Territorial Disputes in the Shadow of Law: Legal Claims and the Use of Force (v7.5)

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Abstract

When states claim each other's territory, they use detailed legal arguments to convince each other and third-party actors that international law favors them. Under what conditions do legal claims affect the use of force in territorial disputes? What is the interaction between the strength of legal claims and the challenger's military power? In this paper, I formally model the bilateral interaction between a challenger and a target with a cost of punishment as a function of the strength of the challenger's legal claim for using force. Moving from the model, I argue that an increase in the challenger's legal claims and military power in interaction emboldens it to act demandingly and increases the likelihood of using force, and that a disproportionately powerful challenger is less likely to use force. I test these hypotheses by using the territorial disputes and legal claims dataset of Huth et al. (2013). I find strong support for the hypotheses. A militarily capable challenger with a strong legal claim may be more likely to use force than a challenger with a weak legal claim. This paper makes significant contributions to the literature by modeling the impact of legal claims in territorial disputes and demonstrating the emboldening effect of international law.

1. Introduction

States formulate their territorial claims and engage in territorial disputes in the shadow of law, even though they have no intention to bring the matter before a court. For instance, China uses historical treaties, maps, and archeological evidence to support its legal claim over the islands in the South China Sea and the disputed territories in South and Central Asia. When Venezuela challenged the 100-year-old arbitration decision over Guyana, and when Ecuador challenged its border treaty with Peru, they claimed that they acted under duress and that the legality of these binding legal documents was questionable. It is puzzling that states with no intention of taking territorial disputes to court engage in public legal battles over territory outside the courtroom, instead of simply using force to change borders.

Understanding the effect of legal claims requires a comprehensive theoretical approach that captures the strategic environment in which legal claims function. In a territorial dispute between a challenger and a target, the use of force is often a viable option, alongside maintaining the status quo and pursuing peaceful means of settlement, such as negotiations, adjudication, and arbitration. In most territorial disputes, the challenger claiming territory controlled by the target uses legal claims and military force as a part of their strategic toolkit. In this paper, I ask the following questions: What is the impact of the strength of legal claims on the challenger's likelihood of using force in a territorial dispute? What is the interaction between the strength of legal claims and the challenger's military power?

The literature on the effect of legal claims and international law on the challenger's behavior in territorial disputes conceptualizes international law as the pacifying focal point, which allows disputants to coordinate around and third-party actors to react accordingly (Allee and Huth 2006; Huth et al. 2011; 2012; 2013; Schultz 2014; Prorok and Huth 2015; Irajpanah and Schultz 2021). Challengers using force to conquer territory are aware of the possibility of enforcement in the form of punishment. Huth et al. (2012) represents the conventional wisdom, arguing that strong legal claims can pacify challengers. They lower the likelihood of a challenger using force unilaterally, and if an escalation occurs, the side with the stronger legal claim is likely to be more belligerent, knowing that international law is on their side.

This literature does not acknowledge one major issue. Under international law, the target is under no obligation to accept offers of peaceful settlement. Considering this with the prohibition on the use of force under the UN Charter, the target can refuse to engage in peaceful negotiations, leaving the challenger to consider using force as a substitute for the peaceful ways of resolution. Indeed, the challenger's use of force would be a violation of the prohibition on the use of force. However, the challengers with a strong legal claim over disputed territory would expect a lower punishment than the challenger with a weak legal claim. Under these circumstances, a stronger legal claim may embolden a challenger to take a more aggressive approach and use its legal claim as a defense for the charge of using force in violation of the prohibition. Knowing the impasse, third-party reaction would be different than the scenario in which a challenger with a weak legal claim uses force. Still, the emboldening effect of the legal claims would be conditional on the military power of the challenger, given that legal claims alone do not deliver victory.

In this paper, I model the strategic interaction between the challenger and the target in a territorial dispute, where the enforcement of international law serves as a form of cost (punishment) when a challenger uses force. In this two-player game, the challenger can choose to maintain the status quo, resolve the dispute through bilateral negotiations, use dispute resolution mechanisms (adjudication or arbitration), or use force unilaterally. The model proposes a specific mechanism through which legal claims influence the behavior of disputants and operationalizes legal claims as the determinant of the reaction they expect when using force in territorial disputes. The challenger's cost of punishment for using force is a function of the strength of its legal claim.

Moving from the equilibria, I derive several hypotheses regarding the effect of the challenger's legal claim and its interaction with its military power in the shadow of international law and possible enforcement from third-party actors. First, increasing the military power of a challenger increases the likelihood of the use of force outcome in a territorial dispute until the point at which the challenger becomes disproportionately more powerful. Second, a militarily very powerful challenger is less likely to use force to settle territorial disputes with a militarily weaker target. Instead, the target would concede bilaterally instead of fighting and losing territory, in addition to incurring the cost of fighting. Third, increasing the strength of a challenger's legal claim in interaction with its military power increases the likelihood of force being used in a territorial dispute. More specifically, stronger legal claims embolden a militarily capable challenger that is not disproportionately powerful to resolve the dispute bilaterally. Lastly, increasing a challenger's strength of legal claim decreases the likelihood of using force.

