

Human rights and democratic arms transfers: rhetoric versus reality with different types of major weapon systems

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Rhetoric Versus Reality with Different Types of Major Weapon Systems

Abstract

Since the height of the Cold War, major democratic arms suppliers have claimed that they take into consideration the human rights records of existing and potential purchasing states. After the Cold War, supplier policies suggested an increased focus on matters of human rights. But do their records match their rhetoric and their formal policies? We examine the arms transfer patterns of the four major democratic suppliers between 1976 and 2009. We argue that if practice matches policy, then democratic suppliers should not transfer weapons to states violating human rights. However, because the global interests of these suppliers shift over time, we expect some transfers of major weapon systems to states that violate human rights, but not of the types most implicated in human rights abuses. Thus, we build on the existing arms transfer literature by disaggregating exports based on weapons type. The ordered logits we run for each major democratic supplier from 1976-2009 show that the major democratic suppliers generally do not account for human rights violations in the importing state, with the one exception being the United States transfer of land weapon systems. This research is important not only to arms and human rights research, but to foreign-policy scholars in general. The patterns of supply and the continued preference of states to provide major conventional weapons to states with poor human rights records reveals important policy priorities for these democratic states.

Introduction

At the end of March 2017, the Trump administration notified the Senate Foreign Affairs Committee that it planned to pursue the sale of F-16s to Bahrain. The deal had been proposed earlier by the State Department, but the Obama administration halted it over concerns about Bahrain's human rights record (RFE/RL 2017). The Trump policy seems to indicate that the new administration prioritizes regional stability and balancing against Iran over human rights. While Congress could still potentially block the sale, it seems unlikely that enough legislators in the Republican-controlled Senate and House would oppose the administration on this matter

Many individuals and groups express concern when states propose, or complete, the sale of weapons to countries with questionable records on human rights. This not a new phenomenon. The experience of World War I created support for regulating arms sales. Many blamed the arms trade for helping to foster the war. Governments, however, generally avoided taking action. They agreed "...in theory with greater controls, but ... were unwilling to commit themselves to any agreement which might leave them militarily weaker" (Gerner 1983, 8).

In the 1970s and 1980s, growing arms transfers created a new wave of normative concerns among scholars and practitioners. Arms sales to the third world (Brzoska 1989; Krause 1991), their effect on regional stability (Kinsella 1994; 1998; Kinsella and Tillema 1995), and the economics of transfers (Krause 1992; Pearson 1994) dominated the literature on arms transfers. From the 1990s onward, the collapse of the Soviet Union and the emergence of the United States as a 'unipolar power' created conditions for increased scrutiny of how arms sales might reward, or even encourage, human rights abuses.

Blanton (1999) addressed the new normative paradigm by exploring the relationship between arms imports and repression. She noted that the threats faced by most developing states came not from external enemies, but from internal divisions. Due to the relative lack of external threat, arms imported to protect the state internationally could also be used to repress internal dissent (Blanton 1999, 234). She found that increased arms imports led to more human rights violations. In later work, she expanded her research to examine whether the United States accounts for the importer's human rights conditions in both rhetoric and policy implementation. In the United States a gate-keeping discussion takes place to determine *if* a state is eligible for arms and, if so,

another discussion occurs on the size of the transfer. Blanton (2005, 660) found human rights violations in recipient states lowered the likelihood that the United States would provide them with arms. However, she also found that if a state passed the gate-keeping stage, the human rights record had no effect on the volume of arms transferred (Blanton 2005, 658-59).

This finding – that the United States appeared to adjust its foreign policy in order to address a normative concern in the transfer of weapons – provides the foundation for this article. Other recent work examines further whether an emphasis on human rights concerns affects the actual patterns of conventional arms sales. It finds mixed results. Erickson (2011, 9-10) finds that European suppliers are more likely to transfer arms to states with poor human rights records, but she notes that the 1998 EU Code of Conduct on Arms Exports reduced this tendency. De Soysa and Midford (2012) analyze the United States and China. They conclude that the Chinese prove better at limiting arms sales to states with poor human rights records than does the United States. More recently, Platte and Leuffen (2016) find that reunified Germany is more likely to transfer major weapon systems – and in larger quantities – to states with greater human rights violations.

While the studies cited above focuses on major weapon systems, historically much of the rhetoric on human rights violations revolves around small arms. Small arms are difficult to track, and the international trade depends comparatively little on deals between governments. While states show an interest in reducing the proliferation of small arms (Klare 2004), such weapons are sold easily at the sub-state level (Lumpe 2000). No one disputes the significance of the small arms trade, but most theories of international relations recognize that states care much more about the transfer of major weapons systems, as these pose a threat to the state itself.

States rarely use major conventional weapons to violate human rights. Democratic suppliers may have concerns about human rights in a state, and yet still sell arms because they conclude that these arms won't exacerbate the problem. Our analysis expands the previous literature by expanding the time frame studied, the countries studied, and by disaggregating arms transfers by weapons type. We analyze the United States and major European arms exporters – Germany, France, and the United Kingdom – between 1976-2009. The inclusion of both more states and a longer timeframe provide us with greater leverage than prior studies. We wager that, because some kinds of weapons systems are more likely to facilitate domestic repression, exporters

concerned with human rights may treat them differently when it comes to approving arms transfers.

We find, overall, that human rights violations do not prevent arms transfers from advanced industrialized democracies. The major exception? Higher human rights violations reduce the likelihood that the United States will export land weapons to offending regimes. This finding supports our assumptions about restraint in arms sales for weapons that can be used to violate human rights domestically.

General Explanations of Arms Transfers

We still lack a unified theory as to why governments voluntarily provide other states with capabilities that might, ultimately, be used against their own interests. Explanations for arms transfers range from sociological (Suchman and Eyre 1992) to economic (Hartley and Martin 2003). Many believe that those states that cannot capitalize their own defense industry face an economic imperative to sell arms. Otherwise, they cannot sustain their own military capabilities. But this is not the case for all states, and it does not account for variation in their export markets (Hartley and Martin 2003; Kapstein 1992; Smith et al. 1985). Still, despite the lack of an overarching theory of arms sales, most scholars agree on the range of factors that explain arms sales.

Smith et al. (1985, 242-44) summarize the three general reasons for states to export weapons: strategic, political leverage, and/or economic benefits. These base motivations for transfers remain unchanged. Strategic benefits of a domestic arms capability include the independence of supply, the ability to have the latest military technology, and the ability to control the design of weapons systems (Smith et al. 1985, 242-43). Strategic motives may also explain patterns of transfers among different regimes. Recent research finds that democracies are 60% less likely to trade with a state at the bottom of the Polity scale (autocracy) than at the top (democracy) (Akerman and Seim 2014, 540).

