Power Politics and Contentious Issues:
Realism, Issue Salience, and Conflict Management

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Abstract: Research on contentious issues has had an unclear relationship with political realism; some scholars argue that research on contentious issues challenges realism, while others find this research generally consistent with realist beliefs. This paper examines the work of Carr, Morgenthau, Waltz, and Mearsheimer to identify realism's actual claims about issues and issue management. For example, most realists expect territory with strategic military value to be more conflictual than other issue types, and argue that such highly salient issues should not be entrusted to binding third party judgments. These realist propositions are tested using data on territorial issues from the Issue Correlates of War (ICOW) project. Preliminary results suggest that strategic territory and relative power considerations operate largely as expected for avoiding binding conflict management, but the results for the outbreak of militarized conflict and the acceptance of third party settlements are more mixed. These results help to clarify the theoretical linkages between realism and contentious issues, and can serve as a useful baseline to help advance the study of issues and issue management in future research.

Systematic research on contentious issues can be characterized as having an unclear relationship with political realism. Diehl (1992: 334) suggests that a major reason for the lack of systematic research on contentious issues may be realism's tendency to focus on power-related concerns and to downplay individual motivations behind state actions. Similarly, Vasquez (1993: 124) argues that "the realist paradigm has not viewed the substance of world politics, the issues under contention, as important or central to understanding," and he calls for a shift in focus from "treating world politics as a struggle for power" to "treating it as the raising and resolving of issues." Mansbach and Vasquez (1981) and Vasquez (1998) argue that the observation of systematic differences in international behavior across different issue areas -- particularly differences between the handling of territorial and other issues -- challenges realism.

Scholars using an issues framework typically suggest that the central precepts of realism (at best) can only explain interactions over certain issues. For example, Gochman and Leng (1983: 100) considered homeland territory to be a "vital" issue for realists, arguing that realists would call for more escalatory behavior when such issues are at stake than when only less vital issues are under contention. Keohane and Nye (2001) suggest that some types of issues do not follow realist precepts about the dominance of military security concerns and the ever-present

threat or use of military force; Vasquez (1998: 169) uses the literature on contentious issues to suggest that "power politics behavior is confined to territorial and military issues and does not reflect behavior in other issue areas (particularly economic questions, but also other transnational areas that need regulation -- e.g., food, the sea, the environment, air travel, etc,)" Vasquez (1993: 147) also suggests that the realist view of world politics may be relatively accurate in certain circumstances, but not in others: "So long as there is a struggle over contiguous territory, then world politics is a struggle for power, but once boundaries are settled, world politics has other characteristics. Conflict and disagreement are still present, but violence is less likely and power transitions no longer war producing."

Perhaps because issues research has been seen as a challenge to realism, most research on territorial claims or on other contentious issues has not been based on an explicitly realist framework, though, and little work in this area has directly addressed the specific arguments of major realist scholars on issues or issue management. This paper seeks to clarify exactly what prominent realists have argued with respect to contentious issues, in order to determine the real relationship between realism and research on issues. This is an important scholarly endeavor, because of the indisputable dominance of realist thought in the study of world politics over the past century. If an issues approach is to develop and succeed, it must be able to show how it differs from realism, and it must be able to account for empirical phenomena above and beyond those that can be accounted for by realism.

After realist propositions on issues and issue management are identified by consulting the four major realist books of the last century, these propositions are tested using data on contentious issues from the Issue Correlates of War (ICOW) project. The results of these preliminary analyses offer mixed support for the realist propositions, with greater support for the avoidance of binding settlements over highly salient issues and somewhat less support for the outbreak of militarized conflict or for compliance with third party settlements. It must be emphasized that these empirical tests are not intended to offer any sort of definitive test of realism or realist propositions, though. This paper is only a preliminary phase of a longer-term project that is meant to improve our understanding of contentious issues and their management, drawing from realist perspectives as well as a variety of alternatives that purport to explain issues or issue management more effectively.

Realist Propositions on Contentious Issues

In a recent article (Hensel 2001: 82-83), I present what I consider the three central tenets of an issue-based approach to world politics. The central tenet is that "foreign policy is issue directed. Rather than acting randomly, constantly pursuing national power or the "national interest," and rather than simply reacting to structural imperatives from the international system, policymakers make decisions in order to achieve their goals on a variety of different issues." Second, issues vary in salience (or importance), and this variation affects leaders' decisions with respect to issues: "leaders may be willing to expend greater effort (and to risk higher costs) to achieve favorable settlements on highly salient issues than on issues that are accorded less importance." The final central tenet is that a variety of unilateral, bilateral, and multilateral foreign policy tools can be used in a substitutable fashion to pursue issue-related goals: "Numerous cooperative or conflictual options may be chosen to pursue goals over issues, reflecting alternative mechanisms for allocating the disputed stakes."

Although the first two of these tenets can be seen as a direct challenge to political realism, and similar arguments by Keohane and Nye or by Mansbach and Vasquez have been presented in this fashion, many realist scholars would likely argue otherwise. That is, what issue-oriented scholars consider highly salient issues might be described by realist scholars as important components of national power, so both the realist and issue approaches might predict similar behavior when such issues are at stake (or when less salient issues are at stake). Similarly, the major realist thinkers of the past century have addressed the relative merits of various foreign policy tools with respect to the pursuit of realist goals. The next section of this paper is meant to examine the work of major realists, to specify exactly what differences may or may not exist between realism and an issues approach.

Although thousands of books and articles have been published by scholars or policymakers claiming realist roots, four books are widely recognized as the most influential realist works of the past century. Edward Hallett Carr's *The Twenty Years' Crisis* (1946) and Hans J. Morgenthau's *Politics among Nations* (1948) are considered the preeminent examples of "classical realism" (or what Mearsheimer has recently termed "human nature realism"), Kenneth N. Waltz' *Theory of International Politics* (1979) had a major impact with his formulation of

"structural realism" or "neorealism" (termed "defensive realism" by Mearsheimer), and John J. Mearsheimer's *The Tragedy of Great Power Politics* (2001) has received recent acclaim for his development of "offensive realism." The remainder of this section of the paper examines these four sources to determine what the most influential realist works had to say about the differences across issue types and about how issues should be managed.

Distinguishing Issues in World Politics

The first area that must be addressed is the extent to which major realist scholars distinguish between different types of issues in world politics. At least at first glance, most major realist scholars appear to hold singular views on the basic motivations underlying state behavior, as charged by scholars such as Vasquez. For example, Morgenthau (1948: 13) famously wrote that "International politics, like all politics, is a struggle for power. Whatever the ultimate aims of international politics, power is always the immediate aim."[1] In later editions of his book Morgenthau (1985: 5, 13ff) delineated six central "principles of political realism," of which two are directly relevant here. His second principle concerns the assumption that "statesmen think and act in terms of interest defined as power," and his sixth concerns realism's emphasis on power considerations in formulating and evaluating policies over such alternative considerations as wealth, law, or morality. Whatever goals states appear to be pursuing, then, their policies are created with power considerations in mind, and they are evaluated with respect to their impact on national power. Following from the centrality of power concerns, Morgenthau (1948: 21-22) argues that "all political phenomena can be reduced to one of three basic types. A political policy seeks either to keep power, to increase power, or to demonstrate power."

