Ratification Attitudes towards the Rome Statute: A Quantitative Study of Current Parties

B. Anjum Shaik[a],
[a]Department of Sociology, University of Minnesota

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Abstract: The Rome Statute of 1998, on which the International Criminal Court is based, has been ratified by a variety of countries. This paper is a quantitative analysis on the Rome Statute State Parties. It examines what motivated countries to ratify the Rome Statute of 1998. It draws upon a sample of 131 countries, focusing specifically on the traits of democracy, GDP, population, and global connectedness of these countries. Regression analysis allows for an examination of the explanatory weight of democracy, GDP and population to create a more holistic view of the interactions and significance they have on ratification of the Rome Statute. Findings suggest that factors related to agency characteristics, such as Democracy Scores, have a significant impact on pushing a country toward the ratification of the Rome Statute. The article concludes that despite the conflicting results of outliers, the significance of agency characteristics in ratification attitudes reflects a commitment to the international community and its norms.

Introduction

This paper discusses patterns of ratification of the Rome Statute of 1998 on which the International Criminal Court [ICC] is based. I address three issues: (1) the timeline of when the nation-states ratified the Rome Statute; (2) the identification of some features of these countries that ratified the Rome Statute; and (3) analyzing whether becoming a state party to the Rome Statute follows similar patterns to those found for other policy diffusion models.

The Rome Statute of 1998 was part of various legal changes introduced in the twentieth century towards human rights law. The criminalization of human rights law allowed for the Rome Statute's application in international and national courts of law and resulted in an overall increase in trial activity. Although the introduction of the Rome Statute marked a critical moment in the criminalization of human rights law, its ratification by multiple countries created the bounds of its jurisdiction and structure. First, ratification by a minimum number of countries was required before the ICC could be established, and then the legitimacy of the ICC depended in part on many countries either supporting or ratifying it. However, ratification introduces questions as to what makes a country more or less likely to join the ICC. This question is crucial in understanding the mechanics behind a country deciding to ratify the Rome Statute. Thus far, 120 countries have ratified the Rome Statute and

are part of the ICC. There is also a handful of countries who signed the Rome Statute, but did not ratify it—these countries are therefore not State Parties in the treaty and have no legal obligation arising from their signature on the treaty. The distinction between signatory and non-signatory status is crucial because it reveals whether a country has signed and ratified the Rome Statute. Furthermore, the identification of such variables can also be a predictor on how countries have acted on the signing and ratification of other treaties, conventions, and policy models. Identifying these distinguishing variables also creates a pattern of action for the country and its willingness to participate in the global community.

Answering the central questions provided above requires evidence that can speak towards the norms and actions utilized by the countries in question when they are approached to approve or follow international models and conventions. Literature on the internationalization of law suggests which features make a country more or less likely to ratify the Rome Statute. The literature also speaks to the diffusion of global norms and ideas across countries.

For the methods used to answer this question, I used the official ICC website to collect data on which countries ratified the Rome Statute, when they ratified it, and if there are some who signed, but did not ratify. Furthermore, I used international organization reports to measure the international involvement and connectedness of nation-states through studying possible ratifications on separate human rights declarations.

In studying this topic, I hope to achieve a well-rounded understanding of the impact of global and national norms on each other. The diffusion of these ideas goes both ways and by studying the ratification conditions of the signatory and non-signatory countries of the Rome Statute of 1998, the analysis reveals the consequences (both positive and negative) of choosing to be a part of the ICC. I hope to study and understand how a country's features and pattern of action with national and global norms define its place and role in the global community and its approach to international conventions.

Review of Literature
The Diffusion of Global Norms and Policy

To many, a diffusion of global norms and policy might mean the overhaul of local politics and beliefs. However, the similarity between national and international norms presents itself as a semi-permeable barrier in which norms can transfuse between local and international policy adoption. Boyle, Songora, and Foss (2001) studied female genital cutting (FGC) in the United States, Egypt, and Tanzania and found that functionality and international standing combine to influence the level of conflict produced by reform methods to end FGC in the respective country. This analysis describes how the interaction of global and local norms depend partially on the conflict within a country on the given issue and how the country's legislators respond to it. The same study states that the difference in reactions and level of conflict towards FGC resulted in the late adoption of anti-FGC policies and laws and how they reacted to international actors supporting anti-FGC laws. The multi-level power systems are key in recognizing how countries are influenced in the adoption of international policies and norms.

Focusing on the conflict aspect and its

influence on social movements, Tsutsui and Shin (2008) study how global and local factors affect local activism and their outcomes. This analysis argues that the growing influence of global human rights has fueled protest movements in Japan and facilitated mobilization of residents. The authors argue that local movements cannot be fully understood or supported unless they incorporate international systems into their movement or are backed by global regimes of power. Tsutsui and Shin's argument is important because it portrays how the globalization of international norms, such as human rights, empower local protest movements, and explain the purpose of a movement by extending the scope of analysis to a global level. By using publicity to pressure the local government and global norms to empower and inform their movement, Tsutsui and Shin answer how these movements have created a framework that utilizes a top-down impact of global norms and bottom-up influence of local activism to produce policy changes. Global networks utilized in these protest movements give the protesters leverage to pressure government officials, and thus, the combination of global norms and social movements produce favorable outcomes for the residents.

But when does one country conform to the spread of these norms and open itself to internationally influenced policy change? Boyle, McMorris, and Gomez (2002) study the issue of local conformity to international norms in the case of female genital cutting to answer this question. Global institutions seem to set the standards on the policies of nation-states and have incredible influence over their policymaking. Tsutsui and Shin already have shown that global institutions also tend to back

social movements by applying increased pressure to governmental actors so as to force progressive policy change. However, in studying the case of female genital cutting across five African nation-states, Boyle, McMorris, and Gomez (2002) argue that individual choice behavior is just as important in determining conformity across the nation to these international norms. The authors study how regional development, international norms, and national reaction to these norms come together to create an atmosphere conducive to change in FGC practices. Since FGC is considered normative in many areas of these African countries, especially in areas that are less regionally developed than larger metropolitan and diverse areas, failing to circumcise one's daughter is considered deviant. However, in areas where anti-FGC movements are sweeping across, individual level scripts—such as education, college, mass media, and employment—create significant change in reductions in the practice of FGC. Yet, while these individual level modern scripts enhance the influence of global norms on local customs, nation-state resistance to these anti-FGC movements still has a significant effect on the acceptance of international norms on a policy level.