Arms transfers provide the supplier with political leverage over the importer because they render the latter reliant on ordnance, maintenance, and spare parts. If these are withheld from the

importer then their weapon systems become less effective over time until they finally become useless. Smith et al. (1985, 243) also argue attaching conditions to weapons transfers can reign in potential bad behavior. Indeed, others explore the use of arms to influence decision-making in the recipient state over a broad range of issues (see Kinsella 1998; Sislin 1994; Catrina 1988). For governments concerned about human rights abuses, then, arms exports might provide a mechanism for improving the record of importing states.¹

However, critics contend that because states can seek alternative suppliers, arms transfers have limited utility as tools of coercion and persuasion (Catrina 1988; Kinsella 1998). The competitive nature of the international arms market may incline suppliers to take a stance of “if we don’t sell them the weapons, someone else will” (Harkavy 1975, 51).

The third reason to export arms is economic benefit. Such benefits include the recoupment of research and development costs (Scheetz 2004; Stanley and Pearton 1972) and the advantages of economies of scale that come from an international market (Brauer 2004; Brzoska 1999). Smith et al. (1985, 243-44) also focus on the indirect benefits of arms research and production, including technological spin-offs, employment, and economic momentum. A recent large-N study on arms transfers also finds that per-capita GDP of buyers is consistently associated with arms exports for both democratic and non-democratic exporters; states want to trade with other states that can pay for weapons (Comola 2012, 156).

More recent research concerns itself with how respect for human rights in importing states affects a supplier’s decision to export. Such work examines whether state policies on human rights outweigh economic and political considerations. Blanton (2000; 2005) examines the rhetoric of the United States about the importance of human rights promotion as a foreign-policy goal. During the Cold War the rhetoric around arms transfers revolved around security, but this shifted in the post-Cold War period. Blanton’s (2005) post-Cold War tests find a match between rhetoric and action of the United States where they appeared to account for human rights records at the initial stage of sales. This empirical finding also, in many ways, presents a theoretical puzzle. States have multiple reasons to overlook human rights considerations. For example,

¹ We do not explore this possibility in detail, and it remains ripe for future research.

Blanton acknowledges that the realities of the foreign-policy environment in the United States after 9/11 may cause the priorities of the United States to change – but her data does not cover enough time after 9/11 to test that consideration.

A few studies replicate or expand Blanton's (2005) analysis in different ways. Yanik (2006) uses a qualitative approach to look at top exporters, top importers and human rights violations. Her conclusion is less optimistic than Blanton's. She argues that the post-Cold War arms market favored buyers placing pressure on exporters to transfer regardless of human rights violations. She focuses on China as an importer and on increased Russian sales in the 1990s and early 2000s, when European states and the United States banned exports to China. She found that Russia, without domestic laws against exporting to human rights violators, exported to more human rights abusers (Yanik 2006, 386-87). Yanik's analysis offers evidence of decision-making, but lacks comprehensive coverage of the major exporters across years.

Perkins and Neumayer (2010) conduct a statistical analysis, similar to Blanton's (2005) analysis of the United States, to examine arms sales by France, Great Britain, Germany, and the United States. They used Stockholm International Peace Research Institute (SIPRI) data rather than the US Foreign Military Sales (FMS) data used by Blanton. Their results differ from Blanton's (2005) for the United States, which they attribute to the possibility of the different data sets used and different covariates (Perkins and Neumayer 2010, 254). They find that human rights did not matter at the selection stage of their model and that the US exported more weapons to human rights abusers. Their study covers the period from 1992 to 2004 (Perkins and Neumayer 2010, 251) while Blanton's original paper covers the period from 1991-2002 (Blanton 2005, 652).

The most recent work on arms transfers and human rights also focuses on the end of the Cold War into the 2000s. De Soysa and Midford (2012) examine Chinese and US arms transfers and human rights violations in the importer from 1989 to 2006. They find that United States arms transfers are positively associated with physical integrity rights violations.² Erickson (2011)

² We note that the findings of De Soysa and Midford are not as applicable as the other research cited here. First, they are examining the opposite causal relationship – whether or not arms transfers lead to human rights violations. Second, there are some methodological issues with their study where they limit the sample by excluding states that do not import from the United States or China.

examines the transfer of major weapon systems by EU states between 1990 and 2004; she finds no evidence that these states engage in ethical arms transfer behavior. Platte and Leuffen (2016) examine German arms transfers in the post-Cold War period. They find that human rights violations increase the likelihood of a transfer and that the size of transfers is bigger for states with human rights abuses.

Democratic Arms Exporters

We study the four largest exporters of major weapon systems that are mature democracies. These states represent all three tiers of suppliers classified by scholars in the 1970s and 1980s. The United States is a top tier state that is able to parlay transfers to influence the foreign-policy of recipient states (SIPRI 1975, 24). Hegemonic suppliers are concerned with their own power and influence relating to its foreign-policy goals. The second category of states is the industrial suppliers (such as the United Kingdom and France) that need to sell arms in order to support their own industries (SIPRI 1975, 24-26). The third tier is restrictive suppliers. These states moderate sales of weapons to minimize conflict and other potential negative effects (for example, Germany) (SIRPI 1975).

These major democratic suppliers also represent different levels of power and interests in the international system. The United States is a super power with a global reach and interests. France and the United Kingdom are similar in that they are major powers and part of the P-5. However, they are also reliant on the United States to engage in large-scale military operations abroad. Germany is more circumspect militarily than either the United Kingdom or France, but is an economic power. Germany's role as a leader of the European Union also means that it exercises a strong influence on the policies of other EU member states. The arms export behavior of these states shifts over time, but the domestic incentives for governments to produce and export weapons remain steady.

We test the global, or at least domain-specific, applicability of theories of arms transfers and state decision-making by examining the main exporters of weapons systems that share similar values (Maoz and Russett 1993). The United States and European Union have both adopted stances on human rights and foreign policy that in theory should constrain sales of arms to states with poor human rights records. The United States dropped its long-standing resistance to the

Arms Trade Treaty during the Obama administration making its export policy, on paper, consistent with the provisions of the treaty (Erickson 2015b, 450-52).

State Arms Transfer Policies

These mature democracies are four of the top five arms suppliers between 1976 and 2009 (SIPRI 2010). While they all have policies in place on importer human rights during decision-making, there were other policies in place motivating arms transfers.