Waltz (1979: 126) describes power as a means rather than an end in an anarchic international system: "The goal the system encourages them to seek is security. Increased power may or may not serve that end." More recently, Mearsheimer (2001: 2) describes international politics as "a ruthless and dangerous business" where the great powers "fear each other and always compete with each other for power," with each seeking to maximize its own power relative to its rivals' -- and ultimately seeking to become the system's hegemon. Like the

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[1] Morgenthau (1948: 61-63) notes that in both domestic and international politics, policies that actually concern power are often cloaked in ideological, ethical, legal, or similar principles. This is done to make the contest for power more palatable to the actors and their audience, but it does not change the content of the policies themselves. Carr (1946) makes a similar point about ideology or morality being merely a cloak for power politics.

classical realists, Mearsheimer (2001: 12; cf. 21, 29-36) argues that "calculations of power lie at the heart of how states think about the world around them," with states recognizing that maximizing one's relative power is the key to survival in an anarchic world.

Political and Legal Issues

Although they emphasize power and/or security as the primary concerns of state leaders, realists generally recognize that states sometimes pursue other goals not directly related to power or security. Waltz (1979: 126) and Mearsheimer (2001: 46-48) argue there is a clear hierarchy of state goals, with security being the primary concern. Once survival is assured, states can safely seek such other goals as wealth, ideology, or human rights -- but only to the extent that pursuit of these goals does not come into conflict with the pursuit of security goals.[2]

To some scholars, evidence that states pursue different issues by different means (e.g., evidence that territorial issues are more likely to lead to armed conflict than are other types of issues) offers evidence against realism's emphasis on a single goal of power/security. To many realists, though, other issues -- such as territory -- are valued by leaders to the extent that they can be used to increase a state's power. Morgenthau (1948: 80-88) describes a number of territory-related elements of national power, including defensible geographic barriers (such as mountain ranges, bodies of water, or simply large amounts of geographic space) that separate a state from its enemies, natural resources such as oil or industrial minerals, and arable land that can be used to feed one's citizens. Similarly, Mearsheimer (2001: 147-152) attempts to refute the familiar refrain that "conquest doesn't pay" by noting that conquered territory may contain valuable resources that can be mobilized for one's own economic benefit, as well as valuable strategic positions that can be useful for augmenting one's own defense against an adversary or for launching offensive operations against the adversary. Simply pursuing territorial gain, then, may well be consistent with realist tenets, at least to the extent that the pursued territory contains important strategic or perhaps economic benefits.

Carr (1946: 111-113) even argues that when states appear to be pursuing territorial gain or colonial expansion, this is usually because the territory is an instrument that is desired because of its impact on states' relative power: "Few of the important wars of the last hundred years seem

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[2] Mearsheimer (2001: 46) notes that the pursuit of non-security goals can even complement the pursuit of relative power, as when national unification or increased wealth increases one's power relative to that of rivals.

to have been waged for the deliberate and conscious purpose of increasing either trade or territory. The most serious wars are fought in order to make one's own country militarily stronger or, more often, to prevent another country from becoming militarily stronger."[3] Morgenthau (1948: 343-344) similarly argues that what appear to be questions of territorial sovereignty -- such as the 1938-1939 German demands over Austria and Czechoslovakia -- may instead be only symptoms of such larger questions as "the military and political domination of Central Europe," which concern power directly and territory only instrumentally.

Bearing this in mind, realists typically categorize issues based on the extent to which they help achieve states' primary goals of power and security. For example, Carr (1946) and Morgenthau (1948) distinguish between "political issues" and "legal issues." Carr (1946: 201 -202) describes "legal disputes" as those involving claims based on existing legal rights. As Morgenthau (1948: 342-344) describes such questions, "the issue is one of determination of rights or of accommodation of interests within the generally accepted framework of the status quo;" such questions do not feature any underlying conflict over relative power.

In contrast, Carr (1946: 201-203) describes "political disputes" as those involving efforts to alter existing legal rights: "The essence of a political dispute is the demand that the relevant legal rule, though admittedly applicable, shall not be applied. When a dispute arises through the claim of a state that its existing frontiers, or existing treaty restrictions on its sovereignty, or existing obligations under a financial agreement, are intolerable, it is useless to refer it to an arbitral tribunal whose first duty is to apply the legal 'rule applicable to the dispute.'" Similarly, as Morgenthau (1948: 342-344) describes political issues, the main question under contention involves a demand for fundamental change of the status quo, or "a tension between the desire to preserve the existing distribution of power and the desire to overthrow it." Rather than specific rights or interests within the status quo, "the very survival of the status quo is at stake," and the outcome of the issue can have a large and immediate impact on the contenders' relative power (if not the larger distribution of power across a geographic region or the entire international system). This distinction between "political issues" and other issues offers the basis for realists'

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[3] Carr (1946: 112-113) also suggests that territorial aggrandizement can be a consequence, rather than a cause, of wars (which typically begin for reasons of security). He explains that the exercise of power seems to beget the appetite for more power, such that belligerents often increase their demands on their enemies are the war progresses. Because these increased demands only occur after the beginning of a given war, though, we should not consider them to reflect a territorial cause of that war.

expectations regarding issue management, to which we now turn.

Militarized Conflict over Issues

To all realists, the actual or potential use of militarized conflict is an ever-present characteristic of world politics. In a classic formulation, Waltz (1979: 102) notes that "Because some states may at any time use force, all states must be prepared to do so -- or live at the mercy of their militarily more vigorous neighbors." Due to the anarchic nature of world politics, "No appeal can be made to a higher entity clothed with the authority and equipped with the ability to act on its own initiative. Under such conditions the possibility that force will be used by one or another of the parties looms always as a threat in the background." Carr (1946: 109-111, 215 -216) also emphasizes the "supreme importance of the military instrument" and describes the threat or use of military force as "a normal and recognised method of bringing about important political change."[4]

While the threat or use of force is always a possibility, though, major realist thinkers do not consider it equally likely when different issues are under contention. Carr (1946: 201-202) argues that "political disputes" are more serious and more dangerous than "legal disputes," and that revolutions and wars are much more likely to emerge from political than legal disputes. Similarly, Morgenthau (1948: 344) suggests that underlying "disputes that entail the risk of war" is "a tension between the desire to preserve the existing distribution of power and the desire to overthrow it." While statesmen involved in such issues often phrase their positions in terms of legal claims and more principles, the issues actually revolve around considerations of relative military power. Morgenthau (1948: 346, 348) then equates "political disputes -- disputes which stand in relation to a tension and in which, therefore, the over-all distribution of power between two nations is at stake" with "the disputes which are most likely to lead to war." Mearsheimer (2001: 46-48) also argues that while states can and do pursue such non-security goals as wealth, ideology, or human rights, leaders are rarely willing to expand blood or treasure in pursuit of

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[4] Carr (1946: 216, 218) further suggested that "the threat of war, tacit or overt, seems a necessary condition of important political changes in the international sphere" and that "peaceful change could not be effected on any important scale in international politics in the absence of a threat, or potential threat, of war."

such goals.[5]

Taken together with the above description of "political" and other issues, this discussion suggests the following hypothesis.

