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International Attention and the Treatment of Political Prisoners

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Does international attention to political prisoners make them more likely to be released? The political science literature provides theoretical reasons to believe that widely publicizing a case may make regimes both more and less likely to free their prisoners, but to date there has been no systematic examination of this issue. An analysis of political prisoners in China from 1994 to 2017 shows that international publicity of a political prisoner's case will make regimes 70 percent more likely to release them early before sentencing, but has no effect once the prisoner has been sentenced—and may even be counterproductive. This “resistance” to international efforts appears to be more closely related with demonstrating the regime's strength to an international audience rather than to a domestic one. The study shows how fine-grained data on individuals can illuminate the domestic mechanisms behind why states comply with or resist transnational activism and human rights diplomacy.

¿La atención internacional a los presos políticos hace que su liberación sea más probable? En ciencias políticas, la literatura ofrece razones teóricas para creer que la amplia difusión de un caso puede hacer que los regímenes tengan más y menos probabilidades de liberar a sus presos, pero hasta la fecha, esa cuestión no se ha evaluado sistemáticamente. Un análisis del caso de los presos políticos en China entre 1994 y 2017 demuestra que la publicidad internacional hace que los regímenes sean un 70 percent más propensos a liberarlos antes de la sentencia, pero no tiene ningún efecto una vez que el preso ha sido condenado, e incluso puede ser contraproducente. Esta “resistencia” a los esfuerzos internacionales parece tener mayor relación con la demostración de la fuerza del régimen ante un público internacional que ante uno nacional. El estudio muestra de qué manera los datos detallados sobre las personas pueden echar luz sobre los mecanismos internos que explican las razones por las que los Estados cumplen con el activismo transnacional y la diplomacia de los derechos humanos o se resisten a hacerlo.

L'attention internationale accordée aux prisonniers politiques les rend-t-elle davantage susceptibles d'être libérés? La littérature consacrée aux sciences politiques offre des raisons théoriques de croire qu'une grande sensibilisation du public à un cas spécifique peut rendre les régimes à la fois plus et moins susceptibles de libérer leurs prisonniers, mais jusqu'ici, ce sujet n'a pas encore fait l'objet d'un examen systématique. Une analyse portant sur les prisonniers politiques de Chine entre 1994 et 2017 montre que la sensibilisation internationale du public au cas des prisonniers politiques rend les régimes 70 percent plus susceptibles de les libérer rapidement avant leur condamnation, mais que cela n'a aucun effet une fois que le prisonnier a été condamné et que cela peut même être contreproductif. Cette « résistance » aux efforts internationaux semble davantage étroitement liée à la volonté du régime de montrer sa force au public international plutôt qu'au public national. Cette étude illustre la manière dont des données détaillées sur les individus peuvent apporter un éclairage sur les mécanismes nationaux qui expliquent pourquoi les États se conforment ou résistent à l'activisme transnational et à la diplomatie des droits de l'Homme.

Does international attention to political prisoners improve their plight? Does media publicity, transnational activism, and high-level diplomacy over people arrested for political reasons make their governments more likely to release them?

Despite its importance for the prisoners themselves and for our understanding of international relations, this question has not been tested. On the other hand, there are plenty of anecdotal accounts of high-profile campaigns that have led to dictatorships offering amnesty to a dissident. Let's take the example of China, the subject of this study. In September 1993, China was on the shortlist to host the 2000 Olympics Games. Just nine days before the decision was due to be made, Wei Jingsheng, China's most famous dissident and the subject of a fourteen-year-long international outcry, was released six months before the end of his sentence. For many, the release was a success for human rights diplomacy and “proof that China does bow to foreign pressure” (Copper and Lee 1997, 43). After his release Wei

himself said that without public campaigning, political prisoners like him would not be free (Woodman 2016).

Perhaps even more internationally fêted than Wei was Liu Xiaobo, China's Nobel Peace Prize-winning dissident. In contrast to Wei, none of the prizes afforded to Liu were enough to ensure his release, and he died in 2017, still in a Chinese jail. In some cases, there is evidence that high-profile international criticism might have made matters worse for prisoners like Liu, by provoking a backlash from the targeted governments.¹ More generally, there are examples of times when international campaigns to push regimes to take up more liberal human rights policies have had the precise opposite effect, leading to even greater violations.²

Anecdotes are not enough, however, to make a compelling case for whether public attention to the cases of political prisoners is effective or not. Nor do they tell us when that publicity is most likely to be effective. The purpose of this study is to provide the first systematic test of whether

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Author's note: The data underlying this article are available on the ISQ Database at <https://dataverse.harvard.edu/dataverse/isq>.

¹ See the Saudi backlash to Canadian criticism of the arrest of the Badawis (Dyer 2018) or the Nigerian backlash to criticism of the arrest of Amina Lawal (Iman and Medar-Gould 2003).

² See the reaction to the campaign against genital cutting in Kenya in the 1990s (Reaves 1997) or to the campaign for gay rights in Uganda in 2014 (Allen 2014).

international publicity of political prisoners does actually make those prisoners more likely to be released.

By “international publicity” I refer to any attempts by international actors, from media to NGOs, and international organizations to states, to shine a light onto political prisoners’ arrests or poor treatment, attempts that often also involve public appeals for their release and high-profile efforts to put pressure on the offending government. These kinds of appeals are often contrasted with so-called quiet diplomacy, diplomacy that seeks to work behind closed doors, using private negotiations to plead for better treatment of individual prisoners (Kinzelbach 2014).³

I examine the effectiveness of international publicity using the case of China. In 2018, the human rights group Frontline Defenders estimated that China was holding over 800 political prisoners (Radio Free Asia 2018), and since the post-Tiananmen crackdown of 1989 the international community has put the Chinese government under heavy pressure over these prisoners. The success of those efforts has been heavily debated, with convincing arguments made for how the Chinese Communist Party (CCP) has given in to international pressure to release its prisoners (Kamm 2004; Fleay 2006), as well as equally convincing ones for how that same international pressure has made the Party more determined to keep dissidents behind bars (Drury and Li 2006; Wachman 2001). China is certainly a hard case for the international human rights community, as its economic power means that it is far better placed to resist international coercion (Keck and Sikkink 1998, 118).

In this study, I find that publicity from either the New York Times (NYT), Amnesty International (AI), or the US State Department succeeded in making political prisoners in China over 70 percent more likely to be released—but only before they were sentenced in court. Contrary to anecdotal accounts, already-sentenced prisoners subject to international publicity were no more likely to be released before the end of their sentence. In recent years, this attention may have even reduced the likelihood of early releases. The CCP is also more likely to free detainees from pretrial detention around high-profile diplomatic meetings with the United States, but again, there is no evidence that these meetings contribute to the early release of prisoners after they have been sentenced.

To date, all analyses of the success or failure of naming and shaming as a tactic take a wider lens, with the consensus that its aggregate use can improve a country’s overall human rights performance in the following year (Franklin 2008; DeMeritt 2012; Hendrix and Wong 2013; Esarey and DeMeritt 2017). However, these wider studies elide the nuance and heterogeneity of governments’ responses to naming and shaming and are unable to pin down the form of those responses—are they a targeted fix of the criticized problem, or a more general improvement in overall human rights conditions? Do governments comply in the short term on the issue they are shamed on, in order to deflect attention away from longer-term deterioration (Hafner-Burton 2008)? Or do they make a song and dance about defying foreign criticism on that issue (Terman n.d.), but get ground down over the longer term? We need to know more about the pattern of how regimes respond to international attention to their human rights and disaggregate that response so that we know what kinds of attention work and when.

This article aims to study the concrete impact of highlighting the treatment of particular individual prisoners and provides much needed evidence on the conditions under which

this highlighting is most likely to succeed. Indeed, this is one of the few studies in existence that looks at the impact of human rights naming and shaming at a case level. Focusing on individual prisoner cases allows us to demonstrate that governments do take direct and targeted action in response to international publicity of their human rights violations. It shows that even for a country like China, international efforts to change a particular human rights behavior can successfully change that behavior—but only behaviors that are not too costly for the survival of the target regime. Even the world’s most powerful authoritarian regime does respond to negative international publicity, but only to a point.

Theorizing the Impact of International Attention on Political Prisoners

Knowing that people outside are watching can provide strength and encouragement to prisoners. As the husband of the then-detained British–Iranian Nazanin Zaghari-Ratcliffe noted, the international appeals for his wife’s release from Iranian custody showed her that “there is kindness out there, there is light, and that she is not alone” (Ratcliffe 2016).

But shining the spotlight onto cases like Zaghari-Ratcliffe’s is also about trying to ensure her release. International coverage may inform other would-be dissidents about the arrest of one of their colleagues or spark support for the dissidents among the wider public (Murdie and Bhasin 2011; Davis et al. 2012; Hendrix and Wong 2013). Together, this may increase the likelihood that opposition groups will mobilize to protest the arrest of the prisoners or to protest government repression in general (Simmons 2009; Hendrix and Wong 2013). As former Soviet dissident Yuri Galanskov explained, by publicizing his country’s human rights violations in the 1970s: “the Western press and radio [were] fulfilling the tasks of what [was] lacking in Russia—an organised opposition.”⁴ In response, embattled authorities may make concessions, releasing prisoners to forestall future protests.