Traditionally, France pursues very aggressive arms export policies despite the human rights rhetoric of the European Union and United Nations. Defense industries are primarily nationalized and the executive branch controls the export process. Regulations govern the export process, but the promotion of French state interests is an explicit policy goal (Allebeck 1991). For example, the decline of French arms sales during the 1980s – despite a global growth in arms sales (SIPRI 2010) – led Parliament to pursue export promotion in the early 1990s (Allebeck 1991, 64). The export-driven policy does not preclude circumspection on the part of the state. Mitterrand was conscientious about exporting arms useful for “street combat” and French policy prohibits the export of arms that will incite regional conflict (Allebeck 1991, 69). France is one of only a handful of countries whose national laws stipulate that human rights records should be factored in the decision to sell arms (Yanik 2006, 363), Germany is another.

Treaty obligations from the foundation of the FRG in 1949 restricted the type and size of many weapons. These obligations complicate arms export procedures via greater restrictions. From 1950 through the end of the 1960s the FRG did not participate in large-scale exports to the third world. The majority of Germany’s exports were to developed states and part of its NATO treaty obligations (Wulf 1991). In the 1970s arms exports increased and many weapons ended up in “...areas of tension and in the midst of conflicts” (Wulf 1991, 77). As a result, in 1982, the government amended and clarified its laws to make transfers to such areas more difficult. Despite the policy change, issues still arose with dual-use technology and with the transfer of production technology. A number of cases, notably the construction of biological weapons production facilities in Libya and supplying technology to Iraq to upgrade its SCUD missiles in the late 1980s and early 1990s, brought into question the ability of the state to control exports and resulted in more legal restrictions (Wulf 1991, 83).

Since reunification, German regulations specifically feature human rights in the importer as a key factor in decision-making. Exceptions can occur based on foreign-policy and security considerations related to alliance interests. Compared to the other European suppliers, the laws and regulations for German arms transfers are comparatively brief, but they are still largely considered a restrictive supplier (Platte and Leuffen 2016, 561-63).

The British government, like the government of France and to a lesser extent Germany, encourages the export of weapons (Anthony 1991a, 175), even while denationalizing their arms industries. As with the other democracies, human rights provisions are present in their policies. Internal Foreign and Commonwealth Office documents from 1979 state that the British government considers “the internal and external circumstances of a potential customer...[and] the likely use to which the items will be put (e.g. defensive, aggressive, internal suppression)” during arms transfer decision making (Foreign and Commonwealth Office 1979, 6). In the 1980s the United Kingdom reviewed its arms export guidelines. These guidelines forbid the export of weapons in certain cases, including states that posed a threat to the United Kingdom or NATO, where they would cause instability, and where “...human rights considerations were a barrier” (Anthony 1991a, 178).

Despite new guidelines, the United Kingdom covertly transferred weapons and dual use goods to Iraq during the 1980s. When David Mellor – Minister of State for Foreign and Commonwealth Affairs under Thatcher – was questioned during a 1992 inquiry on the motive of the Iraq transfers he stated “Britain exports or dies” (Miller 1996: ii). While the export policies limiting transfers to human rights violations continued in the post-Cold War period, the perceived need to export based on economic considerations persisted essentially overlooking the policy (Dunne and Perlo-Freeman 2003). These transfers continue despite evidence that becoming a restrictive supplier would result in almost no detectable effect on the British economy (Chalmers, Davies, Hartley, and Wilkinson 2001).

The United States arms export bureaucracy differs from the other states examined because the legislative branch (Congress) has a much greater say in the process. Congress has the ability to become involved in sanctioning arms sales on a case-by-case basis (Anthony 1991b, 184). Despite regulations on the arms trade there is a default “yes” position. The reality is the sale should be allowed unless it can be proved in the affirmative that a potential sale violates one of

the restrictions (Anthony 1991b, 191; Willardson 2013, 118). One of the potential veto conditions for an arms sale is the lack of protection of human rights in the recipient country (Anthony 1991b, 191). This policy was particularly salient during the Carter administration (Hartung 2001; Mott 2002). Carter's position was that: "In formulating security assistance programs consistent with these [arms transfer] controls we will continue our efforts to promote and advance respect for human rights in recipient countries" (Carter 1977, 932). In the post-Cold War period under Clinton the rhetoric around arms transfers shifts in regards to human rights and conflict though policy still cites the protection of the United States defense industrial base as a motive for transfer (Mandel 1998). These policies continued into the post-9/11 era (Hartung and Berrigan 2008).

This brief review of the four major democratic suppliers' policies suggests that they are similar enough to behave in a similar manner. On the surface human rights violations in the importer should reduce or eliminate exports from a democratic supplier. However, examining the democratic suppliers together implicitly assumes that they all have the same interests at work in their decision-making. However, these four states have different interests and pressures conditioning their arms sales. This differentiation of motives led us to examine these suppliers separately in the tests.

The Role of Major Weapon Systems

Democratic states espouse human rights rhetoric in their general arms transfer policies yet differences between rhetoric and reality are not explained fully. The primary empirical contribution of this article is moving beyond simple aggregate dollar amounts of arms transferred to account for the *types* of arms transferred. We explore whether the gap in rhetoric and reality is as large as it appears in the literature using aggregate measures. The issue is using an aggregate amount of cash value (for example, United States Foreign Military Sales data) or the military value (for example, SIPRI trend indicator value data) makes an implicit assumption that all arms are equal, which is not the case. Some types of major weapon systems are better suited to violate human rights than others.

The disaggregation of major weapon systems comes from Johnson (2017). He separates land weapons into gun and missile air defense systems, towed and self-propelled artillery, offensive

armored vehicles, and tanks. Aircraft are separated by planes and helicopters as support, transport, and combat in addition to UAVs on their own. The separations occur under a simplified Lancaster Framework based on the roles of the weapons and the capabilities they provide to the importer (Johnson 2017, 7).³ We are able to extend and refine theories about states' arms sales behavior by linking the specific types of capabilities states gain in terms of potential to violate human rights.

Some theories of arms view possession as simply symbolic representations of the states' membership in a club of other states (for comparison, Suchman and Eyre 1992). There is also potential symbolism with arms transfers from certain states if those transfers confer, or even appear to confer, legitimacy on the regime or policies of the recipient state. This implicit assumption about the potential legitimizing effects of arms transfers is present in research that looks at policy outcomes. Kinsella (2012) examines the literature and outlines the potential linkage between arms transfer and militarization in recipient states. Atkinson (2006), in a thorough look at the role that the military plays in the socialization of states, finds that arms transfers and arms aid does not have an impact on democratization in authoritarian states while military educational exchanges and joint exercises do. Whether arms are sold for profit or donated or discounted as military aid, the question of whether or not those weapons are symbolically conferring legitimacy to the recipient state is an important question.⁴

If states provide arms as a symbolic gesture, then military and repressive capabilities of those arms may not be considered a priority by the exporter. One area where this occurs is in the sale of fighter aircraft. Most countries do not have a lot of these aircraft – in fact only China and the United States have more than 1,000 fighter aircraft and Japan, ranked at number 10 in the world, has only 287 such aircraft (Fighter 2016). Such aircraft may be important for demonstrating that the state is part of the club of nations, but the aircraft themselves are not useful in dealing with internal threats of the kind that lead to human rights violations.

