

**Settling Resistant Territorial Disputes:
The Territorial Boundary Peace in Latin America**

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July 2019

Abstract

Why do some territorial disputes defy settlement? Through what mechanism might these resistant territorial disputes be settled? We propose that the answer involves three individually necessary and jointly sufficient conditions. First, the dispute must receive attention--i.e., be (re)placed and (re)prioritized on the dyad's agenda. Second, governments need altered preferences that expand the bargaining range so they can break deadlock and pursue settlement. Finally, disputing states need third-party assistance to facilitate, locate, incentivize, and support a settlement of their protracted dispute. We test this (AAA) model in Latin America after 1945. To do this, we first theorize that attention, altered preferences, and third-party assistance operate through the mechanisms of militarization, democratization, and mediation in post-1945 Latin America respectively. We then identify resistant territorial disputes and advance a novel, multi-method research design to evaluate our hypotheses. An extensive series of within-case counterfactual analyses, along with a statistical analysis, produce consistent, significant support for our model.

Interstate relationships have become less violent and more peaceful over the last 40-50 years (Pinker 2011; Goertz et al 2016). One explanation for this trend derives, in part, from shifts in the issues over which states contend. Territorial issues constitute one of—perhaps *the*—most salient issue in interstate relations, producing a disproportionate amount of international conflict over the last four-hundred years (Vasquez 2009). As more states remove territorial issues from their foreign policy agendas, peace therefore stands to spread significantly.

We refer to the full removal of territorial issues as the ‘territorial boundary peace’.¹ This concept is inherently a dyadic one, resulting from dyadic territorial claims that affect the involved states’ dyadic relationship. Its achievement demands both the full delimitation of a dyad’s mutual borders (Owsiak et al 2018) and the removal of all territorial claims from that dyad (Frederick et al 2017). Territorial boundary peace is consequently a tall order, for a given dyad must resolve *all* its outstanding territorial issues to achieve such a peace—even those issues we will refer to as “resistant” cases (i.e., territorial issues that defy settlement for myriad reasons; see below and Appendix B, online).

In this study, we conceptualize and measure what constitutes resistant territorial disputes, before developing a model that explains their successful settlement. Our model consists of three individually necessary and jointly sufficient conditions. First, the territorial dispute must appear

¹ Our term differs from the “territorial peace” (see Gibler 2012), which refers to a causal relationship between the settlement of territorial disputes and interstate violence. Our conceptualization is not causal, but rather definitional. Moreover, it does not include maritime boundaries, unless the involved states dispute the sovereignty of an island—because states manage these disputes via distinct normative and behavioral logics (Hensel et al 2008).

and be prioritized on the dyad's agenda—or receive *attention*. Although seemingly trivial, data on territorial disputes reveals that long periods pass with no serious attention given to them. Settlement cannot proceed without such attention. Second, leaders within the disputing states need to *significantly alter their preferences* to permit settlement. Territorial disputes provoke hardline positions that destroy the bargaining range—or the set of settlement terms that all disputants prefer to continued non-settlement (Fearon 1995; Vasquez 2009). To break the bargaining impasse, at least one side will need to offer concessions, which demands a change in leaders' preferences. Finally, disputants require *third-party assistance* to facilitate negotiations, voice creative or unpopular settlement terms, or help with the indispensable requirements for a final settlement (e.g., demarcation). Resistant cases, by definition, evade settlement and, in the process, sour the involved states' relationships (Rider and Owsiak 2015). Third-parties facilitate settlement amid the disputants' heightened distrust and enmity. These three conditions—attention, altered preferences, and assistance—are individually necessary, in that resistant case settlement *never* occurs if a dyad lacks any single one of them; they are jointly sufficient because settlement *always* occurs if all three conditions coexist simultaneously.

We explore and test the merits of this general model in post-1945 Latin America. Such scope conditions are critical. On one hand, the permissible avenues for resolving resistant territorial disputes change considerably after 1945 (Zacher 2001). A theoretical model that applies to the post-1945 period will therefore likely not generalize to the pre-1945 period. On the other hand, our causal inference strategy demands individual case counterfactuals for each of the three individual conditions—and their joint sufficiency—within each resistant case we analyze. This requires considerable knowledge and qualitative analysis of any included cases, making it necessary to restrict the spatial scope of the study for practical reasons.

Moreover, when examining the model in Latin America, the three general conditions adopt consistent, particular forms. Attention (i.e., agenda setting) emerges through militarization of the resistant dispute by one or both sides; preference change arises through democratization and the outright replacement of previous—usually military—regimes; and third-party assistance manifests as mediation (e.g., good offices, fact-finding, conciliation). It is critical to differentiate these particular *expressions* of the general conditions—which may be unique to Latin America—from the general model itself, which we argue generalizes to other post-1945 resistant cases.² As an illustration, militarization produces attention in Latin America, but in other regions, there may exist other, suitable means for placing and prioritizing these issues on dyads’ agendas (e.g., demonstrations). The model, in other words, consists of two levels: the general and the particular (Goertz 2019); exploring how the model specifically expresses in other regions will require similar, extensive qualitative research to what we conduct here within Latin America—an undertaking that lies beyond the scope of a single study like ours.

Our study offers four main contributions to existing research. First, the model provides a theoretical path to resistant case settlement that receives strong, consistent empirical support. It thereby contributes significantly to research on territorial disputes. Second, unlike most (probabilistic) models, we advance a complete explanation for how states successfully settle resistant territorial disputes. Complete explanations, which rely on set-theoretic logic, rarely appear in conflict research. Third, we introduce the concepts of “territorial boundary peace” and “resistant” territorial disputes. For dyads to experience greater levels of peace (e.g., positive peace), they must first achieve a territorial boundary peace (see Goertz et al 2016). Settling resistant territorial disputes proves critical to that endeavor. We not only identify this subset of

² This is common in research (e.g., democratic peace, or power transition theories).

disputes, but also propose that it is qualitatively distinct—demanding that we treat the subset as a unique phenomenon. Finally, we adopt a non-standard, multimethod approach. Multimethod research typically involves a statistical analysis, along with some accompanying case studies (or vignettes). The statistical analyses do the heavy causal inference lifting (Goertz 2017), while the cases illustrate the mechanism’s workings. Our approach, in contrast, places more weight on the counterfactual case studies, which form the core of our causal inference strategy.³ It then augments these “within-case” counterfactuals with large(r)-n, “cross-case” analysis. Future research may deploy this novel approach in myriad contexts.

In the end, our model receives robust qualitative and quantitative support. The simultaneous confluence of attention, (significantly) altered preferences, and (third-party) assistance always leads resistant cases to settle in Latin America after 1945. In contrast, in the absence of any single one of these factors, resistant cases never settle. Such findings suggest a potential blueprint—that is, the general model—through which resistant territorial cases settle. Given that resistant territorial disputes underlie many contemporary conflict hotspots, such a blueprint merits greater attention.

Territorial conflict and its settlement

Extensive research exists about the role of territorial issues in interstate conflict (see Vasquez 2009), the origin of territorial claims (Huth 1996), the management and resolution of these claims (Huth 1996; Huth et al 2013; Mattes 2018; Wiegand 2011), and the effect that claim resolution exerts on both dyadic relationships (Gibler 2012) and systemic peace (Goertz et al

³ Online appendices accompany the paper and are central to it—not mere “supplements” or “robustness checks.”

2016). This robust research agenda identifies numerous factors that make some territorial claims more difficult to resolve than others. Huth, for example, shows that claims involving strategically advantageous territory or ethnic kin prove more difficult to resolve than those without such characteristics (Huth 1996). Mattes finds that greater claim salience, a more asymmetric power distribution between disputants, and claims embedded within interstate rivalries are more difficult to resolve than their counterparts (Mattes 2018). And others conclude that territorial disputes are more likely to resolve peacefully when one disputant’s legal claim to the disputed territory holds a significant advantage over the other disputant’s position under international law (Huth et al 2013).

The above findings illustrate three points consistent across this body of research. First, they suggest that “easy” and “difficult” claims require distinct settlement mechanisms. There is therefore value in theorizing specifically about the mechanisms by which the difficult, or “resistant,” cases settle. Second, the findings can help locate resistant cases, as they tell us what characteristics might distinguish the easy from the difficult ones. Finally, the findings highlight the need for our study. The above referenced research answers the question: under what general conditions are claims more or less likely to settle? The result is a list of characteristics that significantly facilitate or hinder claim settlement. We, however, pursue a more focused question: given a claim that is difficult to resolve (i.e., given the pool of cases that defy easy settlement), how does settlement proceed?

The AAA Model of Resistant Territorial Disputes Settlement

Generally speaking, for a policy problem—e.g., a resistant territorial dispute—to transition from being merely in existence to being productively addressed, three conditions must

be individually and simultaneously present: (i) an awareness of and desire to devote *attention* to the problem, (ii) *altered preferences*, which open space for mutually acceptable solutions (i.e., break deadlock by allowing win-sets to overlap—or a bargaining range to emerge; Fearon 1995), and (iii) *assistance* from key actors to help find the terms of such a solution. This tripartite framework, which we hereinafter designate the AAA Model, aligns well with Kingdon (1984), who labels these the problem, politics, and policy streams respectively (see also Cobb et al 1976). In this section, we explicate the causal mechanism logic underlying the model, how it specifically applies in Latin American disputes, and how it generalizes to other disputes.

Scope Conditions

Any theory must specify the scope (or domain) within which it operates (Goertz 2019). Our model functions under three scope conditions. First, it begins with an existing territorial dispute that resists settlement efforts (i.e., a “resistant” dispute, operationalized later). Second, it focuses entirely on the post-World War II world. Research demonstrates that the accepted methods for managing interstate territorial disputes changed markedly between the World Wars and (roughly) consolidated by 1945 (Zacher 2001; Hathaway and Shapiro 2017). Settlement mechanisms that dominate pre-1945 (e.g., violence) therefore differ from those post-1945 (e.g., non-violence), which means each period demands a unique theoretical model. Of these, we select the post-1945 period to gain insight into contemporary disputes. Finally, our general model’s expression will vary, so the particular, disaggregated model we develop applies specifically to

Latin America.⁴ Our model, in other words, contains two levels (Goertz 2019). The general model uses core, broad, easily-remembered theoretical concepts (e.g., attention, altered preferences, and assistance), while the particular model disaggregates concepts from the general model as they would appear in Latin America (e.g., militarization as a theoretical pathway through which the dispute receives attention). We select the Latin American context because the territorial norm first develops here, disputes here have a longer de-colonized history to analyze (Owsiak et al 2018), it makes best use of our qualitative expertise, and—more generically—it ensures our qualitative research design is practical (i.e., that we can conduct the qualitative counterfactuals needed for causal inference). This, however, may raise generalizability concerns, which we address after presenting the model itself.

The Model

According to the general model, three factors are individually necessary and jointly sufficient for settlement: attention, altered preferences, and assistance (see Figure 1). First, the dispute needs policy-makers' *attention*. Although seemingly trivial, territorial disputes compete with other political issues for policymakers' consideration. Thus, rather than always remain a top priority on the (dyadic) political agenda, leaders instead prioritize a resistant dispute's management when it requires immediate attention—e.g., periods of heightened hostility and tension with neighboring states—and focus on other, more pressing issues when it does not. For

⁴ A common illustration: “democracy” causes peace generally, but there are numerous, disaggregated theoretical mechanisms through which it does so (e.g., elections, institutions, norms, or opposition parties).

a resistant dispute's settlement to proceed, that dispute will need to be (re)placed, (re)activated, and (re)prioritized on the dyad's agenda amidst other issues (i.e., leaders must give it attention).

Numerous factors might (re)place and (re)prioritize a resistant claim on a dyad's mutual agenda. In Latin America, for example, *militarization* of the territorial dispute serves such a function.⁵ Militarization raises the territorial dispute to the status of an immediate, pressing security threat. Domestic audiences then demand that leaders give the threat attention, at the expense of other, less important issues if necessary. Moreover, militarization frames the dispute as a potential challenge to the territorial integrity norm, a widely accepted (post-1945) norm that asserts the inappropriateness of settling territorial disputes via violence (see also Rochefort and Cobb 1994). To avoid norm violation and the consequences that accompany it, the disputants—and perhaps the international community—will prioritize addressing the dispute.

Significantly *altered preferences*, which expand the bargaining range, is the second necessary condition. When states dispute territory, their leaders advance conflicting sovereign claims to it. Settling the dispute requires reconciling these conflicting claims, and to do so, at least one leader must make a concession. Leaders have strong incentives not to offer concessions, however. On one hand, the policy apparatus often works against concessions. A

⁵ Leaders need not expect that attention will settle their dispute or intend militarization to produce (dyadic or international) attention. Attention can unintentionally emerge, as it often does through militarization, or leaders might deliberately seek attention for their dispute (e.g., militarize a claim specifically to generate attention; see Mares 1996). Either pathway is consistent with our argument. For the model, what matters is that *militarization gives the dispute attention*, not why militarization first occurs. Similar arguments apply to our other factors.

territorial dispute that evades settlement causes interstate relations to sour and increase in hostility (Rider and Owsiak 2015). Each disputant increasingly views the other as a threat, enemy, and competitor—in both the immediate and for the foreseeable future. Given such an outlook, each state orients its foreign policy around confronting the other and, relatedly, protecting itself from the other's aggression. Deviating from this institutionalized policy will therefore be difficult, as it runs counter to the government's worldview, strategy, and policy planning. Concessions will seem imprudent and illogical in such an environment, absent a structural break in the interstate relationship.

On the other hand, leaders spend significant time convincing one another that territorial concessions are impossible (i.e., misrepresent their position; Fearon 1995). This serves a strategic bargaining purpose. A negotiator who can only offer limited concessions will force potential settlement terms closer to her ideal, preferred position. Mindful of this, leaders often politicize territorial issues so that domestic audiences constrain the concessions they can make. In so doing, the leader promises to protect the territorial interests of the state. Any subsequent deviation from such a hardline stance, though, will place the leader at risk. Domestic audiences will accuse them of incompetence, brand them as traitors, deride them for threatening the state, or at the extreme, punish them for their behavior (Wiegand 2006; see also Wiegand 2011).

The above constraints operate persistently, but not always with the same intensity. Although all leaders are beholden to a domestic coalition that keeps them in power, any leader's exact coalition can change (Mattes et al 2016). When it does, the constraints under which the leader operates change as well (e.g., relaxing as a new leader takes office; Ghosn 2010). We consequently propose that coalition changes offer opportunities for expanding the bargaining

range (i.e., set of mutual settlement terms that all disputants prefer to continued non-settlement).⁶ By relaxing constraints, coalition changes alter preferences for the affected leader(s)—i.e., enlarge the win-set, or set of settlement terms that a leader prefers to continued non-settlement—in a way that then opens or expands the bargaining range. As the bargaining range grows, the probability of settlement increases.⁷

Admittedly, not all coalition changes produce similar effects. In Latin America, for example, most territorial disputes occur within non-democratic dyads, particularly militarized ones. We must therefore theorize specifically about how coalition changes within non-democratic, militarized states might increase a leader's win-set and, consequently, open a bargaining range. Non-democratic states experience a coalition change when non-democratic institutions shift—that is, when a state transforms from one type of non-democratic regime to another or transitions to a more democratic regime (Mattes et al 2016). Either possibility can alter preferences, but the latter—what we refer to as *democratization*—offers the promise of more significant preference change. First, *ceteris paribus*, the size and social composition of coalitions shifts more drastically when moving from a non-democratic to a democratic regime. This, in turn, creates a larger structural break with past policies and constraints, opening space for new policies. Second, to protect nascent democratic institutions, leaders will prefer to bolster them. In Latin America, the military constitutes a threat to democracy, particularly as (a) it is usually the former governing elite, and (b) it can credibly use external security threats (like

⁶ We say “opportunity” because coalition changes can install leaders with narrower win-sets. If true, our hypothesis will receive weak(er) empirical support.

⁷ Coalition change within a single state will affect the bargaining range.

territorial disputes) as an excuse to (re)intervene in democratic politics. Democratic leaders will need to resolve resistant territorial disputes to sideline the military. We therefore focus on democratic regime change (or democratization) as the mechanism that alters preferences significantly in Latin America.⁸

The third necessary condition involves third-party *assistance* to overcome bargaining obstacles (Palmer 1997; Simmons 1999; Herz and Nogueira 2002). A change in coalitions may expand the bargaining range, but challenges remain. Leaders need to rewrite and coordinate their policies; find and agree upon a specific solution within the bargaining range (i.e., settlement terms); and manage domestic audiences, who will still find territorial issues highly salient. To overcome these challenges—and to make (historically) unpopular concessions—leaders frequently need third-party assistance.

Third parties play three particular roles that encourage the settlement of territorial disputes. First, they introduce rewards and punishments that incentivize settlement, making it appear more palatable than it otherwise would. Second, they identify solutions that the disputants cannot themselves find or voice. The former might result from being entrenched in a given position for too long, at which point disputants cannot see beyond the options they already considered. The latter, in contrast, might occur because key domestic actors preclude the disputants from entertaining certain settlement terms. Lacking these constraints, the third party

⁸ Some might question whether democratization contributes to territorial dispute settlement, since recent research shows that neighboring states almost always delimit their borders before both becoming consolidated democracies (see Gibler and Owsiak 2018). This, however, confuses (i) democratization with consolidating democracy and (ii) dyadic with monadic democratization. In our mechanism, democratization need not produce a consolidated democracy, and *only one* state must democratize—not both. Our model therefore coexists well with existing work.

can introduce the forbidden settlement terms and, if necessary, even accept responsibility for their adoption (i.e., provide domestic political cover). Finally, third parties underwrite agreements to ensure their durability when disputants might develop incentives to renege. This not only increases the stability of settlements, but also reassures the disputants that they will not be re-negotiating the agreement from a weaker position in the post-agreement, implementation phase (Walter 2002). In the Latin American context, third actors play these roles through *mediation*, which includes fact-finding, good offices, conciliation, and facilitation.⁹

We depict the AAA model visually in Figure 1. At the general level (Level I) sit the broad concepts at the heart of our theory: attention, altered preferences, and assistance. At the particular level (Level II) sit the related, disaggregated concepts that operate within Latin America: militarization, democratization, and mediation (respectively). Levels I and II therefore share intimate links, the difference being only their concepts' level of (dis)aggregation.

