

Foreign Aid and Judicial Autonomy

Supplementary Appendix

June 3, 2021

Abstract

Foreign aid donors increasingly embrace judicial autonomy as an important component of advancing democracy and promoting investment abroad. Recipient governments also recognize the importance of judiciary reform for improving the investment climate at home. However, developing countries often lack the necessary state capacity that would enable them to implement these reforms. We argue that recipient countries that lack state capacity to undertake reforms on their own to turn to donors who readily assist in judiciary reforms via targeted democracy and governance interventions. At the same time, we suggest that the external assistance matters less for recipients that are able to implement judicial reforms by themselves. We employ an instrumental variable model to test this argument in a global sample of aid-eligible countries.

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1 Appendix A: Data

1.1 Summary statistics

Table A-1: Summary statistics (117 countries)

Variable	Mean	Std. Dev.	Min.	Max.	N
Judicial independence	0	1	-2.99	2.97	775
Democracy aid	0	1	-2.12	2.91	775
State capacity	0	1	-2.57	2.8	775
Democracy	0	1	-1.86	1.98	775
Regime longevity	0	1	-2.09	3.21	775
Election	0	1	-0.88	2.86	775
Coup	0	1	-0.25	9.31	775
Instrument	0	1	-2.54	2.14	775

1.2 Data sources

Table A-2: Data Sources

Variable name	Dataset name	Source
Judicial independence	Latent Measure of <i>De facto</i> Judicial Independence, (1948–2012)	Linzer and Staton (2012)
Democracy aid	AidData	AidData 3.1
State capacity		
Election	National Elections Across Democracy and Autocracy, 1945–2010 (v.3)	Hyde and Marinov (2012)
Democracy	Varieties of Democracy Transitions, 1946–2010	Coppedge and et al (2020)
Coup	Coups in the World, 1950–Present	Powell and Thyne (2011)
Regime duration	Autocratic Breakdown and Regime Transitions, 1946–2010	Geddes, Wright and Frantz (2014)
Economic aid	AidData	AidData 3.1
Women in parliament	IPU Women in parliament	Interparliamentary Union 2018

1.3 Manifest indicators for *Judicial independence* variable

Table A-3: Manifest Indicators of Judicial Independence

Variable name	Description of data sources	Citation
Keith	Constitutions coded by author	Keith (2012)
Howard & Carey	US State Department country reports	Howard and Carey (2004)
Cingranelli & Richards (CIRI)	US State Department country reports	Cingranelli and Richards (2010)
Constraints on the executive (XCONST)	Polity IV coding of multiple sources	Marshall, Gurr and Jaggers (2010)
Contract Intensive Money (CIM)	National economic data	Clague et al. (1999)
Feld & Voigt	Expert surveys	Feld and Voigt (2003)
Political Risk Services (PRS)	Staff coding of multiple sources	The PRS Group (2013)
Global Competitiveness Report (GCR)	Survey of CEOs	Gwartney and Lawson (2007)

Note: Additional information about the manifest variables included in the measure of judicial independence is described in Rios-Figueroa and Staton (2014) and Linzer and Staton (2015).

1.4 Sample

Table A-4: Countries in the sample (117, N×T=775)

<i>Country</i>	<i>Years</i>	<i>Country</i>	<i>Years</i>	<i>Country</i>	<i>Years</i>
Albania	1994-2012	Guinea Bissau	1994-2012	Oman	1994-2009
Algeria	1994-2012	Haiti	1994-2012	Pakistan	1994-2012
Angola	1994-2012	Honduras	1994-2012	Panama	1994-2012
Argentina	1994-2012	Hungary	1994-2009	Paraguay	1994-2012
Armenia	1994-2012	India	1994-2012	Peru	1994-2012
Azerbaijan	1994-2012	Indonesia	1994-2012	Philippines	1994-2012
Bangladesh	1994-2012	Iran	1994-2012	Poland	1994-2009
Belarus	1994-2012	Iraq	1994-2012	Romania	1994-2009
Benin	1994-2012	Ivory Coast	1994-2012	Russia	1994-2009
Bolivia	1994-2012	Jordan	1994-2012	Rwanda	1994-2012
Botswana	1994-2012	Kazakhstan	1994-2012	Saudi Arabia	1994-2009
Brazil	1994-2012	Kenya	1994-2012	Senegal	1994-2012
Bulgaria	1994-2009	Korea South	1994-2003	Serbia	1994-2012
Burkina Faso	1994-2012	Kuwait	1994-2009	Sierra Leone	1994-2012
Burundi	1994-2012	Kyrgyzstan	1994-2012	Slovakia	1997-2006
Cambodia	1994-2012	Laos	1994-2012	Slovenia	1994-2006
Cameroon	1994-2012	Latvia	1994-2009	South Africa	1994-2012
Cen African Rep	1994-2009	Lebanon	2009-2012	Sri Lanka	1994-2012
Chad	1994-2012	Lesotho	1994-2012	Sudan	1994-2012
Chile	1994-2012	Liberia	2000-2012	Swaziland	1994-2012
China	1994-2012	Lithuania	1994-2006	Syria	1994-2012
Colombia	1994-2012	Macedonia	1994-2012	Taiwan	1994-2006
Congo-Brz	1994-2012	Madagascar	1994-2012	Tajikistan	1994-2012
Congo/Zaire	1994-2012	Malawi	1994-2012	Tanzania	1994-2012
Costa Rica	1994-2012	Malaysia	1994-2012	Thailand	1994-2012
Croatia	1994-2009	Mali	1994-2012	Togo	1994-2012
Czech Republic	1997-2003	Mauritania	1994-2012	Tunisia	1994-2012
Dominican Rep	1994-2012	Mauritius	1994-2012	Turkey	1994-2012
Ecuador	1994-2012	Mexico	1994-2012	Turkmenistan	1994-2009
Egypt	1994-2012	Moldova	1994-2012	UAE	1994-2006
El Salvador	1994-2012	Mongolia	1994-2012	Uganda	1994-2012
Estonia	1994-2003	Morocco	1994-2012	Ukraine	1994-2012
Ethiopia	1994-2012	Mozambique	1997-2012	Uruguay	1994-2012
Gabon	1994-2012	Myanmar	1994-2012	Uzbekistan	1994-2012
Gambia	1994-2012	Namibia	1994-2012	Venezuela	1994-2012
Georgia	1994-2012	Nepal	1994-2012	Vietnam	1994-2012
Ghana	1994-2012	Nicaragua	1994-2012	Yemen	1994-2012
Guatemala	1994-2012	Niger	1994-2012	Zambia	1994-2012
Guinea	1994-2012	Nigeria	1994-2012	Zimbabwe	1994-2012

Note: Years listed in Table correspond to the final year of a three-year panel. Panels for one-period lagged variables shown.

Sample Sample of aid-eligible countries drawn from AidData 3.1 and Geddes, Wright and Frantz (2014). The sample consists of all democracies and non-democracies, excluding periods of war-lord rule and foreign occupation. The population threshold in Geddes, Wright and Frantz (2014) means the sample excludes small-population states: Bhutan, Brunei Darussalam, Cape Verde, Comoros, Cyprus, Djibouti, Equatorial Guinea, Fiji, Grenada, Guyana, Maldives, Qatar, Samoa, Sao Tome and Principe, Seychelles, Suriname, Tonga, Andorra, Antigua and Barbuda, Bahamas, Barbados, Belize, Dominica, East Timor, Jamaica, Kiribati, Malta, Marshall Islands, Micronesia, Nauru, Palau, Papua New Guinea, San Marino, Solomon Islands, St. Kitts and Nevis, St. Lucia, St. Vincent and the Grenadines, Trinidad and Tobago, Tuvalu, and Vanuatu.