³ The separations are discussed in more detail in the later sections.

⁴ We thank an anonymous reviewer for pointing out that the symbolism of arms transfers goes beyond conferring or cementing status and membership in the club of nations.

On the other hand, attack helicopters, and even non-attack utility helicopters, are capable of attacking insurgents or political rivals. The United States specifically put provisions in their arms deals with Turkey in the 1990s conditioning the sale of attack helicopters on improvement of human rights for Kurds (Tirman 1998). Turkey then sought rotary aircraft from other sources, including Russia. The capabilities and roles of different types of weapons should be taken into account by the bureaucrats in states who are tasked with stopping sales that may lead to bad human rights outcomes. The sale of fighter jets may not endanger human rights in the same way that the sale of helicopters do, but without disaggregating the data we cannot know whether such considerations are taken seriously.

Just as there is a difference between the use of attack helicopters and fighter aircraft, there is reason to think that not all land weapons are created equal in their potential for repression. Air defense systems are unique as their name states – defend against aircraft; thus, they are very difficult to use against civilians. However, air defense systems can prevent other states from intervening in a state’s affairs, such as civil conflict or war. A current example is the intervention in Libya versus the lack of intervention in Syria. Assad’s air defense system from Russia represents a much greater threat to Western aircraft than did Kaddafi’s. Despite this, military intervention for human rights reasons is a rare event and newer phenomena, which means a historical linkage is not present in the decision-making process.

Assessing the Human Rights Violation Potential of Different Weapon Systems

Our arguments build off the idea that a weapon’s ability to violate human rights within the importing state varies by the role and the capability it provides (Johnson 2017) provided by the transfer. All major weapon systems provide some opportunity (directly or indirectly) for the possessor to violate human rights. Thus, our arguments on the weapons are comparative and ordered from least likely to most likely allow oppression

Air defense systems are relevant to human rights violations in their ability to prevent external intervention by air. However, intervention only occurs when violations are extreme, which typically indicates that domestic oppression has escalated into civil war.

Self-propelled artillery includes systems that fire shells, missiles, or rockets and are quite large. Their size creates difficulty in maneuvering into remote positions where they may be useful to

violate human rights. Additionally, self-propelled artillery fires ordnance that creates a lot of damage, which makes them less useful for small-scale oppression. Towed artillery is more maneuverable and fires smaller ordnance making them comparatively more useful for violations of human rights particularly in difficult terrain. Difficult terrain is a hallmark of ethnic violence in the modern system (Fearon and Laitin 1999).

Similar to self-propelled artillery, the amount of firepower tanks possess limits their potential to violate human rights and lack maneuverability. For example, after the Iraq war, the use of tanks in counterinsurgency operations has been questioned by military thinkers (for comparison, Baker 2012). Tanks are analogous to fighter aircraft in this particular formulation – they are a weapon that is used most effectively in traditional warfare against another state. The role of tanks in human rights violations comes from light weapons attached to the turret and armor making them impervious generally to small arms fire. Tanks are also physically intimidating.

Offensive armored vehicles are mobile and versatile. A proper combination of armored vehicles allows for troop transport and localized command and control while many models have light weapons attached in a turret. Force projection against civilians is maximized while minimizing the threat to the troops.

Aircraft also vary in their capability to be used repressively against domestic targets. Bombers provide the least opportunity to violate human rights due to their large size and amount of ordnance they drop. These aircraft are also rarely transferred as states often seek multi-role aircraft. Support planes – such as maritime patrol, airborne early warning and control, electronic warfare – are also limited in violating human rights for obvious reasons.

Transport planes, support helicopters, and UAV promote a state's ability to violate human rights indirectly. Support helicopters and UAV are useful for observation. Transport aircraft are useful for moving troops and equipment, but are limited by the necessity of a runway making their usefulness in remote areas limited. The majority of transferred UAV are for surveillance, but their use for human rights violations may increase as more armed models enter the market.

Attack planes – including fighters, fighter-bombers, and gun-ships – are not ideal for human rights violations, but may prevent intervention by outside actors. Their role in human rights

violations come from sending signals/intimidation or escalating a civil dispute into a conflict or war.

The aircraft types most useful for violating human rights are combat and transport helicopters. Combat helicopters are a versatile weapon that needs little infrastructure to operate compared to attack aircraft. They also have a wide range of configurations of gun-pods, missile-pods, or rocket-pods that can increase or decrease the damage inflicted. Transport helicopters get troops and equipment into areas where they are needed to repress a population. Many transport helicopter models – particularly Soviet models – are heavily armored and armed.

The differences between major weapon systems' roles in human rights violations lead to our primary argument. All the major democratic suppliers have a policy against transfers to human rights violators yet there are regular exceptions. Separating transfers by weapon type allows us to determine if the exceptions are for weapons useful for human rights violations. We argue that it is easier for states to make an exception for human rights violators if the transferred weapons have less potential to oppress. Therefore we expect that as human rights violations increase the likelihood of transferring dangerous weapon systems decreases.

Hypothesis: As the level of human rights violations in the importer increases, the likelihood of transferring major weapon systems useful for oppression decreases.

Data

Our data cover 1976 through 2009. This range allows us to test whether the positive findings of Blanton – that human rights' records are taken into account during decision-making – hold after 9/11 when United States foreign-policy priorities shifted. Blanton (2005, 652) acknowledges the potential impact of the global war on terror on United States decision-making, but she is unable to test if there was a change due to data limitations. Other recent literature examines European arms transfers and human rights. Erickson's (2011) work on European suppliers begins in 1990 while Platte and Leuffen's (2016) study of Germany begins in 1992. Our timeframe is extended beyond this literature in both directions.

The unit of analysis is the supplier-importer dyad. The suppliers are the United States, United Kingdom, France, and Germany and the importers are all states. The data for the dependent

variable come from the Stockholm International Peace Research Institute's (SIPRI) arms trade register via Johnson (2017). The major weapon systems included are: gun air defense systems (ADS), missile ADS, self-propelled artillery, towed artillery, offensive armored vehicles (OAV), tanks, support aircraft, transport aircraft, attack aircraft, support helicopter, transport helicopter, combat helicopter, and unmanned aerial vehicles (UAV). These types of weapon systems are classified by accounting for the role of the weapons and the capabilities they provide the importer discussed above. The classifications are made based on the idea of capabilities: air support, ground support, front-line transport, and front-line offensive (Johnson 2017, 8-10).