I test these hypotheses by using logistic regression models and an updated version of Huth, Croco, and Appel's (2013) dataset on territorial disputes and legal claims. The results are very interesting. Overall, I find strong support for the emboldening effect of legal claims and military power in territorial disputes, as the first and third hypotheses suggest. However, the likelihood of the use of force sharply declines beyond a point at which the challenger's military power is decisive enough to make fighting prohibitively costly for the target. Finally, I do not find results that support the fourth hypothesis, which presents the conventional wisdom of international law as a pacifying force in international politics.

With this paper, I make three major contributions to the literature on territorial disputes and international law. First, this paper offers the most comprehensive and nuanced theory of the effect of legal claims and military power on territorial disputes so far. Second, I offer an aspect of legal claims over territory that is mostly missed in the literature. Legal claims can embolden disputants in territorial disputes and lead to escalation and conflict. Thus, international law is not inherently a pacifying force in territorial disputes. For the same power level, capable challengers with stronger legal claims are more aggressive and willing to use force. This paper brings the effect of military power and its interaction with legal claims back into the discussion of international law and territorial disputes. Scholars of international security and institutions mostly focus on designs that show the positive and pacifying impact of international law and norms over interstate conflict. However, most disputes occur in the ambiguous middle ground where the effect of law and power requires more nuanced theories. Lastly, to the best of my knowledge, this paper is the first to formally model territorial disputes and operationalize the enforcement of international rules in the territorial context. The formal model offers a comprehensive theory that helps us diagnose the specific conditions in which international law affects the use of force through third-party enforcement. This is a significant contribution, considering the institutionalist arguments that international law is ineffective unless it is sustained bilaterally by reputation or reciprocity.

2. Territorial Disputes and Interaction over Territory

Territorial disputes are the most significant source of interstate conflict (Holsti 1991; Huth 1996; Zacher 2001; Hensel 2000; Kocs 1995). Unlike other types of interstate conflicts, territorial disputes have a greater potential for escalation and war. In addition to militarized confrontations, territorial disputes negatively impact trade and foreign direct investment, lead to interstate rivalries, and affect the democratization of disputant states (Simmons 2005; Carter et al. 2019; Gibler 2012).

In this paper, I conceptualize territorial disputes as an interaction in the shadow of third-party punishment that takes place between a challenger, the state that disputes the current division of territory and claims the distinct territory beyond its control, and a target, the state that aims to maintain the current territorial status quo. This definition is in line with Huth, Croco, and Appel (2011, 2012, 2013) and Frederick, Hensel, and Macaulay (2017). Since the scope of this study is to find the conditions under which the use of force becomes feasible for the challenger, I model the disputes over territory as an interaction between a challenger and a target. Given its discontent, the challenger is most likely to be the actor taking the first action. The challenger with an active territorial claim has four courses of action available: maintaining the status quo, using force, seeking dispute resolution (adjudication or arbitration), and demanding the territory in bilateral negotiations. By default, the challenger maintains the status quo, but it can choose to alter it by using force or pursuing other options if these alternatives offer better payoffs. This characterization is similar to how Huth, Croco, and Appel (2011) depict territorial disputes.

In this conceptualization, the target doesn't need to take any action in the status quo. In response to the challenger's use of force, the target must respond in kind. It can respond to the offers of dispute resolution or the bilateral demand by either accepting or rejecting them. If the target is to reject the offers, the challenger then chooses between maintaining the status quo and using force, since its attempts to resolve the dispute peacefully bore no fruit.

Legal claims play a major role in territorial disputes by shaping the behavior of the challenger and the target. As Huth, Croco, and Appel (2011, 2012, 2013) put it, it serves as a focal point and helps parties coordinate their behavior in territorial disputes. Although this statement makes sense, the role of legal claims based on international law is challenging to conceptualize and theorize due to the zero-sum nature of territorial disputes. To operationalize the role of international law and legal claims, I lay the theoretical foundations in the third section by introducing the relevant legal framework.

3. Role of Legal Claims in Territorial Disputes

a. What is a Legal Claim?

I define legal claims as the disputants' arguments over the ownership of territory, supported by different legal principles and instruments in a legal dispute. In the course of laying and pressing their claims to territory, challengers use legal arguments to justify their ownership. These legal arguments can take multiple forms, such as treaties and their interpretation, customary principles regarding state practice and geographical features. Beyond just legal language attached to political claims over territory, these claims shape the way states present and press their claims. In some cases, a disproportionately weaker challenger maintains its legal claim against a militarily stronger target over a disputed territory. For instance, Afghanistan maintained its claims over Pendjeh, which was controlled by the Soviet Union, and Mexico maintained its claim over El Chamizal, which was controlled by the United States (Huth and Allee 2002). Thus, legal claims are, in most cases, more than a pretext. They are the result of legal disputes, and states maintain them very carefully and utilize them as a tool in their disputes, shaping their actions accordingly.