Perhaps the most-commonly discussed impact of international appeals on behalf of political prisoners is how they “shame” a country’s leaders in front of an international audience. The argument is that leaders care about global opinion that they care about their state’s country’s prestige as a valued member of international society. They hate to be criticized, because they worry about how they are perceived around the world, and stories of their persecution of peaceful activists threaten to make them look bad in front of their peers (Risse and Sikkink 1999; Braithwaite and Drahos 2002; Franklin 2008). As another former Soviet dissident, Anatoli Shcharansky, said about the country’s top politicians: “They are interested in Western public opinion ... [it is] what keeps us alive.”⁵

Shaming may also work indirectly. Continuous condemnation over their treatment of high-profile prisoners may affect countries’ reputations,⁶ leading other states, organizations, or businesses to impose their own punishments, in the form of curbs on foreign direct investment (Barry et al. 2013); trade (Peterson, Murdie, and Asal 2018); foreign aid (Esarey and DeMeritt 2017); or economic sanctions (Murdie and Peksen 2013).

⁴ Quoted in Reddaway (1972, 225).

⁵ Quoted in Dean (1980, 54).

⁶ Noncompliance with international agreements has been shown to have reputational costs (Lipson 1991), but the reputational cost of facing a naming and shaming campaign has not yet been tested.

³ Arguably incorrectly contrasted, given that these tactics may be complementary.

The theory is that the glare of publicity causes these direct and indirect costs, costs that push authorities to comply with appeals for the prisoners' release. Releasing prisoners may even serve as a safety valve to forestall calls for wider human rights reforms. Hafner-Burton (2008) argues that under-pressure regimes may act strategically, signing a few international agreements and releasing some dissidents to deflect the spotlight, all-the-while increasing their repression in less visible ways.

Whether strategic or not, we have a healthy set of cases in which the Chinese government has apparently given in to international appeals. In 1993, for example, US President Bush oversaw the early release of leaders of the 1989 Tiananmen movement (Wu 1993), while his son helped to cajole the premature release of the prominent activists Chen Ziming and Ngawang Sandrol nine years later (Pan and Pomfret 2002). More recently, many have credited international advocacy for ensuring the release of women's rights activists in 2015 (Denyer 2015) and of Liu Xiaobo's wife Liu Xia in 2018 (Poon 2018).

This gives us our first hypothesis:

Hypothesis 1: *International publicity of political prisoners will make them more likely to be released.*

Regimes may not just face costs if they ignore international pressure, but also if they give in to it. Domestically, leaders' legitimacy does not just come from how well they uphold their citizens' human rights, but also how well they defend them against foreign attack. Leaders may gain political capital from being seen to stand up to foreign pressure (Terman n.d.). Studies have shown that leaders may successfully "weaponize" foreign pressure over human rights violations to rally their public's support in favor of more repressive policies (Grossman et al. 2018; Gruffydd-Jones 2019), using international appeals to release political prisoners as a propaganda tool to bolster their own political standing.

Moreover, if they have staked their reputation on standing up to foreigners, leaders may feel that they cannot cave in to outside pressure. Regime hardliners, right-wing media outlets, or a key nationalist constituency in the public may make it politically impossible for leaders to show any concessions (Wachman 2001; Forsythe 2017). Some officials have allegedly asked for negotiations over their political detainees to be made in secret for precisely this reason—that international outcries force them into a corner where, to save face, they feel they need to keep the detainees in prison.⁷

This argument draws on the literature on the use of covert action in international diplomacy. According to Carson (2016), leaders often choose to conceal their adversaries' covert aggression, as to publicize it would create domestic pressures to escalate further. Keeping the aggression secret allows leaders to ignore the actions and therefore contain the conflict. Similarly, engaging in secret diplomacy over detainees may allow leaders to comply with demands to release prisoners without worrying about appearing weak at home.

Even if they want to release a political prisoner, high-profile international appeals that capture the attention of hardliners may make it harder for a leader to give in and release the prisoner on the quiet. International publicity can turn cases that would otherwise be treated as normal criminal procedures into matters of domestic and international politics, which are subject to different imperatives. For example, Cohen (2009) argues that diplomatic protests

on behalf of British national Akmal Shaikh over his death sentence for heroin smuggling in China ended up politicizing his case. The CCP became "determined to demonstrate its resistance to foreign pressure" and ordered the court not to carry out any professional psychiatric evaluation of Shaikh, which, in a normal criminal case, would have been standard practice and potentially forestalled his execution.

This explains some of Western countries' unwillingness to conduct diplomacy over Chinese political prisoners in public (Kinzelbach 2014), something that has seeped into practical advice provided to foreigners if they are arrested in China. According to one law firm, "your publicizing the unfairness of your arrest might just cause the local prosecutor or court to double down."⁸ In their study of American economic threats in the 1990s, Drury and Li (2006) find that threats of sanctions made the Chinese government less likely to carry out what they call "accommodative" actions—signing human rights agreements or releasing prisoners. For the authors (Drury and Li 2006, 311), this was because the Chinese public were well aware of the threats, and "to comply, even with trivial accommodations, meant that [Beijing] was publicly bowing to US pressure."

If so, international publicity should reduce the likelihood of political prisoners being released early, especially when the Chinese public and elites are well aware of the cases, leading to the following hypotheses:

Hypothesis 2: *International publicity of political prisoners will make them less likely to be released.*

Hypothesis 2a: *International publicity is more likely to backfire at times when domestic awareness of the publicity is high.*

The null hypothesis of this paper is that regimes will simply ignore all international publicity over their political prisoners. The logic behind this is that regimes' own domestic political reasons for locking up the prisoners are more important to them than the costs incurred by international condemnation. They have locked up these dissidents and activists for a reason, and this reason outweighs the benefits from complying with or defying international appeals.

This position appears overly homogenous. Some prisoners are more valuable than others—regimes see some dissidents as inherently dangerous to their political survival, while other activists have been taken off the streets merely as a warning. If Hypothesis 1 is correct, then international attention is likely to be more effective in ensuring the release of the less domestically valuable prisoners. It is not always clear, however, which prisoners are less valuable for regimes and therefore how we can test whether they are indeed more susceptible to international appeals in these cases.

One way of breaking this down is to see imprisonment as a process, with two main stages, pre- and post-sentencing. Potential troublemakers are often detained or arrested on the say of local actors, like a district's security forces, rather than on the orders of the central government. Central leaders do not have the capacity to dictate the detention of every single demonstrator or critic of the regime, which means that they need to delegate some of that responsibility to local actors (Greitens 2016; Liu 2019). This brings a principal-agent problem, whereby local actors act according to their own parochial priorities, or what they believe their leaders want, and do not necessarily just detain the activists that pose the biggest threat to the central regime (Cai 2010). In China, for example, local leaders have discretion to suppress unrest (Cai 2008) and repression is even delegated to third parties

⁷ See, for example, the leaked US diplomatic cable about Iranian political prisoners (Lobbying Efforts on Behalf of Iranian Political Prisoner Jahanbegloo, May 30, 2006. https://wikileaks.org/plusd/cables/06DUBAI3263_a.html).

⁸ <https://www.chinalawblog.com/2018/12/what-to-do-if-you-are-arrested-in-china.html>.

like private security companies (Ong 2018). Since stability management is one of the main routes to promotion for local bureaucrats (Liu 2019), diligent officials may even detain some of the more unthreatening protestors. The result is that, as Cai (2008, 25) says, “suppression is not limited to the settlement of regime-threatening actions,” and many of those locally detained for their political actions may not be the most “valuable” to the central government.

Some prisoners will be released at this stage, whether or not they have been formally arrested. This could be because they are viewed as low-risk for local officials, or because there is direction from the center to let them go. Some may have only been informally detained in a “catch-and-release” dynamic, to prevent them from protesting at sensitive times or to send a signal to other would-be protestors (Francisco 1996; Truex 2019).

Either way, for prisoners detained on political grounds, those freed before trial should, on average, be the least threatening to local or central authorities. Those tried and sentenced will therefore be selected into being more “valuable” as prisoners.⁹ This means that the central government will be more prepared to resist international appeals for an early release after sentencing than they would have been in resisting appeals for a release before sentencing. To put this another way, prior to sentencing, publicity will fall upon both high and low-value detainees. For low-value detainees, the costs accruing from international publicity will be higher than the costs of release, and they will be more likely to be released before trial. For high-value detainees, the costs of international publicity will be enough neither to stop the regime from sentencing them, nor to release them early from that sentence.

Moreover, when international actors appeal for the release of sentenced political prisoners, in some cases these original appeals come before the sentencing, at the time when the prisoners were first detained. If they had then gone on to be sentenced, the regime would have already factored any international outrage into their decision not to release them earlier and calculated that the international costs were worth the domestic benefits of keeping the prisoner behind bars.¹⁰

While in some cases, the decision whether or not to grant a sentence reduction or parole may be made by the local courts, in other cases the evidence points to central authorities playing an important role. For many political prisoners, especially those convicted of the more serious “counterrevolutionary” or “endangering state security” crimes, parole (medical or otherwise) is generally granted by a political decision from central authorities (Epstein and Wong 1996).¹¹

Compare two Tibetan writers, both imprisoned after they penned essays criticizing the Chinese government. On the one hand we have Tagyal, arrested in July 2010 after he wrote an open letter denouncing the government’s response to an earthquake in Qinghai. Following foreign media coverage of his arrest (Tran 2010) and an Urgent Action appeal from AI,¹² Tagyal was released on bail three months later, with some pointing to the power of international pub-

licity in ensuring his freedom (Human Rights House 2010). Then we have Shokjang, detained in March 2015 for an essay protesting the presence of Chinese security forces in Tibet. Shokjang’s case was highlighted immediately by AI,¹³ but unlike Tagyal, Shokjang was not released on bail but sentenced to three years in prison in early 2016 (Luca 2016), and subsequent appeals for his release continued to fall upon deaf ears. Eventually, he was released at the end of his sentence (Deutsche Welle 2018).