⁹ Mediation attempts require all disputants' consent. Unwelcome, unilateral third-party intervention is therefore excluded.

Figure 1. The AAA Model of Resistant Territorial Disputes Settlement.

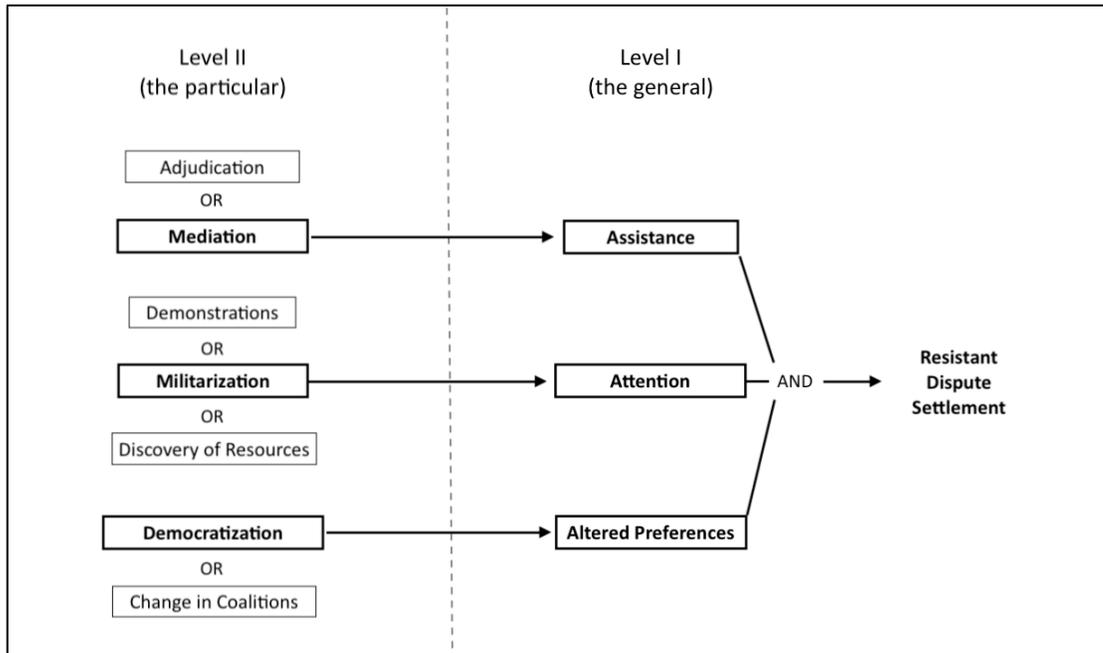


Figure 1 highlights four noteworthy features of our model. First, *attention (militarization)*, *altered preferences (democratization)*, and *assistance (mediation)* are individually necessary—but individually insufficient—for settlement. In other words, settlement never follows if disputants lack one (or more) of the three. Disputants need solutions (e.g., assistance), for example, but even if these are available, it matters little if they cannot be adopted (i.e., no altered preferences). Similarly, giving a dispute attention proves unhelpful absent an available solution (i.e., no assistance). Second, and relatedly, *attention (militarization)*, *altered preferences (democratization)*, and *assistance (mediation)* are jointly sufficient for settlement. Settlement occurs when the three factors simultaneously co-exist. Third, the temporal ordering of the three factors does not matter in the model; they can emerge in any order but must converge

for resistant territorial disputes to settle. Finally, regardless of what level we consider (i.e., Level I or II), the model operates identically. These features lead to the following formal hypotheses:¹⁰

Hypothesis 1: Attention (militarization) is individually necessary, but individually insufficient, for resistant territorial dispute settlement.

Hypothesis 2: Significantly altered preferences (democratization) are individually necessary, but individually insufficient, for resistant territorial dispute settlement.

Hypothesis 3: Third-party assistance (mediation) is individually necessary, but individually insufficient, for resistant territorial dispute settlement.

Hypothesis 4: Attention (militarization), significantly altered preferences (democratization), and third-party assistance (mediation) are jointly sufficient for resistant territorial dispute settlement.

Generalization

The three scope conditions we outline earlier affect the model's generalization (Goertz 2019). The first—a resistant dispute—indicates that the model does not apply to less resistant (or

¹⁰ Our model therefore contains a triple interaction term. Yet any statistical analogy cannot be taken too far. Hypotheses 1-3 propose that each variable has an individual, but unobservable, effect on the outcome, while Hypothesis 4 asserts that the variables have a joint, observable effect. Unlike with common interaction terms, there exists no “amplification” or “decay” effect. Stated differently, the light turns on (i.e., settlement occurs) when all three switches are in the on position, but is off under all other switch combinations.

“easier”) disputes. We find this unproblematic, since the settlement mechanism theoretically differs across these two dispute types. Negotiating positions harden significantly less often in easier cases, given the lower salience of the substantive matters involved. The need for altered preferences and third-party assistance therefore diminishes greatly, suggesting that a unique theoretical model must be built for easier disputes. This admittedly means we cannot explain settlement in all territorial disputes; yet our model captures those disputes that consume the most resources (e.g., in duration, salience, escalation risk, and conflict management).

The second scope condition—a post-1945 settlement process—indicates that the model does not apply to pre-1945 settlements. This, too, seems unproblematic. Scholars generally agree that the world changed fundamentally after World War II, particularly with regard to the use of force and the management of territorial disputes (Zacher 2001; Fazal 2007; Goertz et al 2016; Hathaway and Shapiro 2017). They therefore frequently restrict arguments or analyses to the post-1945 period. Moreover, the post-1945 period leaves ample room for our argument to operate—and within an environment characterized by notable spatial and temporal variation.

Finally, the particular (Level II) model rests on a third scope condition: a Latin American dispute. This raises the question of the model’s generalizability to other regions. As Figure 1 demonstrates, our model contains both a general (Level I) and a particular (Level II) level. The general model applies broadly across regions. All resistant disputes require attention, altered preferences, and assistance. These three factors, though, might manifest (or disaggregate conceptually) in different ways. For example, attention arises through militarization in Latin America, but could emerge in other regions through alternative mechanisms (e.g., demonstrations). Similarly, mediation pushes settlement forward in Latin America, but adjudication—a stronger form of third-party assistance—might prove relevant in Africa. And

democratization alters preferences in Latin America, but changes in non-democratic, governing support coalitions might achieve a similar end in the Middle East.

Figure 1 reflects this diversity. It underscores that the general model might disaggregate in myriad ways (note: Latin American mechanisms at Level II are bolded). The general model generalizes widely, but the particular model may not. Regional expertise—like ours in Latin America—will be required to verify the generalizability of specific Latin American, Level II mechanisms or to uncover the alternatives. We necessarily save this for future research.

Research Design

Our study follows a multi-method approach, but not a standard one. This section therefore outlines our approach in detail, explaining how it differs from commonly used designs. It then conceptualizes resistant cases (with particular attention on Latin America) and explains how we measure the variables used in both our quantitative and qualitative analyses.

Multimethod Research Designs and Causal Inference

Purely quantitative analyses often stress a bivariate relationship, so they begin with a two-way tables that presents this relationship. They then move to multivariate analysis, usually with complex statistical procedures, which introduces control variables to strengthen inferences about the initial, bivariate relationship. Our study's central hypothesis, though, concerns the effect of three individually necessary conditions that are jointly sufficient for an outcome—not merely the effect of one independent variable on an outcome. Given this and the small number of cases available to analyze, we devise a different, multi-method path forward, one that makes novel use of the logic of necessary and sufficient conditions.

Mixed- or multi-method research designs are not themselves novel, but our approach is. In many multimethod designs, quantitative analysis provides the primary causal inference strategy, while case studies (or vignettes) illustrate the proposed mechanism's operation. In contrast, we use quantitative analysis to illustrate "cross-case" empirical support, but rely on an extensive set of "within-case," counterfactual, causal analyses to do supply the dominant causal inferences—leading the text that follows to concentrate here too. Space constraints preclude the manuscript from containing all of these counterfactuals (n=15; 5 settlement cases, with 3 variables), so the main text (below) focuses briefly on four—one for each necessary condition (n=3) and one for their joint sufficiency (n=1)—with the remainder (and expanded versions of the included four cases) relegated to Appendix C (online).¹¹

The cases presented in text constitute the most "difficult" tests available for each condition (i.e., hypothesis). Given three necessary conditions—a, b, and c—the toughest test for each will be a case in which two of the three conditions exist frequently (e.g., a and b), but the third appears rarely (e.g., c). If that third condition is truly necessary, then the outcome will not occur until that rare, third condition appears, even though the other two conditions regularly exist (i.e., are in abundance). Such an approach strengthens our counterfactual claims that each independent variable proves individually necessary—and jointly sufficient—for the outcome.

¹¹ Our study aligns with the common "potential outcomes approach." Scholars often replace individual case counterfactuals with statistical estimates (e.g., the synthetic control method). We follow the same general approach, but rely on a separate counterfactual for every variable within each resistant, settled case.

These counterfactuals, combined with those in Appendix C (online; n=16 additional ones), roughly replace the multivariate analysis that appears in standard quantitative articles.¹²

Given our reliance on case counterfactuals, we seriously consider the possibility that they are not theoretically or empirically plausible. Such a criticism cannot be taken lightly; yet it cannot be advanced lightly either. In our set-up, “not plausible” means that a particular variable is not a cause of the specific outcome in a given case. Two possibilities can yield this result. First, although our model asserts a factor to be necessary, it might not actually be necessary in a particular case. This is an argument against our individual case counterfactual analyses; it requires examining the details of our included cases and contesting the case-counterfactual analysis we provide. Second, although our model asserts the three factors to be jointly sufficient for settlement, they might actually not be in a particular case. This argument invokes a potential, omitted variable, which raises different methodological issues.

Our model advances a *complete* explanation of resistant territorial dispute settlement—that is, it always works when our three conditions present simultaneously and fails otherwise. In this sense, it is akin to a directed acyclic graph (DAG) (Knight and Winship 2013). These causal graphs imply a complete—typically, general—explanatory model of a phenomenon; any factor the graph excludes is not necessary or useful for explaining the outcome. Our model employs a similar logic, with the difference that we connect the general model (or DAG) to a more particular, disaggregated one that explains how the conditions manifest in our empirical cases (a second, related DAG; see Figure 1). Thus, any argument about our model’s (in)completeness must propose that our DAG has omitted a key variable.

¹² For this reason, the counterfactuals must be convincing to area experts.

Complete causal models are extremely rare. Scholars typically argue that an identified factor is *an* important cause of the outcome—one that increases the probability of the outcome by a certain margin—but almost never claim to provide a complete explanation of it. This divergence carries implications for omitted variable bias in our study.¹³ If there is some important, omitted variable, then it must be an omitted variable *within our individual cases*. In other words, although quantitative studies (or critics) may suggest variables that *possibly* matter for our cases' settlement, plausible assertions of omitted variable bias require reviewing our cases for evidence to that effect—particularly the cases that settle (i.e., with positive outcomes) and, ideally, potential, omitted variables that do not operate through the conditions our model already captures. Consider, for example, United States (US) hegemony in Latin America. We do not deny that the US has a major influence over what occurs in the region; yet we do contest—and find no evidence—that the US played a significant role in the settlement of our cases (see Appendix D, online).

Unlike most studies, then, that are broad and shallow (i.e., look at one factor across a wider scope of cases; e.g., a standard quantitative study), our study is narrow and deep, meant to examine a small number of cases in great depth (i.e., post-1945 Latin America). We do this purposively for two reasons. First, a complete explanation must accurately apply *to all included cases*. Statistical analyses of one factor that consider only marginal, probabilistic effects allow room for anomalies, but our study does not. We therefore must specify the domain—particularly of the particular, disaggregated model—carefully. Moreover, because a complete explanation demands significant qualitative research on each included case, it must identify a manageable set

¹³ Our counterfactuals address omitted variable bias by investigating exactly how and why resistant cases settle (Appendix C, online).

of cases to analyze within a single study. Second, we suspect a different causal model (e.g., pre-1945) or disaggregated mechanism (e.g., beyond Latin America) might apply outside our scope conditions. This limits the model's generalizability somewhat, although the model does generalize (see earlier discussion). Indeed, we propose that the general (Level I) model generalizes broadly, while the particular, disaggregated (Level II) model does not; the latter expresses the specific form the general model takes in Latin America.

Identifying Resistant Cases: An Application to Latin America

A “resistant territorial dispute” is one that repeatedly defies settlement. Existing research offers hints into what characteristics these disputes might possess, (see earlier discussion), but how might they be systematically conceptualized and identified? One potential answer concerns the salience (or value) of the territory under dispute (Frederick et al 2017). Although a useful starting point, it quickly proves insufficient; *a priori*, we find no theoretical argument that consistently links salience with settlement. Neighboring states might focus on the more salient territorial issues first, setting aside less salient ones until they find a workable solution to the former. This could result, for example, if negotiators view settlement as a package deal in which nothing is settled until everything is settled. Alternatively, states may settle the less salient territorial disputes first, postponing the highly salient cases that elude quick agreement. From this perspective, states warm-up to one another and the conflict management process; any settlement on less salient territorial issues builds momentum toward settling the more salient ones. Finally, there may be no relation between salience and settlement, with states merely seeking agreement on unrelated, non-territorial issues to build a *modus vivendi*. Scholars advance

arguments and provide evidence consistent with all three possibilities (Hensel et al 2008; Mattes 2018; Blum 2007), making it unclear how salience alone would define the resistant disputes.

Alternatively, one might assert that resistant disputes arise when the involved states possess equally strong legal claims to the disputed territory (Abramson and Carter 2016), resulting in no legal advantage that favors a single contender (Huth et al 2013). This, once again, offers an insufficient description of resistant disputes alone, especially in the Americas. For example, the two longest, unsettled contiguous borders on the continent (Venezuela-Guyana and Guatemala-Belize) remain so, even though one party holds a clear legal advantage. Conversely, many situations of legal claim parity seem unproblematic; they often concern islands of questionable value or never produce the militarization associated with other resistant disputes (e.g., the San Andres and Providencia claim between Colombia and Nicaragua, or the El Chamizal dispute between the US and Mexico). At least in the Americas, then, legal advantage and resistant disputes do not perfectly coincide.

Another means to identify resistant cases looks at the duration and management of territorial disputes. The persistence of a dispute suggests it is resistant to settlement. Nevertheless, persistence alone fails to indicate how actively the involved states try to settle the matter. Neighboring states work repeatedly toward the settlement of their territorial disputes (Ireland 1938). Resistant disputes will therefore likely be ones not only that persist, but also that see repeated settlement attempts fail. As conflict management in territorial disputes consists largely of bilateral negotiations, resistant cases—compared to non-resistant ones—should experience significantly more negotiation rounds, as well as a greater recourse to militarized force, as negotiations stall and fail (Hensel et al 2008).

Given that no single characteristic captures resistant territorial disputes, we employ a multi-dimensional conceptualization, and therefore, operationalization. We begin with the Issue Correlates of War (ICOW) territorial claims data (n=41 after 1945; Frederick et al 2017). A territorial claim exists when two or more governments issue official statements that contest sovereignty over the same, specifically identified territory. Using such claims as a foundation, we next restrict our attention to the post-1945 period and examine five distinct criteria: claim salience, legal (position) strength, claim duration, negotiation attempts¹⁴, and the use of violence (see Appendix B, online for pre-1945).¹⁵ First, claims vary in salience because disputants value territory differently, depending on its characteristics. ICOW measures salience along a 12-point index, deriving six points from each dyad member's valuation of the disputed territory's (economic, security, and cultural) features (Frederick et al 2017). We classify claims that score >7, or are valuable to both disputants along at least two distinct dimensions, as highly salient. Because states bargain harder over more valuable stakes, these are the more resistant disputes.

Second, legal strength evaluates whether each disputant possesses a strong, mixed, or weak legal position in a given territorial dispute (Huth et al 2013). Disputes in which the

¹⁴ This offers another rationale for using Latin American disputes. ICOW settlement data does not exist globally yet (Hensel et al 2008).

¹⁵ We also identify ten resistant territorial disputes in Latin American during 1816-1944. Each of these settles via violence/conquest—either directly or indirectly (i.e., violence produced a new territorial status quo, which unlocked negotiations)—which supports our contention that different settlement mechanisms operate pre- and post-1945 (see scope conditions). Appendix B (online) lists these cases.

involved states hold legal positions of similar strength—i.e., no legal advantage exists for either side—prove more complicated to settle under international law, making them more resistant to settlement. A legal advantage exists when one state holds a strong legal position on the territorial claim, while the other holds a weak legal position. All other situations produce (relative) legal strength parity (i.e., a more similar position of legal strength).