Hypothesis 1: *Militarized conflict is significantly more likely to occur over issues that directly affect the relative military capabilities of the adversaries than over other issues.*

Especially in a world where states are always competing to increase both their relative power and their security, it is not especially surprising that realist scholars expect power considerations to affect the likelihood of militarized conflict. To Carr (1946: 109-111), the foreign policy of a country is limited both by its aims and by its capabilities ("the ratio of its military strength to that of other countries"). Waltz (1979: 112-113) similarly argues that the centrality of the use of force in relations between states makes power considerations vitally important: "The power of the strong may deter the weak from asserting their claims, not because the weak recognize a kind of rightfulness of rule on the part of the strong, but simply because it is not sensible to tangle with them." If the challenger state that is making a given claim on an issue is weaker than its adversary, then, the claim should not be asserted very vigorously -- and likely not in a militarized fashion, where the challenger's relative capabilities would likely ensure defeat.[6]

It should be noted that there is some disagreement among the major realists with respect to the likelihood of armed conflict. While "defensive realists" like Waltz see states as concerned primarily with achieving and maintaining a secure status quo, "offensive realists" like Mearsheimer see states being more likely to challenge the status quo in a quest to increase their own relative power even further. For example, Mearsheimer (2001: 2) writes that the great

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[5] Mearsheimer (2001: 370-372) also considers challenges to realism that are based on the increasing threat posed by non-traditional (and non-military) threats such as AIDS and the environment. He does not see such issues as a threat to states' pursuit of realist goals, as they appear unable to threaten the survival of a great power; he also sees such challenges as unlikely to lead to great power cooperation and collective action against the threat.

[6] This is not to suggest that a strong adversary will take militarized action to stop a weaker challenger from stating its claim peacefully, though. Waltz (1979: 113) suggests that weaker states may enjoy a small advantage in their day-to-day actions if they are too weak to threaten the major powers' interests: "Conversely, the weak may enjoy considerable freedom of action if they are so far removed in their capabilities from the strong that the latter are not much bothered by their actions or much concerned by marginal increases in their capabilities."

powers "almost always have revisionist intentions" -- with the occasional exception of a hegemon that seeks to preserve its favored position -- "and they will use force to alter the balance of power if they think it can be done at a reasonable price." Mearsheimer thus would expect a higher probability of militarized conflict under a given set of circumstances than Waltz would, as long as the state expected a reasonable chance of success at reasonably costs. This difference does not appear to justify a separate hypothesis, though, since both Mearsheimer and Waltz would agree that militarized conflict should be more likely when the challenger is stronger than its opponent (even if they disagree on the magnitude of this effect) and less likely when the challenger is weaker.

Hypothesis 2: *Militarized conflict is significantly less likely to occur when the challenger state in a given contentious issue is weaker than its opponent in relative military capabilities than when the challenger state is equal or stronger.*

Submission to Binding Settlement Attempts

A second area where the type of issue might matter involves the use of international legal techniques to settle contentious issues. In particular, the creators of the League of Nations and United Nations established the Permanent Court of International Justice and the International Court of Justice, respectively, to settle international disputes peacefully. Political liberals have been urging the use of arbitration or adjudication to resolve international disputes for well over a century (with serious efforts dating back to before the 1899 and 1907 Hague Treaties that established the Permanent Court of Arbitration).

Most realists agree that "political" issues -- those involving strategic territory or other issues that can affect states' relative capabilities -- are unsuitable for submission to binding conflict resolution. For example, Morgenthau (1948: 342-344) argues that international legal settlements (such as adjudication) are unlikely to be successful in resolving political issues "where not the determination of rights and the accommodation of interests within the status quo, but the very survival of the status quo is at stake." For political issues, where the outcome of the dispute can have a large and immediate impact on the contenders' relative power, "to accept beforehand the authoritative decision of an international court, whatever it might be, is

tantamount to surrendering control over the outcome of the power contest itself."[7] Morgenthau (1948: 346) concludes that "political disputes -- disputes which stand in relation to a tension and in which, therefore, the over-all distribution of power between two nations is at stake -- cannot be settled by judicial means." Similarly, Carr (1946: 196) notes that states have generally refused to grant courts or arbitrators jurisdiction over disputes involving "vital interests," independence, or national honor.

Morgenthau (1948: 258, 346) notes that elaborate safeguards have been created that "prevent matters of political importance from being decided by the majority vote of an international court," such as the requirement that states explicitly recognize the compulsory jurisdiction of international courts before they can hear a case, and the ability of states to declare reservations to protect certain issues from this jurisdiction. Most states, he argues, have taken extreme care to define and qualify their obligation to submit disputes to international courts (reflected in the refusal to recognize compulsory jurisdiction by courts, or to qualify such recognition with enough reservations that it has little value in practice). Where states have concluded arbitration treaties without any qualifications or reservations, Morgenthau (1948: 347) suggests, they have only done so because political disputes (those over the over-all distribution of power) are virtually impossible: "No two states which had the slightest reason to anticipate the possibility of a political conflict with one another in the not too distant future have entered into legal obligations not allowing either side to exempt political disputes from judicial settlement."

Many realists recognize that less vital issues could potentially be handled through binding legal techniques such as arbitration, although it is not clear that they would advocate the settlement of issues through such techniques rather than through diplomacy. For example, Morgenthau (1948: 258, 343-344) argues that legal instruments such as adjudication may be able to resolve relatively minor issues, including demands for "territorial concessions or legal adjustments within the framework of a recognized status quo" -- but that they are "able to dispose of technical matters only, matters which have no significance for the distribution of

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[7] The same is said to be true for issues that do not have a direct power component, but that the adversaries frame as part of their larger power struggle; such issues take on a symbolic importance that approximates a power-related issue. Concessions are impossible, as accepting defeat over this one symbolic issue would "signify defeat in the over-all struggle for power," and "each nation will fight on a matter of procedure or prestige with uncompromising tenacity, as though the national existence itself were at stake." Binding settlement is also impossible for such issues: "No nation, and especially no anti-status quo nation... will take the risk of submitting a dispute of this kind, and through it the issue of the tension itself, to the authoritative decision of a court." (Morgenthau 1948: 345-346)

power among national governments or between national governments and international agencies."   Similarly, Carr (1946: 195-196) recognizes that issues "which do not affect the security and existence of the state" can be submitted to international courts for binding resolution, and that most cases that have been submitted fall into two categories -- "either pecuniary claims or disputes about national frontiers in remote and sparsely inhabited regions." This discussion suggests the following hypothesis:

Hypothesis 3: *Binding arbitration and adjudication are significantly less likely to be used over issues that directly affect the relative military capabilities of the adversaries than over other issues.*

Issue type is not the only consideration with respect to the binding settlement of contentious issues. Realists' emphasis on power and security concerns offers additional reasons not to submit their issues to arbitration or adjudication. Unlike domestic legal systems, where there is a recognized law enforcement system that can be used to carry out legal decisions, international law lacks any such enforcement mechanism apart from the action of the interested states themselves. This means that stronger states will generally be able to enforce decisions that favor them over weaker states by using their own power, while weaker states will generally find themselves unable to enforce decisions that favor them over stronger states (Morgenthau 1948: 228-242; Carr 1946: Chapter 10). Carr (1946: 214-216) thus considered it "an illusion" that a state that was about to lose on an important issue "would acquiesce in it without the existence of means of pressure to compel him to do so."

