International Law and the Settlement of Territorial Claims in South America, 1816-1992

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We use the Issue Correlates of War (ICOW) project's territorial claims data to study the effectiveness of international legal means for dispute settlement. We discuss the importance of territorial claims as a source of interstate conflict and the possible value of international law for settling conflict. We test hypotheses on the role of law in settling territorial claims, focusing on South American territorial claims since 1816. Empirical analyses reveal that legal options for dispute settlement, including both bilateral negotiations and a range of third party activities, can be effective for resolving territorial claims between sovereign states. Characteristics of specific claims and of the claimants can reduce the effectiveness of legal options, though; legal settlements are less likely to be effective when the adversaries have a history of militarized conflict and when the claimed territory is seen as possessing greater salience. We conclude by discussing the implications of our study for further research and for policymakers.

Numerous scholars have noted that territorial claims between nation-states are a leading cause of militarized conflict and war (e.g., Vasquez 1993; Huth 1996; Hensel 1997). Despite the serious problems that can be caused by territorial claims, though, most states involved in territorial claims are not constantly at war with each other. Many states are able to resolve their territorial differences peacefully, without any resort to militarized conflict. Many other countries with unresolved territorial claims are able to manage their differences successfully, limiting the extent to which their claims become militarized. The goal of the present paper is to examine the effectiveness of different options that are available to states to help resolve or manage conflicts of interest such as territorial claims, focusing on pacific means of conflict management that are available through international law.

We study the effectiveness of different means of dispute settlement with newly-collected data on contentious issues in international relations from the Issue Correlates of War (ICOW) Project (Hensel and Reed, 1997). The ICOW Project is meant to allow scholars to study the prevalence of certain types of contentious issues between states, the consequences of these issues for international conflict and cooperation, and the options that are available to states to manage their differences over these issues. Two ICOW data sets are relevant to the present study: the initial data set on territorial claims between states (introduced by Hensel and Reed, 1997), and a data set covering attempted settlements to these claims that is introduced here for the first time.

The present study offers a number of advancements over previous systematic work in this area (e.g., Bercovitch, et al., 1991; Dixon 1996; Haas 1983; Wilkenfeld and Brecher 1984). First, we examine a longer temporal period, covering the entire 1816-1992 period, whereas the data sets used in nearly all existing research have been limited to the post-World War II era. Besides allowing the inclusion of additional cases that have not yet been studied systematically, the longer period covered by ICOW opens the possibility of searching for long-term trends or changes in the application or effectiveness of conflict management techniques.

A second advantage of the present study over past work in this area is that the ICOW data set includes all attempts to settle territorial issues peacefully, not just attempts to manage territorial issues that have already led to a militarized dispute or crisis. Most legal instruments for pacific dispute settlement are meant to be used before the onset of crisis or war; as will be seen, the charters of the United Nations and the Organization of American States offer examples. Yet nearly all of the data sets used for research in this area have focused on conflict management attempts within militarized disputes or crises (e.g., the Butterworth or Sherman data on interstate security disputes, the Bercovitch data on armed conflicts involving one hundred or more fatalities, or the ICB crisis data).

It may be that data sets based on cases of militarized conflict understate the effectiveness of legal means for dispute settlement because of important selection effects. That is, the cases in

which legal means are most successful may be those that are resolved before the outbreak of militarized conflict. Similarly, interstate disagreements that lead to militarized conflict may be so intractable that legal means are unlikely to be successful, and the hostility and time pressures inherent in militarized conflict may further compound these difficulties. Thus, it may not be especially surprising that Bercovitch, et al. (1991) find that only 22 percent of all mediation attempts during armed conflict produce some type of successful outcome (a ceasefire or a partial or full settlement).

The ICOW data sets employed in the present study allow us to begin with all known instances of a specific type of interstate disagreement (territorial claims), some of which ultimately led to militarized conflict and some of which did not. Using this set of cases, we can study the likelihood that various legal instruments will be used to attempt dispute settlement -- whether in peaceful or conflictual environments -- and the effectiveness of such legal means. If the likelihood or effectiveness of pacific dispute settlement is affected by selection effects, the present study will allow us to identify these selection effects, which past studies -- with their emphasis on cases of militarized conflict -- have not been able to do.

Another important advantage of the present study is that we focus on a single type of contentious issue between states, territorial claims, rather than including all types of issues in the same study. This focus allows us to limit the potential problems that might be posed by comparing dissimilar cases; past studies of legal instruments for dispute settlement include such widely different issues as support for guerrillas, mining harbors, and economic disputes as well as territorial issues. Of course, not all territorial issues can be considered equivalent, either -- but our focus on territorial issues allows us to use characteristics of specific claims to distinguish between claims of higher or lower salience. Thus, it can be difficult to compare the salience of a case involving one country's support for guerrillas in a neighboring country with that of a case involving territorial claims, but we can be much more confident in comparing the salience of a territorial claim involving valuable resources such as oil with that of a claim involving a barren desert.

We begin this study by considering the importance of territorial claims as sources of interstate conflict, and the legal options that are available to states to resolve their differences peacefully. We formulate and test hypotheses on the conditions under which states involved in ongoing territorial claims are likely to submit their claims to international legal means for attempted settlements, and the conditions under which different types of attempted legal settlements are most likely to be effective. We conclude by summarizing our findings, and by discussing their implications for policy and for research.

Territorial Claims, International Law, and Pacific Dispute Settlement

Many theoretical approaches to interstate conflict treat militarized conflict as arising out of disagreements between states over one or more contentious issues (e.g., Bremer 1993; Diehl 1992; Vasquez 1993). An important consequences of this approach is that different types of issue disagreements might be expected to produce different conflict behavior. Some issues should be minor enough that they rarely if ever lead states to the level of militarized conflict, because the gains to be had from achieving one's goals over the issue are outweighed by the costs and risks involved in militarized disputes, crises, or wars. Other issues, though, should be important enough to state leaders that the risks of militarized conflict could outweigh the costs involved in acquiescing to an opponent's demands over the issue in question.

Most empirical research on contentious issues has focused on a specific type of issue, territory, which is seen as an especially dangerous form of disagreement between states (Goertz and Diehl 1992; Hensel 1996b, 1997; Huth 1996; Vasquez 1993). Such studies identify several reasons that territory seems to be an especially important type of contentious issue. Many disputed territories contain -- or are thought to contain -- valuable resources, strategic terrain, or other tangible elements that make them important to states. Even territories that do not contain tangible assets often take on special meaning to states for intangible reasons, becoming closely tied to a sense of national identity or pride. Because of these tangible and intangible reasons, territory can also be important to states for reputational reasons. Thus, if a state were to back

down over such a highly salient issue as territory, then other potential adversaries might be tempted to expect similar behavior over issues that are seen as less salient. Each of these reasons -- the tangible, intangible, and reputational importance of territory -- has been used to suggest that territorial issues should be more conflictual than other types of issues.

Several scholars have examined states' conflict behavior when territorial issues are at stake, and have found strong evidence showing that territorial issues are generally more conflictual than other types of issues. For example, Holsti (1991) and Vasquez (1993) note that territorial and territory-related issues have been involved in a majority of the interstate wars since 1648. Hensel (1996b) finds that territorial issues have only been involved in 29 percent of all militarized disputes since 1816, but that these disputes over territorial issues are more escalatory than disputes involving non-territorial issues (see also Senese 1997; Vasquez 1996b). Similarly, Kocs (1995) finds that contiguous dyads with unresolved territorial claims have been more than forty times more likely than other dyads to go to war in the 1945-1987 period.

The close empirical connection between territorial issues and militarized conflict is not surprising, given the importance attributed to territory by scholars and policymakers (as noted above). In a self-help international system characterized by anarchy, with no supreme authority over states to make and enforce binding decisions, states must always be prepared to use force at any time to achieve their goals or to defend against other states seeking to achieve their own goals (Waltz 1979). Particularly when the stakes are as important as territorial issues, leaders might be expected to prefer to rely on their own capabilities and resources to achieve their goals, rather than hoping that their adversaries will refrain from force and will settle their disputes fairly and peacefully. Even legal scholars such as Levi (1991: 271-272) note that reliance on one's own 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.

Yet the active threat or use of military force is fairly rare in world politics, even in the environments of tension and hostility that often characterize territorial claims. In the South American territorial claims examined in this paper, the adversaries only became involved in militarized conflict roughly once every twenty years while their claims were ongoing.[1] States involved in ongoing territorial claims often pursue their interests by more peaceful means, which may involve more diplomatic uncertainty than military action, but which also involve less of the risks inherent in military activities.

A variety of international legal documents call on states to settle their differences peacefully, rather than through military force. Prominent examples include the 1899 and 1907 Hague Conventions for the Pacific Settlement of International Disputes, the Covenant of the League of Nations, the 1928 General Act on Pacific Settlement of International Disputes, the United Nations Charter, and the 1970 Declaration on Friendly Relations (Levi 1990: 275). Nor is the quest for pacific dispute settlement limited to the global level; similar examples are found within individual regions. Several of the numerous Latin American examples include the 1902 Treaty on Compulsory Arbitration, 1923 Treaty to Avoid or Prevent Conflicts Between the American States (or Gondra Treaty), 1936 Inter-American Treaty on Good Offices and Mediation, and the 1948 Inter-American Treaty on Pacific Settlement or Pact of Bogotá (Atkins 1989: 226-228; Association 1986).

Each of the legal documents described above calls for peaceful settlement of interstate disputes. For example, Article 2(3) of the United Nations Charter provides that "All Members shall settle their international disputes by peaceful means in such a manner that international peace and security, and justice, are not endangered," and Article 3(g) of the OAS Charter

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[1] The territorial claims studied in the present paper have lasted for a total of 2529 dyad-years between 1816-1992. In this time, the claimants became involved in 131 militarized disputes involving territorial issues, as identified by the Correlates of War project (see Hensel 1996b), meaning that militarized conflict over territorial claims occurs in 5.2 percent of the total dyad-years. If we consider all militarized disputes, rather than only those coded as involving territorial issues for one or more of the participants, the total rises to 169 disputes, or militarized conflict in 6.7 percent of the total dyad-years.

provides that "Controversies of an international character between two or more American States shall be settled by peaceful procedures." Beyond simply calling for peaceful settlement, many of these documents also list the options that are available to states for pacific dispute settlement through international law. According to Article 24 of the OAS Charter, "peaceful procedures" include "direct negotiation, good offices, mediation, investigation and conciliation, judicial settlement, arbitration, and those which the parties to the dispute may especially agree upon at any time." Similarly, Article 33 of the UN Charter maintains that "The parties to any dispute, the continuance of which is likely to endanger the maintenance of international peace and security, shall, first of all, seek a solution by negotiation, enquiry, mediation, conciliation, arbitration, judicial settlement, resort to regional agencies or arrangements, or other peaceful means of their own choice."

