

**Contentious Issues and World Politics:  
The Management of Territorial Claims in the Americas, 1816-1992**

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*Abstract:* This article studies the management of territorial claims using an issue-based approach that reconceptualizes processes of interstate conflict and cooperation as reflecting contention over issues. Hypotheses on issue management techniques are tested using newly collected data from the Issue Correlates of War (ICOW) research project. Empirical analysis of territorial claims in the Western Hemisphere supports the general model, with issue salience and past issue interactions systematically affecting states' choices between peaceful and militarized techniques for managing or settling their contentious issues. In particular, action over territorial claims is most likely when more valuable territory is at stake, in the aftermath of militarized conflict, and when recent peaceful settlement attempts have failed. Third parties are more likely to become involved in non-binding activities when the claim appears more threatening to regional or global stability, and submission of claims to binding third party decisions is most likely between adversaries that have begun to build up a legacy of successful agreements. The paper concludes with a discussion of directions for future research on territory and on other issues.

Scholars such as O'Leary (1976), Mansbach and Vasquez (1981), and Diehl (1992) have called for an issue-based approach to the study of world politics. For the most part, though, these calls have not been heeded. O'Leary (1976:321) laments that "'everybody knows' that issues are important... But what is equally obvious is that this 'obvious' fact has made little, if any, impact upon systematic research in the field." Writing sixteen years later, Diehl (1992:337) notes that "despite initial positive reviews and more than a decade of time, the issue paradigm approach has not germinated such that its use is seriously evident, much less widespread, in the discipline." Even when issues have been considered theoretically, direct empirical analyses have been rare because of the lack of issues data in existing social science data sets and the difficulty of collecting original data related to issues.

This study examines the management of territorial claims using an issue-based approach, which depicts world politics as the quest for issue satisfaction by actors using numerous peaceful and militarized means. This approach is used to develop hypotheses on the techniques that states employ to manage or settle their territorial issues, focusing on the impact of issue salience and of past interactions over the same issues. These hypotheses receive strong support in empirical analyses using newly collected data on territorial claims from the Issue Correlates of War (ICOW) project that overcome many of the data limitations plaguing past research on issues. The study concludes by laying out some directions for future research on territorial claims and on contentious issues more generally.

## **CONTENTIOUS ISSUES AND WORLD POLITICS**

The standard realist approach describes world politics as a struggle for power (Morgenthau, 1967), or in its neorealist form (Waltz, 1979), a struggle for security in an anarchic interstate system. From such a perspective, states have a single, all-encompassing goal, involving what O'Leary (1976:319-320) terms "a unidimensional relationship variously called 'the struggle for power and peace' or generalized conflict and cooperation" and embodied in Morgenthau's (1967:5) assumption that "statesmen think and act in terms of interest defined as power." This perspective offers a parsimonious understanding of policy makers' goals and preferences in world politics, but it has been criticized as oversimplified and misleading.

Proponents of the issues approach (e.g., Keohane and Nye, 1977; Mansbach and Vasquez, 1981; Diehl, 1992) argue that world politics involves contention over many different types of issues, with very different implications for foreign policy decisions and interactions, and that an adequate understanding of interstate conflict and cooperation requires a focus on issues.

Although generalization about an issues approach to world politics is complicated by the lack of a well developed theoretical framework, most work on issues -- either implicitly or explicitly -- shares a number of underlying themes that represent major differences from more traditional approaches. The central tenet of the issue-based approach is that foreign policy is issue-directed. Rather than acting randomly, constantly pursuing national power or the "national interest," and rather than simply reacting to structural imperatives from the international system, policy makers make decisions in order to achieve their goals on a variety of different issues.<sup>1</sup>

This notion that foreign policy is issue-directed has been addressed through attempts to catalog the issues under contention in world politics. For example, Luard (1986), Holsti (1991), and Mitchell and Prins (1999) trace the issues involved in militarized interstate disputes or wars. Such studies indicate the variety of issues that have led to militarized conflict, as well as the relative frequency with which different types of issues have done so. Yet the issues examined in such studies are only identified after the outbreak of militarized conflict; little is known about how common these different issues are in world politics -- or about how many countries with similar issue disagreements have been able to avoid militarized conflict.

A second central tenet of the issues approach is that the characteristics of specific issues make a difference. By itself, the argument that states are concerned with multiple types of issues does not imply that incorporating issues will improve analyses of world politics, and indeed appears no more useful than the vague notion that states pursue the "national interest." Even if numerous issues exist on the policy agenda, the specific issue(s) under contention at any point in time can only affect foreign policy if issues vary in salience, which can be defined as "the extent to which (but principally, the intensity with which) peoples and their leaders value an issue and its subject matter" (Randle, 1987:2; see also Coplin, Mills, and O'Leary, 1973; Diehl, 1992).<sup>2</sup> If issue salience did not vary in meaningful ways, general patterns of behavior would remain constant across issues, and the specific issue under contention between two or more actors would only be of interest for descriptive purposes. If salience is meaningful, though, leaders may be

willing to expend greater effort (and to risk higher costs) to achieve favorable settlements on highly salient issues than on issues that are attributed less importance.

The notion that issue salience affects states' interactions has typically been addressed by determining whether relations between two states vary based on the types of issues under contention. For example, Mansbach and Vasquez (1981:Chapter One) find that U.S.-West German and U.S.-Soviet behavior during the Cold War varied significantly by issue area, with certain issue areas generating primarily conflictual behavior (e.g., U.S.-Soviet relations over access to Berlin) and certain issue areas generating primarily cooperative behavior (e.g., trade or monetary questions). A related research strategy begins by categorizing the issues involved in a list of militarized disputes or crises, and examines whether the types of issues at stake affect conflict behavior. Such research has shown that militarized confrontations involving territorial issues, in particular, tend to be more escalatory than non-territorial confrontations (e.g., Gochman and Leng, 1983; Hensel, 1996b; Senese, 1996). As with the studies mentioned above, though, most data sets on issues remain limited to the issues involved in militarized conflict; little is known about non-militarized attempts to manage or settle issues.

A third tenet of the issues approach is that both cooperative and conflictual foreign policy tools are substitutable means used to pursue issue-related ends. Numerous cooperative or conflictual options may be chosen to pursue goals over issues, reflecting alternative mechanisms for allocating the disputed stakes. Toward the peaceful end of the spectrum, leaders may negotiate over their differences, either bilaterally or with the (non-binding) assistance of third parties, or they may submit their disputes to binding third party judgments. More conflictually, leaders may employ coercive action up to and including the use of military force, in order to achieve their goals by force or by convincing an adversary to back down.<sup>3</sup> As Most and Starr (1989:Chapter Five; cf. Morgan, 1990) point out, studies that focus on only one of multiple policy options available to states for the same purpose are likely to produce weak or misleading results. A preferable alternative is to conceptualize each option -- militarized action, negotiations, or the resort to third parties -- as one component piece in a larger puzzle, with states choosing from a menu of available options in pursuit of a particular (issue-related) goal.

This third tenet has not received much attention in empirical research on issues, although it has been addressed theoretically (e.g., Keohane and Nye, 1977; Mansbach and Vasquez, 1981;

Vasquez, 1993).<sup>4</sup> Existing research on conflict management has generally focused on the type of technique being used (e.g., mediation or arbitration) rather than on the issue(s) being managed (Haas, 1983; Wilkenfeld and Brecher, 1984; Dixon, 1993, 1994; Raymond, 1994). Raymond (1996) tangentially studies issues in examining the impact of democracy on militarized conflict after an arbitral award. The issues involved in each arbitration (contractual issues, treatment of persons, damages, or territorial jurisdiction) are used to stratify the overall analysis, indicating that the impact of democracy does not vary substantially across issue types, but there is no comparison of the overall effectiveness of arbitration across different issue types. Finally, Dixon (1996) considers "ethnic/religious" and "boundary/irredentist" issues in studying the impact of democracy (among other factors) on the management of Cold War crises. Ethnic/religious issues appear to increase crisis escalation and decrease the prospects for peaceful settlement, while boundary/irredentist issues increase the prospects for a peaceful settlement to the crisis.<sup>5</sup>

These studies offer insight into non-militarized techniques for the settlement of issues. Yet much like the conflict-based studies mentioned above, most of these studies focus on management efforts during ongoing militarized crises, which does not give a complete picture of the effectiveness of mediation, arbitration, or similar techniques because peacetime management efforts are excluded. The present study attempts to extend beyond these past attempts to study issues, militarized conflict, and conflict management. Focusing on territorial issues, which have been the subject of most recent research on issues, the next section develops hypotheses on the management of issues, emphasizing the conditions under which two adversaries are likely to choose each of the peaceful or militarized options available to them.

## **HYPOTHESES ON TERRITORIAL ISSUE MANAGEMENT**

The general issues approach discussed above suggests that world politics can be conceptualized and studied as contention between states over issues using a variety of coercive or cooperative techniques. This approach is now used to develop explicit hypotheses on states' choices between settlement techniques in pursuit of issue-related goals. These hypotheses and their associated analyses focus specifically on contention over territorial issues. The majority of systematic research on issues has either focused on territorial issues specifically (e.g., Goertz and

Diehl, 1992; Kocs, 1995; Huth, 1996) or found territorial issues to be more salient or more conflictual than most other issue types (e.g., Gochman and Leng, 1983; Holsti, 1991; Vasquez, 1993, 1996; Hensel, 1996b; Senese, 1996). Also, as Diehl (1992) and others have noted, direct comparison of multiple issue types raises numerous difficulties in assessing the comparability of issues or the measurement of issue salience across different issue types, and the necessary data are not currently available beyond territorial claims. As a result, a focus on territorial issues will allow this study to contribute to the rapidly growing literature on territory, and may be the only way to test hypotheses on issue salience and issue management using currently available data. Nonetheless, most of the hypotheses to be presented are general in nature, and might be expected to apply with few changes to additional issue types in future research. Additionally, studying territorial issues in the present study will establish a baseline for issue settlement attempts, which can then be used as a reference point for comparative testing once suitable data are collected for additional issue types that are hypothesized to be less salient than territorial issues.