The diffusion of international norms and policies depends on a multitude of factors and does not necessarily mean the overhaul of local customs and laws. Boyle, Songora, and Foss (2001) explain how the level of conflict and functional relevance within a global order effect delays or hastens the adoption of international norms into local frameworks by legislators. Tsutsui and Shin (2008) emphasize how international influence and global institutions can empower and encourage social movement

and increase the level of conflict to force change and integrate international norms from governmental enactors. Finally, Boyle, McMorris, and Gomez (2002) explain how individual level scripts play an equally important role as conflict level and functional relevance in local conformity to international norms. The relationship between international norms and the local culture and government of a nation is fundamentally important in understanding diffusion of global standards. This relationship raises the question of whether national level laws and norms have the same level of influence on global standards as global standards have on individual nation-state. Does the diffusion of norms work both ways or is it exclusive to the transference of global to national norms only? The idea of diffusion continues to raise questions of whether national and state policy reflects inter-nation policy.

Reflection of National Policy in International Laws and Policy

When studying the diffusion of international norms within the national and local context, one could assume that the same theory could be applied to the diffusion of national norms within the international context. Building on the previously used analogy of a semi-permeable barrier between the national and the international, the national norms have influence over state and local norms, as well as a feedback loop towards the international norms. Focusing first on the institutionalization of national laws, Grattet, Jenness, and Curry (1998) study the homogenization and differentiation of hate crime law within the United States. The authors study the homogenization of state criminal statutes and theorize that policymakers imitate similar policymaking bodies due to

limited information and understanding on optimal policy. Moreover, these processes of innovation and diffusion of policymaking are heavily influenced on international and national networks of policy. However, Grattet, Jenness, and Curry find that while homogenization of these criminal statutes is dependent on the relational networks of surrounding policymaking bodies, local context and individual characteristics of states result in differentiation of these same laws. Essentially, while the method of adopting these statutes was similar to the surrounding states, the actual language written into law differed from that in the surrounding states' laws. While institutionalization is focused on the spread of similar norms based on relational networks and historical elements, local conditions and broad system effects result in the differentiation of cultural forms and practices.

In the previous section, the 2008 study by Tsutsui and Shin concentrated on the impact of global institutions on local social movements, and how they encourage and empower local residents to force national actors to adhere to global human rights norms. However, a 2017 study by Tsutsui further analyzes the mutually constitutive relationship between global and local movements and the local-global feedback loop utilized in minority activism. Tsutsui (2017) argues that while global actors have an impact on local activism, local activism is also significant in upholding global institutions. In the network of worldwide dynamics, the actions of a single local activist group might be viewed as insignificant— however, looking at the combined value of multiple groups reveals that global processes develop through collective action. Tsutsui uses the example of the Baraku Liberation League

League [BLL] to emphasize how the BLL was able to move from domestic activism into the global sphere with the help of international actors. The BLL became part of the international institutions that originally supported their movement. The author uses the term "movement reorientation" to describe how the BLL transformed its structures and movements and spun off into the international wing, allowing it to push for its goals domestically and internationally. While global human rights initiatives first transform the local actors' movements, they concurrently work together to propel the movements into new political spheres and facilitate the reshaping of the movements and political opportunities. It also portrays the feedback loop in which the movements benefit from global human rights, but also consolidate and expand them. With the success of their mobilization, local actors simultaneously promote global human rights while addressing new issues and expanding traditional global norms.

While global norms affect national policy, the feedback loop between local and the global policies portrays the same impact of national norms on the expansion of global norms and policy. Grattet, Jenness, and Curry (1998) find that while homogenization does occur in policymaking due to relational networks, they also find that differentiation in the actual legal language occurs due to differences in local contexts. Savelsberg (2015) finds the same effect for national-level support for ICC prosecutions in the case of Darfur. Furthermore, Tsutsui (2017) finds that in local activism movements, global enactors cause the movement reorientation of these movements and introduce new political opportunities. These new political opportunities propel local movements onto the global stage and allow them to expand global human rights, resulting in norm expansion within the global context. Building off the interaction of global and national norms and the effect they have on each other, it is important to ask how this translates into international treaties, specifically the ICC. Do the similarities in norms and the reflection of these norms generate more or less issues between countries within the ICC? Or does norms expansion and reflection have no negligible effect on the ratification of human rights conventions? The norm expansion and reflection are important aspects when analyzing the legitimacy and consequences of international organizations.

Legitimacy Issues of International Organizations

While looking at the consequences of joining international organizations and ratifying international human rights treaties, it is important to analyze what first drew these countries into these agreements and organizations. Oona Hathaway (2007) analyzes what draws countries to international human rights treaties and finds that, while compliance to the treaties is likely, the commitment to enforce the treaties is most consequential. Hence, the same reasons that drive a country to commit to an international human rights treaty are the same reasons that stop another country from signing and ratifying a treaty. This analysis is important to keep in mind when looking at the legitimacy of international organizations and the agreements that arise afterwards. It speaks towards the relative power structures of specific countries versus the dependence of other countries on the original treaty commitments. Nooruddin and Payton (2010) examine how the United States'

imposition of Bilateral Immunity Agreements (BIAs) upon the ICC countries expresses the relationship between power and disincentivizing by one country versus the international commitments signed and ratified by the dependent countries. Their results and analyses make it clear that selection bias is warranted, especially when states within the ICC use strategic intervention and incentivization as leverage to force a specific outcome. While this type of selection bias might not deter the Court from achieving its goals, it does create questions of legitimacy and bias when dealing with dependent and committed countries with less capital than the United States.

Legitimacy issues are already causing problems in the structure of the Court and causing questions to arise on whether the ICC is binding on individuals and if it is substantive or jurisdictional in nature. Milanovic (2011) focuses his research on the language of the Rome Statute. This author asks whether the language denotes the treaty to be legally binding on the individual. Essentially, Milanovic finds the language to be "up for interpretation." The language could be customary in nature and leave the indicted individual to voluntarily accept or decline the customary nature of his crimes and the international law. It intrudes into the sphere of legitimate authority and leaves the universality of the Court to be susceptible to outside influence and political dynamics.

The legitimacy of the Court should be imposed, in theory, within the language of the Rome Statute and by its prosecutorial universality. However, the relative power networks within the structure of the Court create the potential for selective bias and create legitimacy issues for the Court and its decisions.

The legitimacy issues carry over into sovereignty concerns on universal jurisdiction and whether the potential for selective bias can leave dependent countries more susceptible to prosecution by the ICC while other countries are left untouched and unquestioned.

Sovereignty Concerns of Individual Nation-States on Universal Legal Language

The language of enacted universal declarations may raise questions and create problems surrounding national sovereignty. The vague language of the Rome Statute leaves the prosecution of the international crimes vulnerable to politicization. This brings into question the legitimacy of the treaty and whether its goals and motivations are substantive or simply customary. Hesenov (2013) writes in his case study of universal jurisdiction that the main motivation for universal jurisdiction lies in the nexus between law and power politics. Essentially, Hesenov argues that universal jurisdiction, especially international criminal jurisdiction, can compensate when domestic criminal jurisdiction fails to prosecute serious crimes or when domestic governments prevent a prosecution. However, the main problem with universal jurisdiction is its contradiction between its universality and the political interests of its nation-states.

