics need to be combined with efforts to build strong domestic advocacy sectors within states, while also bringing pressure to bear from outside" (2018, p. 214). Socialization into norms involves diplomatic praise or censure, either bilateral or multilateral, which is reinforced by material sanctions and incentives (Finnemore and Sikkink 1998). Consistent with the norm diffusion model, transnational activists mobilize to influence states in their decision to pressure repressive regimes to change a given policy or behavior. Non-state actors provide information and lobby IOs and states to exert pressure on a target country. During this process, the repressive regime is also persuaded and socialized into the accepted behavior by the international community.

A second wave of scholars argued that criticism from foreign actors leads to a worsening of human rights situations in the target country (Hafner-Burton 2008; Cronin-Furman 2020;

DeMeritt and Conrad 2019; Terman 2019; Shadmehr and Boleslavsky 2021). Snyder asserts that "the unintended consequences of shaming may leave human rights advocates farther from their goal" (2020, p. 110). The logic here is that criticism ostracizes and angers the target, preventing it from adapting its behavior to the sender's expectations. As a response to criticism, the target may even transgress further, leading to popular outrage and backlash (Snyder 2020b; Terman 2020).

Empirically, studies have found strong evidence in favor of the role of information diffusion and criticism by non-state actors (Franklin 2008; Meernik et al. 2012; Murdie and Davis 2012; Simmons 2013; Murdie and Peksen 2015; Strezhnev, Kelley, and Simmons 2021) as well as the adoption of condemnatory resolutions by IOs (Lebovic and Voeten 2009). However, research on state-to-state pressure has focused mainly on material pressure and has found that economic sanctions and military interventions worsen or have no effect on human rights (Hafner-Burton 2008; Wood 2008; Peksen 2009; Drury and Peksen 2009; Peksen 2012; Murdie and Davis 2012; Drury and Peksen 2014).

The two sets of arguments reviewed here have in common the study of criticism as a tool for human rights promotion, but they clash in their predictions about its effects. This leaves two puzzles: When does criticism work, and why do states undertake counterproductive criticism? In the next section I lay out a theory of state-to-state pressure that addresses both puzzles. I argue that criticism is effective depending on the ingroup/outgroup relationship between sender and target, and that apparently counterproductive criticism is effective when it signals to ingroup observers what is expected from them. In sum, I contend that both waves of scholarship are partially right: criticism can lead to both progress and backlash, with both outcomes conditioned by the relational identity between sender and target.

3   A Theory of State-to-State Criticism

Why should we expect non-material pressure to generate behavioral change? Criticism is known to be a catalyst of change as well as resistance. Most research on how social pressure affects behavioral change relies on the well-accepted assumption that social interaction generates social and psychological benefits. Social psychologists argue that social interactions are sources of esteem and status. Criticism threatens the ability of actors to reap these benefits from social life. To avoid the social costs generated by criticism and to continue gaining from interactions with peers, actors adjust their behavior to the social standard demanded by peers. Sometimes, criticism might not even be shaming— there can also be constructive criticism. At the same time, criticism targets the essence of an individual's identity. Most scholars on the positive effects of naming and shaming theorize that criticism produces fear and humiliation which, under certain circumstances, generates compliance with the sender's demands. Moreover, criticism can also produce other emotional responses. For example, anger and pride tend to promote resistance and perseverance. Resistance leads to attachment to a counterculture of proud deviance from the sender's demands (Markwica 2018; Snyder 2020a). Again, to return to two of this research's motivating questions: Why do countries criticize other states when this can generate backlash? Under what circumstances does criticism lead to the adoption of progressive human rights policies?

3.1   The Role of Ingroup/Outgroup Status

This theoretical puzzle leads us to ask: does criticism generate compliance with human rights norms or backlash? My answer is that it leads to both. The actual outcome will depend on the ingroup/outgroup status between the sender and the target/observer. Criticism generates the adaptation of a country's policy to the normative standard as long as it tries to avoid incurring psychological and social costs associated with maintaining the status quo. Yet, esteem and social status are elements that are sought among culturally

similar actors. Social identity theory (Tajfel 1981) and arguments from social psychology (Markwica 2018; Ilgit and Prakash 2019) expect only members of ingroups to be able to exercise positive social influence over targets. Turner (2005) argues that the formation of a shared social identity is a necessary precursor to social influence strategies. Criticism can create pressure through the establishment of hierarchical social relations between actors (Towns and Rumelili 2017), or by rendering the target as a transgressor or under-performer by the public exposure of a gap between normative standards and deeds of the group (Finnemore 2009; Friman 2015). These responses require a prior affinity that triggers emotions leading to compliance with the sender's request. Such affinity is part of the core definition of ingroup status. If this affinity does not exist, states are members of outgroups, and it will be more difficult for the sender and target to empathize with each other (Cikara, Bruneau, and Saxe 2011) and the easier it will be to take criticism as a threat to their own identity. Shaming to an outgroup generates what Mantilla calls social opprobrium (2018).

The bilateral relationship between the target and the sender allows the sender to exploit the ingroup/outgroup status between them. An ingroup relationship is characterized by the presence of shared normative values, mutual trust, and empathy, while an outgroup relationship is characterized by the lack of them. The higher the ingroup relationship between the sender and the target, the more likely that the target will change its human rights policies after being pressed by the sender. The lower, the more likely the target will maintain the status quo or increase its levels of repression. Criticism, then, should be effective when there is prior trust and empathy. The target therefore is influenced because of its relationship with the sender: the target looks for cues about the nature of this relationship to judge the legitimacy of counter-attitudinal arguments. Thus, criticism from ingroup countries is more compelling than condemnation from outgroups (Johnston 2001). However, criticism could also be counterproductive for rights promotion (Crawford 2000; Mercer 2014). Psychological reactions other than low esteem and a feeling of threat

to the social bond can be expected. Thus, among ingroups, two mechanisms lead to opposing outcomes: esteem and social status trigger compliance, and fear and humiliation trigger resistance. Among outgroups, only the mechanism leading to resistance applies though. When criticism is applied to an outgroup, it leads to hatred and social withdrawal (Snyder 2020a) and spurs the public to "rally round the flag" (Gruffydd-Jones 2019). These reactions are expected when messages of negative assessments come from outgroup countries.

3.2 Direct Criticism

Criticism has usually three components: (1) an identifiable target, (2) a sender, and (3) a reprehensible behavior that requires the adoption of a new behavior. Criticism and pressure are used indistinctly here and defined as the use of non-material means such as rhetoric to communicate the disapproval of a certain behavior as well as the expectation that the target will adjust its behavior according to a normative standard.

Expectations about the effect of criticism rely on the assumption that the target is being publicly criticized, that is being named. I contend that criticism can be divided into direct and indirect criticism. I define direct criticism as criticism that signals that the sender does not approve of the target's current behavior. Unlike *naming and shaming*, direct criticism only captures pressure exercised between countries, and criticism from civil society or international organizations is left outside this concept.

International politics are full of instances of direct pressure in the area of LGBT rights. In January 2014, the Norwegian Ministry of Foreign Affairs issued a press release that explained the Minister's position on Nigeria's laws toward homosexuals, mentioning specifically the role of the country's president,

> "Foreign Minister Børge Brende is deeply concerned that homosexuals are being arrested in Nigeria and that President Goodluck Jonathan [...] introduced strict penalties for homosexuals" (Ministry of Foreign Affairs of Norway 2014).

Through this press release, Norway exercised direct pressure on the Nigerian president to address violence against the LGBT community. Similarly, Albania, Argentina, Chile, and Uruguay signed a letter in April 2017 with other partners from the Equal Rights Coalition to,

> "urgently call on Russian federal authorities to conduct an independent and credible investigation into reports of arbitrary detention, torture and killing of gay men by security services and other government authorities" (Equal Rights Coalition 2017).

Resistance to criticism from an outgroup is an expected reaction from targets when it has been publicly and directly criticized. Albania, Argentina, Chile, and Uruguay did not criticize in the abstract the torture and killing of members of the LGBT community, but they explicitly mentioned the Russian government. As part of outgroups, these circumstances should lead to backlash from Russia. This leads to the first hypothesis:

Hypothesis 1: *Direct criticism from outgroup countries increases the probability of human rights backlash.*

3.3   Indirect Effects

Direct criticism is likely to generate backlash. Then why do governments continue to publicly condemn human rights abuses? The answer lies in the indirect effects of criticism: when there is public criticism or condemnation, third states are potentially part of the message's audience. In this section I propose to switch component (1) of direct criticism — an identifiable target— for observer countries. Scholars working on norms and human rights promotion have studied mostly the effects of criticism understood as direct criticism: whether the direct target of criticism changes its behavior/policy or not. Ron, Ramos, and Rodgers looked at whether *The Economist* or *Newsweek* mentioned

a given country in an article (2000), Murdie and Davis coded countries that were criticized by INGOs (2012), Lebovic and Voeten studied the effects on target countries of condemnatory resolutions on the UN Commission on Human Rights' resolutions (2009), and Kahn-Nisser investigated whether a country improves its human rights records after being scrutinized by a treaty oversight committee (2020). However, I contend that we need to study criticism's broader effects beyond the direct target. Bell, Clay, and Murdie show that human rights organizations' criticism has positive effects on neighbors with whom the target has freedom of movement (2012). These findings are consistent with the proposed state-to-state criticism theory: freedom of movement between two countries is a proxy for affinity and trust between neighbors. The positive effects of INGOs criticism on the neighbors of the criticized target can be read as neighbors trying to avoid being the future targets of criticism.

I define indirect criticism as public criticism that signals an expected behavioral change in a third state that is distinct from the target. Third actors can interpret the sender's criticism of the target as a preview of what criticism might eventually be directed at them. Thus, if criticism is costly, it would be rational for observers to alter their behavior to avoid being directly criticized in the future. I consider this phenomenon to be indirect given that I am interested in its effects on third states rather than on the target. Moreover, by not being directly criticized, the observer countries do not experience a negative emotional response (e.g. humiliation). Policy change is a rational response in order to avoid being criticized in the future and incurring the reputational costs that criticism generates.

Public criticism signals the preferences of the sender and the potential criticism to third actors that might not avoid or change a given proscribed behavior. On February 27, 2014, the US State Department issued a briefing that accompanied the publication of the Country Reports on Human Rights. The communiqué condemned the criminalization of homosexuality in nearly eighty countries —without naming them— but mentioned two cases that exemplify how some states were reluctant to take seriously through their

10

policies the discrimination against LGBT people. The document published by the US State Department reads:

> "In Cameroon, HIV activist Eric Ohena Lembembe was tortured and murdered in his home. In Jamaica, 17-year-old Dwayne Jones was stabbed to death by an angry mob because he was dressed as a woman at a party. Both murders remain unsolved. Of course, these are just two examples – two cases, two people – but their stories are not unique" (US Department of State 2014).

The United States exercised direct pressure on Jamaica and Cameroon to address violence against LGBT people, but it also sent an implicit message to the other seventy-plus countries that they could be the next ones to be publicly condemned. For observer countries, this communiqué is an example of what I call indirect criticism.

The literature on punishment demonstration effects argues that punishment generates a deterrence effect on observers, e.g. non-punished actors (D. T. Wang, Gu, and Dong 2013; Chen, Zeng, and Ma 2020). The sanctions literature also recognizes that threats might influence third states as a signal of the potential imposition of sanctions (Peterson 2021). Say the Netherlands criticizes the United States for its policies toward the LGBT community in certain subnational states. Italy—among other countries—observes this criticism. Considering the Netherlands and Italy as ingroups, Italian leaders might realize that their own policies and behaviors could be the target of future Dutch criticism. Indirect criticism allows actors to avoid or change prescribed behavior in advance of direct criticism. I argue that public condemnation of human rights violations has indirect effects on third states that are ingroups of the sender and target.

When asked why criticism is exercised in a country that is not expected to change its policies, a former Ministry of Foreign Affairs official said that,

> "it signals to other countries that we're serious about an issue because [sometimes] if it's getting to the point where [criticism] it's public[, ...] they're

11

not listening. So we're just going to end up airing their dirty laundry out."
(Interview #18).

In a report on best practices to promote human rights through diplomacy published by the LGBT rights advocacy organization OutRight, it is argued that pressure could have positive indirect effects:

> "At times, public condemnation of abuses can help to deter further abuses by sending a clear message that the targeting of LGBTI people will not go unnoticed" (OutRight 2021, p. 16).

