

Rewarding Resistance: Theorizing Defiance to International Norms

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Abstract

When does transnational normative pressure result in compliance, and when does it backfire, provoking resistance or backlash? An emergent literature on norm resistance focuses mainly on *how* states resist international norms, but we know less about *why* and *when* they do so. This paper identifies a mechanism linking compliance pressures to norm resistance and backlash, which I term *defiance*. When compliance pressures provoke a defensive reaction in relevant audiences, leaders are penalized for complying with foreign norms and rewarded for violations. Here, transnational pressure is not merely irrelevant but counterproductive insofar as it (unintentionally) generates incentives for leaders to persist or increase norm-violating behavior as a way to accrue legitimacy. I discuss how defiance unfolds, why and under what conditions it occurs, and how it impacts state response to transnational normative pressures. I then incorporate defiance into a modified socialization model, showing that state response to international norms is a function of competing compliance and defiance pressures. A study of Iran's response to the "Save Sakineh" campaign illustrates the utility of the model. The article concludes by outlining an empirical approach to defiance and its theoretical implications to the study of international norms.

1 Introduction

In the last three decades, a number of studies in international relations (IR) have argued that transnational “naming and shaming” can effectively promote global human rights norms. The constructivist literature offers important theoretical models of the process by which transnational pressure induces compliance in violating states.¹ While this literature has gone far towards explaining the power of norms, it tends to focus on successful and progressive normative change. Recently, a burgeoning literature has emerged to correct this oversight, examining norm failure, rejection, and contestation.² States can and do resist compliance pressures in creative ways. They may even double-down or intensify violations as a consequence of transnational advocacy, a phenomenon known as “norm backlash.” But while several important studies demonstrate *how* states resist international norms, we know less about *why* and *under what conditions* they do so. When does international shaming result in compliance, and when does it backfire, provoking resistance or backlash?

This paper identifies an important mechanism driving norm resistance, which I call *defiance*. Inspired by insights in social psychology, sociology, and criminology, defiance refers to the net increase in the commitment to or incidence of norm-offending behavior caused by a defensive reaction to norm sanctioning. When relevant audiences perceive transnational advocacy as symbolic domination, they exert pressure on political leaders that penalize compliance with foreign norms and reward violations. Here, transnational pressure is not merely irrelevant but counterproductive insofar as it generates incentives for leaders to persist or increase norm-violating behavior as a way to accrue legitimacy. In the long term, defiance attaches oppositional norms to collective identity, potentially transforming domestic and international normative orders.

I discuss how defiance unfolds, why and under what conditions it occurs, and how it impacts state response to transnational normative pressures. I then incorporate defiance into a modified socialization model, showing how state response to international norms is a function of competing compliance and defiance pressures. When defiance and compliance pressures occur simultaneously from different audiences, states respond with deflection, affirming the validity of the norm while minimizing perceptions that it violated said norm. When defiance pressures overwhelm compliance pressure, transnational advocacy is likely to backfire, moving states in the opposite direction of the promoted norm. I apply this framework to an original case study involving Iran’s

¹ Keck and Sikkink 1998; Risse and Ropp 1999.

² Ayoub 2014; Bailey 2008; Bloomfield 2016; Carothers 2006; Cardenas 2011; Cooley 2015; Cloward n.d.; Dixon 2017; Flockhart 2006; Epstein 2012; Hurd 2007; McKeown 2009; Nunez-Mietz and Garcia Iommi 2017; Shannon 2000; Symons and Altman 2015; Wiener 2004.

response to global shaming over its use of stoning as capital punishment. I close by discussing theoretical implications and avenues for future research.

This study provides three contributions to the study of international norms. The primary contribution is the conceptual and theoretical development of defiance. Canonical models of international norms focus more on compliance than resistance. Recent contributions demonstrate how states resist norms through “rhetorical adaption,³ evasion,⁴ counter-stigmatization,⁵ and norm immunization.⁶ While these important studies touch on some aspects of defiance, a detailed analysis is outside their scope. As a result, defiance remains poorly understood, generating an incomplete picture of international norms and their effects on state behavior. Second, a focus on defiance reveals a more nuanced understanding of the relationship between norms, identity, and interests. Contrary to the conventional view, I show how the desire for international status, legitimacy, and prestige do not inherently drive conformity. In some cases, legitimacy concerns require a state to *reject* certain norms, or norms emanating from certain actors. Finally, I challenge the received wisdom on transnational advocacy by illuminating the unintended consequences of “naming and shaming” campaigns.

2 Compliance and Resistance: The Conventional Wisdom

2.1 Social Influence Model of Norm Compliance

To understand *defiance*, we must first review the conventional wisdom on *compliance*. Compliance is puzzling because global norms (e.g. human rights) lack direct enforcement. Why, then, do states voluntarily change their domestic behavior to conform to these rules, especially when doing so conflicts with national interests? One popular theory emphasizes the role of *social influence*, or the “distribution of social rewards and punishments.”⁷ In addition to material wealth and power, states strive to accumulate social and symbolic resources such as legitimacy, status, and prestige.⁸ These resources are valuable because they can be used to exert influence (i.e. “soft power”) as a cheaper alternative to brute coercion.⁹ States may also value symbolic resources for their own sake.¹⁰ Regardless of motive, the desire for these symbolic resources drives political actors to adopt the norms of the community to which they wish to belong. Conformity

³ Dixon 2017.

⁴ Búzás 2016.

⁵ Adler-Nissen 2014.

⁶ Nunez-Mietz and Garcia Iommi 2017.

⁷ Johnston 2001, 499.

⁸ Dafoe, Renshon, and Huth 2014; Renshon 2016; Wolf 2011.

⁹ Hurd 1999; Kelley and Simmons 2015, 55.

¹⁰ Renshon 2016, 522.

confers social rewards such as legitimacy, status, and approval, while violations are met with social sanctions such as condemnation and stigma.¹¹

Transnational advocacy networks are especially important agents of social influence.¹² Constituted by nongovernmental organizations (NGOs), news media, international organizations, and liberal states, these networks exert moral pressure on governments that violate global norms. Their hallmark tactic is “naming and shaming”: publicizing violations, condemning abuses, and urging reform. As a discursive tool, shaming stigmatizes norm violators as pariahs, casting them out of the “community of civilized nations” and thus threatening their legitimacy, status, and prestige on the world stage. In addition to exerting pressure “from above,” transnational networks may also mobilize and legitimize domestic opposition groups who lobby a regime “from below.”¹³ Faced with these dual pressures, states comply to maintain their legitimacy both at home and abroad.¹⁴

To clarify, the mechanism described here does not presume an actor *sincerely* believes in the rightfulness of the norms it adopts.¹⁵ Unlike persuasion – which involves changing minds through non-coercive deliberation – social influence hinges on rewards and punishments to elicit desired behavior.¹⁶ However, while states initially comply strategically, they may in time habituate and internalize foreign norms into their domestic practices. Internalization ascribes these norms a “taken for granted” quality, becoming constitutive of a state’s preferences and identity.¹⁷ Constructivists call this long-term process “socialization,” which results in conformity and the reinforcement of community norms.¹⁸

2.2 The Puzzle of Resistance

Despite its path-breaking insights, the socialization literature has been critiqued for its teleological view of norm dynamics. It often presents a unidirectional causal story “from socializer to socializee” resulting in the diffusion of (western, liberal) norms around the world.¹⁹ Recently, a burgeoning literature has emerged to correct this over-

¹¹ Johnston 2001.