The duality of international criminal jurisdiction and sovereignty provides little compatibility within the national stage. Jennings (2014) argues that individualization of international law by its direct and unmediated relationships make the ICC and the ICJ inherently anti-sovereign. The interconnectedness between the ICC, ICJ, the UN Security Council, and the tribunals make it so that international criminal law is a top-down,

subjective power approach. Due to the expanded judicial character of the ICC and all its connected partners, the Court itself is a threat to the sovereignty of an individual nation-state under its scrutiny. Jennings argues that the lack of limitation of the ICC and universal jurisdiction makes it harmful to individual sovereignty and covertly undermines the boundary between law and border security. For instance, the undermining of sovereignty is especially salient in the African Union. Franceschet (2016) declares that this is because of the Court's growing authority problem on two fronts. The first is a political legitimacy issue that expects the Court to be purely legal and above politics. As discussed in the previous section, the overt use of power politics within the Court's nation-states makes it difficult for the Court to focus purely on legalism and remain unaffected by politics. The second front is about the separation of powers and its lack of admissibility considering the interconnectedness of the ICC, ICJ, tribunals, and the UN Security Council. The growing authority problem due to legitimacy issues and the lack of separation of powers that undermines border security has led to repeated conflict on sovereignty (or lack thereof) within universal jurisdiction.

Literature Summary

The literature considered above, directs my attention on specific factors and mechanisms. Looking at the influence of the national on the international and vice versa, I focused on characteristics of countries in the ICC, which reflects this mutual influence. These characteristics include NGO involvement in the countries, international connectedness, various national figures (population size, GDP, exports, imports, etc.), and the recorded social movements within the countries. These features will lay the groundwork for the upcoming data and analysis section and results section.

Data and Methods

The features used within the methods portion originated from a need to find characteristics that corroborated a state's need to ratify the Rome Statute. The literature review above revealed that while international movements influence domestic matters, domestic matters exert similar influence on international organizations. Keeping this statement in mind, the variables chosen for analysis reflect both domestic features and international connectedness of an individual country. The variables include NGO involvement, size of the nations, international connectedness, domestic social movements (while also keeping in mind the human rights records), democracy levels, and other ratified international declarations by the individual countries.

Dependent Variables

First, the dependent variable being studied is the ratification of the Rome Statute. To find which countries have ratified the treaty, the ICC website lists all the countries, which have ratified. Furthermore, the website also lists countries according to the date they signed, the dates of approval, acceptance, accession, succession, and ratification. This makes it easy to see which states have signed but not ratified and which states have signed and are awaiting ratification. I view this dependent variable of ratification as an indicator of an outside process that makes it necessary for nation-states to sign and ratify the Rome Statute.

Independent Variables

For each independent variable, the chosen indicators help to represent the different factors of analysis in this study. The sources for these indicators have been tapped from a variety of

credible sources and world organizations.

Global Institutionalization of Nation-States

In this first set of independent variables, global institutionalization is to be studied through the institutionalization of other treaties a nation-state has ratified and through the international organization it embodies. In respect to other treaties a nation-state has signed and ratified, we can look to conventions such as the Universal Declaration of Human Rights, the Convention on Genocide, the Convention on Torture, and the International Convention on Civil and Political Rights. While we can look to the individual ratification of the international human rights treaties, the United Nations website has an interactive world map, which measures how many of the eighteen international human rights treaties each country has ratified. With this variable, I can view the global institutionalization of other human rights conventions of a nation-state and their connection to world society.

Nation-State Individual Capacity

This second set of variables focuses on the individual features of a nation-state to analyze what makes it more receptive to ratification. Features like population size, gross domestic product (GDP), and democracy rating. Features like GDP, population size, and trade numbers can be found on the World Bank website, as well as national reports such as the census and state department reports. In reference to democracy rating, Freedom House offers democracy ratings for countries and territories on their website. Freedom House gives democracy ratings on a continuous scale from 0 to 10. For example, the United States is given a democracy rating of 7.96, Norway has a rating of 9.87, Guatemala has a score of 5.26, and Afghanistan has a score of 2.85. The Freedom House report on global freedom

scores which accounts for access to political rights and civil liberties, internet freedom scores, and democratic scores which assesses the level of democratic governance within a country. They give scores on an ordinal scale of "free, partly free, and not free". For instance, the United States and Norway are given scores of "free," Guatemala has a score of "partly free," and Afghanistan has a score of "not free." In measuring these variables, I aim to record the capacity of a country to sign and ratify the Rome Statute against the combined effect of these features.

In the present study, data analyses were conducted in several phases and employed a multitude of different analytical functions to achieve the correct analysis. First, the collected data was reviewed, and any missing data was exempted from the analysis. For example, a country missing values for the Democracy Score was removed from the data set. The raw data set contained 156 countries and their respective variable inputs. In contrast, the edited data set contained 131 countries and their respective variable inputs. This was done to preserve the integrity of the study and prevent any spurious results due to empty variable inputs.
The countries removed from the data set were countries such as Vanuatu, Saint Kitts, the Cook Islands, etc. While these exemptions may insert some bias into the study, this bias should be imperceptible in the larger picture.

Next, the distribution of the data was calculated. The data set was arranged according to (1) ratification status of the Rome Statute and (2) the date it was ratified. This procedure created a distribution in which we could view which countries ratified in what year. Furthermore, the summary of the numerical data was also sought to understand the distribution. Each continuous

numerical variable (GDP, Population, Democracy Score) was analyzed to find the summary of its descriptive statistics, such as the mean, median, mode, skewness, etc.

Then, a series of univariate analyses were conducted to compare possible correlation between the ratification and a chosen independent variable. For example, a cross tabulation table was created between Ratification (Y/N) and Global Freedom Scores (free, partly free, not free) to determine if there was a possible relationship visible from the table alone. Second, in the main analyses, I combined different variables to see if that affected the likelihood of ratification. In creating a scatterplot with GDP and Population and plotting ratification by country on the graph, I was able to see if there was a relationship between GDP and Ratification or Population and Ratification or if both had an impact on ratification. Moreover, a regression analysis was also conducted to review a possibility of a positive or negative relationship on ratification.

Results:

The binary ratification data of Yes or No was first mapped onto a world map to visualize what regions were more prone to ratification. This map in Figure 1 displays that countries in the Americas, Africa and Western Europe were more likely to ratify than other countries. Figure 1 also displays outliers in country ratification such as the United States and Russia. These outliers tend to fall outside the predicted action of ratification in all practiced analysis.