For detainees like Tagyal, their release on bail shows that they are not valuable enough for the regime to sentence them. Detainees like Shokjang, on the other hand, are valuable enough that the regime has already resisted all kinds of appeals for their release, making it more likely to resist them again after the sentence. Why authorities see some prisoners like Shokjang as being more valuable is a question for more detailed criminological analysis. Reasons could include group characteristics like ethnicity (Hou and Truex n.d.) or resident status (Lu and Drass 2002), as well as idiosyncratic factors like sincerity of confession (Lu and Miethe 2003) or perceived ideological standpoint. Preliminary analysis of the data (see the online appendix) suggests that political prisoners are more likely to be released prior to sentencing if they are democracy or human rights activists, lawyers, or students, but less likely to be released if they are Tibetan or associated with the Falun Gong religious group. In Shokjang’s case, the fact that his writing protested the central government’s overall policies toward Tibet, rather than Tagyal’s criticisms of the local government’s response to a specific incident, may have made him a more valuable detainee for the central authorities.

Whatever the reasons, the difference in value pre-and post-sentence means that intuitively, international appeals should be more effective in ensuring detainees’ release before sentencing, rather than afterward.

Hypothesis 3: *International publicity of political prisoners before sentencing will be more effective in leading to their early release than international publicity after sentencing.*

Databases

To test these hypotheses, I use the Congressional Executive Commission on China’s “Prisoner Detention Database.” This database collates news about the detention, arrest, sentencing, treatment, and release of political prisoners in China from a wide range of public sources, from Chinese newswires to human rights organizations. Importantly for our hypotheses, the database includes often detailed information on whether the prisoners have been released prior to sentencing; the length of any sentence; and whether they have been released early from that sentence.

The Commission defines a political prisoner as “an individual detained for exercising his or her human rights under international law.”¹⁴ As of April 2017, the database contained information on almost 8,800 individuals, beginning in 1981, but due to the increase in public availability of information about the prisoners has become much more detailed after the mid-1990s. The CECC is clear that it uses multiple—sometimes unreliable—sources, which often provide contradictory or incomplete information, especially for the earlier entries.

It is also worth noting that the CECC only includes one data entry per prisoner, meaning that those who have been

⁹Of course if Hypothesis 2a is correct then the value of the prisoner may in part come from international publicity.

¹⁰There is also a reputation cost here. Having already steadfastly resisted international disapproval before the prisoner was sentenced, choosing to then give in and release the prisoners risks damaging authorities’ reputation for resolve and consistency.

¹¹See <https://duihua.org/dialogue-issue-39-systemic-sickness-diagnosing-the-ills-of-medical-parole-in-china> and <https://www.duihuahrjournal.org/2008/03/op-ed-laws-not-favours-for-political.html> for discussions of parole in China.

¹²See <https://www.amnesty.org/download/Documents/36000/asa170232010en.pdf>.

¹³See <https://www.amnesty.org/download/Documents/ASA1714372015ENGLISH.pdf>.

¹⁴See the definition given at <https://www.cecc.gov/ppd-frequently-asked-questions-faqs>.

detained more than once only have their most recent detention recorded. In the CECC's description of the prisoner there is often information, however, on whether the prisoner has been previously detained. Where possible, there is now an entry for each publicly available detention, with some individuals included more than once. Excluding these repeated cases makes no difference to the results (see the online appendix).

Of course to be featured in the CECC database at all, prisoners will already have received some form of publicity, often by having their case picked up by local human rights organizations. Moreover, even some of those included in the database will be excluded from our analysis because of the lack of concrete data available on them. We should note, therefore, that those missing from our analysis are not missing at random—we are not examining the universe of all possible political prisoners since 1981 in China. We are instead comparing only those whose have seen some kind of local attention to their case (enough attention that their name has been added to the 8,800 other individuals in the CECC database, and enough information available about them to include in the analysis), but have not been given international publicity, to those whose cases have enough details to be included, and who also received international publicity.

It does mean that there is one notable limitation, therefore, which is that the analysis can say little about the subset of prisoners whose cases are obscure or are in such remote places that local NGOs have not been able to uncover the nature of the detention or release.

Early Releases

Ideally, we would compare those prisoners who have been released early with the rest of the dataset, i.e., those prisoners who have been released at-or-after the end of their sentence, or who have not yet been released. However, the fact that prisoners are often released in quiet means that for many cases the CECC does not have clear data on this. To pick one example, part of Falun Gong practitioner Mao Yongfang's description is as follows:

“On a date probably in early November 2009, based on report details, the Gaomi City People's Court sentenced the defendants to imprisonment ... Mao Yongfang, 6 years ... Information is not available on criminal charges.”

According to her sentence, Mao should have been released by 2015, but this information is not available. Comparing cases where we know there has been an early release to unknown cases like Mao's introduces biases, because the fact that there is international publicity means that there may be more attention to the prisoner's release, so we will be more likely to know about that release.¹⁵ Instead, therefore, we need to look at cases where we know the consequence—we know whether or not the prisoner has been released early. To do this, I limit our universe of cases to only those where there is clear evidence in the CECC that the prisoner has been released. I restrict this model to 1994 onward, to balance the greatest amount of coverage with accuracy. Through the 1990s and 2000s, the accuracy of the data in the CECC has improved. 1994 is the first year from which “certain” dates for releases—those releases where the date is included in the data—are greater in number than the “uncertain” dates. From 1994 onward, the total proportion of “uncertain” release dates is 24 percent, compared to 70 per-

cent before 1994. I limit this study to only those cases where the date of release is included in the database.

For each of these cases, I used CECC's descriptions and further research to determine whether there is evidence they were released early from their sentence. These sentences include both formal criminal sentences as well as administrative sentences to “Reeducation through Labour.”¹⁶ I only include a case as “early release from sentence” if there is clear evidence that the prisoner has been let go before the end of their prescribed sentence. In some cases, there is no information as to why they were let go early, while other cases mention parole, parole on medical grounds, or a release due to good behavior or sentence reduction. Excluding cases where it is indeterminable whether they were released early or not, cases where individuals were only given fifteen days or less of formal administrative detention, and those released on bail before sentencing leaves a total of 789 cases.

For prior to sentencing, I mark as “early release” only those cases where there is clear evidence they have been released from criminal detention either unconditionally or on bail before any criminal trial (and then, importantly, not tried within the year-long bail period).¹⁷ Examining those released on bail is more complicated as many of the earlier descriptions in the CECC contain very little information to the reasons why prisoners were released. It is only after 2008 that there is enough information in the database for whether prisoners were released on bail before trial, so I limit the database to this period (I do the same with the release-after-sentence data for comparability). Again I exclude those who have been only administratively detained for fifteen days or under. This is because unlike criminal detention, which can be up to thirty-seven days and is normally the precursor to formal arrest and trial, short administrative detention may be often on a “catch-and-release” basis (Truex 2019).¹⁸ In these cases, the release following a brief detention is often planned at time of arrest.

For this test, I extend the universe of cases to also include those that we have some evidence of either sentencing or release prior to sentencing. Evidence of sentencing indicates that detainees have not been released on bail before trial. This gives us a total of 1,876 cases.

International Publicity

I then search for whether each of these cases has been subject to international publicity prior to their release: from human rights organizations (HROs), international media, and governments.

As discussed above, international publicity encompasses a wide range of means by which actors shine a light onto political prisoners—from transnational activism and media reports to public diplomacy. The three sources of attention I use in this study—Amnesty, NYT, and the State Department—are designed to capture some of this range (see table 1 for descriptive statistics).¹⁹

Firstly, as a model for HRO attention to a prisoner, I include whether a prisoner is mentioned in any Amnesty International Urgent Actions. AI is arguably the most high-profile

¹⁶Reeducation through Labour (劳动教养) was a system of administrative detention where detainees could be sentenced to up to four years without trial. The system was formally abandoned in 2013 (see Hung 2003).

¹⁷For a good summary of bail in China, see <https://www.hrichina.org/en/legal-resources/hric-law-note-five-detained-women-released-guarantee-pending-further-investigation>.

¹⁸Including these cases makes no difference to the results.

¹⁹For pre-sentencing, I only include State Department, Amnesty, and NYT reports that came out prior to the sentencing.

¹⁵On the other hand, authorities may wish to release high-profile prisoners on the quiet, to avoid extra attention, introducing a bias in the opposite direction.