The role of power in the management or settlement of international issues is especially important for "political disputes," where the subject of the dispute could tip the balance of relative power between two adversaries. For such disputes, Carr (1946: 205-206) argues, "power in an essential factor in every dispute," and the settlement of a conflict of interest will depend in large part on the adversaries' relative strength. Issues involving unequal adversaries -- he gives the example of a dispute between the United States and Nicaragua -- can only be dealt with by an organ that takes the power factor into account, and nothing is to be gained by submitting them to legal tribunals that base their judgments on legal rather than political considerations. Instead, the

stronger state is likely to insist that such issues be handled bilaterally, where its advantage in relative military power can come into play -- and without the agreement of the stronger state, the issue can not be sent to a binding third party judgment.[8] This suggests the following hypothesis:

Hypothesis 4: *Binding settlement attempts are significantly less likely to occur between adversaries with very unequal military capabilities.*

Effectiveness of Peaceful Settlement Attempts

Once a given issue has been submitted to binding arbitration or adjudication, there will usually be an award or decision after both sides have presented their cases, at which point both parties must decide whether to accept or reject the award. While arbitral awards or adjudicated decisions are considered legally binding, and both sides agreed in advance that they would accept whatever award was to be issued, the lack of an organized enforcement capacity in international law raises the chance for a dissatisfied state to reject an unfavorable award. Should this happen, enforcement is up to the affected party and perhaps its friends or allies -- with all the risks and uncertainties that this entails.

Mearsheimer (2001: 364-365) offers a good example of realist advice on how states should react to unfavorable decisions over important issues: "The United States is the most powerful state in the world, and it usually gets its way on issues it judges important. If it does not, it ignores the institution and does what it deems to be in its own national interests." While the example of the United States may be a bit extreme, as few states in today's interstate system (great powers or otherwise) have the same ability to influence other states or to pursue goals unilaterally despite foreign opposition, this point clearly illustrates the general realist advice to pursue a state's own self-interest first.

Perhaps surprisingly, then, Morgenthau (1948: 229) notes that "The great majority of the rules of international law are generally observed by all states without actual compulsion, for it is

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[8] Relative power concerns would be largely irrelevant if there were an international court or other legal body that has compulsory jurisdiction over any dispute involving any states. As Carr (1946: 194-195) and Morgenthau (1948: 219-228) note, though, no such body exists; even the International Court of Justice only has jurisdiction over states that explicit recognize it, and many such states declare reservations that exclude certain issues -- often territorial questions, political issues, or matters that are considered to fall under domestic jurisdiction -- from the Court's jurisdiction.

generally in the interest of all states concerned to honor their obligations under international law." The lack of a recognized body for the enforcement of international law rarely poses problems because states that carry out their legal obligations in one area tend to benefit in other areas, while those those that renege in one area tend to suffer adverse consequences in other areas. Indeed, Morgenthau (1948: 230) notes, "of the thousands of such judicial decisions which have been rendered in the last century and a half, voluntary execution was refused by the losing party in fewer than ten cases." The exception to this optimistic outlook for international law arises in cases where compliance has an impact on states' relative power. In such cases, Morgenthau (1948: 230) notes, "considerations of power determine compliance and enforcement."

While realists reserve the greatest scorn for binding settlement techniques, not all third party activities to help settle contentious issues are binding in nature. States have access to a wide range of non-binding third party activities ranging from good offices to inquiry, conciliation, or mediation. Morgenthau (1948: 354-356, 1985: 478-480) examined the provisions for peaceful change in the League of Nations and United Nations Charters, both of which advocate this type of non-binding activities, and concluded that these provisions were flawed. For example, when a non-binding recommendation is issued by a mediator or a conciliation commission, the third party lacks binding authority to demand that the recommendation be implemented: "The parties were free to accept or reject this advice. If they accepted the advice voluntarily, it was safe to surmise that the interests at stake were not vital and that any kind of outside pressure, encouragement, or face-saving device would probably have induced them to agree on reconsideration of the treaty or consideration of the situation." And even should the parties agree to consider the third party's recommendation, there is no guarantee that they could reach an agreement to implement it, and the third party has no authority to enforce a solution. From this perspective, there appears to be little difference in effectiveness between binding and non-binding settlement techniques.

This discussion suggests the following hypotheses about the effectiveness of binding awards once they are made:

Hypothesis 5: *Third party awards will be more likely to be rejected when the issue covered by*

the award can directly affect the relative military capabilities of the adversaries.

Hypothesis 6: *Third party awards will be more likely to be rejected when their terms favor a weaker state over a stronger state than when their terms are roughly even or favor a stronger state.*

Research Design

This study's examination of the four leading books of modern realism has suggested a number of hypotheses about the ways that different issues are managed. Testing these hypotheses requires systematic data on contentious issues, along with data measuring issue salience and data on various militarized and non-militarized ways that states manage these issues. All of these requirements are met using the Issue Correlates of War (ICOW) territorial claims data set, which currently covers all interstate claims to territory in the Americas and Western Europe from 1816-2001.

The ICOW data set has one important attribute in that it collects all cases where two states explicitly disagreed over territorial sovereignty. An ICOW claim is defined as involving explicit contention between official government representatives of two or more states regarding sovereignty over a specific piece of territory (Hensel 2001). Beyond identifying all qualifying claims, though, the ICOW project also collects data on the salience or value of each claimed territory, which can be used to determine which territorial claims meet the realist conceptualization of "political' issues. The project also collects data on all attempts to manage each issue through peaceful or militarized means, which can then be used to test this study's realist hypotheses about the management of political issues.

The ICOW data on territorial claims is also especially appropriate for this topic because of the importance attached to territory in the issues literature. Numerous scholars (e.g, Vasquez 1993; Hensel 2001) have suggested that territory is perhaps the most salient issue facing policymakers in contemporary world politics. Comparing the management of various territorial issues thus appears reasonable, without worrying about whether the various cases being studied are so different as to render meaningful comparison impossible. Within this broad category of territorial issues, though, is a wide variation in salience between different territorial issues, allowing the identification of both "political" and other issues with plenty of room for variation.

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Because the ICOW data set currently covers all claims to territory located in the Americas and Western Europe, this spatial-temporal domain covers the behavior of many of the international system's great powers as well as many minor powers. Before this set of cases can be used to evaluate this study's hypotheses, though, an important question concerns the appropriate states for which realist principles are thought to be relevant. Most realists, with their emphasis on power, are quick to distinguish between the great powers or major powers of the international system and the weaker states, small powers, or minor powers. If their theories are only intended to cover actions and interactions of the system's great powers, then any empirical test based on minor powers would be an inappropriate way to evaluate realist thought.