1.5 Panel size

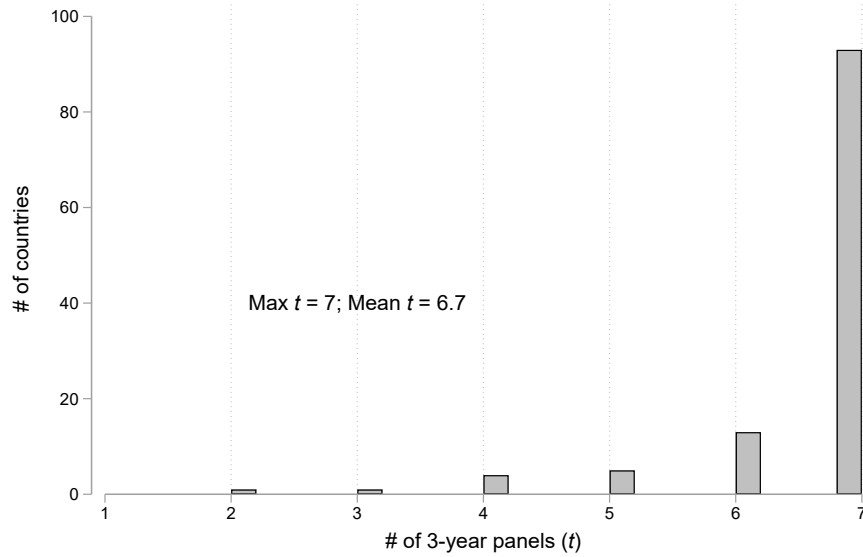


Figure A-1: **Distribution of panel sizes, 117 countries from 1991-2015.** *Some panels contain less than 7 observations because they either were new countries at some point during the sample countries (e.g. Eritrea) or were controlled by warlords (e.g. Liberia) or foreign-occupiers (post-2003 Iraq). Sample panels with one period lag include: 1995-1997; 1998-2000; 2001-2003; 2004-2006; 2007-2009; 2010-2012; 2013-2015.*

1.6 Variable distributions and illustrations

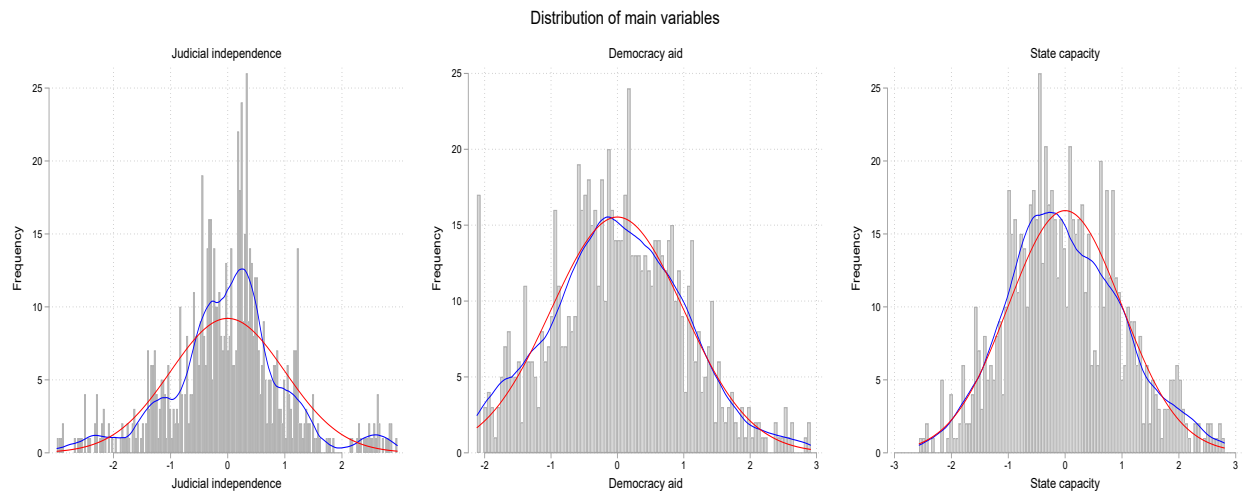


Figure A-2: **Judicial independence, Democracy aid, and State Capacity in 117 countries, 1991-2015.** *Standardized variables. Red lines depict a normal distribution; blue lines show the density curve of the observed variable.*

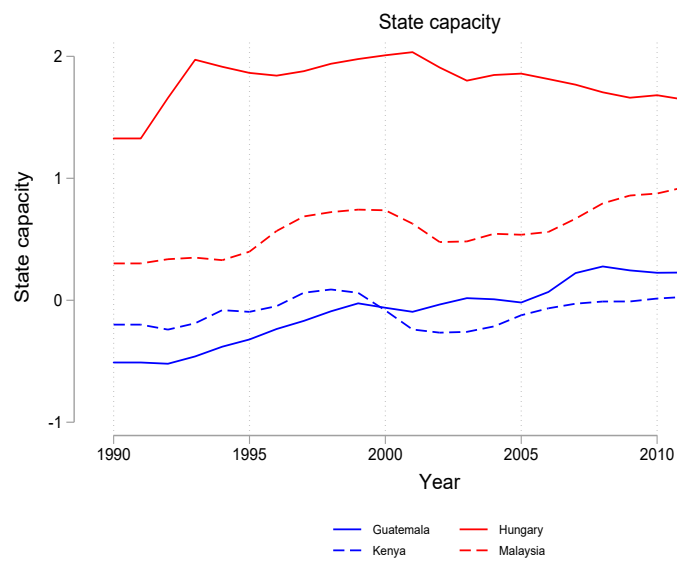


Figure A-3: State capacity in four countries.

1.7 Varieties of Democracy data on state capacity

In the main text we report results from a specification that uses the Varieties of Democracy data to measure state capacity. This section describes this data. We create a combined (latent) index of capacity using five variables from the Varieties of Democracy data set:

- **v2svstterr**: State authority over territory
- **v2stfisccap**: State fiscal source of revenue
- **v2stcritrecadm**: Criteria for appointment decisions in the state administration
- **v2cltrnslw**: Transparent laws with predictable enforcement
- **v2clrspct**: Rigorous and impartial public administration

We combine information from these five items in two ways. First, we construct a linear combination using Cronbach’s alpha, which yields a test scale of 0.80, indicating these items are highly inter-correlated. Second, we construct a latent measure – using the same five items – from generalized structural equation model (SEM) for continuous variables, setting the variance to 1. Table A-5 reports the results. The left column lists the item names; the middle column lists the item-test correlations, which can be describes as the relative (linear) weights given to each item in test scale or how much information each item contributes to the resulting latent score. The right column reports the estimated coefficient (β) for each item, from the SEM model where the outcome is the latent estimate of state capacity. Again, the values in the right column can be interpreted as the amount of information each item contributes to the resulting latent score. Both approaches to constructing an aggregated latent estimate of state capacity yield similar rank order for items, with the item that contributes the least information (**v2svstterr**) listed in the top row and the item contributing the most information in the bottom row (**v2clrspct**): the resulting latent scores are most reliant on rigorous and impartial public administration, while the score are the least reliant on state control over territory. In the main text we report a test that uses the state capacity data derived from the SEM approach.

Item	Item-test corr.	β_{item}
v2svstterr	0.60	0.40
v2stfisccap	0.72	0.53
v2stcritrecadm	0.77	0.66
v2cltrnslw	0.81	0.83
v2clrspct	0.85	0.90

Table A-5: Varieties of Democracy state capacity items

2 Appendix B: Identification strategy

2.1 Constructing the excluded variable

To construct the excluded instrument, we use time-varying information from a feature of *donor* governments that is plausibly exogenous to judicial politics in recipient countries: the number of women in parliament in each donor country-year ($WomP_{j,t}$), from Inter-parliamentary Union (2018). Scholars are in broad agreement that the number of women in parliament in a donor country is associated with increases in the amount of aid (Breuning, 2001; Lu and Breuning, 2014; Hicks, Hicks and Maldonado, 2016). There is, however, considerable debate regarding whether this is the result of differences in women’s policy preferences (the “women’s values thesis” described in Breuning (2001)), or whether the relationship between foreign aid and women in parliament is a reflection of greater gender equality in the donor country (Lu and Breuning, 2014).. The cross-sectional information in the instrument is the probability that an aid-eligible country receives aid from a donor in the democracy and governance (including judicial) sector ($\bar{P}_{j,j}$).¹ This instrument strategy therefore combines exogenous information from the donor with endogenous cross-sectional information on donor selectivity (Nunn and Qian, 2014; Dreher and Langlotz, 2017; Dreher, Fuchs and Langlotz, 2018). However, because the outcome model includes country-effects, the endogenous information in $\bar{P}_{i,j}$ is modeled directly, and thus the interaction of the endogenous variable ($\bar{P}_{i,j}$) with an exogenous one ($WomP_{j,t}$) can be treated as exogenous (Nunn and Qian, 2014; Bun and Harrison, 2018). To construct the excluded instrument we first estimate a “zero” stage equation:

$$Aid_{i,j,t} = \alpha_0 + \gamma_1(WomP_{j,t} \times \bar{P}_{i,j}) + \varepsilon_{i,j,t} \quad (B-1)$$

Following Dreher and Langlotz (2017), we then aggregate the predicted values from this equation across all donors, j , for each recipient year (i, t) to construct the excluded instrument ($Z_{i,t}$) for use in a standard 2SLS model:

$$Z_{i,t} = \sum_j [\hat{\gamma}_1(WomP_{i,t} \times \bar{P}_{i,j}) + \varepsilon_{i,j,t}] \quad (B-2)$$

Because we use a one period lag of the three year panel averages of (potentially endogenous) observed democracy aid, we do the same for the excluded instrument: $Z_{i,t-1}$ from equation 1 where t is a three-year panel. The set of covariates ($\mathbf{X}_{i,t-1}$) includes: *Democracy*, *Coup*, *Regime duration*, and *Election*; while η_t is a vector of year fixed effects and ζ_i is a vector of country fixed effects. The estimated 2SLS model is the following.

$$JI_{i,t} = \alpha_0 + \widehat{Aid}_{i,t-1} + \mathbf{X}_{i,t-1} + \eta_t + \zeta_i + \varepsilon_{i,t}^1 \quad (3)$$

$$Aid_{i,t-1} = \alpha_0 + Z_{i,t-1} + \mathbf{X}_{i,t} + \eta_t + \zeta_i + \varepsilon_{i,t}^2 \quad (4)$$

¹ $\bar{P}_{i,j} = \frac{\sum_{t=1}^{24} P_{i,j,t}}{24}$ where i indexes recipients, j indexes donors, and t indexes year. We calculate aid recipient probability over 24 years from 1987 to 2010.