Table 1. Descriptive statistics

	<i>Since 1994</i>			<i>Since 2008</i>		
	<i>Evidence of release post-sentencing</i> <i>(all binary)</i>			<i>Evidence of more than fifteen days in detention plus either sentencing or release</i> <i>(all binary)</i>		
	<i>N</i>	<i>Mean</i>	<i>Standard deviation</i>	<i>N</i>	<i>Mean</i>	<i>Standard deviation</i>
Pre-sentence release				1,874	0.11	0.32
Post-sentence early release	789	0.29	0.45			
Any publicity	1,052	0.27	0.44	1,874	0.07	0.25
Of which: (pre-2008)	377			–		
(post-2007)	675			–		
(Democracy detainees)	399			444		
(Tibetan)	370			476		
(Xinjiang)	9			54		
(Falun Gong)	52			660		
(Christian)	80			125		
(Male)	637			1,091		
Amnesty	1,052	0.13	0.34	1,874	0.04	0.19
NYT	1,052	0.16	0.36	1,874	0.04	0.18
State Department	1,052	0.15	0.36	1,874	0.02	0.14
People's Daily report at sentence/arrest	1,052	0.05	0.22	1,874	0.01	0.10
Any Chinese news report at sentence/arrest	1,052	0.09	0.29	1,874	0.02	0.14

Italic values to clarify that these are subsets of the bold value - i.e., this is not the total number of Tibet cases in the database, but number of cases given publicity that are Tibet cases.

organization that highlights political prisoners around the world, and its attention will significantly raise international awareness of a prisoner's case. As a model for the level of international media coverage of a prisoner, I then include whether the case is mentioned in an NYT article in any form.²⁰ The NYT is a representative example of a high-profile international media organization and its attention also raises further awareness of a case. Finally, to model the level of foreign government attention, I look at whether the case is mentioned (prior to the prisoner's release) in the US State Department's annual country reports on human rights on China. These reports are public and often highly critical about China's treatment of political prisoners, albeit less widely read than those of Amnesty and the NYT (so are less useful in building up publicity for prisoners).²¹ However, they do serve as a good sample of those prisoner cases that have attracted a level of foreign state attention.²²

I produce a measure for each case that codes whether it has been subject to any form of international publicity—in other words whether it has been mentioned by at least one of AI, the NYT, or the State Department. Analysis of detainee characteristics indicates that there is little difference between who these organizations focus their attention on. The most consistent finding is that for all three groups, detainees from Tibet and those from the Falun Gong were far less likely to receive international publicity of any kind, pub-

licity that was instead overwhelmingly reserved for democracy and human rights activists (and that stays reasonably constant over time—see the online appendix for full details²³).

Analysis

I test whether international publicity to a prisoner's case makes them more likely to be released early, either before or after sentencing, with logistic regressions as follows:

$$Y = \alpha + \beta_1 \text{International Publicity} + \beta_2 X + \varepsilon$$

Y is a binary variable for whether a prisoner is released early and X is a vector of control variables that may affect both the likelihood of international publicity and the likelihood of release. I include controls for the "type" of political prisoner, in the first case whether the arrest is related to the three main categories of detention that vary in both the level of international attention and the likelihood of release: democracy or civil rights; Tibet; or Falun Gong.²⁴ Given that Christian NGOs may be more likely to highlight the cases of Christian prisoners, who may also be subject to more stringent treatment, I include a category for whether the prisoner is a Christian or not. I also include controls for the sex and province of the prisoner, as well as for the date of detention and release.

The results are clear. Foreign publicity has no impact on the likelihood of political prisoners being released early

²⁰The number of stories vary, from 1 mention up to 131 (for Wei Jingsheng).

²¹The total number of mentions again vary, from 1 mention to 16 for Qin Yongmin.

²²This analysis therefore tells us little about the impact of private diplomacy. It may be that prisoner cases not subject to publicity are more likely to be treated "quietly"—but equally, governments are arguably more likely to privately negotiate over cases that have already reached a certain level of publicity (those included in state department lists have almost certainly been mentioned in both quiet and public diplomacy). It is difficult to know which detainees have been subject to private negotiations, and this is worthy of future study.

²³If anything, the NYT was especially likely to focus on democracy activists, while Amnesty devoted (relatively) more attention to more "obscure" cases like Falun Gong and Tibetan detainees, perhaps reflecting the different institutional priorities.

²⁴In this time period, Xinjiang-related detentions were relatively scarce in the database.

Table 2. Logistic regression of impact of international publicity on likelihood of release of political prisoners, pre- and post-sentencing. Data from CECC-PPD. Post-sentence data include all prisoners where release is known. Pre-sentence data include all prisoners where sentencing or release is known. Except for dates and provinces, controls are dummy variables

	<i>Post-sentence (since 1994)</i>		<i>Pre-sentence (since 2008)</i>	
	(1)	(2)	(3)	(4)
Any publicity	0.056 (0.208)	-0.115 (0.241)	1.025*** (0.212)	0.834*** (0.223)
Democracy	0.445* (0.254)	0.265 (0.277)	0.846*** (0.200)	0.686*** (0.210)
Tibet	0.017 (0.271)	-0.031 (0.345)	-2.309*** (0.399)	-1.752*** (0.419)
Falun Gong	0.895** (0.373)	0.322 (0.464)	-3.122*** (0.482)	-2.934*** (0.487)
Christian	0.698 (0.368)	0.606 (0.406)	0.367 (0.258)	0.523* (0.280)
Female	-	0.010 (0.037)	-	0.202 (0.145)
Province	-	-0.001 (0.011)	-	-0.018** (0.0094)
Date detained	-	-2.38E-04*** (5.76E-05)	-	8.38E-04*** (1.11E-04)
Date released	-	2.73E-04* (6.60E-05)	-	-
Constant	-1.160*** (0.245)	-2.039*** (0.734)	-1.780*** (0.182)	-18.17*** (2.24)
n	789	724	1,874	1,832

Notes: Standard errors in parentheses. *** $p < .01$, ** $p < .05$, * $p < .1$.

from their sentence in China, casting doubt on Hypothesis 1 and Hypothesis 2 (shown in table 2). However, providing strong support for Hypothesis 3, publicity does make early release prior to sentencing more likely.²⁵ This effect is both significant and strong. Turning this into probabilities, it indicates that political prisoners receiving international publicity are an expected 70 percent more likely to be released before sentencing than if they had not attracted this attention.²⁶

For the post-sentencing model, I used cases that saw international publicity before the trial together with cases that only saw publicity after the sentence was given. But what if pre-trial attention to the detainees affects the length of the sentence authorities decide to give out?

By restricting international publicity to only those cases where there has been some attention to the prisoner before their sentence, and using an OLS regression with the same controls, I find that pre-trial publicity makes a prisoner's expected sentence significantly longer, increasing it by over 1.5 years.²⁷ This lends supports for the theory that there may be selection effects for those prominent detainees who do go to trial. If, pre-sentencing, international publicity is successful in ensuring the release of only a regime's least "valuable" detainees, then those detainees that receive international attention but who are not released will necessarily be the more valuable ones—and therefore should indeed be those who would receive longer sentences, all being equal.

²⁵These results also hold if the pre-sentence model only includes "released" prisoners.

²⁶These effects also hold for individual types of attention. Including the count of NYT stories per detainee (rather than a binary measure) gives similar results (see the online appendix).

²⁷ $p = .001$, see the online appendix.

The problem is that these longer sentences may themselves both increase and decrease the likelihood of an early release, complicating the story about the impact of previous international publicity on post-trial early releases. The solution is to limit ourselves to cases that have seen international publicity only after sentencing (around two-fifths of cases given any attention), which gives us an almost identical null result on early releases.

On a related note, this means that the post-sentencing model is dependent in part on the outcome of the pre-sentencing model. In other words, the sample of those prisoners who are available to be released early or not is determined by who is brought to sentence—and therefore to some extent by who has been released prior to their sentence as a result of international pressure. The concern here then is that, in the second post-sentencing model, excluding those prisoners who have been released and not brought to sentence may cause an estimation bias. To address this concern, I run a Heckman selection model (described in the online appendix), with a probit estimator in both stages. The first stage predicts selection into the sample of sentenced prisoners, while the second predicts whether that sample of prisoners will be released early from their sentence, adjusted by the results of the selection equation.²⁸

There are some characteristics that predict the likelihood of sentencing but not early release, which I include as instrumental variables in my selection equation but not the outcome equation. Political prisoners are more likely to be released prior to trial if they are democracy activists and if they are Christian, but are significantly more likely to be sentenced if they are Tibetan or are followers of Falun Gong. None of these affect the likelihood of early release after sentencing, and indeed, there are no variables in the dataset that predict whether prisoners will be released early from their sentences, supporting the view that by this stage, authorities have already taken prisoners' characteristics into account when choosing their sentence. Whether or not they release them early from this sentence appears to come down to more idiosyncratic factors.

The selection model's results are similar to the two independent models: foreign attention negatively predicts selection into the post-sentencing sample, but has no impact on early release post-sentence (see the online appendix).

Over Time

If, like the pre-sentencing model, we also limit the post-sentencing model to 2008 onward, we see that international publicity starts to have a negative effect on the likelihood of early release (figure 1). This means that post-2008, the difference between the impact on early releases pre-sentence as opposed to post-sentence is even more stark.

Of course, the overlap between the confidence intervals means that we cannot say conclusively that the odds have changed around 2008. However, including an interaction between date of release and international publicity in our equation shows that the impact of publicity on early releases has become significantly more negative over time. Given the huge changes in China's relationship with the West, we cannot pinpoint the reasons why, but it seems plausible that China's growing economic clout may have affected its willingness to resist foreign pressure (Chen et al. 2014, 177).

We should note that the quality of data in the CECC improves significantly over time. This means that

²⁸This means that for pre-sentencing, this is a truncated sample (it only includes prisoners who we know have been released at any point).