Thus, criticism has effects on observers' willingness to change their human rights policies by signaling the potential reputational costs they would incur if they should become explicit targets of future condemnation. Many states have adopted pro-LGBT policies without being the direct target of international pressure by fellow states. However, this does not mean that public condemnation did not have an effect on a country's decision to change its human rights policies. For example, on May 2021, Ukraine started to discuss a law to protect LGBT people from hate crimes. Although not a target of direct pressure by other states, the Ukrainian Ministry of Internal Affairs drafted a bill and, in its explanatory note to the President and Parliament, argued that,

> "Implementation of the act will [...] ensure an adequate level of combating intolerance in society and adherence to *leading European and democratic principles* in accordance with the general provisions of the Law of Ukraine [...]." (Government of Ukraine 2021).[1]

The justification of the bill exemplifies how the Ukrainian government tried to adapt to what was observed as the normative standard of behavior in the international community — more specifically, the European community of states.

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[1]Italics added by the author.

Since indirect criticism avoids triggering fear and humiliation while it highlights the behavior desired by the sender and signals the potential social costs of non-complying with these expectations. This leads to the second hypothesis:

Hypothesis 2: *Indirect criticism from ingroup countries increases the probability of pro-human rights policy change.*

The hypotheses derived here can be summarized in Table 1.

Table 1: Expected effect of criticism on target

		Target	
		Direct	Indirect
Sender	Ingroup	Undetermined Effect	**Progress** (H2)
	Outgroup	**Backlash** (H1)	Undetermined Effect

4   Empirical Strategy

4.1   LGBT Policy

Society and state intolerance toward sexual minorities have not only been common in the past, but recently it has been the focus of a heated international debate (Voss 2018). Moreover, while some countries have advanced LGBT rights, others have witnessed a regression (Encarnación 2020; Chandler 2021). This makes LGBT rights a contemporary contested issue in world politics where both progress and backlash are observed. To test my theory I collected data on pro- and anti-LGBT policies.

To measure LGBT policy I use annual reports from the International Lesbian, Gay, Bisexual, Trans and Intersex Association (ILGA) as well as online research on dates when each policy was enacted [2]. Established in 1978, ILGA is a worldwide federation of more

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[2]I do not code when policies entered into force since I am interested in when a country changes its policies, while the moment a policy enters into force depends on each country's specific domestic legislation.

than 1,700 organizations from over 160 countries campaigning for LGBT rights. The organization publishes annual reports on state-sponsored homophobia laws and policies around the world. I rely on ILGA's report to identify changes in policy toward LGBT communities and trace back previous homophobic policies that were later repealed. I follow Velasco's practice and generate an additive policy index. The policy index consists of thirteen different federal policies,[3] and policies that are progressive in nature are coded +1 and policies that are restrictive are coded as -1 (2018). The index ranges from -4 to +9, with a mean of 0.48. According to the data collected, between 2008 and 2020 there have been 333 new progressive LGBT policies adopted around the world and 97 restrictive policies.

There are many reasons why I look at policy rather than practices. First, when trying to understand whether an external actor can influence the diffusion of a norm, the first and more likely area where this influence should be observed is through state policy. Practices, such as actual repression, might be more difficult to measure and, at the same time, could not be possible to control by state actors. Second, written policies allow researchers to compare across countries and time, while measures of practices might be biased since the local context conditions the ability of activists to report abuses (Ron, Ramos, and Rodgers 2000; Hill, Moore, and Mukherjee 2013). Relatedly, written policies are clear focal points to discuss how states approach certain issues. Legislation and state decisions are different from information about practices collected by NGOs or independent experts given that it is more difficult to challenge the former's veracity. Finally, in the area of LGBT rights, there is a strong correlation between LGBT policies and LGBT rights enjoyment.[4]

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[3]I look at whether a country has enacted or repealed policies all areas ILGA's reports provides information on: death penalty, (de)criminalization of consensual same-sex sexual acts between adults in private, legal barriers to freedom of expression on sexual and gender diversity issues, legal barriers to the registration or operation of civil society organizations (CSOs) working on sexual and gender diversity issues, constitutional protection, broad protections and employment protection against discrimination based on sexual orientation, prohibition of incitement to hatred, violence or discrimination, bans on conversion therapy, same-sex marriage, partnership recognition for same-sex couples, joint adoption by same-sex couples, and second parent adoption by same-sex couples.

[4]A correlation test between the total number of pro-LGBT policies enacted in a country in a given

4.2 State-to-State Criticism

The empirical literature on human rights promotion has mostly ignored instances of state-to-state criticism that fall short of material sanctions. The boomerang model and spiral model describe how domestic groups go outside their societies to pressure their governments "from below" or "from above" (Brysk 1993). In theory, this pressure is channeled through international organizations, civil society organizations, and states. However, scholars have focused empirically on criticism by NGOs and IOs (Lebovic and Voeten 2006; Creamer and Simmons 2019), or material pressure from states. Although both the boomerang and spiral models argue that a third government's involvement is key to exercising pressure on the repressive government, the empirical literature has yet to assess the effect of state-to-state criticism on human rights outcomes.

I measure state-to-state non-material criticism using data on Ministries of Foreign Affairs' (MFAs) press releases, I collect data on MFAs' press releases from ninety-eight countries representing 82.6% of the world population.[5]. Overall, I webscrapped 258,206 press releases from these MFAs' websites. I then filter these documents' text using a set of keywords representing issues related to LGBT rights[6] and manually code whether a document includes a negative statement about another country's LGBT rights situation. Press releases by MFAs are official statements about what the government of a state wants to communicate to the world. The content of these documents is internally discussed. As a diplomat from Switzerland said, "We have internal discussions on how the target country

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year and its Power distribution by sexual orientation index (Coppedge et al. 2019) was performed. See Figure **??** in the appendix. The Power distribution by sexual orientation index is the only proxy of LGBT rights practices with year-country data (although circumscribed to political rights) known to the author.

[5]Figure A.2 maps the countries included in this study. Press releases published in a language other than language were translated into English using Google Translate. Translation of texts into English using automated tools does not lead to a problem when analyzing them if we make a bag-of-words assumption (Lucas et al. 2015). Furthermore, De Vries et al. evaluated the usefulness of machine translation for bag-of-words models and they found that gold standard translated text and machine-translated text are highly similar (De Vries, Schoovelde, and Schumacher 2018).

[6]The keywords used are: "LGBT", "LGBTQ", "LGBTI", "homophobia", "sexual discrimination", "sexual orientation", "gay", "lesbian", "homophobic", "same-sex", "bisexual", "trasgender", "transphobia".

will react to what we publish about them" (Interview #2). Press releases are a tool to "talk to the world" that is available to all countries, regardless of their level of development or geographic location. Moreover, given that press releases are available to all countries, it allows us to systematically collect efforts of rights promotion through discourse.

Public criticism is widely understood as a tool to promote human rights abroad. When asked about what countries do to stimulate compliance with human rights, a former Ministry of Foreign Affairs from a Latin American country stated that "Public condemnation of specific human rights violations is one of [few] tools a government has to promote human rights abroad." (Interview #11). According to interviews with diplomats, politicians, and IOs officials, the decision to criticize another country is influenced by many factors, including domestic political competition, security concerns, principled behavior, and perceived identity and status seeking.[7] Moreover, scholars have looked at press releases to systematically analyze positions taken by states and international organizations publicly (Nielsen and Simmons 2015).

In the period between 2008 and 2020, I found 250 instances of negative evaluations of rights enjoyment by LGBT people in another country. Criticism of LGBT issues represents 0.1% of all press releases collected. First, this is evidence of how rare these instances are. MFAs do not usually criticize other countries' human rights policies. Second, and related to the first point, when they do, they are strong signals of a given country's preference for human rights. Countries criticize more on LGBT rights than other violations of minorities, such as women (abortion rights, for example) or the rights of the child (forced labor or child marriage). A total of sixty-one countries (31.6% of all UN members) have been criticized at least once —what I call direct criticism— for their policies toward LGBT people between 2008 and 2020.

For example, on May 21, 2010, the Belgian Ministry of Foreign Affairs issued a press release regarding the situation of the LGBT community in Malawi by stating that,

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[7]See section A.3 in the Appendix for a discussion of qualitative data about factors that lead countries to criticize other countries.

"Deputy Prime Minister and Minister of Foreign Affairs Steven Vanackere is indignant at the conviction by Malawi of a homosexual couple, Tiwonge Chimbalanga Kachepa and Steven Monjeza Soko, both of whom were given prison sentences of up to 14 years on the basis of their sexual orientation" (Ministry of Foreign Affairs of Belgium 2010).

Similarly, on December 13, 2013, the Norwegian Ministry of Foreign Affairs expressed its negative evaluation of the situation of LGBT rights in India by stating that,

"We are concerned about India's Supreme Court decision that a provision in the Indian Penal Code that describes same-sex sex is not unconstitutional. Discrimination on the basis of sexual orientation and gender identity violates human rights, says Foreign Minister Børge Brende" (Ministry of Foreign Affairs of Norway 2013).

Even a small state from the Global South, Uruguay, also issued a statement condemning LGBT discrimination in Russia in 2017. According to the data collected, the top targets of criticism have been Russia, Uganda, and Nigeria, followed by Hungary, Brunei, Iran, and Honduras. Figure 1 shows the countries that were the target of criticism at least three times between 2008 and 2020.
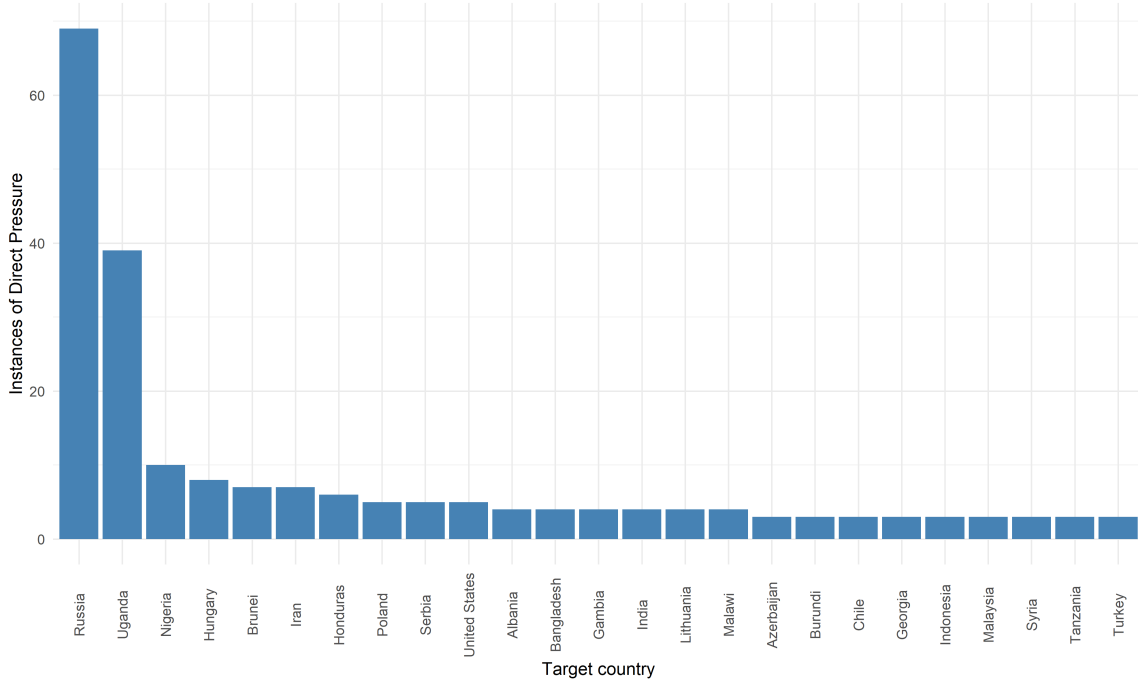
Figure 1: Top targets of direct peer pressure on LGBT discrimination (2008-2020).

To measure *direct criticism*, I created an indicator for whether a country has been a direct target of criticism by another country in a given year. To my knowledge, this is the first measure of state-to-state non-material pressure on human rights in general and LGBT rights in particular. To capture whether direct criticism has heterogeneous effects conditional on ingroup/outgroup status, I created two variables to capture this phenomenon: *direct criticism (ingroup)* and *direct criticism (outgroup)*. According to H1, if the sender and target are outgroups, direct criticism would increase the likelihood of backlash or adopting a regressive LGBT policy.

The top ten countries that have issued the greatest number of press releases condemning another country's situation of the LGBT community are listed in Table 2. All these countries belong to the Global North, but it would be too hasty to conclude that this predicts criticism of LGBT rights. Some MFAs from Global North countries have been silent on issues of LGBT rights in other countries, while some countries from the Global

18

South have been vocal on this, for example, Mexico, Costa Rica, and Uruguay.

Table 2: Countries that have issued press releases (PRs) the most criticizing another country's LGBT rights.