### **Effects of Issue Salience**

Territory is often described as perhaps the most salient of all possible issues, with similar arguments coming from realist (Gochman and Leng, 1983), normative (Forsberg, 1996), and issue-based (Diehl, 1992; Vasquez, 1993; Hensel, 1996b, 2000) perspectives. Territory is often valued for its tangible contents, such as strategic military terrain, deposits of valuable resources such as oil or precious metals, warm water ports, or control over important trade routes. Additionally, territory is often prized for its intangible or psychological value, as with lands that are seen as part of the national identity or as having great historical or religious significance.<sup>6</sup> While other issue types may be salient for their tangible attributes (e.g., economic or resource issues) or for their intangible dimension (e.g., prestige or influence), few issues besides territory appear likely to take on high values on both dimensions. Despite the generally high salience attributed to territorial claims, though, there should also be great variation in salience across individual claims, with certain claims -- such as those involving territory that contains valuable resources or that includes a challenger state's ethnic or religious kinsmen -- being regarded as much more salient than claims to small pieces of barren desert or other largely valueless lands.

The salience of the specific issue under contention would appear likely to be influence the choice among policy options, with policy makers willing to pursue costlier or riskier options to achieve their goals over issues that are considered highly salient than over less important issues.<sup>7</sup> In particular, unilateral military action is a relatively costly option, involving the risk of high military and economic costs should the adversary reciprocate with military action of its own, while not guaranteeing a successful resolution of the issues under contention. For low-salience issues, these costs and risks are unlikely to be seen as worthwhile, relative to more peaceful means, in which the costs are limited to failing to achieve one's (relatively unimportant) issue goals -- without the additional costs and risks inherent in military escalation.<sup>8</sup> When highly salient issues are under contention, though, the costs of failing to achieve one's desired issue position are much greater, in terms of both failing to accomplish a leader's goals and alienating the domestic selectorate responsible for maintaining the leader in office. As a result, when highly salient issues are involved, leaders are likely to fear the costs of losing on the issue more than the risks and costs of using force to achieve their goals. Even legal scholars such as Levi (1991:271-272) note that reliance on one's own capabilities and resources can be very attractive when the alternatives include the uncertain outcomes inherent in diplomatic or legal settlements, particularly when a state fears that political considerations may enter into the settlement or enforcement processes. In general, then, we should expect that highly salient issues should lead most frequently to bilateral negotiations and militarized settlement attempts.

With regard to third party involvement, we must consider the conditions under which the claimants would be willing to request or accept third party involvement, as well as the conditions under which potential third parties -- such as major powers, neighboring states, or international organizations -- would be willing to offer their involvement or accept a request from the claimants. It appears reasonable to expect that outside actors would be most involved with highly salient issues, as well as that the claimants would be most likely to request or accept third party involvement -- at least in a non-binding form -- over such issues. Third parties should be more likely to offer assistance in settling highly salient issues -- which may be seen as threatening regional or global stability -- than to make similar offers over less salient issues, which may not attract the third party's attention and may not appear to justify the (economic, political, reputational, or even military) risks and expenses that might be involved in such an

operation. Focusing on the claimants themselves, policy makers contending over highly salient issues such as territory should be especially hesitant to turn to legally binding third party involvement (arbitration or adjudication), in which the parties agree in advance to abide by the decision of the third party. Non-binding third party techniques (such as good offices, inquiry, conciliation, or mediation) may be seen as less threatening, though, because they emphasize the facilitation of communication, neutral fact-finding missions, or the suggestion of possible solutions that need not be accepted by either party. Unilateral or bilateral action may be generally preferable to the involvement of any (unpredictable and potentially biased) third party when salient issues are at stake, then -- but if a third party is to become involved, the ideal format would be one allowing policy makers to reject any unfavorable suggestions.

***Hypothesis 1:** States should be more likely to employ bilateral negotiations or militarized action to pursue their territorial issues, more likely to attract non-binding third party assistance, and less likely to use binding third party assistance, when the territory at stake is more salient.*

### **Recent Peaceful Interaction over Issues**

Whatever the salience or other characteristics of a given issue, two states' interactions in pursuit of issue-related goals rarely take place in an historical vacuum. Particularly when contention over an issue has endured over a lengthy period of time, the history of interactions over that issue appears likely to influence their subsequent decision making. Past interactions may affect each side's perception of the other's preferences (particularly as indicated by the actions the other side is willing to take in pursuit of its issue goals), as well as each side's expectations about future actions and interactions. Thus, the general impact of issue salience may be overridden in certain situations by past interactions over the same issue.

Several dimensions of the past relationship between two adversaries appear relevant to their issue management decisions, including the frequency and success of recent attempts to settle the issue through both peaceful and militarized means. A history of failures in peaceful settlement attempts may indicate that future peaceful means are unlikely to be successful, rendering militarized options more attractive than the continuation of deadlocked negotiations

with a stubborn adversary. Indeed, Vasquez (1993:46-48) suggests that war is only seen as a viable means for pursuing one's goals "in the face of stalemate and the failure of normal politics to resolve fundamental issues." The failure of peaceful settlement attempts may also affect the likelihood of third-party options. Because of the record of failure in past attempts to settle the issue, third parties should be more likely to notice the issue and perhaps more likely to offer their assistance to help settle it before it escalates into a threat to regional or global stability. In such a case, the antagonists may also be more likely to solicit or accept third party assistance to help settle their differences. The general tendency to reject third party assistance as surrendering national sovereignty over an important issue such as territory may be outweighed by the perception that the alternatives are likely to be costly and/or unsuccessful.<sup>9</sup>

***Hypothesis 2:** States should be more likely to employ militarized action or third party assistance to pursue their territorial issues when they have a longer history of failed peaceful settlement attempts over the territory.*

Although a history of failed settlement attempts is suggested to make militarized action more attractive as a way to pursue one's goals, a history of successful attempts may produce the opposite effect. Obviously, a settlement attempt that resolves the entire territorial issue to both sides' satisfaction should generate peace in its aftermath, but even less final agreements may have a pacifying effect. Agreements over small portions of the disputed territory, or agreements over tangential subjects such as the use of the territory or navigation along border waterways, may help to increase the adversaries' confidence in the prospects for success in future negotiations. Another consequence of successful agreements may be a reduction in the incentives for turning to third parties or military force. Once peaceful agreement has been shown to be possible, the antagonists may not feel the same need to turn to third parties (or to accept third parties' offers of assistance) to help settle an otherwise intractable dispute. Similarly, if peaceful means have been shown to be successful in the past, then the perceived likelihood of success using peaceful means in the future should be increased. Presumably, once peaceful means are seen as relatively likely to be successful, then the higher cost of military options relative to negotiations should make the resort to militarized means less likely as well.

*Hypothesis 3: States should be more likely to employ bilateral negotiations and less likely to employ militarized action or third party assistance to pursue their territorial issues when they have a longer history of successful peaceful settlement attempts over the territory.*

### **Recent Militarized Interaction over Issues**

The effects of past interactions need not be confined to the result of past attempts to settle issues peacefully; a history of recent militarized conflict should also be expected to influence perceptions of the adversary and expectations about the future. Focusing on territorial issues, Vasquez (1993:147) suggests that how actors attempt to resolve such issues "will have a profound impact" on the level of hostility or friendship in their subsequent relations. Any use of force short of overwhelming victory, for example, is likely to "make territorial issues fester and produce long-term hostile relationships." Vasquez' suggestion is consistent with the findings of recent research on contentious issues and recurrent conflict. As Hensel (1996a, 1996b) finds, militarized conflict often sets the stage for future conflict between the same adversaries, with the occurrence of one confrontation -- particularly in confrontations over territorial issues -- typically increasing hostility and distrust between the adversaries, and making future confrontations increasingly likely. The increasing hostility and distrust that accompanies a history of militarized conflict is expected to reduce the likelihood of peaceful settlements being attempted, as the adversaries come to expect both that such settlement attempts will fail and that militarized means are likely to be used again.

Similar to the earlier hypothesis that dyads with a history of unsuccessful settlement attempts may attract third party attention and assistance, adversaries with a longer history of conflict should be more likely than adversaries with no such history to attract offers of third party assistance to help resolve their territorial issues peacefully. Adversaries with a longer history of conflict may also be more likely to accept third party assistance, once their problem is seen as intractable and unlikely to end definitely through their own actions. Bercovitch and Diehl (1997) argue that conflict management attempts should be most common in enduring rivalries, which should attract more international attention than other types of adversaries because they are the

most threatening to regional or global stability. Indeed, Bercovitch and Diehl find that enduring rivalries -- while representing only thirteen percent of all of the relationships in their data set -- attract nearly half of the mediation attempts, with individual rivalries being much more likely than other relationships to attract foreign mediation attempts.

***Hypothesis 4:** States should be more likely to employ militarized action or to accept third party assistance in their territorial issues when they have a longer history of militarized conflict with each other.*

Although a history of recent militarized conflict in general may increase the probability of additional militarized conflict over a claim, there is an important caveat. If the history of recent conflict includes severe conflict that reached the level of full-scale interstate war, policy makers would appear likely to learn that militarized conflict is a very costly option. Furthermore, if contention over the issue continues after the end of a war, then militarized conflict would also appear to be an ineffective option for pursuing a state's goals. Levy and Morgan (1986; Morgan and Levy, 1990) discuss the logic behind a "war-weariness" effect, which suggests that experience with full-scale war is likely to reduce states' propensity to see war as a viable policy option. In contrast to the military option, any of the more peaceful settlement options should appear more attractive after an interstate war, because of their lower costs and perhaps greater prospects for success than a bloody war that failed to resolve the issues.<sup>10</sup>

***Hypothesis 5:** States should be less likely to employ militarized action and more likely to employ peaceful settlement attempts to pursue their territorial issues when they have been involved in a recent interstate war with each other.*

### **Control Variables**

Even the most vigorous proponents of an issue-based approach are likely to agree that issue salience and recent interaction over the issue do not tell the entire story; states' decisions are likely to be influenced by additional factors as well as by the issues themselves. One

possible influence that has been discussed theoretically in research on issues (e.g., Mansbach and Vasquez, 1981; Vasquez, 1993:Chapter Eight) involves the institutional context. Two states may always choose unilateral or bilateral methods for pursuing their interests with regard to a contentious issue, and they may always attempt a third party settlement by requesting the assistance of outside states. Third party settlement attempts may be easier (and perhaps more effective), though, when both claimants are bound by multilateral treaties or institutions that call for peaceful conflict management among signatories or members. When such treaties exist, there is likely to be a greater sense of obligation to manage conflicts peacefully, along with greater pressure for peaceful settlement from fellow signatories. Furthermore, each side may recognize the institution as a relatively impartial and appropriate third party conflict manager, opening new avenues for third party involvement that might have been more difficult to accept in the absence of such an institution. Thus we might reasonably expect peaceful settlement attempts to be more likely, and militarized action less likely, when both states are bound by more multilateral treaties or institutions calling for the peaceful settlement of disputes.