Given the broad range of military and diplomatic actions that might be taken to attempt to settle a territorial claim, we should expect that the type of actions taken will affect both the immediate likelihood of successful settlement and the longer-term consequences for relations between the claimants. Vasquez (1993: 146-152) argues that the use of force to try to resolve claims is likely to produce long-term hostile relationships, barring an overwhelming victory for one side. On the other hand, settling territorial disputes peacefully should lead to a long-term peaceful relationship. Similarly, Huth (1996: 189-192) argues that early diplomatic action is important to the settlement of territorial claims before they can trap national leaders in cycles of protracted conflict, and that any territorial settlement should be made as formal and explicit as possible to reduce the possibility that the settlement will be repudiated later.

The present paper examines the role played by international law in settling territorial claims between states. We consider the situations in which states are most likely to employ peaceful means to attempt to settle their territorial claims, and we study the conditions under which such peaceful settlement attempts are most likely to be successful. In particular, we focus on three different dimensions of the effectiveness of a settlement attempt: whether or not the settlement attempt leads to an agreement between the claimants (e.g., a treaty or an arbitral award), ends political contention over the issues in question, and prevents future militarized conflict between the claimants.

Having outlined the purpose of this paper, we now examine a series of factors that we expect to influence the likelihood that a peaceful settlements will be attempted and will be effective. We begin with the settlement attempt itself, focusing on the different options that are available to states, as well as the types of actors involved in these different settlement attempts. We then consider background factors, involving characteristics of the territorial claim in question and characteristics of the states involved in the claim.

Types of Settlement Attempts

Negotiations

Akehurst (1987: 240) and Levi (1991: 278) suggest that the majority of interstate disputes are settled through direct negotiations between the involved parties, without any assistance from third parties. Direct negotiations can be desirable as a way to settle disputes without relying on potentially biased third parties. Negotiation is also a flexible approach that allows the adversaries to settle their dispute in any mutually agreeable way, without relying on previously established legal guidelines. This flexibility may allow for face-saving measures to offset the negative domestic political consequences that might follow an agreement with the adversary. Nonetheless, the lack of outside involvement in bilateral negotiations can also create obstacles to a mutually agreeable, lasting settlement. For example, bilateral negotiations lack an impartial machinery to help settle disputed questions of fact, and the absence of an authoritative outside actor offers little to restrain states from putting forth extreme claims. Furthermore, as Levi (1991) notes, negotiation is always a political process rather than a legal process, and the resulting settlements are based more on power and on politics than on law or on justice. As a result, we expect that bilateral negotiations will be fairly unsuccessful at resolving territorial claims between states. When two states differ over something as important as territory, bilateral negotiations without the help of a neutral third party should only rarely be able to settle the

territorial claim to both sides' satisfaction. Indeed, Glahn (1996: 495) notes that most legal instruments for the pacific settlement of disputes are only meant to be applied in situations where direct negotiations between the disputants have failed to produce a settlement.

Good Offices

The least intrusive form of third-party participation involves attempts to facilitate communication between the disputants, most commonly by offering "good offices" (Glahn 1996: 495-496; Levi 1991: 280; Ziegler 1997: 284). A third party offering good offices attempts to open negotiations between the disputants, often by providing a neutral meeting place for negotiations or by meeting separately with the disputants and transmitting messages or proposals between them. The third party offering good offices, though, does not make any recommendations or decisions to help settle the dispute. This role as a transmitter of messages allows the third party to ensure that communication is established and to reduce the open hostility that might characterize a face-to-face meeting between enemies, with the goal of restoring an atmosphere in which the disputants can agree to negotiate with each other directly. Good offices can be particularly useful in situations where the adversaries do not have normal diplomatic relations, and would not otherwise communicate or negotiate with each other. The lack of authority to make binding recommendations or decisions, though, means that good offices are unlikely to be able to produce diplomatic breakthroughs if the adversaries are unwilling to settle their differences amicably.

Inquiry, Conciliation, and Mediation

Beyond simply facilitating communication between adversaries, third parties may also play a more active role in dispute settlement. Inquiry, conciliation, and mediation represent non-binding activities that third parties may use to help produce a settlement. A commission of inquiry attempts to clarify or establish the facts of a disputed question in an impartial fashion, without offering any proposed solution (Akehurst 1987: 241; Glahn 1996: 499-501; Levi 1991: 281-282; Riggs and Plano 1988: 187; Ziegler 1997: 285). Such fact-finding commissions can be useful for many purposes related to territorial claims, such as investigating alleged incidents along a disputed border or determining the location of a boundary line between two states. Although inquiry does not lead to direct discussion of potential settlements to the dispute, it may be able to help resolve disputed questions of fact, perhaps lowering tensions and creating an environment that is more conducive to settlement by other means.

Conciliation and mediation give third parties a more active role in the dispute settlement process. In the former, a dispute is formally submitted to a commission of conciliation, which then studies the facts and questions involved. The conciliator then issues a final report containing the conciliator's conclusions and offering a (non-binding) recommendation for settlement (Akehurst 1987: 241; Glahn 1996: 501-502; Levi 1991: 282; Riggs and Plano 1988: 187). In mediation, the third party discusses the disputed question with the disputants (either individually or jointly) and can contribute (non-binding) suggestions toward settlement (Glahn 1996: 496-499; Levi 1991: 280-281; Riggs and Plano 1988: 187). Mediation offers the third party greater flexibility than conciliation, because a mediator can participate in an ongoing process of negotiations instead of simply investigating the situation and issuing a final report.

Mediation and conciliation offer the advantage of a third-party actor to help the disputants reach a solution, allowing the third party to suggest possible solutions instead of simply facilitating communication or negotiations between the disputants. This ability to propose solutions can lead to consideration of compromise proposals that neither disputant would have proposed individually. A good mediator can also keep the two sides' positions from becoming too extreme and thereby help to keep the situation from becoming too inflammatory. Because the mediator is so active in the settlement process, though, mediation attempts can encounter great difficulties. For either conciliation or mediation to be successful, the third party must be seen by both disputants as unbiased, which can be very difficult to accomplish when one of its tasks is to propose solutions that may not be seen as equally favorable to both sides. The UN attempt to mediate the Arab-Israeli conflict in 1948 reflects the risks inherent in mediation;

UN mediator Count Bernadotte was assassinated by Jewish extremists when his proposals were seen as being too favorable to the Arab side.

Arbitration and Adjudication

Third parties may also play a more active role in dispute settlement by issuing binding decisions. Arbitration is one type of third-party action that allows the outside actor to make a decision that will be considered binding on the disputants (Glahn 1996: 502-508; Levi 1991: 283-284). Before submitting a dispute to arbitration, the disputants agree on an arbitrator that both sides consider acceptable and define the power and jurisdiction to be granted the arbitrator, and both sides agree to accept the decision that will be reached by the arbitrator. Unlike adjudication, in which the court must follow institutionalized rules of international law, an arbitrator may consider political factors in reaching a decision. The arbitral decision must be based on respect for the law, and should attempt to come as close as possible to a standard legal decision, but the decision need not necessarily follow the specific rules of law as closely as in adjudication.

Similar to arbitration, adjudication allows a third-party actor to make a binding decision to help resolve a conflict of interest (Akehurst 1987: 244-254; Glahn 1996: 508-518; Levi 1991: 284-288). The most important difference between arbitration and adjudication is that the latter involves a permanent legal tribunal such as the International Court of Justice, while the former involves a more ad hoc submission of the dispute to some actor that both disputants consider to be acceptable. The choice of a permanent court for adjudication also means that the third party must follow accepted principles of international law in reaching a solution, whereas arbitration and the other settlement techniques allow greater flexibility in arranging a compromise solution based on political considerations when necessary. As Levi (1991) and Akehurst (1987) note, adjudication is rarely used in settling dangerous international disputes, because of the unwillingness of most states to allow third parties to decide important issues (among many other reasons). This is particularly true for territorial disputes, where the complexity and uncertainty about the facts in many cases intensifies the unpredictability inherent in judicial settlements, and "the strong emotional attachment felt by peoples for every inch of their territory, however useless the territory in dispute may be, increases the unpopularity of international courts as a means of settling such disputes" (Akehurst 1987: 253).

Third Party Actors in Settlement Attempts

With the exception of bilateral negotiations, each type of attempted settlement described above involves the participation of one or more third parties. Although the type of settlement attempted is expected to have a great deal of influence on the likelihood of a successful settlement, the type of third party actor might also be expected to play an important role. Many different types of actors have functioned as third parties in dispute settlement attempts. Among nation-states, the so-called major powers of the international system[2] have been prominent actors, along with minor powers in the same region as the claim and -- less frequently -- extraregional minor powers. International governmental and non-government organizations have also been involved in numerous settlement attempts, including regional organizations such as the Organization of American States or the Arab League as well as global organizations such as the League of Nations, United Nations, and various international courts. We have little theoretical reason to expect which of these broad groupings will be most successful a priori, but we suggest that it would be misleading to overlook the possibility that different types of actors can have different rates of success in settling disputes peacefully, much like different types of settlement techniques.

Additional Factors Affecting Settlement of Territorial Claims

Of course, we do not expect each type of attempted settlement to be equally successful in

[2] By "major powers" we refer to the standard definition and list of major powers used by the Correlates of War project; "minor powers" are those states not identified by COW as major powers.

all situations. Even the best plans for dispute settlement are likely to encounter great difficulties when the subject of the dispute in question is seen as highly salient by both adversaries, or when the context of relations between the adversaries is unfavorable. We now consider a number of other factors that might be expected to influence the course of a settlement attempt, including both characteristics of the territorial claim being discussed and characteristics of the claimants.

Characteristics of the Claim

In general, we expect that the effectiveness of a given settlement attempt will depend heavily on characteristics of the dispute being settled. Because this study is limited to settlement attempts involving territorial claims between states, we do not need to attempt to compare different types of disputed issues. Yet not all territorial claims are equally salient; some claims involve territory that is seen as more valuable than others, and distinguishing between the salience of different territorial claims.

Overall, we expect that attempted settlements should be less likely to be effective when the claimed territory is seen as being more salient. One important characteristic of claims that we expect to contribute to salience is the type of territory under contention. If a claim involves homeland territory, it is likely to be seen as possessing greater salience for the claimants than a claim involving colonial territory or some other type of secondary possession. Two other important characteristics of claims that we expect to contribute to the perceived salience of the claimed territory are the levels of population and resources contained (or thought to be contained) in the territory. If a territory contains no permanent population, then -- ceteris paribus -- it should be less salient to leaders than a territory that is densely populated or that contains numerous towns or cities. Similarly, if a territory is not thought to contain any potentially valuable resources, then it should be less salient than a territory that is known or believed to include large quantities of potentially valuable resources such as oil, precious metals, or minerals.