Third, resistant territorial disputes persist (for myriad reasons). The precise duration that separates resistant from non-resistant disputes is admittedly fluid, making any threshold appear arbitrary. We consequently adopt a standard procedure, which recommends establishing a threshold along the data distribution that divides it into two clusters of roughly equivalent size (Cronqvist and Berg-Schlusser 2009). Through this process, 75 years becomes the threshold. Any dispute that lasts more than 75 years qualifies as resistant.¹⁶

Fourth, (negotiated) settlement attempts capture the territorial disputes that states want, but fail, to resolve—another indicator of dispute resistance to settlement. Using ICOW claim settlement data, we consider >9 bilateral negotiation attempts over a claim’s lifetime as resistant disputes (Hensel et al 2008). Finally, the introduction of violence should complicate the settlement process, making it more intractable than it otherwise might be (see Vasquez 2009). If a dyad threatens, displays, or uses violence to manage its claim at any point in the claim’s lifetime, we consider the claim to be a resistant territorial dispute (Palmer et al 2016).

Twenty-eight post-1945 Latin American territorial disputes possess at least one of these five indicators (see Appendix B, online). Overlap across multiple indicators, however, identifies the ten very highly (5 indicators), highly (4 indicators), and moderately (3 indicators) resistant disputes in Latin America after 1945. We list these disputes in Table 1. For each dispute, we

¹⁶ Any duration threshold between 52-92 years produces the same case list.

include the challenger state (i.e., the state contesting, but not holding, the territory), the target state (i.e., the state holding the disputed territory), and the specific territory being disputed. The columns numbered 1-5 display the specific criteria that each dispute satisfies (see table notes for labels). Finally, the remaining three columns indicate each dispute's resistance level, exact duration dates, and settled status.

Table 1. Resistant Cases in Latin America, 1816-2001.

<i>Challenger</i>	<i>Target</i>	<i>Disputed Territory</i>	<i>Indicator</i>					<i>Resistance</i>	<i>Duration</i>	<i>Status</i>
			1	2	3	4	5			
Argentina	United Kingdom (UK)	Malvinas/Falklands						Very High	1841-	Ongoing
Bolivia	Chile	Antofagasta						High	1884-1904 1962-	Ongoing
Ecuador	Peru	Oriente-Mainas						High	1854-1945	Settled
Guatemala	UK/Belize	Belize*						High	1868-	Ongoing
Argentina	Chile	Beagle Channel						High	1904-1985	Settled
Argentina	Uruguay	Rio de la Plata						Moderate	1882-1973	Settled
Ecuador	Peru	Cordillera del Cóndor						Moderate	1947-1998	Settled
El Salvador	Honduras	Bolsones-Fonseca						Moderate	1899-1992	Settled
Suriname	UK/Guyana	Corentyn*						Moderate	1816-	Ongoing
Venezuela	UK/Guyana	Essequibo*						Moderate	1841-1899 1966-	Ongoing

Notes: a) Indicators: 1= salience, 2=legal strength lacking, 3=duration, 4=negotiation attempts,

5=militarization at any point during claim (see Appendix B, online, for coding details). b) We combine

ICOW's two claims over Antofagasta. The first never settles, both claims involve the same actors, and

there is no interval without a claim between the two distinct ICOW claims. c) *We consider disputes that

involve a colonial power and are either transferred to a successor state or de-settled after its independence

to be a single case (see Appendix B, online).

The ten disputes in Table 1—five that settle and five that do not—comprise the data for our analysis. We begin with a quantitative analysis, which explores whether the model might plausibly operate empirically. To generate the observations, we divide each settlement case (n=5) into distinct five-year periods (e.g., 1945-1949, 1950-1954, and so on), based on the theoretical premise that settlement requires an “incubation period”—or more than a single dyad-year—to unfold (e.g., see Bara 2014). This process yields 111 observations, within which we then track the absence/presence of our three main variables (see next section). After laying this foundation, we next conduct detailed, qualitative case counterfactuals for every variable (n=3) in each case that settles (n=5), yielding a group of fifteen counterfactuals. Due to space constraints, some of these appear briefly in text below, while the remainder—and more details on the included cases—appear in Appendix C (online).¹⁷

Key Variables

Evaluating our model requires four variables. The dependent variable is *territorial boundary settlement*, which a dyad achieves when it both (a) delimits the entirety of its mutual border (Owsiak et al 2018) and (b) removes all territorial claims from contention (Frederick et al 2017). The remaining three variables are the independent variables in our disaggregated, particular model (i.e., Level II, as applied to Latin America). First, *militarization* exists empirically when one state threatens, displays, or uses force against the other (Palmer et al 2016). The severity of this force does not matter for the model (e.g., casualties); so long as one

¹⁷ The appendices are therefore not mere “supplements” or “robustness checks.”

state uses force, it incentivizes the dyad to devote attention to the dispute.¹⁸ Second, *democratization* unfolds when a non-democratic regime turns into a semi-democratic or democratic regime. We rely on data from Mainwaring and Pérez-Liñán (2013) for this variable, and since they do not code Belize, Guyana, and Suriname, we follow their rules to do so. We also consider independence as an episode of democratic regime change. Finally, *mediation* occurs when a third party facilitates a settlement between disputants, but ultimately allows them to accept or reject that settlement. In practice, mediation takes numerous forms, including fact-finding (i.e., the third party investigates the issues under dispute), good offices (i.e., the third party facilitates negotiations), traditional mediation (i.e., the third party enters the negotiations), and conciliation (i.e., the third party proposes non-binding settlement options). In territorial disputes, third parties often use these tools on a commission—alongside representatives of the disputing states, usually to help demarcate the border in the field and resolve discrepancies between the border political leaders delimited on a map and how that border finds expression in the field. Because such commissions do not appear in existing datasets, we review historical narratives for each analyzed case to determine whether and when third-party mediation took place—using the definition provided here.

Results

Our multi-method approach yields two broad categories of evidence: cross-case (i.e., quantitative) and within-case (i.e., qualitative counterfactuals). We consider each in turn before summarizing the evidence they cumulatively provide in support of our hypotheses.

¹⁸ The qualitative cases confirm this position.

Cross Case: Prima Facie Evidence of a Causal Mechanism

Cross-case (i.e., quantitative) analysis offers an indication of—or *prima facie* evidence about—the plausibility of our argument. It tells us when our model’s three conditions appear over time in each of the settled and non-settled cases. If we uncover no evidence that the factors generally align when settlement occurs—and relatedly, that they do *not* align when settlement does not occur—then the model cannot possibly explain settlement in the cases as we propose.

We first divide each settlement case (n=10) into discrete observations that cover a five-year period between 1945-2015 (e.g., 1945-1949, 1950-1954, etc.). Then, because Hypotheses 1-4 can be expressed as distinct bivariate relationships (i.e., the presence or absence of the condition and settlement), we analyze the resulting 111 observations in a series of two-by-two tables. The results appear in Table 2.

Table 2. Condition Contingency Tables.

	No Militarization	Militarization		No Democratization	Democratization
Settlement	0	5	Settlement	0	5
No Settlement	78	28	No Settlement	67	39

Fischer exact test (p-value) = 0.002

Fischer exact test (p-value) = 0.008

	No Mediation	Mediation		No Interaction	Interaction
Settlement	0	5	Settlement	0	5
No Settlement	91	15	No Settlement	106	0

Fischer exact test (p-value) = 0.000

Fischer exact test (p-value) = 0.000

Notes: Within the text, columns are discussed as X and rows as Y.

If Hypotheses 1-3 are potentially accurate, then settlement will not occur in the absence of any given factor (i.e., the factor is individually necessary for settlement)—but *may* occur if it is present (i.e., the factor is individually insufficient for settlement). The first three panels of Table 2 consider this possibility and show evidence that supports it. When there is no militarization, zero settlements occur (panel a). When there is no democratization, zero settlements occur (panel b). And when there is no mediation, zero settlements occur (panel c). The presence of any single factor alone does not *guarantee* a settlement (see the second data column in each panel, a-c); many observations contain a given factor, even when settlement fails. Nonetheless, settlement never occurs in each factor’s absence. This supports Hypotheses 1-3.

The model, however, offers one more prediction: that the three factors together are jointly sufficient for settlement (Hypothesis 4). Table 2 supports this prediction as well. When the interaction exists—that is, all three factors appear together in the same observation—settlement always occurs (top row, panel d). In contrast, when one or more of the factors is absent—that is, the three factors do not appear together in the same observation—settlement always fails (lower row, panel d). This supports Hypothesis 4.

Cumulatively, such findings offer *prima facie* evidence in favor of our hypotheses (Braumoeller and Goertz 2000). Our model, in other words, seems plausible. To draw causal inferences about *why* these strong cross-case results exist, however, we must turn next to the within-case counterfactuals.

Within case: the causal mechanism at work

Our model proposes three factors that are individually necessary and jointly sufficient for resistant territorial dispute settlement. The first three short counterfactuals presented below—selected according to the novel criteria we discuss earlier—explore the necessary conditions (Hypothesis 1-3), while the fourth considers joint sufficiency (Hypothesis 4). The accumulation of these counterfactuals—along with longer discussions of each, additional counterfactuals, and the source material presented in Appendix C (online)—constitutes the strong empirical evidence supporting our model.

Attention through Militarization (Hypothesis 1): Río de la Plata

In all five resistant cases that settled after 1945, militarization proved critical to settlement—namely, by generating attention and encouraging settlement as a way to avoid

further violence (see Appendix C, online, for all counterfactuals and source material). The Argentina-Uruguay boundary dispute over the Río de la Plata provides a noteworthy illustration. In this case, militarization disappeared from the dyad in 1907, and the two countries subsequently developed one of the most amicable and interdependent relationships in the Southern Cone. This might have increased the resistant territorial dispute's odds of settlement; yet settlement did not proceed until a fairly minor episode of militarization (re)placed and (re)prioritized the dispute on the dyad's agenda. In other words, even with the other conditions present, the involved states required a small amount of militarization before they devoted serious attention to the dispute. Militarization (i.e., attention) therefore was a necessary condition for settlement.

Argentina and Uruguay disputed the Río de la Plata boundary after Uruguayan independence in 1828. Argentina claimed the river's deepest channel (i.e., thalweg) as the boundary, while Uruguay proposed a middle-line solution. In the *Ramirez-Saenz-Peña Protocol* of 1910, the two states established a *modus vivendi*, freezing the status quo in lieu of a permanent settlement. They reaffirmed this position as late as 1961 (in the *Joint Declaration on the Outer Limits of the Río de la Plata*; Castillo LaBorde 1996), and neither state challenged it. Bilateral cooperation over energy and telecommunications subsequently strengthened, particularly during democratic spans in Argentina. Despite the altered preferences that arise through democratization, however, the dispute persisted.

The main obstacle lay not with "the political will and the determination to come to an agreement," which prevailed throughout 1960s (Castillo-Laborde 2007, 50). Rather, progress moved "sporadically," with "long periods of stagnation" (Castillo-Laborde 2007, 51). A series of incidents, including Uruguay reasserting its claim to the disputed territory during bilateral

working group meetings, undermined negotiation progress in the late 1960s. The Uruguayan claim prompted Argentine forces to occupy Timoteo Domínguez on 13 January 1969—the first episode of dyadic militarization since 1907. Intense and frequent negotiations followed, ultimately producing the 1970 *River Uruguay Declaration* as well as four declarations signed in July 1971—all dealing with sovereignty issues. After ignoring the issue for a century-and-a-half, sovereignty over Timoteo Domínguez/Punta Bauzá rose to the most important concern in every bilateral negotiation until Argentina and Uruguay signed the *Treaty Concerning the Río de la Plata and the Corresponding Maritime Boundary* in Montevideo on 19 November 1973.

As our argument predicts, democratization and mediation were also needed for settlement to occur in this case (see Appendix C, online). Yet even within a dyad whose members had a relatively amicable, interdependent relationship, settlement did not proceed without militarization too. The dispute remained non-militarized throughout the 1800s and, therefore, not a priority. Militarization (1907) first facilitated a *modus vivendi* (1910), but when that militarization dissipated, so did progress toward a final settlement. The involved states subsequently engaged in informal, low-level negotiations, but settlement eluded them. Only when militarization re-emerged (1969, 1973) did a flurry of diplomatic activity result. Given that settlement breakthroughs followed only in the immediate wake of militarization and that disputants were unable to secure settlement progress during two prolonged, non-militarized periods (i.e., 1829-1907, 1907-1969), it is highly unlikely that settlement would have occurred without militarization.

Altered Preferences through Democratization (Hypothesis 2): Bolsones-Fonseca

Democratization played a crucial role in the settlement of resistant territorial disputes in Latin America too—namely by altering the settlement terms that the government would accept (i.e., its preferences over outcomes; see Appendix C, online, for all counterfactuals and source material). Latin America experienced frequent episodes of democratization and backsliding, which often resulted from a tug-of-war between military and democratic, civilian leaders. Military leaders generally adopted a hardline position on territorial disputes. When democratic leaders entered government, they then softened the state’s position—not only because they were beholden to a larger support base, but also because doing so sidelined a viable challenge to their power: the military. The military often governed before civilian leaders, but more importantly, it could use external threats (e.g., territorial disputes) to underscore the importance of its expertise in government (e.g., to best protect national security) and open opportunities for it to re-intervene in politics. By settling territorial disputes, civilian leaders removed these opportunities. As a result, democratization was a necessary condition in Latin America—altering preferences, breaking bargaining deadlock, and pushing settlement forward.

The El Salvador-Honduras dispute over Bolsones-Fonseca highlights the necessity of democratization well. After independence in 1838, both states advanced overlapping territorial claims (Day 1987). They tried to reconcile these claims repeatedly—and made progress at various times (e.g., an 1884 treaty that Honduras failed to ratify)—but ultimately failed. The 1969 Football War even supplied both militarization and mediation (Day 1987), and still settlement failed.

In the 1980s, democratization and settlement began to progress gradually and concurrently (e.g., in 1980 and 1986; see Appendix C, online). Nevertheless, the situation changed radically in the 1990s. Honduras elected Rafael Callejas in 1989, who drastically

reduced the military's influence in the policy process (e.g., creating a civilian intelligence service), prosecuted the armed forces for their crimes (e.g., assigning a commissioner to investigate human rights abuses), and appointed civilians to carry out the negotiations (as opposed to military officials). These moves started to lay the foundation for a final settlement by sidelining the Honduran military; yet democratization in El Salvador proved far more critical. The *Frente Farabundo Martí para la Liberación Nacional* (FMLN) operated in the disputed *bolsones* (i.e., or 'pockets' of territory; Bello and Cabrera 1997, 197). As a guerrilla movement, the FMLN took hold of the *bolsones* during the Salvadoran civil war and then blocked settlement progress—largely by preventing the parties from presenting territorial surveys to the ICJ and completing demarcation.

The FMLN had two conditions for demobilizing and allowing Salvadoran officials access to the region: the creation of a civilian police force (at the expense of the military's power) and participation as a political party in free and fair elections. Thus, sidelining the Salvadoran military and securing (full) democratization became necessary for a peace accord, which would in turn dislodge the territorial dispute's settlement progress. Both of the FMLN's conditions were met in the (United Nations-mediated) *Chapultepec Peace Accords* of 16 January 1992, which ended the civil war. The ICJ ruling followed thereafter (11 September 1992), and the parties subsequently accepted it—despite the objections of the Salvadoran military and with the FMLN playing a major role in its implementation (Bleichert 1992, 836).

The El Salvador-Honduras case grants us much inferential leverage regarding the individual necessity of altered preferences, particularly given its rarity in this dyad. Honduras experienced only twelve years of democratic rule before the settlement, while El Salvador experienced none (Mainwaring and Pérez-Liñán 2013). Yet settlement could not proceed without

democratization, despite the regular presence of both militarization (i.e., attention) and mediation (i.e., third-party assistance). Under a military government, the FMLN would remain unsatisfied and block settlement progress, while the government adopted a hardline bargaining position. It is therefore highly unlikely that settlement would have occurred without democratization.

Assistance through Mediation (Hypothesis 3): Oriente-Mainas and Cordillera del Cóndor

Resistant territorial dispute settlement in Latin America also depended on third-party mediators, who played three primary roles (see Appendix C, online, for all counterfactuals and source material). First, when a dispute escalated, mediators frequently checked the disputants and prevented further violence. Second, mediators often pressured the disputants to settle, providing logistical support or (dis)incentives that promoted settlement. Finally, mediators regularly recommended final settlement terms. This allowed disputants to entertain previously unacceptable solutions, for the mediator could voice creative or unpopular terms and, thus, shield leaders from domestic backlash. Through such roles, third-party mediators became a necessary condition for settlement in *every* resistant, Latin American case.¹⁹

The Ecuador-Peru dispute demonstrates the necessary role of third-party mediation through the settlement of two specific territorial claims: Oriente-Mainas and Cordillera del Cóndor. As is now a familiar story, Ecuador and Peru inherited an unclear mutual border at independence, quickly advanced competing territorial claims, and failed to resolve the matter for over a century. Peru eventually invaded the Oriente-Mainas territories in 1941, causing numerous casualties on both sides. With World War II diverting the attention of the great powers (Wood 1978), the involved states accepted a mediation proposal from Brazilian Foreign Minister

¹⁹ Our model remains agnostic about the exact mediator or the precise role it plays.

Oswaldo Aranha. His efforts produced the 1942 *Rio Protocol*, which prominently featured third parties—establishing both a Demarcation Commission led by the Brazilian boundary service and an agreement “guarantor” team comprised of Argentina, Brazil, Chile, and the US. After Ecuador and Peru signed the 1942 agreement, Aranha then continued to play a prominent role, acting as a de-facto arbiter over demarcation disagreements (Palmer 1997), while the US Army Air Force supplied maps and details about the topography and hydrography of the region to further support demarcation. Given the number of mediators involved, the various roles they played, and the technological limitations of Ecuador and Peru, these delimitation and demarcation efforts would have been impossible without external assistance.