In following the mapping of the ratification data, I cross tabulated the Global Freedom Scores with Ratification to see whether a country was more or less likely to ratify if they were considered a freer country than their counterparts. The data (visible in Table 1) revealed
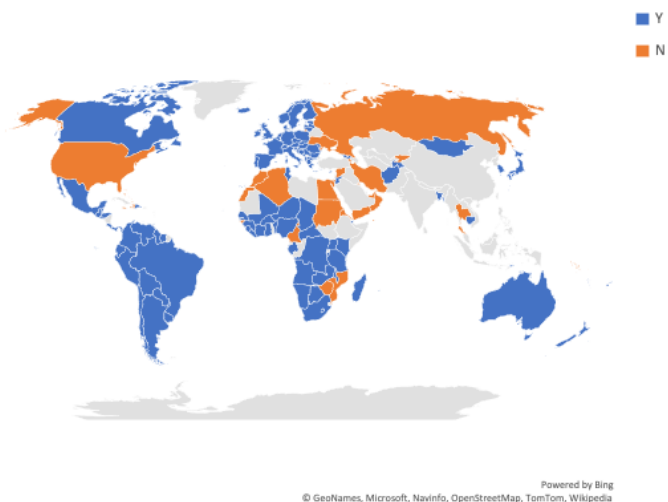

Figure 1: Visualization of Ratification on Signatory Countries

that there was a slight relationship between "being free" and ratifying "yes" for the Rome Statute. As a matter of fact, the free countries made up 40.5% (53/131) in ratifications the Rome Statute compared to countries that were "not free" (9.9% i.e., 13/131) and countries that were "partly free" (28.2% i.e., 37/131). These percentages were calculated by taking the number of ratifying countries and dividing them by the number of total countries in the data set (131 countries).

Furthermore, I also cross tabulated the Ratification of Human Rights Treaties with Ratification (Y/N) to find out if ratifying other human rights treaties made it more likely for the country to ratify the Rome Statute. My findings (Table 2) revealed that countries that had ratified 10-14 human rights treaties made up 38.1% of the ratifications of the Rome Statute compared to the 33.6% countries that ratified 15-18 human rights treaties and only 6.9% of countries that ratified 5-9 human rights treaties ratified the Rome Statute. These percentages were calculated by dividing the number of ratifying countries in each respective row by the total number of countries in the data set (131). Both pivot tables can be found below.

Global Freedom	Ratification Count (Y/N)		
Categorization	N	Y	Grand Total
Free	3	53	56
Partly Free	11	37	48
Not Free	14	13	27
Grand Total	**28**	**103**	**131**

Table 1: Ratification Attitudes by Global Freedom Categorization

Ratification of Human Rights Treaties	Ratification (Y/N)		
	N	Y	Grand Total
5 to 9	13	9	22
15 to 18	1	44	45
10 to 14	14	50	64
Grand Total	**28**	**103**	**131**

Table 2: Ratification Attitudes by the Ratification Count of Human Rights Treaties

Regarding the independent variables of GDP, Population, and Democracy Scores, I graphed these onto scatterplots and grouped the points by Ratification (Y/N) to visualize any interaction between the variables and any potential correlation. In looking at Figure 2, the graph of GDP (Millions) and Population (Thousands) revealed a possible correlation between Ratification, GDP, and Population. Specifically, countries with a GDP of 5 billion and populations of 130 million showed a strong positive correlation towards ratification. In contrast, countries with significantly low GDPs and similar population levels tended not to ratify the Rome Statute. In the top right corner, the clear outlier visible on the scatterplot is the United States, a nation with high GDP and high population levels that has not ratified the Rome Statute. Figure 3 shows a similar scatterplot, but with Democracy Scores on the x-axis and Population (Thousands) on the y-axis. This graph reveals that many of the ratifying countries are clustered in the areas of high democracy scores and low population counts. Countries seemed to be more likely to ratify when they have Democracy Scores of 6 or higher and below populations of 50 million. While there are countries that lie outside this window, a majority of the countries are clustered in this area. The outlier in this graph is again the United States in the far-right top corner which has not ratified the Rome Statute.

Next, I conducted a logistic regression analysis on all the independent variables against the dependent variable of ratification. I chose to do a logistic regression analysis rather than a multiple linear regression analysis because a logistic regression analysis is better suited to analyze a categorical dependent variable (Ratification Status of Yes or No) using the given independent variables.

Figure 4 shows the visualization of the logistic regression coefficients of each of the explanatory variables. A standardized coefficient compares the strength of the effect of each
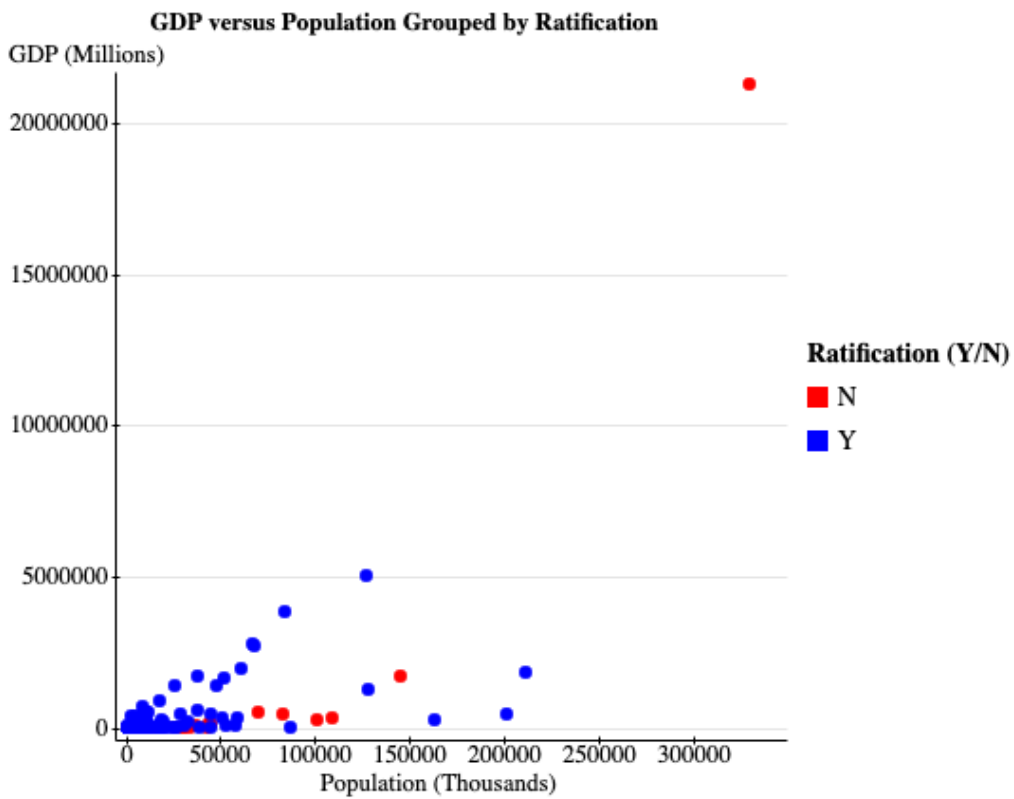
GDP versus Population Grouped by Ratification