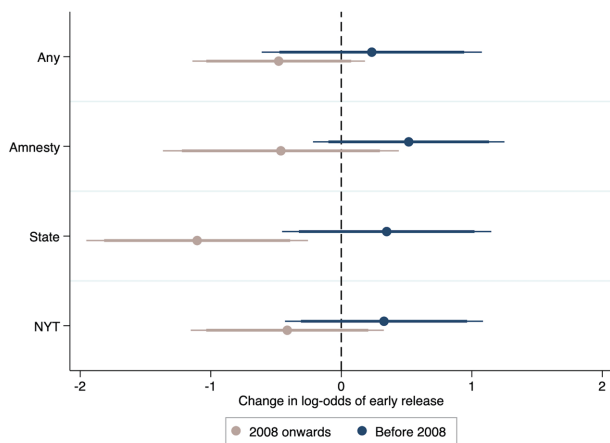


Figure 1. Impact of international publicity on early releases of political prisoners (after sentencing), before 2008 and after 2007. Size of bar represents 95 percent and 90 percent confidence intervals.

post-2007, the CECC cases are more likely to have definitive arrest, sentence, and release dates, whereas in the pre-2008 database these exact dates were more likely to be unavailable. Pre-2008, therefore, we are comparing cases that have received international publicity to more domestically prominent cases, prominence that might itself affect the likelihood of early release. Since the universe of cases included in the database changes over time in nonrandom ways, we should be tentative with any claims about fluctuations in the effectiveness of publicity.

However, if the falling effectiveness of international publicity is solely due to the improving data quality, then we should see similar impacts for all forms of publicity. If, however, the falling effectiveness is down to other factors, then we may see changes in one form of publicity but not others. In particular, if it is primarily due to a shift in the relative power from the United States to China, then it should be mainly driven by the impact of US State Department reports. In other words, if the Chinese government was primarily responding to the risk of sanction from the United States, then the prisoners it would be most likely to release would be those highlighted by the United States in its reports, rather than prisoners mentioned by an HRO like AI. We can see this pattern most clearly if we compare the early releases over time of prisoners who were mentioned by US State Department only, against those prisoners mentioned only by NYT and/or Amnesty.²⁹ As figure 2 shows, as the power imbalance between the United States and China falls, State Department reports move from having a positive impact on early releases to a clear negative effect, while non-State reports remain relatively constant in their null effect.³⁰

Domestic Concerns

Is this increasingly negative impact driven by the desire to play tough in front of a domestic audience? If so, we should see international publicity leading to fewer early releases only for those prisoners whose cases have been widely advertised in domestic media. To test this I code all detainees'

²⁹The interaction between time and State Department mentions is significant at the 1 percent level, but there is no significant interaction for non-State Department publicity.

³⁰This effect also holds if we only compare prisoners that have received a maximum of two pieces of attention (State department plus a maximum of one other) to prisoners that have received only AI and/or NYT attention.

cases that have been mentioned at their arrest (for pre-sentencing) or at their sentence (for post-sentencing) in the *People's Daily*, the CCP Party mouthpiece; and in any article found by a *Weibo news* search (using a VPN that places the searcher within mainland China). I also code those cases where, at their arrest or sentence, Chinese news has mentioned any kind of foreign attention to the prisoner. Using the same logistic model and controls, I then examine whether a "domestic mention" affects the likelihood of release. Of course, we cannot know the causal chain between media reports and early release. It might be that authorities proactively highlight a case precisely because they do not plan on releasing the prisoner early, and hope to gain public support—or it might be because the prisoner's case is already public knowledge that authorities feel the need to save face and resist foreign pressure.

But neither mentions of the case nor of the international attention surrounding it have any impact on the likelihood that prisoners are released early pre- or post-sentencing. This holds for all Chinese news reports and for all periods of time. Whether authorities have decided to proactively highlight the case or are responding to the weight of media coverage, this suggests that the desire to gain domestic public support is not an important cause of resistance to publicity.

Dealing with Endogeneity

The major concern with these studies is that there may be hidden factors about prisoners, unaccounted for in our dataset, that affect both the likelihood that they will receive international publicity and the likelihood that they will be released early. I control for the timing and type of detention, but it may be that Amnesty, the NYT, and the State Department choose to publicize the hard cases, or even the easy cases, skewing the likelihood that those cases will see an early release or not.

Firstly, any hidden factors behind attention to prisoners' cases will exist whether they are pre- or post-sentencing. This means that regardless of concerns around endogeneity, we can confidently say that international attention to prisoners is much more likely to be effective in ensuring early release pre-sentencing than post-sentencing. But what about the baseline effectiveness of international publicity? It is difficult to account for all the hidden factors that might affect whether advocacy groups or media outlets choose to highlight particular prisoners and not others, but there are a number of techniques we can use to minimize these concerns.

Let's first look at those cases where foreign publicity comes only after a prisoner's sentencing. There is evidence that prisoners are significantly more likely to subsequently receive international attention if they are given a longer sentence.³¹ These prisoners may be the most serious cases, and therefore less likely to be released earlier, or alternatively may be those who by virtue of their long sentence have a greater opportunity to be released early. To account for this, I include assigned sentence length as a control in the post-sentencing model, and the impact of international publicity on early release remains insignificant.³²

I then test both models using extra characteristics about the prisoners and their cases, extracted from the CECC descriptions.³³ International publicity is higher for

³¹Using a logistic regression with similar controls.

³²Coefficients if anything become more negative (see the online appendix).

³³These descriptions become far more detailed after 2000, when 97 percent of cases have full detail versus only around 11 percent before then.

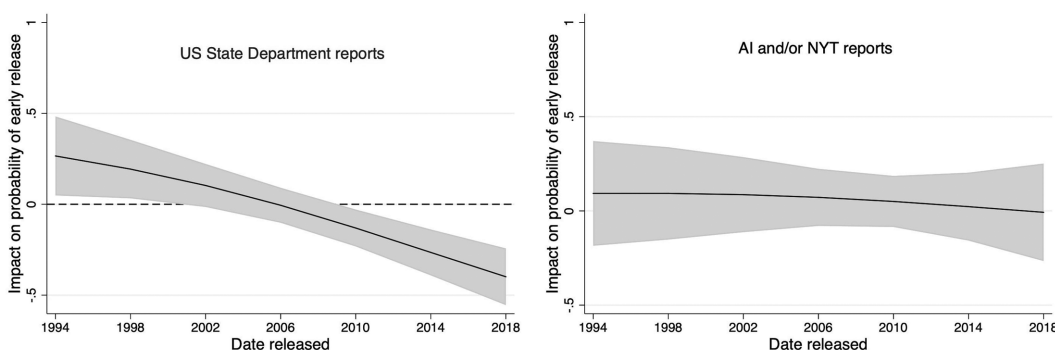


Figure 2. Impact of international publicity over time on early release of political prisoners post-sentencing. Prisoners mentioned by State Department reports only, versus prisoners mentioned by AI and/or NYT only. Data from CECC-PDD.

individuals who are activists, journalists, or lawyers,³⁴ so I include dummies for whether a detainee is a human rights lawyer/activist/protestor, journalist/writer, musician/artist, student, blue-collar worker, government/CCP worker, or religious figure, and whether they have faced mistreatment or medical aid in detention. I also include a control for the shortest distance from detainee's prefecture to one of Shanghai, Beijing, and Hong Kong, as well as distance to the provincial capital. Finally, I include controls for the population, GDP, foreign enterprises, foreign visitors, and internet access in the province of arrest, all factors which may influence whether news of the arrest reaches a foreign audience.

To make sure we are indeed only comparing detainees that are as similar as possible to each other, I also test using fixed effects by province, by type of detainee, and occupation. This ensures we are only comparing farmers to farmers, Christians to Christians, and people in Chongqing to people in Chongqing. The results are clear: controlling for all possible characteristics about the prisoners' cases, backgrounds, and locations makes no difference to the results, nor does the use of fixed effects by type, location, or occupation. International publicity consistently has a non-significant negative effect on early releases post-sentencing, but consistently has a significant positive effect on the likelihood of early release pre-sentencing, with coefficients ranging from 0.47 to 0.88.

Finally, I use formal propensity score matching methods. These seek to match non-treated individuals (without foreign publicity) to only those comparable treated ones (with foreign publicity) on all the characteristics of the prisoners and their detentions discussed above (Rosenbaum and Rubin 1985). We can then compare the treated and untreated subjects directly. For robustness, I use two different matching algorithms—Nearest Neighbour matching and Kernel matching.³⁵ I also include results from multivariate distance matching, which may improve balance relative to propensity score matching (King and Nielsen 2016), using the Mahalanobis algorithm.³⁶

The results are summarized in table 3. They show similar results to the logistic regressions, with a significant positive impact of publicity on release pre-sentencing but no effect post-sentencing. The ATT pre-sentencing is between 0.117 and 0.164, meaning that according to these models, publicity increases the likelihood of release by 11.7–16.4 percent-

age points, around double that from the logistic regression (which was 7.4 percentage points).

To repeat, the concern is that there are factors influencing both the cases that international groups choose to highlight and the cases that Chinese authorities choose for early release. It is possible that we cannot observe these factors by looking at characteristics of the prisoners themselves. Another option is therefore to use a kind of placebo: another less high-profile organization that nonetheless chooses certain political prisoners to highlight for its advocacy. If the organization's goals are similar to that of a high-profile organization like AI, then the process of choosing which prisoners to highlight or advocate for should also be similar. The difference will be in the profile and reach of the organization, and therefore the consequence of its highlighting. If there is no effect from the placebo organization, then we can attribute the effects of Amnesty's advocacy to its international reach and profile, rather than its selection procedures.