¹² Hafner-Burton and Tsutsui 2005; Keck and Sikkink 1998; Ropp and Sikkink 1999a.

¹³ Keck and Sikkink 1998; Simmons 2009, chap. 4; Ropp and Sikkink 1999b, 5.

¹⁴ Finnemore and Sikkink 1998, 903.

¹⁵ Schimmelfennig 2000.

¹⁶ Johnston 2001.

¹⁷ Finnemore and Sikkink 1998; Ropp and Sikkink 1999b.

¹⁸ Finnemore and Sikkink 1998; Greenhill 2010; Johnston 2001; Ropp and Sikkink 1999b; Schimmelfennig 2000.

¹⁹ Epstein 2012, 140.

sight, emphasizing states' *agency* to contest and negotiate global norms.²⁰ States are not passive objects of socialization; they can and do resist in creative ways. In addition to revealing the inherent contestability of international norms, this work underlines the range of outcomes arising from socialization efforts, beyond compliance or non-compliance.²¹

For instance, states can instrumentally manipulate the meaning and limits of norms to defend themselves from social sanction and minimize the costs of noncompliance.²² Scholars have identified several version of this general phenomenon in "rhetorical adaptation,"²³ "stigma rejection,"²⁴ or, in the case of international law, "evasion."²⁵ Socialization efforts can also result in "norm backlash," pushing state conduct in the *opposite* direction of the principle being advocated.²⁶ Early constructivist models acknowledged that socialization was impermanent, and states often "backslide" into earlier stages of development.²⁷ Recent contributions illuminate norm backlash in greater detail. In her acute study of stigma in world affairs, Adler-Nissen describes how deviant states engage in strategies of "counter-stigmatization," whereby leaders transform outside stigma into an emblem of pride.²⁸ Similarly, Symons and Altman find transnational advocacy can drive polarization, leading states to adopt more extreme positions on contested norms.²⁹ Backlash may also materialize as laws or policies hindering the ability of local advocates, what Nuñez-Mietz and Garcia-Iommi refer to as "norm immunization."³⁰

In brief, scholars of international norms increasingly recognize the importance of resistance and backlash to transnational pressure. These insights leave us with two interrelated puzzles. First, what drives resistance to international norms? That is, if leaders are motivated in part by symbolic resources such as prestige and legitimacy, what leads them to resist transnational pressure and thus provoke social disapproval? Relatedly, when does transnational pressure result in resistance and backlash? While the aforementioned studies richly describe *how* states resist international norms, we know less about *why* and *under what conditions* they do so.³¹ Conventional wisdom expects

²⁰ Acharya 2004; Acharya 2011; Adler-Nissen 2014; Dixon 2017; Flockhart 2006; Epstein 2012; Shannon 2000; Wiener 2004; Zarakol 2010.

²¹ Dixon 2017, 85.

²² Cardenas 2006; Búzás 2016; Dixon 2017; Hurd 2005; Payne 2001; Schimmelfennig 2001; Wiener 2004.

²³ Dixon 2017; Schimmelfennig 2001.

²⁴ Adler-Nissen 2014.

²⁵ Búzás 2016.

²⁶ Nunez-Mietz and Garcia Iommi 2017, 3–4; Carothers 2006; Wachman 2001.

²⁷ Ropp and Sikkink 1999b, 181--83???

²⁸ Adler-Nissen 2014, 153.

²⁹ Symons and Altman 2015.

³⁰ Nunez-Mietz and Garcia Iommi 2017.

³¹ Cardenas 2004.

states to violate norms when they hold countervailing interests that override concerns for social approval.³² In other words, deviation from international norms represents a failure of socialization resulting from insufficient pressure and/or exogenous forces such as material interests, domestic political structures, or fixed local norms. While valuable, such explanations implicitly reproduce a teleological vision of socialization by attributing non-compliance to domestic forces that originate prior to or outside international interactions. In contrast, recent developments in constructivist theorizing invite us to consider the ways in which deviance and resistance *emerge from* international norm dynamics.³³ The present study advances this line of inquiry by identifying a central political logic – defiance – connecting transnational pressure to norm resistance and backlash.

3 Defiance in World Affairs

3.1 What is defiance?

Defiance refers to the net increase in the commitment to or incidence of norm-offending behavior caused by a defensive reaction to norm sanctioning.³⁴ The concept specifies an independent variable (norm sanctioning), a dependent variable (norm-offending behavior) and a mechanism linking the two (a defensive reaction.) The ontological placement of sanctioning *prior* to violation is theoretically defensible by virtue of the fact that punishment is determined, at least in part, by forces exogenous to actual abuses.³⁵ Here, *sanctioning produces the motivation to violate*, even for actors who were previously neutral or ambivalent towards the norm in question.

The next section discusses the defiance mechanism in detail. To summarize it briefly: defiance hinges on a *defensive reaction* to norm sanctioning by relevant audiences. These audiences reflect domestic constituencies, factions of the state, or even foreign allies who affiliate with a sanctioned regime and have some leverage over it. While most studies of audience effects focus on mass publics, the logic here is homologous across different groups. These audiences exhibit a defensive reaction when they perceive transnational pressure to constitute *symbolic domination*: an illegitimate attempt to undermine the target's status, integrity, or interests by antagonistic actors for the pur-

³² Shannon 2000.

³³ Zarakol 2014.

³⁴ This definition is based on the criminologists Lawrence Sherman's definition of defiance, "the net increase in the prevalence, incidence or seriousness of future offending against a sanctioning community caused by a proud, shameless reaction to the administration of a criminal sanction." (Sherman 1993.)

³⁵ This fact is well evidenced by the empirical literature on norm enforcement in world affairs See Donno 2010; Hafner-Burton and Ron 2012; Hill, Moore, and Mukherjee 2013; Lebovic and Voeten 2006; Ramos, Ron, and Thoms 2007; Ron, Ramos, and Rodgers 2005; Terman and Voeten 2017..

poses of infiltration or control.³⁶ This reaction produces perceptual, attitudinal, and behavioral changes vis-à-vis the norm in question. Counter-advocacy forces mobilize these attitudinal shifts into political pressure, altering elite incentives. Once transnational pressure is perceived as symbolic domination, leaders cannot acquiesce to such pressure without damaging their legitimacy in the eyes of relevant audiences. Meanwhile, defiant audiences reward those who persist in or increase norm-violating behaviors.

Thematically, defiance reflects the mirror image of the typical socialization story. In the later, leaders adopt international norms strategically to reap the social rewards of conformity and avoid the costs of violation. Defiance reverses this incentive structure: leaders *resist* norms as a way to accumulate legitimacy. As with compliance, this instrumental behavior carries long-lasting consequences on a state's internal structure. Through habituation and internalization, defiance attaches oppositional norms to a state's identity, transforming domestic and international normative orders.

Before moving on, it is worth distinguishing defiance from the related concepts of "contestation" and "blocking factors." Unlike most usages of "contestation," defiance does not logically depend on any pre-established belief concerning the legitimacy or desirability of a given norm. The opposition is directed less at the content of a norm than to the structures of authority through which that norm is propagated, legitimized, or enforced. At the same time, this opposition *constructs* beliefs and preferences concerning the norm itself. In other words, normative preferences are in part a consequence, not only a cause, of defiance.