By 1947, “the territorial dispute between Ecuador and Peru appeared settled” (Mares 1996, 101). The discovery of the Cenepa River, however, fundamentally challenged the status quo, introducing new information about the region’s watershed(s) and resources. Ecuador argued that the conditions under which it signed the Rio Protocol had fundamentally changed, ordered the demarcation commission to halt, and objected to 90% of the completed demarcation work. Moreover, because it now believed the treaty to be inapplicable, Ecuador also prevented the guarantors from intervening. In 1960, it declared the Rio Protocol “null and void” and refused to allow the guarantors to mediate the substantive territorial issues. During a subsequent military spat with Peru (1981), it even insisted that the OAS mediate—not the guarantors—and that mediation focus only on ceasing hostilities—not the disputed territorial issues (Palmer 1997).

Third-party mediators remained excluded—and the resistant dispute unresolved—until the Cenepa War started in 1995. This time, to avoid escalation, Ecuador “seemingly abandoned the nullification thesis and publicly asked for the guarantors’ mediation” (Mares 1996, 103). The Brazilian Foreign Ministry began mediating within days, facilitating what eventually became the

Itamaraty Peace Declaration (1995). Meanwhile, the guarantors and OAS collectively constrained both disputants' military activities, deployed the full contingent of soldiers under the United Nation's Military Observer Mission Ecuador-Peru (MOMEPE), and, at the behest of Ecuador and Peru, agreed to decide the settlement terms if the parties could not secure them bilaterally. As Palmer (1997, 128) opined in 1997, "without the involvement of the representatives of the United States, Brazil, Chile, and Argentina in all stages of the diplomatic process, and without the MOMEPE on the military side, it is unlikely that a permanent solution to Latin America's longest-running, most intractable border problem will be found" (Palmer 1997, 128). Indeed, the Ecuadorian and Peruvian Presidents asked the guarantors in 1998 to propose a final solution to their dispute—the one reflected in the *Global and Definitive Peace Agreement* of 26 October 1998 (St John 1999).

Could Ecuador and Peru have settled their dispute without third-party mediators? It is highly unlikely. During 1942-1947 and 1995-1998, third parties stalled the dispute's escalation, facilitated bilateral agreements, enabled demarcation, reaffirmed the importance of signed agreements, constrained war-time hostilities, deployed a military observation mission, and proposed the settlement terms eventually adopted. Negating all these activities demands a major rewrite of history, and the greater the rewrite required for a counterfactual, the more implausible that counterfactual is (Tetlock and Belkin 1996). Moreover, even though democratization and militarization frequently occurred in the 1970s and 1980s, Ecuador and Peru failed to settle until mediators assisted (see Day 1987). We therefore conclude that mediators were a necessary condition of settlement (see also Simmons 1999, 19).

The Convergence of Factors (Hypothesis 4): The Beagle Channel

Militarization (i.e., attention), democratization (i.e., altered preferences), and mediation (third-party assistance) each prove essential to resistant dispute settlement; yet settlement itself only succeeds when all three factors converge (see Appendix C, online, for all counterfactuals and source material). The Beagle Channel dispute illustrates this well. Argentina and Chile began disputing the Channel at independence, but the dispute received little attention until militarization occurred. Repeated militarization in the 1870s, for example, prompted a US-mediated agreement in 1881, although the disputants subsequently disagreed on its interpretation (Day 1987; Ireland 1938). Further militarization between 1881-1910 led to additional agreements (e.g., *modus vivendi*), and the dispute then went dormant, receiving little attention until militarization brought it back to the forefront again (1950-1970).

After a period of prolonged militarization, Argentina and Chile signed an arbitration agreement (22 July 1971). Per this accord, Queen Elizabeth II referred the dispute to an arbitration panel, which issued its award in 1977. Argentina declared the award null and void, though, and both sides immediately prepared for confrontation and placed their forces on alert. The Argentine junta even began executing Operation Sovereignty (20 December 1978)—a military operation to retake the disputed islands by force—but halted the operation hours before its scheduled start time when Pope John Paul II signaled his intention to mediate (Lisińska 2019).

Over the next two years, the disputants—amidst militarized encounters—met repeatedly with the Pope and his representatives, who proposed the terms that would eventually comprise the final settlement. “The Vatican’s patient and persistent mediation effort [therefore] ... aid[ed] the conclusion of [the] conflict” (Lindsley 1987, 451). Yet it did not immediately settle the dispute. Chile accepted the papal proposal with minor reservations. Argentina, however,

dismissed it after it was leaked to the press in 1981 and continued its plans to settle the dispute via force (see Arquilla and Moyano 2001).

Two major impediments to settlement then remained: the Argentine military's nationalistic ideology (Lisińska 2019) and the institutional composition of both military governments, which allowed hardliners to block any rapprochement (Villar 2016). Only when the Argentine junta weakened considerably (as a consequence of defeat in the Malvinas/Falklands War) did democratizers in both countries issue a joint call for the territorial dispute's settlement, thank the Pope, and promise that "on regaining democracy, our peoples will be in a better condition to consolidate peace" (Day 1987, 383). That final necessary condition—altered preferences through democratization—occurred in late 1983, when Argentina elected Raúl Alfonsín. According to Vatican representatives, "Alfonsín's flexibility ... laid the groundwork for resolution" (Garrett 1985, 81). He had campaigned on resolving the Beagle Channel dispute and made this a top priority once in power, not least to introduce cuts to the military budget (Day 1987). Moreover, he put diplomats—instead of military officials—in charge of the negotiations (a "crucial change"; Lindsley 1987, 447) and called for a referendum on whether Argentina should accept the Papal settlement terms, which pressured the remaining hardliners to relent. The referendum results overwhelmingly endorsed the Treaty of Peace and Friendship, thereby granting Alfonsín the leverage to overcome the opposition to ratification in Congress. In the end, "the appearance of a conciliatory figure in Argentina, Alfonsín, was crucial for the [dispute's] resolution" (Garrett 1985, 102). Scholars therefore unanimously agree that "regime change should be considered an explanatory factor" in the dispute's settlement (Villar 2016, 158)

In the Beagle Channel dispute, we see “a century-old conflict ... resolved when domestic political changes, skillful mediation, and [the] willingness to compromise converge” (Lindsley 1987, 453). Or in our model’s language, settlement required attention, assistance, and altered preferences *simultaneously*. Militarization regularly incentivized dyadic and international attention, but could not alone produce settlement. Mediation, in concert with militarization, moved the settlement process forward significantly; yet even then, settlement stalled because hardline bargaining positions remained intact (Day 1987). Only when democratization changed Argentine leaders’ preferences over outcomes—while militarization promoted attention and third parties mediated—did bargaining space open and settlement proceed. In particular, as the democratic coalition voiced its support for settlement, Alfonsín became unconstrained by past policies and recognized that settling the dispute would reduce the military’s influence—so he preferred settlement to non-settlement, even on the same terms that the Argentine military previously rejected (repeatedly).²⁰ In short, attention, altered preferences, and assistance were individually necessary *and jointly sufficient* for the Beagle Channel settlement.²¹

²⁰ Alfonsín’s haste to settle the dispute owed much to the uncertainties of Argentina’s fragile transition, particularly the need to weaken the military in order to avoid a new coup (see Garrett 1985, 103).

²¹ Although we analyze only positive cases of settlement in-text, our point is equally illustrated using “most likely” cases of settlement that failed to settle because they lacked at least one individually necessary condition. Bolivia and Chile, for instance, almost resolved their Antofagasta claim in 1974-1978. They resumed diplomatic relations in 1975 (severed since 1962) and agreed to a formula for resolution. Nevertheless, the claim was not militarized, third parties were excluded, and both countries remained staunchly authoritarian. In the next few years, Peru, who was to be consulted according to the Treaty of Lima (1929), objected to the

Integrating the Findings: “Crossword Figures”

Figures 2-3 concisely integrate our main findings across all post-1945, Latin American, resistant territorial disputes. These “crossword figures” use the quantitative data introduced earlier to illustrate that militarization (i.e., attention), democratization (i.e., altered preferences), and mediation (i.e., third-party assistance) are individually necessary (Hypotheses 1-3) and jointly sufficient (Hypothesis 4) for settlement. For each dispute (row), we track militarization, democratization, and mediation across each five-year period from 1945-2015 (column). If our model’s hypotheses are accurate, then (a) settlement *always* occurs when a dispute’s three rows light up at the same time, and (b) *never* occurs when they do not. This is exactly what we find.

Figure 2 contains the resistant disputes that do not settle. As the figure demonstrates, no five-year period contains all three necessary conditions simultaneously. Many periods contain none (e.g., Malvinas, 1985-2015), one (e.g., democratization in Antofagasta, 1955-1959) or two (e.g., militarization and mediation in Essequibo, 1970-1974, 1980-1984, and 1995-1999)—but never three—of the model’s necessary conditions. As a result, settlement never occurs. This strongly supports Hypotheses 1-3. Militarization (Hypothesis 1), democratization (Hypothesis 2), and mediation (Hypothesis 3) are individually insufficient settlement to occur. No single factor (or combination of two) alone yields settlement.

Figure 2. Configuration of Conditions in Unsettled, Resistant Cases.

	45	50	55	60	65	70	75	80	85	90	95	00	05	10	15
Malvinas	Ongoing														
<i>Militarization</i>															
<i>Democratization</i>															

formula, nationalistic factions of the Bolivian military gained leverage, and the two countries broke diplomatic ties again in 1978.

<i>Mediation</i>																	
Antofagasta	Ongoing																
<i>Militarization</i>																	
<i>Democratization</i>																	
<i>Mediation</i>																	
Belize	Ongoing																
<i>Militarization</i>																	
<i>Democratization</i>																	
<i>Mediation</i>																	
Corentyn	Ongoing																
<i>Militarization</i>																	
<i>Democratization</i>																	
<i>Mediation</i>																	
Essequibo	Ongoing																
<i>Militarization</i>																	
<i>Democratization</i>																	
<i>Mediation</i>																	

Notes: The United Kingdom appears in 37 of 75 non-settlement observations; it is neither necessary nor sufficient for the non-settlement of resistant territorial disputes.

Figure 3. Configuration of Conditions in Settled, Resistant Cases.

	45	50	55	60	65	70	75	80	85	90	95	00	05	10	15
River Plate	Settled in 1973														
<i>Militarization</i>															
<i>Democratization</i>															
<i>Mediation</i>															
Beagle Channel	Settled in 1984														
<i>Militarization</i>															
<i>Democratization</i>															
<i>Mediation</i>															
Oriente-Mainas	Settled in 1945														
<i>Militarization</i>															
<i>Democratization</i>															
<i>Mediation</i>															
Cenepa	Settled in 1998														
<i>Militarization</i>															
<i>Democratization</i>															
<i>Mediation</i>															
Bolsones-Fonseca	Settled in 1992														
<i>Militarization</i>															
<i>Democratization</i>															
<i>Mediation</i>															

Figure 3 provides similar information on the resistant disputes that settle, and its data lead to two main conclusions. First, as in Figure 2, when none, one, or two of the three necessary conditions present, settlement *never* occurs (e.g., Río de la Plata, 1945-1969). Second, when all three factors present simultaneously, the dispute *always* settles (e.g., Oriente-Mainas in 1945-1949 or Bolsones-Fonseca in 1990-1994). Such findings strongly support Hypothesis 1-4. Militarization (Hypothesis 1), democratization (Hypothesis 2), and mediation (Hypothesis 3) are each individually necessary, but individually insufficient, for settlement to occur. They must each be present for settlement, but no single factor (or combination of two) alone will yield settlement. Moreover, militarization, democratization, and mediation—whenever together simultaneously—are jointly sufficient for settlement to occur (Hypothesis 4). Settlement always occurs at these moments.

Conclusion

Territorial boundary peace drastically alters interstate relationships (see Goertz et al 2016). By taking the most contentious issue in world politics off dyads' agenda (Vasquez 2009), it paves the way for positive peace, in which greater interstate cooperation and integration flourish. Evidence confirms that a territorial boundary peace has expanded globally over the last two centuries (Owsiak et al 2018); yet it is not all encompassing. In Latin America, for example, roughly 8% of neighboring states have not delimited their (in)land borders in entirety (Owsiak et al 2018). And of the 92% who have, 29% partly contest the legal settlements (Frederick et al 2017). This suggests that a number of disputes remain resistant to settlement, despite over a century of settlement attempts. Combined with six additional disputes between non-neighboring states—often an important legacy of colonialism—they also upset regional prospects for a complete territorial boundary peace in Latin America.

How then do resistant territorial disputes settle, thereby expanding the territorial boundary peace? We propose that settlement occurs when three individually necessary and jointly sufficient conditions exist. First, the dispute must receive *attention*—i.e., be (re)placed and (re)prioritized on the dyadic (and perhaps, international) agenda. Militarization accomplishes this in post-1945 Latin America—a largely because it threatens to violate the territorial integrity norm. Second, states must *alter their preferences* to break the bargaining deadlock and open (or expand) the bargaining range. A government’s preferences most drastically change when the leader’s support coalition changes. At that time, the opportunity arises that the settlement terms the government prefers to continued non-settlement shift significantly. In the Americas, this occurred during democratic regime change—when civilian leaders needed to end territorial disputes to prevent the military from (re)intervening in politics and, relatedly, to protect nascent, democratic institutions. Finally, disputants require third-party *assistance* to locate, voice, encourage, and underwrite a settlement to their protracted dispute. A wide variety of mediators played this role in Latin American resistant disputes.

According to the model, settlement occurs when these three factors converge simultaneously—attention (i.e., militarization in Latin America), altered preferences (i.e., democratization in Latin America) and third-party assistance (i.e., mediation in Latin America). If one (or more) is lacking, however, settlement does not occur. Evidence from a wide array of within-case, qualitative counterfactual analyses (see Appendix C, online) and a quantitative statistical analysis of necessary and sufficient conditions (Broaumoeller and Goertz 2000) supply significant, multi-faceted support for the model. Attention, altered preferences, and assistance are individually necessary and jointly sufficient for resistant territorial disputes to settle in the Americas after 1945. These resistant cases *never* settle when one or more of the conditions are

absent and *always* settle when the three factors appear simultaneously. Whether this differs across time (i.e., pre-1945) and perhaps space (i.e., outside Latin America) remains an area of inquiry for future research. Any such research, however, will need to consider the specific theoretical mechanisms through which attention, altered preferences, and assistance operate in different regions—much as we did for Latin America in this study.

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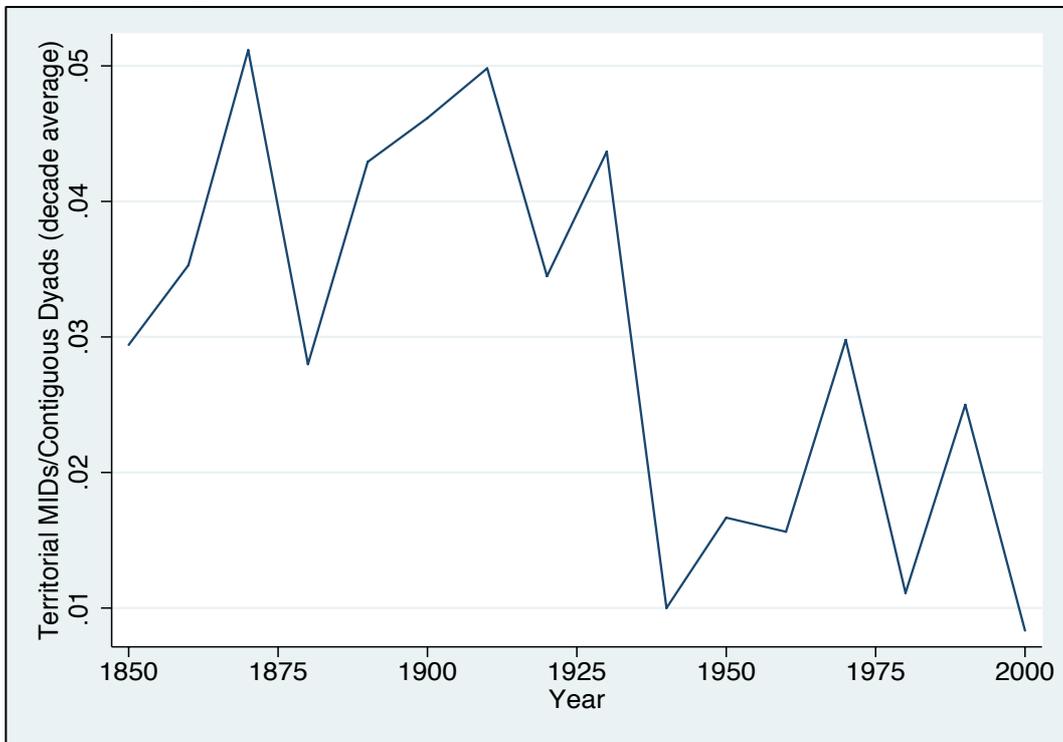
Settling Resistant Disputes: the Territorial Boundary Peace in Latin America

Appendices

Appendix A. Evidence of Territorial Boundary Peace in Latin America.