While issue salience, recent interactions, and the institutional context may establish the goals that states wish to pursue and may set certain parameters on the possible methods to be used in achieving those goals, decisions are likely to be constrained by characteristics of the involved actors. For example, not all states possess the necessary military capabilities to achieve their goals by making a credible threat or by winning a battlefield victory, while some states may possess such overwhelming capabilities that they need not employ militarized means to achieve their goals. A variety of research indicates that roughly equal states are more conflict-prone than dyads in which one side is heavily preponderant over the other (e.g., Kugler and Lemke, 1996). Furthermore, Raymond (1996) notes that many scholars of international law consider rough power parity to be a virtual precondition for the success of international law, with a preponderant state unlikely to trust its destiny to a (potentially unfavorable) third party and unlikely to accept an unfavorable third party judgment. It appears reasonable to expect similar results with regard to issue management, with both militarized conflict and third party settlement attempts being more likely when the claimants are roughly equal in capabilities -- thus offering both sides a reasonable expectation of success through militarized means -- than in more asymmetric dyads.

For less evenly matched adversaries, much would appear to depend on the identity of the stronger state in a dyad. Many issue disagreements feature a challenger state making demands of

a target state, which may own territory that the challenger considers to be its own or may have enacted some policy that the challenger wishes to change. If the challenger is substantially stronger militarily than the target, then it should be more likely to attempt to pursue its challenge through bilateral negotiations with the target. In such a situation, militarized conflict is not likely to be needed (noting the Thucydidean mantra "the strong do what they can, the weak accept what they must") and third party activity may be too unpredictable for a state that feels likely to achieve its goals unilaterally or bilaterally.

A final factor that is likely to be important is political regime type. A large literature has examined the pacifying effects of democracy on relations between democratic states, arguing that democracies should be more likely than other types of states to settle disagreements peacefully because of both democratic norms of peaceful conflict resolution and the constraining effects of democratic structures. If these arguments are correct, then two democracies contending over some contentious issue should recognize that peaceful (bilateral or third party) settlement attempts offer a reasonable prospect for successful issue resolution, and with lower costs than would be risked through unilateral military action. Furthermore, democracies should see each other as likely to respect the process and outcome of a negotiated or third party settlement, allowing them to overcome the fear that the adversary will renege on any agreement that is reached -- and perhaps making negotiations easier to start and agreements easier to reach. Past research is consistent with this expectation, indicating that crises between democracies are more likely than other crises to employ peaceful conflict management and to reach peaceful settlements during ongoing crises (Dixon, 1993, 1994) and that democratic adversaries are less likely than other types of dyads to become involved in militarized conflict (e.g., Ray, 1995).

## **RESEARCH DESIGN**

The hypotheses presented above would be difficult to test using existing data collections covering contentious issues. Collections such as those of Holsti (1991), the COW militarized interstate dispute data employed by Hensel (1996b) and Senese (1996), or the SHERFACS crisis data used by Dixon (1993, 1994) are limited to the issues involved in militarized disputes, crises, or wars, leaving out issues that do not lead to militarized conflict and not offering any indicators of issue salience or any compilation of non-militarized attempts to settle issues outside of a crisis

setting. Collections of peaceful settlement attempts such as Raymond's (1994, 1996) data on mediation and arbitration similarly lack indicators of issue salience, data on issues that did not involve third party intermediaries, and data on other types of peaceful settlement attempts. As a result, these hypotheses are tested using newly-collected data from the Issue Correlates of War (ICOW) research project, which collects systematic data on contentious issues, issue salience, and peaceful attempts to manage issues through bilateral or third-party means.

### **Contentious Issues**

The central requirement for issue data is evidence of contention involving official representatives of two or more nation-states over the issue type in question. For the ICOW territorial claims data, this means evidence that official representatives of at least one state make explicit statements claiming sovereignty over a piece of territory that is claimed or administered by another state.<sup>11</sup> Claims that are only expressed by private individuals or organizations are excluded, as are vague or ambiguous statements that lack a clear territorial referent.

Several types of sources are used to generate the data, beginning with general geographic and historical reference sources at the regional or global level (e.g., Ireland, 1938; Anderson, 1993; Biger, 1995). Further sources consulted include military and diplomatic histories of the involved countries and news reports. It must be emphasized that the data set is collected without reference to peaceful or militarized attempts to settle the issue in question. One of the most important contributions of the ICOW project lies in the ability to test propositions on the propensity of different issue types to lead to militarized conflict, which can not be done with data sets consisting only of issues that lead to militarized conflict. The inclusion of both militarized and non-militarized claims also helps to avoid biases that might arise from studying attempts to resolve territorial claims that have reached the level of militarized conflict. In particular, an exclusive focus on attempts to manage claims that have become militarized (e.g., Wilkenfeld and Brecher, 1984; Dixon, 1993, 1994) is likely to understate the effectiveness of peaceful means for dispute settlement, because it only examines the most intractable and conflictual issues and ignores cases that never reach such extreme measures.

The ICOW territorial claims data set is currently limited to claims occurring in the

Western Hemisphere.<sup>12</sup> Although some might quibble with this region because of its alleged domination by the United States (or because of some other factor), claims in the Americas offer an important domain for testing propositions about the management of territorial claims. Most countries in this region have a long history as sovereign nation-states, dating back to the early or middle nineteenth century in many cases. The study thus covers an extended period of time, which should outlast any short-term temporal effects that might distort the results (which might be the case with a focus on Africa or the Middle East, where most of the countries have become independent since World War II). The lengthy history of Western Hemisphere interstate relations also provides for great variation in most variables of interest. While most borders in the region have been settled by the end of the twentieth century, every contiguous border in the region gave rise to a territorial claim at some time in the last two centuries, with wide variation in the characteristics and management of claims.<sup>13</sup> Some claims in the region have been resolved quickly and peacefully, while others have lasted for decades and generated dozens of militarized confrontations or peaceful settlement attempts. Bilateral negotiations have been frequent and numerous third party actors have become involved, ranging from the Organization of American States and individual states in the region to foreign emperors, kings, and presidents, the League of Nations, and the Pope. In short, this region includes a long and interesting history, with wide variation in both the independent and dependent variables being studied.<sup>14</sup>

[Table 1 about here]

Table 1 presents a list of territorial claims meeting the ICOW criteria in the Western Hemisphere between 1816 - 1992, which is this study's spatial-temporal domain. The ICOW territorial claims data set currently extends through the end of 1999, but this study's analyses are limited by the 1816-1992 time frame of the COW militarized interstate dispute data set and the 1816-1993 time frame for the COW national material capabilities data set. A total of 114 dyadic claims between specific challenger and target states are included in this table, representing 74 distinct pieces of territory.<sup>15</sup> Eighteen dyadic claims listed in Table 1 -- representing sixteen distinct territories -- remain ongoing as of the end of 1992.<sup>16</sup>

### **Issue Salience**

The ICOW territorial claims data set includes numerous variables that may be used to distinguish claims by issue salience, six of which are used here. Four involve the characteristics of the claimed territory: the presence of a permanent population, the (confirmed or believed) existence of valuable resources, strategic economic or military value of the territory's location, and the existence of the challenger state's ethnic and/or religious kinsmen. Two others involve the type of territory under contention: homeland territory rather than a dependency, and mainland rather than offshore territory. A claim to territory that includes substantial population and resources, has an economically or militarily strategic location, or is at least partially based on ethnic and/or religious bases is considered to be more salient than a claim lacking these characteristics, because leaders should be more reluctant to give up a source of potentially valuable resources, substantial population, or ethnic/religious kinsmen. A territory lacking in these respects is considered less salient and should be much easier to resolve, because it has fewer valuable characteristics that could motivate leaders to continue their claim, and thus fewer obstacles to ending the claim peacefully. Similarly, a territory that one or both sides consider to be part of their homeland is likely to be more salient than one that both sides claim as dependent territory. Finally, *ceteris paribus*, mainland territory is likely to be seen as more salient than offshore territory, because of its more direct connection to the state's identity and security.<sup>17</sup>

All six salience indicators are measured through dummy variables. These variables indicate the presence of sizable towns or cities (at least one of which contains one thousand or more permanent residents) within a claimed territory, the belief that potentially valuable resources (such as oil, minerals, or fresh water) exist within the territory, a location that confers substantial strategic economic or military value (such as control over trade routes or valuable defensive positions), explicit statements by the challenger state noting an ethnic or religious basis for its claim, explicit statements by each state indicating that the territory is considered to be part of the national homeland rather than a colony or other dependency, and location of the claimed territory on the national mainland rather than offshore. These six salience indicators are used to construct a twelve-point salience index, with each indicator equally weighted. One point is added to the salience index for each claimant state that considers the territory to be part of its national homeland, so that two points are possible if both sides consider it to be homeland

territory. The other five factors are all collected as dummy variables -- it would be quite rare for the two claimants to disagree on the presence of population or the possibility of resources in the territory, even if there is disagreement on the legal status of the residents or the value of the resources -- so these indicators each contribute either two points or zero to the full index.

Higher values on this index indicate that the claimed territory is considered to be more salient overall; the full zero-to-twelve index is used in the logistic regression analyses accounting for claim management.<sup>18</sup> In descriptive analyses, the index is broken into three categories. Low salience includes those cases with an index value of four or less, typically indicating a territory with little value to one or both sides. This maximum value of four for low-salience claims may represent a mainland territory that both sides claim as part of their homeland but that has no permanent population, valuable resources, strategic value, or ethnic/religious bases. Alternatively, if one of the latter bases is present, the territory must be offshore or claimed by at least one side as a dependency. An example is the claim to Los Roques, a group of small islands off the Venezuelan coast that were briefly claimed by Venezuela and the Netherlands; these islands contain little if anything of value, and were primarily used as sources of firewood for coastal Venezuelans or Dutch colonists (Ireland, 1938:266). Moderate salience includes index values of five through seven, indicating a territory that is either seen as homeland by both sides and contains one or two valuable elements (resources, population, or ethnic/religious bases) or one that is seen as a dependency but contains several valuable elements. High salience includes all claims with index values of eight or greater, indicating territory that contains most or all of the indicators of salience. An example is the nineteenth-century claim to Tacna and Arica, an area along the Pacific coast between Bolivia, Peru, and Chile that contained valuable nitrate mines and several important towns or cities with all of Bolivia's seaports (Ireland, 1938:53ff).<sup>19</sup>

## **Issue Management**

### *a. Peaceful Settlement Attempts*

Beyond data on the number and characteristics of individual territorial claims, the ICOW project also collects data on all attempts to settle a territorial claim through bilateral negotiations, with non-binding third party assistance (inquiry, conciliation, good offices, or mediation), or

through binding arbitration or adjudication (for an explanation of these different types of settlement attempts see Akehurst, 1987; Levi, 1991; von Glahn, 1996). The focus is on attempts to manage or settle the underlying issues involved in a dispute, whether these attempts involve the entire span of the territorial claim, a small part of it, or the usage of the disputed territory (as in negotiations over navigation of a disputed river or commerce through disputed territory). The data set excludes crisis management attempts that only attempt to produce a ceasefire and do not cover the ownership or usage of territory, as well as calls for settlement (by the claimants or by third parties) that do not lead to actual negotiations.