Therefore, as a placebo, I take China Human Rights' Defenders (CHRD), an NGO based in Washington, DC, which aims to provide support to Chinese human rights defenders. It also maintains a database of political prisoners and maintains profiles of 190 "prisoners of conscience" added since 2011, in order to bring these prisoners to the world's attention.³⁷

CHRD and Amnesty certainly differ in the way they choose prisoners to highlight. Amnesty has extensive resources, networks, and formal criteria for its activism,³⁸ while CHRD is far smaller and its ability to write a profile is limited more by the information that is publicly available.³⁹ And as a result, CHRD relies on detainees who were arrested in less remote areas—its profiles are more likely to feature detainees in more populous provinces, closer to provincial capitals, and closer to Beijing, Shanghai, or Hong Kong. Perhaps by virtue of its greater resources, Amnesty's profiled detainees are more evenly spread by location (see the online appendix).

The two organizations overlap slightly in who they choose to highlight, with only twenty-six prisoners shared in the pre-sentencing data and only twenty-four in the post-sentencing data (the correlations between the two are 0.30 and 0.16, respectively). As such, we can be confident that the CHRD list is not just a subset of the Amnesty list or vice versa.

Despite this, for our purposes, there is one important similarity between the two organizations: both Amnesty and

³⁴ 39.5 percent of detainees in these categories receive some form of international attention versus an average of 2.3 percent otherwise.

³⁵ See Caliendo and Kopeinig (2008) for a discussion of the relative strengths of each of these algorithms.

³⁶ See Caliendo and Kopeinig (2008). All used Stata's *kmatch* (Jann 2017).

³⁷ See <https://www.nchrd.org/2016/03/list-of-prisoners-of-conscience/>.

³⁸ See <https://www.amnesty.org/en/what-we-do/detention/>.

³⁹ From discussion with CHRD representatives.

Table 3. Impact of publicity on release, pre- and post-sentencing, using different matching methods. Each coefficient represents the average treatment effect on the treated (ATT) of foreign publicity. The matching methods used the following covariates: type of detainee, sex, occupation, location, treatment, and year of detention

	Propensity matching		Multivariate distance matching	
	Kernel	Five nearest neighbors	Kernel	Five nearest neighbors
Pre-sentencing	0.166*** (0.0582) [1,832]	0.144** (0.0573) [1,832]	0.165*** (0.0522) [1,832]	0.107* (0.0570) [1,832]
Post-sentencing	-0.7095 (0.0743) [627]	-0.0498 (0.0678) [627]	0.0329 (0.0451) [627]	-0.0018 (0.0569) [627]

Notes: Standard errors in parentheses. Observations in square brackets. *** $p < .01$, ** $p < .05$, * $p < .1$.

CHRD's prisoner profiles are designed to highlight political prisoners who face human rights abuses, with the goal of raising awareness among the public and policymakers about those prisoners and improve the likelihood of their release. While CHRD focuses on "human rights defenders" and Amnesty on people detained for their "beliefs, color, sex, ethnic origin, language, or religion" (Amnesty 1985, 347), representatives from both organizations mentioned that their main criteria were the egregiousness of the human rights violation. And while the locations of profiled detainees differ, both organizations focus on broadly the same kinds of individuals. Both are much less likely to focus on prisoners from Tibet and the Falun Gong, and much more likely to focus on lawyers and human rights/democracy activists. None of the other relevant detainee characteristics have any impact on CHRD or Amnesty's choices (see the online appendix).

The main way that Amnesty and CHRD differ is their reach internationally. CHRD has been lauded for its work and was mentioned thirteen times by the NYT and ten times by the South China Morning Post from 2008 to 2017, but it does not have the profile of AI, which was mentioned 1,410 and 318 times, respectively. It is worth repeating that both groups' prisoner profiles are a subset of CECC's broader database, so again, in both cases, we are comparing only those whose have already seen some kind of local attention to their case, to those who have been put on that list and then received extra publicity from either a low-profile or high-profile organization.

Using the same model, I test whether individuals highlighted by each organization are more likely to be released early. And unlike those highlighted by AI, individuals highlighted by CHRD around the time of their arrest as worthy of attention are no more likely to be released prior to sentencing (figure 3). Individuals highlighted by CHRD are also no more likely to be released early after sentencing, with similar coefficients as for AI individuals.

Of course, there are limitations with this comparison. The most prevalent difference between the Amnesty list and the CHRD list is the global reach of their publicity, suggesting that this is the cause of their distinctive impacts on release pre-sentencing. On the other hand, the similarity with the AI results means that CHRD "placebo" tells us little about the impact of publicity post-sentencing. Moreover, we cannot fully discount the possibility that there are relevant unobservable differences in how CHRD and Amnesty choose cases to highlight differences that are unrelated to their reach globally. For example, while CHRD chooses its cases based on the detainee's status as a "human rights defender," Amnesty chooses its cases based in part on the organiza-

tion's changing institutional priorities.⁴⁰ It is plausible that unobservable differences like this may be systematically related to the likelihood of early release pre-sentencing.

A final way to address the issue of endogeneity, therefore, is to use a different form of international publicity that is not affected by these potential hidden factors. Some observers have noted that early releases have often come when the world's attention has been on China (Human Rights Watch 2003; New York Times 2005)—authorities freed Chen and Sandrol just ahead of Jiang Zemin's visit to the United States, for example. In the build-up to the meeting, the international spotlight was particularly bright on the Chinese government's lack of respect for human rights and its detentions of political prisoners.

I focus on bilateral high-level US-China meetings from 1994 to 2017. These meetings have been front-page news around the world and have often heavily focussed on human rights issues and political prisoners in China. The meetings are generally planned well in advance and not arranged around the arrests or releases of political prisoners (at least not publicly). As such, they should be a relative exogenous form of international publicity. There have been numerous anecdotal accounts of high-profile prisoners being released just prior to the meetings, and according to Human Rights Watch (2003): "over the years the event most likely to trigger a prisoner release has been a high-level diplomatic visit between the United States and China. Such visits always put China's human rights record in the spotlight."⁴¹

I develop a time series model that uses the date of every political prisoner's release and early release between 1994 and April 2017,⁴² and examine the times around bilateral meetings (that include head of states or foreign ministers). I create variables that account for the time around the meetings, with Chinese trips to the United States and American trips to the China combined into one variable that codes 1 for the twenty-eight days either side, and use versions of the following time-series model:

$$Y_t = \alpha + \beta_1 \text{US} - \text{China Meetings}_{t+28, t-28} + \beta_2 X_{t-1, t-28} + f(T) + \varepsilon_t.$$

Here Y_t is our dependent variable, the number of releases of political prisoners on a given day t . The test uses a negative binomial model, with $f(T)$ as a time function for any temporal trends. While high-level meetings are planned in

⁴⁰ Personal correspondence with Amnesty representative.

⁴¹ A point also emphasized in personal discussions with representatives from Amnesty International.

⁴² The time of downloading.

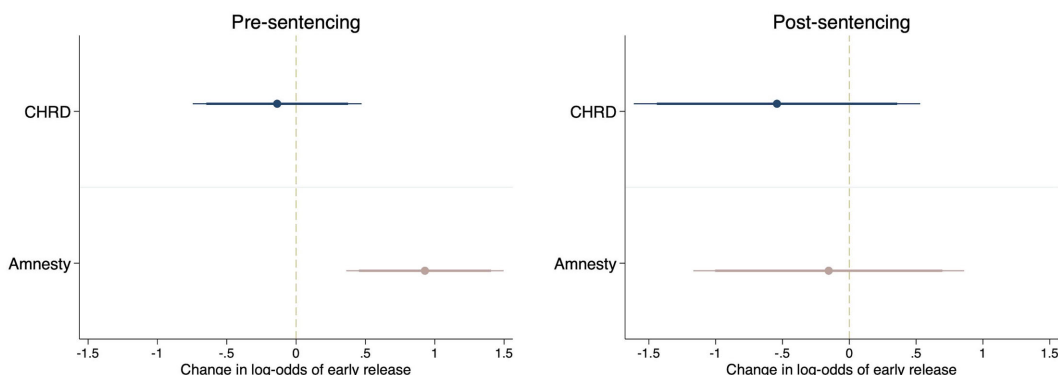


Figure 3. Impact of CHRD and AI publicity of political prisoners on likelihood of early release, post-2011. Size of bar represents 95 percent and 90 percent confidence intervals.

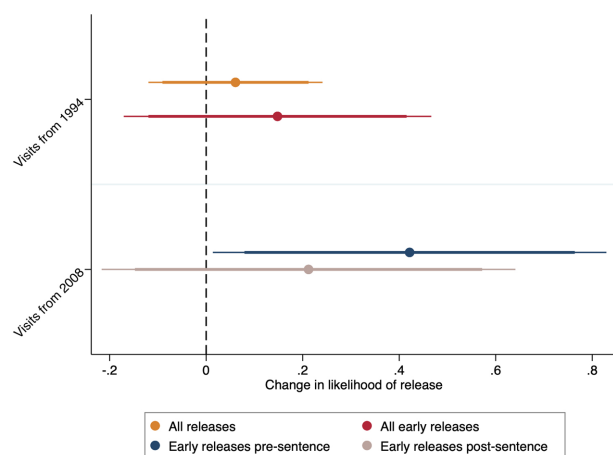


Figure 4. Non-binomial regression of impact of US–China meetings on likelihood of any release or early release of political prisoners (pre-sentence and post-sentence). Size of bar represents 95 percent and 90 percent confidence intervals.

advance, the model also includes X , a vector of regular events that have occurred over the last twenty-eight days or will in the next twenty-eight days, events that might affect both the timing of the meeting and the likelihood of releases. These include the “Lianghui” (两会), the CCP meetings held every Spring; Chinese New Year; and sensitive annual anniversaries or “focal events” (Truex 2019). These are times around which potential dissidents are more likely to be administratively detained to prevent them from coordinating. They are also sensitive times around which the CCP would potentially be less likely to organize high-level bilateral meetings. Since potential troublemakers may also be arrested around international meetings, I also include a control for the number of political detentions over the previous twenty-eight days.⁴³

Figure 4 shows that in contrast to the received wisdom, international scrutiny in the form of US–China meetings has only a minimal, non-significant impact on the likelihood of political prisoners being released in China. The only significant impact again comes prior to sentencing, whereby the expected number of releases increases by over 50 percent (an incidence rate ratio of 1.5244) around the US–China

meetings.⁴⁴ There is no significant impact post-sentencing. We should note again that the overlap between the confidence intervals means that we cannot conclusively compare the two (whether pre-sentence releases differ from post-sentence releases).