Figure 2: The Interactions Between GDP and Population Grouped by Ratification Status

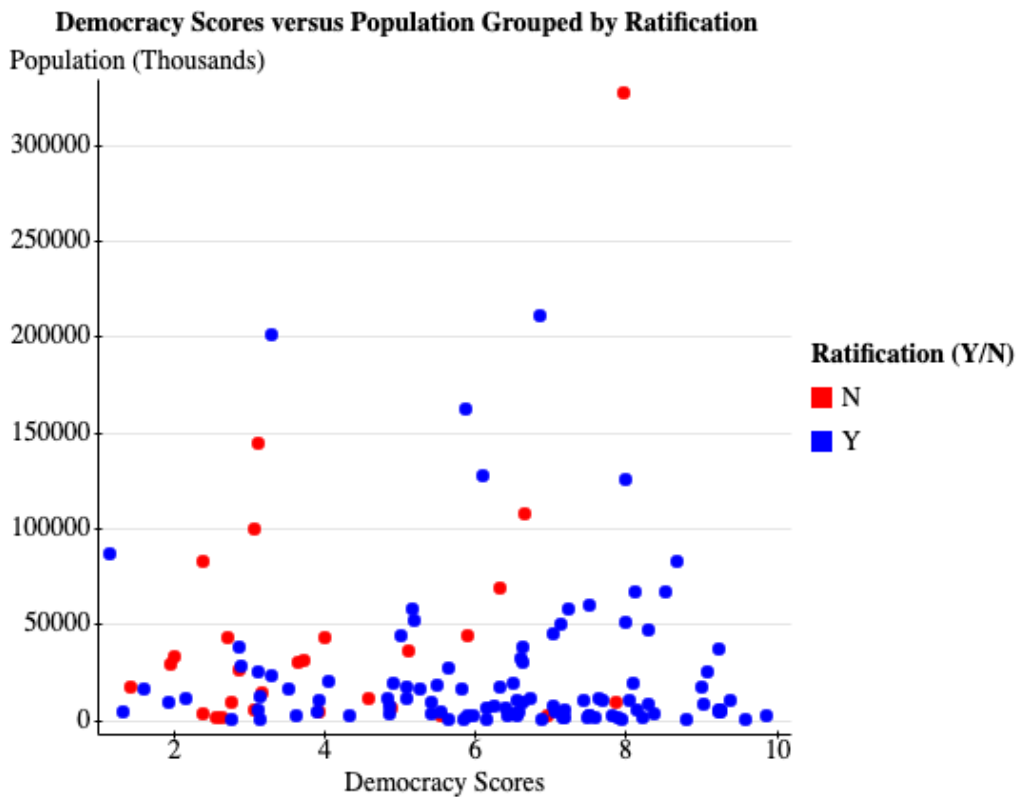**Democracy Scores versus Population Grouped by Ratification**

Figure 3: The Interaction Between Population and Democracy Scores Grouped by Ratification Status
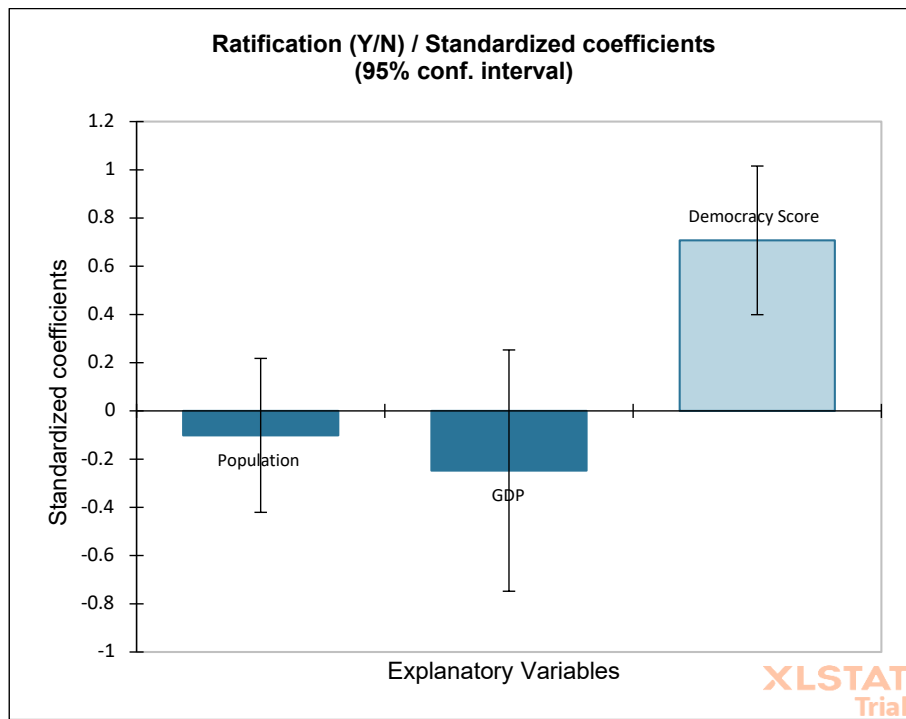
Figure 4: Visualization of Logistic Regression Results on Population, GDP and Democracy Score

individual explanatory variable to the response variable. The higher the absolute value of the coefficient, the stronger the effect. Figure 4 reveals that Democracy Score has a positive relationship with Ratification Y/N, compared to the negative relationships represented by the negative coefficients for Population and GDP. Essentially, the positive coefficient reveals that Democracy Scores are more likely to result in ratification, compared to the negative coefficients of Population and GDP. Moreover, the box plot displays that the spread of the data for Democracy Score is mostly located in the interquartile range (25th to 75th percentile), whereas the data spread for both Population and GDP is not as condensed and tends to lay much further out of the interquartile range. What this means is that variability within

Democracy Scores of ratifying countries is much lower than the variability within GDP or Population for ratifying countries. The odds ratio in the table represents the odds that an outcome will occur given a certain exposure, compared to the odds of that exposure not occurring (see Table 1A in Appendix). The results show that the only statistically significant variable that has an effect on ratification is Democracy Score. By placing statistical significance of a variable at 0.052, Democracy Score is the only variable that fits this criterion for significance. This is visible through the Pr > Chi2 of the Democracy Score. The odds ratio for Democracy Scores reveals that every increase of one unit in the Democracy Score is associated with 1.787 greater odds of ratifying the Rome Statute.