Legal claims over territory originate in international law, also known as international public law. Despite debates about its questionable enforcement record, international law is a form of law (D'Amato 1984). Unlike domestic legal fields, it has a horizontal structure of norms (Orakhelashvili 2022). The Statute of the International Court of Justice (ICJ) mentions treaties, customs, and general principles of law as the primary sources of international law (Art. 36, Statute of the ICJ). Given the horizontal nature of the law, the ICJ applies several interpretation rules to determine which law governs a specific legal dispute. The ICJ's rulings in prior cases are not necessarily binding on future legal disputes; however, the Court values legal predictability, and following the Court's legal assessment allows us to assess the quality of similar legal claims made by disputant states in other disputes even if the dispute will not appear before the Court.

Historically, the ICJ has paid particular attention to treaties that define and delimit borders and regarded them as constituting the specific law that demonstrates the manifestation of parties' consent and governs territorial affairs (Sumner 2004). In interpreting the treaties, the ICJ adheres to several key principles regarding interpretation. In the absence of treaty law, the ICJ follows the customary principles that govern sovereignty over territory. Among others, these principles include uti possidetis juris, effective control, terra nullius, acquisitive prescription, and title by occupation. Especially when these principles fail to suggest a clear resolution, customary principles that govern boundary lines along the geographic features come into play. These principles usually follow the principle of equitable distribution of territory and include the thalweg principle, the watershed line in mountains, river accretion, and many others.

By clarifying the sovereign ownership of territory, international law enables actors to coordinate their beliefs and actions. Similar to real estate law, the actor in control of a territory is presumed to be the owner of that territory. However, history shows us that states have forcefully occupied each other's territory, often without a valid legal claim to ownership based on international law. With the prohibition of territorial acquisitions in the course of war in the UN Charter, occupation lost its determinant value for ownership. Consequently, a state can use the principles I mentioned above to press its claim over territory despite its lack of control over it.

A good example of a legal claim over territory is the Egyptian claims over the Sinai Peninsula under Israeli occupation. Israel occupied the peninsula twice, first during the Suez Crisis in 1956 and second during the Six-Day War in 1967. During both occupations, the peninsula was occupied as part of a military conflict. Israel had no sovereign claim over the peninsula prior to the occupation. The territory was also internationally recognized as part of Egypt. After the occupation of the territory in 1956, Israeli Prime Minister Ben Gurion considered the annexation of the peninsula, but he later withdrew from the peninsula due to US and Soviet pressure (Masalha 1996). After its second occupation, Israel had controlled the peninsula for almost fifteen years. Despite its lack of control, Egypt never relinquished its title to the territory. Similarly, Israel did not declare its legal claim over Sinai, but it took silent actions to incorporate the territory by creating settlements in Sinai in a legal fait accompli. Consequently, Israel returned the territory to Egypt in 1982 as part of the peace agreement between the two states.

It is challenging to quantify the strength of legal claims to assess their impact on a large sample of territorial disputes. Studies of territorial and other interstate disputes mention the importance of legal arguments (e.g., Nelson 2010; Johns 2012; Abramson and Carter 2016; Irajpanah and Schultz 2021). However, with the exception of a handful of studies (e.g. Huth et al. 2011; 2012; 2013; Schultz 2014; Prorok and Huth 2015), there is almost no scholarly work that theorizes the effect of international law on the outcome of territorial disputes or disputants' behavior. Although some formal models take legality into account indirectly, in the form of the probability of winning a case before an arbitrator or a court, these models do not explore the impact of the strength of the legal claims outside the mechanisms of adjudication or arbitration, nor theorize the effect of legal claims on territorial disputes (Johns 2012; Gent and Shannon 2014). States that have no intention of bringing claims before a court use legal language in their arguments regarding their territorial dispute. Consequently, it is necessary to offer a comprehensive theory that captures the role of legal claims in and outside the courtroom in the territorial setting if we want to understand the actions of disputant states.

b. The Prohibition of the Use of Force and Legal Claim

Since the adoption of the UN Charter, a treaty law that binds all members of the United Nations, the principle of territorial integrity and the prohibition on the use of force to resolve interstate disputes have become established parts of international law. Despite the prohibition on the use of force, there is no compulsory requirement to take peaceful actions to resolve territorial disputes (Kohen 2017). This leads to a situation in which a challenger's seemingly viable claims may not be considered by a target that aims to use the prohibition as a shield to prevent the loss of territory in a bilateral or adjudicatory process where the legal claims determine the outcome. Consequently, the challenger is faced with two options: maintaining the claim by continuously putting pressure on the target or taking military action to forcibly seize the territory, thereby violating the prohibition on the use of force.

Historically, several states used force to take control of the territory over which they had legal claims. For instance, India had territorial claims over the Portuguese colonial enclaves in the Indian subcontinent. These claims were based on decolonization.[1] Although India attempted to use diplomatic and peaceful means to take over these enclaves, the Portuguese government insisted that these enclaves were not colonial but part of Portugal's metropolitan territory. Following the Portuguese government's continued refusal to consider India's legal claims, India used force in 1961 to seize Goa and other Portuguese colonial enclaves.