Mearsheimer's (2001: 5) approach -- as might be expected from a book entitled *The Tragedy of Great Power Politics* -- focuses explicitly on the great powers "because these states have the largest impact on what happens in international politics," in large part determining the fortunes of all states -- great powers and smaller powers alike." Similarly, to Waltz (1979: 72), "The theory, like the story, of international politics is written in terms of the great powers of an era... the units of greatest capability set the scene of action for others as well as for themselves... The fates of all the states and of all the firms in a system are affected much more by the acts and the interactions of the major ones than of the minor ones."

Yet while Waltz (1979: 72-73) argues that it would be ridiculous to develop a theory of international politics based on such minor powers as Malaysia and Costa Rica, his theory "also applies to lesser states that interact insofar as their interactions are insulated from the intervention of the great powers of a system, whether by the relative indifference of the latter or by difficulties of communication and transportation." Similarly, while Mearsheimer specifically mentions the great powers in almost every paragraph of his book, he explicitly extends the applicability of the basic argument beyond great powers: "All states are influenced by this logic, which means not only that they look for opportunities to take advantage of one another, but also that they work to ensure that other states do not take advantage of them." (Mearsheimer 2001: 35) Even if it is not plausible that smaller powers could ever achieve hegemony in the international system, they still seek to acquire more power than their competitors in order to

ensure their own survival in a dangerous world. Morgenthau and other classical realists also intended for their arguments to describe the behavior of all states, not just the major powers; it seems to be no accident that Morgenthau wrote such lines as "Statesmen think and act in terms of power" rather than "Great power statesmen."

It thus seems fair to use the actions and interactions of all states to evaluate realist propositions. Smaller states may differ from great powers in their national capabilities, so they may be less successful in achieving their goals, but most realist scholars would appear to agree that such states still largely have the same types of goals as great powers.[9]

Operationalization of Variables

Dependent Variables

Three separate dependent variables are used in this study. The first, meant to address Hypotheses 1 and 2, is the occurrence of militarized conflict within a given territorial claim. This variable is based on the Correlates of War (COW) project's Militarized Interstate Dispute (MID) data set, version 3.02 (Ghosn, Palmer, and Bremer 2004). The MID data includes threats, displays, or uses of military force between nation-states between 1816-2001, but for the purposes of the present paper, what is needed is a categorization of militarized disputes with respect to the specific issue(s) under contention. As a result, each militarized dispute that occurred between two states involved in an ongoing territorial claim was examined to determine whether or not that dispute involved an explicit effort to resolve the territorial claim (see Hensel 2003 for a more detailed discussion of this process).

The second dependent variable, meant to address Hypotheses 3 and 4, is the submission of a territorial claim to binding settlement techniques. A claim may be managed unilaterally, though the threat or use of force (as measured above); bilaterally, through direct negotiations between the claimants themselves; or multilaterally, with the binding or non-binding assistance of at least one state, institution, or other third party. This variable indicates whether or not a

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[9] Mearsheimer (2001: 364-365) argues that there is little evidence that institutions can get great powers to act contrary to the dictates of realism or to act against their own strategic interests -- "What is most impressive about international institutions is how little independent effect they seem to have on great-power behavior." Instead, if an institution should attempt to act against a great power's interests, the power will tend to ignore the institution and pursue its interests anyway. Yet this appears to be more of an argument that great powers have more capabilities to pursue their interests, than an argument that great powers and smaller powers have fundamentally different goals.

given claim was submitted to a binding third party settlement technique (arbitration or adjudication), in which both claimants agreed in advance that they would accept whatever ultimate decision might be reached by the third party (for more details see Hensel 2001).

The final dependent variable is related to the second, and concerns the effectiveness of settlement attempts. A given settlement attempt may produce a treaty, agreement, or award, or it may end in failure. Even if a treaty, agreement, or award is produced, though, one or both claimants may refuse to carry out its terms. This final dependent variable begins with all cases that produced a treaty, agreement, or award, and measures dichotomously whether both states comply with the specified terms.[10]

Issue Salience: "Political" Issues

From the discussion above, it appears that the key distinction between "political" and other issues is that political issues directly involve questions of relative power, such that achieving one's goals on the issue would dramatically improve one's military power relative to that of a rival, and losing would dramatically worsen one's relative power. For example, Morgenthau (1948: 342-344) offers several examples of what he considers "political" issues: the 1938-1939 German demands over Austria, Czechoslovakia, Danzig, and the German-Polish frontier, and the 1947 Soviet demands over the Dardanelles. In each of these cases, the issue at stake had strategic military attributes that made it especially valuable, and achieving its goals over the issue would greatly improve the power of the challenger (Germany or the Soviet Union) relative to its rivals in the region.

Morgenthau (1948: 347) also notes that of the 77 decisions and advisory opinions rendered by the Permanent Court of Arbitration and the Permanent Court of International Justice before his writing, only one could be considered political (a request for an advisory opinion regarding the Austro-German Customs Union). An examination of the cases addressed by the PCIJ before Morgenthau's writing in 1948 reveals at least four cases that involved territorial issues, none of which Morgenthau considers "political" in nature: two cases that involved

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[10] This variable is only calculated for treaties, agreements, or awards that attempted to resolve the territorial claim in question. This excludes what the ICOW project calls "functional" agreements that concern the usage of the claimed territory but not the sovereignty question, as well as "procedural" agreements that concern steps to be taken to settle the issue in the future (e.g. by agreeing to meet again in one year, or agreeing on the terms under which the case would be submitted to a specified third party for a binding decision).

colonial or other dependent territory for at least one participant (Norway/Denmark over Eastern Greenland and UK/Turkey over Mosul) and two that involved homeland territory for both (Yugoslavia/Albania over the Saint Naoum Monastery area and Poland/Czechoslovakia over the Jaworzina/Spisz area). While most of these territorial claims had an economic (resource) and/or ethnic basis, none involved territory that was seen as likely to threaten the relative power balance between the claimants. With respect to territorial issues, then, it seems clear that Morgenthau's conception of "political issues" refers to territory with strategic military value, rather than to territorial issues more generally, territory containing valuable resources or the challenger's ethnic kinsmen, or territory that was considered part of the national homeland.[11] This study's analyses of realist hypotheses on issue management, then, measure "political issues" by the presence of a strategic dimension to the territorial claim. The ICOW project considers a claimed territory to have strategic value when it includes valuable defensive positions or important military bases, control over communication or transportation lines, a warm water port, a route to the sea for otherwise landlocked states, or similar attributes.

Issue Salience: Other Issues

Although realists focus on militarily strategic issues as being more conflictual and less amenable to binding settlements that other issues, other scholars suggest that a variety of other issues can have the same effect. Scholars such as Hensel (1996) and Vasquez and Henehan (2001) have found territorial issues in general to be significantly more conflictual than other types of issue, regardless of the strategic value of the specific issue at stake. Hensel (2001) has also argued that there is a wide variation in issue salience even within the category of territorial issues, suggesting that a given territory can be quite valuable for many non-strategic reasons, and finding evidence that more salient territories (for any of these reasons) tend to be more conflictual than other territories.