We categorize major weapon systems by their ability to violate human rights into four ordered categories: 0 (no transfer) to 4 (most dangerous). Category 1 land weapon systems are gun and missile ADS and self-propelled artillery, category 2 is towed artillery, category 3 is tanks, and category 4 is offensive armored vehicles (OAV). Category 1 aircraft are bombers and support planes, category 2 are transport planes, support helicopters, and UAV, category 3 is attack aircraft, and category 4 is combat and transport helicopters.

The main independent variable is a measure of human rights violations coded in the same manner as Blanton (2005). The mean value of human rights violations scores from Amnesty International and the US State Department are used. We rescale the range from 1 through 5 at 0.5 intervals to 0 through 8 where higher values represent greater violations. Rescaling allows us to calculate the substantive effects more easily.

A minor way we move beyond the quantitative literature on human rights and arms transfers is by taking into account previous arms transfer relationships. We include a five-year moving average of arms dependency the importer has on the supplier for all imports.⁵ Dependency is calculated using SIPRI's trend-indicator value of weapons transfer. The range is from zero to one and is the percentage of weapons imported from the supplier. A higher value indicates greater dependence. Some literature argues that the higher dependency the importer has on the

⁵ Another arms variable that could not be included due to high correlation with both trade and GDP is the level of previous arms import. At a minimum the size of previous imports is an indicator of the market for weapons in that state and since many arms transfers occur for economic reasons, exporters should seek to enter or dominate these states' markets.

exporter the more influence the latter has, which makes the transfers less dangerous (Catrina 1988; Kinsella 1998).

The other variables we include are the controls in Blanton (2005) that are also the usual suspects in the international relations literature – importer polity, joint democracy, trade, GDP, defense pacts, international conflict, and intrastate conflict. Importer polity level and joint democracy between exporter and importer are from the Polity IV Project (Marshall, Gurr, and Jaggers 2010). Joint democracy is present if both states have a polity score greater than or equal to seven. Trade and GDP data come from Gleditsch (2002) and are measured in millions of dollars and logged.⁶ However, importer polity level and joint democracy are highly correlated so we only include importer polity. The same issue occurs with GDP and trade, so we choose to include GDP.

Defense pact data comes from Leeds et al. (2002) where a “1” indicates its presence and “0” otherwise. Interstate conflict is measured using the Correlates of War Project and intrastate conflict is measured using data from the UCDP (Singer, Bremer, and Stuckey 1972; Ghosn, Palmer, and Bremer 2004; Pettersson and Wallensteen 2015). Interstate conflict ranges from 0-5 and intrastate conflict ranges from 0-2 with higher values indicating greater conflict. A Cold War and post-9/11 dummy are also included to account for shifts in the international system that may affect arms transfer decision-making.

Test

The categorical dependent variable ordering major weapon systems on the possibility of human rights abuses leads to the use of ordered logits. We note that Brant tests shows that the proportional odds assumption is routinely violated, which is common with ordered logits. Even the example in Long (1997) – the benchmark text – uses a model where the assumption is violated.

⁶ We use GDP as opposed to GDP/pc because the financial resources of the state partially determine the opportunity for a state to import arms as opposed to the wealth of the state represented by GDP/pc.

Alternative tests, such as generalized ordered logit or a multinomial logit, do not rely on a proportional odds assumption, but the results are more difficult to interpret based on their length. These models also require a baseline category, which leads to results that are compared to the baseline type of weapon systems. Using alternative models does not significantly affect the general results, but are also not as applicable.

We choose to only examine whether major weapon systems are transferred. Previously, Blanton (2005) used a two-stage Heckman model, Erickson (2011) used an OLS, and Platte and Leuffen (2016) used two separate models looking at the probability of transfer (logit) and size of transfer (OLS). We justify only looking at the decision to transfer due to the complicated nature of accounting for legitimate need of a state for different types of weapons – rarely are one or two units transferred. Yet, only a small number of units of particular weapons are necessary for a state to commit human rights violations against its own people.⁷

We separate the data into split samples by ground/air and by supplier. We argued earlier that there are inherent differences across the suppliers in their motives to transfer justifying the split. Separation by also allows a comparative analysis of the suppliers' actions.⁸

Results

We first review the results of the ordinal logits for each set of tests. Then the substantive effect of the human rights violations are visualized in marginal effects graphs. Visualization is

⁷ We further justify our choice due to Blanton (2005) finding null results in the amount stage of her tests and that the number of units transferred is more important for international actions compared to domestic actions. An alternative set of tests using pseudo-Poisson maximum likelihood models (Santos Silva and Tenreyro 2006) and the number of units ordered as the dependent variable are in the supplementary files – there are no substantive effects for the human rights violation variable.

⁸ We also considered splitting the sample by time period, but splitting by time period is not necessary as the role of human rights in arms transfer decision-making is constant over time in rhetoric and the motivations to make exceptions are consistent across time as well. Therefore we use time period dummies in the models.

necessary as statistical significance is present for many of the human rights violations coefficients, but examination of substantive effects shows no effect except for the United States.

Land Weapons

Table 1 presents the land weapon export models. We note that the cut points at the bottom of the tables are essentially the intercept for each category when the independent variables are all at zero. They also indicate what categories of weapons states transfer. The United Kingdom does not transfer category two land weapons despite possessing them. One explanation is they are limited in their ability to transfer them due to end user agreements present between most suppliers and importers. The coefficients for human rights violations are significant and negative in the United States, United Kingdom, and France models while the German coefficient is insignificant. This result supports our hypothesis – more dangerous weapons to human rights are less likely to be transferred.

While the human rights coefficients are supportive, two control variables consistently increase the likelihood of dangerous land weapons being transferred – arms dependency and GDP. Dependency is essentially a proxy for previous arms transfer relationships showing that those importers with tighter relationships are also more likely to receive weapons that pose a danger to its civilians. One explanation put forth by Catrina (1988) and Kinsella (1998) is high dependence allows the exporter to attempt to exert influence over the importer’s policies in order to continue receiving arms. Therefore, the danger of the weapons being used against the importer’s civilians is reduced. However, we cannot be sure that this process is occurring with the current tests. An alternative explanation – which also applies to GDP – is that the arms market is competitive and has been for decades (Keller and Nolan 1997). Thus, exceptions are made for states with previous relationships and for those with the ability to pay for the weapons regardless of their use.