When Does International Publicity Work?

This study demonstrates that international publicity is far more effective in ensuring the release of political prisoners prior to their sentencing. When a Chinese political prisoner’s case is picked up by international media, human rights organizations, or governments before the sentencing, the prisoner is significantly more likely to be released before a trial. These kinds of early releases are more likely to occur around the times of the high scrutiny of a US–China diplomatic meeting. This paper argues that those political prisoners detained pre-sentencing are on average less “valuable” to a regime than those who have been sentenced to prison time. Regimes do comply with international appeals for the release of prisoners, but only when the prisoners are less important to them domestically. This is supported by the finding that those detainees who receive international publicity but are not released receive significantly longer sentences when they do go to trial.

Post-sentencing is, therefore, a different story. Overall, international attention (including diplomatic meetings) has had no impact on whether a prisoner is released early from their sentence in China. It is only when we break down the releases by their date that we start to see some definitive effects. There appears to have been a negative shift over time, so much so that publicity starts to have a counterproductive impact in the 2010s, with this pattern apparently driven by attention from the US State Department.

This study tells us little about the mechanisms of how international publicity works, but this shift does suggest that, as Risse, Ropp, and Sikkink (2013) argue, a country’s material vulnerability may be an important determinant of whether it will comply with international human rights norms. In this case, China’s growing economic power may have made authorities more willing to ignore American efforts to push them to release already-sentenced prisoners and even start to actively defy that pressure, keeping those prisoners in jail longer than they might otherwise have done.

⁴³ Separately, I control for the amount of international publicity toward political prisoners around the meeting, with no impact.

⁴⁴ At least in our truncated post-2008 sample, holding all other variables constant.

What might make international publicity backfire in this way? This study finds little evidence to support the popular view that domestic publicity pushes authorities to double down and save face, to avoid appearing to their public like they are giving in to international pressure. One plausible alternative is that defiance is for international reasons rather than domestic ones, as a signal, a show of strength to the United States that authorities are able to resist pressure to give light sentences, or to release prisoners early, even when they otherwise might have been freed. Of course the good news for the human rights community is that even with this defiance, international publicity is still highly effective in pushing authorities to release detainees prior to any sentencing.

This paper is the first to quantitatively examine this widely debated question, something that has importance for both the policies of governments and international organizations, as well as the politics behind transnational activism. International attention clearly provides much-needed succour and strength to detainees and may be highly effective in reducing mistreatment of prisoners in jail. But while there is definitive anecdotal evidence of when publicity has helped ensure the release of dissidents and activists, this study shows that in a powerful authoritarian state like China, the quantitative evidence is far more equivocal. Efforts to highlight the cases of prisoners will be very effective early on, before they are sentenced.⁴⁵ Once sentenced, however, international scrutiny of the cases will be ineffective in ensuring an early release and may even backfire as the ability to resist economic coercion grows. For this reason, the fact that this study was carried out in the world's most powerful authoritarian state means that it is difficult to generalize to less economically powerful states, where we may well see international exposure having more positive impacts. Future studies should examine a range of states over time to explore further how these economic dynamics affect compliance and defiance.

One important further caveat is that this study can only tell us about the average impact of *some* publicity on the likelihood of release. It does not tell us about the impact of individual special cases like Wei Jingsheng, who received enormous amounts of continuous attention from the media (over twice any other detainee) and was highlighted at the front of almost every US–China diplomatic meeting. For special cases like Wei, the sheer weight of international pressure may overwhelm even his high value domestically.

What this study does is demonstrate the value of using fine-grained data to explore how individual instances of transnational activism and international pressure influence states' domestic behaviors. Studies that use only generalized country-year human rights indicators may miss some of the nuance behind how states respond to international attention to their human rights abuses. There has been a growing debate over whether states comply with or resist international efforts to improve their human rights. By breaking down the timings, targets, and sources of these efforts, this study shows that the answer is not as simple as either compliance or resistance.

On the one hand, the target state's domestic considerations are crucial. Compliance is much more likely when the domestic behaviour is easy for the state to change—in this case a detainee who is not dangerous enough for the regime to feel that their incarceration is necessary. On the other

hand, states will be more likely to defy pressure from outside when their domestic behavior is vital for the regime's survival—in this case, the detention of a prisoner perceived as being a high risk—and when they have the international strength to do so.

Supplementary Information

Supplementary information is available at the *International Studies Quarterly* data archive.

References

- ALLEN, ELIZABETH PALCHIK. 2014. "Unintended Consequences: How Clumsy Foreign Policy Advocates Unwittingly Helped Uganda's Anti-Gay Bill Become Law." *Foreign Policy*. February 26.
- AMNESTY. 1985. *Amnesty International Annual Report, 1985*. London: Amnesty International.
- BARRY, COLIN, K. CHAD CLAY, AND MICHAEL FLYNN. 2013. "Avoiding the Spotlight: Human Rights Shaming and Foreign Direct Investment." *International Studies Quarterly* 57 (3): 532–44.
- BRAITHWAITE, JOHN, AND PETER DRAHOS. 2002. "Zero Tolerance, Naming and Shaming: Is There a Case for It with Crimes of the Powerful?" *Australian and New Zealand Journal of Criminology* 35: 269–88.
- CAI, YONGSHUN. 2008. "Local Governments and the Suppression of Popular Resistance in China." *The China Quarterly* 193: 24–42.
- . 2010. *Collective Resistance in China: Why Popular Protests Succeed or Fail*. Stanford, CA: Stanford University Press.
- CALIENDO, MARCO, AND SABINE KOPEINIG. 2008. "Some Practical Guidance for the Implementation of Propensity Score Matching." *Journal of Economic Surveys* 22 (1): 31–72.
- CARSON, AUSTIN. 2016. "Facing Off and Saving Face: Covert Intervention and Escalation Management in the Korean War." *International Organization* 70 (1): 103–31.
- CHEN, DINGDING, XIAOYU PU, AND ALASTAIR IAIN JOHNSTON. 2014. "Debating China's Assertiveness." *International Security* 38 (3): 176–83.
- COHEN, JEROME. 2009. "China's Hollow 'Rule of Law'." *CNN*. Accessed July 2019. <http://edition.cnn.com/2009/OPINION/12/31/cohen.china.dissidents/index.html>.
- COPPER, JOHN FRANKLIN, AND TA-LING LEE. 1997. *Coping with a Bad Global Image: Human Rights in the People's Republic of China, 1993–1994*. Lanham, MD: University Press of America.
- DAVIS, DAVID, AMANDA MURDIE, AND COTY GARNETT STEINMETZ. 2012. "Makers and Shapers: Human Rights INGOs and Public Opinion." *Human Rights Quarterly* 34 (1): 199–224.
- DEAN, RICHARD. 1980. "Contacts with the West: The Dissidents' View of Western Support for the Human Rights Movement in the Soviet Union." *Universal Human Rights* 2: 47.
- DEMERITT, JACQUELINE. 2012. "International Organizations and Government Killing: Does Naming and Shaming Save Lives?" *International Interactions* 38 (5): 597–621.
- DENYER, S. 2015. "China Releases Five Women's Rights Activists after Global Uproar." *Washington Post*. Accessed April 2020. https://www.washingtonpost.com/world/asia_pacific/china-to-release-three-of-five-womens-rights-activists-fate-of-two-unclear/2015/04/13/4c1195b2-e1e2-11e4-ae0f-f8c46aa8c3a4_story.html.
- DEUTSCHE WELLE. 2018. "China Frees Tibetan Writer Shokjang After 3 Years in Prison." *Deutsche Welle*. Accessed July 2019. <https://www.dw.com/en/china-frees-tibetan-writer-shokjang-after-3-years-in-prison/a-43069286>.
- DRURY, A. COOPER, AND YITAN LI. 2006. "US Economic Sanction Threats against China: Failing to Leverage Better Human Rights." *Foreign Policy Analysis* 2 (4): 307–24.
- DYER, EVAN. 2018. "Trudeau Government Started Pressing Saudis to Release Badawi Long before Twitter Flap." *CBC News*. Accessed July 2019. <https://www.cbc.ca/news/politics/badawi-saudi-trudeau-freeland-1.4785075>.
- EPSTEIN, EDWARD, AND SIMON HING-YAN WONG. 1996. "The Concept of 'dangerousness' in the People's Republic of China and Its Impact on the Treatment of Prisoners." *The British Journal of Criminology* 36 (4): 472–97.
- ESAREY, JUSTIN, AND JACQUELINE DEMERITT. 2017. "Political Context and the Consequences of Naming and Shaming for Human Rights Abuse." *International Interactions* 43 (4): 589–618.