Moreover, I conducted further analysis without the data from the United States. The United States has been an outlier in terms of all the independent variables in reference to the ratification of the Rome Statute. Figure 5 displays the visualization of the logistic regression results

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[2] A logistic regression analysis was done with a significance level of 0.01, i.e., a 99% confidence interval with the outliers (see Table 1B in the Appendix). The Pr > Chi2 for GDP was 0.332156447525093. For Population, the Pr > Chi2 was 0.533041433033472 and for Democracy Score, the Pr > Chi2 was still < 0.0001. This goes to show that both Population and GDP still fail a harsher significance test while Democracy Score holds constant as the only statistically significant variable.
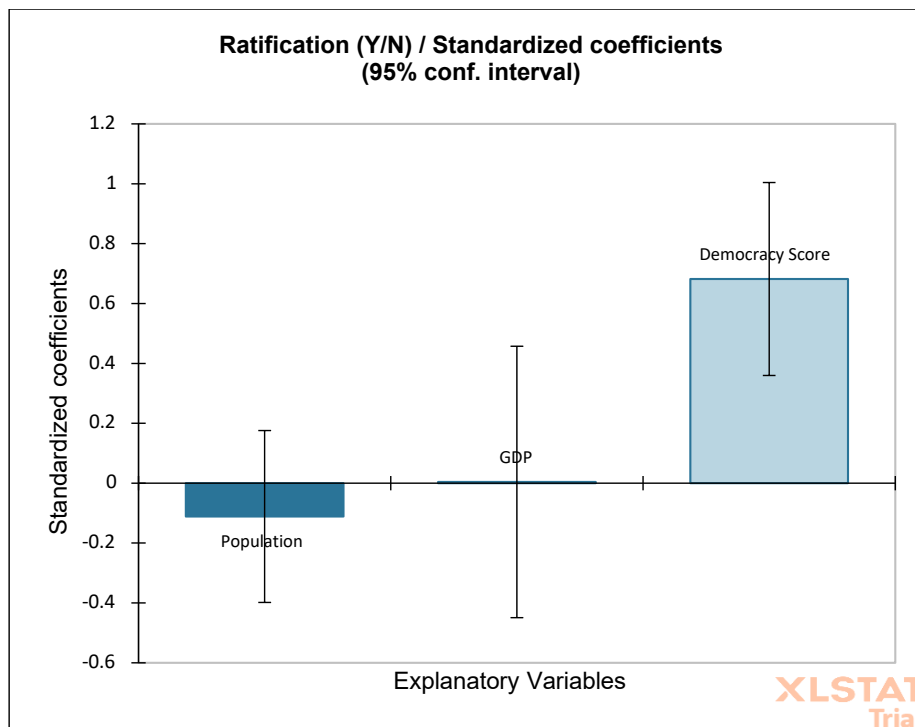
Figure 5: Visualization of Logistic Regression Analysis on Population, GDP and Democracy Score without Outliers

without the US. The overall conclusions from the data without the US do not deviate much from the initial conclusions from the data with the US. The positive relationship between Democracy Score and Ratification Y/N still stands and the distribution of the data for Democracy Scores is still mostly within the interquartile range. Although, with GDP, we see that the data is much more spread out than in the previous distribution and the Population data is slightly less spread out than before. Additionally, I performed logistic regression analysis to determine if that would meaningfully alter the results (see Table 2A in the Appendix). The analysis reveals that while there are subtle differences in the Pr > Chi2 for the independent variables, the overall results do not change from above. Democracy Scores is still the only statistically significant variable[3] in this analysis. However, while the integrity of the results is inherently the same, we do see that the United States data has an effect on the odds ratios of the regression analysis, giving us an increase or decrease, depending on the variable in

question compared to the odds ratios with the United States data.

Focusing more on the significance of Democracy Score, I found the mean democracy scores for all the ratifying countries and the non-ratifying countries. Figure 6 displays the results of the mean democracy score comparison in a bar graph. The comparison of the means reveals that ratifying countries have a much higher democracy score, on average, than those who did not ratify. Moreover, the top five ratifying countries, such as Norway, have much higher democracy scores than the average. However, the top five non-ratifying countries, such as the United States, also have democracy scores higher than the mean score for that specific dataset. One possible explanation for this is that eighteen of the twenty-eight non-

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[3] The logistic regression analysis was performed with significance levels of .01 i.e., a confidence interval of 99% (see Table 2B in the Appendix). For GDP, the Pr > Chi2 was 0.985934635744344 for a significant level of .01. The Pr > Chi2 for Population was 0.447388634982512 and for Democracy Score, the Pr > Chi2 was still < 0.0001. Even with a harsher significance level, the results do not change. Democracy Scores are still the only significant variable in all three significance tests.

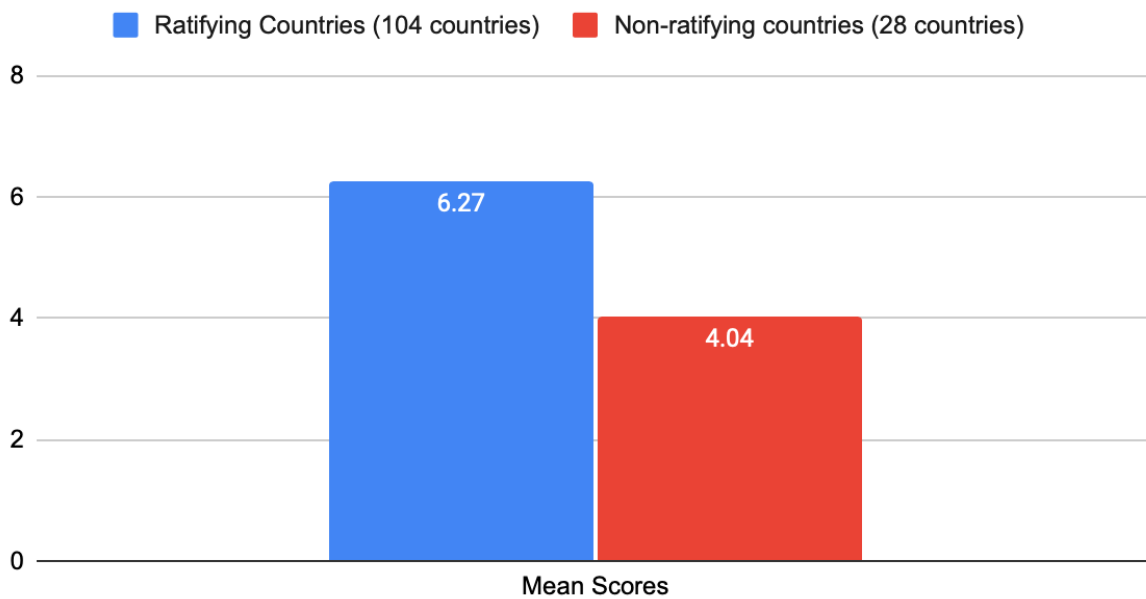## Mean Democracy Scores of Ratifying vs Non-Ratifying Countries

Figure 6: Mean Democracy Scores of Ratifying versus Non-Ratifying Countries

-ratifying countries, such as the United States, also have democracy scores higher than the mean score for that specific dataset. One possible explanation for this is that eighteen of the twenty-eight non-ratifying parties have democracy scores lower than the mean. These eighteen countries could have pushed the mean to the lower end of the scale, making the top five non-ratifying countries anomalies in terms of their democracy scores and ratification status.