Defiance also shares elements in common with Risse, Ropp and Sikink's concept of "blocking factors." In their "spiral" model, blocking factors describe class-based, ethno-national or religious forces preventing human rights progress.³⁷ Defiance is distinct from blocking factors in two regards. First, the spiral model treats shaming and blocking attempts as competing arguments rather than parts of a causal or constitutive relationship. Blocking factors are last-ditch efforts, put forth by those already committed to norm-violating behavior, and epiphenomenal to norm violation. Defiance, in contrast, involves a reaction *produced* by transnational pressure, altering state behavior in ways that would not have occurred otherwise. Because shaming fuels the mechanism, we should expect to see *stronger* reactions (and thus higher commitments to norm violation) as transnational pressure increases in intensity. Second, "blocking" and "backsliding" are poor metaphors for defiance insofar as they invoke a status quo maintained in the face of external influences. Defiance is not the regress to some previous stage of development; it sets in motion a process altering the normative preferences in the target

³⁶ Conceptually, symbolic domination is related to normative threat or identity threat, which scholars identify as an important conditioning factor in norm dynamics. (Ayoub 2014; Creppell 2011; Nunez-Mietz and Garcia Iommi 2017.)

³⁷ Risse and Ropp 1999, 260–62.

state, resulting in a new constellation of intersubjective beliefs, practices, and institutions.

To clarify, defiance is not the only mechanism driving norm resistance. Clearly there are other reasons why states violate international norms such as human rights, including material concerns over national security and stability.³⁸ Rather, I hold that defiance constitutes an important yet neglected dynamic in world affairs, with significant implications for our understanding of international norms. As such, it warrants further consideration.

3.2 How Does Defiance Work?

Defiance unfolds through a three-stage mechanism (Figure 1): First, international pressure provokes a defensive reaction in relevant audiences, resulting in attitudinal shifts. Second, country-advocacy forces mobilize this reaction into political pressure. Finally, defiance pressures incentivize leaders to violate norms by constraining compliance and rewarding resistance.

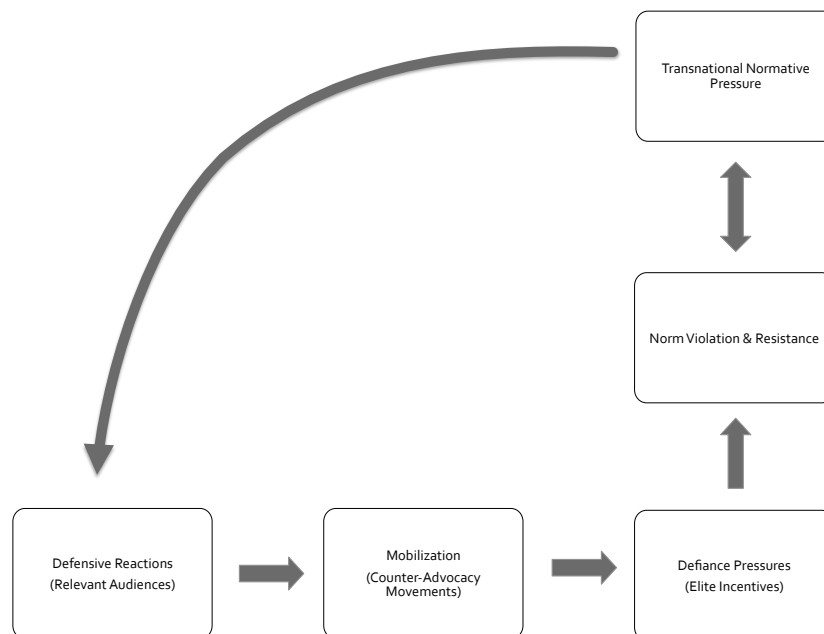


Figure 1: The Defiance Mechanism

3.2.1 Defensive reaction

The first step links transnational pressure to attitudinal shifts in relevant audiences. When viewed as symbolic domination, shaming not only fails to motivate intrinsic compliance but generates a reaction *against* the norm in question. The microfounda-

³⁸ For a review, see Cardenas 2004.

tions undergirding this process are well substantiated in the social psychology and sociological literatures on shaming, identity and norms. Many IR scholars draw from these disciplines – especially Social Identity Theory (SIT) – to substantiate models of socialization and compliance.³⁹ Here, I focus on insights concerning the ambivalent and often counterproductive nature of social sanctioning.

According to SIT, shaming often provokes a defensive reaction, especially when it concerns group attributes or behavior. This is because individuals acquire self-esteem from positive social identity, and will attempt to enhance the status and “positive distinctiveness” of the group to which they belong.⁴⁰ If they feel their group is not doing well compared to others – that it is being stigmatized, criticized, denounced, discriminated against, or absorbed by another group – they will experience “identity threat,” motivating certain perceptual, affective, and behavioral reactions.⁴¹

Three findings are of interest. First, shaming undermines the perceived validity of the message, even when it has objective merit. In controlled experiments, subjects evaluate criticism more negatively when attributed to an out-group member compared to identical criticism from an in-group member. This phenomenon is known as the intergroup sensitivity effect.⁴² In the absence of other information, criticism from an out-group is ascribed hostile and destructive motives, engendering an identity threat and provoking a defensive response.⁴³ Second, defensive reactions lead us not only to discount criticism but to assume more extreme positions, i.e. away from the critic.⁴⁴ As observed in a number of domains, the very experience of having one’s beliefs negated or condemned can motivate a stronger commitment to those beliefs.⁴⁵ This “backfire effect” appears in number of domains, including transnational advocacy.⁴⁶

Lastly, defensive reactions drive people to reward resistance to out-group norms. By sacrificing their reputation, status, and social ties to the out-group, norm-violators demonstrate the authenticity of their commitment to the in-group. In such cases, violating the norms of the out-group (and provoking their outrage and contempt) confers legitimacy and status within one’s social circle. The greater the punishment (inflicted by out-group), the greater the reward (conferred by the in-group). This dynamic is especially pertinent in the context of intergroup hostility or domination. In such cases, outside stigma is often refashioned into an emblem of pride, resulting in the cultivation of sub-norms contradict those held by outsiders. As James Scott observed, “members of a

³⁹ Flockhart 2006; Greenhill 2008; Mercer 1995; Symons and Altman 2015.

⁴⁰ Tajfel and Turner 1979.

⁴¹ Branscombe et al. 1999.

⁴² Hornsey and Imani 2004; Hornsey 2005.

⁴³ Hornsey and Imani 2004, 367.

⁴⁴ Sunstein 2002; Myers and Lamm 1976; Isenberg 1986.

⁴⁵ Nyhan and Reifler 2010.

⁴⁶ Symons and Altman 2015.

dissident subordinate subculture can act informally to foster a high degree of conformity to standards that violate dominant norms."⁴⁷ Ironically, outside criticism ends up legitimize the very behavior it seeks to stigmatize.

Although these findings gloss over significant cultural and historical factors, they nevertheless provide clarity to the complex relationship between shaming, identity, and attitudes. When individuals perceive external criticism as threatening, they not only fail to internalize that criticism but react defensively *against* it. Providing this threat is sufficiently imposing, people may comply overtly out of fear of punishment, but are likely to develop internal attitudes opposing the message they feel is unjustly imposed upon them. Paradoxically, then, *violating* norms becomes a useful strategy to generate prestige, legitimacy and status from within one's social network.