Table 1: Ordered Logits for Land Weapon Systems Between 1976 and 2009

| | US | UK | France | Germany |
|-----------------|---------|---------|---------|---------|
| Human Rights | -0.07* | -0.13* | -0.15** | 0.02 |
| | (0.03) | (0.06) | (0.05) | (0.06) |
| Dependency | 2.58** | 3.38** | 2.65** | 0.02 |
| | (0.17) | (0.49) | (0.33) | (1.00) |
| Importer Polity | -0.05** | -0.05** | -0.07** | 0.10** |

| | | | | |
|------------------|---------|---------|--------|--------|
| | (0.01) | (0.02) | (0.01) | (0.02) |
| GDP (Log) | 0.18** | 0.19** | 0.21** | 0.23** |
| | (0.03) | (0.06) | (0.04) | (0.05) |
| Defense Pact | -0.13 | -0.92* | -0.16 | 1.25** |
| | (0.12) | (0.46) | (0.29) | (0.22) |
| Intl. Conflict | 0.12** | 0.03 | 0.05 | 0.11* |
| | (0.03) | (0.06) | (0.05) | (0.05) |
| Civil Conflict | -0.12 | 0.29 | 0.08 | -0.22 |
| | (0.12) | (0.23) | (0.18) | (0.23) |
| Cold War | 0.30* | 0.44^ | 0.81** | 0.33 |
| | (0.12) | (0.24) | (0.21) | (0.21) |
| Post-9/11 | -0.53** | -1.35** | -0.32 | 0.08 |
| | (0.18) | (0.49) | (0.31) | (0.23) |
| Cut 1 | 5.25** | 5.87** | 5.96** | 7.13** |
| | (0.39) | (0.65) | (0.52) | (0.60) |
| Cut 2 | 5.72** | | 6.27** | 7.35** |
| | (0.39) | | (0.52) | (0.60) |
| Cut 3 | 5.83** | 6.04** | 6.38** | 7.39** |
| | (0.39) | (0.65) | (0.52) | (0.60) |
| Cut 4 | 6.13** | 6.51** | 6.46** | 7.77** |
| | (0.39) | (0.66) | (0.52) | (0.61) |
| Observations | 5841 | 5036 | 5134 | 5085 |
| Pseudo R-squared | 0.128 | 0.095 | 0.111 | 0.164 |

Standard errors in parentheses

^ p<0.10 * p<0.05 **

p<0.01

Air Weapons

The air weapon tests in Table 2 show greater variation for the human rights coefficients. Interestingly, the opposite finding occurs in the United States model. The Americans are more likely to transfer air weapons more dangerous to human rights. One explanation is higher research and development costs for aircraft create greater pressure to export and a higher opportunity cost. However, there are comparatively fewer producers of aircraft than land weapon systems. Thus there are fewer options for the importer. In turn, importers will be more susceptible to influence being exerted by the supplier. The human rights violation coefficient in the United Kingdom model is also significant, but negative. This result supports our hypothesis. There is no significance in the France and Germany models.

Similar to land weapons, arms dependency and GDP provide insight into supplier action. States with higher dependency receive dangerous aircraft from all suppliers, as do states with greater resources. The significance of GDP is consistent with the economics literature on democratic arms transfers. This literature finds higher economic resources increases the amount of arms transferred. However, this research finds GDP/pc to be less of a factor for democracies versus non-democracies (Comola 2012, 156).

Substantive Effects

The coefficients across logit models are not directly comparable so we only highlight the patterns between the models above. To make comparisons across suppliers we calculate the marginal effects from the models in order to draw better conclusions from the results.

Figures 1 through 3 present the marginal effects of human rights violations on the probability of transfer while holding to other variables at their means. We note that the y-axes are not large due to arms transfers being a rare event; thus, we are primarily concerned about the shift in the probability of transfer as opposed to the raw probability.

Table 2: Ordered Logits for Air Weapon Systems Between 1976 and 2009

| | US | UK | France | Germany |
|-----------------|------------------|-------------------|------------------|------------------|
| Human Rights | 0.14** (0.02) | -0.17** (0.05) | 0.04 (0.04) | -0.09 (0.06) |
| Dependency | 2.10** (0.12) | 2.17** (0.44) | 2.84** (0.28) | 2.32** (0.72) |
| Importer Polity | 0.01 (0.01) | 0.01 (0.01) | -0.01 (0.01) | 0.02 (0.02) |
| GDP (Log) | 0.23** (0.02) | 0.32** (0.05) | 0.24** (0.03) | 0.15** (0.06) |
| Defense Pact | 0.71** (0.08) | -0.85** (0.27) | -0.12 (0.21) | -0.04 (0.29) |
| Intl. Conflict | -0.04* (0.02) | -0.03 (0.05) | 0.05 (0.03) | 0.04 (0.06) |
| Civil Conflict | 0.14^ (0.08) | 0.45* (0.19) | -0.13 (0.13) | 0.29 (0.22) |

| | | | | |
|------------------|---------|--------|--------|--------|
| Cold War | 0.47** | 0.82** | 0.89** | 0.97** |
| | (0.09) | (0.20) | (0.15) | (0.27) |
| Post-9/11 | -0.42** | -0.57* | -0.27 | -0.01 |
| | (0.11) | (0.29) | (0.21) | (0.34) |
| Cut 1 | 5.42** | 6.89** | 6.11** | 5.99** |
| | (0.27) | (0.54) | (0.40) | (0.66) |
| Cut 2 | 5.56** | 6.93** | 6.13** | 6.05** |
| | (0.27) | (0.54) | (0.40) | (0.66) |
| Cut 3 | 6.32** | 7.68** | 6.34** | 6.39** |
| | (0.27) | (0.54) | (0.40) | (0.66) |
| Cut 4 | 6.82** | 9.18** | 6.67** | 6.81** |
| | (0.27) | (0.58) | (0.40) | (0.67) |
| Observations | 5841 | 5036 | 5134 | 5085 |
| Pseudo R-squared | 0.146 | 0.089 | 0.079 | 0.053 |