Discussion

This research examined under which conditions ratification of the Rome Statute might occur. The results indicate that ratification of the Rome Statute is better correlated with the independent variable of Democracy Score rather than the independent variables of GDP and Population. These results conflict with my initial hypothesis. I assumed that GDP, Population size, Democracy Score all influence ratification status—overall, Democracy Scores had a more significant

effect than GDP or Population. Figure 2 might show a slight correlation between the GDP and Population variables and ratification; however, the logistic regression results show that neither of these variables statistically affect a country's ratification status. The mean democracy scores for ratifying countries reveals that a majority of the countries, on average, have higher democracy scores than the mean. The top five ratifying countries have much higher democracy scores than the mean. Moreover, the demographics of the nation-states show that many of the State Parties are classified as "free" due to their Global Freedom Scores. The Ratification of Human Rights Treaties also shows that many of the State Parties have ratified 10-14 treaties or more along with ratifying the Rome Statute. This demonstrates that the significance of Democracy Scores is evident in the demographics of the State Parties in other independent variables like Global Freedom Scores and Ratification of Human Rights Treaties.

Top Five Ratifying Countries	
Country Name	Democracy Score
Norway	9.87
Iceland	9.58
Sweden	9.39
New Zealand	9.26
Finland	9.25

Table 3: Top Five Ratifying Countries According to Democracy Score

Top Five Non-Ratifying Countries	
Country Name	Democracy Score
United States of America	7.96
Israel	7.86
Jamaica	6.96
Philippines	6.64
Thailand	6.32

Table 4: Top Five Non-Ratifying Countries According to Democracy Score

Factors linked to the Democracy Scores might be the most influential in determining ratification of the Rome Statute due to the nature of the global-national feedback loop. Some sort of democracy is necessary to allow for the inclusion of global norms and the ratifying of global treaties. For example, a change in law-making is based on the level of conflict within a country and how a country's legislators respond to such conflict (Boyle, Songora, and Foss 2001). A certain level of conflict is necessary to convince the legislators that certain policies have public support and require remodeling and to increase legislative support to keep civil balance. This confirms that a certain level of civil freedoms and democratic ideals is necessary to uphold global institutions. Moreover, the global-national feedback loop requires local activism to hold legislators responsible for the country's commitment to human rights (Tsutsui 2017). The clash between local norms and international standards does not mean an overhaul of local customs (Tsutsui and Shin 2008), but rather allows for differentiation based on the different needs of nation-states and adaptation of current norms into law-making (Grattet, Jenness, and Curry 1998).

Moreover, factors related to the agency characteristics of a country (measures of global

freedom and democracy) make a difference in the ratification of the Rome Statute. While such agency characteristics are not visible in official reporting or intrinsic changes in ratification patterns, the effects of agency characteristics are contingent upon community processes and the diffusion of norms. Social movements help raise awareness to create change and gauge the public support for a certain issue or a community. This is important because the agency provided to the social movements by democratic ideals and civil freedoms determine their outcomes. When pressures from the local and international groups converge and create more pressure, we are likely to see a shift in the governmental position (Tsutsui and Shin 2008). Thus, conceptualizing the body of agency characteristics of a nation-state are proven to be instrumental in ratification processes.

However, some of the countries in the study are smaller and lack stronger democratic ideals. They still fit into the agency characteristics due to the diffusion of international and domestic norms. The relational power structures that a nation-state occupies allows it to leverage international support to create domestic change and pressure lawmakers into supporting the movement goals (Boyle, Songora, and Foss 2001). This leverage aids a social movement in a less democratic country to use the support of global organizations to force a diffusion of global norms into their country and achieve the necessary social goals. While a country might lack significant social movements to create noticeable change, the global interconnectedness of the country provides it with international support to garner gains for their movements. The multi-relational power structures in the global society influence actions within domestic borders and involvement in human rights treaties.

The challenging case to the link between democratic characteristics and ratification was the United States. In theory, the United States should have ratified the Rome Statute based on their Global Freedom Score and Democracy Score. However, not only did the United States not ratify the Rome Statute, but they also ratified fewer human rights treaties compared to many of the other countries considered in this paper. The United States was a major outlier in all the independent variables of GDP and Population, which were higher than any other country in the study. The United States seemed to lack the commitment to international norms conducive to ratifying the Rome Statute and other human rights treaties. It revealed a selectiveness of conditions in which the United States decided to act or involve itself in international human rights. The United States' selectiveness in ratification of human rights treaties could be attributed to a differentiation in practice rather than a diverging set of values when it comes to the United States' lack of ratification. For instance, the United States reflects the values present in the international human rights community but differentiates in practice based on local context (Grattet, Jenness, and Curry 1998). This differentiation in practice could also stem from the idea that the United States faces less pressure to relinquish sovereignty. Perhaps a country that is highly populated and powerful like the United States is less dependent on the international community and thus is an outlier in ratification of the Rome Statute.

The individual growth characteristics of the nation-states also challenged the hypothesis on ratification of the Rome Statute. The GDP and Population factors of a nation-state did not create statistical significance in ratification. The democratic scripts of a country could lack

connection to GDP and Population, reducing the chances of democracy being dependent on the individual capacity of a country. This could be because a nation's overall size and monetary value does not translate into a nation-state's higher commitment to the international community. The growth characteristics could measure the nation-states' ties to other countries, but they do not measure the strength of the ties necessary to make a difference in ratification of the Rome Statute.

This study had to contend with several limits. Some countries who ratified the Rome Statute were left out of the data analysis due to a lack of information on certain variables, such as Democracy Scores. This could create certain bias in the study in which smaller countries like Vanuatu, Nauru, the Cook Islands, etc. do not have the same weight as other countries in the study. The study is also limited by the technology used. In terms of outliers, I chose outliers like Russia and the United States due to the fact that these countries did not ratify based on their geographical position in the world, i.e., Eastern European states, Western European states, etc. If countries were deemed as outliers by using standard deviations and whether countries were above or below the threshold set for outliers, the results in the regression analysis could have changed.

Future studies could expand on what influenced countries to not ratify the Rome Statute. This study focused on the variables that influenced ratification and suggests that Democracy Scores had the most significant effect on ratification. However, in the future, one could use similar variables to see if lower democracy scripts caused a country to reject the ratification of the Rome Statute. Furthermore, a focus on the outliers would be fascinating. The United States has a high GDP, large Population levels, and high Democracy and

Global Freedom Scores. However, the United States still lacks commitment to human rights treaties in the international sphere. One could create a future research project on what influenced the United States to not ratify the Rome Statute and what keeps the United States from ratifying the various human rights treaties that many other countries have ratified as well.