2.2 First stage regressions

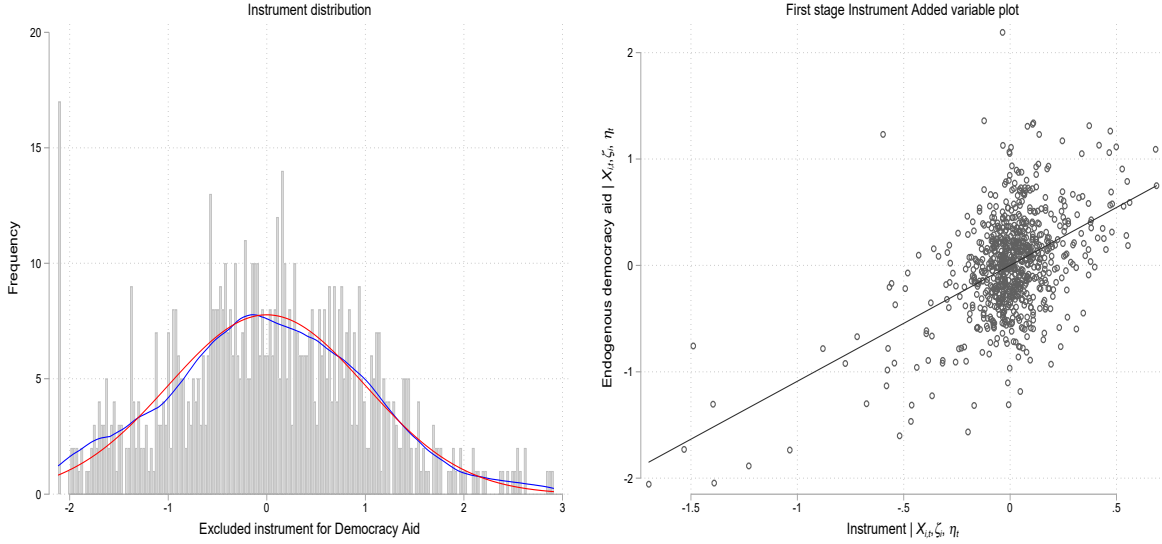


Figure B-1: **Partial correlations for excluded variable and foreign aid.**

The left plot in Figure B-1 shows the distribution of the excluded instrument. The right plot shows the partial correlation between *Democracy aid* and the excluded variable (*Instrument*). The instrument is positively correlated with democracy assistance.

Table B-1 reports the first stage regression equations where the dependent variable(s) is the endogenous *Democracy Aid* variable. *Instrument* is positively correlated with *Democracy Aid*, conditional on other covariates in the specification. The first column is the full sample estimate. Then next two divide the sample into low and high capacity states, while the fourth and fifth columns show first stage results for the endogenous variables, *Aid* and *Aid × Capacity*, in the specification with an interaction term.

To probe the strong instrument assumption, we next examine whether the strong partial correlation remains in sub-samples of the data that are theoretically relevant. This is particularly important when using an excluded variable in a two-stage model with split samples to estimate varying marginal effects. For our purposes, we must be sure that the excluded variable is correlated with the endogenous variable both in low and high capacity states. That is, the “intent to treat” provided by the excluded instrument needs to be sufficiently strong in all parts of the state capacity distribution if want to make valid inference about differing marginal effects of the endogenous variable in different parts of the state capacity distribution.

Figure B-2 shows the F-statistic for weak identification of the excluded instrument in the first stage models of democracy aid when splitting the sample in various ways.² Importantly, the F-statistic is greater than 10 and larger than the Stock-Yogo weak ID test critical values (10 percent maximal IV size) for the samples of both high and low capacity states. This figure shows that the

²F-statistics calculated from the ? robust weak instrument test. The horizontal red line is the TSLS Critical Value for $\tau=20\%$ maximal IV bias.

<i>Endogenous variable</i>	No interaction model	Split sample		Interaction model	
	<i>Aid</i>	Low capacity states	High capacity states	<i>Aid</i>	<i>Aid</i> $\times$ <i>Capacity</i>
Instrument	1.089** (0.08)	0.766** (0.17)	1.139** (0.09)	1.192** (0.08)	-0.113 (0.09)
Capacity $\times$ Instrument				-0.038** (0.01)	0.263** (0.02)
Democracy	0.232** (0.07)	0.149** (0.08)	0.241** (0.12)	0.236** (0.07)	-0.022 (0.06)
Regime longevity	0.014 (0.03)	-0.031 (0.04)	0.156** (0.06)	0.011 (0.03)	0.078** (0.03)
Election	-0.007 (0.02)	-0.008 (0.02)	0.000 (0.03)	-0.004 (0.02)	-0.007 (0.01)
Coup	-0.033** (0.01)	-0.032** (0.01)	-0.042 (0.05)	-0.031** (0.01)	0.013 (0.01)
State capacity	0.022 (0.06)			0.309** (0.13)	-0.302** (0.13)
N $\times$ T	775	387	388	775	775
Country effects	✓	✓	✓	✓	✓
Time-period effects	✓	✓	✓	✓	✓

Table B-1: First-stage equations predicting the endogenous variable(s)

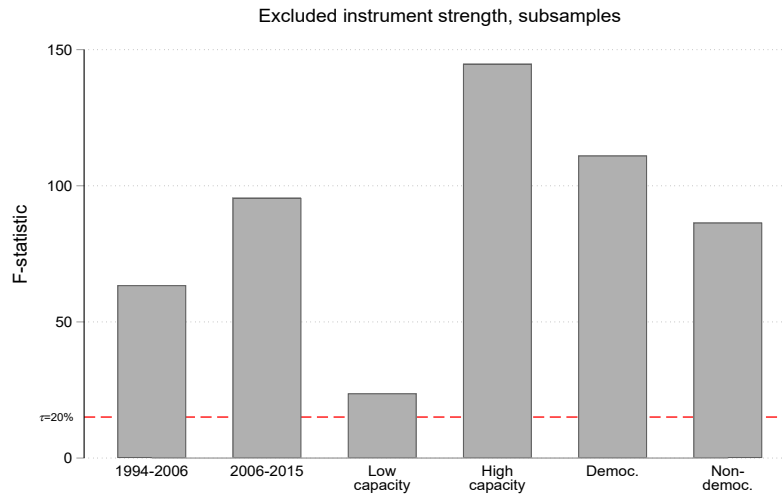


Figure B-2: F-statistics for split samples.

excluded variable is better at predicting aid in the 2000s than in the 1990s, better at predicting aid in high- rather than low-capacity states and better in democracies than in non-democracies. But, most importantly, the excluded instrument is strong enough in both sub-samples to valid inferences about differing marginal effects of the endogenous variable.

2.3 Potential spurious correlation between the instrument and the outcome

The identification strategy assumes that the excluded instrument, derived from $\bar{P}_{i,j}$ and $WomP_{j,t}$, is not spuriously correlated with the outcome, judicial independence. Spurious correlation may occur if the time trend in time-varying exogenous information ($WomP_{j,t}$) is correlated with the time trend in the outcome variable (Jl) and that correlated time trend varies by the level of the endogenous cross-section component of the instrument, aid regularity or $\bar{P}_{i,j}$ (Christian and Barrett, 2017). This section explores this possibility. Figure B-3 shows that while there is a strong (increasing) time trend in $WomP_{j,t}$, this time trend is relatively uniformly increasing across levels of aid regularity ($\bar{P}_{i,j}$).³ Further, the time trend in the Jl outcome variable is nearly flat *and* consistently flat across levels of aid regularity. This evidence suggests that the instrument is *not* spuriously correlated with the outcome via an unobserved common time trend that varies systematically by aid regularity.