3.2.2 Mobilization

To clarify, the findings I described concern the behavior of individuals, not states. My argument does not "psychologize the state." In order to effect political change, this reaction must be mobilized into political pressure on decision makers. Two kinds of actors assume this role: those who oppose the norm ("norm antipreneurs")⁴⁸ and those who oppose the actor advocating the norm (e.g., nationalists, populists, anti-western, or anti-globalist forces.) Both groups benefit from the change in public opinion resulting from a defensive reaction to transnational pressure: norm antipreneurs by the decreased support of the norm, nationalist or nativist groups by heightened anger at domineering foreigners.

To mobilize a defensive reaction, counter-advocacy actors discursively frame transnational advocacy as symbolic domination. To do so, they draw on context-specific rhetorical schemes to give substance to the abstract psychological processes described above. Three techniques, however, are pervasive across contexts. First, counter-advocacy actors emphasize the *out-group affiliation* of norm advocates, for instance by calling them "western" or emphasizing foreign funding. Second, norm advocates are ascribed *hostile or selfish motives*. Common tactics include framing human rights criticism as partisan, economically interested, or hypocritical. Finally, counter-advocacy groups discursively construct transnational pressure as a *threat inflicting harm* on the nation, for instance by undermining its security. Here, security need not be traditional security, but can include cultural security as well. Even the realization that shaming denigrates the country's reputation in the eyes of the world ("airing our dirty laundry") is often quite effective in producing a defensive response.

This discussion raises a natural question: do counter-advocacy actors genuinely believe transnational pressure constitutes symbolic domination or are they using these

⁴⁷ Scott 1990, 129.

⁴⁸ Bloomfield 2016.

rhetorical schemes instrumentally to rally support for positions they would hold regardless? On questions of intentionality, I concede it is impossible to get “inside the head” of an actor to observe the mental processes giving rise to identifiable speech acts.⁴⁹ However, for the study of defiance, it makes no difference whether an actor expresses his or her genuine beliefs. What matters is how relevant audiences react to these expressions. In this instance, transnational shaming *empowers* counter-advocacy agents with discursive resources and opportunities they can use to mobilize a defensive reaction in the public sphere. Indeed, the fact these rhetorical schemes are so ubiquitous across contexts is indicative of their political utility in generating a more or less predictable response.

In addition to bolstering counter-advocacy groups, foreign shaming can *disempower* local norm entrepreneurs. When transnational pressure is widely deemed illegitimate, this illegitimacy is projected onto both the norm as well as groups who advocate for that norm. Guilt by association damages the credibility of local NGOs, victims-rights groups and others who stand as a surrogate for antagonistic foreign powers. Ironically, the same transnational connections that provide funding, access, and other resources now hinder local advocates.

3.2.3 Defiance Pressures

Finally, the mobilization of defensive reactions exerts *defiance pressures* on decision-makers, altering their decision calculus vis-à-vis transnational advocacy in two ways. First, defiance pressures *constrain leaders from complying* with international norms by increasing the political costs associated with “giving in” to foreign demands. Even if leaders are inclined to comply with international norms on account of their foreign policy preferences, they must reckon with domestic forces that associate compliance with weakness and illegitimacy. James Fearon spoke of a similar mechanism in the context of international crises with his identification of “audience costs.”⁵⁰ Whether in the context of military bargaining or other kinds of disputes, “backing down” is “costly for a leader because it gives domestic political opponents an opportunity to deplore the international loss of credibility, face, or honor.”⁵¹

Second, defiance pressures *reward those who violate* foreign norms. By provoking condemnation and outrage from disliked foreigners, norm-violation demonstrates national loyalty and patriotism. Insofar as human rights criticism threatens to harm the status or reputation of the target country, leaders can claim they are defending the na-

⁴⁹ Krebs and Jackson 2007.

⁵⁰ Fearon 1994. Contrary to the common application of audience costs to explicit threats in military bargaining, Fearon’s original conception involved much broader affective concerns over national honor and reputation. See Dafoe, Renshon, and Huth 2014.

⁵¹ Fearon 1994, 581.

tion's interests by standing their ground.⁵² Again, it is not necessary that elites *genuinely* see international norms as symbolic domination. These social rewards may embolden factions of the state that already favor norm-violation. In some cases, international shaming can tip the scales in a political cleavage towards the side appealing to nationalist discourse over international engagement, hardliners over liberalizers. To the extent it is politically advantageous, authoritarian leaders may intentionally violate norms to "egg on" foreign condemnation and consolidate their domestic control.⁵³ In short, defiance pressures alter the behavior of decision-makers by rewarding resistance and punishing compliance. Like any change in public sentiments, it transforms what is politically viable.

Two final observations close this section. First, as long as it is viewed as symbolic domination, increased shaming *exacerbates* defiance. This point is counter-intuitive from the perspective of socialization theory, which expects more intense pressure to correspond to a higher likelihood of concessions. In the mechanism I propose, more intense pressure means higher payoffs for resisting. Second, because shaming fuels norm-violation, and norm-violation fuels shaming, defiance provides a recursive mechanism that reproduces itself. We saw something similar with socialization: short-term compliance led to long-term internalization and the consolidation of social norms. In a homologous way, defiance can manifest as short-term resistance that is habituated and institutionalized in a state's normative environment.⁵⁴ In this scenario, transnational shaming can die down and norm-violating behavior reproduces through autonomous domestic institutions. In other words, norm-violation can be integrated into a state's identity, at which point it becomes intrinsically motivated to violate international norms.

4 A Defiance Model of Norm Resistance

So far, I have argued that transnational pressure can provoke a defensive reaction, which in turn generates incentives for leaders to violate international norms. I termed this process "defiance" and detailed its constitutional mechanism. In this section, I use defiance to extend conventional models of norm socialization, showing how state response is a function of competing compliance and defiance pressures. Following Hurd, I assume states encompass "instrumental actors embedded in a socially constructed environment."⁵⁵ All else equal, leaders respond to international pressure by weighing the expected utility of complying with the expected utility of resisting. Their

⁵² This claim is consistent with recent work on status recognition and reputation, revealing that states initiate or sustain conflict to prove their resolve or maintain their status in the international system (Dafoe, Renshon, and Huth 2014; Renshon 2016; Wolf 2011.)

⁵³ Carothers 2006; Nincic 2005.

⁵⁴ Zarakol 2014.

⁵⁵ Hurd 2005, 497.

utility is determined, in part, by the social costs and rewards generated from each choice. Thus leaders must consider two competing sets of incentives – compliance and defiance pressures – and will base their response on the constellation of these forces (Figure 2.) Scenario A represents the null case in which both compliance and defiance pressures are low, perpetuating the status quo. Scenario B involves significant pressure to comply but few incentives to resist. This case is indicative of the classic socialization model, and most conducive to compliance.