This data set differs in important ways from previous research. First, this data set covers the entire 1816-1992 period, whereas most previous data on conflict management has been limited to post-World War II events (e.g., Haas, 1983; Wilkenfeld and Brecher, 1984; Dixon, 1993, 1994; Bercovitch and Diehl, 1997). Raymond's (1994, 1996) data on international arbitration and mediation extends from 1815-1965, but is limited to conflict management cases involving at least one major power and involving states that share a direct or indirect border. Less than one third of the bilateral or third-party settlement attempts in this study took place in the post-1945 period covered by past research and only around one fourth involve at least one major power (including only sixteen cases of mediation or arbitration), suggesting that this study can produce a much broader understanding of conflict management than has been possible with past research. Additionally, past research has focused on conflict management attempts during ongoing militarized disputes (e.g., Wilkenfeld and Brecher, 1984; Dixon, 1993, 1994; Bercovitch and Diehl, 1997), while only fourteen percent of the peaceful settlement attempts in this study begin during ongoing militarized conflict. In short, the settlement attempts in this study represent a unique contribution to the field, going well beyond past data collections.<sup>20</sup>

#### *b. Militarized Settlement Attempts*

The Correlates of War project's Militarized Interstate Dispute (MID) data set (Jones, Bremer, and Singer, 1996) identifies all instances in which military force is threatened, displayed, or used, and identifies the type of status quo revision (if any) sought by each dispute participant. One type of revision included in that data set is territory; this study considers a dyadic militarized dispute to involve territorial issues when at least one of the dispute

participants is coded as seeking a territorial revision in the status quo ante.<sup>21</sup>

### **Past Interactions**

The level of recent militarized conflict between the claimants is measured by the number of militarized interstate disputes between them in the preceding fifteen years. This fifteen-year gap is meant to capture events that have happened recently enough to have an impact on policy makers, and is consistent with past research on recurrent interstate conflict and rivalry (e.g., Hensel, 1994, 1996a). Similarly, recent war involvement is measured dichotomously by whether or not the claimants have been involved in a full-scale interstate war within the past fifteen years, as identified by the militarized dispute data set.

Past attempts to settle territorial claims peacefully are measured by the number of unsuccessful settlement attempts and the number of successful settlement attempts in the preceding fifteen years. Unsuccessful settlement attempts include bilateral or third party efforts that fail to produce agreements or treaties between the participants, as well as attempts that produce treaties or agreements that fail to achieve ratification or implementation by both parties. Successful settlement attempts include bilateral or third party efforts that produce agreements that both parties ratify and implement. It should be noted that such settlement attempts may only involve small portions of the overall territorial claim in a gradual approach to resolving the claim piece-by-piece, and that they may simply involve functional issues like commerce or navigation without attempting to resolve final ownership of the territory; simply signing and implementing several agreements does not imply that the entire claim has already been settled definitively.

### **Institutional Context**

The institutional context is measured as a count of multilateral treaties and institutions calling for the peaceful settlement of disputes that both states have signed and ratified. The greater the number of treaties or institutions that both states have accepted, presumably, the greater should be the pressure on them to settle their disputes peacefully rather than through militarized means. A data set has been collected to indicate signature and ratification of all

multilateral treaties and institutions that explicitly call for the pacific settlement of political disputes among members. Relevant global treaties include the charters of the League of Nations and United Nations, declarations accepting the compulsory jurisdiction of the Permanent Court of International Justice or International Court of Justice, the 1899 and 1907 Hague treaties on the peaceful settlement of disputes, and the Kellogg-Briand Pact. Relevant regional treaties in the Western Hemisphere include the charters of the Organization of American States and the Rio Pact (Inter-American Treaty of Reciprocal Assistance) as well as the 1902 Treaty on Compulsory Arbitration, 1923 Gondra Treaty, 1929 General Convention on Inter-American Conciliation and General Treaty of Inter-American Arbitration, 1933 Saavedra Lamas Pact, 1936 Treaty on Prevention of Controversies, 1936 Inter-American Treaty on Good Offices and Mediation, and 1948 American Treaty on Pacific Settlement (Pact of Bogotá).<sup>22</sup>

### **Characteristics of the Adversaries**

Dyadic democracy is measured using the Polity 98 data set on regime characteristics. The specific measure used, recommended by Jagers and Gurr (1995) among others, subtracts the Polity 98 index of a state's authoritarian characteristics from the index of its institutionalized democratic characteristics. Each index ranges from zero to ten, meaning that the measure ranges from -10 (extremely authoritarian) to +10 (extremely democratic). In order to convert this state-level measure for dyads, the lower democracy score from the two states in the dyad is used to indicate overall dyadic democracy, because of the traditional argument that the pacifying effects of democracy require that both sides must be democratic (see especially Dixon 1993: 52).<sup>23</sup>

The relative capabilities of the claimants are measured using the composite index of national capabilities (CINC) scores derived from the Correlates of War project's data set on national material capabilities. Two dichotomous measures are used, based on comparisons of the states' overall CINC scores. When the stronger side has less than three times the overall capabilities of the weaker side (a traditional indicator of parity), the claimants are considered to be in relative parity. When the claim challenger has more than three times the target's overall capabilities, the challenger is considered to be stronger. Situations where the claim target has more than three times the challenger's capabilities are left out of the model as a referent group.

## **ATTEMPTS TO MANAGE TERRITORIAL CLAIMS**

Bremer (1993:3) suggests that "many, perhaps most" conflicts of interest are resolved peacefully through negotiation and accommodation, or are tolerated until forgotten. Nonetheless, many leaders have chosen to threaten or use military force in pursuit of their interests. The most recent version of the COW militarized interstate dispute data set (Jones et al., 1996) identifies over two thousand occasions since 1816 where at least one state has threatened, displayed, or used force in pursuit of its interests. Until the ICOW data collection began, there has been no systematic way to compare the frequency with which states choose militarized or peaceful attempts to manage their issues, because there have been no comparable data sets on peaceful and conflictual management of the same type of issue.

[Table 2 about here]

### **Frequency of Settlement Attempts**

Table 2 presents descriptive information on attempts to settle territorial claims in the Western Hemisphere, both for three levels of territorial claim salience and for the aggregated total of all territorial claims. This table indicates the average number of times that each type of settlement attempt has been used for each type of claim, the percentage of all settlement attempts represented by this average number, and the percentage of all claims of each type that have given rise to at least one settlement attempt of each type.

As the aggregated totals indicate, the 74 claimed territories in the data set have averaged 11.1 settlement attempts of all types, with 71 of these (95.9 percent) generating at least one settlement attempt. The most common type of settlement attempt involves bilateral negotiations, which have taken place in 91.9 percent of all claims and which account for over half of all settlement attempts (61.9 percent). Many claims have also attracted the assistance of outside parties at least once, with 27 (36.5 percent) involving at least one non-binding third party settlement attempt and 27 being submitted to binding third party arbitration or adjudication at least once. Participants in 35 claims (47.3 percent) have also engaged in at least one militarized

interstate dispute involving territorial issues during the time of their claim, for an average of 2.1 disputes per claim. Yet states have been much more likely to employ peaceful means in support of their territorial claims, with each claim averaging as many peaceful third party settlement attempts as militarized confrontations over territory, and three times as many rounds of bilateral negotiations. Militarized conflict accounts for less than one-fifth of all attempts to settle territorial claims, suggesting that there is much more to territorial claim management than might be expected based on the focus in recent research on militarized conflict over territory.<sup>24</sup>

Unfortunately, because the current ICOW data collection is limited to territorial claims, it is impossible to make a direct comparison of territory against other types of issues, which would be desirable for an ideal test of the role of salience. We can get some idea, though, by comparing these results for territorial claims with additional work on third party settlement attempts. Raymond (1996:13-14) identifies the type of question under review in 221 cases of arbitration between 1815-1965. Only 34 of these 221 cases (15.4 percent) involving questions of territorial jurisdiction; "treatment of persons," "damages," and "contractual issues" account for 37, 44, and 106 cases, respectively. Although we have no way to determine how many questions of each type never led to arbitral proceedings, it appears that territorial jurisdiction has led to binding arbitration less frequently than other types of issues. Similarly, Reinhardt (1999) identifies over six hundred trade disputes referred to the GATT or WTO between 1948-1998. Although we have no way to determine how many trade disputes were managed without GATT/WTO involvement, this large number of referrals in just fifty years suggests that trade disputes -- presumably less salient than territorial claims on the average, due to their focus on a specific economic sector or commodity rather than on what may be seen as an integral part of the national homeland -- are referred to third parties much more often than territorial claims.

The top sections of Table 2 also examine variation in issue salience within the general category of territorial claims, which can be used to evaluate Hypothesis 1. The results are generally consistent with the hypothesis, with militarized conflict being more likely for claims to more salient territory. High-salience territory averages ten times more militarized disputes than low-salience territory (5.0 per claim relative to 0.5) and roughly four times more than moderate-salience territory, a statistically significant difference using an ANOVA test ( $F = 7.83$ , 2 d.f.,  $p < .001$ ). Binding third party settlement attempts have been especially rare for highly salient

claims, accounting for only 2.9 percent of all attempts (relative to 5.8 and 6.8 percent for low- and moderate-salience claims); there are roughly twice as many binding settlement attempts per claim for moderately or highly salient territories as for the least salient, although this difference is not statistically significant ( $F = 1.11$ , 2 d.f.,  $p < .34$ ). Bilateral negotiations account for about the same proportion of all settlement attempts regardless of claim salience, although in raw numbers highly salient claims average significantly more rounds of bilateral talks than low- or moderate-salience claims ( $F = 14.65$ , 2 d.f.,  $p < .001$ ); the same is true for non-binding third party settlement attempts ( $F = 3.86$ , 2 d.f.,  $p < .03$ ). In short, highly salient claims lead to many more rounds of bilateral negotiations and many more episodes of militarized conflict on the average than do claims of lower salience, which is consistent with Hypothesis 1. It should be noted, though, that Table 2 is primarily a descriptive analysis with no statistical control for other factors. The remaining analyses attempt more meaningful, multivariate analyses of the processes that lead states to choose different means for resolving their territorial claims.