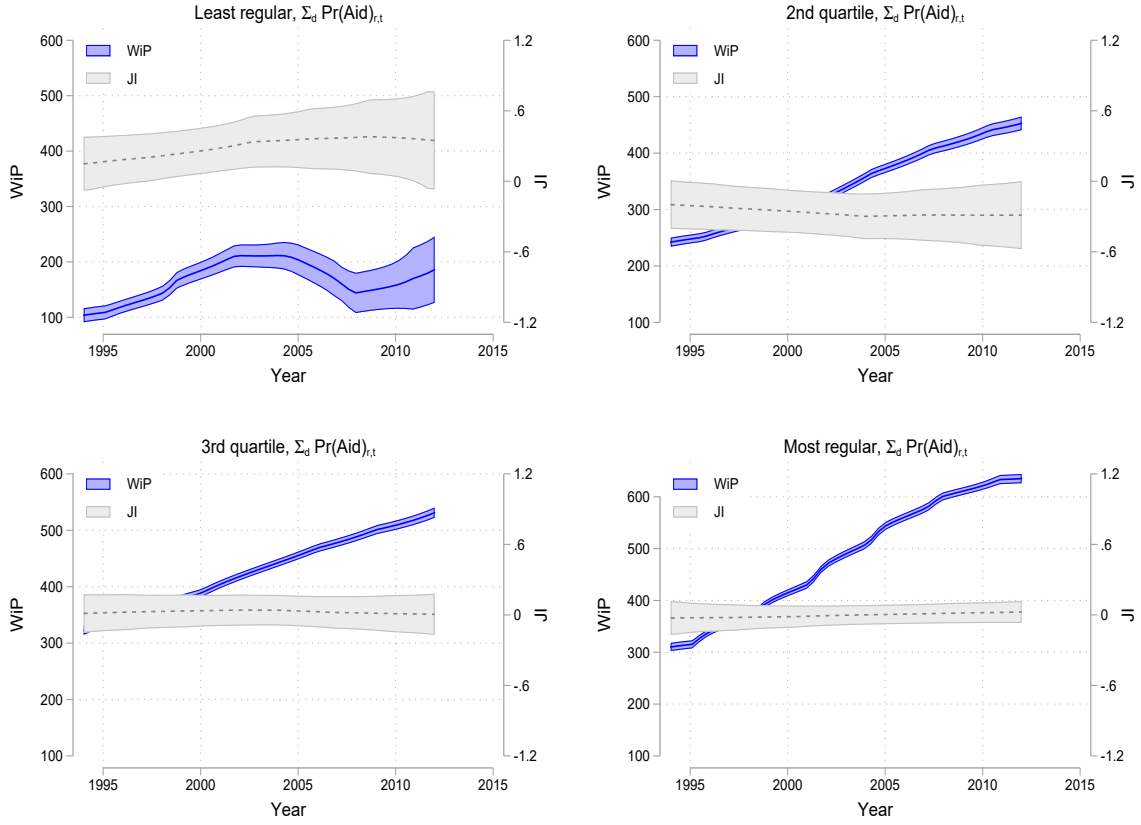


Figure B-3: Instrument time trends, by regularity of aid receipt.

³The curves are local polynomial regressions with 95 percent confidence intervals, not lowess curves.

2.4 Instrument placebo tests

The identification strategy also relies on the assumption that the instrument does not influence the outcome via mechanisms other than D&G aid, including via economic aid. In some specifications, we treat economic aid as a confounder by adjusting for it in the specification. However, even treating economic aid as a confounder cannot rule out the possibility that the instrument exclusion restriction is violated via economic aid. We therefore test whether the instrument predicts democracy aid while adjusting for economic aid (because the two types of aid are correlated) and, conversely, whether the instrument predicts economic aid while adjusting for democracy aid. This latter approach reflects the logic of a placebo test: does the excluded instrument predict another causal pathway (economic aid) through which it could shape the outcome (judicial independence)? In specifications that treat democracy aid as the endogenous variable to be predicted by the instrument and that treat economic aid as an observed confounder, we find that the F-statistic for democracy aid is larger than 30, greatly exceeding the weak-id critical test value of 16. This indicates a strong instrument. Conversely in a placebo test where we treat economic aid as the endogenous variable and democracy aid as an observed confounder, the F-statistic for economic aid falls below 10 (and thus below the weak-id test value), indicating a weak instrument. The plot shows tests that adjust for country- and year-effects; and we test specifications both with ($|X$) and without additional covariate adjustment (additional covariates are Democracy, Election, Coup, and Regime longevity). The upshot of this analysis is that the instrument strongly predict endogenous democracy assistance but not economic aid.

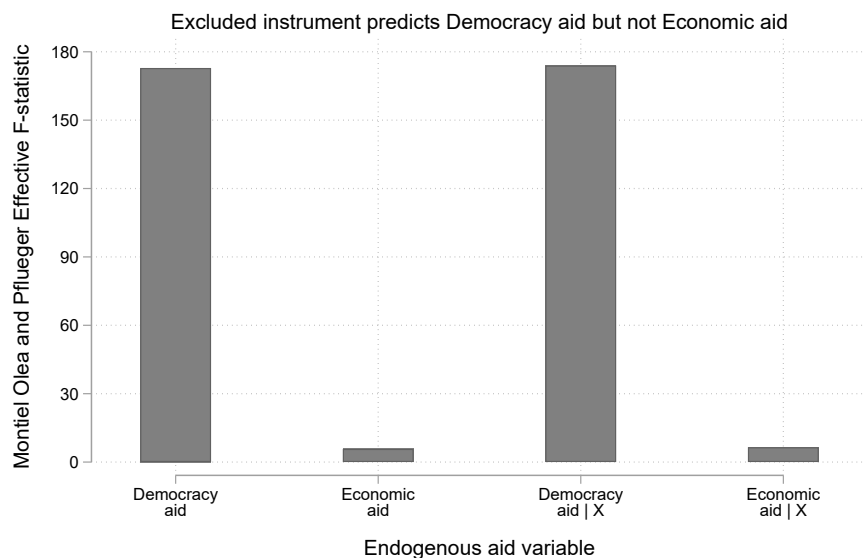


Figure B-4: Placebo weak ID tests.

2.5 Randomized placebo tests

We further investigate the possibility of a spurious instrument by conducting a randomization placebo test in which we randomly assign aid values within each panel period to other countries in the sample for the same panel period while preserving the true values of aid receipt for all countries that receive no democracy aid in a given period (Christian and Barrett, 2017: 32). This test preserves the meta-structure of the observed data while creating pseudo-data that should *not* be predicted very well by the excluded instrument and thus should attenuate estimates of the endogenous variable.

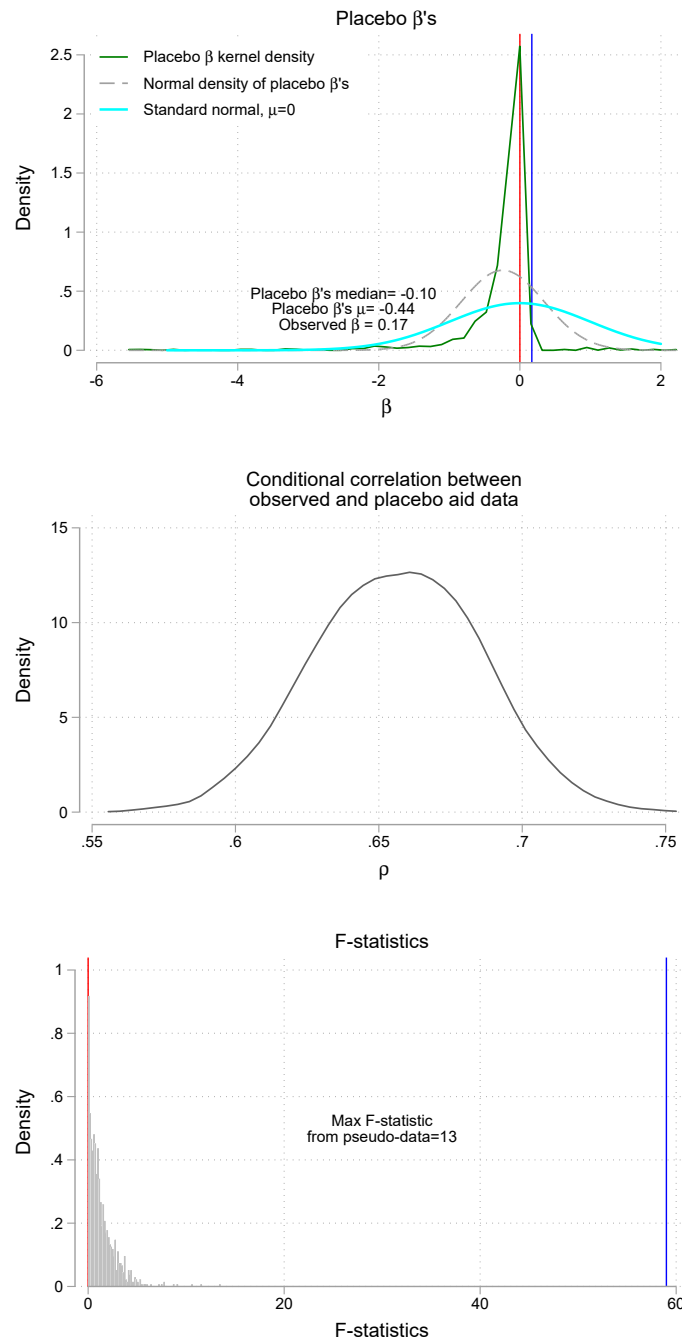
Figure B-5 shows the results of 1000 iterations of this test. In each of 1000 iterations, we re-randomize the observed values of aid recipient among the recipients for each panel period, but preserve the true values of aid receipt for all countries that receive no democracy aid in a given period.