Not all uses of force to take territory from the target are equal. Given the prohibition of the use of force, the state that uses force is culpable in the descriptive sense. However, the culpability of challengers with weak legal claims differs from that of those with strong legal claims. Knowing the impasse caused by the target's refusal to engage in peaceful dispute settlement, disputants and third parties understand that the challenger with a strong legal claim over the disputed territory expects to face lighter consequences than the challenger with a weak legal claim. Similarly, the challenger that uses force with a stronger legal claim against a non-negotiating target doesn't pose a threat to the legal system at a level that the challenger with a weak claim using force poses. Assuming that third parties take action and react in line with the culpability of the challenger, we can use the strength of legal claims as a factor mitigating culpability and lower the consequent expectation of punishment from third-party actors. Here, a discussion about the enforcement of international law in territorial disputes is necessary due to the anarchic nature of the international system.

c. The Post-War Territorial Order and Its Legal Foundations

Territorial order has become more stable since 1945. While some scholars attribute stability to the territorial integrity norm (Zacher 2001; Fazal 2007; Atzili 2012), others present broader

[1] The New York Times article on Nehru's pledge to liberate Goa: https://www.nytimes.com/1961/12/08/archives/goas-liberation-pledged-by-nehru-indian-accuses-portuguese-of.html

system-level explanations that promote an institutional framework that limits further territorial reshuffling (Goertz et al. 2016; Braumoeller 2019; Ikenberry 2019). Within this broader institutionalist framework, borders, as an institution regulating security, trade, and social relations between states, have been extensively studied (Simmons 2005; Carter and Goemans 2011; Owsiak 2012; Schultz 2014; Carter et al. 2019) Today, we know that international law and other institutions regulating territory, such as borders and legal claims, play a critical role in territorial disputes (Huth et al. 2011; 2012; 2013; Carter and Goemans 2011; Schultz 2014; Prorok and Huth 2015; Abramson and Carter 2016)

In this paper, I adopt the position that international law is the main instrument through which the institutionalized territorial status quo is created and maintained. In this formulation, international law encompasses the territorial integrity norm, the prohibition on the use of force, and any other legal principle that regulates and manages borders. Despite the critically instrumental role of international law as the regulating institution of the post-war order, its effects and the specific mechanisms through which it functions are not clear and are subject to intense academic debate in the literature (e.g., Guzman 2008; Thompson 2009). At the core of the debate is the issue of enforcement. Due to the lack of enforcement, institutionalist literature has shifted its focus to reciprocity and reputation as the primary mechanisms through which international law operates (Simmons 2010). Guzman (2008) adds retaliation to the list as a separate mechanism. All these mechanisms are meaningful in the bilateral setting, and bilateral international law is useful in explaining bilateral trade and security relations. However, it does not enable us to sustain system-level institutionalist arguments that Goertz, Diehl, and Balas (2016), Braumoeller (2019), or Ikenberry (2019) make. According to the prevalent operationalization of international law, states should care about their reputation among a small number of neighboring states and fear their retaliation. However, empirical evidence shows us that states with no territorial relations with revisionist states take action to curb their revisionist behavior. It is hard to explain these kinds of behavior without a nuanced theory of enforcement.

In the bilateral setting, the strength of legal claims is less likely to be meaningful, as the legal dispute cannot proceed to arbitration or adjudication without the consent of both states. Due to the zero-sum nature of territorial disputes, the target in control of the territory has no reason to cooperate unless there are major issue linkages or external and domestic audiences. The challenger with a weak legal claim would not be discouraged by its weak legal position in the bilateral setting, isolated from other actors, as it has no intention of cooperating but rather intends to take the territory forcefully in this strategic environment.

Anecdotal evidence from territorial disputes suggests a more complex legal structure in which third-party states take an active role as enforcers to ensure that the system remains intact and continues to distribute benefits and provide protections. In the dispute between Portugal and India, the US Ambassador Adlai Stevenson stated, after emphasizing that the UN Security Council is not there to discuss the merits of Indian claims:

> "If it is to survive, if the United Nations is not to die as ignoble a death as the League of Nations, we cannot condone the use of force in this instance and thus pave the way for forceful solutions of other disputes which exist in Latin America, Africa, Asia, and Europe. In a world as interdependent as ours, the possible results of such a trend are too grievous to contemplate."[2]

Similarly, after the Iraqi occupation of Kuwait, the British Prime Minister, Margaret Thatcher, told the US President Bush that if an aggressor gets away with it, others will want to get away with it too.[3] This evidence necessitates a theoretical model of territorial disputes in the shadow of international law, enforced by third-party actors in accordance with the legal nuances of each dispute.

Third-party actors would want to enforce international law due to the benefits of the institution as a whole and the benefits of the enforcer status (Thompson 2009; Johns 2012). Although enforcement is costly, this cost can be offset by the increasing returns of the institution (Ikenberry 2019). States benefit from the environment with little military confrontation in the form of improved trade, FDI, and limited military spending (Keohane 1984; Simmons 2002; 2005; Ikenberry 2019). In order to preserve the institutions, third-party actors may be willing to enforce the institutional rules in a given territorial dispute (Johns 2012; Braumoeller 2019; Ikenberry 2019). Specifically, third-party actors would want to take action more when the focal point in the coordination problem becomes clear. Here, as it becomes starkly clear that a disputant in a territorial conflict has the legal upper hand, third parties' behavior will converge around the institutions and impose a cost on the challenger that is deviating from the expected behavior by using force in a territorial dispute despite its weak claim.