Rank	Country	# PRs
1	United States	46
2	Germany	45
3	United Kingdom	34
4	Canada	25
5	Norway	19
6	Belgium	17
7	Netherlands	15
8	Sweden	11
9	Ukraine	6
10	Ireland	5

Descriptive data on the evolution of criticism on LGBT rights as well as on the adoption of pro- and anti-LGBT policies suggest that criticism could potentially predict an increase in the adoption of both progressive and restrictive policies related to sexual minorities. Figure 2 shows the trend in instances of LGBT criticism around the world from 2008 to 2020. 2014 marked a peak in the number of times countries criticized other states for their treatment of the LGBT community. At the same time, after that peak in 2016, there has been a peak in the number of countries adopting anti-LGBT policies in a given year. The number of new pro-LGBT policies adopted in a given year peaked in 2019, after a succession of years when the instances of LGBT criticism signaled a clearly accepted behavior. I argue that whether countries adopt progressive or restrictive LGBT policies after instances of criticism depends on the social relationship between the sender and the target. This is because countries adopt these policies in reaction to being criticized or as a preventive policy change to avoid being criticized by an ingroup in the future.
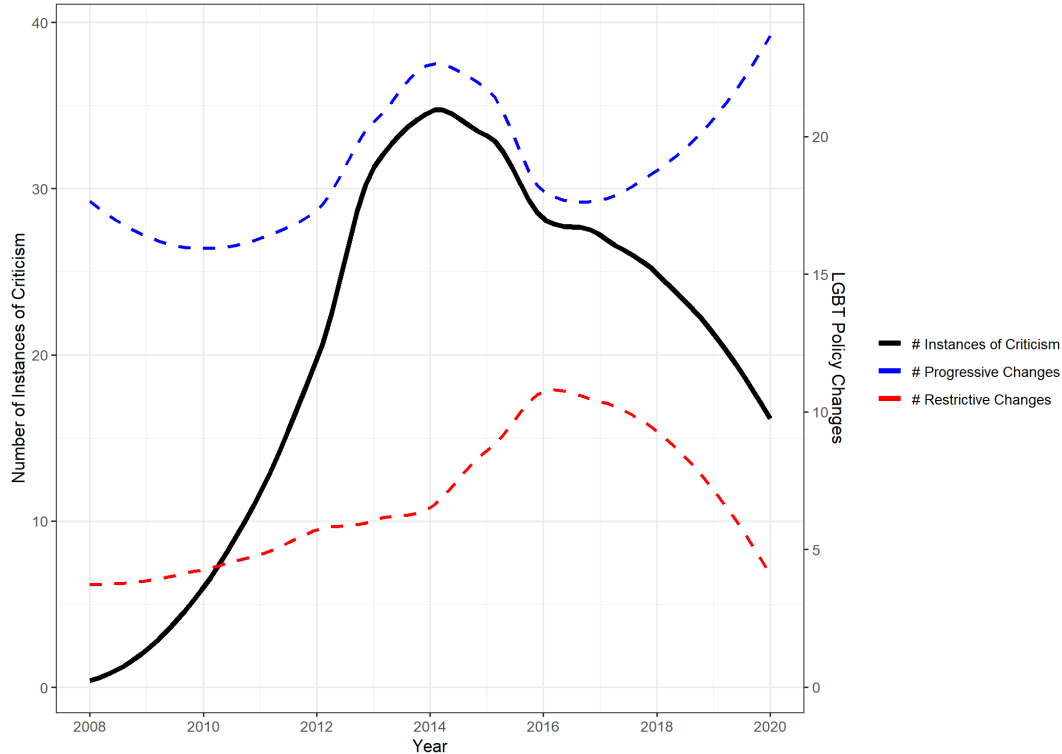
Figure 2: LGBT Criticism and pro- and anti-LGBT policy adoption (2008-2020).

To test H2, I created an indicator for whether any of a country's ingroups have criticized *another* ingroup country in a given year. I call this variable *indirect criticism (ingroup).* Similarly, I create another indicator for whether any of a country's outgroups have criticized *another* outgroup in a given year. This latter variable is called *indirect criticism (outgroup).* According to H2, we should expect indirect criticism from ingroups to increase the likelihood of adopting pro-LGBT policies.

4.3   Ingroups and Outgroups

A key element of the theoretical framework I test here is the relationship between sender and target/observer in terms of their ingroup/outgroup status. Different methods have been proposed to measure affinity, from formal alliances (Signorino and Ritter 1999; Häge 2011) to voting similarity in international organizations (Terman and Voeten 2018; Strezh-

nev, Kelley, and Simmons [2021]) and shared religion (Simmons and Kenwick [2021]). All of these measures focus on one element related to ingroup/outgroup relationships. Since an ingroup is a group of actors that share similar values, cultures, and interests, I create a latent variable of ingroup/outgroup status at the bilateral level. I use data on shared primary and secondary religion (Maoz and Henderson [2013]), shared official language (CIA World Factbook), voting similarity in the UN General Assembly (Strezhnev, Kelley, and Simmons [2021]), military alliances (Gibler [2009]), and resolution co-sponsorship in the UNHRC (data collected by the author). The latent variable captures political affinity more generally as well as affinity on human rights issues, cultural affinity, and geographic proximity.

The distribution of this measure by dyads is shown in Figure 3. I use two different cut-offs to classify ingroup and outgroup bilateral relationships: the mean and the median, and I test my theory using both of them as cut-offs.
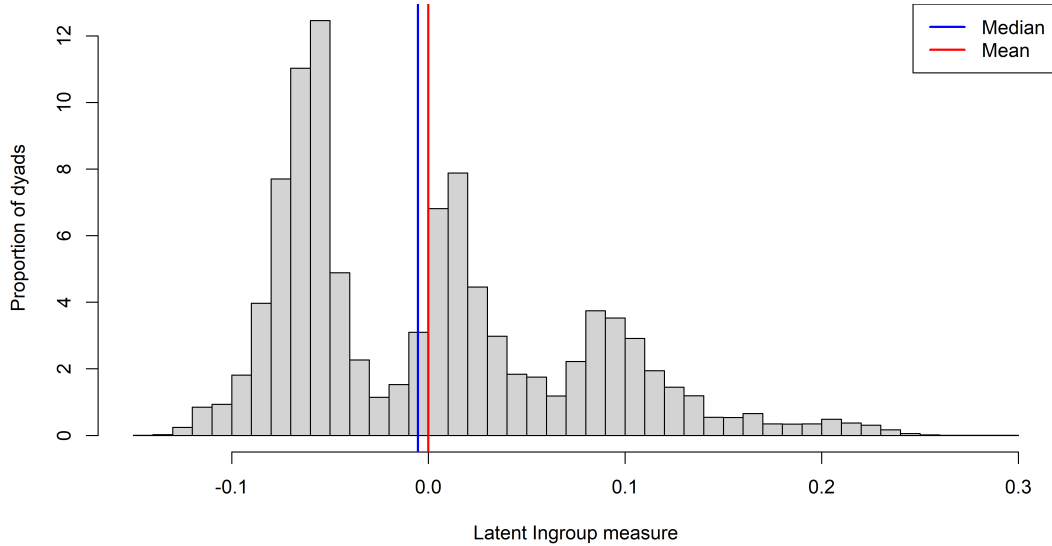

Figure 3: Distribution of latent ingroup/outgroup measure.

My ingroup/outgroup status measure generates fairly intuitive outcomes. For example,

countries with whom the United States had a high level of ingroup relationship in 2019 are Australia, Canada, and the United Kingdom. On the other hand, those with low levels of ingroup — or high outgroup — relationships are China, Iran, and North Korea. Among Peru's top ingroups are Ecuador and Chile, and its top outgroups are North Korea, Syria, and Myanmar. Among Indonesia's ingroups are Lebanon, Maldives, and Morocco, while Luxembourg, the Netherlands, and Norway are among its outgroups.

5   Results

The estimated direct or indirect effect of criticism can be biased given potential self-selection into criticizing countries with a lower or higher likelihood of adopting a progressive/restrictive LGBT policy. Moreover, countries might have adopted pro- or anti-LGBT policies anyway without being criticized or having observed criticism. These concerns should be taken seriously. These are part of the fundamental threats to causal inference (King, Keohane, and Verba 1994). To address this, I implement a nonparametric generalization of the difference-in-differences estimator by matching countries that were treated (criticized directly) with countries that were not (Imai, Kim, and E. H. Wang 2021). I match countries on a set of covariates that capture alternative explanations and mechanisms, including shaming by INGOs, presence of domestic LGBT organizations, political regime, level of development, government's ideology, strength of domestic civil society, and religious influence. See section A.5 for a detailed explanation of covariates used to match countries. I use propensity score matching to match units.[8] All results are similar if Mahalanobis distance matching is applied.[9]

By matching countries on all covariates, this method allows us to compare very similar units that differ in whether they were treated or not. This design treats the control

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[8]Propensity score matching improves balance slightly more than Mahalanobis distance matching. See section A.6 in the Appendix for a detailed comparison of covariate balance before and after matching between the two matching techniques.

[9]Results using Mahalanobis distance matching are presented in sections A.4 and A.5 in the Appendix.

units (approximated by observable covariates) as the counterfactual of what would have happened if the unit was not treated. The estimates represent the average treatment effect on the treated unit (ATT). In other words, it is the expected change in a country's policy index at a given point in time after being criticized or having observed criticism. If direct criticism from outgroups generates backlash, a country's policy index should *decrease* after being criticized compared to a similar country that was not criticized by an outgroup. Similarly, if indirect criticism leads to the adoption of progressive policies, after observing an ingroup criticizing another country, the observer's policy index should be more likely to *increase* compared to another similar country that did not observe criticism by an ingroup.

The difference-in-difference design also includes a placebo test to evaluate the parallel trend assumption before and after treatment, allowing us to compare whether treated and untreated units were similar before treatment or not. The placebo test is depicted as the estimates in $t - 4$ to $t - 1$. In all results, there are no reasons to believe that the parallel trend assumption has been violated.

Figure 4 shows the estimated effect of criticism on target countries' LGBT policy index, *regardless of ingroup/outgroup relationship between sender and target.* When the pre-existing social relationship is not taken into consideration, criticism does not have a statistically significant effect on the adoption of pro- or anti-LGBT policies.