The left plot shows the distribution of the estimated treatment effects for the pseudo-data for the endogenous variable. The vertical red line shows zero, while the vertical blue line shows the estimated treatment effect (for low capacity states) reported in column (8) of Table 1 in the main text (0.17). The density distribution in green shows the distribution of treatment effects (for low capacity states) using the 1000 pseudo-data sets. The median of this distribution is -0.10 and the mean is -0.44 – both negative values. The gray distribution is a normal distribution imposed on the pseudo-estimates distribution while the cyan distribution is a standard normal distribution centered at zero. The modes of the normal distribution imposed on the pseudo-estimates distribution and the green density plot for the pseudo-estimates are both less than zero, as are the median and mean of the pseudo-estimates distribution. This suggests that the randomization placebo test pushes the true estimate to zero and even into negative values.

The middle plot in Figure B-5 shows the distribution of conditional correlations between the true (i.e. observed) endogenous variable and the pseudo-data. Even though the pseudo data is randomized among recipient countries for each period it is still conditionally correlated with the true endogenous variable. The right plot shows the distribution of F-statistics from the 1000 estimates as well as a vertical blue line indicating the reported estimate F-statistic (i.e. using the true, observed endogenous variable). Nearly all the F-statistics from the pseudo-data are less than 10, suggesting that the excluded instrument does not predict the pseudo-data endogenous variable very well.⁴

In short, the excluded instrument does not predict placebo endogenous variables, generated from random reassignment of aid recipient among countries in each panel period. If the instrument were spurious, we might be able to reproduce both a strong F-statistics and a positive estimate of the main result. We cannot, however. This suggests that the instrument may not be spurious.

⁴The maximum F-statistic from the pseudo-data simulations is 13, and only 3 of 1000 are greater than 10.



Red vertical line in top plot is 0. Blue vertical line is observed data β .
 Placebo β 's density plot for middle 98% of the distribution.
 Conditional correlations in middle plot adjust for 2-way FE and covariates.
 Vertical blue line in bottom plot is observed data F-statistic.

Figure B-5: **Randomization placebo test.**

3 Appendix C: Probing the interaction effect

3.1 Split-sample tests

	OLS		2SLS	
<i>State Capacity</i>	<i>Low</i>	<i>High</i>	<i>Low</i>	<i>High</i>
Democracy aid	0.124**	-0.001	0.581**	-0.095**
	(0.04)	(0.03)	(0.20)	(0.05)
N $\times$ T	390	388	390	388
Effective F-statistic			21.1	149.8
Covariates	✓	✓	✓	✓
Country effects	✓	✓	✓	✓
Year effects	✓	✓	✓	✓

Note: Covariates included in all specifications: democracy level, election year, recent coup, and regime longevity.

Table C-1: Split-sample results

Table C-1 reports results from split-sample models to help assess whether there is common support for the mediating effect of state capacity on the relationship between democracy aid and judicial independence. The first two columns report results from the OLS model. The estimate for democracy aid is positive and statistically significant at the 0.05 level in the sample of low capacity states. In high capacity states, the estimate for democracy is one-quarter the size of the former and not statistically different from zero. Results from the split-sample 2SLS models are similar: a positive estimate for democracy aid in low capacity states but an estimate close to zero in high capacity states. Further we note that the F-statistics in the 2SLS models is large than the weak ID critical value of 16, in both samples.

3.2 Kernel regression

Next, we test an estimator (similar to OLS) that combines locally linear regressions based on Gaussian kernel re-weighting (Xu, 2018).⁵ The top panel of Figure C-1 shows the result for the single equation model (i.e. OLS). The marginal effect of democracy aid is positive and significant at low state capacity level, but this marginal effect is decreasing in state capacity, which is consistent with the interpretation of the interaction term in the analysis in the main text. or the observations in the each bin separately. The estimates and confidence intervals in Figure C-2 shows the results.

Next we examine the interaction effect by binning the data in five equally-sized partitions along the state capacity dimension, each containing 20 percent of the sample data, and re-estimating the model. The marginal effect of democracy aid on judicial independence is positive and significant in the two bins at the lowest levels of state capacity, while the marginal effect is roughly zero in the middle and top two bins. This suggests that the positive marginal effect of democracy aid is concentrated among countries in the bottom 40 percent of the distribution of state capacity.

Finally, in an unreported test we examine a two-step version of the 2SLS model in a similar way using kernel regression. We find a similar but stronger pattern than the OLS results from the kernel estimator. We do not report the two-step 2SLS results from the kernel estimator, however,

⁵We select the optimal bandwidth via a least-squares cross-validation procedure (Xu, 2018).

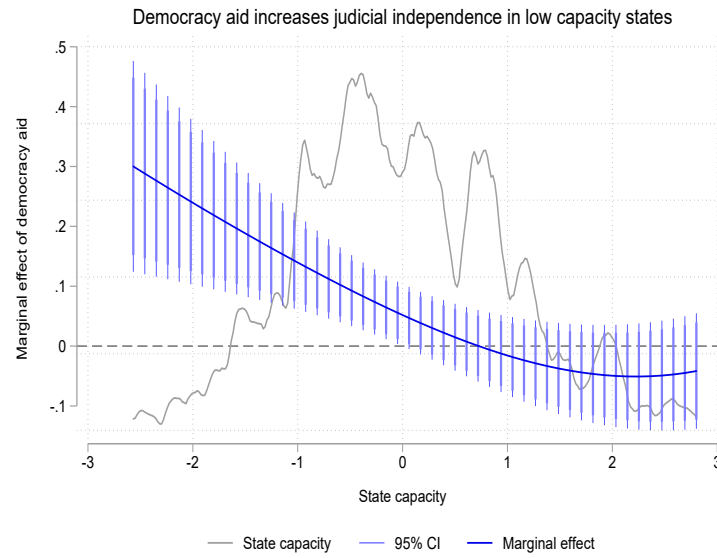


Figure C-1: **Linear interaction effect, kernel regression**

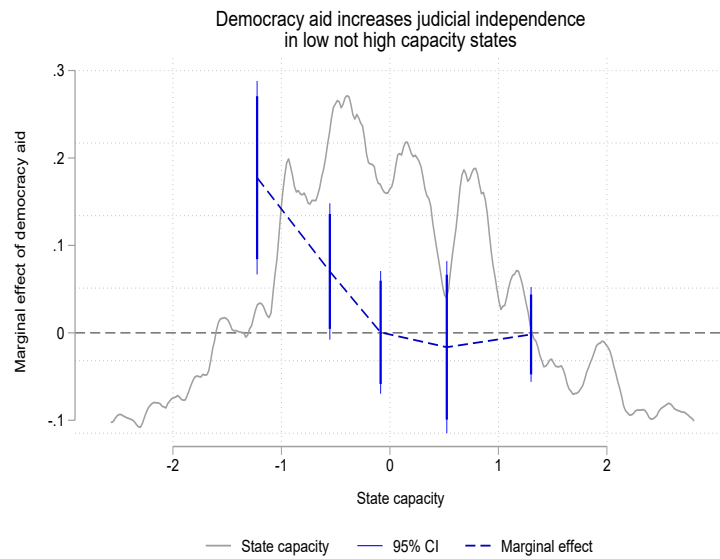


Figure C-2: **Linear interaction effect, binning estimates**

because the errors are incorrect, as they are calculated from a two-step approach the 2SLS, without accounting for uncertainty in the linear predictions of the endogenous variable from the first stage.

4 Appendix D: Robustness tests

4.1 Varieties of Democracy measure of *Judicial independence*

	OLS		2SLS	
Capacity	Low	High	Low	High
	(1)	(2)	(3)	(4)
Democracy aid	0.166*	-0.018	0.523*	-0.081
	(0.06)	(0.04)	(0.24)	(0.08)
State capacity	0.055	0.236*	0.073	0.240*
	(0.10)	(0.09)	(0.11)	(0.09)
N × T	382	393	382	393
F-statistic			22.1	135.7
Covariates	✓	✓	✓	✓
Country effects	✓	✓	✓	✓
Year effects	✓	✓	✓	✓

Note: Covariates included in all specifications: democracy level, election year, recent coup, and regime longevity.