In short, we expect that the presence of these indicators of the salience of a claimed territory -- homeland territory, substantial population, and valuable resources -- should reduce the likelihood of an attempted settlement of the territorial claim. A claim with more of these characteristics should be more difficult to resolve, because leaders should be more reluctant to give up a source of potentially valuable resources, substantial population, or part of the state's homeland. A territory lacking in these respects should be much easier to resolve, because it has fewer tangible characteristics that could motivate leaders to continue their claim, and thus fewer obstacles to ending the claim peacefully.

Characteristics of the Claimants

Other factors that should influence the effectiveness of a settlement attempt involve the characteristics of the claimants themselves. There is a large literature on the pacifying effects of democracy on relations between two democratic states. Particularly important for the present study is work by Dixon (1993), who finds that democracies are more likely to use conflict management in their crises with other democracies. Although Dixon's study focuses on conflict management within ongoing crises, rather than peacetime attempts to settle ongoing contentious issues, we have little reason to expect results that are inconsistent with those of Dixon.

Another condition that we expect to influence the effectiveness of settlement attempts is the balance of relative capabilities between the claimants. A variety of literature has found evidence that dyads characterized by rough parity are more conflict-prone than dyads in which one side is heavily preponderant over the other (Lemke and Kugler 1996). We expect to find similar results with regard to the settlement of territorial claims, with settlement attempts being less effective when the claimants are characterized by rough parity in military capabilities. In situations of parity, both sides are likely to believe that they could win a military confrontation, and neither side is likely to prefer to leave the final disposition of the claimed territory in the hands of a potentially biased third party. Even if an agreement is reached through peaceful means, neither side in a condition of parity would seem to be likely to agree to give up its claim peacefully should the settlement attempt favor its adversary.

Finally, we consider the impact of a history of militarized conflict or rivalry between the claimants. Two countries with no history of militarized conflict -- and particularly two countries with a history of cooperative or friendly relations -- would seem to have few barriers to a peaceful settlement of any contentious issues that may arise between them. Countries with a history of militarized confrontations, though, should have an increasing set of barriers to peaceful settlement of their issues. As Hensel (1996a) points out, militarized conflict often sets the stage for future conflict between the same adversaries, with the course and outcome of one confrontation increasing hostility and distrust between the adversaries. We expect that this increasing hostility and distrust will decrease the effectiveness of attempted settlements, with peaceful settlements of territorial issues being much less likely between adversaries with a lengthy history of conflict than between adversaries with little or no history of militarized confrontation.

Research Design

Spatial-Temporal Domain

The present paper focuses on claims to territory in South America. This includes island claims and claims to colonies within this area, such as the British-Argentine claim over the Falkland Islands / Islas Malvinas and the historical claim between Brazil and Great Britain over British Guyana. It does not, however, include claims involving territory in Central America (from the Panama-Colombia claim northward), nor does it include claims involving territory in the Caribbean Sea (including the claim between Nicaragua and Colombia over islands near Nicaragua's coast) or Antarctica.

Although some might quibble with the selection of South America because of its alleged domination by the United States, we argue that South American claims offer an important domain for testing propositions about international law and the settlement of territorial claims. One reason that South America is useful is that the countries in this region have a long history as sovereign nation-states, dating back to the early or middle nineteenth century in many cases. Our study thus covers an extended period of time, which should outlast many short-term temporal effects that might be thought to distort the results (which might be the case if we were to focus on territorial claims in a region such as Africa or the Middle East, where most of the countries have become independent since World War II).

The lengthy history of South American interstate relations also provides for great variance in most of our variables of interest. Thus, our study includes the middle and late nineteenth century, in which most of the borders in the region were disputed and the South American states became involved in numerous militarized disputes and wars. This study also includes the early twentieth century, which saw the settlement of many claims in the region -- but which also saw the bloody Chaco War between Bolivia and Paraguay and the near-war between Colombia and Peru over Leticia, among many other militarized disputes. Finally, this study includes the late twentieth century, which has been relatively free from territorial conflict for most countries in the region, but which has also featured the Falklands / Malvinas War and several near-wars between Argentina and Chile or Ecuador and Peru, as well as the emergence of disputes involving the newly-independent states of Guyana and Suriname.

South America has also featured a variety of territorial claims and attempted settlements to territorial claims. Almost every border in the region has been subjected to a territorial claim at some time in the past two centuries, with wide variation in the duration of the claims and the propensity of the claimants to resort to military force. Some of the claims in the region were resolved quickly and peacefully. while others have lasted for over a century and have generated dozens of militarized confrontations. Numerous actors have been involved in attempted settlements to the region's territorial claims, ranging from the Organization of American States and individual states in the region to several U.S. presidents, the King of Belgium, the United 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.[3]

South America's territorial claims are studied over the period from 1816 to 1992, owing to the availability of meaningful data on the claimants and their interactions from the Correlates of War (COW) and Issue Correlates of War (ICOW) data sets. Each interstate claim is studied from the first year both states involved with the claim are members of the COW interstate system. For analyses involving the persistence of territorial claims or attempted settlements to territorial claims, the temporal domain extends to 1996, which is the period covered by the ICOW data on territorial claims. For analyses involving militarized conflict over territorial claims or militarized conflict in the aftermath of attempted settlements, we are limited to the 1816-1992 period covered by the COW data sets used to operationalize conflict.

Variable Operationalization

Territorial Claims

Data on interstate territorial claims come from the Issue Correlates of War project, which defines a territorial claim as involving explicit contention between states over the ownership of a piece of territory: "Official representatives of the government of at least one state must lay explicit claim to territory being occupied, administered, or claimed by at least one other state" (Hensel and Reed 1997: 5). Each claim is included in the data set from the first year that the definition is met -- i.e., the first time that official representatives of at least one state lay explicit claim to territory that is occupied, administered, or claimed by at least one other state.

It should be emphasized that the purpose of the ICOW Project is to collect systematic data on contentious issues between nation-states, independent of data on militarized conflict. Thus, the ICOW territorial claims data set includes all explicit interstate claims to territory, regardless of whether or not the adversaries involved in the claim ever turn to the threat or use of militarized force in their relationship. This is one important difference between ICOW and many existing data sets that include territorial issue data. Most other data sets including territorial issue data are limited to lists of the issues involved in cases of militarized conflict, such as the COW project's militarized interstate dispute data, the ICB interstate crisis data, Holsti's interstate war data, and Butterworth's and Sherman's interstate security dispute data. ICOW includes additional cases of territorial claims that did not lead to militarized conflict, which allows scholars to study additional questions about the origins of militarized conflict. The inclusion of both militarized and non-militarized claims also helps to avoid potential biases that might arise from studying attempts to resolve territorial claims that have reached the level of militarized conflict. The effectiveness of international legal means for dispute settlement is likely to be understated by an exclusive focus on attempts to manage claims that have become militarized.

[Table 1 about here]

The ICOW territorial claims data set includes 38 claims between sovereign states in South America, which are listed in Table 1. Every contiguous border in the region has been under dispute at some point since the end of Spanish and Portuguese colonial rule, as well as several non-contiguous claims such as those involving the Chincha and Falkland Islands. Most claims in the region have been bilateral in nature and have involved two South American states; the main exceptions involve current or former colonial powers, such as Great Britain (with Guyana and the Falkland Islands) and the Netherlands (with Suriname). Only eight claims remain ongoing as of the end of 1996: six involving homeland territory along interstate borders (Colombia - Venezuela, Venezuela - Guyana, Suriname - Guyana, Ecuador - Peru, Chile - Bolivia, and Argentina - Chile), one involving a colonial border (Suriname - France) and one cross-regional claim involving islands (Argentina - Great Britain).

When broken down dyadically, these 38 claims have been active for 2529 dyad-years between 1816-1996, or an average of over 66 years each. The claimed territories range in size

[3] 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 of similar topics focusing on the entire world (e.g., Hensel 1996a), and we have little reason to expect the findings of the present study to change in future research covering a broader spatial domain.

from one square mile or less, in the case of several island claims, to over 600,000 square miles for the Acre-Abuná claim between Bolivia and Brazil. Eighteen of the 38 claims, or nearly half, involve territory with a permanent population, and eighteen involve territory that is thought to possess valuable resources such as oil.

Most of the claimant dyads have also been involved in militarized conflict at some point in their history. The dyads in 34 of the 38 claims (89.4%) engaged in at least one militarized dispute during the time of their claim, although not all of these disputes were directly related to their claims. These territorial claim dyads engaged in a total of 169 disputes, of which 131 are coded by the COW project as involving territorial issues for at least one state; each claim thus led to an average of 4.4 disputes, including 3.4 over territorial issues.

Characteristics of Territorial Claims

The ICOW territorial claim data set includes information on a number of characteristics of each claim, three of which are used in the present paper to measure the salience of the claimed territory. First is the distinction between homeland and colonial claims, which is represented in the present paper by a dummy variable indicating the presence or absence of contention over homeland territory. A homeland claim involves claims to territory that is administered as part of one or both states involved in the claim, rather than territory that is part of a colony or similar possession; pre-independence claims to Guyana (British Guiana), Suriname (Dutch Guiana), and French Guiana are all examples of non-homeland claims in our data set.

The other two characteristics of claims that are relevant to the present study indicate the population living in a claimed territory and valuable resources that are thought to exist in the claimed territory. We dichotomize both variables, to reflect the presence of towns, villages, or cities in the territory being claimed and the belief that valuable resources exist in the claimed territory.[4] "Valuable resources" need not actually exist in a territory to be coded, as long as the claimants believe at the time that resources exist. For example, even if subsequent exploration by oil companies reveals that a given territory does not hold the large oil deposits that the disputants expected, the claim will still be considered to contain a resource component if the claimants' expectation of resources in the area influences the claim. Because of the high correlation between these two variables in South American claims, we combine them into three dummy variables: one indicating the presence of both resources and population, one indicating the presence of resources but not a permanent population, and one indicating the presence of a permanent population in the area but not valuable resources.

Settlement Attempts

The ICOW project has also collected data on attempts to settle territorial claims peacefully, including both bilateral negotiations between the claimants themselves and efforts by third parties. The focus is on attempts to settle the underlying issues involved in a dispute, whether these attempts involve the entire span of the territorial claim or just a small part of it. Unlike previous studies of international law or mediation and dispute resolution, which have studied only conflict management attempts within ongoing interstate crises or wars, we consider all attempts to settle the territorial issues at stake between two (or more) states. Thus, we include many of the same settlement attempts that have been included in previous studies, but we also include settlement attempts made outside of the context of crisis. Furthermore, unlike most previous studies, we exclude crisis management attempts that only attempt to produce a ceasefire or troop withdrawal to end the crisis, or management attempts that involve non-territorial issues; we are only interested in legal attempts to settle the territorial issues at stake.