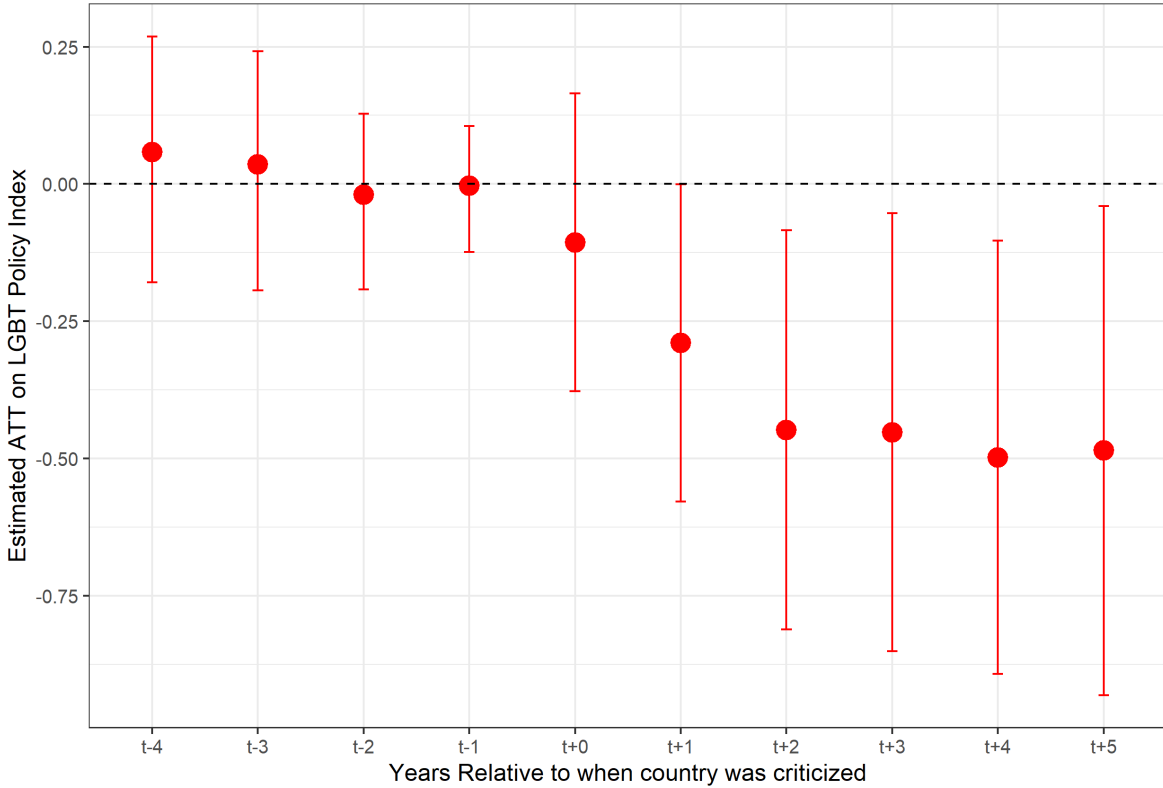Figure 4: Estimated direct effect of Criticism on LGBT policy index.
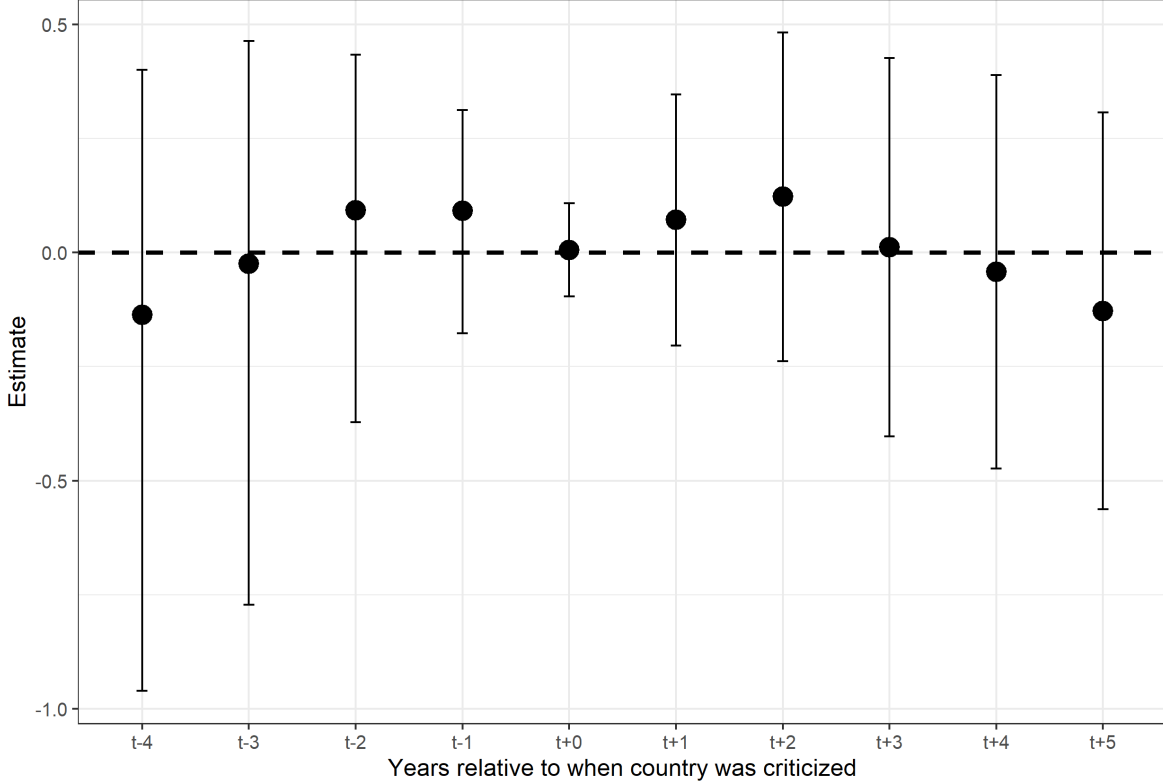
When the ingroup/outgroup status is considered, it becomes clear that criticism does affect the adoption of progressive and restrictive LGBT policies in direct and indirect ways. Figure 5 shows the estimated direct average treatment effect on the treated units (ATT) of criticism when sent by an outgroup. Criticism increases the likelihood of adopting restrictive LGBT policies when it is directed to an outgroup. These results provide strong empirical support for H1 and are consistent with scholars that argue that naming and shaming generates backlash (Hafner-Burton 2008; Snyder 2000; Terman 2020). Results also show that this is not the consequence of self-selection into criticism since countries criticized by an outgroup are not necessarily more likely to adopt an anti-LGBT policy in the pre-treatment period. Effects are statistically distinguishable from zero at conventional levels in $t + 1$ onwards, which is consistent with the fact that policy proposals

take time to be enacted. Given that each policy area is represented by a value of 1 in the LGBT policy index, a year after a country is directly criticized by an outgroup, the target's LGBT policy index will be, on overage, be 0.29 lower. This translates into an average of a third restrictive policy a year after outgroup criticism.

Figure 5: Estimated direct effect of Criticism (outgroup) on LGBT policy index.

As for the indirect effect of criticism, ingroup affinity between sender and observer predicts the adoption of progressive or restrictive LGBT rights policies. Figure 6 presents the estimated effects of indirect criticism when sent by an observer's ingroup. When a country decides to publicly criticize another country on LGBT rights, the effects of criticism go beyond the mere target: observers which have the sender as part of their ingroup will adapt their behavior to comply with what they observe as expected behavior by the sender. These results are consistent with H2. Moreover, similar to the the the direct effects

of criticism on outgroups shown in Figure 5, the indirect effect of criticism on ingroups is statistically distinguishable from zero at $\alpha = 0.05$ in $t+0$. A year after a country observes another country being criticized by an ingroup, its LGBT policy index increases by 0.23. This estimate is significantly smaller than the direct effect of criticism on an outgroup at $t+1$. However, this estimate applies to each observer that is considered an ingroup of the sender. If there are ten ingroup observers, these results predict the adoption of 2.3 progressive policies.

Figure 6: Estimated indirect effect of Criticism (ingroup) on LGBT policy index.
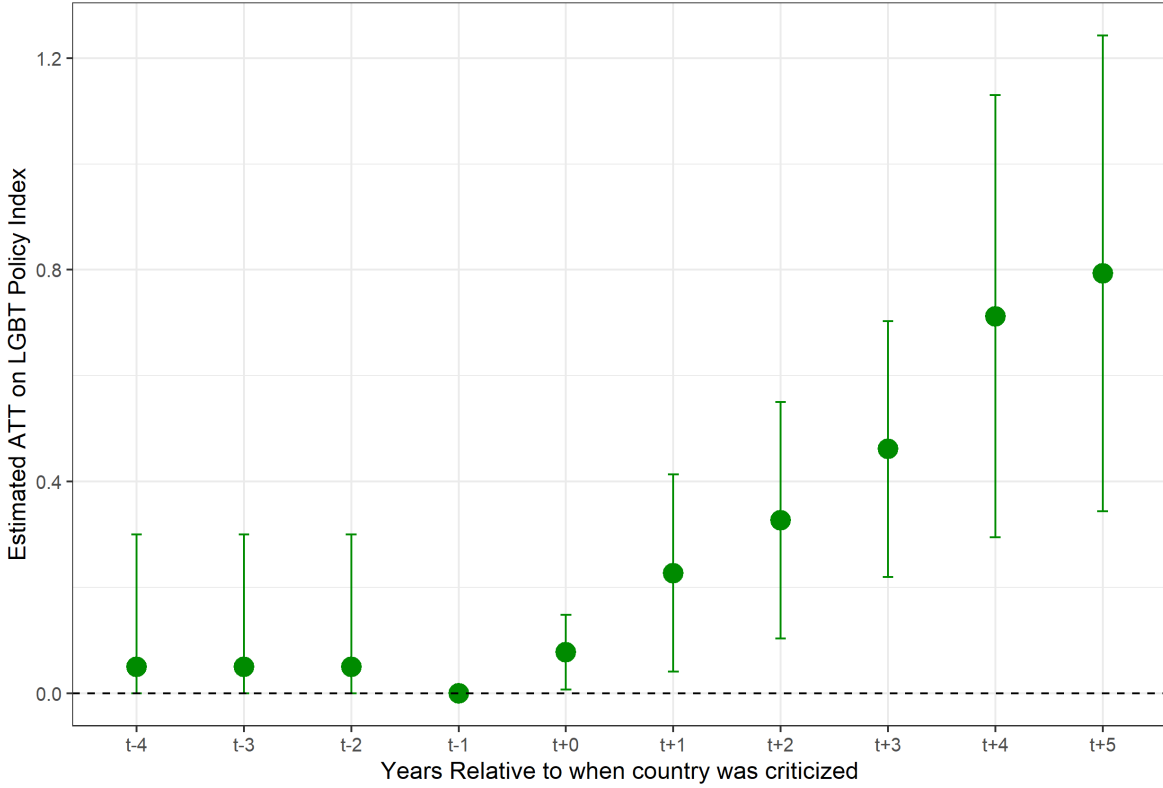
The importance of distinguishing between ingroup and outgroups and direct and indirect effects of criticism is further highlighted by the fact that direct criticism from ingroups does not have an effect on the level of LGBT rights protection a target has, as shown by Figure 7. Not surprisingly, when criticism is exercised over an ingroup, two competing

26

mechanisms cancel out the potential effect criticism can have. On the one hand, the target's leaders are persuaded to comply with the sender's demands in order to maintain their ingroup status. On the other hand, the act of being publicly criticized gives rise to a counterculture of resistance and humiliation. More importantly, these results show that not all criticism has negative effects: criticism leads to backlash on the target only when the sender and target are outgroups.

Figure 7: Estimated direct effect of Criticism (ingroup) on LGBT policy index.
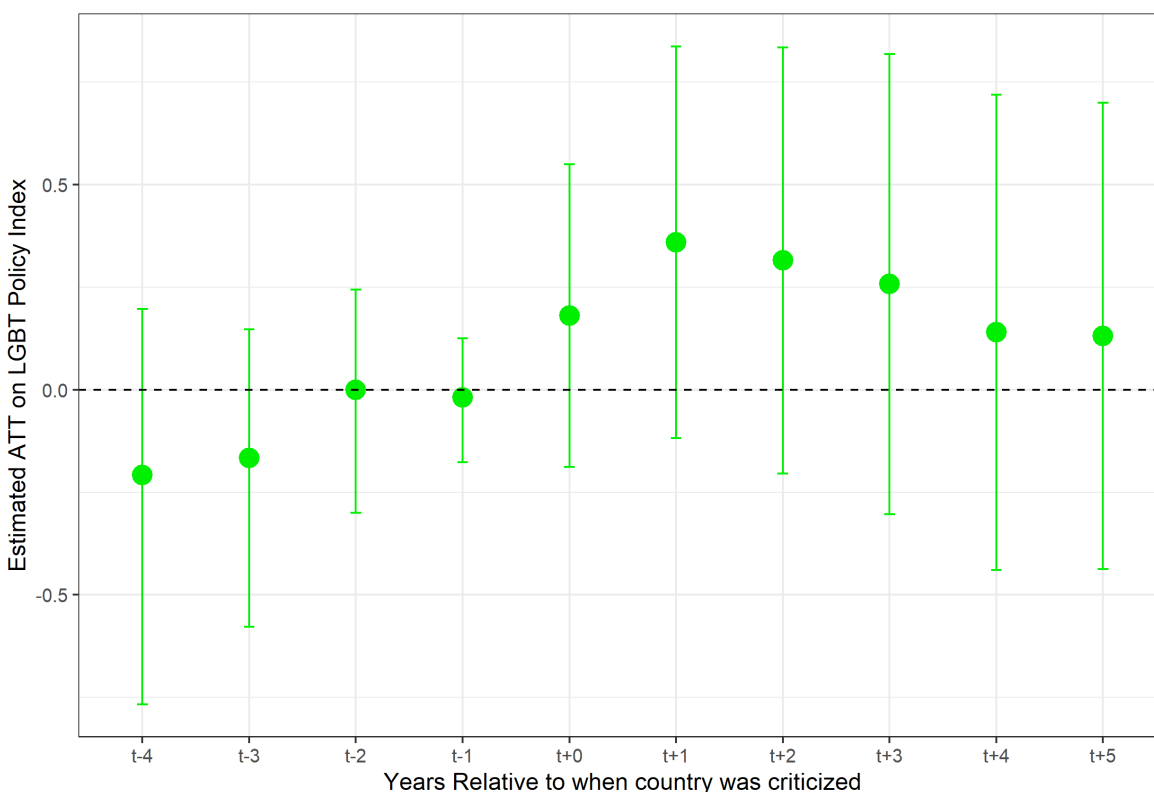
6   Conclusion and Discussion

When do countries adopt progressive and restrictive human rights policies? I analyzed newly collected data on criticism issued by countries through press releases of their MFAs and policies adopted to advance or restrict LGBT rights. I tested the proposed hypotheses

using a generalized form of difference-in-difference design to control for endogeneity and self-selection concerns. This paper establishes two main results. First, it offers evidence that international pressure generates both progress and backlash in human rights. Second, it shows that criticism has both direct and indirect effects on other countries' human rights policies. On the one hand, ingroup observers of criticism comply with the observed expected behavior to avoid being the target of future criticism. On the other hand, direct targets of criticism from an outgroup country not only resist pressure but respond with more restrictive policies on LGBT rights. The ability to influence another actor's policy is limited to non-criticized observers who are part of the ingroup community of the sender. Results are robust to different specifications and these relationships are independent of the ability of the sender to coerce the target through material sanctions since I have not found significant evidence that trade dependency between the target and sender drives positive change when international pressure is involved.