Table D-1: Varieties of Democracy measure of judicial independence

Table D-1 shows results when using the Varieties of Democracy measure of (high court) independence.⁶ The first column shows the OLS result for low capacity states; the estimate for *Democracy aid* is positive and significant. In the second column we examine high capacity states and the OLS estimate is roughly zero. Turning to the 2SLS estimates in the final two columns, we see similar results: a positive and significant estimate of *Democracy aid* in the low capacity sub-sample, but a negative and insignificant estimate in the high capacity sub-sample.

⁶We use the mean value estimate from a continuous latent measure *v2juhcind*.

4.2 Testing *Judicial aid*

	OLS	2SLS
	(1)	(2)
Judicial aid	0.019 (0.02)	0.024 (0.04)
Capacity $\times$ Judicial aid	-0.049** (0.01)	-0.086** (0.02)
State capacity	0.237** (0.04)	0.309** (0.05)
Democracy	0.258** (0.04)	0.252** (0.04)
Regime longevity	-0.002 (0.02)	0.004 (0.02)
Election	0.007 (0.01)	0.008 (0.01)
Coup	-0.010 (0.01)	-0.008 (0.01)
$\beta_{Aid} + (\beta_{Aid \times Cap.} \times \text{Low cap.})$	0.068* (0.02)	0.110* (0.05)
$\beta_{Aid} + (\beta_{Aid \times Cap.} \times \text{High cap.})$	-0.030 (0.03)	-0.062 (0.05)
N $\times$ T	775	775
F-statistic		56.8
Country effects	✓	✓
Year effects	✓	✓

Table D-2: Judicial aid and judicial independence

Table D-2 shows results from the baseline specification but substitutes aid specifically aimed at the judicial sector for overall democracy aid (which includes the latter). The OLS result for the marginal effect in low capacity states is statistically significant at the 0.05 while the estimate of the marginal effect in high capacity states is negative but insignificant. The 2SLS results follow a similar but substantively stronger pattern, even if the errors are larger. In both models, the interaction term is negative and significant, consistent with the expectation that judicial aid improves judicial independence in low capacity states.

4.3 Modeling the time trend in the data

	OLS			2SLS		
	(1)	(2)	(3)	(4)	(5)	(6)
Democracy aid	0.015 (0.02)	0.066* (0.02)	0.058* (0.02)	-0.039 (0.03)	0.044 (0.04)	0.037 (0.04)
Capacity $\times$ Democracy aid	-0.076* (0.02)	-0.097* (0.02)	-0.090* (0.02)	-0.109* (0.03)	-0.127* (0.03)	-0.122* (0.03)
State capacity	0.231* (0.05)	0.305* (0.05)	0.308* (0.05)	0.319* (0.06)	0.356* (0.06)	0.362* (0.06)
Democracy	0.234* (0.04)	0.255* (0.04)	0.246* (0.04)	0.267* (0.04)	0.261* (0.04)	0.252* (0.04)
Regime longevity	-0.026 (0.02)	-0.005 (0.02)	0.002 (0.02)	-0.013 (0.02)	-0.004 (0.02)	0.003 (0.02)
Election	0.007 (0.01)	0.008 (0.01)	0.008 (0.01)	0.008 (0.01)	0.008 (0.01)	0.009 (0.01)
Coup	-0.008 (0.01)	-0.008 (0.01)	-0.006 (0.01)	-0.011 (0.01)	-0.008 (0.01)	-0.006 (0.01)
$\beta_{Aid} + (\beta_{Aid \times Cap.} \times \text{Low cap.})$	0.091* (0.04)	0.164* (0.05)	0.148* (0.04)	0.070 (0.05)	0.171* (0.06)	0.159* (0.06)
$\beta_{Aid} + (\beta_{Aid \times Cap.} \times \text{High cap.})$	-0.061* (0.02)	0.031 (0.03)	-0.033 (0.03)	-0.148* (0.04)	-0.083* (0.05)	-0.085* (0.04)
N $\times$ T	775	775	774	775	775	774
F-statistic				86.8	85.7	84.6
Country effects	✓	✓	✓	✓	✓	✓
Non-linear time trend		✓			✓	
Period effects			✓			✓

Table D-3: Different approaches to modeling calendar time

Table D-3 shows results when altering the way we model the calendar time trend. These tests are important because there is a strong time trend in the main independent variable. We want to ensure the main result is stable across various approaches to modeling the time trend. In the main text results, we use panel-year fixed effects. Here we adjust this in two ways. First we test a specification without panel year effects; and secondly, we test a specification that substitutes a non-linear time trend for panel-year effects. The first column reports the model without period fixed effects. While the interaction term is still negative and significant, the entire set of estimates have shifted downwards in comparison to the results reported in Column (4) of Table 1 in the main text. The second column of Table D-3 shows the OLS results when using a common non-linear time trend. The results are almost identical to those with the period fixed effects (i.e. column (4) of Table 1 in the main text). Next, in column 3, we add back in the panel year effects but drop an outlier for U.S. occupied Iraq, a recipient that received enormous amounts of U.S. democracy aid. The main result of interest is slightly weaker but still substantively and statistically significant. The final three columns of Table D-3 repeat this analysis for 2SLS models, with similar but stronger patterns.⁷

⁷The 2SLS identification strategy presumes period fixed effects so removing them (as we do in column (4)) invalidates the id strategy.

4.4 Tests of specifications with additional covariates

This section reports tests with additional covariates that might be treated as potential confounders. We omit these variables in the main specification because they might also be considered post-treatment variables, insofar as foreign aid may influence them, particularly economic variables⁸ and variables related to the legal and media environment. For each specification change, we report both OLS and 2SLS results in Figure D-1 and D-2, respectively. The addition of any one of these variables to the specification does not substantively alter the main result.

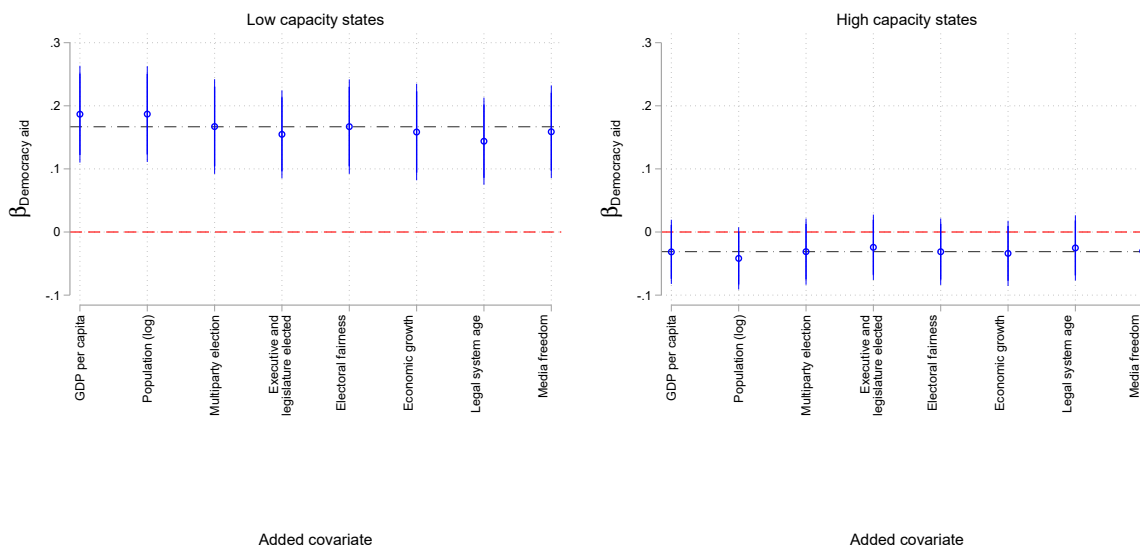


Figure D-1: Additional covariate adjustment, OLS

⁸Economic outcomes may be both a confounder and a post-treatment variable, depending on how one views the independent effect of economic aid on governance outcomes, including judicial independence, via donors conditioning economic aid on observed governance outcomes.