One non-strategic component of territorial issue salience is the presence of valuable economic resources in the territory, which do not contribute directly to relative military

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[11] This contrasts with Gochman and Leng's (1983: 100) classification of all issues involving homeland territory as "vital" issues for realists, and with Vasquez' (1993) argument that realism and power politics were relevant primarily for territorial claims between neighbors. The Yugoslavia/Albania and Poland/Czechoslovakia court cases (both of which Morgenthau dismissed as non-"political") involved national homeland territory, while the Dardanelles (which Morgenthau considered "political") did not.

capabilities in the sense of Morgenthau's or Carr's "political issues." Another non-strategic component of salience is the presence of identity concerns, which might arise due to the presence of a state's ethnic or religious kinsmen in the claimed territory or in territory that is considered part of a state's national homeland rather than a colony or other dependency. As noted above, most realists see issues of wealth, ideology, or national unification -- which are related to economic or identity concerns -- as distinct from the most dangerous "political" issues, worth pursuing only after security concerns are addressed, and generally not worth pursuing with the same vigor. Such issues form an important distinction between the issues approach and realism, at least with respect to the treatment of territorial issues.

The salience of each claimed territory can be measured in this broader sense using the ICOW salience index (Hensel 2001), which includes six indicators of salience; (1) territory that is claimed by the state as homeland territory, rather than as a colonial or dependent possession, (2) territory located on the mainland rather than an offshore island, (3) territory that is contiguous to the nearest portion of the state, (4) territory that is known or suspected to contain potentially valuable resources, (5) territory with a militarily or economically strategic location, and (6) the presence of an explicit ethnic, religious, or other identity basis for the claim. The index for salience has a range in value from zero to twelve, with twelve being the most salient (possessing all six salience indicators for each state) and zero being the lowest (Hensel 2001). Because this study is testing realist propositions based on strategic territory, though, the strategic component of this index has been removed to avoid trouble with multicollinearity and prevent double-counting certain elements of territorial value; the resulting index thus ranges from zero to ten rather than zero to twelve. This zero-to-ten index of non-strategic salience will be used in each equation to assess whether realists are correct that militarily strategic issues are indeed treated differently from other issues, or whether issues scholars are correct that other non-strategic issues can have similar effects as well.

Relative Capabilities

The relative capabilities of the claimants are measured using the composite index of national capabilities (CINC) scores derived from the Correlates of War project's data set on

national material capabilities. This CINC score measures each side's share of the global totals of six indicators of national capabilities: military personnel, military expenditures, iron and steel production, energy consumption, total population, and urban population. For purposes of this study's analyses, the challenger state's relative capabilities are measured, dividing the challenger's CINC score by the combined scores of the challenger and target state to indicate the proportion of the dyad's total capabilities held by the challenger state.

Political Democracy

Each analysis to be run controls for the possible impact of political democracy. Although realists do not consider democracy (or other details of a state's domestic politics) to be a meaningful source of foreign policy, a sizable academic literature suggests that democracies behave differently from other states in fundamental ways. For example, democratic adversaries are less likely than other types of dyads to become involved in militarized conflict (e.g., Russett and Oneal), and more likely to employ peaceful conflict management and to reach peaceful settlements during ongoing crises (Dixon 1993, 1994); both of these findings are directly relevant to the present study's analyses.

Because of the vast empirical support for a democratic influence on behavior[12] -- at least at the dyadic level of analysis -- this study includes a dummy variable indicating whether or not both states in a given dyad are democratic in a given year. This variable is coded from the Polity 4 data set, and uses the Polity index of institutionalized democracy. Typical practice in the empirical literature is to code a state a democratic if it receives a score of at least six out of ten on this democracy index, so the dyad is coded as democratic if both states score at least six on this measure.

Settlement Attempt Details

The analyses of compliance with treaties or awards also require additional detail on the specific agreement in question. One variable indicates dichotomously whether or not the agreement was produced by binding arbitration/adjudication; zero values on this dummy variable

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[12] While realists may not convinced by any analysis that includes a democracy variable, their critics will not be convinced by any analysis that excludes it, and realists will likely be heartened if the results should indicate a significant role for realist variables even after controlling for the impact of democracy.

refer to agreements produced through non-binding third party activities such as good offices, inquiry, conciliation, or mediation. The other variable refers to the balance of concessions or benefits in the award. The ICOW data on attempted settlements includes a measure of the balance of concessions favoring the challenger and target state in a claim, ranging from major or minor concessions by the challenger to relatively even concessions and minor or major concessions by the target. For the present paper I combine major and minor concessions, and create a dummy variable indicating whether the stronger state in the dyad (i,e,. the state with absolutely greater capabilities than its counterpart -- whether this is barely greater or many times greater) is making greater concessions under the agreement than its weaker opponent.

Empirical Analyses

Militarized Conflict over Issues

The first two hypotheses concerned the impact of issue salience and relative capabilities on militarized conflict. Separate analyses are run in both Tables 1 and 2, with one model examining all militarized conflict, and a second examining only militarized disputes that produce at least one battlefield fatality. This allows for a more complete test of realist principles, because the low-level threat or use of force -- which realists see as always present in world politics -- might occur over less salient issues while only the most salient (political) issues would produce serious risks of escalation. The differences between issues should be greatest with respect to more serious or escalatory militarized conflict, here represented by fatal militarized disputes.

[Table 1 about here]

Table 1 presents a descriptive analysis of the two key realist independent variables that are thought to influence the militarization of territorial claims. This table represents a general comparison across the entire history of each claim, so issue salience is measured by whether or not the claimed territory is regarded as strategic at any point during the claim, and relative capabilities are measured by the average capabilities of the challenger and target state over the entire claim. This is only meant to present the general trends, and Table 2 will supplement this with more detailed analysis of year-to-year variation during the course of ongoing claims.

As Table 1 reveals, there does not seem to be a bivariate claim-level relationship between "political" issues -- as measured by claims to territory with a strategic military value -- and the

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militarization of claims. If all militarized disputes are considered, the relationship is profoundly insignificant in the statistical sense ($X^2 = 0.02$, with a difference of 37.2% and 38.2% across the two groups being compared). The effect of issue type is greater if the analysis is restricted to the more serious category of fatal militarized disputes, with 19.6% of claims over strategic territory generating at least one fatal clash against only 12.4% of claims to other territory, but this still misses conventionally accepted levels of statistical significance (X^2 - 1.84, 1 d.f., $p < .18$). Statistically significant results are obtained for the impact of relative capabilities on militarization, though, with militarized conflict being less likely when a weaker challenger faces a stronger target both overall ($X^2 = 10.94$, 2 d.f., $p < .005$) and for fatal conflict only ($X^2 = 7.51$, 2 d.f., $p < .03$).[13]

[Table 2 about here]

Even if there is little difference between political and other issues at the aggregated level comparing entire claims, Table 2 investigates the same question using annual observations from ongoing territorial claims. This table is a binary time series cross section (BTSCS) analysis, which allows statistical consideration of duration dependence in terms of the likelihood of militarized conflict between the same adversaries over time. Strategic territory does not have a very strong impact, attaining at best borderline levels of significance both for militarized disputes in general ($p < .13$) and for fatal militarized disputes ($p < .09$), although this effect is in the predicted direction of increasing armed conflict. Notably, the ICOW salience index -- which here measures the non-strategic value of claimed territories, emphasizing such factors as economic value or claims based on ethnic or religious kinsmen -- significantly increases armed conflict both overall ($p < .001$) and for fatal disputes ($p < .005$). This suggests that, at least for claims to territory in the Western Hemisphere and Western Europe, strategic value of territory has less of an impact on militarization than economic, identity, and similar concerns.