Dispute settlement attempts are represented in our analyses by a series of dummy

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[4] The population variable included in the ICOW data actually contains three categories: "no or minimal permanent population," "some population (towns or villages) but no major cities," and "heavily populated with one or more major cities," with the latter category reflecting a population of 100,000 or greater in the total claimed territory. For the purposes of the present paper, we combine the latter two categories, because there are so few South American claims involving major cities or heavily populated areas.

variables indicating characteristics of the type of settlement attempt and of the actor(s) involved. We present two sets of analyses of settlement effectiveness, one based on the type of settlement attempt and one based on the type of actor(s) involved in the attempt. The type of settlement attempt variables include one each for bilateral negotiations between the claimants, good offices, non-binding third party roles (inquiry, conciliation, and mediation), and binding third party roles (arbitration and adjudication); "other" types of actions that do not fit into any of these categories comprise the referent group that is left out of the analyses. The type of actor variables include one each for bilateral negotiations (with no third party), one or more minor power in the same region as the claim, one or more minor powers in another region, one or more major powers, a mixed group including both major and minor powers, and global international organizations. The reference group for these analyses is regional international organizations, which have been involved in relatively few settlement attempts in South America.

It should be noted that we identify settlement attempts as beginning with the start of the actual process of attempted settlement, rather than the time that the attempt is first suggested. For bilateral negotiations this means the start of negotiations between official representatives of the adversaries. For third party attempts this means the start of formal involvement of the third party, such as the date on which the actor is formally asked to arbitrate or adjudicate the dispute, or the date on which good offices or mediation begin. We consider settlement attempts to end with the formal termination of the attempt. For successful attempts this means the date that a treaty is signed or an award is handed down; for unsuccessful attempts this means the date that negotiations break off, a mediator gives up, or an arbitrator or adjudicator stops the process without handing down a decision. In studying the effectiveness of each settlement attempt, then, we examine the ten-year period following the (successful or unsuccessful) conclusion of the attempt.

[Table 2 about here]

The South American territorial claims in our data set have been the subject of 290 attempted settlements, for an average of over seven settlement attempts per claim, or approximately one attempt every nine years. All 38 claims in the data set have been the subject of at least one settlement attempt, with eight claims only attracting one. Eight claims have attracted ten or more settlement attempts each, ranging as high as 40 for the Bolivia-Paraguay case, which was a major focus of both inter-American and global diplomacy in the years surrounding the Chaco War in the 1930s.

As Table 2 reveals, 176 of the 290 attempted settlements (60.1 percent) involved direct, bilateral negotiations between the claimants, with the other 104 settlement attempts distributed across a variety of third party actors and techniques. The most common third party settlement technique, with thirty-five cases, involves the non-binding assistance of commissions of inquiry, conciliation, and mediation. Twenty-three of the third party attempts involved the least active technique, the provision of good offices, while thirty-two involved the submission of the claims to binding authority in the form of either arbitration or adjudication.

Both nation-state and non-state actors were involved in attempted settlements of South American territorial claims, as shown in Table 2. South American states were involved as third parties in 23 attempted settlements, led by the region's two most powerful states, Argentina and Brazil. Extraregional major powers accounted for 26 attempted settlements, most of them involving the United States. Extraregional minor powers accounted for sixteen attempted settlements, half of them involving Spain, which maintained a great deal of political influence in South America as a result of having colonized most of the region. An additional sixteen attempts involved joint efforts by South American states and one or more major powers, typically the United States. Regional organizations were not very prominent in South American territorial claims, with the Organization of American States accounting for four of the six such attempts. Global organizations were much more prominent, led by the League of Nations and United Nations with eight attempted settlements each.

Effectiveness of Settlement Attempts

Measuring the effectiveness of attempted settlements to territorial claims can be a very

difficult proposition, because the term "effectiveness" would seem to involve numerous dimensions. Dixon (1996: 656-657), for example, presents two general criteria that may be used to judge the effectiveness of conflict management activities in ongoing interstate disputes. At the most minimal level, a management activity that occurs during an ongoing confrontation can be judged by whether or not it decreases the probability of subsequent escalation during the confrontation being managed. More important for the resolution of conflict between the original adversaries, though, is his stronger second criterion: whether or not the conflict management activities enhance the probability of achieving peaceful settlements between the adversaries. Dixon (196: 657) elaborates by defining peaceful settlements as "any written or unwritten mutually agreeable arrangements between parties that at least temporarily resolve or remove from contention one or more, but not necessarily all, of the issues underlying the dispute." Similarly, Diehl, Reifschneider, and Hensel (1996) identify two distinct dimensions of conflict management techniques: immediate conflict abatement and the longer-term promotion of stability, as measured by the avoidance of future conflict between the original adversaries.

Like Dixon and Diehl, et al., we recognize that a conflict management attempt may involve several dimensions. Because we are dealing with longer-term conflicts of interest between states instead of specific instances of militarized confrontation, the immediate impact of conflict management attempts on dispute escalation is not relevant to the present study. Dixon's criterion of agreements that lead to temporary settlements of contentious issues and Diehl, et al.'s criterion of long-term promotion of stability, though, are both very relevant to our present focus on long-term territorial claims between states. We identify three specific dimensions of conflict management effectiveness, beginning with the question of whether or not the disputants reached an agreement as a result of the attempted settlement. Because not every agreement successful resolves the disputed issues, we also examine whether or not each agreement effectively ends the territorial claim in question, similar to Dixon's emphasis on resolving or removing from contention the issues underlying the dispute. Finally, like Diehl, et al., we consider whether or not the adversaries became involved in militarized conflict in the aftermath of the agreement. By examining these three separate dimensions, we attempt to present a complete depiction of the effectiveness of conflict management techniques, which should greatly increase our understanding of the strengths and weaknesses of each technique.

The first dimension of effectiveness, reaching an agreement, is measured by whether or not the settlement attempt produces a (verbal or written) agreement between the two parties, which -- as with Dixon's criterion -- at least temporarily resolves or removes contention one or more disputed issues. It should be noted that at this point, we are only concerned with the most minimal component of whether or not some type of agreement was reached. Our second and third dimensions will give us additional insight into the effectiveness of the settlement attempt, regardless of whether or not it led to a successful agreement.

Even if a settlement attempt leads to an agreement between the adversaries, and even if the resulting agreement is reached, ratified, and implemented by both sides, it may not be able to end all disagreement over a specific territorial claim. A second important dimension of settlement effectiveness, then, is whether or not the settlement attempt can lead to the end of explicit contention over the territorial claim in question. We measure this dimension of effectiveness by searching for the end of explicit contention over the territorial claim, or the point at which the claim can be considered ended because it no longer meets the conditions described earlier. If the claim ends within ten years of the end of a settlement attempt, then that settlement is considered to have contributed to ending the claim; Goertz and Diehl (1995) used a similar definition to measure the contribution of political shocks to the ending of enduring rivalries.[5]

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[5] We also re-ran the analyses using a fifteen-year time frame without any substantial changes in the results. Additionally, because some territorial claims experience multiple settlement attempts in the final decade before the claim ends, we attempted to identify a single settlement attempt that can be considered to have ended each claim, treating any other attempts in the final decade as failures. The results did not change greatly in this more restrictive test, and we were concerned that such a restrictive definition overlooks the possibility that multiple settlement attempts may each have contributed to a climate in which the final settlement could take place. For this reason, we

The final dimension of effectiveness examined in the present paper involves the impact of an agreement on future relations between the adversaries. Even if an agreement does not produce a definitive settlement of the territorial claim in question, the agreement can still be considered effective in one important respect if it forestalls military action over the claim. We study the effectiveness of an agreement by studying the length of time between the agreement and the outbreak of the next militarized interstate dispute between the claimants, if any. Militarized interstate disputes, as collected by the COW Project, involve the threat, display, or use of military force by the official representatives of one or more state governments (Jones, Bremer, and Singer, 1997). Of course, the effects of a successful agreement on subsequent relations between the claimants might be expected to decrease over time, and it is likely that militarized conflict occurring after a substantial period of time has passed may be unrelated to the agreement. We thus focus on the occurrence of militarized conflict within ten years of an agreement as an indicator of the longer-term effectiveness of the agreement in helping to reduce tension between the claimants or settle their territorial claim.[6]

Characteristics of Claimants

Dyadic democracy is measured using the Polity III data set on regime characteristics. The specific measure used, recommended by Jaggers and Gurr (1995) among others, subtracts an index of a state's authoritarian characteristics from an index of a state's institutionalized democracy characteristics. Each individual index ranges from zero to ten, meaning that the measure used here ranges from -20 (extremely authoritarian) to +20 (extremely democratic). In order to use this state-level measure for dyads, we utilize the lower democracy score from the two states in the dyad, because of the traditional argument that the pacifying effects of the democratic peace require that both sides must be democratic. Dixon (1993: 52) makes a similar case for using this "weakest link" principle: "other things being equal, [conflict] management is most likely fostered or impeded by the norms of the less democratic party to the dispute."

The relative capabilities of the claimants are measured using the Correlates of War project's data set on national material capabilities, focusing on the two military capability indicators (military personnel and military expenditures). The specific measure used is the average of the two sides' relative military personnel and expenditures, and is reported as the relative capabilities of the stronger side in the dyad as a fraction of the total military capabilities in the dyad. This measure can range from 0.50, reflecting perfect equality between the two sides, to 1.00 for a situation in which only one side has any military personnel or military expenditures in a given year. A similar measure was used by Hensel (1996a), who found no noticeable difference in results when all six COW capability indicators are used instead of the two military indicators.

The level of militarized conflict between the claimants is represented with Hensel's (1996a) measure of interstate rivalry, which is based on the number of recent COW militarized disputes between two states.[7] If the two adversaries have engaged in one or two disputes, they are considered to be in the "early phase" of rivalry, in which some recognition of incompatible interests exists but there is no sense of long-term rivalry. If they have engaged in three to five disputes, they are considered to be in the "intermediate phase" of rivalry, in which the recognition of incompatible interests has grown and the adversaries have begun to recognize the

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focus on the indicator of whether or not the claim ends within a decade of each settlement attempt.

[6] As Diehl, et al. (1996: 691) note in studying UN intervention in crises, ten years provides a period that is long enough to identify future conflict that flows directly from the settlement attempt, while minimizing the risk of substantial changes or new problems that might arise over longer periods.

[7] Consistent with past research on interstate rivalry, the notion of "recent" disputes assumes that the effects of each militarized dispute will fade over time. For a given dispute to extend a period of rivalry, it must occur less than fifteen years after the conclusion of the previous dispute. Thus, a settlement attempt occurring after a period of at least fifteen years without a militarized dispute is considered to occur in a non-militarized, non-rivalry context. For cases in which recent militarized disputes have occurred, the specific rivalry context is based on the number of disputes that have occurred since the last fifteen year gap without any militarized conflict.

protracted nature of their conflict. If they have engaged in six or more disputes, they are considered to be in the "advanced phase" of rivalry, in which there is little doubt that they are now enduring rivals; this threshold of six disputes corresponds to the typical threshold at which most empirical definitions consider enduring rivalry to exist.