[Tables 3, 4, and 5 about here]

### **Accounting for Settlement Attempts**

Tables 3 and 4 use logistic regression analysis to examine the techniques that states choose to attempt to settle their territorial claims. Separate models examine the probability of each type of settlement attempt during a given year, including bilateral negotiations, militarized conflict, and non-binding or binding third party assistance. In each case, the dependent variable is a dummy variable indicating whether or not at least one such settlement attempt occurred during the year in question.<sup>25</sup> Furthermore, the occurrence of each type of settlement attempt is examined with two models: a full model that includes all of the independent variables and controls discussed earlier, and a baseline model that includes only the controls. This baseline model offers a better evaluation of the impact of issue-related factors than is offered by the standard comparison of the full model against a null model containing only a constant, because it allows us to determine the specific impact of the issue variables independent of the controls included in the full model.

Each model in Tables 3 and 4 is tested on a total of 4641 dyad-years, including all territorial claims in the Western Hemisphere from 1816-1992. Each model produces statistically significant results, as indicated by the improvement in log likelihood between the null model and the full model ( $p < .001$  for each model). Importantly, for each type of settlement attempt, the full model including all of the hypothesized issue-related variables as well as the controls for relative capabilities and joint democracy produces substantial improvements in model fit relative to the baseline model including only the control variables; a log-likelihood test indicates that these improvements are statistically significant for each model ( $p < .001$ ).

With regard to individual variables, the coefficients in each model indicate that claim and adversary characteristics significantly impact the likelihood of each type of settlement, generally in the hypothesized direction. Another measure of the impact of each variable can be seen in Table 5. This table presents the marginal impact of each statistically significant effect from Tables 3 and 4 by illustrating the change in probability of the dependent variable that could be expected by moving from the minimum to maximum value for the independent variable in question. This is a much more directly interpretable measure of the actual impact (or substantive significance) of each variable than the coefficients in Tables 3 and 4. Because some of these events -- particularly the third party activities addressed in Table 4 -- are relatively rare, occurring in a small fraction of possible dyad-years, the marginal impact of moving from the minimum to maximum values is summarized as the percentage change, rather than the absolute change in probabilities. For example, moving from the minimum to the maximum value on the salience index increases the predicted probability of non-binding third party activity in a given year from .005 to .024, which is only a difference of roughly two percent in absolute terms but which represents over five times the probability of the event (or an increase of 416 percent).

The results are discussed in an integrated fashion, organized by the general hypotheses presented earlier (i.e., by independent variable) rather than by specific models (i.e., by dependent variables). With regard to claim salience, Hypothesis 1 suggests that more salient claims should be more likely than less salient claims to lead to bilateral negotiations or militarized action. The analyses in Table 3 generally support this expectation. Territory that is seen as more valuable according to the salience index is significantly more likely to be the subject of bilateral negotiations in any year ( $p < .001$ ), as well as more likely to lead to militarized conflict ( $p < .001$ ). As Table 5 indicates, the salience of a given territorial claim also produces a substantively

important change in states' interactions. Claims involving territory with the highest value on the salience index in this study (ten points on the twelve-point scale) have roughly three times the probability of either bilateral negotiations or militarized conflict in a given year than claims to territory with the lowest salience value, increasing the probability of each by over 200 percent.

Hypothesis 1 also suggests that more salient claims should be less likely than less salient claims to lead to the submission of a claim to binding third party decisions. The evidence on this topic is mixed, suggesting that salience has no systematic impact on the likelihood of binding third party settlement attempts, although more salient claims are significantly more likely than less salient claims ( $p < .001$ ) to lead to non-binding third party activities. Substantively, claims to territory with the highest salience value have nearly five times the probability of non-binding settlement attempts as claims with the lowest salience value (.024 versus .005). This suggests that non-binding third party settlement attempts -- in which the third party may attempt to help the claimants reach a mutually acceptable settlement but the final decision remains up to them -- may be more likely to be offered for highly salient claims, and may be welcomed by parties that are otherwise unlikely to agree over highly salient territory. At the same time, submission of a claim to a binding third party decision is not affected by claim salience, at least after considering the impact of characteristics of the claimants and of recent interactions over the claim.

Hypotheses 2 and 3 suggest that a history of failed settlement attempts should increase the likelihood of militarized action and third party assistance, while a history of successful settlement attempts should increase the likelihood of bilateral negotiations and decrease the likelihood of militarized action or third party assistance. In general, the evidence supports these expectations regarding unsuccessful settlement attempts. A longer history of unsuccessful settlement attempts significantly increases the probability of bilateral negotiations ( $p < .001$ ), militarized disputes ( $p < .001$ ), and non-binding third party settlement attempts ( $p < .01$ ), while having little systematic impact on binding third party techniques. Substantively, these effects are quite large, with the probability of both bilateral talks and militarized conflict increasing by over 400 percent and the probability of non-binding third party assistance increasing by a factor of twelve when moving from the minimum to the maximum value. A history of recent failures appears to lead to the redoubling of efforts to resolve the claim (peacefully or militarily), as well as to the increased non-binding involvement of third parties -- although even failed negotiations may not be enough to overcome states' natural reluctance to cede control of the territory's destiny

to a (potentially biased) binding third party decision.

A longer history of successful settlement attempts significantly increases the probability of both militarized conflict and binding third party involvement ( $p < .001$ ), while having no statistically significant impact on bilateral negotiations or non-binding third party activities. Substantively, the probability of militarized conflict increases by nearly 200 percent, and the probability of a binding third party arbitration or adjudication increases by over 900 percent. The added trust and confidence that accompany past successes appear to be able to help overcome the reluctance to allow binding third party decisions, and may indeed be almost necessary before binding techniques are chosen.<sup>26</sup> On the other hand, the positive impact of successful negotiations on subsequent militarized conflict reminds us that even past success is no guarantee of a peaceful future. Past agreements that are not carried out fully or that are later abrogated would appear to be likely sources of future conflict, and even agreements that are implemented may fail to make progress toward ending the claim if they only deal with functional or procedural issues and sidestep the most difficult questions of actual territorial sovereignty.

Hypotheses 4 and 5 suggest that a greater history of recent militarized conflict should increase the likelihood of future militarized conflict or third party attempts to settle the territorial claim, although the occurrence of a recent war should make militarized actions less likely and peaceful options more likely. The evidence generally supports both expectations. A longer history of past conflict significantly increases the probability of both militarized conflict ( $p < .001$ ) and non-binding third party settlements ( $p < .01$ ). Both effects are quite large substantively, with the probability of non-binding third party activity increasing by over 500 percent and that of militarized conflict increasing by over one thousand percent. A recent experience with full-scale war both decreases the probability of future conflict ( $p < .02$ ) -- offering evidence of a war-weariness effect -- and increases the probability of non-binding third party settlements, although at slightly weaker levels of statistical significance ( $p < .07$ ). While both militarized disputes and full-scale war increase non-binding third party involvement, neither has a systematic impact on submission of claims to binding third party decisions, indicating that even the recent experience of militarized conflict (and the expectation of more conflict in the future) may not be enough to convince adversaries to overcome their reluctance to allow third parties to decide the ultimate question of sovereignty over the claimed territory.

Taken together, the results for past peaceful settlement attempts and past militarized conflict suggest that decisions by both claimants and third parties are influenced systematically by past events. Third parties are much more likely to become involved in territorial claims that appear to be more dangerous, whether this is because of past militarized disputes or a past war between the adversaries, or whether this is simply because the adversaries have been unable to reach agreement (or to implement any agreements that have been reached) through peaceful settlement options. This finding suggests both that third parties are more likely to offer assistance in settling more threatening disputes, and that the claimants in such situations are more likely to seek out or to accept offers of third party assistance -- although this may result from either a genuine desire to resolve the claim peacefully or, more cynically, from a desire to "buy time" by delaying future conflict until military preparations can be completed.

The remaining discussion briefly assesses the impact of the control variables. The Western Hemisphere has a long history of multilateral treaties calling for peaceful settlement, including ten regional treaties dating back to 1902, and the institutional context created by these treaties appears to have had a mixed impact on the management of territorial claims in the Western Hemisphere. Non-binding third party settlement attempts are significantly more likely between claimants who have signed and ratified more treaties calling for the peaceful settlement of disputes among members ( $p < .001$ ), indicating that territorial claims in such an institutional context are more likely to be the subject of non-binding mediation, fact-finding, or good offices (whether by fellow signatory states, international organizations, or other actors). Less consistent with the stated purpose of international organizations, though, militarized conflict appears to be somewhat more likely ( $p < .10$ ) for states with a stronger institutional context. As for the final two types of settlement attempts, there is no systematic impact on either binding third party involvement or on bilateral negotiations. These results do not necessarily suggest that a stronger institutional context obstructs the peaceful settlement of issues or directly encourages militarized conflict, but they certainly indicate that these organizations are far from a guarantee of success.

It was suggested that roughly equal states should be more likely than more unequal states to use militarized action or third party settlement attempts, while dyads in which the challenger is much stronger than the target should feature more bilateral negotiations and less third party activity. Most of the evidence supports these expectations, with relatively equal states being more likely to engage in militarized conflict ( $p < .01$ ) and somewhat more likely to become

involved in both binding and non-binding third party settlement attempts ( $p < .10$ ). Furthermore, preponderant challengers are more likely to pursue bilateral negotiations ( $p < .01$ ) and somewhat more likely to use militarized options ( $p < .10$ ), with little impact on third party options. Not surprisingly, then, the realist perspective has an important contribution to make to the study of issues and issue management. Even if issue salience, past interaction over the same issues, and the institutional context affect state preferences, relative capabilities have an important additional influence on the decisions that are made and on the consequences of these decisions.

Finally, many scholars would suggest that democratic dyads should be more likely to pursue peaceful (bilateral or third party) settlement attempts over their claims than other dyads, and less likely to pursue militarized action. The evidence for this hypothesis is surprisingly weak, with democratic dyads being significantly more likely to engage in bilateral negotiations over their claims ( $p < .05$ ) but somewhat less likely to attract non-binding third party action ( $p < .10$ ), and with no significant impact on binding third party activities or militarized conflict.<sup>27</sup> This evidence is far from suggesting a negative impact of democracy, although it appears that joint democracy is not a miracle cure for the problem of territory, at least with regard to attempts to manage claims. Future research must consider whether such attempts between democracies are more successful than attempts between other adversaries, even if no more frequent.