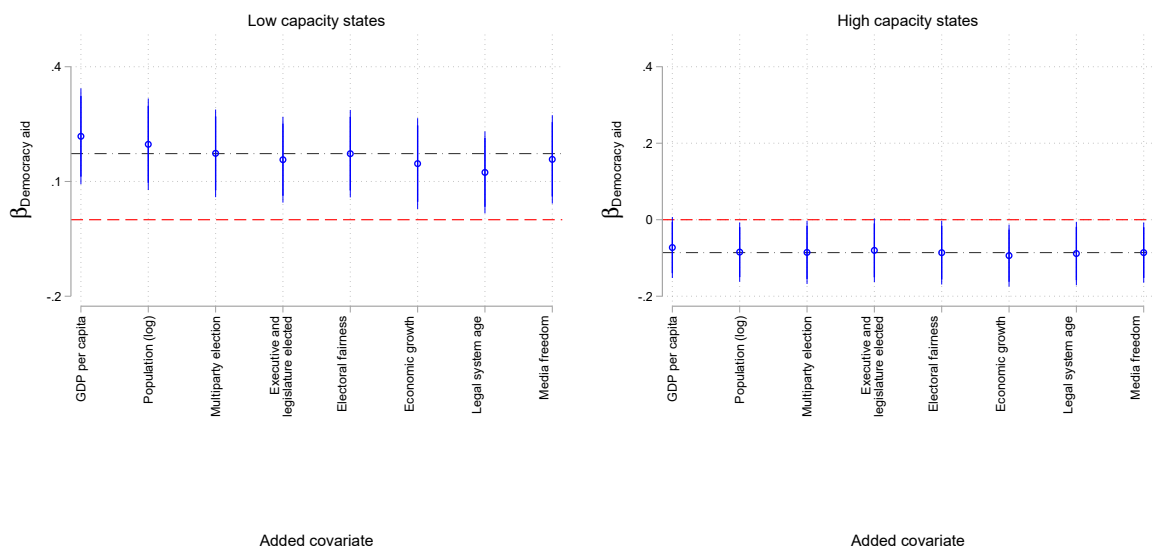


Figure D-2: Additional covariate adjustment, 2SLS

4.5 Tests of specifications that drop covariates

This section reports tests of models with specifications that drop covariates to ensure the main result is stable. For each specification change, Table D-4 reports OLS models. All specifications include the interaction term ($Capacity \times Democracy\ aid$) and its constituent components ($Democracy\ aid$ and $State\ capacity$). Columns (1)-(13) drop different combinations of covariates: Democracy, Election, Coup, and Regime longevity. Table D-5 reports equivalent 2SLS models. The interaction term of interest is negative and significant in all results.

	(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)	(13)
Democracy aid	0.069** (0.02)	0.098** (0.02)	0.100** (0.03)	0.098** (0.03)	0.069** (0.02)	0.069** (0.02)	0.068** (0.02)	0.069** (0.02)	0.068** (0.02)	0.099** (0.02)	0.096** (0.02)	0.096** (0.02)	0.098** (0.03)
Capacity × Democracy aid	-0.100** (0.02)	-0.105** (0.03)	-0.107** (0.03)	-0.106** (0.03)	-0.099** (0.02)	-0.100** (0.02)	-0.099** (0.02)	-0.100** (0.02)	-0.099** (0.02)	-0.106** (0.03)	-0.104** (0.03)	-0.104** (0.03)	-0.106** (0.03)
State capacity	0.307** (0.05)	0.359** (0.06)	0.357** (0.06)	0.355** (0.06)	0.307** (0.05)	0.308** (0.05)	0.306** (0.05)	0.309** (0.05)	0.307** (0.05)	0.361** (0.06)	0.359** (0.06)	0.360** (0.06)	0.357** (0.06)
Democracy	0.257** (0.04)				0.256** (0.04)	0.257** (0.04)	0.256** (0.04)	0.256** (0.04)	0.255** (0.04)				
Election			0.007 (0.01)			0.007 (0.01)		0.007 (0.01)		0.007 (0.01)		0.007 (0.01)	0.007 (0.01)
Coup				-0.012 (0.01)			-0.008 (0.01)		-0.008 (0.01)		-0.012 (0.01)	-0.012 (0.01)	-0.012 (0.01)
Regime longevity		-0.025 (0.02)			-0.005 (0.02)			-0.005 (0.02)	-0.005 (0.02)	-0.025 (0.02)	-0.026 (0.02)	-0.026 (0.02)	
N × T	775	776	776	776	775	775	775	775	775	776	776	776	776
Country effects	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Time-period effects	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓

1991–2015; 117 countries; HAC errors in parentheses; * $p <= 0.05$

Table D-4: Dropping covariates in the specification, OLS.

	(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)	(13)
Democracy aid	0.045 (0.04)	0.056 (0.04)	0.057 (0.04)	0.055 (0.04)	0.045 (0.04)	0.045 (0.04)	0.044 (0.04)	0.045 (0.04)	0.044 (0.04)	0.056 (0.04)	0.054 (0.04)	0.053 (0.04)	0.055 (0.04)
Capacity $\times$ Democracy aid	-0.129** (0.03)	-0.121** (0.04)	-0.120** (0.04)	-0.118** (0.04)	-0.129** (0.03)	-0.130** (0.03)	-0.128** (0.03)	-0.130** (0.03)	-0.128** (0.03)	-0.122** (0.04)	-0.120** (0.04)	-0.121** (0.04)	-0.119** (0.04)
State capacity	0.357** (0.06)	0.389** (0.06)	0.382** (0.07)	0.379** (0.06)	0.358** (0.06)	0.359** (0.06)	0.357** (0.06)	0.361** (0.06)	0.358** (0.06)	0.391** (0.06)	0.389** (0.06)	0.391** (0.06)	0.382** (0.07)
Democracy	0.264** (0.04)				0.263** (0.04)	0.264** (0.04)	0.263** (0.04)	0.263** (0.04)	0.262** (0.04)				
Regime longevity		-0.026 (0.02)			-0.004 (0.02)			-0.004 (0.02)	-0.004 (0.02)	-0.026 (0.02)	-0.026 (0.02)	-0.026 (0.02)	
Election			0.007 (0.01)			0.008 (0.01)		0.008 (0.01)		0.008 (0.01)		0.007 (0.01)	0.007 (0.01)
Coup				-0.014 (0.01)			-0.008 (0.01)		-0.008 (0.01)		-0.014 (0.01)	-0.014 (0.01)	-0.014 (0.01)
N $\times$ T	775	776	776	776	775	775	775	775	775	776	776	776	776
F-statistic	82.3	84.4	83.1	82.4	84.6	82.4	82.0	84.6	84.2	84.5	83.7	83.7	82.4
Country effects	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Time-period effects	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓

1991–2015; 117 countries; HAC errors in parentheses; * $p \leq 0.05$

Table D-5: Dropping covariates in the specification, 2SLS.

4.6 Dynamic models

	OLS				2SLS			
	(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
Democracy aid	0.037 (0.02)	0.068** (0.02)	0.012 (0.01)	0.021 (0.01)	-0.028 (0.04)	0.044 (0.04)	0.019 (0.03)	0.040 (0.02)
Capacity $\times$ Democracy aid		-0.099** (0.02)		-0.027** (0.01)		-0.129** (0.03)		-0.041** (0.02)
State capacity	0.141** (0.04)	0.308** (0.05)	-0.041* (0.02)	0.007 (0.03)	0.142** (0.05)	0.361** (0.06)	-0.041* (0.02)	0.034 (0.04)
Judicial independence $_{t-1}$			0.634** (0.04)	0.623** (0.04)			0.634** (0.04)	0.615** (0.04)
N $\times$ T	775	775	775	775	775	775	775	775
F-statistic					153.5	84.3	161.9	86.8
Covariates	✓	✓	✓	✓	✓	✓	✓	✓
Country effects	✓	✓	✓	✓	✓	✓	✓	✓
Period effects	✓	✓	✓	✓	✓	✓	✓	✓

Note: Covariates included in all specifications: democracy level, election year, recent coup, and regime longevity.

Table D-6: Lag DV models

Table D-6 shows results from tests of lagged dependent variable (LDV) models that allow for current judicial independence to be determined, in part, by prior observed judicial independence. We continue to report HAC errors that account for serial correlation. We test models with two-way fixed effects, as in the main text. However, these dynamic models with FE may produce *downwardly* biased coefficient estimates (i.e. Nickell bias; panel T=7 on average) and so should be interpreted with appropriate caution. In these tests, the expected results remain. However, the size of the estimates, as is often the case with LDV models, is smaller than the size of the effects reported in the main text for tests that do not include the LDV.