The results for the other realist hypothesis, on the impact of the challenger's relative capabilities, are somewhat more promising. The stronger is the challenger state in a claim relative to its target, the more likely the claim is to experience militarized conflict overall ($p <$

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[13] Interestingly, both all militarized disputes and fatal militarized disputes show evidence of a power parity effect, where conflict is greatest for adversaries that are relatively evenly matched and somewhat less regardless of which side is stronger. This observation was not anticipated by the realist books, as best I could tell, so it is not reflected in the measurement of capabilities for Table 2.

.07), although there is no systematic impact on fatal conflict (p < .27). Together, these first two tables suggest very mixed support for the two realist hypotheses. Strategic territories are slightly more likely to be handled through militarized conflict overall, as suggested by Hypothesis 1, but non-strategic factors appear to play a bigger and more important role. Relative capabilities appear to matter in the direction suggested by Hypothesis 2 for all militarized conflict, but not for fatal militarized conflict, which some would argue is a more appropriate test of realist precepts because of the ever-present threat of force.

Submission to Binding Settlement Attempts

Hypotheses 3 and 4 concern the submission of issues to binding third party arbitration or adjudication. Table 3 begins with a claim-level analysis, examining whether claims that include militarily strategic territory or that involve relatively unequal adversaries are indeed less likely to be submitted to binding third party arbitration or adjudication. These preliminary results are more favorable to the realist expectations than the results were with respect to militarized conflict. Claims to strategic territory were less than half as likely to be submitted to binding settlements than were claims to non-strategic territory, with barely ten percent of all strategic claims and nearly one-fourth of other claims sent to binding judgments at least once ($X^2 = 6.46$, 1 d.f., p < .02). Realists might be surprised that so many strategic claims were entrusted to the binding decision of third parties, though -- eleven strategic territories were submitted to binding settlement, which only accounts for one third of all such submissions, but is still eleven more than many realists would recommend. With respect to relative capabilities, submission to binding judgments was significantly more likely between relatively equal adversaries (those where the stronger state has less than three times the capabilities of the weaker state, a traditional threshold for measuring rough parity) than between uneven adversaries ($X^2 = 14.37$, 2 d.f., p < .001). Nearly one third of all claims between relatively equal adversaries were submitted to binding settlements, compared to 14.7% of claims where the target was at least three times stronger and only 5.5% of claims where the challenger was at least three times stronger.

[Tables 3 and 4 about here]

Table 4 expands on Table 3 by examining year-to-year variations in the behavior of states rather than aggregated claim-level patterns, and reveals further support for both realist

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hypotheses. Claims to territory with strategic military value are significantly less likely (p < .05) to be submitted to binding arbitration or adjudication in any given year, while there is no impact for non-strategic salience (p < .94). Roughly evenly matched adversaries are also significantly more likely to turn to binding settlements than are more uneven adversaries (p < .001), as suggested by Hypothesis 4. Joint democracy does not have any systematic effect, either (p < .31). These results are much more positive for the realist approach, as both issue type and relative capabilities produce the expected effects; both Hypotheses 3 and 4 are clearly supported.

Effectiveness of Peaceful Settlement Attempts

Finally, Hypotheses 5 and 6 address the conditions under which treaties or awards are most likely to be accepted and carried out by states. Hypothesis 5 suggested that awards would be more likely to be rejected when the underlying issue could affect the adversaries' relative capabilities, and Hypothesis 6 suggested that they would be more likely to be rejected when their terms favored a weaker state over a stronger state. Table 5 presents two sets of preliminary analyses, with one examining only binding awards and the other examining all settlements (treaties, agreements, or awards) that were reached with either binding or non-binding third party involvement.

[Table 5 about here]

With respect to binding awards only, the results are rather weak. This is not too surprising when there are only 37 binding awards over territory in the Americas and Western Europe, but issue type appears to make absolutely no difference; 80.0% of all awards over strategic territory are carried out by both claimants, as compared to 81.5% of awards over non-strategic territory ($X^2 = 0.01$, p < .92). This would definitely be surprising to political realists, who would not urge so many states to accept unfavorable decisions over such important issues. The results are somewhat stronger with respect to the content of awards, where awards that favor a weaker state are carried out by both about two-thirds of the time and those that are roughly even or favor a stronger state are carried out more than 80% of the time, but they still miss statistical significance ($X^2 = 1.93$, p < .39).

Stronger results are obtained when looking at all third party treaties and awards rather than just binding awards, when there are 85 cases to consider. Agreements over strategic

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territory are carried out by both 60.4% of the time, which is significantly less than the 82.5% of agreements over non-strategic territory ($X^2 = 5.11$, $p < .03$). Agreements that favor a weaker side are also carried out less often than those that favor a stronger side, with roughly even awards falling in the middle ($X^2 = 8.12$, $p < .02$).

[Table 6 about here]

Finally, Table 6 examines compliance with third party awards using a multivariate logit model. Neither strategic territory nor the index of non-strategic issue salience has a statistically significant impact on compliance, casting doubt on Hypothesis 5. Neither joint democracy nor a dummy variable that distinguishes between binding and non-binding third party techniques produce significant effects, either. The only significant effect reaches just borderline significance levels ($p < .08$), and involves the terms of the settlement. Awards or other settlements that favor a weaker state are less likely to be carried out by both sides, which is consistent with realist precepts (and with Hypothesis 6). In short, the results for the hypothesized realist factors with respect to compliance are mixed at best -- although admittedly, with only 85 cases, an effect would have to be relatively strong to stand out.

Conclusions and Implications

Does this paper constitute a test of political realism overall, or perhaps of one or more of the different variants of realism that have been developed? Is this paper expected to change the minds of realists -- or their critics -- about the relative explanatory power of political realism? Absolutely not. The goal of this paper has been to clarify exactly what the major realist thinkers have argued with respect to contentious issues and issue management, and to assess these specific realist arguments. With the realist perspective clarified, it will now be possible to clarify how much the issues perspective differs from realism, and to identify areas where the two perspectives can be tested head to head.

The four major realist thinkers examined in this paper -- Carr, Morgenthau, Waltz, and Mearsheimer -- have suggested a number of important ideas with respect to contentious issues. First, all agreed that there is a fundamental distinction between issues that directly affect the relative power of two states ("political" issues) and issues that do not. While issues that do not directly involve relative power concerns can still be pursued by states, power-related issues are

seen as most war-prone, least likely to be submitted to binding third party conflict management, or settled by accepting third party decisions.