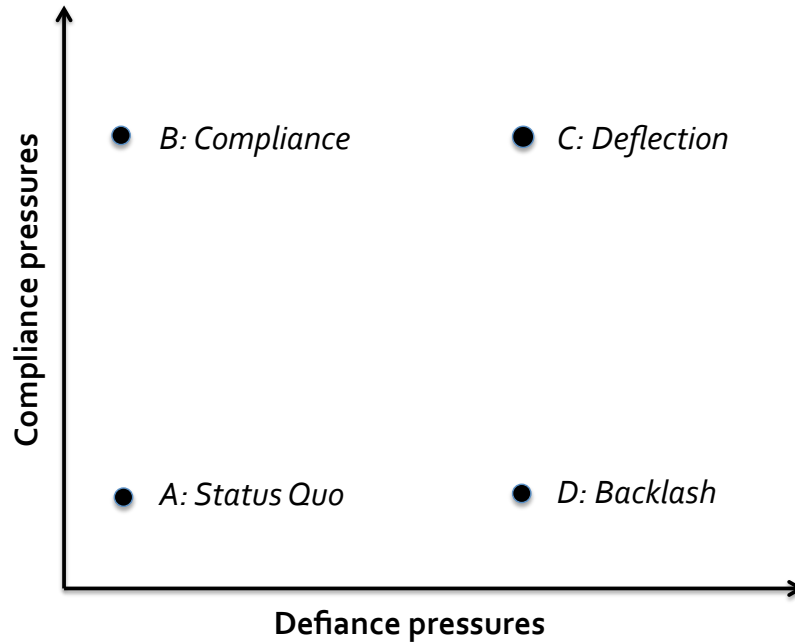


Figure 2: A Framework of State Response to Transnational Pressure

Now consider Scenario C involving significant compliance *and* defiance pressures. Compliance and defiance pressures occur simultaneously when elites contend with different audiences that diverge in their interpretation of normative pressure. For instance, domestic audiences may exhibit a strong defiant reaction, incentivizing leaders to resist. On the other hand, a state’s foreign allies may interpret the norm in question as legitimate. In this scenario, states that resist too strongly suffer social costs in the form of disapproval from international allies, which may sabotage foreign policy goals. At the same time, complete compliance would generate disapproval from domestic audiences, who associate concessions with weakness.

To deal with conundrum, a state’s optimal strategy is *deflection*, or what some scholars refer to as “rhetorical adaption,” “stigma rejection,” or “evasion.”⁵⁶ Notwithstanding the conceptual nuances differentiating these terms, the basic idea encompasses a strategy whereby states deploy arguments affirming the validity of the norm in ques-

⁵⁶ Adler-Nissen 2014; Búzás 2016; Dixon 2017.

tion while minimizing perceptions it violated said norm. Deflection provides a way to challenge international criticism without explicitly rejecting the legitimacy of the norm itself, thus ameliorating both compliance and defiance pressures. By providing rhetorical cover, deflection satisfies geopolitical allies, who require a much lower standard of compliance than do adversaries.⁵⁷ Insofar as these “friendly states” have a lower commitment to liberal norms than they do material investment in the violator, a small change in the incentive structure is enough to tip their strategic calculus towards forbearance and against enforcement.⁵⁸ And while the deflection strategy may not placate all critics, compliance pressures from adversaries impose a lower social cost on the target state, and so are often ignored.⁵⁹

In Scenario D, states experience defiance pressures emanating from both domestic and international audiences, with few counterbalancing incentives to comply. These situations often involve highly contested or polarized norms, such as sexuality rights. For example, Uganda’s 2010 “anti-homosexuality” bill generated intense outrage from western, liberal countries. Africa and the broader Global South, on the other hand, not only failed to punish Uganda but largely rejected the validity of the sexuality rights norm altogether.⁶⁰ In this context, western shaming provoked a defensive reaction from both domestic *and* international audiences, conjoined in their perception of an arrogant and high-handed attempt at cultural imperialism.⁶¹

In such scenarios, the rewards for defying international pressure vastly outweigh the costs, creating an environment conducive to *norm backlash*. By violating western, hegemonic norms, the defiant state bolsters its prestige in the eyes of those who resent being “pushed around” by domineering powers. In the absence any prohibiting force, such incentives drive leaders to take increasingly extreme measures to showcase their righteous resistance for political gain. The logical result is norm backlash, including the initiation of laws and policies antithetical to the norm.

To clarify, these strategies are not mutually exclusive, and can appear simultaneously among different groups of leaders or among the same leaders at different times. A state’s collective response to transnational pressure ultimately depends on the dispositions of individual leaders, the domestic and international interests at stake, and the broader political terrain on which leaders compete for power. These caveats notwithstanding, the framework offered here provides a useful analytical lens to study the dynamic relationship between transnational normative pressure and state behavior.

⁵⁷ This is a specific instance of what Schimmelfennig refers to as “manipulating the standards of legitimacy” (2000, 117–8.)

⁵⁸ Hurd 2005, 519.

⁵⁹ Terman and Voeten 2017.

4.1 When does defiance occur?

Defiance explains the process by which transnational advocacy fuels resistance, but does not posit the former necessarily or inevitably leads to the later. Nothing in the mechanism is deterministic. When do we expect the defiance model to hold explanatory power? I identify three sets of scope conditions corresponding to the three stages in the model, respectively. First, and perhaps most crucially, *relevant audiences must come to view transnational pressure as symbolic domination*. What makes symbolic domination a credible frame? Generally speaking, the response to transnational pressure can be modeled as an interaction between the symbolic resources available to the respondent and the objective, relational features of the engagement. The complexities of this interaction limit the kinds of generalizations we can make, but some patterns do arise.

One possibility draws on the *content* of the norm and the idea of norm “congruence” or “adjacency.”⁶² Norms conflicting with the local cultural environment arouse resistance and defensiveness. Indeed, a number of studies show that successful norm internalization requires assimilation into pre-existing local contexts.⁶³ Norms antithetical to the local environment are often viewed in negative and threatening terms.⁶⁴ This explanation is powerful but incomplete. As we have seen, normative attitudes are more malleable than one might think, and fundamentally depending on social context. Further, to speak of local cultures as pre-existing is misleading insofar as they are profoundly shaped by international interactions.⁶⁵ This is not to say norm congruence (or norm content in general) is irrelevant, merely that it is indeterminate for understanding how people respond to normative conflicts.

I suggest two other factors that contour the reception of transnational advocacy, regardless of the content of the norm at stake. For one, *the social and political relationship* between norm enforcer and target plays a significant role. We know from the psychological findings described in section 3.2 that shaming provokes a defensive reaction when it perceived to be driven by hostile intentions. We also know that social relationships serve as powerful heuristics for attributing motive. It follows that criticism emanating from or endorsed by a geopolitical adversary is more likely to backfire because observers attribute such criticism with political animosity, intended to cast the target in a negative light. Shaming by a geopolitical ally or friend, on the other hand, cannot be attributed to ill will in the same way. Likewise, pressure emanating from a former colonial power or a contemporary hegemon arouses memories of domination – both symbolic and material – rooted in historical experience and mobilized through nationalist

⁶² Acharya 2004, 243.

⁶³ Acharya 2004; Merry 2006.

⁶⁴ Ayoub 2014; Nunez-Mietz and Garcia Iommi 2017.

⁶⁵ Zarakol 2014.

narratives. In such cases, even if human rights critics do not *intend* to harm the target, they will be perceived as such due to these historical legacies.