[2] International Reactions to Indian Attack on Goa. Soviet Veto of Western Ceasefire Resolution in the Security Council. https://web.stanford.edu/group/tomzgroup/pmwiki/uploads/1074-1962-03-KS-b-RCW.pdf
[3] PBS' interview with Margaret Thatcher on her conversation with President Bush on Iraqi invasion of Kuwait. https://www.pbs.org/wgbh/pages/frontline/gulf/oral/thatcher/1.html

Building on the theory of international law enforced by third-party actors, and assuming that these actors care about upholding and enforcing international law, I develop a model of bilateral interaction in territorial disputes in the shadow of international law and third-party enforcement, taking into account the culpability of the actors involved in such disputes. This model proposes a specific mechanism through which legal claims influence the behavior of disputants and operationalizes legal claims as the determinant of the reaction they expect when using force in territorial disputes.

4. The Effect of Legal Claims: The Theory and the Formal Model

In this section, I provide a brief explanation of the theoretical model, its foundations in the literature, and its main findings. I use a formal model to generate hypotheses. Given that the model is simple and intuitive, I present the model in Appendix 1 along with the model assumptions and equilibrium scenarios in which the challenger chooses to leave the status quo and use force or other mechanisms to solve the territorial dispute. Here, I summarize the model.

As an institution that provides a focal point for actors to coordinate their actions in a territorial dispute, international law has been theorized as a pacifying force in the literature under most circumstances (Huth, Croco, and Appel 2011, 2012, 2013; Prorok and Huth 2015; Schultz 2014; Irajpanah and Schultz 2021). Similar to the literature on the territorial integrity norm and its pacifying effect in the post-war world (Zacher 2001, Fazal 2007), international law helps states find their coordination point, limits possible outcomes, and imposes costs on actors planning to renege on their commitments in territorial arrangements. This set of arguments implies that when there is legal ambiguity, states are more likely to be aggressive, or that the pacifying effect of the law is possible only when it is clear enough to help disputant states solve their cooperation problem.

This set of approaches leaves the scenario in which a challenger may be emboldened by its claims while pressing its territorial claims. Huth et al. (2012) partially addressed this possibility, arguing that when a dispute escalates somehow, the disputant with the stronger legal claim is more likely to escalate the militarized dispute relative to disputants with weaker legal claims. Although this explanation lays the groundwork for this paper, it falls short of theorizing the conditions under which a challenger that is unable to acquire territory peacefully due to its target's refusal may resort to force in order to acquire it. In the stage preceding escalation, Huth et al. (2012) argue that a strong legal claim pacifies a challenger and incentivizes it to seek a peaceful settlement. Their theory provides a partial explanation for the target's incentives to cooperate, which are the economic and diplomatic benefits of resolving the dispute. This missing piece overlooks the prohibition on the use of force and the possibility that the target may continue to stall any process of peaceful settlement by shielding itself behind the prohibition on the use of force in territorial disputes. The challenger knows that its strong legal claim over the disputed territory would shield it to a certain degree from organized enforcement efforts of third-party actors and may choose to take the law into its own hands instead of waiting for the target's change of heart.

The anecdotal evidence also shows instances in which states with stronger legal claims take a more belligerent position to escalate disputes when the target refuses to negotiate. Similar to the Goa dispute between India and Portugal, Morocco claimed the small island of Perejil, located close to the Moroccan mainland and under Spanish control. Under the principle of decolonization, Morocco argues that Spanish enclaves in the Moroccan mainland should be returned to Morocco. Given its stronger territorial claim, Morocco attempted to seize some of these colonial enclaves, including the island, in 2002. Unlike Portugal, Spain successfully expelled Morocco from the disputed territory. However, this case, along with many other instances, shows us that legal claims can embolden an actor to take a more belligerent stance. We see this scenario playing out in many disputes, some of which took place between Yemen and its neighbors in the Red Sea in the last three decades. This scenario is not discussed in Huth et al. (2012).

Given the possibility of the use of force, the strength of the legal claim is not the only important factor in this strategic setting. It is a tool in the challenger's toolbox, alongside military power. The literature on legal claims in the territorial context offers very little insight into the interaction of legal claims and the military power of the challenger. Assuming that a legal claim over disputed territory can embolden a challenger to use force, the use of force outcome is conditional on the military capabilities of the challenger and the target, as well as the effect of the legal claim as an indicator of potential punishment by third parties. The challenger will only feel emboldened if it is capable and if the use of force is a viable option. A model that considers both the pacifying and emboldening effects of international law must take military power and its interaction with legal claims into account to offer a comprehensive account of the role of legal claims in territorial disputes.