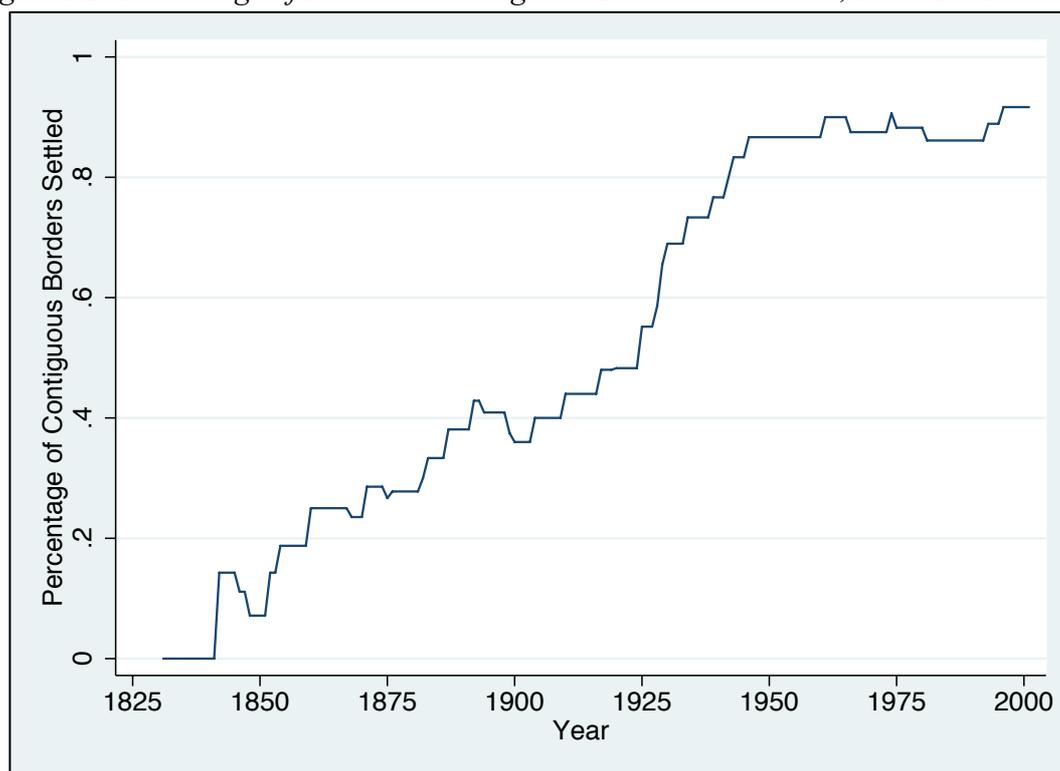
Data presented in this appendix offers additional evidence of a territorial boundary peace in Latin America. Figure A1 shows that the number of territorial militarized disputes in the Americas (standardized by the number of dyads and presented as a five-year moving average) trends downward over time. States are fighting less often over territorial issues as time progresses. Figure A2 tracks the percentage of contiguous dyads that have settled borders in the Americas during the period 1830-2001. As this figure demonstrates, this percentage climbs consistently over time, suggesting that fewer contiguous dyads have territorial disputes to address. Finally, Table A1 lists all American dyads and notes – as of 2001 – whether they have settled borders (Owsiak et al. 2018) and resolved territorial disputes (Hensel et al 2008), therefore being at territorial boundary peace.

Figure A1. Territorial MIDs in the Americas, 1850-2001.



Notes: Data series starts in 1851 because the number of contiguous dyads stabilizes and is less subject to divergent historical interpretations. Data sources: Owsiak et al (2018); Stinnett et al (2002); Hensel et al. (2008).

Figure A2. Percentage of American Contiguous Boundaries Settled, 1830-2001.



Notes: The small backslides are due to increases in the number of American dyads. Although the “de-settlement” of previously settled territorial boundaries is possible (Owsiak and Gibler 2017), it has never taken place according to the definition of settlement we use (Owsiak et al 2018). Still, important claims regarding borders previously considered settled did arise between Bolivia and Chile, Venezuela and Guyana, Nicaragua and Colombia, and Nicaragua and Costa Rica, among others. Data Source: Owsiak et al (2018).

Table A1. Territorial Boundary Peace in the Americas (as of 2001).

Country Dyad		Settled Borders	Ongoing Disputes	Territorial Peace
Argentina	Uruguay	Yes	No	Yes
Argentina	UK	No Border	Yes	No
Belize	Guatemala	No	Yes	No
Bolivia	Paraguay	Yes	No	Yes
Bolivia	Chile	Yes	Yes	No
Bolivia	Argentina	Yes	No	Yes
Brazil	Bolivia	Yes	No	Yes
Brazil	Paraguay	Yes	No	Yes
Brazil	Argentina	Yes	No	Yes
Brazil	Uruguay	Yes	Yes	No
Canada	Denmark	No Border	Yes	No
Chile	Argentina	Yes	No	Yes
Colombia	Venezuela	Yes	Yes	No
Colombia	Ecuador	Yes	No	Yes

Colombia	Peru	Yes	No	Yes
Colombia	Brazil	Yes	No	Yes
Costa Rica	Panama	Yes	No	Yes
Cuba	United States	No Border	Yes	No
Ecuador	Peru	Yes	No	Yes
Guatemala	Honduras	Yes	Yes	No
Guatemala	El Salvador	Yes	No	Yes
Guyana	Suriname	No	Yes	No
Guyana	Brazil	Yes	No	Yes
Haiti	Dom. Rep.	Yes	No	Yes
Haiti	United States	No Border	Yes	No
Honduras	El Salvador	Yes	Yes	No
Honduras	Nicaragua	Yes	Yes	No
Honduras	Belize	No Border	Yes	No
Mexico	Belize	Yes	No	Yes
Mexico	Guatemala	Yes	No	Yes
Nicaragua	Costa Rica	Yes	No	Yes
Nicaragua	Colombia	No Border	Yes	No
Panama	Colombia	Yes	No	Yes
Paraguay	Argentina	Yes	No	Yes
Peru	Brazil	Yes	No	Yes
Peru	Bolivia	Yes	No	Yes
Peru	Chile	Yes	No	Yes
Suriname	Brazil	Yes	No	Yes
Suriname	France	No	Yes	No
US	Canada	Yes	Yes	No
US	Mexico	Yes	No	Yes
Venezuela	Guyana	No	Yes	No
Venezuela	Brazil	Yes	No	Yes

Note: Territorial boundary peace exists when a dyad has settled its borders (if relevant) and possesses no ongoing territorial dispute. Data Source: Frederick et al (2017); Owsiak et al (2018). We alter the latter slightly to consider the France-Suriname contiguity.

Appendix B. Individual Criteria for the Selection of Resistant Cases

In this appendix we present a detailed account of the characteristics we considered when identifying the list of resistant territorial disputes we analyze in the main text.

Saliency: The Issue Correlates of War Project (Frederick et al 2017; cf. Hensel et al 2008) measures the saliency of a territorial dispute along a scale from 0-12. This variable's coding reflects six characteristics of the territory as they apply to each disputant in the dyad ($6*2=12$). These characteristics include whether the territory contains valuable resources, offers a strategic location, is population dense, is affiliated with one/more disputants' homeland, has ethnic kin of one/more disputant living in the territory, and one/more disputant has exercised sovereign rights over the territory in the past. Saliency is high when values are between 8 and 12. We use the latest version of the Issue Correlates of War Project (Frederick et al 2017) to identify the high saliency claims that appear in Table B1.

Table B1. Resistant Cases by Saliency, 1816-2001

<i>Challenger</i>	<i>Target</i>	<i>Claim</i>	<i>Duration</i>	<i>Saliency</i>
Chile	Argentina	Patagonia	1841-1903	10
Ecuador	Peru	Oriente-Mainas	1854-1945	10
Bolivia	Paraguay	Chaco Boreal	1878-1938	10
Bolivia	Chile	Antofagasta	1884 onwards	10
Peru	Chile	Tacna-Arica	1884-1929	10
United States	Mexico	Baja California/Sonora	1847-1865	9
Chile	Bolivia	Antofagasta	1848-1884	9
Chile	Peru	Tacna-Arica	1879-1929	9
Peru	Brazil	Acre	1839-1909	8
Peru	Colombia	Loreto	1839-1922	8
Argentina	UK	Falklands/Malvinas	1841 onwards	8
Venezuela	Colombia	Goajirá-Goainía	1841-1922	8
Paraguay	Brazil	Apa	1846-1874	8
Brazil	Bolivia	Acre	1848-1909	8
Peru	Bolivia	Acre	1848-1912	8
Guatemala	UK/Belize	Belize	1868-onwards	8
Ecuador	Peru	Cordillera del Cóndor	1947-1998	8

Legal Parity: Huth et al (2013) use a three-point scale to determine whether the challenger and the target involved in a territorial dispute each have a (i) strong legal claim, (ii) mixed legal claim, or (iii) weak legal claim. If one party possesses a strong legal claim while the other possesses a weak one, a legal advantage exists in favor of the stronger side. Table B2 lists the post-1945 territorial disputes in the Americas where no party had a legal advantage.

Table B2. Resistant Cases by Legal Parity, 1946-2001

<i>Challenger</i>	<i>Target</i>	<i>Claim</i>	<i>Duration</i>
Suriname	UK/Guyana	Corentyn	1840 onwards
Argentina	UK	Falklands/Malvinas	1841 onwards
Argentina	Chile	Beagle/L. del Desierto	1841-1998

Bolivia	Chile	Antofagasta	1884 onwards
Mexico	United States	El Chamizal	1895-1963
El Salvador	Honduras	Gulf of Fonseca	1899-1992
Honduras	United States	Swan Islands	1921-1972
Panama	United States	Canal Zone	1923-1979
Haiti	United States	Navassa Island	1935 onwards
Cuba	United States	Guantánamo Bay	1960 onwards
United States	Canada	Machias Seal Island	1971 onwards
Nicaragua	Colombia	San Andrés /Providencia	1979 onwards

Duration: A claim is resistant by duration if it persists for more than 75 years. We choose this threshold following the process established by Cronqvist and Berg-Scholsser (2009:76-79), which recommends establishing a threshold along the data distribution that divides it into two clusters of roughly equivalent process. Importantly, our analyses remain robust to any duration threshold between 52-92 years. Table B3 lists the territorial disputes in the Americas that qualify as “resistant” according to our standard of duration.

Table B3. Resistant Cases by Duration (more than 75 years), 1816-2001.

<i>Challenger</i>	<i>Target</i>	<i>Claim</i>	<i>Dates</i>	<i>Years</i>
Argentina	Uruguay	Río de la Plata	1882-1973	92
Argentina	Bolivia	Puna de Atacama	1848-1941	94
Argentina	UK	Malvinas/Falklands	1841 onwards	161
Brazil	Colombia	Apaporis	1831-1928	98
Chile	Argentina	Palena/C. Glaciers**	1903-1998	96
Ecuador	Peru	Oriente-Mainas	1854-1945	92
El Salvador	Honduras	Bolsones	1899-1992	94
El Salvador	Honduras	Gulf of Fonseca**	1899-1992	94
Guatemala	UK/Belize	Belize*	1868 onwards	114
Surinam	France	Maroni	1849 onwards	127
Surinam	Guyana	Corentyn	1816 onwards	151
Uruguay	Brazil	Yaguarón	1882 onwards	120
Mexico	US	Rio Grande	1884-1972	89
Brazil	UK	Pirara	1838-1926	89
Venezuela	Brazil	Amazonas	1841-1928	88
Peru	Colombia	Loreto	1839-1922	84
Venezuela	UK	Patos Island	1859-1942	84
Colombia	US	Quitassueño	1890-1972	83
Venezuela	Colombia	Goajirá-Goainía	1841-1922	82
Argentina	Chile	Beagle Channel	1904-1985	82

*Disputes that involved a colonial power and were then transferred to a successor state are considered a single case (cf. Frederick et al 2017).

** These disputes appear as settled in our sources (Frederick et al 2017) although it could be argued that they remain active given protests that have arisen at the stage of delimitation. Our analysis is consistent with both interpretations.

Repeated Negotiations: Disputes might also be resistant if repeated settlement attempts fail to settle them. Using ICOW data (Frederick et al 2017), Table B4 identifies all resistant territorial disputes in the Americas that experienced ten or more bilateral negotiations.

Table B4. Resistant Cases by Bilateral Settlement Attempts (>9 only, 1816-2001)

<i>Challenger</i>	<i>Target</i>	<i>Claim</i>	<i>Duration</i>	<i>Bilateral Attempts</i>
Argentina	UK	Falklands	1841 onwards	55
Bolivia	Chile	Antofagasta	1884 onwards	35
Bolivia	Paraguay	Chaco Borea	1878-1938	33
Guatemala	UK/Belize	Belize*	1868 onwards	28
Argentina	Chile	Beagle	1904-1985	22
UK	US	Alaska	1872-1903	20
Peru	Chile	Tacna-Arica	1884-1929	19
Venezuela	Colombia	Goajirá-Goainía	1841-1922	18
El Salvador	Honduras	Bolsones	1899-1992	18
Ecuador	Peru	Oriente-Mainas	1854-1945	17
Colombia	Venezuela	Los Monjes	1951 onwards	16
Venezuela	Guyana	Essequibo	1966 onwards	16
Honduras	Guatemala	Río Motagua	1899-1992	15
Chile	Bolivia	Antofagasta	1848-1884	15
Venezuela	UK	Essequibo	1841-1899	13
Nicaragua	Honduras	Teotecacinte	1912-1961	12
Chile	Argentina	Patagonia	1841-1903	12
Peru	Bolivia	Acre	1848-1912	12
Panama	US	Canal Zone	1923-1979	12
Peru	Colombia	Loreto	1839-1922	12
Argentina	Bolivia	P. de Atacama	1848-1941	11
Ecuador	Colombia	Oriente	1854-1919	11
US	Russia	Alaska	1822-1867	11
Chile	Argentina	Palena	1903-1998	10
Ecuador	Peru	Cenepa	1947-1998	10
Argentina	Uruguay	Río de la Plata	1882-1973	10
Peru	Brazil	Acre	1839-1909	10

* Disputes that involved a colonial power and were then transferred to a successor state are considered a single case (cf. Frederick et al 2017)

Historical militarization: Violence can be another indicator of a case's resistance. Table B5 therefore uses the ICOW data (Frederick et al 2017) to identify all territorial disputes with at least one militarized interstate dispute – that is, a threat, display, or use of force (Palmer et al 2016) – at some point during the dispute's history. In addition to the total number of MIDs that occur in the dispute's history, we also list both the maximum hostility level achieved and the maximum number of fatalities that occur in these MIDs (Frederick et al 2017).

*Table B5. Resistant Claims That Were Militarized,*1816-2001*

<i>Challenger</i>	<i>Target</i>	<i>Claim</i>	<i>Duration</i>	<i>MI D</i>	<i>Hostility (maximum)</i>	<i>Fatalities (maximum)</i>
Argentina	Paraguay	Chaco Central	1846-1878	1	War	1000+
Argentina	UK	Malvinas	1841 onwards	4	War	1000+
Bolivia	Paraguay	Chaco Boreal	1878-1938	19	War	1000+
Chile	Bolivia	Antofagasta	1848-1884	5	War	1000+
Chile	Peru	Tacna-Arica	1879-1884	2	War	1000+
El Salvador	Honduras	Bolsones	1899-1992	2	War	1000+
Paraguay	Brazil	Apa	1846-1874	5	War	1000+
US	Mexico	Texas	1831-1848	2	War	1000+
US	Mexico	California/ NM	1835-1848	2	War	1000+
US	Spain	Cuba	1848-1898	1	War	1000+
Spain	Peru	Islas Chincha	1864-1866	2	War	501-999
US	Spain	Florida	1816-1821	1	Use of force	0
Ecuador	Peru	Oriente- Mainas	1854-1945	16	Use of force	501-999
Ecuador	Peru	Cordillera del Cóndor	1947-1998	13	Use of force	251-500
Peru	Colombia	Leticia	1932-1935	2	Use of force	101-250
Peru	Brazil	Acre	1839-1909	1	Use of force	26-100
Argentina	Chile	Beagle	1904-1985	19	Use of force	1-25
Guatemala	El Salvador	Cordillera Mte Cristo	1935-1938	1	Use of force	1-25
Honduras	Guatemala	Rio Motagua	1899-1992	2	Use of force	1-25
Peru	Colombia	Loreto	1839-1922	5	Use of force	1-25
Peru	Bolivia	Acre	1848-1912	3	Use of force	1-25
Argentina	Brazil	Misiones	1941-1895	1	Force display	0

Argentina	Bolivia	Puna de Atacama	1848-1941	1	Force display	0
Argentina	Uruguay	R. de la Plata	1882-1973	3	Use of force	0
Bolivia	Chile	Antofagasta	1884 onwards	2	Use of force	0
Brazil	UK	Pirara	1838-1926	3	Use of force	0
Brazil	Bolivia	Acre	1848-1909	1	Use of force	0
Brazil	UK	I. Trinidad	1826-1896	1	Use of force	0
Chile	Argentina	Andes	1896-1904	1	Force display	0
Chile	Argentina	Patagonia	1841-1903	8	Use of force	0
Colombia	Venezuela	Los Monjes	1951 onwards	3	Use of force	0
Costa Rica	Panama	Sixaola/Coto	1920-1941	1	Use of force	0
Ecuador	Colombia	Oriente	1854-1919	1	Use of force	0
El Salvador	Honduras	Golfo Fonseca	1899-1992	1	Use of force	0
France	Brazil	Amapa	1826-1900	2	Use of force	0
Guatemala	UK/Belize	Belize**	1868 onwards	8	Use of force	0
Haiti	Dominican	R. Massacre	1894-1915	1	Force display	0
Nicaragua	Colombia	San Andres/Pro.	1900 onwards	4	Use of force	0
Nicaragua	Honduras	Teotecacinte	1912-1961	2	Use of force	0
Nicaragua	Honduras	Cayo Sur	1998 onwards	1	Use of force	0
Paraguay	Brazil	Rio Paraguay	1874-1929	1	Use of force	0
Peru	Chile	Tacna-Arica	1884-1929	3	Use of force	0
Suriname	Guyana	Corentyn	1816 onwards	2	Use of force	0
UK	US	Alaska	1872-1903	2	Force display	0
US	UK	S.Croix- John	1816-1842	1	Use of force	0
US	Mexico	Mesilla Valley	1850-1854	1	Use of force	0
US	UK	Oregon	1816-1846	1	Force	0

					display	
US	Haiti	St. Nicholas	1889-1915	1	Force display	0
Venezuela	Colombia	Goajirá-Goainía	1841-1922	1	Use of force	0
Venezuela	Netherlands	Bird-Aves	1854-1866	2	Use of force	0
Venezuela	UK/Guyana	Essequibo	1841 onwards	9	Use of force	0
Venezuela	UK	Patos	1859-1942	1	Use of force	0

* At least one MID during claim history.