It should be noted that this measure of rivalry is evolutionary in nature, referring to the number of disputes that have occurred prior to the dyad-year or settlement attempt in question. The eventual number of disputes that will occur between the adversaries over coming decades is not considered here, as it is in what Hensel (1996a) terms "post hoc" approaches to measuring rivalry, because of our belief that events that have not yet happened at the time of the settlement attempt (and that may or may not ever happen at some point in the future) should not be used to predict the likelihood or success of a settlement attempt. The rivalry context is represented in our analyses with a series of dummy variables, each indicating whether or not the dyad-year or settlement attempt in question occurs in the early, intermediate, or advanced phase of rivalry as defined above. The referent group that is left out of our equations to prevent perfect collinearity is a context of non-militarized relations, reflecting relations with no militarized conflict in the previous fifteen years. As a result, the three coefficients in the equation reflect the impact of each rivalry phase, relative to a context of non-militarized relations.

Empirical Analyses

When Are Settlements Attempted?

Our empirical analyses begin by examining the conditions under which states are likely to submit their territorial claims to legal means for attempted settlements. Table 3 includes separate logistic regression models for bilateral negotiations and for third party settlement attempts, in order to identify any differences between the two. Both models produce statistically significant results overall, as indicated by the improvement in log likelihood between the null model and the full model ($p < .001$ for both models). Characteristics of the claim and of the adversaries significantly impact the likelihood of settlement attempts being made for both bilateral and third party attempts, although there are some important differences in results between the two models.

[Table 3 about here]

Bilateral settlement attempts are significantly more likely ($p < .001$) for claims involving homeland territory rather than colonial territory, although there is no noticeable difference for third party attempts ($p < .76$). Third party settlement attempts are significantly more likely ($p < .02$) for territories including (or thought to include) both permanent population centers and valuable resources. Claims including either resources or population have little impact on third party settlement attempts, and neither resources nor population have much of an impact on the likelihood of bilateral claims. Dyadic democracy and military parity slightly increase the likelihood of bilateral negotiations over a claim, although neither approaches conventional thresholds of significance ($p < .29$ and $p < .31$), and neither has any impact on the likelihood of third party assistance ($p < .91$ and $p < .93$).

Both bilateral and third party settlement attempts are significantly more likely in each level of militarized interstate rivalry, indicating that a longer history of militarized conflict between the parties increases the probability of attempting a peaceful settlement of the claims relative to periods with no history of recent militarized conflict, with one notable exception. Bilateral negotiations over a territorial claim are somewhat less likely in the advanced phase of rivalry, or in a context where the adversaries have been involved in numerous recent militarized confrontations, although this result is not statistically significant ($p < .34$). In comparison, third party settlement attempts are much more likely when the claimants have reached the advanced phase of rivalry ($p < .001$). This difference suggests that by the time the adversaries have reached the advanced phase of rivalry (i.e., once they have qualified as full-fledged "enduring rivals"), their disagreements have become entrenched so deeply and distrust or hostility between them has increased so much that the adversaries are unwilling to attempt to settle their differences with each other peacefully. Enduring rival adversaries remain more likely than other adversaries to be involved in settlement attempts, though, because of the involvement of third parties. When the rivals attempt negotiations themselves, it is more likely to be with the

assistance of third parties (e.g., good offices or mediation), and the highly visible, protracted nature of the rivalry leads to the attempted involvement of numerous third parties. Not surprisingly, the claim in our data set with the most attempted settlements is the Bolivian - Paraguayan claim over the Chaco Boreal, with forty attempted settlements -- including 29 third party attempts, mostly in the advanced phase of rivalry once the Chaco War brought their claim to the attention of outside actors.

In short, two adversaries are more likely to pursue bilateral negotiations over their territorial claim in a given year if the claim involves homeland territory and if they have some history of militarized conflict (short of full-fledged enduring rivalry), although the specific contents of the claim seem to make little difference. Third party settlement attempts are most likely to be made when the territory being claimed includes both valuable resources and population centers, and particularly when the adversaries have a longer history of militarized conflict. The most notable difference between bilateral and third party settlement attempts involved the advanced phase of rivalry, when bilateral negotiations become somewhat less likely, but the probability of third party settlement attempts increases greatly.

When Are Settlements Effective?

The remainder of this paper's analyses examine the effectiveness of legal settlements that are attempted, in order to examine the conditions under which attempted settlements are most likely to be successful. By examining only cases in which peaceful settlements are actually attempted, we are able to identify possible selection effects that might be missed by studying the probability of an effective settlement emerging in all dyad-years during ongoing territorial claims. Thus, if a factor in our model increases (or decreases) the probability of a settlement being attempted but has a weak or opposite effect on the probability of the settlement being effective, this approach will allow us to recognize this change, which could have led to erroneous conclusions if not recognized.[8] We now address our three dimensions of settlement effectiveness separately, briefly discussing the results for each dimension, before going into more detail by comparing the effects of each variable at the end of the paper.

Reaching Agreements

The attempted settlements included in the ICOW data set achieved a mixed record of success. Nearly two thirds of the attempted settlements in our data set -- 186 of 290, or 64.1 percent -- led to the signing of an agreement between the claimants. Barely one third -- only 100 of 271 attempts that ended by 1987, or 36.9 percent -- were followed within a decade by the end of the territorial claim in question. Slightly more than half -- 143 of 267 attempts that ended by 1983, or 56.6 percent -- were followed by at least a decade without militarized conflict between the claimants.[9]

[Table 4 about here]

Some means of attempted settlements were more effective than others, though. Table 4

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[8] Huth (1996) explicitly includes a "selection effects" variable in his analysis, using the predicted probability of a territorial claim existing to help study the likelihood of conflict or settlement in each dyad-year in his sample. We ran such a model, in order to be certain that our results were not biased by the specific models that we used. Using the selection effects model that Huth used, we found virtually no difference from the results reported in Tables 5, 7, and 9. That is, the variables that we found to be statistically significant remained significant in the same direction and with similar significance levels, and no new variables became significant in the selection effects model that were not already significant in the models presented in the present paper.

[9] The measures of whether or not a settlement attempt ended a territorial claim or prevented future militarized conflict reduce the number of cases available for analysis because of the need to exclude censored cases. The ICOW data set on territorial claims goes through the end of 1996, so analysis of whether or not a settlement attempt ended the claim must be limited to the 271 attempts that ended a decade earlier (by the end of 1986). The COW data set on militarized disputes goes through the end of 1992, so analysis if whether or not a settlement attempt was followed by ten conflict-free years must be limited to the 267 attempts that ended by the end of 1982. All analyses of these two dimensions of effectiveness exclude censored cases not meeting these criteria.

examines the probability that a settlement attempt will produce an agreement between the claimants, broken down by the type of settlement attempt and the actor(s) involved. The most successful types of settlement attempts for producing agreements are bilateral negotiations and good offices, the two types with the smallest role by third parties, with agreements in 71.6 percent and 70.0 percent of the attempts. Arbitration and adjudication, the types of settlement attempts involving binding decisions by third parties, are successful in 63.4 percent of the cases. Settlement attempts involving non-binding third party decisions are the least effective, with agreements being reached in barely one third (34.3 percent) of the cases of inquiry, conciliation, or mediation. Regarding third parties, extraregional minor powers are the most effective actors, producing agreements in three fourths of their settlement attempts. Minor powers in the same region as the claim, major powers, and mixed groups of major and minor powers all produce agreements in over half of their attempts. Global international organizations produce agreements less than half of the time, and regional organizations have not been able to produce agreements over South American territorial claims.

[Table 5 about here]

Table 5 looks at the overall effectiveness of attempted settlements for producing agreements between the claimants, considering both the type of settlement attempted and characteristics of the adversaries and their claim. Separate logistic regression models are presented for settlement effectiveness based on the type of settlement attempt and on the type of actor(s) attempting settlement. Because the effects of the characteristics of the claim and of the adversaries do not change noticeably between the two models, their results are reported together. Both models are highly significant overall ($p < .001$).

Three types of settlement attempts significantly increase the likelihood of reaching an agreement after adding the additional variables to the equation: good offices ($p < .03$), inquiry, conciliation, and mediation ($p < .03$), and arbitration and adjudication (with borderline statistical significance; $p < .06$). The only type of third party to have a significant impact on the probability of reaching an agreement is an attempt involving one or more major powers, which increases the probability of agreement at borderline significance levels ($p < .06$). Bilateral negotiations, minor powers in the region or outside, and global organizations also increase the probability of agreement, although not at conventional significance thresholds.

Characteristics of the claim and of the adversaries generally produce weak results. The only significant claim characteristic involves claims to territory containing population centers, which significantly increase the probability of reaching an agreement. The only significant effects from characteristics of the adversaries involve the history of recent conflict between them. Agreements are much more likely in settlement attempts involving adversaries in the intermediate phase ($p < .06$) or advanced phase ($p < .01$) of rivalry, indicating that a longer history of conflict between the claimants may make them more open to successful settlements. Reaching agreement is only the first dimension of settlement effectiveness, though, and simply agreeing to a treaty or a third party arbitral or judicial award does not guarantee peaceful relations in the future; for that we must examine our second and third dimensions of settlement effectiveness.

Ending Territorial Claims

Although nearly two thirds of all settlement attempts produced an agreement between the adversaries, nearly all types of attempts have been less successful at ending explicit contention over the territorial claim in question. As Table 6 indicates, barely one third of all settlement attempts -- only 100 of 271, or 36.9 percent -- have been followed shortly by the end of the territorial claim, although several types of settlement attempts have been more successful than others. It should be noted, of course, that we can not say with certainty that each of these 100 cases was individually responsible for the end of a claim; this table reflects whether or not the claim ended within ten years of the settlement attempt. It would be difficult at best to identify a single settlement attempt that can be credited with ending a claim, when several attempts occur in close proximity. As noted earlier, we consider this ten year rule to be preferable because it captures cumulative effects where several settlement attempts each contribute incrementally to a

settlement, either by resolving small parts of the issues at stake or by creating a climate that is more conducive to subsequent negotiation and settlement.

Bilateral negotiations have been the least successful, leading to the end of claims in under one fourth of all attempts (39 of 168, or 23.2 percent). Minor powers (whether in the same region or not) and regional organizations have been successful in around half of their attempts, and major powers have been slightly more successful with 61.5 percent of their cases leading to the end of a claim. Mixed groups of major and minor powers have been the most successful, leading to the end of the claim in question in 87 percent of their attempts.