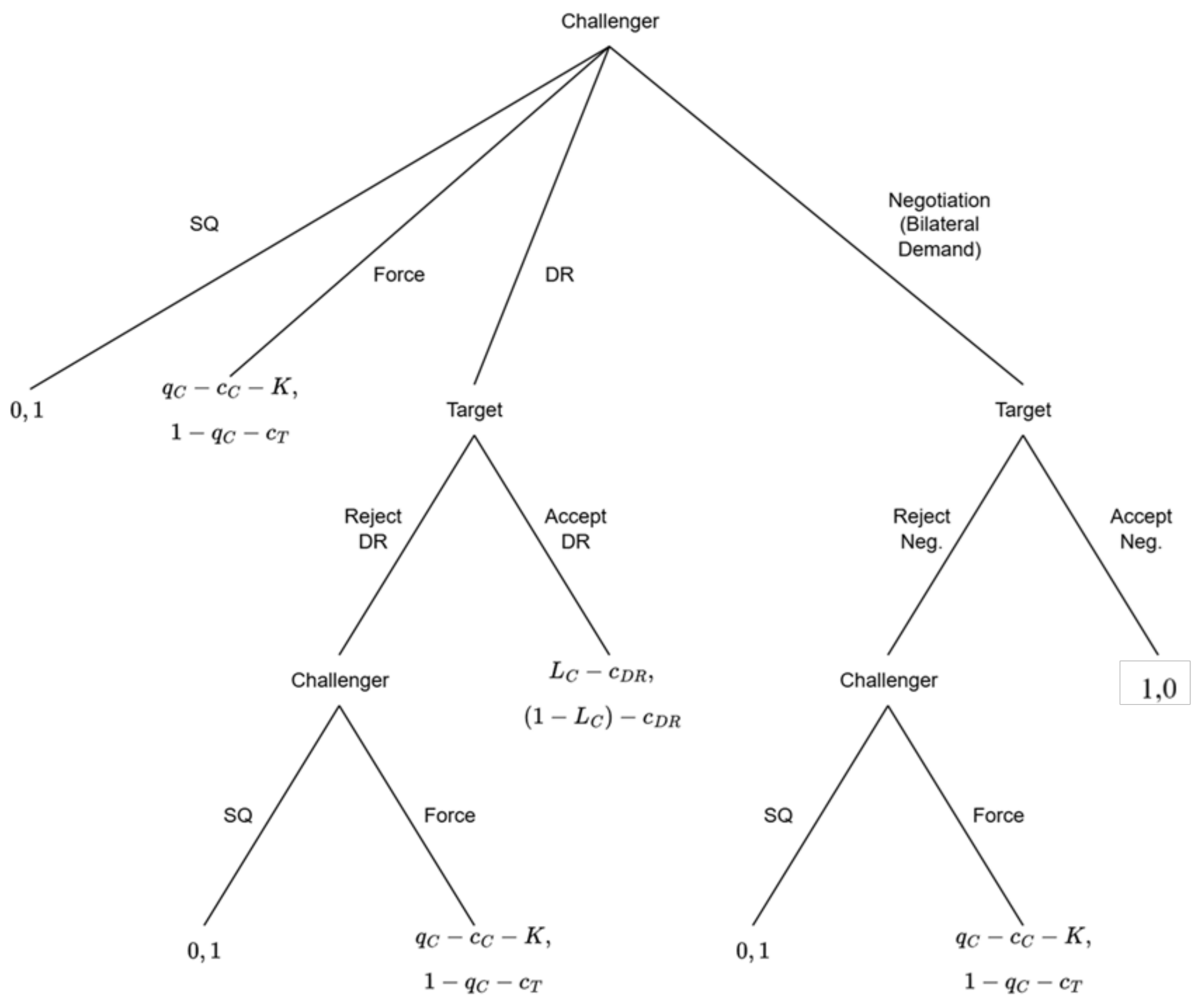

Figure 1: Game Tree

a. Model Summary: Legal Claims in Interaction with Military Power and Use of Force

In my conceptualization, the challenger has four courses of action available: maintaining the status quo, using force, seeking dispute resolution (adjudication or arbitration), and demanding the territory in bilateral negotiations. In order to clarify the conditions under which the strength of legal claim and military power leads to one of these outcomes, I used a simple two-player model. This model assumes that two states are playing a game of territorial dispute over an indivisible territory with complete information. The player controlling the territory is the target, and the player challenging this control is the challenger. I normalize the value of territory to 1. They both have legal claims over territory(L_C, L_T). Because the legal claims disputants use before a court or outside the legal mechanisms have the same legal bases, I associate the strength of the disputants' claims over the territory with their probability of prevailing before a court or arbitration panel. Thus, the sum of their legal claims equals 1: $L_C + L_T = 1$.

The challenger begins the game by selecting one of the four available paths. In the status quo, the challenger maintains a territorial claim, which generates a payoff of zero, and the target controls the territory. The challenger may use force. In this case, the challenger pays the cost of fighting c_C and wins a military victory with the probability q_C. In addition to this formulation of fighting, the challenger suffers a punishment cost (K) which is a function of the enforcement of international law (k) and the strength of the challenger's legal claim (L_C): $K = k.(1 - L_C)$. Therefore, the use of force leads to fighting that is a very costly lottery due to the cost of fighting and the cost of punishment imposed by third parties as a function of the strength of the challenger's legal claim.

If the challenger uses force, the target fights back and wins a victory with $1 - q_C$ and pays the cost of fighting c_T. Unlike the challenger, the target doesn't incur any costs of punishment because the punishment is a result of using force in violation of the UN Charter and international law.