Additionally, future studies could build upon this study by including more specific variables. I focused on general variables that defined a country overall. However, accounting for the significance of democracy, future research could study the relationship between the number of social movements, the goals gained, and the ratification of the Rome Statute. Literature cited above suggests that movements leverage power from domestic sources and international sources to create social change that could eventually be enacted on the international stage. Being able to measure that social power and translating it to determine whether connection to ratification exists would be a very interesting study.

Future studies on this topic could also focus on the timeline of ratification. By looking at the time of ratification, a study could uncover whether domestic changes contributed to a later or earlier ratification date. Another analysis could also take into account if the ratification of the Rome Statute leads to the ratification of other human rights treaties or if ratifying other human rights treaties lead to the ratification of the Rome Statute. Analyzing the timeline of ratification may reveal the influence of specific domestic issues or values on ratification and could document turning points in countries that eventually lead to their ratification of the Rome Statute.

Another option for further research is to focus on the countries that deviate from the norm

due to their democracy scores. For example, the top five non-ratifying countries all had higher democracy scores than the mean. Future studies could focus on why these outliers chose to not ratify the Rome Statute and if there were any domestic factors that influenced this decision. Moreover, the study could also focus on countries that were two or more standard deviations above or below the norm for the explanatory variables (GDP, Population, and Democracy Score) and analyze whether this made them more or less likely to sign the Rome Statute and other international conventions. Analyzing the countries who are anomalies in one or more areas could help explain their patterns of action when it comes to committing to international conventions and organizations.

Conclusion

The International Criminal Court (ICC) marked a significant turning point in the criminalization of grave violations of human rights law. The ICC holds countries accountable and allows them to reflect higher human rights standards within their borders. In determining what makes a country more or less likely to ratify the Rome Statute, I found that democracy markers were most significant in determining a county's ratification status; democracy is key to influencing the ratification of the Rome Statute and other human rights treaties. Democratic ideals and markers signify the versatility of a country to adopt international norms and influence the multi-relational power structures in the global community. The demographics of the current State Parties reveal that they also hold high Global Freedom Scores and have individually ratified many other human rights treaties. This pattern reveals that many of these State Parties are well-connected in the global community and committed to the internationalization of human rights law. Despite outliers like the United States, the significance of democratic markers still stands. These markers are imperative in responding to the level of conflict within a country and understanding the influence of their functionality in the international community (Boyle, Songora, and Foss 2001). While countries have concerns about the sovereignty of the ICC and the legitimacy of its rule due to key power differences, these democratic markers still influence whether a nation-state joins the ICC. Thus, the significance of democratic markers defines nation-states' place and role in the global community and convey their approach to international conventions.

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Appendix

Model
parameters
(Variable
Ratification
(Y/N)):

Source	Value	Standard error	Wald Chi-Square	Pr > Chi²	Wald Lower bound (95%)	Wald Upper bound (95%)	PL Lower bound (95%)	PL Upper bound (95%)	Odds ratio	Odds ratio Lower bound (95%)	Odds ratio Upper bound (95%)
Intercept	-1.423	0.650	4.785	**0.029**	-2.697	-0.148	-2.743	-0.170			
Population	-0.004	0.006	0.389	**0.533**	-0.017	0.009	-0.016	0.010	**0.996**	0.984	1.009
GDP	-0.228	0.235	0.940	**0.332**	-0.688	0.233	-0.924	0.092	**0.796**	0.502	1.262
Democracy Score	0.581	0.129	20.224	**< 0.0001**	0.328	0.834	0.343	0.854	**1.787**	1.388	2.302

Table 1A: 95% Confidence Interval Logistic Regression Results with Outliers

Model
parameters
(Variable
Ratification
(Y/N)):

Source	Value	Standard error	Wald Chi-Square	Pr > Chi²	Wald Lower bound (95%)	Wald Upper bound (95%)	PL Lower bound (95%)	PL Upper bound (95%)	Odds ratio	Odds ratio Lower bound (95%)	Odds ratio Upper bound (95%)
Intercept	-1.341	0.669	4.014	**0.045**	-2.652	-0.029	-2.694	-0.047			
Population	-0.005	0.007	0.577	**0.447**	-0.019	0.008	-0.020	0.009	**0.995**	0.981	1.008
GDP	0.010	0.575	0.000	**0.986**	-1.116	1.137	-0.893	1.546	**1.010**	0.327	3.116
Democracy Score	0.560	0.135	17.205	**< 0.0001**	0.295	0.824	0.309	0.842	**1.750**	1.343	2.280

Table 1B: 95% Confidence Interval Logistic Regression Results without Outliers

Model
parameters
(Variable
Ratification
(Y/N)):

Source	Value	Standard error	Wald Chi-Square	Pr > Chi²	Wald Lower bound (99%)	Wald Upper bound (99%)	PL Lower bound (99%)	PL Upper bound (99%)	Odds ratio	Odds ratio Lower bound (99%)	Odds ratio Upper bound (99%)
Intercept	-1.423	0.650	4.785	**0.029**	-3.098	0.253	-3.184	0.220			
Population	-0.004	0.006	0.389	**0.533**	-0.020	0.013	-0.020	0.014	**0.996**	0.980	1.013
GDP	-0.228	0.235	0.940	**0.332**	-0.833	0.377	-1.166	0.181	**0.796**	0.435	1.458
Democracy Score	0.581	0.129	20.224	**< 0.0001**	0.248	0.913	0.273	0.949	**1.787**	1.282	2.492

Table 2A: 99% Confidence Interval Logistic Regression Results with Outliers

Model
parameters
(Variable
Ratification
(Y/N)):

Source	Value	Standard error	Wald Chi-Square	Pr > Chi²	Wald Lower bound (99%)	Wald Upper bound (99%)	PL Lower bound (99%)	PL Upper bound (99%)	Odds ratio	Odds ratio Lower bound (99%)	Odds ratio Upper bound (99%)
Intercept	-1.341	0.669	4.014	**0.045**	-3.065	0.383	-3.142	0.358			
Population	-0.005	0.007	0.577	**0.447**	-0.023	0.013	-0.025	0.014	**0.995**	0.977	1.013
GDP	0.010	0.575	0.000	**0.986**	-1.470	1.491	-1.143	2.182	**1.010**	0.230	4.440
Democracy Score	0.560	0.135	17.205	**< 0.0001**	0.212	0.907	0.234	0.940	**1.750**	1.236	2.478

Table 2B: 99% Confidence Interval Logistic Regression Results without Outliers