4.7 Leave-one-out tests

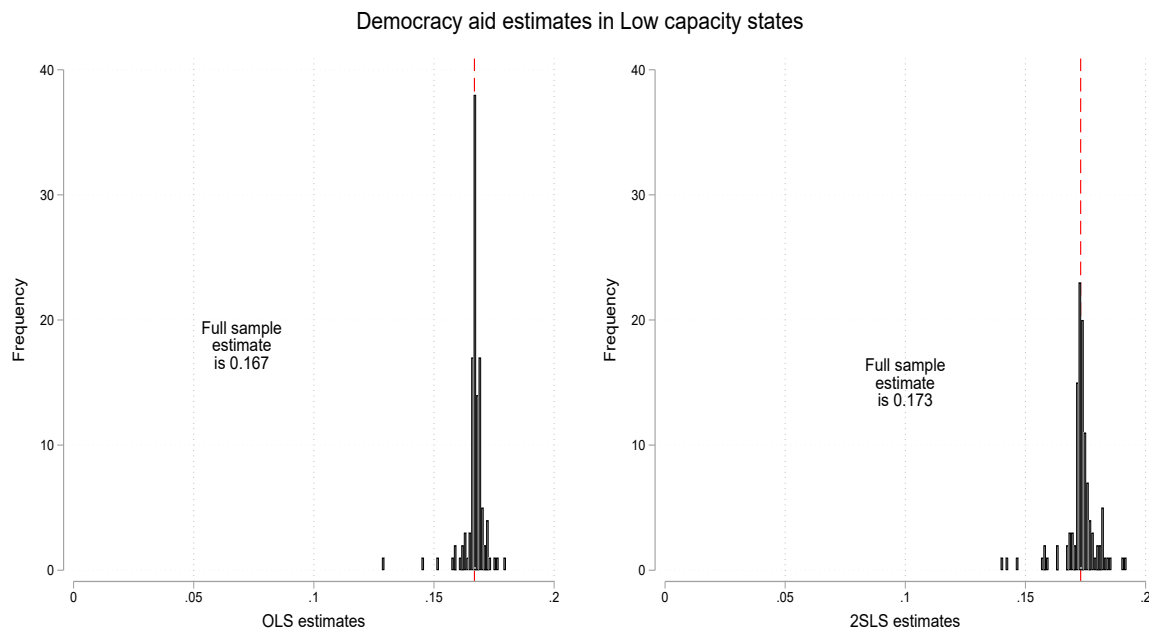


Figure D-3: **Leave-one-country-out estimates.**

The left plot of Figure D-3 shows the OLS estimates for democracy aid in low capacity states when dropping each country in the sample, one at a time. The distribution of estimates is close to the reported estimate from the full sample: 0.167. This suggests that the inclusion of any one country is *not* driving the reported results. We find a similar result, shown in the right plot, for the 2SLS estimates.

5 Appendix E: Four-year panels and annual time series

5.1 Annual panel series analysis

This appendix reports results for annual panel series analysis. We examine 2SLS and OLS estimators, using annual data instead of three-year panels. If data were complete, there would be 25 annual observations, 1991-2015, for each country. In practice, panel sizes vary from 9 to 25 years, with average $T = 24$. We continue to report HAC errors. Instruments are calculated for the panel averages to align with the panel averages of the endogenous explanatory variable. We test 12 specifications that mirror those reported in Table 1 of the main text.

Note that the F-statistics all 10. The Montiel-Pflueger (2013) effective F-statistic in (6), with one endogenous regressor and covariate adjustment, is 162, which is larger than the critical value for the worst case bias at $\tau=5\%$. This suggests that the excluded instrument is sufficiently strong to identify stable marginal effect estimates. All results remain robust save the last one. But even here, the substantive effects indicate a positive and significant marginal effect for democracy aid at low levels of state capacity but an estimate close to zero (and insignificant) for high capacity states.

	(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)
	OLS				2SLS							
Democracy aid	0.0231* (0.01)	0.0073 (0.01)	0.0399* (0.01)	0.0218* (0.01)	0.0830* (0.03)	0.0502* (0.02)	0.1054* (0.03)	0.0745* (0.02)	0.0584* (0.02)	0.0864* (0.03)	0.0843* (0.02)	0.0385 (0.02)
Capacity $\times$ Democracy aid			-0.0423* (0.01)	-0.0350* (0.01)			-0.0520* (0.02)	-0.0507* (0.01)	-0.0696* (0.01)	-0.0493* (0.01)	-0.0838* (0.01)	-0.0304 (0.05)
State capacity	0.4531* (0.07)	0.3678* (0.05)	0.7336* (0.08)	0.5998* (0.06)	0.4127* (0.07)	0.3407* (0.06)	0.7580* (0.12)	0.6771* (0.10)	0.7757* (0.09)	0.6835* (0.10)		1.2110* (0.31)
Democracy		1.9831* (0.16)		1.9365* (0.15)		1.8074* (0.16)		1.7176* (0.16)	1.8517* (0.15)	1.7253* (0.16)	1.7095* (0.17)	1.2978* (0.15)
Election		0.0272 (0.01)		0.0263 (0.01)		0.0177 (0.01)		0.0179 (0.01)	0.0216 (0.01)	0.0160 (0.01)	0.0173 (0.02)	0.0038 (0.01)
Coup		-0.1212* (0.05)		-0.0965* (0.05)		-0.1071* (0.05)		-0.0704 (0.06)	-0.0699 (0.05)	-0.0699 (0.06)	-0.0657 (0.06)	-0.0358 (0.05)
Regime longevity		0.0141 (0.02)		0.0171 (0.02)		0.0115 (0.02)		0.0177 (0.02)	0.0105 (0.02)	0.0208 (0.02)	0.0319 (0.02)	0.0188 (0.02)
Economic aid										-0.0000* (0.00)		
F-statistic					40.7	37.2	19.5	18.5	20.2	15.9	21.9	14.0
Recipient country effects	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Year effects	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Regional time trend									✓			
Economic aid adjustment										✓		
Pre-1990 state capacity											✓	
V-Dem state capacity												✓

Annual data from 1991–2015; 117 countries; $N \times T = 2762$; HAC errors reported; $*p < 0.05$. Region time-trend in (10) is $time + time^2$.

Table E-1: Democracy aid and judicial independence, annual panel series

5.2 4-year panels

This appendix reports results for panel data analysis. We examine 2SLS and OLS estimators, using four-year panels instead of three-year panels. For this analysis a panel is the 4-year average of the variables. There are 6 panels for the 4-year panel analysis (1992-1995; 1996-1999; 2000-2003; 2004-2007; 2008-2011; 2012-2015). Instruments are calculated for the panel averages to align with the panel averages of the endogenous explanatory variable. We test 12 specifications that mirror those reported in Table 1 of the main text.

Note that the F-statistics are generally quite small, with some not exceeding 10. However the Montiel-Pflueger (2013) effective F-statistic in (6), with one endogenous regressor and covariate adjustment, is 43.1, which is larger than the critical value for the worst case bias at $\tau=5\%$. This suggests that the excluded instrument is sufficiently strong to identify stable marginal effect estimates.

	(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)
	OLS				2SLS							
Democracy aid	0.0825* (0.04)	0.0686 (0.04)	0.1199* (0.04)	0.1065* (0.04)	0.1674 (0.10)	0.1095 (0.10)	0.2368* (0.09)	0.1921* (0.08)	0.1510* (0.07)	0.1832 (0.09)	0.1921* (0.08)	0.1146 (0.09)
Capacity $\times$ Democracy aid			-0.1388* (0.04)	-0.1392* (0.04)			-0.1389* (0.06)	-0.1622* (0.05)	-0.2074* (0.05)	-0.1627* (0.05)	-0.1622* (0.05)	-0.3241* (0.10)
State capacity	0.3425* (0.10)	0.2758* (0.09)	0.7956* (0.15)	0.7292* (0.14)	0.3377* (0.10)	0.2736* (0.09)	0.7891* (0.18)	0.7998* (0.18)	0.9132* (0.19)	0.7967* (0.17)	0.7998* (0.18)	1.8243* (0.36)
Democracy		1.2095* (0.24)		1.2150* (0.25)		1.1983* (0.24)		1.1941* (0.24)	1.2465* (0.25)	1.1797* (0.24)	1.1941* (0.24)	0.7640* (0.23)
Regime longevity		-0.0078 (0.04)		-0.0083 (0.03)		-0.0067 (0.04)		-0.0065 (0.03)	-0.0072 (0.04)	-0.0082 (0.03)	-0.0065 (0.03)	-0.0163 (0.03)
Election		0.1055 (0.09)		0.1174 (0.09)		0.1001 (0.09)		0.1090 (0.09)	0.1076 (0.08)	0.1037 (0.09)	0.1090 (0.09)	0.0420 (0.09)
Coup		-0.1942 (0.16)		-0.1609 (0.16)		-0.1737 (0.17)		-0.1157 (0.16)	-0.1223 (0.16)	-0.1162 (0.16)	-0.1157 (0.16)	-0.1022 (0.15)
Economic aid										0.0143 (0.03)		
F-statistic					16.4	16.4	8.2	8.3	9.8	8.5	8.3	6.8
Recipient country effects	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Year effects	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Regional time trend									✓			
Economic aid adjustment										✓		
Pre-1990 state capacity											✓	
V-Dem state capacity												✓

Four-year panels from 1992-2015; 117 countries; $N \times T = 555$; HAC errors reported; * $p < 0.05$. Region time-trend in (10) is $time + time^2$.

Table E-2: Democracy aid and judicial independence, 4-year panels

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