This study's empirical analyses have suggested that political realism has made some important contributions to the study of contentious issues and issue management. Most notably, the realist factors of strategic issues and relative capabilities perform quite well with respect to predicting which issues are most or least likely to be submitted to binding third party settlement techniques. These same realist factors perform less consistently with respect to claim militarization or to compliance with third party awards, though. As a result, it appears that realism by itself is unlikely to offer a complete accounting for the differences between various issues and for the multitude of ways in which issues are managed, and that there is plenty of room for improvement in this area by the addition of other theoretical approaches.

While this paper has not been intended to offer a definitive test of realism, and it will not convince either realists or critics of realism to change their views, it does suggest a productive path for future research. For example, several years ago, a prominent debate occurred in the pages of *International Security*. Among many other topics in this wide-ranging debate, Mearsheimer (1994-1995) argued that international institutions have little or no independent impact on states' behavior, at least with respect to international security-related issues -- and to the extent that they seem to have such an impact it is only because they reflect (rather than influence) the distribution of power. Keohane and Martin (1995: 48-50) responded by citing a number of recent studies that "establish institutional effects through careful empirical research, guided by institutionalist theory," but Mearsheimer (1995: 87) dismissed these studies as being irrelevant to security issues: "Studies of oil pollution at sea and the European Court of Justice simply do not tell us much about war and peace." Territorial issues, though, are clearly more relevant to this question than these examples (particularly those with strategic value), and any evidence that institutions or legal means could help resolve such issues would be much stronger evidence favoring the institutionalist approach. This study's analysis of realist propositions can be seen as a baseline for the study of issues and issue management; if institutions or legal mechanisms are to have a significant role in settling highly salient issues, their impact must be felt above and beyond the power-related factors that realists propose. Future work following up on the present paper might finally be able to start addressing the relevance of international

institutions, international law, and similar mechanisms for the settlement of serious issues and the avoidance of war.

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Table 1: Descriptive Analysis of Militarized Conflict within Territorial Claims (Claim-level analysis)

<div align="center">At least 1 militarized dispute over claim?</div>

	All Militarized Disputes		Fatal Militarized Disputes	
Issue Salience:	No	Yes (%)	No	Yes (%)
Strategic territory	64	38 (37.2%)	82	20 (19.6%)
Other territory	55	34 (38.2)	78	11 (12.4)
	$X^2 = 0.02$ (1 d.f., $p < .90$)		$X^2 = 1.84$ (1 d.f., $p < .18$)	
Relative Capabilities:	No	Yes (%)	No	Yes (%)
Target stronger	53	22 (29.3%)	68	7 (9.3%)
Parity (3:1 or less)	27	33 (55.0)	44	16 (26.7)
Challenger stronger	38	17 (30.9)	47	8 (14.6)
	$X^2 = 10.94$ (2 d.f., $p < .005$)		$X^2 = 7.51$ (2 d.f., $p < .03$)	

Table 2: Accounting for Militarized Conflict over Territorial Issues (Dyad-year analysis, BTSCS logit model)

Variable	Model I: All Militarized Disputes Estimate (S.E.)	Model II: Fatal Militarized Disputes Estimate (S.E.)
Constant	- 4.54 (0.49)***	- 6.67 (0.99)***
Strategic Territory	0.39 (0.26)	0.75 (0.44)*
Non-Strategic Salience	0.23 (0.06)***	0.31 (0.11)***
Relative Capabilities of Claim Challenger	0.61 (0.34)**	0.67 (0.60)
Joint Democracy	- 0.11 (0.31)	- 0.47 (0.65)
Peace Years	- 0.29 (0.05)***	- 0.28 (0.11)***
Spline 1	- .002 (.001)***	- .001 (.001)
Spline 2	.001 (.000)**	.000 (.001)
Spline 3	- .000 (.000)	- .000 (.000)
	N = 6025	N = 6025
	LL = - 716.73	LL = - 221.93
	$X^2 = 113.21$	$X^2 = 50.33$
	(8 d.f., $p < .001$)	(8 d.f., $p < .001$)

* $p < .10$, ** $p < .05$, *** $p < .01$

Table 3: Descriptive Analysis of Submission to Binding Techniques (Claim-level analysis)

At least 1 binding settlement attempt
(arbitration/adjudication) over claim?

Issue Salience:	No	Yes (%)
Strategic territory	91	11 (10.8%)
Other territory	67	22 (24.7)

$X^2 = 6.46$ (1 d.f., p < .02)

Relative Capabilities:	No	Yes (%)
Target stronger	64	11 (14.7%)
Parity (3:1 or less)	41	19 (31.7)
Challenger stronger	52	3 (5.5)

$X^2 = 14.37$ (2 d.f., p < .001)

Table 4: Accounting for Submission of Territorial Claims to Binding Techniques (Dyad-year analysis, logistic regression model)

Variable	Estimate (Robust S.E.)
Constant	- 5.57 (0.48)***
Strategic Territory	- 0.65 (0.32)**
Non-Strategic Salience	- 0.01 (0.08)
Relative Parity (3:1)	1.70 (0.34)***
Joint Democracy	0.42 (0.41)
	N = 6025
	LL = - 230.64
	$X^2 = 35.06$
	(4 d.f., $p < .001$)

* $p < .10$, ** $p < .05$, *** $p < .01$

Table 5: Descriptive Analysis of Binding Award Acceptance (Award-level analysis)

<div align="center">Do both parties accept and implement the award?</div>

	Binding Awards Only (Arbitration and Adjudication)		All Third Party Settlements (Binding and Non-binding)	
Issue Salience:	No	Yes (%)	No	Yes (%)
Strategic territory	2	8 (80.0%)	19	29 (60.4%)
Other territory	5	22 (81.5)	7	33 (82.5)
	$X^2 = 0.01$ (1 d.f., $p < .92$)		$X^2 = 5.11$ (1 d.f., $p < .03$)	
Concessions in Award:	No	Yes (%)	No	Yes (%)
Award favors stronger side	2	16 (88.9%)	3	26 (89.7%)
Roughly even	1	5 (83.3)	6	13 (68.4)
Award favors weaker side	4	9 (69.2)	16	22 (57.9)
	$X^2 = 1.93$ (2 d.f., $p < .39$)		$X^2 = 8.12$ (2 d.f., $p < .02$)	

Table 6: Accounting for Acceptance of Third Party Settlements (Award-level analysis, logistic regression model)

Variable	Estimate (Robust S.E.)
Constant	1.33 (0.91)
Strategic Territory	- 0.94 (0.63)
Non-Strategic Salience	0.05 (0.12)
Binding Award (Arb./Adjud.)	0.44 (0.60)
Award Favors Weaker State	- 1.00 (0.56)*
Joint Democracy	0.88 (0.88)

$N = 85$
$LL = - 45.60$
$X^2 = 7.66$
$(5 \text{ d.f.}, p < .18)$

$* p < .10, ** p < .05, *** p < .01$