[Tables 6 and 7 about here]

Table 7 presents the results of a logistic regression analysis of settlement effectiveness, focusing on the ending of territorial claims within ten years of the settlement. The results here are typically weaker than in our earlier analyses, with no characteristics of the type of settlement attempt, type of actor(s) involved, or territorial claim at stake reaching conventional levels of statistical significance. Several factors reach borderline levels of significance, although we must be cautious in interpreting these results. The likelihood of ending a claim is increased somewhat by settlement attempts involving arbitration and adjudication ($p < .16$) or the involvement of an extraregional minor power ($p < .38$), and decreased somewhat for claims involving valuable resources either with a population center ($p < .17 / .20$) or without ($p < .17 / .27$).

With regard to the ending of territorial claims, the most important factors appear to be characteristics of the adversaries, with the likelihood of effectiveness being greatly reduced for certain types of adversaries. Adversaries characterized by military parity are much less likely to end their claims as the result of a settlement attempt ($p < .001$), as are adversaries in the early phase ($p < .001$) and advanced phase of rivalry ($p < .001$); the intermediate phase has slightly weaker negative effects ($p < .06 / .09$). In short, it appears that certain types of adversaries -- those that are roughly even in relative capabilities and those with an extended history of militarized conflict -- are difficult to bring together through any type of third party settlement, whether bilateral or involving a third party.

Preventing Future Militarized Conflict

As seen above, about two thirds of all settlement attempts lead to an agreement and one third lead to the end of the claim. The final dimension of effectiveness, preventing future militarized conflict between the claimants, lies in the middle of the earlier two dimensions, with about one half of the settlement attempts being successful (143 of 267 cases, or 53.6 percent). As with the ending of territorial claims, it is difficult to identify a single settlement attempt responsible for preventing conflict over a ten-year period, so we again find it preferable to treat each settlement attempt as contributing to the success or failure of preventing future conflict.

Bilateral negotiations are the most effective type of settlement attempt, with 62.9 percent being followed by at least a decade with no militarized conflict. Arbitration and adjudication are the most effective third party techniques, with over half (55.3 percent) preventing future conflict. The other types of third party agreements, good offices (36.8 percent) and inquiry, conciliation, and mediation (16.1 percent), are much less effective in this respect. Extraregional minor powers have been the most effective actor by far, with nearly three fourths (73.3 percent) of their settlement attempts leading to a conflict-free decade. Major powers, minor powers in the region, and global organizations all succeed in between 34 and forty percent of their cases. Regional organizations (25 percent) and mixed groups of major and minor powers (13.3 percent) are notably less effective.

[Tables 8 and 9 about here]

Table 9 presents logistic regression of settlement effectiveness in terms of preventing militarized conflict. As with our previous analysis of ending territorial claims, the characteristics of different types of settlement attempts and different types of involved actors do not seem to make a significant difference. Characteristics of the specific claim at stake and characteristics of the adversaries play an important role, though. Claims involving territory containing any combination of valuable resources or population centers greatly reduce the probability that a settlement attempt will be able to prevent future conflict ($p < .01$ for both resources and

population, $p < .03 / .04$ for either resources or population). As before, adversaries characterized by military parity greatly reduce the long-term effectiveness of settlement attempts ($p < .001$), as do adversaries in the early or advanced rivalry phases ($p < .001$). This result echoes the finding of Diehl, et al. (1996) that United Nations intervention into crises has had little success at preventing future conflict between the adversaries, while the history of recent conflict between the adversaries is a much more potent predictor of future conflict involvement.

Summary

Types of Settlement Attempts

A comparison of our findings from the different individual analyses yields a number of interesting results. Looking first at the bivariate relationships between settlement attempts and effectiveness from Tables 4, 6, and 8, we see that the different types of settlement attempts are more successful at certain dimensions of effectiveness than at others. Bilateral negotiations are the most effective type of settlement attempt in terms of reaching an agreement or avoiding future militarized conflict, but they are also the least effective at ending territorial claims. Negotiations between the adversaries, then, appear to be a useful way to reach small agreements and to reduce tensions between the adversaries for a short period of time, but they do not appear to be very effective at producing substantial agreements that permanently end contention over a territorial claim. The importance attached to territory appears to be so great that adversaries have a difficult time agreeing to a resolution of their claims without external assistance.

One way to help overcome the problems inherent in bilateral negotiations over territory involves the provision of good offices. Over two thirds of the cases where a third party offers its good offices lead to an agreement between the adversaries, and over two thirds are followed by the end of the territorial claim within a decade. Barely one third of these cases, though, manage to produce a conflict-free decade in their aftermath. Although good offices may help to produce temporary agreements and contribute to a climate that is conducive to final settlement of the claim, then, they do not appear to be very effective at ending the claim immediately. The high likelihood of future conflict suggests that settlements after good offices may not occur until after several additional years have passed and the adversaries have engaged in one or more militarized confrontations.

The most consistent type of settlement attempt includes arbitration and adjudication. These two techniques rank at or near the top of the different settlement techniques for all three dimensions of effectiveness, with over half of the cases being effective on each dimension. Despite frequent arguments from political realists and others about anarchy in the international system and about the lack of effective authority to support or enforce international law, the success of arbitration and adjudication indicates that legal means can be very effective when states allow them to be. If the states involved in a territorial claim can agree to submit their dispute to a third party for what will be considered a legally binding decision, the probability of an effective settlement increases substantially relative to other settlement techniques.

The final type of settlement attempt is the category including inquiry, conciliation, and mediation. Although this category is the most effective at producing a final settlement of the territorial claim within ten years, it is also the least effective at producing an agreement of any type and at preventing future militarized conflict. Despite prominent cases of success such as the papal mediation that largely ended the claim between Argentina and Chile, 84 percent of the cases of inquiry, conciliation, and mediation were followed by at least one subsequent militarized confrontation, and only one third were able to produce any kind of agreement at all. To the extent that this category of third party settlement attempts is successful overall, then, it appears to be because mediation is offered frequently in prominent cases such as the Chaco Boreal. While most such cases neither produce an agreement nor prevent future conflict, they may help produce a climate that is more conducive to more successful types of settlement techniques.

Actors in Settlement Attempts

Among the different types of third party actors that might become involved in settlement attempts, extraregional minor powers appear to be effective choices. In South American claims

this has typically meant Spain, which shares a common cultural bond with most South American states and has typically been seen as neutral in disputes among its former colonies, or European states seen as neutral (e.g., Switzerland or Belgium). Around three fourths of the settlement attempts involving extraregional minor powers led to successful agreements and were followed by at least a decade without subsequent militarized conflict, and over half led to the end of the territorial claim within a decade.

Minor powers within South America have been slightly less effective than extraregional minor powers. Because such actors are located in the same region -- and, indeed, are often contiguous to one or both claimants -- they are more likely to be seen as having some element of self-interest in the outcome of a claim, as was frequently alleged about Argentina in its attempts to manage or settle the Bolivia-Paraguay case (to name but one example). Major powers have been somewhat less effective than extraregional minor powers at producing agreements, somewhat more effective at ending territorial claims, and noticeably less effective at preventing future militarized conflict. As with regional minor powers, this is likely to be because the major powers are seen as having some element of self-interest in the outcome of the claim. For example, the United States' role in attempting to settle the Ecuador-Peru claim has been viewed as an attempt to preserve hemispheric solidarity during World War II, rather than action out of genuine interest in settling the claim fairly; this was one reason given by Ecuador for re-raising the claim years after its original settlement. Global international organizations have generally been less effective at producing agreements and at preventing future militarized conflict, although they have been fairly effective in terms of leading to the eventual end of the claims in question. Finally, regional organizations have generally been ineffective at all three dimensions of success, although the small number of cases involving South American territorial claims (six) makes generalization difficult.

Characteristics of Claims

The characteristics of individual territorial claims have played a fairly important role in determining the likelihood and effectiveness of attempted settlements, although they have rarely been the primary factor behind success or failure. At least one indicator of the salience of a claim was significant in every table except for the eventual settlement of claims, although the results were not always consistent. Thus, contention over homeland rather than colonial territory increases the likelihood of a bilateral settlement attempt, and contention over a territory containing both population and valuable resources increases the likelihood of a third party attempt. Contention over a populated area lacking in valuable resources increases the probability that a settlement attempt will produce an agreement, and contention over territory containing valuable resources (with or without a population center) somewhat decreases the probability that a claim will end after a settlement attempt. Finally, claims to territory including either valuable resources or a permanent population (or both) greatly decrease the probability that a settlement attempt will be able to prevent future conflict.

In general, though, all of this evidence suggests that the characteristics of claimed territory can have an important impact on the prospects for settling the claim. Territory possessing greater salience because of its tangible contents (resources, population) or simply for making up a contiguous part of the national homeland) generally increases the likelihood that a settlement will be attempted and that an agreement will be reached. Yet territory possessing greater salience also decreases the probability that a settlement attempt will be successful from a more long-term perspective, in terms of both ending the claim and preventing future conflict.

Characteristics of the Adversaries

The characteristics of the adversaries involved in territorial claims ended up as some of the strongest predictors of the likelihood or effectiveness of settlement attempts. Dyadic democracy never played an important role in these analyses, but this is partly due to the lack of joint-democratic dyads in South America -- as well as in much of the rest of the world -- throughout most of the past two centuries. More recently, as more countries in the region have democratized, they have typically been unable to resolve their territorial claims; Colombia-

Venezuela and Argentina-UK (after the Falklands War) together account for 13 settlement attempts while both states were democratic by Dixon's (1994) measure. Another problem weakening the impact of joint democracy in South American claims is that democracy is a fairly recent phenomenon for most territorial claim dyads, with ten of the nineteen settlement attempts between two democracies occurring in 1987 or later -- meaning that over half of our joint-democratic cases were censored and thus dropped from our analyses.

Military parity plays a minor role in the likelihood of a settlement attempt and in the probability that a given attempt will produce an agreement. Parity has a highly significant negative effect in Tables 7 and 9, though, indicating that adversaries in a situation of parity are much less likely to end their territorial claims or to avoid military conflict in the aftermath of a settlement attempt. This finding is in line with current research on military capabilities and conflict, which generally concludes that parity is more dangerous than more imbalanced capability distributions (Lemke and Kugler 1996).

The context of relations between adversaries, in terms of a history of past conflict or rivalry, had a significant effect in almost every table in this paper. In general, both bilateral and third party settlement attempts were more likely when the adversaries in question had a longer history of past conflict, although bilateral attempts were less likely in the advanced phase of rivalry -- at which time third party attempts were much more likely, more than balancing out the decrease in bilateral attempts. Although settlement attempts were more likely to lead to agreements between adversaries with a longer history of conflict, these agreements tended to be short-lived and ineffective. Settlement attempts occurring in a more militarized context were much less likely to lead to the end of a claim, or to the avoidance of future militarized conflict.

In short, the importance of characteristics of the adversaries indicates that even the best-laid plans for attempted settlements face great difficulties in certain contexts. Even if military parity has little effect on the likelihood of an agreement, and even if a longer history of conflict increases this likelihood that a settlement will be attempted or will produce an agreement, both parity and rivalry greatly decrease the probability of a meaningful settlement. Both conditions greatly reduce the prospects for an end to a territorial claim, and greatly increase the likelihood that future conflict.