** Disputes that involved a colonial power and were then transferred to a successor state are considered a single case (cf. Frederick et al 2017).

Combining Criteria: The above indicators produce a long list of possible resistant cases. We therefore use case overlap across the indicators to narrow the list. More specifically, the latter columns of Table B6 track whether (1) or not (0) each territorial dispute contained: high salience, legal parity (i.e., no legal advantage for any one party), a long duration, repeated bilateral settlement attempts, and militarization at some point. The final column in the table then sums these dichotomous indicators. A score of 3 is moderate, while scores of 4 and 5 are high and very high respectively. Twenty cases score 3 or higher, and we use these as the resistant cases throughout the analysis presented in the main text.

Table B6. Resistant Cases by All Criteria, 1816-2001

<i>Challenger</i>	<i>Target</i>	<i>Dispute</i>	<i>Salience</i>	<i>Legal Parity</i>	<i>Duration</i>	<i>Settle Attempts</i>	<i>M I D</i>	<i>Total</i>
Cuba	US	Guantánamo	0	0	0	0	0	0
France	Brazil	Amapa	0	0	0	0	0	0
Argentina	Brazil	Misiones	0	0	0	0	1	1
Argentina	Paraguay	Chaco Central	0	0	0	0	1	1
Brazil	Colombia	Apaporis	0	0	1	0	0	1
Brazil	UK	Pirara	0	0	1	0	1	2
Brazil	UK	I. Trinidad	0	0	0	0	1	1
Chile	Argentina	Andes	0	0	0	0	1	1
Chile	Peru	Tacna-Arica	0	0	0	0	1	1
Costa Rica	Panama	Sixaola/Coto	0	0	0	0	1	1
Haiti	Dom. Rep.	Río Massacre	0	0	0	0	1	1
Haiti	US	Navassa Island	0	1	0	0	0	1
Honduras	US	Swan Islands	0	1	0	0	0	1
Mexico	US	El Chamizal	0	1	0	0	0	1
Mexico	US	Rio Grande	0	0	1	0	0	1
Colombia	US	Quitassueño	0	0	1	0	0	1

Nicaragua	Honduras	Cayo Sur	0	0	0	0	1	1
Paraguay	Brazil	Rio Paraguay	0	0	0	0	1	1
Peru	Colombia	Leticia	0	0	0	0	1	1
Spain	Peru	Islas Chincha	0	0	0	0	1	1
Surinam	France	Maroni	0	0	1	0	0	1
US	Canada	Machias Island	0	1	0	0	0	1
US	Mexico	Mesilla Valley	0	0	0	0	1	1
US	Spain	Florida	0	0	0	0	1	1
Uruguay	Brazil	Yaguarón	0	0	1	0	0	1
US	Haiti	St. Nicholas	0	0	0	0	1	1
US	Mexico	Texas	0	0	0	0	1	1
US	Mexico	California /NM	0	0	0	0	1	1
US	Russia	Alaska	0	0	0	1	0	1
US	Spain	Cuba	0	0	0	0	1	1
US	UK	Oregon	0	0	0	0	1	1
Venezuela	Netherlands	Bird-Aves	0	0	0	0	1	1
Venezuela	UK	Patos	0	0	1	0	1	2
Venezuela	Brazil	Amazonas	0	0	1	0	0	1
Brazil	Bolivia	Acre	1	0	0	0	1	2
Chile	Argentina	Palena	0	0	1	1	0	2
Colombia	Venezuela	Los Monjes	0	0	0	1	1	2
Ecuador	Colombia	Oriente/A	0	0	0	1	1	2
Honduras	Guatemala	Rio Motagua	0	0	0	1	1	2
Nicaragua	Colombia	San Andrés	0	1	0	0	1	2
Nicaragua	Honduras	Teotecacinte	0	0	0	1	1	2
Panama	US	Canal Zone	0	1	0	1	0	2
Paraguay	Brazil	Apa	1	0	0	0	1	2
UK	US	Alaska	0	0	0	1	1	2
US	Mexico	Baja California	1	0	0	0	1	2
US	UK	S.Croix-John	0	0	0	1	1	2
Argentina	Bolivia	Puna de Atac	0	0	1	1	1	3
Argentina	Chile	Beagle	0	1	1	1	1	4
Argentina	Uruguay	Río de la Plata	0	0	1	1	1	3
Bolivia	Paraguay	Chaco Boreal	1	0	0	1	1	3
Chile	Argentina	Patagonia	1	0	0	1	1	3
Chile	Bolivia	Antofagasta	1	0	0	1	1	3
Ecuador	Peru	Cenepa	1	0	0	1	1	3
El Salvador	Honduras	Gulf of Fonseca	0	1	1	0	1	3
El Salvador	Honduras	Bolsones	0	0	1	1	1	3

Peru	Bolivia	Acre	1	0	0	1	1	3
Peru	Brazil	Acre	1	0	0	1	1	3
Peru	Chile	Tacna-Arica	1	0	0	1	1	3
Peru	Colombia	Loreto	1	0	1	1	1	4
Surinam	UK/Guyana	Corentyn	0	1	1	0	1	3
Venezuela	Colombia	Goajirá-Goainía	1	0	1	1	1	4
Venezuela	UK/Guyana	Essequibo	1	0	0	1	1	3
Ecuador	Peru	Oriente-Mainas	1	0	1	1	1	4
Guatemala	UK/Belize	Belize	1	0	1	1	1	4
Argentina	UK	Malvinas	1	1	1	1	1	5
Bolivia	Chile	Antofagasta	1	1	0	1	1	4

Table B7. Active Non-Resistant Cases, post-1945

<i>Challenger</i>	<i>Target</i>	<i>Dispute</i>	<i>Salience</i>	<i>Legal Parity</i>	<i>Duration</i>	<i>Settle Attempts</i>	<i>M I D</i>	<i>Settle</i>
Cuba	US	Guantánamo	0	0	0	0	0	-
Haiti	US	Navassa Island	0	1	0	0	0	-
Nicaragua	Honduras	Cayo Sur	0	0	0	0	1	-
US	Canada	Machias Island	0	1	0	0	0	-
Uruguay	Brazil	Yaguarón	0	0	1	0	0	-
Colombia	Venezuela	Los Monjes	0	0	0	1	1	-
Honduras	Guatemala	Ranguana	0	0	0	0	0	-
Honduras	El Salvador	Conejo Island	0	0	0	0	0	-
Nicaragua	Honduras	Teotecacinte	0	0	0	1	1	1961
Mexico	US	El Chamizal	0	1	0	0	0	1963
Mexico	US	Rio Grande	0	0	0	0	0	1972
Honduras	US	Swan Islands	0	1	0	0	0	1972
Surinam	France	Maroni	0	0	1	0	0	1975
Panama	US	Canal Zone	0	1	0	1	0	1979
Colombia	Honduras	Serranilla	0	0	0	0	0	1986
Chile	Argentina	Palena	0	0	1	1	0	1998
Nicaragua	Colombia	San Andrés	0	1	0	0	1	2007

Table B8. Resistant Cases Settled Before 1945.

<i>Challenger</i>	<i>Target</i>	<i>Claim</i>	<i>Duration</i>	<i>Violence in Resolution</i>
Argentina	Bolivia	Puna de Atacama	1848-1941	Chaco War (indirect)
Bolivia	Paraguay	Chaco Boreal	1878-1938	Chaco War
Chile	Argentina	Patagonia	1841-1903	War of the Pacific (indirect)
Peru	Brazil	Acre	1839-1909	Rubber War (indirect)
Peru	Bolivia	Acre	1848-1912	Rubber War (indirect)
Peru	Chile	Tacna-Arica	1884-1929	War of the Pacific
Peru	Colombia	Loreto	1839-1922	Leticia War
Venezuela	Colombia	Goajirá-Guainía	1841-1922	Leticia War (indirect)

Notes: (a) “Indirect” means the use of force produced a new territorial status quo, which unlocked negotiations. (b) War combatants and territorial claimants are not necessarily the same.

Table B9. Resistant Cases After 1945.

<i>Challenger</i>	<i>Target</i>	<i>Claim</i>	<i>Duration</i>	<i>Status</i>
Argentina	UK	Malvinas/Falklands	1841-	Ongoing
Bolivia	Chile	Antofagasta	1884-1904 1962-	Ongoing
Guatemala	UK/Belize	Belize*	1868-	Ongoing
Suriname	UK/Guyana	Corentyn*	1816-	Ongoing
Venezuela	UK/Guyana	Essequibo*	1841-1899 1966-	Ongoing
Argentina	Uruguay	Río de la Plata	1882-1973	Settled post-1945
Argentina	Chile	Beagle	1904-1985	Settled post-1945
Ecuador	Peru	Cordillera del Cóndor	1947-1998	Settled post-1945
Ecuador	Peru	Oriente-Mainas	1854-1945	Settled post-1945
El Salvador	Honduras	Bolsones-Fonseca	1899-1992	Settled post-1945

Notes: * We consider disputes that involve a colonial power and are either transferred to a successor state or de-settled after its independence to be a single case (see Appendix B, online).

Appendix C. Resistant Case Narratives for All Three Necessary Conditions.

1. Attention through Militarization (Hypothesis 1)

The settlement of the Oriente-Mainas dispute between Ecuador and Peru is our first case in chronological order. This settlement was preceded by frictions starting in 1940 as both states expanded their presence in the disputed area and send probes into each other's territory. Eventually hostilities broke out in July 1941 deriving in the Ecuadorian-Peruvian War or War of '41 – which caused c. 600 battled deaths (Wood 1966). After an initial armistice, negotiations ended up in a “Protocol of Peace, Friendship, and Boundaries” signed in Rio in January 29, 1942 (Lecaro Bustamante 1997: 57), which conformed the commission that would have demarcated the boundaries in the broad Oriente-Mainas region by 1945.

Although the border between Ecuador and Peru was considered fully settled by 1945, a small portion of the border in the Cordillera del Cóndor region, which was wrongly represented in the cartography of the treaty, led to a new Ecuadorian claim starting in 1948. Because the treaty was inapplicable in the eyes of the Ecuadorans, they objected any intervention on the part of the guarantors. Ecuador stopped recognizing any mediation of the guarantors on the substantive issue and further declared the Rio Protocol null and void in 1960.

When a military clash with Peru took place in early 1981 – known as the Paquisha War – the issue was again in the forefront of the Inter-American agenda. Yet, Quito insisted that any good offices of third parties should be conducted through the OAS and be limited to the cessation of hostilities, keeping the substantive territorial issues aside (Palmer 1997: 114). After the Falso-Paquisha War, the issue became dormant again.

Mimicking the 1940s and 1980s episodes, skirmishes starting in 1991 prompted Ecuador to build bases in the disputed zone and increase its military presence which, in turn, led to a much more important confrontation in 1995. In this new confrontation, known as the Cenepa War, some 5,000 troops were deployed, and after 100 to 300 battle deaths, both parties agreed to sit in the negotiating table (Palmer, 1997: 120-121; Hey, 1995: 75-76). This second resistant case between Ecuador and Peru was finally settled in 1998. The 1998 Peace Treaty, just like the 1942 Rio Protocol, was possible at least partly due to the attention attracted through militarization. Some authors argue, for

example, that the commitment of third parties – which in 1995 included the deployment of Military Observers Mission Ecuador-Peru (MOMEPE) – would have been unthinkable if the conflict had not been considered a pressing threat to regional peace and security (Higgins 1997).

Together with the Cenepa War, the Soccer War (also known as War of the 100 Hours) fought between El Salvador and Honduras in 1969 was one of the only two major confrontations between Latin American countries in the post-1945 era and the first since 1941. As one would expect, it also played an important role in solving the resistant case dispute that affected their bilateral relations. The crisis spiraled out of incidents after a soccer match in June 15. These incidents caused anti Salvadoran pogroms near Tegucigalpa by the end of the month, which led to the invasion of Honduras on month later, on July 14 (Rouquié and Vale 1973). The OAS was able to stop the fighting only four days after the initiation of hostilities and deployed a mission of military observers after this belated intervention.

The incident jumpstarted a series of negotiations and accords that advanced steadily amidst the far more complex Central American crisis and would end up in the 1992 settlement. During the 1980s militarization in the border region became endemic. This had partly to do with the Honduran occupation of the *Isla de Conejo* (Rabbit Island) in 1982 in the Golfo de Fonseca. Yet the more pressing issue was the presence of the *Frente Farabundo Martí para la Liberación Nacional* (FMLN) in the disputed region of Bolsones (Bello and Cabrera 1997). The guerrilla movement had taken hold of this area and would now benefit from the unclear status of the territories to use them as a safe heaven and a transit route to bases in Honduras. The Salvadoran army would thus intrude in disputed or Honduran territory, leading to a set of small-scale confrontations with Honduran forces (Bleichert 1992).

The negotiations over the Bolsones and Fonseca clearly skyrocketed in the 1980s as a product of this frequent militarization. The fact that the FMLN used the Bolsones as a safe heaven, leading to frequent clashes, contributed to place this particular dispute as a key issue at the center of the Central American storm. Comparison with other, mostly dormant, Central American disputes suggests that settlement would have been unlikely in the absence of these MIDs.

In Southern Cone, the Beagle Channel dispute is yet another case that, just as our theory predicts, usually received little attention unless militarization occurred. In the 1870s, for example, a series of militarized disputes prompted an 1881 agreement, mediated by the United States – although the disputants subsequently disagreed on its interpretation (Day 1987; Ireland 1938). Further militarized disputes between 1881-1910 produced a series of additional agreements, including repeated requests for the British to arbitrate and a *modus vivendi*. The dispute then went dormant, and received little attention until militarization reoccurred and accelerated during 1950-1970.

After a period of prolonged militarization, an arbitration agreement was signed on 22 July 1971. As per this accord, Queen Elizabeth II referred the dispute to an arbitration panel composed of five international judges. However, when the panel issued its award in 1977, Argentina declared it null and void. Both disputing states immediately prepared for confrontation and placed their forces on alert.

Tensions mounted in January 1978, when Argentina declared the British award that granted the territories to Chile to be null. Since then, both countries seriously considered a military confrontation in the central Andes – i.e. the Maule region – and in the territories and waters adjacent to the islands. Armed forces remained in red alert and ready to be deployed in less than 24 hours. The possibility of taking the islands by force was seriously considered by Buenos Aires as negotiations were taking place in December 1978 (Villar 2016: 1). It is believed that Argentina and Chile were literally minutes away from war at some times. First hand testimonies indicate that on December 22, 1978, Argentina launched Operation Sovereignty, which intended to retake the islands by force. The operation most probably would have caused an all out war – the worst post-1945 conflagration in the Americas – had it not been suspended twenty nautical miles off the coast of Chile due to a fierce storm (Mares 2001: 138). A “divine” intervention of the Pope took place only a few days after, and prevented new episodes like this, although the Argentine military continued to consider resolving the dispute by force at least until the Falklands/Malvinas War (see Arquilla and Moyano 2001; Schenoni et al 2019). Therefore, preparation for war and lo- level militarization – i.e. border deployments, mobilization, and threats – continued to be common from 1978 to 1982.

The concessions made by Argentina in the 1984 settlement were seen in the country as a great loss, and it is unlikely that President Alfonsín would have been able to overcome opposition to the agreement if the public opinion (who voted for the

agreement in a referendum) did not see the issue as potentially leading to war. Thus, the almost-war of December 1978 and subsequent episodes of militarization played a major role in putting the issue at the top of the agenda and indicating its urgency.

A less intense but nonetheless comparable example was provided by Argentina and Uruguay a few years before. This is a case where MIDs had been conspicuously absent since 1907, and thus a critical case to assess the necessity of even minor levels of militarization, and yet the settlement of the Rio de la Plata border dispute in November 1973 also took place in the midst of recurrent militarized disputes in a dyad that rarely presented them.

Argentina and Uruguay disputed this river boundary after Uruguayan independence in 1828. Argentina claimed that the river's deepest channel (i.e., thalweg) served as the boundary, while Uruguay proposed a middle-line solution. In the *Ramirez-Saenz-Peña Protocol* of 1910, the two countries established a *modus vivendi* that froze the status quo in lieu of a permanent settlement; they reaffirmed this position as late as the 1961 *Joint Declaration on the Outer Limits of the Río de la Plata* (Castillo 1996). Neither state challenged the status quo. Again, not a single MID had taken place since 1907, until Argentina forcefully occupied the island Timoteo Domínguez on 13 January 1969.