Most of the socialization literature has focused on the content of the argument (Risse 2000; Schimmelfennig 2001) and the nature of the social structure in which actors are embedded (Wendt 1999). I proposed and showed that the ability states have to influence other countries' states depends on pre-existing bilateral social relationships. This speaks to an alternative mechanism of persuasion and socialization that does not depend on the group's characteristics but on bilateral social and identity relations.

These findings also contribute to a recent debate about the effects of international pressure on human rights outcomes (Sikkink 2018; Hopgood, Snyder, and Vinjamuri 2017), as well as the role of states in this phenomenon. While much of this work has focused on the role of transnational NGOs (Brysk 1993; Keck and Sikkink 1998), international organizations (Lebovic and Voeten 2009; Nielsen and Simmons 2015; Kelley and Simmons 2019), and domestic civil society organizations (Simmons 2009) in advancing rights, state-to-state criticism have been under-explored. States are the key peers that other states look at when seeking esteem or to reinforce their identity. Not only state-to-state criticism has

an effect on rights outcomes but these effects are heterogeneous and dependent on sharing values and norms.

This paper adds to our understanding of how countries influence other states' policies. Existing studies have rigorously examined the role of threats and sanctions on target countries (Drezner 2003; Morgan, Bapat, and Krustev 2009; Peksen 2009; Nielsen 2013), but little has been said about the indirect effects of this public phenomena (Peterson 2021), especially non-material sanctions such as public condemnation. As a consequence, criticism toward another country should be taken seriously and evaluated in light of the number of potential ingroup observers of that criticism: being in a large ingroup community might give countries important leverage over others while participating in a small ingroup community could potentially reduce the ability of a country to influence others.

Results also provide evidence in favor of some alternative explanations regarding the role of domestic activism, economic development, and the influence of religion in governments. However, I also find no evidence of a transnational advocacy effect on advancing LGBT rights. This should promote further research to understand whether the influence of INGOs is independent of the mobilization of states that pressure repressive regimes or not.

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A   Appendix

A.1   Relationship Between Policy and Practice

My LGBT Policy index and V-Dem's measure of power distributed by sexual orientation are positively correlated. The relationship is statistically significant at the $\alpha = 0.01$ level when I run two OLS regressions to predict a country's egalitarian distribution of power based on sexual orientation by their level of protection of LGBT rights through policy. Results of these regressions are presented in Table A.1.

Table A.1: OLS regressions on V-Dem's measure of power distribution by sexual orientation (2005-2020).

	Dependent variable:	
	Power Distributed by Sexual Orientation	
	(1)	(2)
LGBT Policy	0.098***	0.066***
	(0.006)	(0.006)
Constant	1.406***	1.385***
	(0.066)	(0.067)
Country FE	Yes	Yes
Year FE	No	Yes
Observations	2,698	2,698
R^2	0.968	0.970
Adjusted R^2	0.966	0.968
Residual Std. Error	0.259 (df = 2528)	0.253 (df = 2513)
F Statistic	454.505*** (df = 169; 2528)	440.618*** (df = 184; 2513)
Note:		*p<0.1; **p<0.05; ***p<0.01

The positive relationship between the two measures is plotted in Figure A.1. An increase in one value of the LGBT Policy index predicts an increase between 0.07 and 0.1 units in V-Dem's measure.
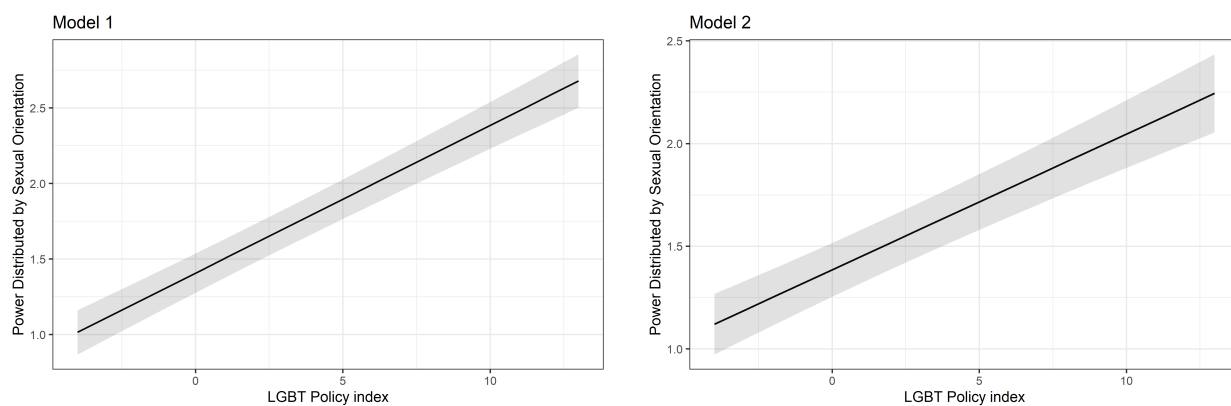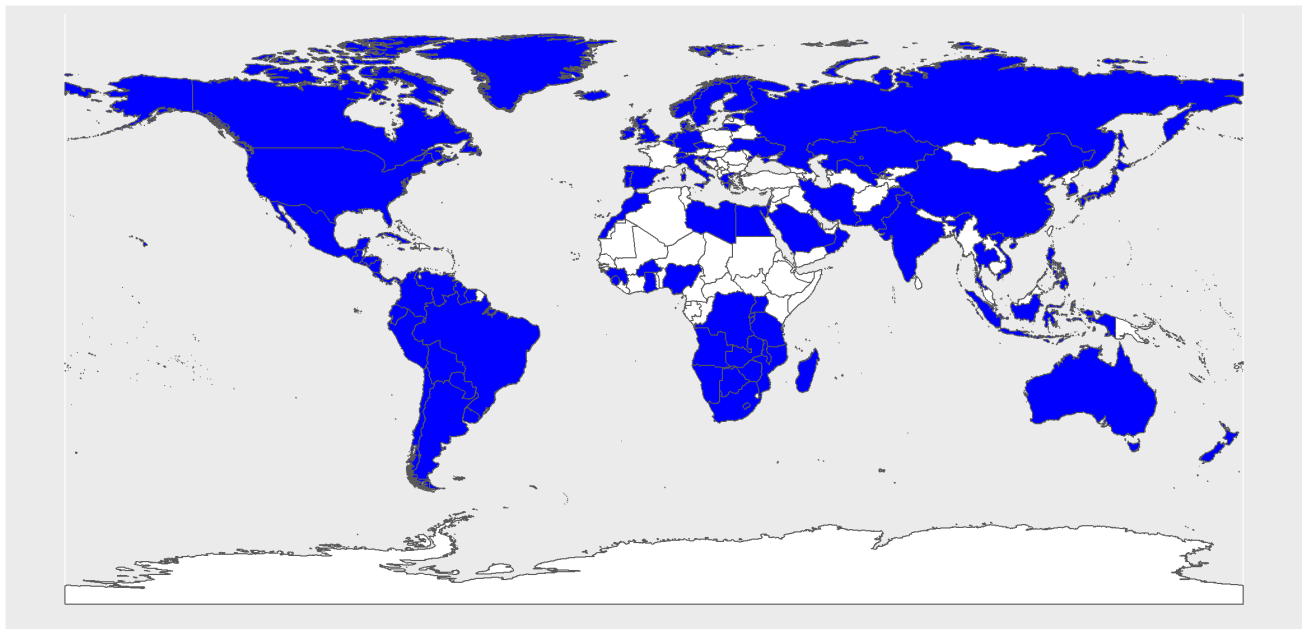
Figure A.1: Predicted values of V-Dem's measure of power distribution by sexual orientation

A.2 MFAs Data Collection Effort

Figure A.2: Countries' Ministries of Foreign Affairs' webscrapped.

A.3 Factors that Influence the Decision to Criticize

When do MFAs issue condemnatory messages about the situation of the LGBT community in another country? In this section, I test the main arguments of human rights promotion. According to these theories, states promote human rights in other countries for three main reasons: strategic interests, identity, and domestic pressure. Strategic interests include the desire to improve relations with the target country, to hurt a rival, or to prevent instability or conflict. Identity-based motivations include a belief that all people have certain fundamental rights, or a desire to promote a particular set of values. Domestic pressure can come from human rights groups or business groups.

To empirically assess these arguments, I use newly collected data on instances of state-to-state pressure on LGBT rights and analyze a dataset of over 90,000 dyads of states between 2009 and 2020. I complement the statistical analysis with interviews conducted in the Global North and South.

Table A.2 presents the results of a set of logistic regressions that examine the factors that influence the presence of LGBT criticism in a dyad of countries. The dependent variable, *Criticism*, is an indicator of whether a country made a negative statement about another country's LGBT rights. The table shows that the level of hostility between two countries is the strongest predictor of the likelihood of criticism. The more hostile the relationship between two countries, the more likely it is that one country will criticize the other. Other independent variables in the models also have significant effects on the probability of criticism. For example, countries with a higher level of liberal democracy are more likely to criticize. However, this relationship is only statistically significant at conventional levels in two out of four models. Similarly, countries are more likely to be criticized by neighboring countries.

The results of these regressions suggest that the likelihood of a country receiving criticism from other countries is influenced by a number of factors, including the level of hostility between the two countries, the geographic proximity of the sender and target countries, and the extent to which individual and minority rights are protected in the sender country. These results provide empirical support for theories of strategic interests and, to a lesser extent, theories of state identity. No support is found for arguments about the role of domestic interests (government ideology and non-state actors) in influencing human rights policy.

These results are consistent with qualitative evidence gathered from interviews. For ex-

Table A.2: Logistic regressions to predict criticism on LGBT rights. GDP per capita (sender and target) and Population (sender and target) are omitted from the table.

	Dependent variable:			
	Criticism			
	(1)	(2)	(3)	(4)
Hostility	10.910***	10.835***	10.792***	11.301***
	(3.834)	(3.853)	(3.839)	(3.906)
Geographic Distance (log)	−0.359	−0.519**	−0.380	−0.506**
	(0.237)	(0.223)	(0.241)	(0.236)
Defense			−0.094	
			(0.444)	
LGBT Policy (sender)			0.185	
			(0.173)	
Power Dist. by Sex Or. (sender)			0.119	
			(0.158)	
Alliance				0.013
				(0.378)
LGBT Policy (target)				−0.749
				(0.581)
Power Dist. by Sex Or. (target)				0.280
				(0.491)
Liberal Democracy	11.768**	11.707**	11.747*	9.382
	(4.725)	(4.722)	(7.008)	(7.046)
LGBT NGOs			1.514	0.435
			(3.551)	(3.590)
Bilateral Trade (log)	0.160		0.155	
	(0.116)		(0.116)	
Bilateral Trade (% GDP)		2.463		1.708
		(6.692)		(6.798)
Ideology:Center			0.075	0.133
			(1.497)	(1.502)
Ideology:Left			0.138	−0.007
			(1.331)	(1.336)
Ideology:Right			−0.073	−0.113
			(1.349)	(1.353)
Constant	403.667**	417.970**	418.140**	463.421**
	(167.557)	(168.833)	(185.497)	(189.346)
Year FE	Yes	Yes	Yes	Yes
Sender FE	Yes	Yes	Yes	Yes
Target FE	Yes	Yes	Yes	Yes
Observations	82,060	82,060	81,200	75,016

Note: *p<0.1; **p<0.05; ***p<0.01

ample, when right-wing Argentine President Mauricio Macri assumed office in 2015, his government condemned the human rights situation in Venezuela on multiple occasions.[10] A member of the Argentine House of Representatives, when asked about why they focused on Venezuela, stated that "*Kirchnerismo* [the previous administration and main political opposition] was an important ally to Venezuela" (Interview #13). *Kirchnerismo*, in turn, used its human rights foreign policy to discredit previous administrations as well (Interview #24). Criticism on human rights is used, then, as another tool to hurt a rival. Criticism is also a way to prevent the negative consequences of repression in a neighboring country. In 2017, Brazilian President Michel Temer denounced the situation in Venezuela, with whom Brazil shares a 2,200-kilometer border, during his address to the United Nations General Assembly. Temer's criticism was seen as an attempt to pressure the Venezuelan government to improve its human rights record, as well as to signal to the international community that Brazil was committed to upholding democratic values. When referring to Venezuela, Temer said that:

> "[...] we have welcomed thousands of migrants and refugees from Venezuela. The human rights situation in Venezuela continues to deteriorate. We are on the side of the Venezuelan people, with whom we share a fraternal bond. In South America, there is no longer room for alternatives to democracy." (Ministry of Foreign Affairs of Brazil 2017).