Conclusions and Implications

The present study offers a number of implications for researchers and for policymakers. First, as the first study to employ the ICOW data on territorial claims, this paper has begun to demonstrate the value of this type of systematic data on contentious issues between states. The ICOW project has collected a list of all cases of territorial claims in South America over the past two centuries, and all attempts to settle these claims peacefully. The present study represents one application of these data sets, but many other possible applications remain. Because ICOW has collected data on territorial claims without referring to data on militarized conflict, future researchers can use the ICOW data to study the conditions under which contention over territorial issues can lead to militarized conflict, the impact of active territorial claims on other dimensions of international relations, and many similar topics.

Beyond its value to researchers as a demonstration of the potential payoffs from systematic research on contentious issues, the present study offers a number of implications for the specific topic studied, the peaceful settlement of territorial claims. Although territorial issues have been a prominent source of militarized conflict and war throughout recent history, this study has shown that legal means can be effective at managing or resolving territorial issues. Both bilateral negotiations between the claimants and various third-party activities have been successful at producing agreements between the claimants, ending active contention over territorial claims, and delaying or preventing future militarized conflict.

Leaders of states involved in territorial claims should recognize that the mere fact of their disagreement over territory need not lead inevitably to the protracted series of crises or wars that have been so prominent in recent history. Many past leaders in similar situations were able to resolve their territorial claims peacefully, whether through direct bilateral negotiations or with the assistance of third parties. Leaders of neighboring states, major powers, and regional and

global organizations should also recognize that their assistance can be crucial in resolving territorial claims. Legal means for dispute resolution seem to have acquired a reputation for being ineffective, based on the apparent failure of the League of Nations in the 1930s or the inability of the United Nations to resolve the Cold War or the Arab-Israeli conflict. Yet as this study has shown, third parties have been effective with a variety of techniques ranging from good offices to binding arbitration and adjudication. Additionally, this study has focused on a particular type of contentious issue that is seen as more salient -- and more conflictual -- than most other types of issues. If international law has been able to produce peaceful settlements when such difficult issues are at stake, then presumably peaceful settlement should be possible for other, less salient issues as well.

Of course, we should be careful not to paint too rosy a picture of international law as the cure for all international problems, or of peaceful settlement as the answer to all international questions. None of the settlement techniques in this study proved to be perfect, and our analyses identified some contextual factors that pose serious problems for any of these techniques. Adversaries characterized by military parity tend to engage in numerous militarized confrontations, their territorial claims tend to last for long periods of time, and attempted settlements are unlikely to be able to end their claims or to prevent future conflict between them. Similarly, adversaries with substantial histories of militarized conflict tend to continue pressing their claims and confronting each other militarily, regardless of the actions that might be taken by third parties to help settle their claims. As Table 3 indicated, third parties are more likely to become involved in trying to settle claims between long-time rivals -- but as Tables 7 and 9 indicate, by this time it may be too late to produce successful results. Potential third parties around the world -- other states in the region, distant states that might be seen as neutral, and regional or global organizations -- would do well to recognize the problems involved in becoming involved so late, and to attempt to help settle these claims early enough that the adversaries can not accumulate the history of conflict, distrust, and hostility that typically characterize the advanced stages of rivalry.

The present study should not be seen as offering the final word on either international law or territorial claims. Rather, it is a first step, and suggests numerous paths for future scholarly research. The ICOW territorial claims data set is still in its infancy, and remains to be extended to additional areas of the world. Once this data set is complete, we will be able to extend the present study's analyses by examining attempts to settle territorial claims through the entire world, with a greater variety of third party actors involved in settlement attempts, and a larger set of settlement attempts by actors involved in the South American cases. The next stage of ICOW data collection, North and Central America and the Caribbean, will offer greater insight into many of the same actors involved in the South American cases. For example, the Organization of American States, United Nations, and International Court of Justice have been active in Central American territorial claims, which will give us a better appreciation for their strengths and weaknesses than is possible with their relatively limited involvement in South American cases. Once ICOW has been extended to the remainder of the world, future studies will be able to examine different third party actors and different third party settlement techniques individually, rather than combining several techniques as was done in the present study (e.g., combining all regional organizations, or combining mediation, inquiry, and conciliation). Furthermore, once the ICOW data set covers the entire world, future scholars will be able to search for variation across regions. Settlement techniques that worked well in South America may not have been as successful in other regions, and additional techniques may have been more effective elsewhere in the world. Although we have little reason to expect that the present study's basic findings are unique to South America, future research is needed to address this issue empirically.

Nor is the ICOW project limited to studying contention over territorial issues. The theoretical origins of the project (Hensel and Reed 1997) call for the systematic study of different types of potentially conflictual issues separating states, of which territory is but the first. Although the present study has begun to examine the effectiveness of international law for resolving territorial issues between states, most legal techniques for dispute settlement are

intended to address issues beyond territory. Future ICOW plans include the collection of systematic data on other, non-territorial issues between states, which will be useful for a variety of research questions ranging from the effectiveness of international law for dispute settlement to the linkages between contentious issues and militarized conflict. It is to be hoped that other scholars will pursue similar tasks, finally answering recent calls for a much greater emphasis on issues between states (e.g., Mansbach and Vasquez 1981; Diehl 1992).

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Table 1. Territorial Claims in South America, 1816 - 1996

Claim	Participants	Dates
Goajirá-Guainía	Venezuela - Colombia	1841 - 1922
Los Monjes	Colombia - Venezuela	1953 - 1997*
Oriente-Aguarico	Ecuador - Colombia	1854 - 1919
Loreto	Peru - Colombia	1839 - 1922
Leticia	Peru - Colombia	1932 - 1935
Apaporis	Brazil - Colombia	1831 - 1928
Aves Island	Venezuela - USA	1854 - 1865
	Venezuela - Netherlands	1857 - 1865
Essequibo	Venezuela - UK	1841 - 1899
		1951 - 1966
	Venezuela - Guyana	1966 - 1997*
Trinidad & Tobago	Venezuela - UK	1859 - 1903
Amazonas	Venezuela - Brazil	1841 - 1928
Los Roques	Netherlands - Venezuela	1856 - 1856
Corentyn	Netherlands - UK	1831 - 1966
	Netherlands - Guyana	1966 - 1975
	Suriname - Guyana	1975 - 1997*
Pirara	Brazil - UK	1838 - 1926
Maroni	Netherlands - France	1836 - 1975
	Suriname - France	1975 - 1997*
Tumuc-Humac	Brazil - Netherlands	1852 - 1906
Amapá	France - Brazil	1826 - 1900
Oriente-Mainas	Ecuador - Peru	1854 - 1942
Cenepa	Ecuador - Peru	1960 - 1997*
Içá	Brazil - Ecuador	1854 - 1922
Chincha Islands	Peru - USA	1842 - 1864
	Spain - Peru	1864 - 1866
Lobos Islands	USA - Peru	1852 - 1852
	Chile - Peru	1880 - 1883
Acre-Purús	Peru - Brazil	1839 - 1909
Acre-Madre de Dios	Peru - Bolivia	1848 - 1909
Tacna-Arica	Peru - Chile	1879 - 1929
Acre-Abuná	Brazil - Bolivia	1848 - 1909
Apa	Paraguay - Brazil	1846 - 1872
Misiones	Argentina - Brazil	1841 - 1895
Yaguarón	Brazil - Uruguay	1882 - 1909
Trindade Island	Brazil - UK	1826 - 1896
Chaco Boreal	Bolivia - Paraguay	1878 - 1939
Antofagasta	Chile - Bolivia	1848 - 1997*
Puna de Atacama	Argentina - Bolivia	1841 - 1893
Rio Pilcomayo	Paraguay - Argentina	1852 - 1878
Patagonia	Chile - Argentina	1841 - 1997*
Los Andes	Chile - Argentina	1896 - 1905
Beagle Channel	Argentina - Chile	1970 - 1985
La Plata	Argentina - Uruguay	1882 - 1973
Falkland Islands	Argentina - UK	1841 - 1997*

* Dispute is coded as ongoing as of Dec. 31, 1996

Table 2. Attempted Settlements of South American Territorial Claims, 1816-1996

Type of Actor Attempting Settlement:	Neg.	Good Off.	Inquiry, Concil., Mediation	Arb., Adjud.	Other	N
Claimants (bilateral)	176	N/A	N/A	N/A	N/A	176
Regional Minor Power(s)	N/A	10	6	3	4	23
Brazil		4	3	0	0	7
Argentina		2	0	3	0	5
Peru		0	1	0	3	4
Uruguay		3	0	0	0	3
Barbados		1	0	0	0	1
(Multiple)		0	2	0	1	3
Other Minor Power(s)	N/A	2	2	12	0	16
Spain		2	0	6	0	8
US (pre-1899)		0	1	3	0	4
Switzerland		0	0	2	0	2
Belgium		0	0	1	0	1
Portugal		0	1	0	0	1
Major Power(s)	N/A	9	8	9	0	26
US (1899+)		9	8	3	0	20
Great Britain		0	0	1	0	1
Germany		0	0	1	0	1
Italy		0	0	1	0	1
Russia		0	0	1	0	1
(Multiple)		0	0	2	0	2
Mixed (Major & Minor)	N/A	1	10	1	4	16
Regional Organizations	N/A	0	4	0	2	6
OAS		0	3	0	1	4
Pan-American Union		0	0	0	1	1
Permanent Commission on Inter-American Conciliation		0	1	0	0	1
Global Organizations	N/A	1	5	16	5	27
League of Nations		0	0	8	0	8
United Nations		0	3	0	5	8
Vatican		1	2	1	0	4
Permanent Court of Arbitration		0	0	5	0	5
Intl. Court of Justice		0	0	2	0	2
Total	**176**	**23**	**35**	**32**	**15**	**290**

Table 3. Probability of Attempted Settlement of Territorial Claims

	Model 1 Bilateral Attempts		Model 2 Third Party Attempts	
Variable	Est. (S.E)	X^2 (p)	Est. (S.E)	X^2 (p)
Intercept	- 4.30 (0.38)	130.72 (.001)	- 5.15 (0.59)	77.42 (.001)
Claim:				
Homeland	1.55 (0.34)	20.27 (.001)	0.15 (0.51)	0.09 (.76)
Resource + City	0.02 (0.24)	.004 (.95)	0.87 (0.38)	5.11 (.02)
Resource Only	0.17 (0.34)	0.24 (.62)	- 0.15 (0.57)	0.07 (.79)
City Only	- .001 (0.29)	.001 (.99)	0.51 (0.49)	1.06 (.30)
Adversaries:				
Dyadic Democracy	0.02 (0.02)	1.11 (.29)	- .004 (0.03)	0.01 (.91)
Military Parity	0.28 (0.28)	1.02 (.31)	- 0.04 (0.42)	0.01 (.93)
Rivalry: Early	0.48 (0.21)	3.12 (.02)	0.97 (0.34)	6.21 (.01)
Rivalry: Int.	0.83 (0.26)	10.38 (.001)	1.73 (0.41)	17.55 (.001)
Rivalry: Adv.	- 0.38 (0.39)	0.92 (.34)	2.29 (0.40)	33.39 (.001)
Log Likelihood				
Null model:	1040.58		605.13	
Full model:	935.92		541.14	
Improvement:	54.66		64.00	
Significance:	p < .001		p < .001	
Degrees of freedom:	9		9	
N:	2411		2411	