Confrontations escalated thereafter, driven by the concurrence of a leftist turn in Argentina – the return of Perón to the country, which was perceived as a victory by certain guerrilla movements such as *Montoneros* and negatively by the military – and a rightist turn in Uruguay – as president Bordaberry started to implement iron fist policies against the *Tupamaros* guerrilla in alliance with the armed forces. Issues such as the devolution of political refugees and frequent conflicts over unauthorized military activities in the border created a perilous scenario. Absent the possibility of further escalation it is possible that authorities would not have been prompted to settle the territorial dispute as they were (Escudé and Cisneros 2000: 220).

In short, militarized conflict incentivized Argentina and Uruguay to prioritize the Río de la Plata dispute. It remained non-militarized throughout the 1800s and, therefore, not a priority. After a militarized dispute in 1907, the parties agreed in 1910 to a temporary, status quo arrangement. Militarization then dissipated, causing the dispute to fall off their agenda once again. Only when the next militarized disputes arose in 1969 and 1973 did a flurry of diplomatic activity develop. Timoteo Domínguez/Punta Bauzá

became the most important concern in every bilateral negotiation until Argentina and Uruguay signed the *Treaty Concerning the Río de la Plata and the Corresponding Maritime Boundary* in Montevideo on 19 November 1973.

We can reinforce the aforementioned within-case counterfactuals by looking at some cross-case evidence involving $Y=0$ cases. Although resistant cases that were settled can often be linked to some of the most relevant Latin American crises of the post-WWII era – e.g. the Soccer War, the Central American crisis, the War of '41, the Cenepa War, the Itaipú Crisis, and the Beagle Crisis – unresolved resistant cases almost never reached these level of hostilities, the Falklands/Malvinas War being the only exception. Some ongoing resistant cases such as the Guatemala-Belize dispute provoked a notable number of MIDs – one every three years in average – but none of them reached relevant levels of severity.¹ Very minor MIDs took place in the late 1970s and early 2000s between Suriname and Guyana, mostly involving the seizure of river craft (Allock et al 1992, 598-601). Venezuelan and Guyanese forces were never involved in a major confrontation either.²

2. Altered Preferences through Democratization (Hypothesis 2)

The resolution of the dispute between Argentina and Uruguay provides a clear case for our regime fragility hypothesis. Negotiations ending in the Río de la Plata Treaty of November 1973 started, proceeded and ended swiftly, but were possible only after the democratically-elected interim government of Héctor José Cámpora took office in Argentina, in May 1973, after seven years of authoritarianism. Even though Cámpora was a Peronist and was initially thought to represent the Argentine left, the Uruguayan

¹ Most of these episodes involve an alleged incursion of neighboring forces into each other's territory.

² When a relatively serious MID arose, it often led – as expected – to some demonstration of good will in the bilateral negotiations, but this happened only twice. Since Guyana's independence in 1966, two episodes seem to be more relevant in this regard. The first of these episodes is the Venezuelan machine gun and mortar shelling of Eteringbang on February 21st and 22nd, 1970, which was never consented by Venezuelan president Caldera and to which Guyanese forces never responded, and yet ended in the negotiation of the Protocol of Port of Spain in less than four months which imposed a twelve-year moratorium on the resolution of the dispute. The second episode took place between September 3 and 5, 1982, and involved a series of Venezuelan incursions into Guyanese territory that were driven out by the firing of warning bursts. As the 1970 episode, this MID resulted in zero casualties, and yet the parts responded to it by accelerating the designation of the UN Secretary General as mediator – i.e. the single major step forward in the negotiations since 1970 – which took place in a period of less than six months after the episode (Ishmael 2013: 312).

president Juan María Bordaberry was starting to drift towards a rightist position. In late June, Bordaberry closed congress, starting a three-year period as head of an authoritarian regime. Meanwhile, Juan Perón returned to Argentina to take command of his movement. In this fragile situation, Cárpora and then Perón faced great incentives to solve the Rio de la Plata issue and increase bilateral cooperation with Uruguay as a way to signal the military that the new Peronist government could deal with the strategic environment, securing Uruguayan cooperation against guerrilla movements and the Brazil-Paraguay axis.³ Conversely, Bordaberry, also under the pressure of his own military, favored a quick understanding with Argentina (Escudé and Cisneros 2000: 209). This improbable convergence of factors provides strong grounds for our case: What are the odds that two countries in a dyad will both undergo a regime transition *and* settle their last territorial dispute all in the same ten-month period?

The timing of the October 1980 General Treaty of Peace – also known as Lima accord – between El Salvador and Honduras also points to the importance of regime change in the resolution of resistant cases. The accord was signed only four months after Honduran General Policarpo Paz García, under pressure from the Carter administration, accepted to hold free and fair elections. The elections led to a transition in which Paz compromised to leave office by 1982, while a victorious Liberal Party agreed to accompany a process of gradual liberalization. Meanwhile, in El Salvador authoritarian President Carlos Humberto Romero was ousted by a coup on October 15, 1979, which promised democratization and social reform (Mainwaring and Pérez-Liñan 2013: 175). The new government, led by prominent civilian reformists, strongly endorsed the agreement with Honduras as a way to weaken military hardliners, but the liberalization attempt ended up failing due to polarization, the rise of a guerrilla movement, and ultimately, civil war. The window of opportunity for cooperation was virtually closed, but regime instability had produced the single most important step towards a long-lasting settlement.

Transition towards at least semi-democracy would finally take place in the mid-1980s, facilitating the accord that accepted an ICJ ruling to settle the dispute. El Salvador remained authoritarian until Napoleón Duarte won the 1984 elections.

³ Brazil and Paraguay had just signed a treaty for the construction of a dam in Itaipú. The dam granted Brazilian strategic control over the flow of both the Paraná and Uruguay rivers – the two most important tributaries of the Río de la Plata Basin – and at the time was seen by Argentine and Uruguayan military as a serious threat. We further discuss the issue in the following section.

Honduran President Roberto Suazo (1982-1986) also proved fairly impotent vis-à-vis the military and only with the victory of his rival José Azcona (1986-1990) would the country return to the path of democratization. It was precisely then that both countries signed the Special Agreement of May 24, 1986, in which they compromised to submit the issue of Bolsones and the Gulf of Fonseca to the ICJ. The *Special Agreement* of 24 May 1986 was signed on the first day of the Esquipulas meeting which gathered all Central American and many other Latin American governments in the common understanding that for democracies to consolidate it was imperative to end international disputes and domestic violence. It is suggestive that the episode only took place after the elections of Napoleón Duarte (1984) and José Azcona (1986), which allowed civilians to regain some control over the process (Ruhl 1996).

Yet, the final settlement would have to wait until full democratization. Only in 1989, after Honduras' elected President Rafael Callejas, could it drastically reduce military influence in the policy process (e.g., creating a civilian intelligence service), prosecuted the armed forces for their crimes (e.g., assigning a commissioner to investigate human rights abuses) and appointed civilians to carry out the negotiations, all moves that started to lay the ground for a definitive settlement.

Democratization in El Salvador was far more necessary. Its sheer necessity had to do with the presence of the *Frente Farabundo Martí para la Liberación Nacional* (FMLN) in the disputed Bolsones (Bello and Cabrera 1997: 197). The guerrilla prevented the parties from presenting their territorial surveys to the ICJ and turned an eventual demarcation an impossible task. The FMLN had two conditions for demobilizing and allowing state officials access to the region: the creation of a civilian police force in El Salvador, and its participation as a political party in free and fair elections. Thus, full democratization became necessary for a peace accord, which in turn would unlock the territorial dispute. Both FMLN's conditions were met in the *Chapultepec Peace Accords* of January 16, 1992, which ended the civil war. The ICJ ruling followed suit on September 11, 1992. The parties accepted subsequently, and despite the antagonism of the Salvadoran military, the FMLN played a mayor role in facilitating its implementation (Bleichert 1992: 836).

This El Salvador-Honduras case gives us important inferential leverage regarding the individual necessity of altered preferences. El Salvador transitioned toward full-fledge democracy almost in parallel to the 1992 final settlement, which coincided with the peace accords that ended its civil war. As Mainwaring and Perez-

Liñán (2013: 204) put it: “international actors and influences decisively impacted [...] the peace accords of 1992, and the establishment of democracy in 1994 in El Salvador.”

Despite the continuous presence of militarization (attention) and third party involvement (assistance), settlement would have been impossible under a military government – for it would have meant the exclusion of the FMLN. In short, significant progress toward territorial settlement occurred *only* after significant democratization opened space for this progress. Settlement did not advance in its absence.

The resolution of the Cordillera del Cóndor dispute between Ecuador and Peru shows, once again, this relation between regime fragility and the success of negotiations. The process that finally led to a settlement formally started on April 15, 1997, in Brasilia, and was substantively hurried up by the political needs of both presidents. On the Ecuadoran side, former president Abdalá Bucaram had just been removed from office on February 14, 1997, under grounds of mental incapacity. The impeachment process took place swiftly between two to four weeks after Bucaram paid the first state visit by an Ecuadoran head of state to Peru in history (St John 1999: 41) a gesture that was taken as a sign of frailty by the military. Although it is unclear whether the nationalist opposition to the treaty was the main cause of the impeachment, his successor, Jamil Mahuad, was certainly aware that the Cordillera del Cóndor dispute could be a main driver of presidential instability and a rapid resolution was necessary to consolidate his government (McClintock and Vallas 2003: 82). Back in Lima, Fujimori also saw an agreement as a possible way to strengthen his authority and, more importantly, regain some reputation in the eyes of the inter-American community. Fujimori himself had closed Congress in a 1992 in an *autogolpe* (self-coup) that represented a regression into authoritarianism. Although George W. Bush had recognized Fujimori as the legitimate leader of Peru, and the Peruvian leader reopened Congress and fairly won the 1995 presidential elections – transitioning back to a democratic status – relations between Lima and Washington with regards to democracy and human rights had become more and more stringent under the Clinton administration. In this context, the resolution of the Cenepa crisis became an opportunity for Fujimori to directly involve the Clinton administration, thus enhancing his reputation as a democratic and peaceful leader.

Half century before similar dynamics had characterized the resolution of the Oriente-Mainas dispute. The period from the War of '41 to the final demarcation of the

border in June 1945 coincides with the administration of Manuel Prado Ugarteche (1939-1945) who “having received a dictatorially governed Peru, had turned it over to his successor as a democratic country” (Chirinos Soto 1962: 62, cited in Pike 1967: 280). Similarly, Ecuador transitioned from a clear-cut dictatorship to a semi-democratic regime under populist leader José María Velasco Ibarra in 1944 (cf. Mainwaring and Pérez-Liñán 2013) who had been ousted by the military a decade before and was determined to curtail its power by supporting the final 1945 settlement.

The democratization factor appears once again in the Beagle Channel Dispute. It was not until the Argentine junta had weakened considerably as a consequence of defeat in the Malvinas/Falklands War that democratizers issued a call for the territorial dispute’s settlement, thanked the Pope for his involvement, and promised that “on regaining democracy, our peoples will be in a better condition to consolidate peace” (Day 1987: 383). The final necessary condition – altered preferences through democratization – occurred in late 1983, when Argentina elected Raúl Alfonsín. According to the Vatican negotiators “it was Alfonsín’s flexibility that laid the groundwork for resolution” (Garrett 1985: 81). He had campaigned on resolving the Beagle Channel dispute, and made this a top priority once in power, not least to introduce cuts in the military budget (Day 1987: 383). He made a “crucial change” putting diplomats – instead of military men – in front of the negotiations (Lindsley 1987: 447), and called for a referendum on whether Argentina should accept the Papal settlement terms, so to twist the arm of the remaining hardliners. The “yes” option won by a landslide, endorsing his signature of the Treaty of Peace and Friendship, and granting him the necessary leverage to overcome opposition to ratification in Congress. All in all, “the appearance of a conciliatory figure in Argentina, Alfonsín, was crucial for the conflict’s resolution” (Garrett 1985: 102), leading scholars to unanimously agree, “regime change should be considered an explanatory factor” (Villar 2016: 158)

The Argentina-Chile dispute is a clear case in which “a century-old conflict is resolved when domestic political changes, skillful mediation, and willingness to compromise converge” (Lindsley 1987: 453). Settlement of the Beagle Channel required attention, assistance, and altered preferences, *simultaneously*. Democratization in Argentina was necessary to create the necessary bargaining space. The democratic coalition voiced support for settlement, and Alfonsín both became unconstrained by past policies and recognized that the dispute’s settlement would be required to reduce

the military's influence further. Alfonsín's haste to resolve the dispute owed much to the uncertainties of Argentina's fragile transition, particularly the need to overcome the threat of a new coup by weakening the military (see Garrett 1985, 103).

Democratization was thus clearly a necessary factor.

Again, ongoing resistant cases provide a good base for cross-case counterfactual reasoning. Until recently, Venezuela was, together with Colombia and Costa Rica, among the three most stable democracies in post-1945 Latin America. Accordingly, it was especially reluctant to relinquish its territorial claims. Belize provides a similar case, where democratic stability after independence has remained high and the state's position regarding the territorial dispute has also remained intransigent.⁴ Even when regime change occurs, some cases are more stable and predictable than others. The endurance of the Bolivia-Chile dispute over Antofagasta, for example, illustrates how the strength of the military, in the context of a transition such as the Chilean one, can prevent the resolution of disputes that might be otherwise be intended under more unstable and uncertain contexts.⁵

3. Assistance through Mediation (Hypothesis 3)

⁴ Finally, resistant cases can also illustrate the importance of some regime dynamics. When protagonists such as Guatemala, Guyana, Suriname, and Venezuela experienced political crises, these also opened the possibility of negotiations in some occasions, which could have succeeded in the presence of our other necessary conditions. Let us entertain two very brief examples. As mentioned, Venezuela was a relatively stable democracy for all the period after Guayana's independence in 1966. Yet, the single major step towards the resolution of its dispute with Guyana – the designation of the UN Secretary General as mediator – was taken on March 23, 1983, only one month after the Venezuelan Black Friday that set off the most serious economic crisis since the 1930s. The combination of high debt, inflation, depreciation of the Bolivar and the drop in oil prices – a configuration that resembles that of the current Maduro dictatorship – was among the major threats to Venezuelan democracy until the 2000s and closely correlated with our expected outcome.

A similar example is provided by the Belize-Guatemala dispute. Since 1986, Guatemala's fragile democracy was characterized by frequent military coup attempts and the armed forces' renounce to negotiate a peace accord with guerrilla movements. Trying to break loose of these military constraints, President Jorge Serrano recognized the sovereignty of Belize – until then considered a province of Guatemala – on August 14, 1991. The context of regime instability in which these decisions took place is evidenced by the May 1993 closure of Congress by Serrano (Orellana Portillo 2012), which led to his resignation on June 1st. His successor, Ramiro de León Carpio, reinstated the claim, but Serrano's recognition led to a substantive limitation of the Guatemalan claim – roughly half of Belize – and allowed for the bilateral negotiations that have been going on since then.

⁵ In February 1993, Particio Aylwin, the first president of the Chilean democracy, instructed its diplomatic corps to solve all pending disputes by December of that year, but military acquiescence remained key to the success of this moderate transition and the project had to be abandoned (St John 1994).

Third party assistance was critical in putting Argentina and Chile on the negotiation track after they had almost gone to war. First and foremost, the involvement of the Vatican as a mediator in December 24, 1978 is universally seen as the main factor that avoided future escalation. In particular, the mediation was the main reason why Argentine plans to attack already underway were cancelled. According to Margarita Lisińska (2019: 118) “There was a general agreement among scholars as well as military officers speaking out years later, that the authority of John Paul II offering mediation was the most important factor which affected the decision...”

The support of the OAS and the UN would have granted Chile in the event of an Argentine attack played a significant role in moderating both Santiago and Buenos Aires too (Villar 2016: 83), and Washington played a prominent, though indirect role in this regard. Both Argentina and Chile had substantial interest in involving the United States as a mediator in the Beagle dispute as a way to divert attention from human rights violations – the central concern of the Carter administration. Amidst rising tensions, Robert Pastor, National Security Advisor to President Carter, claims that both parties sent him a letter on early December 1978, which asked Washington to mediate. The State Department was reluctant to abandon the human rights policy to get involved in a mediation effort and Zbigniew Brzezinski, who had a special relation with his countryman Pope John Paul II, facilitated the timely involvement of the Holy See (Villar 2016: 98-102). Thus, history points to the indirect influence of the United States and the OAS, and a more direct impact of the Vatican mediation.

Over the next two years, the disputants met repeatedly with the Pope and his representatives, who, in late 1980, proposed the terms that would eventually comprise the final formula for settlement. “The Vatican’s patient and persistent mediation effort prevented war and allowed confluence of events to aid the conclusion of this conflict” (Lindsley 1987: 451). Rome’s mediation, however, did not immediately resolve the dispute. While Chile accepted the papal proposal with minor reservations, the Argentine military dismissed it after it was leaked to the press in 1981, and continued to consider resolving the dispute by force (see Arquilla and Moyano 2001). The nationalistic ideology that imbued the military continued to be a major impediment (Lisińska 2019: 120), and the institutional composition of both military governments allowed hardliners to systematically block any rapprochement (Villar 2016: 56-58, 62).

Thus, although centrally important, the Vatican mediation was not completely effective in leading to a resolution of the dispute (Princen 1992). This further

strengthens our case that third parties were necessary, but not sufficient, for the resolution of resistant cases after 1945.