## **DISCUSSION**

This study has examined the management of territorial claims in the Western Hemisphere, drawing from the central tenets of an issue-based perspective. States contending over territorial issues behave largely as this approach suggests, based on the high salience that tends to characterize such issues; three-fourths of all attempts to manage these issues involve unilateral military action or bilateral negotiations between the adversaries. Variations in salience within the category of territorial claims affect the nature of attempts to manage or settle the claims, with most settlement attempts (with the exception of submission to a binding third party decision) being more likely when the claimed territory is more salient to policy makers. Recent interactions over the issue exert a substantial influence on later issue management, with action over a claim -- particularly militarized conflict -- being more likely when there is a history of

either militarized conflict or unsuccessful negotiations. Important for the validity of an issue-based approach, these results for the impact of issues hold even after controlling for the characteristics of the claimants, which helps to overcome possible objections that power or political regime type is the primary determinant of foreign policy activity.

These results offer numerous contributions to the academic literature on territory, contentious issues, interstate conflict, and conflict management. One valuable contribution involves this study's conceptualization of militarized conflict as only one of numerous substitutable policy options available to states for a specific purpose, the management or settlement of specific contentious issues. This theoretical conceptualization -- and the resulting empirical analyses -- help demonstrate how such previously disparate research topics can and should be integrated. As this study's findings reveal, many of the same factors affect both militarized conflict and bilateral or third-party settlement attempts in similar ways. Indeed, the success or failure of past peaceful settlement attempts affects the prospects for future militarized conflict, and the legacy of recent conflict affects the prospects for future peaceful settlement attempts both by the adversaries themselves and by third parties.

This study's focus on all territorial claims in a specific spatial-temporal domain also helps the study of each policy option by providing a set of cases in which the options might reasonably be considered. That is, unlike past research on the issues involved in militarized disputes or wars, we now have a way to study comparable issues that did or did not lead to militarized conflict. Similarly, unlike most past research on conflict management, we now have a control group of comparable issues that did not lead to arbitration or similar settlement attempts as well as those issues that did, and we can now study conflict management techniques outside of the realm of militarized disputes or crises.

Beyond the specific theoretical and empirical contributions of this study, the original data set presented herein has greatly improved the prospects for research on territory, by identifying every territorial claim for the past two centuries with data on measures of issue salience and on attempts to manage these issues. The study of territory can now expand beyond a focus on the issues involved in militarized conflict by including issues that never become militarized and by considering non-militarized issue settlement attempts. Whereas past research on territory has focused almost exclusively on militarized conflict, the present study indicates that militarized disputes constitute only one-fourth of all attempts to settle territorial claims, suggesting that

future research needs to focus on the other three-fourths of peaceful settlement attempts. Many other potentially fruitful paths remain for future research both on territory and on issues more generally; this study concludes with a discussion of directions for future research.

One important direction is the extension of this research through additional data collection. Work is currently ongoing to collect territorial claims data for the remainder of the world beyond the Western Hemisphere, but future work can make an important contribution by collecting comparable data on additional issue types. While territorial claims appear to be managed as we would expect for a highly salient issue type, existing data collections offer no way to determine a baseline of specific non-territorial issues that can be used for direct comparison with territory; data on additional issues is needed for such a systematic comparison. One promising direction for data collection involves maritime claims, which are generally overlooked in the current focus on claims to land territory or islands; Mitchell and Prins (1999) find that maritime, fisheries, or navigation issues account for nearly half of all militarized disputes between democracies since World War II. Similarly, scholars and policy makers alike argue that access to scarce fresh water resources (such as cross-border rivers) is likely to be a source of international friction in coming years; fresh water claims are also a promising topic for future research. Future research is strongly encouraged to pursue additional research and data collection on these and other types of contentious issues, which promises important payoffs in the study of contentious issues, interstate conflict, and world politics more generally.

Beyond additional data collection, there are many promising avenues for future research on territorial claims using the data presented here. This study has studied the frequency with which territorial claimants have employed various types of issue settlement attempts; future research must address the effectiveness of these different types of attempts to settle ongoing territorial claims. If an issue approach is to prove valuable in the study of world politics, it must address both the forms that interaction over issues can take and the factors that influence the eventual resolution of contentious issues. For example, this study has found that (at least in the Western Hemisphere) joint democracy has not increased the likelihood of third party settlement attempts; future research must address whether or not those attempts that do occur between democracies are more successful than those that occur between other types of political systems. Similarly, Gibler (1997) has found that territorial settlement alliances have been successful at avoiding militarized conflict in their aftermath, but little is known about the ending of contention

over territory or about other settlement attempts not involving formal alliances.

This study has noted a close connection between contention over territory -- especially highly salient territory -- and militarized conflict. Future work could benefit from a closer examination of this linkage, particularly with a more longitudinal focus than by simply studying the probability of an individual militarized dispute. For example, Vasquez (1993) finds that most enduring rivalries appear to involve a territorial component, and a cursory examination of a more comprehensive list of rivalries (Diehl and Goertz, 2000) suggests that this observation is not listed to the twenty-eight rivalries examined by Vasquez. Future research should address the patterns of interaction that lead territorial claimants to long-term militarized rivalry, in order to determine whether territory-based rivalries follow different evolutionary patterns than other rivalries (Hensel 1996a) and whether specific details of claimed territory affect these patterns.

Finally, the ICOW territorial claims data set may also be useful in testing additional propositions on phenomena in world politics beyond issue management. For example, arguments that certain types of states (such as democracies) are less likely than others to engage in territorial disputes can be tested more meaningfully with territorial claims data that are collected independently from data on militarized conflict. Bueno de Mesquita and Siverson (1997) draw inferences about democratic dyads' propensity to contend over certain types of issues based on the militarized disputes between them, and Mitchell and Prins (1999) study the issues at stake in militarized disputes between democracies. Yet neither study is able to address comparable issues that never lead to militarized conflict, which Table 2 reveals to be half of all territorial claims in the present study, and which may include an even larger fraction of generally less salient issue types. It is to be hoped that the wider availability of systematic data on contentious issues -- territorial claims as well as others -- can help scholars to address such questions in a more meaningful fashion.

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**TABLE 1. Territorial Claims in the Western Hemisphere, 1816 - 1992**

<i>Claimed Territory</i>	<i>Challenger - Target</i>	<i>Dates</i>
<b>North America</b>		
Passamaquoddy Bay	USA - UK	1816-1817
St. Croix - St. John Rivers	USA - UK	1816-1842
49th Parallel	USA - UK	1816-1818
Oregon Country	USA - UK	1816-1846
& Haro Channel	USA - Spain	1816-1821
	Spain - UK	1816-1821
	USA - UK	1846-1872
Alaska	Russia - UK	1821-1867
	USA - Russia	1822-1867
	UK - USA	1872-1903
Labrador	Canada - UK	1920-1927
Texas	USA - Mexico	1831-1848
Mesilla Valley	USA - Mexico	1850-1854
Morteritos & Sabinitos	Mexico - USA	1884-1884
Río Grande Bancos	Mexico - USA	1884-1972
& El Chamizal	Mexico - USA	1895-1963
Florida	USA - Spain	1816-1821
California - New Mexico	USA - Mexico	1835-1848
Fort Ross	Russia - Spain	1816-1821
	Russia - Mexico	1831-1841
<b>Central America and Caribbean</b>		
Cuba	USA - Spain	1848-1898
Isla de Pinos	USA - Cuba	1909-1925
Guantánamo Bay	Cuba - USA	1960-
Navassa Island	Haiti - USA	1859-1914, 1935-
Môle St. Nicholas	USA - Haiti	1889-1915
Samaná Bay	USA - Dominican Rep.	1894-1904
Virgin Islands	USA - Denmark	1865-1917
Río Massacre	Haiti - Dom. Rep.	1894-1915, 1934-1935
Quita Sueño-Roncador-Serranía	Colombia - USA	1890-1972
	Nicaragua - USA	1900-1928
	Nicaragua - Colombia	1900-1928, 1967-
	Honduras - USA	1899-1928
	Honduras - Colombia	1899-1928
San Andrés y Providencia	Nicaragua - Colombia	1900-1930, 1979-
Clipperton Island	Mexico - France	1897-1934
Río Hondo	Mexico - UK	1831-1897
Chiapas	Guatemala - Mexico	1868-1882
Belize	Guatemala - UK	1868-1981
	Guatemala - Belize	1981-
Ranguana & Sapodilla Cays	Belize - Guatemala	1981-
	Honduras - Belize	1981-
	Honduras - Guatemala	1981-
Mosquitia	Colombia - UK	1831-1848
	UK - Nicaragua	1900-1905

Río Motagua	Honduras - Guatemala	1899-1933
Cordillera Monte Cristo	Guatemala - El Salvador	1935-1938
Bolsones	El Salvador - Honduras	1899-1992
Gulf of Fonseca Islands	Honduras - El Salvador	1899-1992
Teotecacinte	Nicaragua - Honduras	1900-1906, 1912-1961
Swan Islands	Honduras - USA	1921-1972
Mangles (Corn) Islands	Colombia - Nicaragua	1900-1928
	Nicaragua - USA	1965-1971
Río Sixaola y Río Coto	Costa Rica - Panama	1920-1941
Juradó	Panama - Colombia	1920-1924
Canal Zone	USA - Colombia	1901-1903
	Colombia - USA	1903-1922
	Panama - USA	1920-1979

### South America

Goajirá-Guainía & Serranía del Perijá	Venezuela - Colombia	1841-1922
Los Monjes	Venezuela - Colombia	1922-
Oriente-Aguarico	Colombia - Venezuela	1951-
Loreto	Ecuador - Colombia	1854-1919
& Leticia	Peru - Colombia	1839-1922
Apaporis	Peru - Colombia	1932-1935
Aves Island	Brazil - Colombia	1831-1928
Essequibo	Venezuela - Netherlands	1857-1865
	Venezuela - UK	1841-1899, 1951-1966
	Venezuela - Guyana	1966-
Patos Island	Venezuela - UK	1859-1942
Amazonas	Venezuela - Brazil	1841-1928
Los Roques	Netherlands - Venezuela	1850-1856
Corentyn/New River Triangle	Netherlands - UK	1816-1966
	Netherlands - Guyana	1966-1975
	Suriname - Guyana	1975-
Pirara	Brazil - UK	1838-1926
Maroni	Netherlands - France	1849-1975
	Suriname - France	1975-
Tumuc-Humac	Brazil - Netherlands	1852-1906
Amapá	Portugal - France	1816-1822
	France - Brazil	1826-1900
Oriente-Mainas	Ecuador - Peru	1854-1942
& Cordillera del Cóndor	Ecuador - Peru	1948-
Amazonas-Caquetá	Ecuador - Brazil	1854-1904
& Amazonas-Iça	Brazil - Ecuador	1904-1922
Chincha Islands	Spain - Peru	1864-1866
Acre-Purús	Peru - Brazil	1839-1909
Acre-Madre de Dios	Peru - Bolivia	1848-1912
Acre-Abuná	Brazil - Bolivia	1848-1909
Apa	Paraguay - Brazil	1846-1874
& Río Paraguay Islands	Paraguay - Brazil	1874-1927
Misiones	Argentina - Brazil	1841-1895
Yaguarón	Uruguay - Brazil	1882-
Trindade Island	Brazil - UK	1826-1896
Chaco Boreal	Bolivia - Paraguay	1878-1939
Antofagasta	Chile - Bolivia	1848-1884
& Tacna-Arica	Bolivia - Chile	1884-