A second contributing factor is *credibility*. Shaming provokes defensiveness when it lacks credibility, that is, when it is substantively arbitrary, hypocritical, discriminatory, excessive, undeserved, inaccurate, or otherwise untrustworthy.⁶⁶ A lack of credibility fuels defensiveness by giving the impression of ulterior motives. This aspect is particularly worrisome because, with the rise of digital technology and “viral” advocacy campaigns, shaming efforts are more likely to be tainted by misinformation. Even subtle rhetorical features of transnational pressure can signal hostile or threatening intentions and thus undermine the legitimacy of the entire enterprise. In brief, there is a reason why so many observers caution against “rule without right” — the practice of governing absent legitimacy — precisely because they expect defiance.⁶⁷

The second set of conditioning variables pertain to the mediating stage in the defiance mechanism. This stage requires the *presence and capacity of counter-advocacy movements* to mobilize public sentiments and convert them into political pressure. Well-organized and well-resourced counter-advocacy networks are better able to circulate narratives framing transnational pressure as symbolic domination.⁶⁸ These networks (or the audiences they mobilize) must also wield some kind of *leverage* over leaders. If the defiant audience reflects a small and/or politically insignificant part of society, their reaction may be strong but unlikely to sway relevant decision makers. On the other hand, if the audience constitutes a large sector of society with significant accountability power over leaders, their reaction to transnational advocacy will be more consequential.

Finally, regimes must be *vulnerable* to defiance pressures. Those who rely on cultural nationalism for broad support and legitimacy have a natural incentive to respond to defiance pressures. Regime openness may also moderate defiance pressures. Authoritarian regimes, for instance, are more insulated from popular sentiments than their democratic counterparts, and can squelch nationalist protests if it fits their interests.⁶⁹ This seems to suggest, perhaps counter-intuitively, that transnational advocacy is less effective on democracies, as these regimes are more vulnerable to defiance pressures from mass audiences.⁷⁰

5 Case Study: Iran and the “Save Sakineh” Campaign

⁶⁶ Sherman 1993, 460–1.

⁶⁷ Hurd 2007; Reus-Smit 2007.

⁶⁸ Similarly, Nunez-Mietz and Garcia Iommi emphasize the importance of “norm contestedness” in conditioning outcomes of socialization efforts (2017, 6–7.)

⁶⁹ Weiss 2014.

⁷⁰ For another account on the relationship between regime type and the efficacy of “naming and shaming,” see Hendrix and Wong 2013.

To demonstrate the empirical utility of the proposed framework, I analyze Iran's response to international pressure surrounding its use of stoning as capital punishment. I center the study around the 2010-11 campaign to free Sakineh Mohammadi Ashtiani, an Iranian woman found guilty of adultery and sentenced to death by stoning. The case was selected as a plausibility probe for several reasons. First, Iran's response to the "Save Sakineh" campaign presents an intriguing puzzle for conventional theories of norm dynamics. Despite intense compliance pressures, Iran resisted in bombastic ways, suffering diplomatic conflicts and the threat of further sanctions as a result. Typical explanations for state resistance remain unsatisfying, for reasons I address below. Second, the analysis advances a more satisfying explanation for Iran's behavior using the framework of defiance. I argue Iran's opposition to international shaming was motivated less by some normative commitment to stoning *per se* than by an imperative to defy foreign, especially western, demands. Finally, the study contains many observations on the variables of interest — shaming and state response — while exhibiting both synchronic and diachronic variation, making it a strong plausibility probe.

The analysis is based on original research using a variety of primary sources, including interviews with key actors, court documents, public relations materials produced by Iranian government agencies, and hundreds of press releases and articles capturing official statements and actions. Inferences are based on narrative and process tracing techniques, focusing on the timing and content of rhetorical shifts related to the campaign. Although actors may use rhetoric strategically — thus obfuscating motivational inferences — public justifications speak directly to questions of intersubjective norms and legitimacy, which are the focus of the current study. Given space constraints, exhaustive empirical testing is outside the scope of this short analysis. Rather, the purpose is to establish plausibility to these claims.

5.1 Campaign Background

Sakineh Mohammadi Ashtiani was born c. 1968 in a rural area of East Azerbaijan Province in Iran.⁷¹ In 2005, she was found guilty of accessory to murder in connection with the death of her husband, and sentenced to maximum 10 years in prison.⁷² In May 2006, apparently arising out of the investigation into her husband's murder, Sakineh was charged with "illicit relations" and sentenced to 99 lashes as per the Islamic penal code.⁷³ Despite this conviction, a different court re-charged her with "adultery while

⁷¹ Following campaign materials, I refer to the subject and her son by their first names to avoid confusion.

⁷² In 2009, this sentence was commuted to 5 years.

⁷³ Ghaderzadeh 2010.

married” – a more serious offense⁷⁴ – and, in a non-unanimous decision, sentenced her to death by stoning.⁷⁵ While the official Islamic Penal Code of Iran prescribes stoning as punishment for adultery,⁷⁶ the practice remains extremely rare due to the high burden of proof required in an adultery conviction.⁷⁷ Nonetheless, Sakineh was charged under a legal loophole known as *elm-e ghazi* (or “judge’s knowledge”), enabling a guilty verdict despite the lack of evidence.⁷⁸

International outrage over Sakineh’s case emerged through a “boomerang” pattern of influence. In 2007, Sakineh’s son Sajjad elicited the help of Mohammad Mostafaie, an Iranian defense attorney specializing in cases of adultery and juvenile executions,⁷⁹ and Mina Ahadi, an Iranian dissident and human rights activist living in Germany.⁸⁰ In 2010, having exhausted domestic avenues for recourse, Ahadi and Mostafaie used their connections in the transnational human rights network to elicit global attention to Sakineh’s case. Ahadi played an especially pertinent role in delivering Sakineh’s story to a western audience. Resembling Clifford Bob’s account in *Marketing of Rebellion*, Ahadi formulated a media-savvy outreach strategy complete with a compelling narrative of horrific abuse, photos of the victim, and an emotional plea from Sakineh’s children.⁸¹ It also helped that Iran maintained a poor reputation in the west on account of its controversial nuclear program, contested 2009 Presidential election, and overall poor human rights record. For these reasons – and despite at least eleven other individuals awaiting stoning sentences in Iran – the “Save Sakineh Campaign” became a global *cause célèbre*.

In the months following, Sakineh’s name was printed in over 300 newspapers worldwide. Protests on her behalf took place in over one hundred cities. A petition for her release collected thousands of signatures, including from celebrities such as Michael Douglas, Annie Lennox, and Lindsay Lohan.⁸² Media outlets not only covered the story but assumed an activist role, starting their own petitions and letter-writing campaigns.⁸³ Throughout it all, few people expressed doubt over whether western pressure was

⁷⁴ Unlike “illicit relations,” which covers a range of supposedly inappropriate behavior, adultery is strictly defined in the Islamic penal code as “the act of intercourse, including anal intercourse, between a man and a woman” when one party is married.” (The Islamic Republic of Iran 1991, Article 63.)

⁷⁵ Amnesty International 2010.

⁷⁶ The Islamic Republic of Iran 1991, Article 83.

⁷⁷ Terman and Fijabi 2010.

⁷⁸ Ibid.

⁷⁹ International Committee against Stoning 2010b.

⁸⁰ Press TV 2010b.

⁸¹ Bob 2005.

⁸² Spivak 2010.