The settlement of the Oriente-Mainas dispute between Ecuador and Peru in 1945 offers another good illustration. In the midst of World War II, the United States were certainly very interested in reaching a peaceful settlement of this dispute but fearing a direct intervention would divert the Department of State's attention from the war scenarios and alienate Latin American allies, Roosevelt tried to avoid getting directly involved (Wood 1966: 338; Wood 1978: 147). Instead, the United States supported the good offices of the Brazilian foreign minister Oswaldo Aranha. The 1942 Rio Protocol determined that a Demarcation Commission led by Braz Dias de Aguiar, the chief of the Brazilian boundary service, would award the new borders. Argentina, Chile, and the United States actively participated as guarantors that the demarcation would be in accordance with the terms of the agreement. Together with Brazil, these countries played a central – some would say fundamental (Palmer 1999) – role in assisting the parties.⁶ After the demarcation was completed, the United States Army Air Force surveyed the zone of the settlement in support of the Demarcation Commission, providing maps and revealing new details about the topography and hydrography of the region.⁷

When the Cenepa War broke out in late January 1995, the Ecuadoran President's first reaction was to call the guarantors of the Rio Protocol to intervene again in order to settle the Cordillera del Cóndor dispute, which was at the heart of the frictions. The four countries and the OAS acted as powerful constraints on both parts as hostilities developed for a month or so (Palmer 1996). In fact, both parties were already sitting in the Brazilian Ministry of Foreign Relations only a few days after the initiation of hostilities, negotiating the terms of the Itamaraty Peace Declaration of February 17, 1995. The guarantors also deployed 112 soldiers under the United Nation's Military Observer Mission Ecuador-Peru (MOMEPE) – the entire contingent – on March 12. In the Santiago Agreements of October 1996, Ecuador and Peru decided that the

⁶ Aranha played a particularly important role in the process, acting as a de-facto arbiter over the practical disputes that appeared as a result of the demarcation (Krieg 1986: 129).

⁷ These maps showed a fundamental flaw in the demarcation of the areas near the Cenepa River, which would be at the core of the subsequent Cordillera del Cóndor dispute. In 1948 Quito ordered not demarcate the zone and in 1960 declared the Rio Protocol null. However, most of the border besides the Cenepa River region had been demarcated already and the Oriente-Mainas dispute remained broadly settled in this second phase.

guarantors would be the ones to decide the terms of a settlement should the parts prove unable to reach a solution. Therefore, envisioning renewed tensions, Presidents Fujimori and Mahuad decided to meet US President Bill Clinton in the White House on October 9, 1998, and asked the United States to propose a final solution, which the United States did together with the other three guarantors. The Global and Definitive Peace Agreement was signed on 26 October 1998 under the terms proposed by the guarantors (St John 1999: 43).

Third parties played a key role in the El Salvador-Honduras dispute over Bolsones and Gulf of Fonseca as well. After the 1969 Soccer War the OAS patrolled a demilitarized zone in the area of the *bolsones* (pockets) and acted as a facilitator until the “Convention for the Adoption of a Mediation Procedure between the Republics of El Salvador and Honduras,” was subscribed in October 1976. The agreement named the Peruvian magistrate and member of the ICJ, José Luis Bustamante y Rivero, as head of the mediation efforts that would end in the 1980 General Treaty of Peace (Lauterpacht and Greenwood 1994). Over the mid and late 1970s, Washington had pushed for a final resolution of the dispute over Bolsones between the two countries due to strategic concerns that the region was being used as a stronghold by guerrilla movements (Phil Gunson and Thompson 1991: 44-45). During the early Reagan years, however, the United States was too involved in Central America to be an effective mediator, and effectively blocked other mediation attempts.

During 1985, however, the Contadora (Colombia, Mexico, Panama, and Venezuela) and Contadora Support (Argentina, Brazil, Peru, and Uruguay) groups began to effectively provide mediation, as this particular territorial issue began to be regarded as an integral part of the Central American conflict (Wehr and Lederach 1991). The involvement of Latin American neighbors would be important to foster the recognition of the ICJ by both parties on May 24, 1986. The agreement took place in Guatemala, in the context of the Esquipulas Declaration, in which several other Central American governments addressed other concerns related to international and domestic peace in the region. One year later the Esquipulas II accord established an International Verification and Follow-up Commission, consisting of the Secretary General of the OAS and the Secretary General of the UN, who effectively accompanied the El Salvador-Honduras process until the final ICJ ruling was issued in 1992.

In all the aforementioned cases, it is third party pressure and not dispute resolution mechanisms themselves that produced the settlement. Quite on the contrary, when mediation, arbitration, or adjudication is intended without overwhelming political backup, the process can backfire. The rejection of arbitration awards was a main cause of escalation in resistant case disputes.⁸ Conversely, when outside pressure existed and conflict resolution mechanisms were absent, the resolution of resistant cases was also facilitated. The Rio de la Plata dispute illustrated this point. The Argentina-Uruguay dispute fits this narrative in a slightly different way. Pressure from third parties was necessary to instill cooperation between Buenos Aires and Montevideo. In this particular case, however, cooperation was not favored only by third party facilitation, mediation, or arbitration. Third parties, in general, were excluded from the negotiation process in an issue that was considered by the parties as bilateral (Castillo 2008: 47-53). The key external push was the Brazilian threat to control strategically the water flows of the Plata Basin, which became clear when a treaty between Brazil and Paraguay in April 1973 provided for the construction of the Itaipú Dam. The Argentine and Uruguayan military saw the project as evidence of a Brazilian threat and chose to secure their alliance by settling their contentious issues (Biswas 2013: 79).⁹ This, however, did not mean that mediation did not play a central role in the signature of the Treaty of the Rio de la Plata and its Maritime Limits. Quite on the contrary, a Mixed Technical Commission created by both governments in 1971 did almost all the work that led to the final version of the treaty. The technical commission played the role of a mediator, crafting a mutually acceptable solution that was then available to the parties when regime change took place in Argentina and negotiations were sped up. Moreover, the possibility of reversion to the ICJ – recognized in article 87 of the treaty – was a key to defining Montevideo’s willingness to participate as well.

⁸ In particular arbitration was very problematic in the absence of an international environment that compelled both actors to accept the award. In the Oriente-Mainas dispute the Spanish Arbitration of 1887, for instance, was suspended several times and its final 1910 award almost led to war between the two countries after Ecuador rejected it (Tobar and Tobar 1994). A similar situation took place in January 1978, when Argentina declared the award by Queen Elisabeth II – which granted the islands in the Beagle Channel to Chile – to be insuperably null and void.

⁹ When the Uruguayan president visited his peer in Buenos Aires during February 1974 to deposit the instruments of ratification of the Río de la Plata Treaty, both chief executives signed an agreement to build the Salto Grande Dam over the Uruguay River. Historians agree the decision to co-build this dam was taken by both presidents during a phone call in June 1973 – a few months after the Itaipú treaty – and the resolution of the river dispute was necessary to move forward. All this provides further evidence that the territorial settlement was driven by third party pressure (Escudé and Cisneros 2000: 220).

Again, looking at ongoing resistant cases provides material for some cross-case inferences. For instance, states in the Southern Cone and the United Kingdom comprise an important part of the sample of countries that have not settled their disputes. This suggests that third party assistance in the form of mediations are key to resolved these disputes, given the consistent reluctance to involve third parties that has characterized London's foreign policy.¹⁰

¹⁰ In some cases, such as the Falklands/Malvinas dispute, authors have explicitly identified the lack of third party assistance as a crucial factor (Tulchin 1987). The main counterfactual involved here could be posed as follows: What if both parties involved in the Belize, Corentyn, Essequibo, and Malvinas/Falklands dispute had been Latin American states? A cursory review of these disputes suggests that the parties would have resorted to their party assistance and these disputes would most probably have been resolved already. Third parties played virtually no role in the Guatemala-Belize dispute during most of Belize's colonial history. The United States and the United Kingdom had an explicit understanding over the status of British Honduras before 1945 and then the issue was seen primarily as a self-determination question, which postponed the resolution of the dispute. During the existence of British Guyana, the Venezuelan claim over Essequibo was virtually free from any external constraints as well. As with the Falklands/Malvinas, Belize, and Corentyn issue, the dispute involved the overlapping issue of decolonization and its resolution, which ultimately depended on a geopolitical understanding between London and Washington, had to be postponed until self-determination was achieved. After being precluded for more than a century, third party involvement has certainly become a possibility after the independence of Belize, Guyana, and Suriname, but a final resolution remains elusive, probably because of the absence of the other two key factors we highlight in our model.

Appendix D. The United States in Latin America post-1945

In considering whether US hegemony might be responsible for the convergence of the three key factors, we first consider whether US influence was present in negative cases (i.e., cases of no-militarization, no-democratization, and no-third party intervention). We then consider the five resistant cases that settled in the post-1945 era and explore to what extent US influence could have been influencing our factors of interest.

1. Failure

If Washington was driving resistant case settlement we should see some convergence between US policy change and our three factors of interest. This implies US influences should have been absent when the three factors – and thus the outcome – are absent. Nevertheless, US influences seem to be rather constant throughout long periods of time and sometimes working strongly against our conditions of interest.

1.1. US Preferences for Democratization

A literature on the role of the US in Latin American episodes of democratization considers regime related influences coming from Washington to be relatively uniform across the region instead of country-specific. Thus, it is unlikely that these would have affected only our cases of settlement and not others. Regime policies were unclear – and sometimes pro-authoritarian – from 1945 to 1977 with exception of the Truman (Bethell and Roxborough 1992; Schwartzberg 2003) and Kennedy (Smith 1991; Tulchin 1988) years – and largely pro-democratic from the Carter Administration onwards – with the possible exception of the early Reagan years (Acevedo and Grossman 1996; Carothers 1991; Handelman and Griffin Sanders 1981; Legler et al 2007; Lowenthal 1991; Mainwaring and Pérez-Liñán 2013; Robinson 2000; Sikkink 2004; Smith 1994; Whitehead 1986, 1996; Wiarda 1986). A recent study shows that even in periods when the US was insistently pushing for democratization, its causal impact is mixed. Only 9 out of 18 episodes of democratization happen post-1977 – i.e. during the most proactive era of democratic promotion during which the US be considered as having an important causal impact in the transition (Schenoni and Mainwaring forthcoming). Most transitions towards semi-democracy or democracy – i.e., those relevant to our analysis

in figures 3 and 4 (see Mainwaring and Pérez-Liñán 2013) – tend to occur when the US does not offer clear support for democracy (1945-1977) precisely because intermittent breakdowns happen in that period as well. More consistent support for democracy from Washington post-1977 meant countries democratized once and for all in that period. Relevant for our analysis is that dyads with resistant disputes democratized the most when the US was not pushing for democratization, and only three out of ten resistant disputes settled – thus, only three out of our twenty countries democratized – in periods when the US was uniformly pushing for democracy in the whole region. For these reasons the impact the US is exercising through democratization proves very small.

1.2. US Preference for Settlement and Disposition to Facilitate

One might think that the US could change its policy toward particular dyad of countries in a particular moment, simply causing the settlement of a dispute by intervening. Our review of US-Latin American relations literature that deals more or less directly with territorial disputes and militarization, however, suggests that the US was invariably in favor of settlement in most of these cases and yet was wary to intervene, doing so only in specific instances where both parties looked for its support and such intervention would not harm the US strategically. In particular, anti-Americanism was always a concern in a region that was very sensitive to Washington's intrusions (Atkins 1999; Bertucci 2013; Cottam 1994; Francis 1977; Kenworthy 1995; Kryzanek 1990; Lieuwen 1965; Long 2015; Lowenthal 1991; Middlebrook and Rico 1986; Palmer 2006; Pastor 2001; Schoultz 1998; Smith 2000; Teixeira 2012; Tulchin 2016). During the Cold War and its aftermath the degree of US influence varies considerably (Brands 2010) with it increasing after the Helsinki Accords and, most notably, after the fall of the USSR. Yet these ebbs and flows do not correlate with the presence of third party intervention (see figures 3 and 4). Interventions also tended to produce negative outcomes. At different points in time, Washington tried to push for the settlement of the Malvinas/Falklands (Norden and Russell 2002: 27; Escudé and Cisneros 2000: 135), Antofagasta (Sater 1990: 73), Belize (Handy 1984: 154), and Essequibo (Erwel 1996: 254; Romero and Kelly 2002: 109-111) disputes, but this involvement failed to lead to settlement. Moreover, when US tried to intervene more forcibly, resistant disputes tended to harden because one of the parties became suspicious US involvement would harm its position. In general Washington seems aware of this and prefers not to intervene as a third party, not even when asked to do so.

1.3. US Preferences against Militarization

The main reason why the US is implausibly driving the convergence of our three factors of interest is Washington's invariable opposition to militarization in the hemisphere. The aim to prevent militarization and escalation was the most consistent feature of Washington's policy towards the hemisphere post-1945. Embassy cables often record every incident of this type with dramatic detail. Even if the US might have supported democratization effectively in many cases and did provide assistance as a third party in particular contexts, we fail to identify instances of militarization in the hemisphere that were supported by Washington. The only exceptions regard cases in which the US was directly involved – e.g. interventions such as in Cuba, the Dominican Republic, Panama, and Haiti – or indirectly involved – e.g., in the Central American crises. In most of these cases the MID was not caused by nor related to a territorial dispute. Thus, the US could explain settlement failure through deterring militarization – all the white boxes in our crossword diagram – but not success – black boxes, i.e. the phenomenon we are interested in. This leads to one alternative question: Did the US *prevent* the settlement of resistant cases by preventing militarization? Those who have entertained this particular puzzle find that MID occurrence in Latin America is far more common than this hypothesis suggests (Mares 2001) and American influence fails to predict the phenomenon (see also Kacowicz 2005; Martin 2006).

2. Success

Now we turn to our cases of successful resistant case settlement: Río de la Plata, Beagle, Oriente, Cordillera del Cóndor, and Bolsones-Fonseca. If the hypothesis that the US is driving the process is to perform reasonably, we should evidence an important deal of American involvement causing democratization, third party intervention, and militarization in these cases, or directly causing settlement independent of our proposed causal mechanism.

2.1. US and Democratization Preceding Settlement

The settlement of the Río de la Plata dispute was possible thanks to the change in preferences brought about by Argentine democratization in 1973, yet the US was supporting authoritarianisms at the time. This is evident in CIA's involvement in the

1973 coup against the government of Salvador Allende in Chile (Jensen 1989; Valenzuela 1978) as well as support for the coup of Bordaberry in Uruguay during the same year (Kauffman 1979: 11; Leighton and Lopez 2015: xv; Gillespie 1984), which reached to high level officials such as Kissinger and Nixon himself. Thus, US influence worked in the inverse direction as expected. During the Beagle settlement (another episode of Argentine democratization) the US had changed to a more consistently pro-democratic policy. Washington did support Argentine elections in 1983. Unlike in other Latin American cases, however, the process seems to have been domestically driven with the US playing a very secondary role (Russell 1987: 43-44; Escudé and Cisneros 2000). Similar inconsistencies with this argument arise if one inspects the juncture of the Oriente-Mainas settlement. In the same five year period, Washington failed to condemn Colonel Odría's coup in Peru (1948) and thus cannot be seen as a pro-democratic actor (McClintock and Vallas 2003: 10; Clayton 1999: 175; see also Carey 1964).

Only in the junctures of the Bolsones-Fonseca and Cordillera del Cóndor settlements can US influence be seen as decisive in the way to democratization. In Honduras (Binns 2000: 53; Carothers 1991: 51) as in El Salvador (Arnson 1993: 158; Bosch 1999: 69-72; Karl 1986; Mainwaring and Pérez-Liñán 2013: 186; McClintock 1985; Sikink 2004: 170-173) moderates in Washington played a central role in generating some convergence toward centrist forces in those countries, which eventually succeeded in the elections of 1982 and 1984, respectively. Support was far from straightforward, however, with the US also supporting the training of military and paramilitary forces in both countries, and providing enormous amounts of military aid to dictators. The Cordillera del Cóndor, might be the only of our five cases of success in which settlement coincides with the success of US pro-democratic pressures that brought Peru back to the democratic track (Kenney 2004; Palmer 1996: 223). Still, other authors might argue that the OAS and not the US played the key role in that process (Pevehouse 2005: 133).

2.2. US as a Third Party in Successful Settlements

The case for influential US third party intervention in successful cases is similarly difficult to make. In fact, the contrary seems to be true, with Washington trying not to play a relevant role as a facilitator in the resolution of these disputes. The US played no role whatsoever in the settlement of the Río de la Plata dispute. In the

case of the Beagle, Bolsones-Fonseca, Oriente-Mainas, and Cordillera del Cóndor, the US was clearly interested in deterring escalation and bringing about a resolution, yet it always played a secondary role and tried to have a different actor assume protagonism. As noted above in Appendix C, Zbigniew Brzezinski, who had a close relation with Pope John Paul II, facilitated the timely involvement of the Holy See that led Argentina and Chile to the negotiating table (Villar 2016: 98-102). In the Central American crises, the US progressively lost a role as a possible facilitator to the members of the Contadora Group – then the Rio Group – formed by Latin American states (Wehr and Lederach 1991). In both Peru-Ecuador disputes, Roosevelt and then Clinton tried to avoid getting directly involved (St John 1999: 43; Wood 1966: 338; Wood 1978: 147) relying on the good offices of Brazil and the other guarantors of the Rio Protocol. In all these cases Washington seems to be trying to avoid being seen as interfering in other countries' sovereign affairs.

2.3. US and Militarization in Successful Settlements

In the MIDs that preceded our five resistant case settlements Washington seems to be in complete opposition to militarization. In fact, in all the cases the US seems clearly alarmed by the events and mobilizes its diplomacy in one way or another to prevent escalation. Thus, although the MIDs clearly capture the attention of Washington, it seems unlikely that they are caused by the US in even the most indirect fashion.

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