Table 4. Settlement Attempts and Probability of Reaching Agreement

	No Agreement	Agreement Reached (%)	N
Type of Settlement Attempt:			
Bilateral Negotiations	50	126 (71.6%)	176
Good Offices	7	16 (70.0)	23
Inquiry, Conciliation, Mediation	23	12 (34.3)	35
Arbitration, Adjudication	15	26 (63.4)	41
Other	9	6 (40.0)	15
Total	104	186 (64.1)	290
Actor(s) in Settlement Attempt:			
No Third Party (Bilateral Negotiations)	50	126 (71.6%)	176
Minor Power(s) in Same Region as Claim	11	12 (52.2)	23
Extraregional Minor Power	4	12 (75.0)	16
Major Power(s)	11	15 (57.7)	26
Mixed (Major and Minor Powers)	7	9 (56.3)	16
Regional Organization	6	0 (0.0)	6
Global Organization	15	12 (44.4)	27
Total	104	186 (64.1)	290

Table 5. Settlement Effectiveness: Reaching Agreements

	Model 1 Type of Settlement Attempt		Model 2 Actor(s) Attempting Settlement	
Variable	Est. (S.E)	X^2 (p)	Est. (S.E)	X^2 (p)
Intercept	- 1.98 (1.15)	2.99 (.08)	- 2.01 (1.05)	3.68 (.05)
Settlement Attempt:				
Bilateral Negotiations	0.17 (0.88)	0.04 (.85)	0.36 (0.76)	0.23 (.63)
Good Offices	---	---	2.15 (0.97)	4.92 (.03)
Inquiry, Concil, Mediation	---	---	1.82 (0.85)	4.60 (.03)
Arbitration, Adjudication	---	---	1.54 (0.82)	3.54 (.06)
Third Party:				
Minor Power(s) in Region	0.86 (0.81)	1.13 (.29)	---	---
Extraregional Minor Power	1.19 (0.99)	1.46 (.23)	---	---
Major Power	1.57 (0.82)	3.63 (.06)	---	---
Global Org.	1.19 (0.99)	1.46 (.23)	---	---
Claim:				
Homeland	- 0.39 (0.71)	0.29 (.59)	- 0.50 (0.71)	0.49 (.48)
Resource + City	- 0.15 (0.52)	0.08 (.77)	- 0.15 (0.53)	0.08 (.78)
Resource Only	0.43 (0.73)	0.35 (.55)	0.46 (0.74)	0.38 (.54)
City Only	1.36 (0.56)	5.86 (.02)	1.35 (0.56)	5.78 (.02)
Adversaries:				
Dyadic Democracy	- 0.06 (0.04)	1.78 (.18)	- 0.05 (0.04)	1.07 (.30)
Military Parity	- 0.46 (0.53)	0.77 (.38)	- 0.54 (0.54)	1.00 (.32)
Rivalry: Early	0.07 (0.43)	0.03 (.87)	- .003 (0.43)	.001 (.99)
Rivalry: Int.	0.91 (0.47)	3.71 (.05)	0.91 (0.48)	3.61 (.06)
Rivalry: Adv.	2.46 (0.57)	18.98 (.001)	2.44 (0.57)	18.55 (.001)
Log Likelihood				
Null model:	328.94		328.94	
Full model:	248.29		245.78	
Improvement:	80.65		83.16	
Significance:	$p < .001$		$p < .001$	
Degrees of freedom:	14		13	
N:	250		250	

Table 6. Settlement Attempts and Ending of Territorial Claims

	Claim Not Ended within Ten Years	Claim Ended (%)	N
Type of Settlement Attempt:			
Bilateral Negotiations	129	39 (23.2%)	168
Good Offices	6	13 (68.4)	19
Inquiry, Conciliation, Mediation	8	24 (75.0)	32
Arbitration, Adjudication	18	21 (53.9)	39
Other	10	3 (23.1)	13
Total	171	100 (36.9)	271
Actor(s) in Settlement Attempt:			
No Third Party (Bilateral Negotiations)	129	39 (23.2%)	168
Minor Power(s) in Same Region as Claim	10	10 (50.0)	20
Extraregional Minor Power	7	8 (53.3)	15
Major Power(s)	10	16 (61.5)	26
Mixed (Major and Minor Powers)	2	13 (86.7)	15
Regional Organization	2	2 (50.0)	4
Global Organization	11	12 (52.2)	23
Total	171	100 (36.9)	271

Table 7. Settlement Effectiveness: Ending Territorial Claims

	Model 1 Type of Settlement Attempt		Model 2 Actor(s) Attempting Settlement	
Variable	Est. (S.E)	X^2 (p)	Est. (S.E)	X^2 (p)
Intercept	0.90 (1.35)	0.44 (.51)	0.88 (1.03)	0.72 (.39)
Settlement Attempt:				
Bilateral Negotiations	0.49 (1.10)	0.20 (.66)	0.40 (0.75)	0.29 (.59)
Good Offices	---	---	- 0.23 (1.04)	0.05 (.82)
Inquiry, Concil, Mediation	---	---	- 0.42 (0.93)	0.21 (.65)
Arbitration, Adjudication	---	---	1.18 (0.85)	1.93 (.16)
Third Party:				
Minor Power(s) in Region	0.29 (1.02)	0.08 (.78)	---	---
Extraregional Minor Power	1.13 (1.28)	0.77 (.38)	---	---
Major Power	0.28 (1.05)	0.07 (.80)	---	---
Global Org.	0.31 (1.25)	0.06 (.80)	---	---
Claim:				
Homeland	0.55 (0.66)	0.69 (.41)	0.58 (0.68)	0.74 (.39)
Resource + City	- 0.67 (0.49)	1.89 (.17)	- 0.63 (0.49)	1.66 (.20)
Resource Only	- 0.92 (0.67)	1.91 (.17)	- 0.76 (0.68)	1.22 (.27)
City Only	0.48 (0.61)	0.63 (.43)	0.47 (0.60)	0.63 (.43)
Adversaries:				
Dyadic Democracy	- 0.03 (0.04)	0.38 (.54)	- 0.04 (0.04)	0.89 (.35)
Military Parity	- 1.55 (0.50)	9.76 (.001)	- 1.63 (0.50)	10.60 (.001)
Rivalry: Early	- 1.36 (0.40)	11.28 (.001)	- 1.40 (0.41)	11.73 (.001)
Rivalry: Int.	- 0.90 (0.47)	3.62 (.06)	- 0.82 (0.48)	2.95 (.09)
Rivalry: Adv.	- 4.48 (0.88)	26.25 (.001)	- 4.57 (0.87)	27.91 (.001)
Log Likelihood				
Null model:	339.54		339.54	
Full model:	241.18		236.38	
Improvement:	98.37		103.16	
Significance:	p < .001		p < .001	
Degrees of freedom:	14		13	
N:	245		245	

Table 8. Settlement Attempts and Avoidance of Militarized Conflict

	Future Conflict within Ten Years	No Future Conflict (%)	N
Type of Settlement Attempt:			
Bilateral Negotiations	62	105 (62.9%)	167
Good Offices	12	7 (36.8)	19
Inquiry, Conciliation, Mediation	26	5 (16.1)	31
Arbitration, Adjudication	17	21 (55.3)	38
Other	7	5 (41.7)	12
Total	124	143 (53.6)	267
Actor(s) in Settlement Attempt:			
No Third Party (Bilateral Negotiations)	62	105 (62.9%)	167
Minor Power(s) in Same Region as Claim	12	8 (40.0)	20
Extraregional Minor Power	4	11 (73.3)	15
Major Power(s)	17	9 (34.6)	26
Mixed (Major and Minor Powers)	13	2 (13.3)	15
Regional Organization	3	1 (25.0)	4
Global Organization	13	7 (35.0)	20
Total	124	143 (53.6)	267

Table 9. Settlement Effectiveness: Preventing Militarized Conflict

	Model 1 Type of Settlement Attempt		Model 2 Actor(s) Attempting Settlement	
Variable	Est. (S.E)	X^2 (p)	Est. (S.E)	X^2 (p)
Intercept	1.71 (1.09)	2.46 (.12)	1.86 (0.82)	5.19 (.02)
Settlement Attempt:				
Bilateral Negotiations	0.04 (0.92)	.002 (.96)	0.02 (0.67)	.001 (.97)
Good Offices	---	---	- 0.30 (0.94)	0.10 (.75)
Inquiry, Concil, Mediation	---	---	- 0.38 (0.81)	0.22 (.64)
Arbitration, Adjudication	---	---	0.82 (0.77)	1.14 (.29)
Third Party:				
Minor Power(s) in Region	- 0.08 (0.90)	0.01 (.93)	---	---
Extraregional Minor Power	0.83 (1.12)	0.55 (.46)	---	---
Major Power	- 0.25 (0.90)	0.07 (.79)	---	---
Global Org.	0.61 (1.05)	0.33 (.56)	---	---
Claim:				
Homeland	0.45 (0.50)	0.78 (.38)	0.29 (0.51)	0.32 (.57)
Resource + City	- 0.96 (0.39)	6.08 (.01)	- 0.98 (0.39)	6.40 (.01)
Resource Only	- 0.99 (0.45)	4.73 (.03)	- 0.93 (0.46)	4.14 (.04)
City Only	- 0.99 (0.45)	4.73 (.03)	- 0.93 (0.46)	4.14 (.04)
Adversaries:				
Dyadic Democracy	- 0.01 (0.04)	0.05 (.82)	- 0.01 (0.03)	0.03 (.87)
Military Parity	- 1.54 (0.47)	10.57 (.001)	- 1.53 (0.47)	10.41 (.001)
Rivalry: Early	- 1.44 (0.40)	13.03 (.001)	- 1.46 (0.40)	13.36 (.001)
Rivalry: Int.	- 0.70 (0.45)	2.40 (.12)	- 0.64 (0.45)	2.01 (.16)
Rivalry: Adv.	- 3.88 (0.70)	30.66 (.001)	- 3.96 (0.70)	32.39 (.001)
Log Likelihood				
Null model:	355.62		355.62	
Full model:	262.73		261.42	
Improvement:	92.89		94.20	
Significance:	p < .001		p < .001	
Degrees of freedom:	13		12	
N:	257		257	