⁴⁵ While representatives of AI said that they have no systematic quantitative evidence on the relative success of their efforts, they do recognize that advocacy is more successful pre-sentencing and therefore advise it should come as early as possible.

- FLEAY, CAROLINE. 2006. "Australian Foreign Policy, Human Rights in China and the Spiral Model." *Australian Journal of Political Science* 41 (1): 71–90.
- FORSYTHE, DAVID. 2017. *Human Rights in International Relations*. Cambridge: Cambridge University Press.
- FRANCISCO, RONALD. 1996. "Coercion and Protest: An Empirical Test in Two Democratic States." *American Journal of Political Science* 40 (4): 1179–1204.
- FRANKLIN, JAMES. 2008. "Shame on You: The Impact of Human Rights Criticism on Political Repression in Latin America." *International Studies Quarterly* 52 (1): 187–211.
- GREITENS, SHEENA CHESTNUT. 2016. *Dictators and Their Secret Police: Coercive Institutions and State Violence*. Cambridge: Cambridge University Press.
- GROSSMAN, GUY, DEVORAH MANEKIN, AND YOTAM MARGALIT. 2018. "How Sanctions Affect Public Opinion in Target Countries: Experimental Evidence from Israel." *Comparative Political Studies* 51 (4): 1823–57.
- GRUFFYDD-JONES, JAMIE. 2019. "Citizens and Condemnation: Strategic Uses of International Human Rights Pressure in Authoritarian States." *Comparative Political Studies* 52 (4): 579–612.
- HAFNER-BURTON, EMILIE. 2008. "Sticks and Stones: Naming and Shaming the Human Rights Enforcement Problem." *International Organization* 62 (4): 689–716.
- HENDRIX, CULLEN, AND WENDY WONG. 2013. "When Is the Pen Truly Mighty? Regime Type and the Efficacy of Naming and Shaming in Curbing Human Rights Abuses." *British Journal of Political Science* 43 (3): 651–72.
- HOU, YUE, AND RORY TRUOX. n.d. "Ethnic Discrimination in Criminal Sentencing in China." *Working Paper*.
- HUMAN RIGHTS HOUSE. 2010. "Tibet: Writer Tagyal Released on 'Bail Pending Trial', Two Students Jailed." Accessed July 2019. <https://humanrightshouse.org/articles/tibet-writer-tagyal-released-on-bail-pending-trial-two-students-jailed/>
- HUMAN RIGHTS WATCH. 2003. "China's Game with Political Prisoners." *HRW*. Accessed July 2019. <https://www.hrw.org/news/2003/12/06/chinas-game-political-prisoners>.
- HUNG, VERON. 2003. "Reassessing Reeducation through Labor." *China Rights Forum* 2 (35): 35–41.
- IMAN, AYESHA, AND SINDI MEDAR-GOULD. 2003. "How Not to Help Amina Lawal." *Counterpunch*. Accessed April 2016. <https://www.counterpunch.org/2003/05/15/how-not-to-help-amina-lawal/>.
- JANN, BEN. 2017. "KMATCH: Stata Module for Multivariate-Distance and Propensity-Score Matching." Accessed April 2020. <https://ideas.repec.org/c/boc/bocode/s458346.html>
- KAMM, JOHN. 2004. "Engaging China on Human Rights." Remarks to The Brookings Institution.
- KECK, MARGARET, AND KATHRYN SIKKINK. 1998. *Activists beyond Borders: Advocacy Networks in International Politics*. Ithaca, NY: Cornell University Press.
- KING, GARY, AND RICHARD NIELSEN. 2016. "Why Propensity Scores Should Not Be Used for Matching." *Working Paper*.
- KINZELBACH, KATRIN. 2014. *The EU's Human Rights Dialogue with China: Quiet Diplomacy and Its Limits*. New York: Routledge.
- LIPSON, CHARLES. 1991. "Why Are Some International Agreements Informal?" *International Organization* 45 (4): 495–538.
- LIU, DONGSHU. 2019. "Punish the Dissidents: The Selective Implementation of Stability Preservation in China." *Journal of Contemporary China* 28 (119): 795–812.
- LU, HONG, AND KRIS DRASS. 2002. "Transience and the Disposition of Theft Cases in China." *Justice Quarterly* 19 (1): 69–96.
- LU, HONG, AND TERANCE MIETHE. 2003. "Confessions and Criminal Case Disposition in China." *Law & Society Review* 37 (3): 549–78.
- LUCA, CAT. 2016. "China/Tibet: Shokjang Sentenced to Three Years for 'separatist' Writing and Activities." *English Pen*. Accessed July 2019. <https://www.englishpen.org/campaigns/chinatibet-shokjang-sentenced-to-three-years-for-separatist-writing-and-activities/>.
- MURDIE, AMANDA, AND TAVISHI BHASIN. 2011. "Aiding and Abetting: Human Rights INGOs and Domestic Protest." *Journal of Conflict Resolution* 55 (2): 163–91.
- MURDIE, AMANDA, AND DURSUN PEKSEN. 2013. "The Impact of Human Rights INGO Activities on Economic Sanctions." *The Review of International Organizations* 8 (1): 33–53.
- NEW YORK TIMES. 2005. "China Releases Political Prisoner Ahead of Visit by Rice." *New York Times*. Accessed April 2020. <https://www.nytimes.com/2005/03/17/international/asia/china-releases-political-prisoner-ahead-of-visit-by-rice.html>
- ONG, LYNETTE. 2018. "Thugs and Outsourcing of State Repression in China." *The China Journal* 80 (1): 94–110.
- PAN, PHILIP, AND JOHN POMFRET. 2002. "China Preparing to Release Some Noted Dissidents." *Washington Post*. Accessed April 2020. <https://www.washingtonpost.com/archive/politics/2002/02/20/china-preparing-to-release-some-noted-dissidents/e7382b08-5d65-4953-ba9b-a43eb090a568/>.
- PETERSON, TIMOTHY, AMANDA MURDIE, AND VICTOR ASAL. 2018. "Human Rights, NGO Shaming and the Exports of Abusive States." *British Journal of Political Science* 48 (3): 767–86.
- POON, PATRICK. 2018. "Liu Xia's Freedom Shows China Can Still Be Pressured." *Foreign Policy*. Accessed July 2019. <https://foreignpolicy.com/2018/07/13/liu-xias-freedom-shows-china-can-still-be-pressured-human-rights/>.
- RADIO FREE ASIA. 2018. "China Holding More Than 800 Political Prisoners in 2018: Report." *Radio Free Asia*. Accessed July 2019. <https://www.rfa.org/english/news/china/prisoners-12312018133354.html>.
- RATCLIFFE, RICHARD. 2016. "My Wife, Imprisoned in Iran for Six Months and Counting." *Amnesty International*. Accessed July 2019. <https://www.amnesty.org.uk/blogs/urgent-action-network/nazanin-zaghari-ratcliffe-iran-prison-uk>.
- REAVES, MALIK. 1997. "Kenya: Alternative Rite to Female Circumcision Spreading in Kenya." *All Africa*. Accessed June 2016. <https://allafrica.com/stories/200101080370.html>.
- REDDAWAY, PETER. 1972. *Uncensored Russia: Protest and Dissent in the Soviet Union: The Unofficial Moscow Journal, a Chronicle of Current Events*. New York: American Heritage Press.
- RISSE, THOMAS, AND KATHRYN SIKKINK. 1999. "The Socialization of International Human Rights Norms into Domestic Practices: Introduction." *Cambridge Studies in International Relations* 66: 1–38.
- RISSE, THOMAS, STEPHEN ROPP, AND KATHRYN SIKKINK, eds. 2013. *The Persistent Power of Human Rights: From Commitment to Compliance*. Cambridge: Cambridge University Press.
- ROSENBAUM, PAUL, AND DONALD RUBIN. 1985. "Constructing a Control Group Using Multivariate Matched Sampling Methods that Incorporate the Propensity Score." *American Statistician* 39 (1): 33–38.
- SIMMONS, BETH. 2009. *Mobilizing for Human Rights: International Law in Domestic Politics*. Cambridge: Cambridge University Press.
- TERMAN, ROCHELLE. n.d. *Rewarding Resistance: Theorizing Defiance to International Norms*. *Unpublished Manuscript*.
- TRAN, TIN. 2010. "China Arrests Tibetan Writer Critical of Quake Relief Effort." *The Independent*. Accessed July 2019. <https://www.independent.co.uk/news/world/asia/china-arrests-tibetan-writer-critical-of-quake-relief-effort-1955142.html>.
- TRUOX, RORY. 2019. "Focal Points, Dissident Calendars, and Preemptive Repression." *Journal of Conflict Resolution* 63 (4): 1032–52.
- WACHMAN, ALAN. 2001. "Does the Diplomacy of Shame Promote Human Rights in China?" *Third World Quarterly* 22 (2): 257–81.
- WOODMAN, SOPHIA. 2016. "Biography of Wei Jingsheng." Accessed at weijingsheng.org.
- WU, SHERYL. 1993. "China Frees Leading 1989 Dissident from Prison." *New York Times*. Accessed July 2019. <https://www.nytimes.com/1993/02/18/world/china-frees-leading-1989-dissident-from-prison.html>.