⁸³ Fletcher 2010.

helpful or effective towards Sakineh's case. "Our campaign has shown that we can force the regime to back down," Ahadi declared. "Our pressure is working."⁸⁴

The campaign quickly drew the attention of western governments. On 8 September 2010, the European Parliament adopted a resolution denouncing Sakineh's situation.⁸⁵ Some national leaders adopted the case as a personal cause. French Foreign Minister Bernard Kouchner said he was "ready to do anything to save [Sakineh]. If I must go to Tehran to save her, I'll go to Tehran."⁸⁶ First Lady Carla Bruni-Sarkozy wrote a personal letter to Sakineh, writing "France will not abandon you."⁸⁷ That same week, France urged the European Union to threaten new sanctions against Iran to pressure the regime to release Sakineh.⁸⁸ The campaign's biggest success, however, came on 31 July 2010, when Brazilian President Luiz Inacio Lula da Silva offered Sakineh asylum in Brazil. "If my friendship and affection for the president of Iran [Mahmoud Ahmadinejad] matters, and if this woman is causing problems there, we will welcome her here in Brazil," he said.⁸⁹ The announcement was surprising given Brazil's friendly relations with Iran and its reputation for non-interference.⁹⁰ Other Iranian allies followed, including Turkey and several Arab nations. By the end of the campaign, officials in at least 40 countries publicly condemned the sentence.

5.2 Iran's Response

The "Save Sakineh" campaign provoked a defensive reaction from Iranian officials, who viewed it through the prism of symbolic domination. This frame invoked the Islamic revolution, where western interference (especially in sexual matters) was closely tied to cultural imperialism, counterrevolution, and threats to national security. In fact, stoning was first introduced shortly after the Islamic revolution of 1979 as part of a broad "anti-corruption" campaign combating "cultural counterrevolution" by cleansing the post-revolutionary society of any infiltration of "western" gender relations.⁹¹ As officials began to see sexual crimes (e.g. adultery) as harmful to the preservation of the Islamic family and thus the national order, foreign interference in the punishment of these crimes was recast as a threat to the existential security of Iran itself.

Given this history, it is unsurprising that the "Save Sakineh" campaign mobilized a defensive reaction from certain audiences, in this case hardline factions of the political elite. For hardliners, submitting to western pressure was intolerable, especially

⁸⁴ Channel 4 News 2010.

⁸⁵ European Parliament 2010.

⁸⁶ Al Arabiya 2010.

⁸⁷ RFI 2010a.

⁸⁸ RFI 2010b.

⁸⁹ Barrionuevo 2010.

⁹⁰ The Economist 2010.

⁹¹ Paidar 1997, 345.

when such pressure manifested as celebrities and governments calling Iran (and Islam) uncivilized and barbaric. In fact, western condemnation of stoning was not only expected but *welcomed* insofar as it bolstered the narrative of Iran as an Islamic protagonist standing up to imperialist enemies. In a stump speech to his base in Gorgan in October 2010, Ahmadinejad used the “Save Sakineh” campaign to malign the United States, which manipulated “humane values as a tool to dominate other nations.”⁹² After linking the campaign to America’s military campaign in the Middle East – a direct attack on Iran’s security interests and regional influence – Ahmadinejad heralded the “Iranian nation’s great revolution” leading the global resistance.⁹³ By framing the situation this way, Ahmadinejad and other hardliners generated *defiance pressures*, effectively constraining the Judiciary from any move that could be seen as succumbing to western pressure.

On the other hand, pressure from Iran’s allies – especially Brazil – meant something very different than pressure from Canada or France. This can be inferred by the contrasting reactions these interventions generated among Iranian officials. In response to Brazil’s offer of asylum, spokesperson of the foreign ministry Ramin Mehmanparast called Lula “a very humane and emotional person” who had been misinformed on the case.⁹⁴ In contrast, conservative *Kayhan* newspaper, considered the mouthpiece of Supreme Leader Ayatollah Khamene’i, responded to Carla Bruni’s involvement by calling her a “French prostitute” and a home wrecker.⁹⁵ Unlike France, Brazil was an important ally, one of the few to defend Iran’s nuclear program.⁹⁶ Lula’s interference embarrassed Iran and threatened to undermine its self-styled reputation as an anti-imperialist leader of the Global South. At the same time, Brazil’s involvement only emboldened western campaigners, generating defiance. Haleh Esfandiari summed up the conundrum:

There are those in the regime who wish this whole affair would disappear because they see it as an embarrassment for Iran, and there are those who argue that the government should not cave in to international pressure and are looking for ways to carry out the sentence and hang her.⁹⁷

Faced with dueling compliance and defiance pressures, Iranian officials opted for a resistance strategy akin to deflection: justifying its actions and delegitimizing foreign criticism, while carefully avoiding the issue of stoning directly. This involved a two pronged approach: First, Iran’s spokesmen attempted to normalized Sakineh’s case as a *murder* conviction, thereby defending their actions as a criminal matter and not one of

⁹² Islamic Republic of Iran News Network 2010b.

⁹³ Ibid.

⁹⁴ Associated Press 2010.

⁹⁵ Islamic Republic of Iran News Network 2010a.

⁹⁶ Leyne 2010; The Economist 2010.

⁹⁷ Esfandiari 2010.

human rights. “This dossier looks like many other dossiers that exist in other countries,”⁹⁸ Mehmanparast told Press TV, Iran’s English language television outlet. “If in human societies we were expected to release those who commit serious crimes, we would also have to ask you to release your murderers.”⁹⁹ To clarify, Mehmanparast and other judicial spokesmen never explicitly denied Sakineh was sentenced to stoning for adultery. But they were careful not to mention stoning directly, saying only “the verdict regarding the extramarital affairs has stopped and it’s being reviewed.”¹⁰⁰ Sakineh’s “death sentence,” Mehmanparast insisted, was related to her murder charges.¹⁰¹

Second, Iran went on the offensive by discrediting Sakineh’s advocates as hypocritical political operatives. Mehmanparast called the Sakineh Affair “a western conspiracy to interfere in international relations of countries,” and undermine Brazil and Turkey’s defense of Iran’s nuclear program.¹⁰² Special attention was paid to Ahadi and her past involvement with *Komaleh*, an armed Kurdish separatist group and, in Iran, a notorious terrorist group.¹⁰³ Perhaps most startling was Iran’s decision to put Sakineh herself on state television on four separate occasions, given that stoning is an intensely taboo topic in the Iranian public sphere.¹⁰⁴ In each appearance, Sakineh confessed to aiding the murder of her husband and denounced western interferers, referring to Mostafae and Ahadi by name. “Ms. Mina Ahadi, this is none of your business,” she said in one video. “I committed a sin.”¹⁰⁵ One particularly horrific “documentary,” produced by the English-language outlet PressTV, showed Sakineh reenacting the murder of her husband in gruesome detail, with her son Sajjad playing the role of his dead father.¹⁰⁶ On account of these actions, Sakineh Affair was deemed “a new low in Iran’s relationship with the west.”¹⁰⁷

5.3 The Shame-Defiance Spiral

Iran’s defiance outraged western activists, fueling more intense shaming efforts, which in turn generated more defiance. In this way, western shaming and Iranian defiance reinforced one another in a perverse spiral, resulting in the political escalation of a seemingly apolitical case. In the United and Europe, the Sakineh affair created a kind of

⁹⁸ Al Arabiya 2010.

⁹⁹ Radio Zamaneh 2010.

¹⁰⁰ Al Arabiya 2010; The New York Times 2010.

¹⁰¹ Al Arabiya 2010.

¹⁰² Radio Zamaneh 2010.

¹⁰³ Vision of the Islamic Republic of Iran 2010.

¹⁰⁴ CNN 2010; Dehghan 2010a; Vision of the Islamic Republic of Iran 2010; Press TV 2010b. Dehghan 2010b; Vision of the Islamic Republic of Iran 2010.