Standard errors in parentheses

^ p<0.10 * p<0.05 **

p<0.01

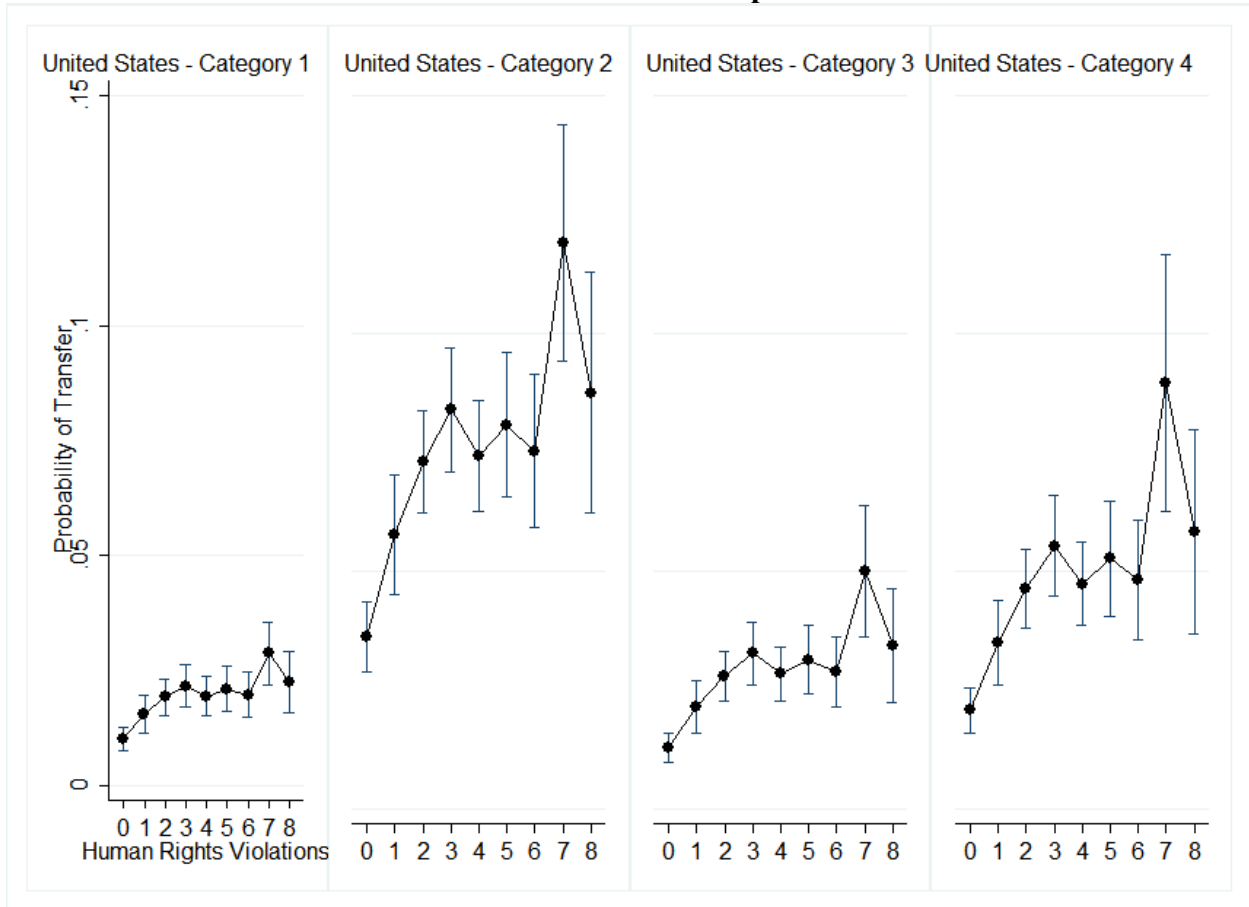
Figure 1: Marginal Effects of Human Rights Violations on the Probability of Transfer with 95% Confidence Intervals and Other Variables Held at Mean – Land Weapons



Figure 1 presents the probability of land weapons being transferred by weapon category and supplier. The United States graphs indicate that they generally abide by their position on human rights violators. In all four categories of land weapons there is an overall negative slope on the probability of transfer as the human rights violations of the importer increases. Substantive significance does not occur across the entire range of human rights violations based on the size of the 95% confidence intervals. Significance is present once the level of violations becomes seven or greater. This indicates that the United States separates high level violators from the medium and low-level violators, which provides support for the hypothesis.

While base support for this hypothesis is present, it is not absolute because the probability of a transfer to high level human rights violators is quite similar across all categories of weapons. In an ideal outcome the probability of transferring category four weapons would be less than the other types.

Figure 2: Marginal Effects of Human Rights Violations on the Probability of Transfer with 95% Confidence Intervals and Other Variables Held at Mean – United States Air Weapons



The graphs for the United Kingdom, France, and Germany do not provide direct support for the hypothesis across the range of human rights violations. In the eleven non-United States graphs in Figure 1 the slopes are too flat to indicate any substantive significance. We note the United Kingdom did not transfer any weapon systems in category two.

Figure 2 separates the United States transfer of aircraft from the other suppliers. This is due to the range of the y-axis compared to the other graphs. The effect over the range of human rights violations is now positive. Additionally, the substantive effect is not as great across the range of human rights violations due to the size of the confidence intervals. The only substantive separation that occurs is between the lowest level of human rights violations and the higher levels. Looking across the weapon categories comparing the

Figure 3: Marginal Effects of Human Rights Violations on the Probability of Transfer with 95% Confidence Intervals and Other Variables Held at Mean – Air Weapons



confidence intervals we find there is separation at higher levels of human rights violations between categories one and two along with one and four. A similar substantive effect across categories at similar level violations does not support the hypothesis.

Figure 3 shows the other major democratic suppliers. Once again there is no substantive significance across the range of human rights violations due to the size of the confidence intervals. If the confidence interval overlap is ignored the results counter our hypothesis in the France tests due to the slight positive slopes in the graphs.

The implications of the substantive effects counter the findings of the previous literature in some ways. While human rights considerations are significant for Germany in Platte and Leuffen (2016) we do not find this to be the case once the type of weapon system is accounted for. However, the difference in time periods that the respective data covers may explain the discrepancy. For the United States, although we use different data and a longer timeframe, the

weapon type finding for the United States may be the factor driving Blanton's (2005) results. De Soysa and Midford (2012) find that the United States transfer of weapons is associated with greater physical rights violations in the importing states. Erickson (2011) finds that human rights violations are not a barrier to the supply of conventional weapons from European suppliers, so her results are largely consistent with our longer timeframe.

The finding that United States transfer of land weapons seems to be moderated by the human rights records of the importing state is the most interesting finding. It may also be the most surprising to those who view arms transfers simply as economic transactions or power politics. This finding opens up a potential new area for research by those who are interested in the problems of human rights and arms transfers. It raises a number of questions about whether or not the economic market conditions are different for these systems, whether the belief that these systems are the ones that are most likely to be used in violating rights or some other undiscovered factor is driving this finding in the case of US arms exports.