	Chile - Peru	1879-1884
	Peru - Chile	1884-1929
	Bolivia - Peru	1883-1936
Puna de Atacama	Argentina - Bolivia	1841-1941
Chaco Central	Argentina - Paraguay	1846-1878
Patagonia	Chile - Argentina	1841-1903
Los Andes	Chile - Argentina	1896-1904
Beagle Channel	Argentina - Chile	1904-1985
Palena/Continental Glaciers	Chile - Argentina	1903-
Río de La Plata	Argentina - Uruguay	1882-1973
Falkland (Malvinas) Islands	Argentina - UK	1841-

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*Note:* Claim dates are constrained by membership in the COW international system, limiting this table to interactions between recognized sovereign states. Claims can not begin until both states qualify for system membership, and claims are considered to end with the loss of system membership by one or both states.

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**TABLE 2: Territorial Claim Salience and Settlement Attempts**

<i>Claim Salience</i>	<i>Type of Settlement Attempt</i>				<i>All Types</i>
	<i>Bilateral Negotiations</i>	<i>Third Party: Non-binding</i>	<i>Binding</i>	<i>Militarized Conflict</i>	
<b>Low (N=24 claims)</b>					
Mean Attempts:	2.6	0.7	0.3	0.5	4.0
% of All Attempts:	63.0%	14.8	6.7	15.6	
% of Claims with Attempt:	79.2%	25.09	29.2	25.0	91.7
<b>Moderate (N=29 claims)</b>					
Mean Attempts:	5.7	1.2	0.5	1.3	8.7
% of All Attempts:	63.7%	15.8	4.9	15.5	
% of Claims with Attempt:	96.6%	34.5	34.5	41.4	96.6
<b>High (N=21 claims)</b>					
Mean Attempts:	13.2	3.6	0.6	5.0	22.5
% of All Attempts:	60.1%	15.3	2.8	21.9	
% of Claims with Attempt:	100%	52.4	47.6	81.0	100
<b>Total (N=74 claims)</b>					
Mean Attempts:	6.8	1.7	0.5	2.1	11.1
% of All Attempts:	61.9%	15.4	4.2	18.6	
% of Claims with Attempt:	91.9%	36.5	36.5	47.3	95.9

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**TABLE 3: Accounting for Unilateral and Bilateral Settlement Attempts**

Variable	<i>Bilateral Negotiations</i>		<i>Militarized Conflict</i>	
	<i>Est.(S.E.)</i>	<i>Est.(S.E.)</i>	<i>Est.(S.E.)</i>	<i>Est.(S.E.)</i>
Intercept	- 2.65*** (0.08)	- 3.58*** (0.20)	- 3.95*** (0.30)	- 5.25*** (0.31)
<b>Claim Salience:</b>				
Salience Index	---	0.14*** (0.03)	---	0.14*** (0.04)
<b>Recent Interaction:</b>				
Unsuccessful Attempts	---	0.14*** (0.03)	---	0.12*** (0.04)
Successful Attempts	---	0.01 (0.04)	---	0.16*** (0.05)
Recent MIDs	---	0.02 (0.03)	---	0.22*** (0.04)
Recent War	---	0.30 (0.24)	---	- 1.06** (0.43)
<b>Institutional Context:</b>				
Shared Institutions	---	- 0.03 (0.02)	---	0.05* (0.03)
<b>Controls:</b>				
Rough Parity	0.63*** (0.11)	0.14 (0.13)	1.43*** (0.18)	0.68*** (0.20)
Challenger Stronger	0.62*** (0.14)	0.38*** (0.14)	0.65*** (0.25)	0.43* (0.26)
Dyadic Democracy	0.38** (0.16)	0.41** (0.17)	0.06 (0.26)	- 0.13 (0.28)
LL (null model):	2905.59	2905.59	1554.79	1554.79
LL (full model):	2863.67	2757.34	1482.61	1355.06
Improvement:	41.92	148.25	72.19	199.73
Signif.:	p < .001 (3 d.f.)	p < .001 (9 d.f.)	p < .001 (3 d.f.)	p < .001 (9 d.f.)

\* p < .10; \*\* p < .05; \*\*\* p < .01

**TABLE 4: Accounting for Third Party Settlement Attempts**

Variable	<i>Non-binding</i>		<i>Binding Arbitration/Adjud.</i>	
	<i>Est.(S.E.)</i>	<i>Est.(S.E.)</i>	<i>Est.(S.E.)</i>	<i>Est.(S.E.)</i>
Intercept	- 4.39*** (0.19)	- 6.11*** (0.43)	- 5.52*** (0.33)	- 5.56*** (0.59)
<b>Claim Salience:</b>				
Salience Index	---	0.18*** (0.05)	---	- 0.05 (0.09)
<b>Recent Interaction:</b>				
Unsuccessful Attempts	---	0.19*** (0.05)	---	0.14 (0.08)
Successful Attempts	---	0.02 (0.07)	---	0.34*** (0.09)
Recent MIDs	---	0.15*** (0.05)	---	.001 (0.10)
Recent War	---	0.93*** (0.33)	---	- 0.88 (0.85)
<b>Institutional Context:</b>				
Shared Institutions	---	0.08*** (0.03)	---	- 0.03 (0.06)
<b>Controls:</b>				
Rough Parity	1.33*** (0.23)	0.45* (0.26)	1.26*** (0.38)	0.82* (0.44)
Challenger Stronger	0.15 (0.36)	- 0.10 (0.37)	- 0.46 (0.78)	- 0.46 (0.79)
Dyadic Democracy	- 0.40 (0.40)	- 0.69* (0.42)	0.45 (0.49)	0.27 (0.54)
LL (null model):	995.70	995.70	402.06	402.06
LL (full model):	953.17	840.23	385.59	365.13
Improvement:	42.53	155.47	16.46	36.93
Signif.:	p < .001 (3 d.f.)	p < .001 (9 d.f.)	p < .001 (3 d.f.)	p < .001 (9 d.f.)

\* p < .10; \*\* p < .05; \*\*\* p < .01

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**TABLE 5: Marginal Impact of Statistically Significant Variables**

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<i>Variable</i>	<i>Value</i>	<i>Bilateral Negotiations</i> <i>Prob. (<math>\Delta</math>)</i>	<i>Militarized Conflict</i> <i>Prob. (<math>\Delta</math>)</i>	<i>Non-binding 3rd Party</i> <i>Prob. (<math>\Delta</math>)</i>	<i>Binding 3rd Party</i> <i>Prob. (<math>\Delta</math>)</i>
<b><i>Claim Salience:</i></b>					
Salience Index	1 (min.)	.04	.01	.00	
	10 (max.)	.12 (+231%)	.03 (+231%)	.02 (+416%)	
<b><i>Recent Interaction:</i></b>					
Unsuccessful Attempts	0 (min.)	.06	.02	.01	
	14 (max.)	.31 (+402%)	.09 (+417%)	.12 (+1175%)	
Successful Attempts	0 (min.)		.02		.00
	7 (max.)		.05 (+191%)		.03 (+916%)
Recent MIDs	0 (min.)		.02	.01	
	12 (max.)		.20 (+1090%)	.06 (+507%)	
Recent War	0 (no)		.02	.01	
	1 (yes)		.01 (- 65%)	.03 (+148%)	
<b><i>Institutional Context:</i></b>					
Shared Institutions	0 (min.)		.02	.01	
	12 (max.)		.03 (+ 70%)	.03 (+162%)	
<b><i>Controls:</i></b>					
Rough Parity	0 (no)		.02	.01	.00
	1 (yes)		.04 (+ 93%)	.02 (+56%)	.01 (+127%)
Challenger Stronger	0 (no)	.07	.02		
	1 (yes)	.10 (+ 42%)	.03 (+ 51%)		
Dyadic Democracy	0 (no)	.07		.01	
	1 (yes)	.11 (+ 46%)		.01 (- 49%)	

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*Note:* Marginal values depict the change in expected probability of each type of settlement attempt in a given year using the full logit models reported in Tables 3 and 4, using modal values in the model for dichotomous variables and mean values for all others. This table only includes variables reaching conventional levels of statistical significance in Tables 3 and 4, in order to avoid drawing misleading inferences about statistically insignificant effects.

## Notes

<sup>1</sup> According to an issue-based perspective, policy makers are concerned with issues because of the "values" that the issues represent. Mansbach and Vasquez (1981: 57-58) describe politics as the quest for value satisfaction, where "values" are abstract and intangible ends such as wealth, physical security, freedom/autonomy, peace, order, status, or justice. Similarly, Hermann and Coate (1982: 83) identify five values: physical safety/military security, economic wealth, respect/status, well-being/welfare, and enlightenment. Because many such values can not be obtained directly, political actors often pursue desired values by contending over specific "stakes," which are more concrete and tangible objects that are seen as possessing or representing the desired values. One or more stakes and values are linked to form an "issue," or "a set of differing proposals for the disposition of stakes among specific actors" (Vasquez 1993: 46). A variety of other literature has defined issues or the values they represent and has attempted to lay out typologies of issues (e.g., Rosenau 1966; Zimmerman 1973; Hermann and Coate 1982; Randle 1987; Holsti 1991). Following such classifications, Holsti (1991) identifies over twenty different issues, while Hermann and Coate (1982) identify sixty-six "types of foreign policy problems."

<sup>2</sup> Issue salience may vary both across issues and across actors. Thus, different actors contending over the same issue may attribute different levels of salience to that issue, depending on their particular valuation for the involved stakes (Coplin, et al. 1973; Randle 1987; Diehl 1992; Goertz and Diehl 1992).