The model further assumes that bilateral demands and concessions through negotiations are costless and that dispute resolution mechanisms (DR) are a low-cost way of resolving the dispute. Given the complete information, the challenger only offers negotiations or dispute resolution if the target accepts them. If the challenger offers and the target accepts negotiations (bilateral demand), the challenger receives the territory without any cost. If the challenger offers and the target accepts DR, then both sides pay the fixed cost of DR (c_{DR}), and the challenger wins the territory with the probability of L_C and loses it with $1 - L_C$. Given that the model doesn't aim to find the conditions under which a DR decision is carried out, I assume that both parties comply with the DR outcome. There are other models that explore this issue of compliance with the court decisions, and modelling that issue is beyond my scope here (Johns 2012).

I solve this game by using backward induction. As the reference outcome, I choose the use of force and find the conditions under which the challenger leaves the status quo and uses force. If the challenger is militarily capable and has a strong enough legal claim, its capability and legal claim pose a risk of fighting. Because the challenger can credibly threaten force, peaceful outcomes —such as DR and bilateral concessions —become possible.

The model generates multiple equilibria. First, the status quo is possible when the challenger is both militarily weak and has a weaker legal claim. In this scenario, the use of force generates a negative payoff, making the status quo a stable equilibrium. As the challenger gains military power or if the challenger has a strong legal claim that reduces the cost of punishment, the challenger becomes more likely to use force, making this equilibrium unstable and allowing the challenger to depart from the status quo.

Second, negotiated concessions in a bilateral setting are possible when the target is willing to concede bilaterally. Given the costless nature of bilateral negotiation, it is the dominant strategy for the challenger. The target receives a zero payoff if it concedes in bilateral negotiations and only accepts this offer when fighting yields a negative payoff. This means that if the challenger is disproportionately powerful, the target's cost of fighting is so high that it makes conceding in the bilateral setting a better outcome. This is a stable equilibrium that doesn't depend on the strength of the challenger's or target's legal claim.

Third, dispute resolution is a stable equilibrium when the challenger is credibly capable of using force, but both disputants still have a better payoff from low-cost DR than fighting. For the DR outcome to materialize, the challenger must be willing to offer DR, and the target must be willing to accept it. The DR offers a better payoff for the challenger when the strength of its legal claim is high, making the DR a low-cost lottery with a higher probability of winning the territory. Conversely, when enforcement of international law is high, the use of force becomes very costly relative to the DR for the challenger with a relatively weak legal claim. On the other hand, the target must be willing to accept the DR offer for it to take place. The DR offers a better payoff for the target if the challenger is militarily capable enough to use force but has a weak legal claim, making the DR a safe alternative for the target. DR becomes more appealing for the target as the challenger's power increases, and the target is willing to accept a DR offer from a very powerful challenger even if the challenger has a strong legal claim. In summary, as the military power of the challenger increases, DR becomes less appealing for the challenger and more appealing for the target. Similarly, as the strength of the challenger's legal claim increases, DR becomes more appealing to the challenger and less appealing to the target. Somewhere in the middle of both spectrums, there is an area where DR is acceptable for both disputants. This area increases as the enforcement of international law (k) increases. With sufficient international enforcement making the use of force costly, DR becomes a stable equilibrium for both actors, albeit a challenging one to achieve due to multiple conditions. In Appendix 1, multiple figures illustrate this area of DR and its response to varying levels of enforcement.

Finally, the use of force is a stable equilibrium when all other outcomes are unfeasible. It means that the challenger is capable enough and has a strong enough legal claim to leave the status quo, but not powerful enough to compel the target to concede bilaterally, or does not have the power-legal claim combination to convince the target to accept DR. In this area, the challenger has a positive payoff from the use of force, and this payoff increases as the challenger gets militarily more powerful and its legal claim is stronger. Stronger legal claims embolden a challenger by lowering the cost of punishment and eventually using force here.

I present the model details and the solution in Appendix 1.

b. Model Implications for the Use of Force and Testable Hypotheses

In this paper, I investigate the effect of legal claims on the use of force, and I derive multiple hypotheses from the model regarding the relationship between the use of force as an outcome and the effect of legal claims, as well as their interaction with military power. Since the two main independent variables are military power and the strength of legal claims, I limit the discussion to these variables.

My model suggests that a state can revise the status quo peacefully or violently only if it is militarily capable. Assuming that the challenger's probability of victory and cost of fighting depend on its military power, it is reasonable to expect that the probability of observing the use of force outcome also depends on the challenger's military power. As the challenger becomes more powerful militarily, it is expected to win more easily, which increases the likelihood of using force (Huth 1996). Empirical evidence also supports the argument that the stronger challengers are more likely to leave the status quo and use force (Bell 2017).

> ***Hypothesis 1 (H1)****: Increasing the military power of a challenger increases the likelihood of the use of force in a territorial dispute until a point at which the challenger is disproportionately more powerful.*

This hypothesis about power is intuitive and has been stated in the territorial context and tested before (Huth 1996). However, the bargaining literature and the literature on power lead to opposite conclusions regarding the relationship between power and the use of force. Although the literature on power in the territorial context suggests a linear relationship between military power and likelihood of using force (Huth 1996; Hensel 2001; Fravel 2008; Bell 2017), the rationalist bargaining literature argues that disputants can strike a deal if there is no uncertainty about the power distribution in a dyad (Fearon 1995; Slantchev 2003; Powell 2004). This mismatch is the result of a critical difference in assumption: the indivisibility of territory.