Similarly, the head of the Public Diplomacy office from a Latin American MFA, referred to naming and shaming on human rights issues as driven by the perceived potential cost that the country will incur if the situation gets out of hand: "Human rights violations in the region are not convenient for us [...] they lead to insecurity, crisis, mass migration" (Interview #7).

As for other controls, more developed countries are less likely to publicly condemn other countries on LGBT rights. while bigger countries —measured by their total population— are less likely to be a target of criticism.

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[10]See The Guardian (2015), MercoPress (2017), and Deutsche Welle (2018)

A.4 Primary Data: Interviews

I complement the statistical analysis with interviews conducted between 2018 and 2023. Existing literature on human rights promotion is based mostly on data on decisions by Global North countries to criticize other countries. Brysk (2009, p. 6) points out that democratic, moderately developed, and secure middle or regional powers are the most likely to promote human rights globally.

The interviews were conducted between March 2018 and May 2023. 29 interviews took place in person in Buenos Aires, Argentina, while others were conducted online or over the phone with individuals who accepted the interview invitation but were not physically present in Argentina.[11] Argentina is a good country to collect data from since it is a middle-income country, but it has also been in the past the target of criticism on human rights issues and now it is seen as a leader of human rights promotion (Sikkink 2008). Individuals based in Argentina were contacted via e-mail between March and April 2018. I contacted members of Parliament who were members in 2018 of either the Human Rights or Foreign Affairs Committees in the House of Representatives or the Senate. I also contacted diplomats based in Geneva and working in the United Nations Universal Periodic Review, a mechanism of the Human Rights Council where states are regularly reviewed on their human rights records. Snowball sampling led me to interview other actors based in other countries in Europe and North America, including state officials and LGBT activists.

I interviewed a total of 55 individuals in 50 interviews[12]. The interviewees included individuals with diverse backgrounds and experiences. This group consisted of a former Minister of Foreign Affairs, Secretary of Human Rights, Senators, Deputies, journalists specializing in domestic and foreign policies, non-governmental organizations that campaign in favor of human rights, and diplomats who have been involved in addressing human rights matters throughout their careers. A list of anonymized interviewees can be found in Table A.3.

Table A.3: List of interviews conducted in between March 2018 and May 2022.

Interview #	Date	Method	Area

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[11]Fieldwork was funded by the Christopher H. Browne Center for International Politics.

[12]More than one individual was present in two interviews. This was the case when I interviewed a team of people working on a specific government area.

1	March 28, 2018	Skype	NGO
2	March 29, 2018	Skype	Diplomacy
3	April 10, 2018	Skype	Diplomacy
4	April 11, 2018	Skype	Government
5	April 19, 2018	Skype	Diplomacy
6	May 23, 2018	Skype	Diplomacy
7	June 5, 2018	In person	Diplomacy
8	June 5, 2018	In person	Parliament
9	June 6, 2018	In person	Government
10	June 6, 2018	In person	Media
11	June 7, 2018	In person	Government
12	June 7, 2018	In person	Parliament
13	June 7, 2018	In person	Parliament
14	June 8, 2018	In person	Government
15	June 8, 2018	In person	Government
16	June 11, 2018	In person	Government
17	June 11, 2018	In person	Government
18	June 11, 2018	In person	Academia
19	June 12, 2018	In person	NGO
20	June 12, 2018	In person	Parliament
21	June 12, 2018	In person	Parliament
22	June 12, 2018	In person	Parliament
23	June 12, 2018	In person	Academia
24	June 13, 2018	In person	Media
25	June 13, 2018	In person	Government
26	June 14, 2018	Phone	Diplomacy
27	June 14, 2018	In person	Diplomacy
28	June 14, 2018	In person	Diplomacy
29	June 14, 2018	In person	Media
30	June 15, 2018	In person	Parliament
31	June 15, 2018	In person	Parliament
32	June 18, 2018	In person	Diplomacy

33	June 19, 2018	In person	NGO
34	June 21, 2018	In person	Diplomacy
35	June 21, 2018	In person	Parliament
36	June 21, 2018	In person	NGO
37	November 12, 2019	Phone	Diplomacy
38	September 15, 2021	Zoom	Government
39	May 5, 2022	Zoom	Government
40	May 11, 2022	Zoom	NGO
41	April 19, 2023	Zoom	Diplomacy
42	April 25, 2023	Zoom	Diplomacy
43	April 27, 2023	Zoom	Diplomacy
44	April 28, 2023	Zoom	Diplomacy
45	May 8, 2023	Zoom	Diplomacy
46	May 9, 2023	Zoom	Diplomacy
47	May 11, 2023	Zoom	Diplomacy
48	May 22, 2023	Zoom	Diplomacy
49	May 24, 2023	Zoom	Diplomacy
50	May 30, 2023	Zoom	Diplomacy

A.5   Control variables

Policy change in the realm of human rights could certainly be driven by other factors not related to the concepts of direct and indirect pressure. The most important alternative explanation looks at domestic politics and mobilization. According to Simmons (2009), mobilization by domestic actors generates pressure and litigation at the domestic level which, in turn, leads to improvement in human rights policies and practices. International law plays a significant role in this process since it is used as a focal point to claim rights and hold governments accountable to their commitments. In the area of LGBT rights, it is puzzling that so much progress has been accomplished in the past decade without a legally binding international document protecting sexual minority rights. The boomerang and spiral models are also popular explanations for human rights change (Keck and Sikkink 1998). There is empirical evidence that the work of a transnational advocacy LGBT network is correlated with LGBT rights advancement (Velasco 2020). However, both the domestic mobilization and the boomerang/spiral models focus on explaining pro-human rights change while they pay little attention to backlash (Risse and Ropp 2013).

Material sanctions can be a potential driver of human rights change. Economic sanctions can affect both the ability of leaders to amass power as well as their maximization of material benefits and probability of survival. It is possible, however, that the request[13] of the sanctioning actor contradicts held beliefs about what is right or wrong, the identity of the target, or the psychological bias of the leader prevents them from accommodating the request. These potential effects of sanctions on sanctioned actors suggest that material sanctions do not lead to clear expectations about the target's change of behavior. Moreover, it has been studied that sanctions are ineffective since we observe instances of sanctions when threats have not been effective, e.g. the hardest cases for policy change (Drezner 2011; Drezner 2018). Finally, sanctions threats to change a target's LGBT rights policy are rare, if nonexistent. As an activist part of the most prominent LGBT NGO in an Eastern European country stated, "They didn't threaten to cut EU funding for [country...]. It was never a hardcore pressure [*referring to material, aid/trade cuts*] It was public pressure every year" (Interview #19).

Modernization theory expects that the more economically developed societies will adopt more secular and liberal ideas and policies (Ayoub 2014). This is also consistent with the

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[13]By request I refer to the reason why sanctions are threatened or imposed. It is assumed that, besides punishment, sanctions are aimed at changing the target's behavior.

managerial school that expects compliance with international norms to be higher as state capacity increases (A. Chayes and A. H. Chayes 1993). Nonetheless, according to some scholars, as societies have become wealthier, many human rights violations have not only not disappeared but increased (Cingranelli and Filippov 2018). This is consistent with research in the democratization literature that suggests that the process of urbanization and development could lead to more repression in the area of political rights (O'Donnell 1973; Ansell and Samuels 2014). Thus, the literature has (rival) expectations about the relationship between the level of economic development of a country and human rights progress.

Finally, explanations focused on the cultural roots of human rights violations and discrimination expect that certain societies will be more likely to adopt progressive legislation while others might be less likely. In general, religion plays a significant discursive role in opposing rights expansion (Cingranelli and Kalmick 2019; Cingranelli and Kalmick 2020; Grossman 2015). If religion is an inhibitor of rights, we should expect governments with greater religious influence to be less likely to enact new pro-human rights legislation -especially those related to culturally sensitive issues.

Alternative explanations for why countries change their human rights policies expect domestic factors to play a significant role. For this reason, I include the country's political regime measured by the liberal democracy index, V-Dem's civil society participation as a measure of civil society organization's strength, and the government's religious ideology[14] (Coppedge et al. 2019), and GDP per capita (World Bank's World Development Indicators) as a measure of the overall level of economic development. The government's leftist ideology is measured using data from (Herre 2022). To control for the transnational advocacy thesis, I include the variable *INGOs*, a count of news and letters Human Rights Watch (HRW) Amnesty International (AI), and ILGA issued or submitted about each country in relation to LGBT rights in a given year.[15] Finally, I also include a measure of whether the Pope has visited a country in a given year or not, as a proxy for the potential strength of religious movements that have been pointed as potential inhibitors of progress on LGBT rights (Ayoub 2014; Grossman 2015; Corrales 2021). Finally, to control for the domestic strength of LGBT advocacy, I include a count of the number of NGOs included in the Yearbook of International Organizations that have LGBT rights

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[14]This index measures how much a government promotes a religious ideology to justify its ruling.

[15]Data collected by the author. The correlation between *INGOs* and the number of countries that criticized a government in a given year is very low: $R = 0.0768$.

as part of its mission.

A.6 Covariate Balance Before and After Matching

Figure A.3 shows the covariate balance before and after matching using two different cut-offs for the ingroup measure and two different matching methods: Mahalanobis distance matching and propensity score matching. Each column represents a different treatment: direct criticism from ingroup, direct criticism from outgroup, and indirect criticism from ingroup. Matching on covariates moderately improves balance in all specifications. Although the level of covariate balance is similar for the two matching techniques, propensity score matching generates a slightly more balanced treatment and control groups than Mahalanobis distance matching.