<sup>3</sup> This argument about multiple means being available for issue-related ends reflects international anarchy, or the lack of an authoritative global actor that is capable of reaching and enforcing decisions to resolve disagreements between states. If such an actor existed, there would be little reason to study the management or resolution of disputed issues, because all issues could be settled (and all settlements enforced) by the global Leviathan.

<sup>4</sup> A partial exception is Keohane and Nye (1977: Chapter Two), who argue that not all issues are equally suitable for militarized management. At least for issues or relationships characterized by complex interdependence, such as economic or environmental issues or relations among advanced industrialized trading partners, they argue that military force is either irrelevant or unimportant as a policy instrument. Furthermore, they argue that force may be unthinkable "[w]hen an issue arouses little interest or passion" (Keohane and Nye 1977: 29). Where force is not relevant, Keohane and Nye argue that issues are likely to be managed or resolved through diplomacy, manipulation of interdependence, or with the assistance of such third parties as international organizations or transnational actors.

<sup>5</sup> It should be noted that this effect of increasing peaceful settlement refers to short-term settlement, such as an agreement to end the crisis in question. This does not address the longer term effectiveness of the resulting settlements, such as whether militarized conflict recur or whether a final settlement is reached over the issues.

<sup>6</sup> Because of this intangible importance, territorial claims may be more difficult to resolve than would be suggested by a strictly economic or military analysis. For example, Argentina's decision to invade the Falkland/Malvinas Islands in 1982 appears to have been motivated more by the psychological or historical importance of the islands for Argentina than by the desire to obtain the islands' resources. This intangible importance is also likely to complicate the settlement of territorial issues. Some scholars see territory as easier to resolve than other types of issues, because the tangibility and apparent divisibility of the stakes should facilitate agreement on compromise solutions (e.g., Dixon 1997). Yet the intangible dimension of many territorial claims may produce greater commitment and intensity on the part of policy makers than would be expected for a tangible and divisible stake, which may overcome the propensity for compromise that characterize exclusively tangible ends (Vasquez 1993).

<sup>7</sup> Moravcsik (1997) similarly suggests that states require a "purpose" or perceived underlying stake before they will act, and that the strength of their preferences for these stakes drives policy making. This argument is central to Moravcsik's critique of the realist argument that capability or power considerations drive policy making: "Nations are rarely prepared to expend their entire economic or defense capabilities, or to mortgage their entire domestic sovereignty, in pursuit of any single foreign policy goal" (Moravcsik 1997: 520). Instead, the primary determination of a state's willingness to expend resources in pursuit of any given foreign policy goal is the strength of that state's preferences for achieving that particular goal.

<sup>8</sup> Even political realists like Morgenthau (1967: Chapter 25), who might be expected to advocate unilateral solutions to disagreements because of the anarchic, self-help nature of politics, recognize that judicial settlement of issues is possible when the issue involves minor questions such as the interpretation of an existing law. It is only when the question at hand is political, involving conflicts of power or challenges to the prevailing status quo, that Morgenthau sees binding judicial settlement of disputes as impossible for self-interested states.

<sup>9</sup> This expectation is consistent with Fischer's (1982: 255) examination of four ICJ cases, which found that "All of the applicant states felt that they had exhausted all other peaceful methods of dispute settlement before turning to the Court." Fischer (1982: 271) also reports that the disputants in each case saw the ICJ as a way to spur negotiation and that several saw the Court as an opportunity to "save face" by allowing concessions that would be needed to resolve the case, but that would have been impossible politically in a strictly bilateral settlement.

<sup>10</sup> It may be that the legacy of hostility and distrust from the war will make the actual process of negotiations more difficult or less likely to succeed. Nonetheless, the focus of the present study is on the choice of issue management options, not on the effectiveness of these options; effectiveness must be addressed in future research.

<sup>11</sup> The ICOW territorial claims data set excludes claims relating to fishing or maritime zones (unless they explicitly include claims to one or more islands), continental shelves, and territory in Antarctica. As Huth (1996) notes, the political salience of such disputes is questionable relative to the salience of land disputes. Furthermore, Antarctica has generated far fewer interactions of any kind -- militarized disputes, bilateral negotiations, or third party action -- than territorial claims, although this may change in the future. Future phases of the ICOW project will supplement this current data set with data on (non-island) maritime claims, and perhaps eventually on Antarctic claims.

<sup>12</sup> All ICOW data sets used in this paper may be obtained on the World Wide Web at <<http://data.icow.org>>. Documentation and papers associated with the ICOW project are already available at the same address. Future data collection will address territorial claims beyond the Western Hemisphere, as well as additional issue types.

<sup>13</sup> It is also worth noting that Western Hemisphere territorial claims have continued to make headlines in recent years. For example, the year 2000 has already seen militarized threats related to claims between Guatemala and Belize, Venezuela and Guyana, and Guyana and Suriname, and several other claims were settled only recently.

<sup>14</sup> Hensel (1994) makes similar points about the suitability of studying militarized conflict in South America. It is worth noting that the conclusions of that 1994 article hold up almost perfectly in subsequent studies focusing on the entire world (e.g., Hensel 1996a). Similarly, there is little *a priori* reason to expect the basic findings of the present study to change in future research covering a broader spatial domain.

<sup>15</sup> A recent comparison of case coverage in territoriality data sets (Hensel 1998) reveals that the ICOW list of territorial claims includes single territorial claim in the Western Hemisphere that is included in lists from Kocs, Mandel, Holsti, and the ICB crisis data set, all but one case from Huth's (1996) list (subsequently added due to additional research), and the majority of all COW territorial changes and militarized disputes over territorial issues (with the excluded cases typically involving Antarctic or maritime claims beyond the scope of the ICOW project). The ICOW list also includes additional cases not included in each of these alternative data sets.

<sup>16</sup> The ICOW territorial claims data set currently extends to the end of 1999, and several of these claims have ended since 1992. It does not appear that extending the data set to 1999 would change the results, though, particularly because data on militarized disputes and on military capabilities are not presently available beyond 1992 or 1993.

<sup>17</sup> While some might point out the high salience attached to exceptional islands like the Falklands/Malvinas, a British enclave on mainland Argentina would presumably be an even greater source of tension than islands many miles across the sea, and the majority of island claims appear to have inspired considerably weaker emotions. Due to concern about the robustness of the results using this particular salience measure, alternative analyses were run with a variety of alternative salience measures or indices; each alternative measure produced very similar results.

<sup>18</sup> In the Western Hemisphere data used in this study, no claims involve an explicit ethnic or religious basis. Other regions include such claims, though, and this index of claim salience is intended to be apply to all territorial claims. The full salience index that includes this ethnic/religious component produces promising results in analyses using preliminary data beyond the Americas. For example, the average European claim has a somewhat higher salience value than the average Western Hemisphere claim, both because many European claims include ethnic/religious elements and because more Western Hemisphere claims involve islands; yet the empirical analyses including the preliminary European cases are virtually identical to those with only the Western Hemisphere.

<sup>19</sup> This index of territorial claim salience has high face validity, with the low-salience claims generally including cases that are conventionally described as relatively unimportant and the high-salience claims generally including cases that are considered the most important. In any case, the results reported in this study are robust and do not appear to depend heavily on this particular measure; similar results are obtained from alternative constructions of this salience index that add or remove individual salience indicators.

<sup>20</sup> Raymond's (1994, 1996) data set does not include any control group of cases that never involved third party settlement attempts. As a result, his data set may be useful for examining the effectiveness of certain types of settlement attempts, but it can tell us little about the initial decision to turn to third parties for help. Haas (1983) uses a control group of cases of militarized conflict that were not referred to third parties, arguing that he found it impossible to construct a universe of all disputes that were not referred. By collecting data on all territorial claims, the present study is able to overcome these limitations of past research.

<sup>21</sup> Hensel (1996b, 2000) offers more detail on the identification of territorial issues in militarized disputes, along with empirical analyses of the consequences of such issues for conflict behavior.

<sup>22</sup> This data set is available at <<http://data.icow.org>> and includes all qualifying political, legal, and military treaties or institutions with global or regional membership. The codebook, available at this web site, offers additional details about each case, including excerpts of the treaty or charter that call for the pacific settlement of disputes .

<sup>23</sup> It might be suggested that democracy in Latin America has been more superficial than in other regions, which might complicate efforts to generalize about the impact of democracy. Yet a comparison of democracy across regions using the Polity 98 data set reveals that the Western Hemisphere appears to have been more democratic on average than the remainder of the world until the late nineteenth century and (except for Europe) since approximately 1960, whether measured by the proportion of states meeting the democracy threshold described above or by the average (Democ-Autoc) score for each state in the region. Western Europe is clearly more democratic today, but the remainder of the world is even less democratic and it would be unfortunate to limit our conclusions by downplaying the second most democratic region because it falls short of the European standard.

<sup>24</sup> Each type of settlement attempt is significantly correlated with claim duration ( $p < .001$ ). The correlation with duration is strongest for bilateral negotiations ( $r = .51$ ) and total settlement attempts ( $r = .52$ ), followed by third party attempts ( $r = .34$ ) and militarized disputes over territory ( $r = .38$ ). Claim duration is not a random variable, though, with claim duration increasing from 44.94 years to 76.28 and 83.71 for claims of low, moderate, and high salience according to this study's salience index (ANOVA:  $F = 8.38$ , 2 d.f.,  $p < .01$ ).

<sup>25</sup> Aggregated analyses such as ordered or multinomial logit / probit might be suggested, in order to allow a unified analysis with multiple dependent variables. Such methods are not appropriate, though, because a given claim may give rise to multiple settlement attempts in a given year. This problem affects 138 claim-years in the present data set, or one-fifth of all years with at least one settlement attempt. Separate analyses are thus needed for each individual type, rather than losing information by using a questionable selection rule (such as taking the first, the most intensive, or the most successful attempt) to choose one event when multiple types occur in the same year.

<sup>26</sup> By definition, a binding third party settlement attempt requires at least one successful agreement (reached bilaterally or with third party assistance) to send the claim to a third party decision, and perhaps to set the terms of the third party involvement. Yet most settlement attempts involve other topics besides the terms of binding third party involvement, and even those that cover such a topic do not guarantee that an appropriate third party can be agreed upon, will agree to accept the role, or will actually undertake the desired arbitration or adjudication.

<sup>27</sup> One possible explanation for the weak impact of democracy is that there have been relatively few democracies in the Western Hemisphere, or that these democracies have either avoided territorial claims or settled these claims quickly. Yet joint-democratic dyads comprise around eight percent of all territorial claim dyad-years in the Western Hemisphere, which is very close to the total of nine percent of all dyad-years in the entire interstate system (using the Polity 98 data set) -- hardly a great difference that could explain the results.