¹⁰⁵ Vision of the Islamic Republic of Iran 2010.

¹⁰⁶ Press TV 2010a.

¹⁰⁷ Pendlebury 2010.

media frenzy whereby the insatiable drive for content fueled a number of strategic mishaps. In one instance, the *Times* of London printed a photo claiming to be Sakineh “unveiled” but turned out to be someone else.¹⁰⁸ In October 2010, two German journalists from *Bild am Sonntag*, the largest selling German tabloid, illegally entered Iran to interview Sakineh’s son Sajjad and her lawyer Houtan Kian.¹⁰⁹ During the course of the interview, Iranian authorities ambushed the building and arrested all four.¹¹⁰ In response to Iran’s accusations of using Sakineh’s case for political ends, Ahadi confirmed the campaign was an *intentional* attack on the entire Iranian regime. “This is a movement against the Islamic regime of Iran,” Ahadi wrote, “which perpetrates murder and crime.”¹¹¹ Informed by Ahadi, a number of outlets falsely reported in December that Sakineh had been freed, only to issue retractions when they realized their mistake.¹¹²

These missteps damaged the credibility of the campaign, enlivening the “symbolic domination” frame used by Iranian hardliners and exasperating their defiance. Iran’s publicists repeatedly gloated about the “dissemination of half-truths about the case by western officials and media outlets,” which they saw as proof of the “western campaign to undermine the Islamic Republic system.”¹¹³ The more the campaign disseminated falsehoods, the less Iranian officials were willing to capitulate. Mehmanparast articulated these political stakes: “The other side is only looking for pretexts against the Islamic establishment and if... we give into their demands they will assert, so there will be nothing left of the revolution and the establishment.”¹¹⁴ This dynamic continued until the “Save Sakineh” fizzled in early 2011, precipitated by a decline in activism and media interest. Sakineh was eventually released on 19 March 2014 – nearly four years after the campaign started and three years since it dissolved completely.¹¹⁵ Stoning remains legal in Iran.

5.4 Alternative Explanations

I expect the main challenge to my argument would dismiss defiance as epiphenomenal to intrinsic interests. What looks like defiance, critics might say, is merely leaders violating norms for reasons unrelated to foreign pressure, and then using this pressure to justify choices they would have made regardless. In other words, transna-

¹⁰⁸ The Times 2010.

¹⁰⁹ Gebauer 2010.

¹¹⁰ Marcus Hellwig and Jens Koch were charged with espionage and returned to Germany after 4 months in detention. The release was reportedly part of an orchestrated deal whereby Germany helped slip as much as \$1.5 billion in funds past sanctions to reach Iran. Marquart et al. 2011.)

¹¹¹ International Committee against Stoning 2010a.

¹¹² Dehghan and Black 2010.

¹¹³ Press TV 2011.

¹¹⁴ AFP 2010.

¹¹⁵ Tomlinson 2014.

tional pressure may alter the *rhetoric* people use, but not their behavior or preferences. Here we must consider the counterfactual: What would have occurred if Sakineh's case failed to generate international attention? While she could have been stoned to death, stoning is exceptionally rare in Iran, even for those who are sentenced. In similar cases outside the global spotlight, officials ended up commuting stoning sentences to other punishments.¹¹⁶ Sakineh's advocates would almost certainly be better off. Mohammad Mostafaie defended several cases of adultery and juvenile execution in his career, but did not experience significant persecution until one of his clients became an international incident. Sakineh's second lawyer, Houtan Kian, was tortured and imprisoned for nearly three years for his role in the case.¹¹⁷ Most tellingly, officials released Sakineh *after transnational pressure dissipated*, directly contradicting alternative explanations. Transnational pressure, it seems, solidified the commitment of Iranian officials to punish Sakineh.

Further, conventional accounts of norm violation remain unsatisfying in this case. The rationalist explanation for why states violate international norms – when norms conflict with material interest – falls short because, in many ways, it *was* in Iran's interest to comply with global pressure. The Sakineh Affair occurred at a time when Iran faced mounting diplomatic conflicts over its nuclear program and contested 2009 Presidential elections. Already suffering from crippling economic sanctions for its disputed nuclear program, Iran risked further sanctions for its treatment of Sakineh.¹ Importantly, Iran alienated crucial allies – including Brazil and Turkey – due to its actions on the Sakineh case. And for what? Sakineh was a provincial, apolitical figure, immaterial to security or stability concerns. Iran had little to gain from stoning her.

Neither can we straightforwardly resort to explanations invoking countervailing local norms. While stoning was certainly a local institution, it was hardly a pillar of national identity. In fact, Iran took great pains to obscure this aspect of the case, in part to avoid provoking domestic outrage from a population already brimming with political unrest. Instead, it framed its resistance as sovereign defiance to symbolic domination from the west. In other words, Iran's resistance was motivated less by some domestic commitment to stoning per se than by an imperative to defy foreign shame and pressure. Taken as a whole, the evidence lends plausibility for the defiance mechanism as a distinct explanation to the Sakineh Affair.

6 Conclusions and Implications

Defiance raises several implications for our understanding of international norms. The first concerns the co-constitutive relationship between norms, social-

¹¹⁶ Sadr 2010.

¹¹⁷ Kian 2011; Lawyers for Lawyers 2013.

symbolic resources, and identity. Contrary to the conventional view, the desires for international status, legitimacy, and prestige do not inherently drive conformity. In some cases, legitimacy concerns require a state to reject certain norms, or norms emanating from certain actors. Just as norm-abiding behavior can be constitutive of one's identity and one's community, so can norm-violating behavior. Instead of approaching norms as an inherently homogenizing force driving cooperation, further attention should be paid to the ways in which they enable differentiation and conflict in world affairs. Current events provided added urgency to this question. In light of the recent upswing in populist-nationalist movements around the world, defiance will likely constitute a relevant source of normative conflict in the future.

Second, a focus on defiance upends the received wisdom on transnational advocacy. Despite being thought of as one of the most powerful antidotes to atrocities abroad, this paper stressed that "naming and shaming" is a fundamentally risky strategy in the project of norms promotion. When defiance plays a role, states violate norms *because* of compliance pressures, not in spite of them. This study also questioned the belief upholding transnational ties as an unmitigated good for local activists. In the context of defiance, transnational ties present a major liability by undermining the legitimacy of local activists.

These insights open a number of avenues for future research. Instead of asking whether international shaming "works" – the conventional approach in the empirical literature thus far – future studies should attempt to uncover when, where, and by whom the tactic is helpful, harmful, or irrelevant. Scholars could also analyze defiance in different institutional contexts, including international courts and intergovernmental organizations. Finally, future work should examine the ways in which local activists navigate the conundrum of transnational ties, which carry simultaneous risk and resources. These questions are imperative for both scholars and practitioners who are committed to the realization of human rights worldwide.

To clarify, this paper did not present a normative argument against transnational advocacy. Rather, it concerned the myriad empirical dynamics surrounding global "naming and shaming", which may or may not be normatively desirable. It is important to consider that transnational pressure may have value beyond persuading states into reforming their human rights practices, or may defy instrumental logic altogether. To the extent the arguments herein have normative implications, they urge a richer empirical investigation into the consequences of transnational advocacy and pressure – both intended and unintended – as a requisite in any responsible policy.

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