(a) DC (ingroup), mean   (b) DC (outgroup), mean   (c) IC (ingroup), mean

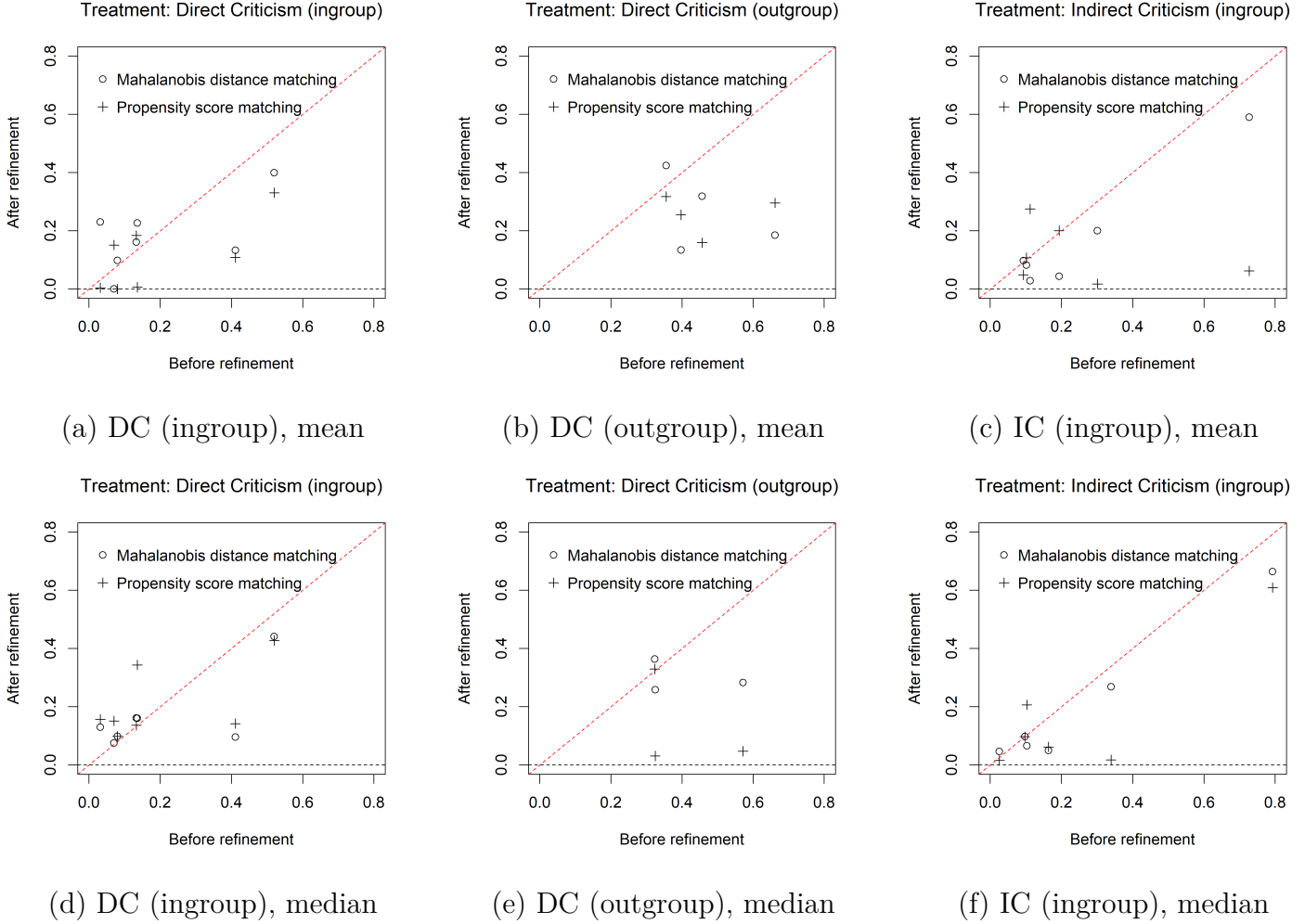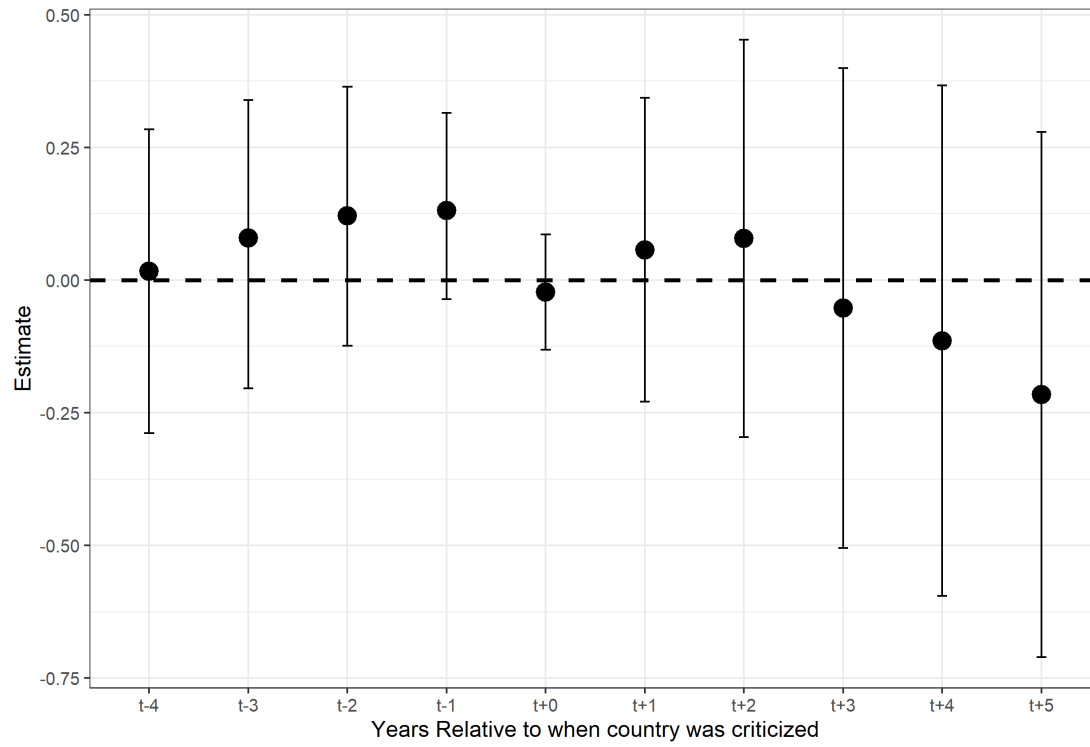(d) DC (ingroup), median   (e) DC (outgroup), median   (f) IC (ingroup), median

Figure A.3: Improved Covariate Balance After Matching

A.7 Results using Mahalanobis distance matching

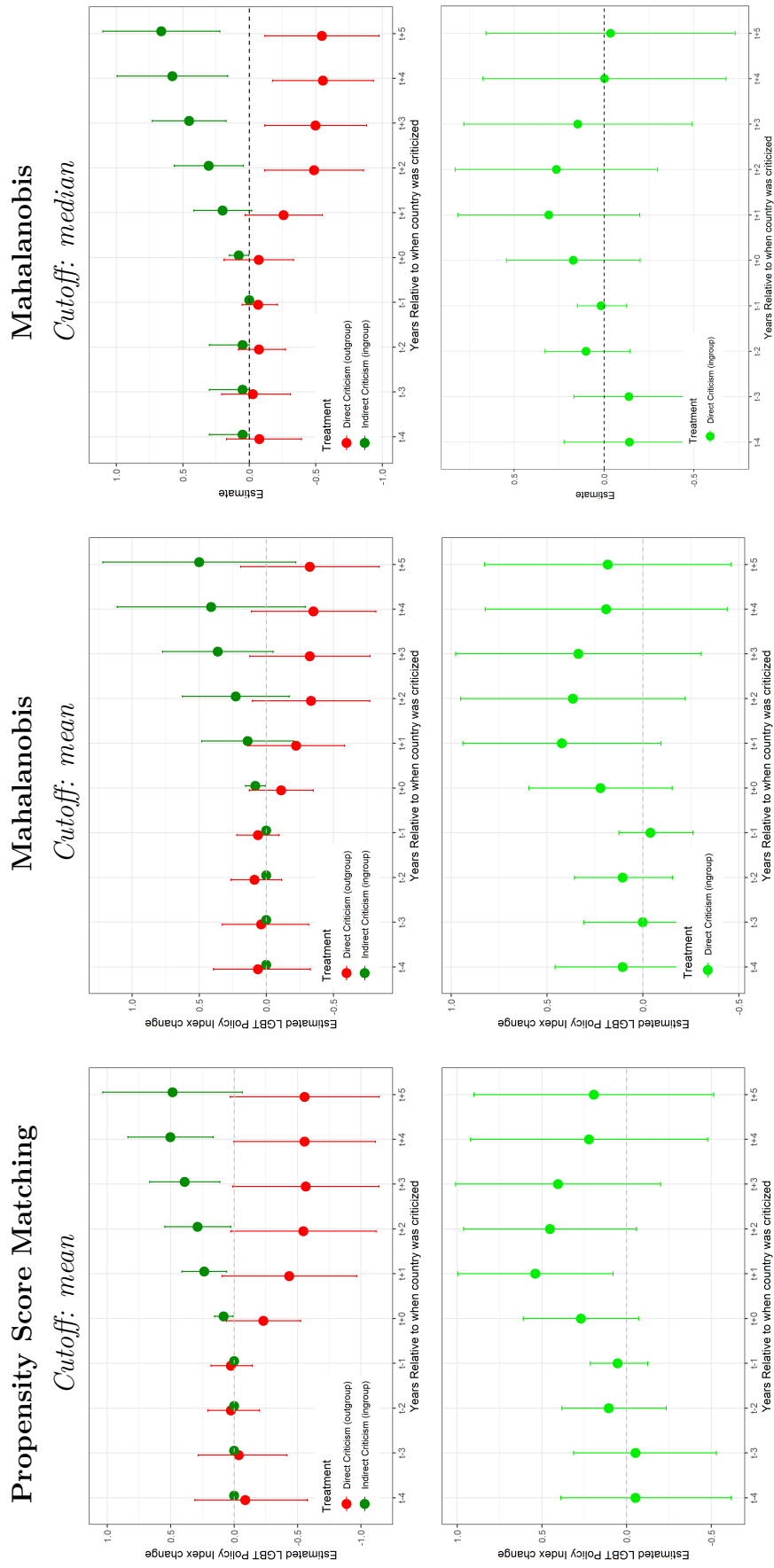Figure A.4: Estimated effects of criticism on LGBT rights index using Mahalanobis distance matching.

Figure A.5: Direct and indirect effects of criticism on LGBT rights index.

A.8 Results of Linear Regressions for Panel Data

In this section I test the relationship between direct criticism (ingroup), direct criticism (outgroup), and indirect criticism (ingroup) using an alternative and simpler method. I begin by running lineal regressions for panel data with random effects (Baltagi 2013) to estimate the following equation:[16]

$$LGBT_{it} = \alpha + \beta_{ki}X_{it} + (\mu_i + \epsilon_{it}) \tag{1}$$

where $LGBT$ is the LGBT policy index of country i in time t for the period 2008-2020. This first model includes only the control variables, denoted as k, as well as variance introduced by units, μ, and error introduced by units and time, ϵ. Each model lags the independent variables 1 to 4 years. Results are presented in Table A.4.

The empirical analysis confirms expectations derived from some alternative explanations but not others. First, as the domestic mobilization argument predicts, the number of domestic LGBT NGOs increases the likelihood of adopting new progressive policies. Second, the more religious is a government's ideology, the more likely it will adopt a regressive LGBT policy. Contrary to modernization theory, the more developed a country, the less likely to adopt progressive LGBT policies or the more likely to adopt regressive LGBT policies. A country's political regime does not predict consistently the adoption of pro- or anti-LGBT policies: model 1 suggests that democratizing countries are the most likely to adopt progressive policies, while model 4 suggests that full democracies are the most likely to adopt progressive policies and democratizing countries the most likely to adopt regressive policies. The role of transnational advocacy, the Pope's visit, the government's political ideology, and the strength of domestic civil society do not predict changes in the LGBT policy index. In sum, domestic mobilization, and religious influence are the only predictors of LGBT policy change according to Table A.4.

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[16]Random effects allows to focus on effects both within and between countries.

Table A.4: Results of Linear Regressions for Panel Model estimating equation 1

	Dependent variable:			
	1 year lag	2 years lag	3 years lag	4 years lag
	(1)	(2)	(3)	(4)
Transnational Advocacy	-0.002	0.013	0.020	-0.005
	(0.025)	(0.023)	(0.022)	(0.021)
Pope's Visit	-0.095	-0.158	-0.098	-0.153
	(0.095)	(0.098)	(0.095)	(0.097)
Ideology: Left	0.080	-0.029	-0.081	-0.056
	(0.051)	(0.050)	(0.050)	(0.050)
GDP pc	-0.334***	-0.405***	-0.437***	-0.423***
	(0.105)	(0.104)	(0.108)	(0.111)
Domestic LGBT NGOs	0.245***	0.130***	0.116**	0.136***
	(0.056)	(0.050)	(0.047)	(0.044)
Democracy	3.336***	1.468	-0.530	-2.497*
	(1.149)	(1.210)	(1.287)	(1.350)
Democracy	-5.714***	-2.720**	0.145	3.200**
	(1.189)	(1.288)	(1.423)	(1.541)
Civil Society strength	0.0005	-0.190	0.006	0.103
	(0.391)	(0.396)	(0.395)	(0.393)
Religious government	-0.500***	-0.364***	-0.132	-0.082
	(0.084)	(0.092)	(0.096)	(0.099)
Observations	1,994	1,694	1,540	1,385
R^2	0.051	0.034	0.025	0.031
Adjusted R^2	-0.045	-0.082	-0.104	-0.112
F Statistic	10.765***	5.830***	3.867***	4.290***

Note: *p<0.1; **p<0.05; ***p<0.01

18

A.9 Direct Criticism not Mediated by Ingroup/Outgroup Status

In this section I estimate the following equation, where DP is the indicator *Direct Pressure*:

$$LGBT_{it} = \alpha + DP_{it} + \beta_{ki}X_{it} + (\mu_i + \epsilon_{it}) \tag{2}$$

Table A.5 presents the results of linear regressions for panel data that include *Direct Criticism* as an independent variable. This variable, however, is not mediated by the ingroup/outgroup status between sender and target. In other words, *Direct Criticism* indicates whether a country has been criticized any other country or not.

The coefficients and significance of control variables remain similar to those presented in Table A.5. At the same time, results suggest inconclusive effects of plain direct criticism. Proponents of the positive effects of criticism might look at model 1 and conclude that criticism leads to the adoption of progressive LGBT policies. Skeptics could look at model 2 and conclude that criticism does not have an effect on human rights policy change. Finally, scholars who argue criticism generates backlash will find models 3 and 4 as examples of empirical evidence in favor of their argument. Table A.5 shows how ignoring the ingroup/outgroup status between sender and target affects how scholars interpret the relationship between criticism and human rights change. Furthermore, the F-statistics in Table A.5 are significantly lower than in Table A.4, suggesting that including an indicator of Direct Criticism independent of the ingroup/outgroup status reduces the variation explained by variables included in the model.