Variation Across Time and the post-9/11 World

While we choose not to split the sample by time period in the initial analyses, the dummy variables for time period are consistently significant in the models. The simple interpretation is that during the Cold War these suppliers were more likely to transfer weapons more capable of violating human rights and were less likely to transfer these weapons in the post-9/11 period compared to the post-Cold War period. Due to the statistical significance of the time period variables we ran the split samples by time and supplier. These tables and marginal effects are presented in the supplementary files as there was no substantive significance in the models except in a few of the United States models that virtually mirror the marginal effects presented above.

Our research was motivated in an interest in the post-9/11 period since Blanton's (2005) research does not cover that period. She did consider whether or not the Global War on Terror would lead to a shift in decision-making where human rights consideration in the importer would take a back-seat to security consideration similar to the actions of the United States during the Cold War. Examination of the United States results in the post-9/11 tests shows that the human rights coefficients are insignificant in both the land weapon and aircraft models. The coefficients for

human rights are significant at the 0.05 level in the Cold War model and post-92 model for land weapons and at the 0.10 level for the post-Cold War coefficients.

The implication from these statistical results – if we set aside the lack of substantive significance – is the post-9/11 period is different for the United States. In the earlier periods there was a negative effect for land weapons and a positive effect for air weapons, which implies some strategic considerations were taking place. These considerations are absent in the post-9/11 period.

Additionally, the human rights coefficients are also insignificant for the other three democratic supplier split samples as well as a post-9/11 model with supplier dummies – also presented in the supplementary files. The consistency of the post-9/11 human rights results being insignificant statistically is that there is something different during this period making human rights considerations less important. One possibility is that the democratic suppliers we examine are all part of the Global War on Terror at some level and they see the importance of propping up friendly regimes in the Middle East and North Africa. While security may drive the decision on the surface, the states that appear to need to be propped up are also resource and cash rich. Our results lead us back to the classic question in arms research: is it economics or security that is driving the arms trade?

Conclusion

Do states follow their own rules limiting arms sales to states that violate human rights? We systematically examined the sale of different types of weapons systems by four mature democracies—United States, United Kingdom, France, and Germany—whose rhetoric calls for limiting sales to human rights abusers. We distinguished these types in terms of their varying capabilities and potential for use in repressing population. This is, to our knowledge, the first study to examine these issues for multiple countries at the same time while also accounting for weapons type. Our results indicate that human rights violations by states largely do not affect their opportunity or ability to import major weapons systems from major democratic suppliers. This finding is a bit distressing from a normative standpoint, and differs from the more optimistic results generated by some prior studies.

Knowing that human rights considerations do not appear to meaningfully affect policy outcomes in most cases is an important starting point for more detailed questions about the policy-making process and the considerations of decision makers in states. Is there simply a wide disconnect between the measures of human rights violations and the decision-making about weapons? Do decision makers in arms exporting countries think about the worst-case scenario for weapons sales, or do they look at the type of human rights violations a state is making and make a calculated risk to provide weapons? If that is the case, what influence do the other factors (economic, political pressure, or existing arms dependence) play when weighing such decisions?

Such questions point to the need for more theorizing about the role that arms play in international relations. The sociological aspect of arms—as symbols in the international arena—as well as bureaucratic blindness on the part of states may play a bigger role in allowing arms transfers to questionable states than simple economic imperatives. The US military, for instance, has a great deal of say in the arms transfer process. Without a theory of decision-making and research that examines these aspects, we are left to making generalizations about patterns. These generalizations may support a pessimistic or cynical view of arms transfers, but they also point in many interesting and potential fruitful directions for future research projects. Such projects should include arms transfer scholars, foreign-policy scholars, and general IR scholars and theorists.

Recently, Erickson (2015a; 2015b) has made further headway on some of these concerns. First, she examines international norms on arms transfers with a particular focus on the European Union (Erickson 2015a). Her research finds that strong states are necessary to diffuse such norms. They act as leaders and, in doing so, share costs of compliance while encouraging others to follow norms. This insight differs from previous literature that argues (often implicitly) that states become norm leaders out of a moral imperative. Leaders can act based on multiple motivations. Erickson's (2015b) work on the arm trade treaty and the United States shows that, on paper, the US is already a leader in the arms export-control field. She finds the United States lent support to this international agreement—even though it did not affect its current policies (Erickson 2015b, 452)—in order to increase soft power through engaging in multilateral diplomacy.

While our results shed light on the relationship between human rights violations in importer states and the decision of states to export arms human rights violators, we must also acknowledge the limitations of our research. First, the nature of our analysis limits our ability to make casual inferences about what drives sales. For example, the transfer of conventional weapons may indicate that states see conventional weapons primarily as tools for external security. Suppliers may not view the military as the instrument of repression or human rights violation in an importing state, and thus not see their transfers as contributing to human rights abuses.

Second, we only examine the decision to transfers arms while ignoring the size of the transfer. We provide support for this decision with tests in the supplementary files accounting for size. Moreover, Blanton (2005) does not find any significance in the second stage of her tests. Additionally, we question whether the number of weapons transferred matters, given that any sales potentially implicate the exporter in supporting a regime that abuses human rights.

Third, the structure of the data we use prevents the use of fixed effects in the statistical analysis, which means that we cannot completely account for factors that are unit-specific or time-varying. Despite these issues, our statistical analysis of these exporting states offered a systematic look at the relationship between human rights and exports from democratic states.

Changes in the real world have occurred after the range of our data that directly affect international arms transfers—just as they did for Blanton (2005). The biggest change is the adoption of the Arms Trade Treaty. Its adoption could indicate that rhetoric is translating into reality as more formal and international agreements come to limit the arms trade. The other regulatory change is the adoption of the EU Code of Conduct on Arms Export. Our data overlaps with this passage, and the code itself is also examined by Erickson (2011). In the case of the United States, the opening vignette hints that changes in administration and domestic political climate can have an effect on how states prioritize security and human rights in arms transfer decision-making. Clearly this is a ripe area for future research.

Analyzing the sale of different types of weapons systems, rather than the monetary value of arms, when researching sales in a foreign-policy context constitutes a very important first step in answering questions about the relationship between arms sales and other foreign-policy

objectives by democratic states. For example, Turkey was unable to buy attack helicopters from the West at the same time that it remained a large customer for fighter aircraft. Given this, our finding that weapons types are not *systematically* associated with restraint in arms sales by these states matters. It focuses attention on the need to examine such sales in more detail. Doing so will help us to understand how democratic states adjudicate different considerations when deciding whether or not to sell arms to foreign buyers.

Supplemental Information

Replication data and .do files and additional tests referenced to in text are available at www.richard-johnson.net and the *International Studies Quarterly* data archive.

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