Table A.5: Results of Linear Regressions for Panel Model estimating equation 2

| | Dependent variable: | | | |
| | 1 year lag | 2 years lag | 3 years lag | 4 years lag |
	(1)	(2)	(3)	(4)
Direct Criticism	0.080	-0.150*	-0.287***	-0.157*
	(0.086)	(0.083)	(0.085)	(0.088)
Transnational Advocacy	-0.007	0.017	0.027	-0.0002
	(0.025)	(0.023)	(0.022)	(0.021)
Pope's Visit	-0.098	-0.154	-0.096	-0.151
	(0.095)	(0.098)	(0.095)	(0.097)
Ideology:Left	0.076	-0.021	-0.066	-0.051
	(0.051)	(0.051)	(0.050)	(0.050)
Pressure (Trade)	0.012	0.008	0.018**	-0.006
	(0.009)	(0.008)	(0.009)	(0.009)
GDP pc	-0.335***	-0.400***	-0.427***	-0.427***
	(0.105)	(0.105)	(0.107)	(0.111)
Domestic LGBT NGOs	0.246***	0.133***	0.119**	0.136***
	(0.056)	(0.050)	(0.047)	(0.044)
Democracy	3.307***	1.548	-0.146	-2.354*
	(1.149)	(1.210)	(1.287)	(1.355)
Democracy	-5.637***	-2.814**	-0.379	2.915*
	(1.190)	(1.289)	(1.425)	(1.550)
Civil Society strength	-0.006	-0.198	-0.013	0.105
	(0.391)	(0.396)	(0.394)	(0.393)
Religious government	-0.502***	-0.357***	-0.123	-0.080
	(0.084)	(0.092)	(0.096)	(0.099)
Observations	1,994	1,694	1,540	1,385
R^2	0.053	0.036	0.034	0.035
Adjusted R^2	-0.044	-0.081	-0.096	-0.109
F Statistic	9.146***	5.077***	4.291***	4.023***

Note: *p<0.1; **p<0.05; ***p<0.01

A.10 Criticism Mediated by Ingroup/Outgroup Status

I next estimate the following equation that includes the two independent variables representing each of the two hypotheses derived from the theory as well as the measure of direct criticism from ingroups.

$$LGBT_{it} = \alpha + \beta_{1i}DCin_{it} + \beta_{2i}DCout_{it} + \beta_{1i}ICin_{it} + \beta_{ki}X_{it} + (\mu_i + \epsilon_{it}) \qquad (3)$$

In equation 1, *DCin* represents direct criticism from an ingroup country, *DCout* is direct criticism from an outgroup, and *ICin* is indirect criticism from an ingroup. I include all control variables in Table A.4 plus *Pressure (trade)* that weighs the target's direct pressure received by the share of its trade the sender represents. This variable controls for an alternative mechanism that might influence the effect of pressure on a target's policy change: material dependency on the sender. Results are presented in Table A.6.

Direct criticism from ingroup countries is positively correlated with the adoption of progressive LGBT policies, and it is statistically significant at the 0.05 level only when variables are lagged one year. Furthermore, in model 4, the relationship turns negative. Although criticism from ingroup countries should increase the likelihood of the target being willing to adapt to the sender's demands, the humiliation and embarrassment produced by being criticized publicly cancels out the effect of direct criticism (ingroup) on the adoption of progressive LGBT policies.

Results also show that direct criticism from outgroup countries generates backlash. This negative relationship is statistically significant at $\alpha = 0.05$ in models 2 through 4 and significant at $\alpha = 0.10$ in model 1 confirming H1. When criticized by an outsider, countries are more likely to adopt regressive LGBT policies. However, not all criticism has negative effects: the evidence indicates that criticism generates the adoption of pro-LGBT policies in observer ingroups. Put differently, indirect criticism increases the probability that countries will enact progressive LGBT policies. This relationship is statistically significant in all models and provides strong evidence in favor of H2. Furthermore, the F-statistics in Table A.6 are significantly higher than in Table A.5, suggesting that including *DCin*, *DCout*, and *ICin* further improves the models.

It becomes clear from Table A.6 that the ingroup/outgroup status between sender and target/observer is critical to understanding the effect of criticism in the adoption of LGBT policies. Moreover, it is also evident that criticism could lead to both progress and

Table A.6: Results of Linear Regressions for Panel Model estimating equation 3

	Dependent variable: LGBT policy index			
	1 year lag	2 years lag	3 years lag	4 years lag
	(1)	(2)	(3)	(4)
Direct Criticism (ingroup)	0.342***	0.175	-0.033	0.033
	(0.111)	(0.110)	(0.111)	(0.114)
Direct Criticism (outgroup)	-0.273**	-0.394***	-0.433***	-0.250**
	(0.108)	(0.102)	(0.102)	(0.106)
Transnational Advocacy	-0.0001	0.028	0.038*	0.007
	(0.025)	(0.023)	(0.022)	(0.022)
Pope's Visit	-0.109	-0.161*	-0.101	-0.153
	(0.095)	(0.098)	(0.095)	(0.097)
Ideology:Left	0.077	-0.020	-0.066	-0.053
	(0.051)	(0.050)	(0.050)	(0.050)
Pressure (Trade)	0.008	0.002	0.014	-0.010
	(0.009)	(0.008)	(0.009)	(0.009)
GDP pc	-0.317***	-0.382***	-0.409***	-0.412***
	(0.105)	(0.104)	(0.107)	(0.111)
Domestic LGBT NGOs	0.246***	0.131***	0.120**	0.138***
	(0.056)	(0.050)	(0.047)	(0.044)
Democracy	3.165***	1.278	-0.311	-2.527*
	(1.146)	(1.207)	(1.284)	(1.356)
Democracy	-5.396***	-2.359*	-0.039	3.241**
	(1.188)	(1.289)	(1.424)	(1.554)
Civil Society strength	-0.033	-0.201	-0.016	0.106
	(0.390)	(0.394)	(0.393)	(0.393)
Religious government	-0.494***	-0.364***	-0.136	-0.084
	(0.084)	(0.091)	(0.096)	(0.098)
Observations	1,994	1,694	1,540	1,385
R^2	0.052	0.033	0.024	0.033
Adjusted R^2	-0.046	-0.085	-0.107	-0.113
F Statistic	9.477***	5.739***	4.573***	3.892***

Note: *p<0.1; **p<0.05; ***p<0.01

backlash.

Coefficients from control variables are all similar from Table A.4. I also estimate equation 1 but with the median number of resolutions cosponsored as a cutoff for ingroup/outgroup relationship. Results from this analysis are presented in Table A.7.

Figure A.6: Estimated effect of LGBT criticism on LGBT Policy Index based on models from Table A.7.
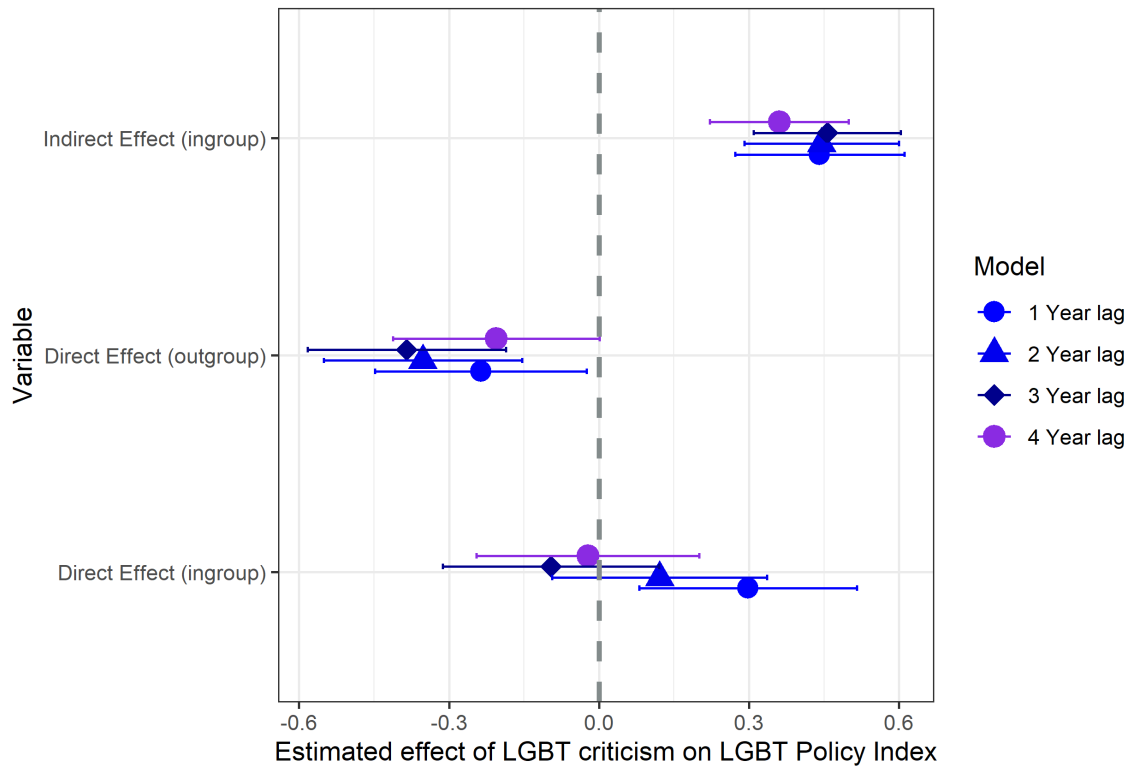
Table A.7: Results of Linear Regressions for Panel Model estimating equation 3

	Dependent variable: LGBT policy index			
	1 year lag	2 years lag	3 years lag	4 years lag
	(1)	(2)	(3)	(4)
Direct Criticism (ingroup)	0.298***	0.121	-0.096	-0.022
	(0.111)	(0.110)	(0.110)	(0.114)
Direct Criticism (outgroup)	-0.236**	-0.352***	-0.384***	-0.206*
	(0.108)	(0.101)	(0.101)	(0.105)
Indirect Criticism (ingroup)	0.441***	0.445***	0.456***	0.360***
	(0.086)	(0.079)	(0.075)	(0.071)
Transnational Advocacy	-0.001	0.025	0.034	0.003
	(0.025)	(0.023)	(0.022)	(0.022)
Pope's Visit	-0.115	-0.168*	-0.110	-0.159*
	(0.094)	(0.097)	(0.093)	(0.096)
Ideology:Left	0.072	-0.025	-0.072	-0.058
	(0.051)	(0.050)	(0.050)	(0.049)
Pressure (Trade)	0.009	0.003	0.014	-0.009
	(0.009)	(0.008)	(0.009)	(0.009)
GDP pc	-0.245**	-0.299***	-0.312***	-0.322***
	(0.105)	(0.104)	(0.107)	(0.111)
Domestic LGBT NGOs	0.208***	0.093*	0.081*	0.108**
	(0.056)	(0.050)	(0.047)	(0.044)
Democracy	3.679***	1.996*	0.489	-1.718
	(1.143)	(1.202)	(1.274)	(1.351)
Democracy	-5.790***	-2.905**	-0.644	2.542
	(1.182)	(1.280)	(1.409)	(1.544)
Civil Society strength	-0.063	-0.250	-0.071	0.051
	(0.387)	(0.391)	(0.388)	(0.389)
Religious government	-0.463***	-0.318***	-0.079	-0.035
	(0.083)	(0.091)	(0.095)	(0.098)
Observations	1,994	1,694	1,540	1,385
R^2	0.052	0.032	0.022	0.032
Adjusted R^2	-0.047	-0.086	-0.111	-0.115
F Statistic	10.880***	7.848***	7.187***	5.652***

Note: *p<0.1; **p<0.05; ***p<0.01

A.11 Goodness of Fit

In this section I compare the goodness of fit of models that estimate regressions 1, 2, and 3. The first is the equation that ignores state-to-state criticism while the second incorporates a plain indicator of whether a country has been criticized or not without considering the ingroup/outgroup relationship between target and sender. The latter represents the equation that differentiates between criticism from ingroups and outgroups.

The Bayesian information criterion (BIC) allows to compare the goodness of fit of different regression models (Schwarz 1978). Practically, regression model fit to data and the lowest BIC is the one that best fits the data. Table A.8 presents the BICs of regressions results in Tables A.4, A.5, and A.6. To evaluate which model better predicts human rights policy change it is necessary to read by column since models comparable by the number of years independent variables are lagged. In all comparisons, mediating criticism by the ingroup/outgroup status *improves* the regression models.

Table A.8: Bayesian information criterion of models that estimate equations 1, 2, and 3

	Model	1 Year lag	2 Year lag	3 Year lag	4 Year lag
1	No State-to-State Criticism	$4,165.628$	$3,048.381$	$2,522.367$	$2,013.687$
2	Criticism not Mediated by I/O	$4,176.817$	$3,059.523$	$2,523.330$	$2,021.803$
3	Criticism Mediated by I/O	$4,149.647$	$3,025.017$	$2,487.986$	$2,004.090$

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