Although every territory can be divided between disputant states in theory, division is not quite simple in most cases. States formulate their legal arguments over a distinctly defined territory. The definition of borders usually follows the borders of historically distinct administrative units (Carter and Goemans 2011; 2014; Abramson and Carter 2016). Moreover, disputed territories very often host a population that is hard to divide. Along these historically defined lines, states make reputational investments in the domestic and international contexts. Once a military dispute starts, they do not end or freeze at these distinct lines. Therefore, many territorial conflicts failed to produce a clean distribution of territory. These disputes also failed to produce peace agreements and repeatedly resurfaced (Schultz 2014; Prorok and Huth 2015). A good example of this impasse is the Kashmir dispute between India and Pakistan. Another example is the current Russo-Ukrainian War. As of September 2025, it hasn't ended, and one of the main reasons is that Russia legally annexed Ukrainian territories (Donetsk, Luhansk, Kherson, and Zaporizhzhia) that it didn't fully control. Instead of stopping the fighting and dividing these territories up, Russia has been continuously launching attacks to capture these annexed territories. These examples demonstrate that division is not a straightforward matter.

In my model, I also assumed indivisibility of the disputed territory. Under this assumption, the model produced Hypothesis 1. However, the assumption of indivisibility doesn't mean that the target must fight to the bitter end. Fighting is costly, and in some instances, it can be costlier than ceding the territory in bilateral negotiations. The model here provides this interesting insight. If the challenger is so disproportionately powerful, the target expects to lose the territory in a fight, in addition to suffering the cost of fighting. In this case, the target will rationally choose to make concessions without fighting to avoid the cost of fighting. Knowing this, the challenger will demand the territories with an implied threat of escalation. A good example of this type of concession is China's border agreements with the Central Asian republics after these republics gained their independence from the Soviet Union. Without initiating any border confrontations, the Central Asian republics accepted China's territorial demands and signed border treaties, recognizing China's sovereignty over several disputed border areas. In line with the insights from my model regarding concessions in bilateral negotiations, I present my second hypothesis.

> ***Hypothesis 2 (H2):*** *A militarily very powerful challenger is less likely to use force to settle territorial disputes with a militarily weaker target.*

After establishing the hypotheses about military power, I now turn to the main hypothesis about legal claims. Given that the target is under no obligation to engage in peaceful dispute settlement, the challenger can compel the target to consider these peaceful means only when it is militarily capable. Unless there is international pressure that would force the target to take action, the challenger's legal claim would only matter when the use of force is a viable option for the challenger. Therefore, legal claims and military power are often in conjunction with each other in a territorial dispute.

Legal claims influence the challenger's behavior in the model through their impact on coordinating third-party punishment. Assuming that third-party punishment is a function of the strength of the challenger's legal claim, the challenger will use force when it believes that its legal claims are strong enough to serve as a defense against the charge of violating the prohibition of the use of force and pacify third-party reaction or when it is powerful enough or values the territory highly to accept the punishment from the third-party actors. This is the emboldening effect of legal claim in interaction with military power. Hypothesis 3 is the main and most important hypothesis of the paper.

> ***Hypothesis 3 (H3)****: Increasing the strength of a challenger's legal claim in interaction with its military power increases the likelihood of the use of force in a territorial dispute.*

The well-established argument about legal claims, made by Huth, Croco, and Appel (2011, 2012), models the pacifying effect of legal claims and international law. They hypothesize that stronger legal claims give the capable challenger a better probability of prevailing before DR mechanisms, which makes it less likely to use force. The challenger that is capable enough to use force will pursue DR if the cost of DR is sufficiently low relative to the use of force and if the target is willing to accept DR and finds it more cost-efficient relative to fighting. This effect refers to the independent and pacifying influence of the challenger's legal claim, as proposed by Huth, Croco, and Appel (2012). In order to test their argument in the context of the challenger using force, I generate Hypothesis 4.

Hypothesis 4 (H4): *Increasing a challenger's strength of legal claim independently decreases the likelihood of observing the use of force.*

Hypothesis 4 is also compatible with my model. When the DR outcome is mutually acceptable to both disputants, it is a stable equilibrium. However, both in the model and in the historical record, disputants in a territorial dispute struggle to agree on DR, especially when the challenger has a considerably strong legal claim and lacks military power or when the challenger is significantly more powerful than the target, making the risk of losing DR pointless when the challenger can compel the target bilaterally.

5. Research Design and Data

I test my hypotheses through a set of logistic regression models. In this test, I employ multiple measures of the use of force and military power to ensure that the results are robust across different conceptualizations of force and power. In this section below, I present the data, dependent and independent variables, controls, and the model specifications that I use to test the hypotheses.

a. The Dataset on Legal Claims and Independent Variables

To assess the impact of legal claims and their interaction with military power, I analyze all territorial disputes that occurred between 1945 and 2000. I use Huth, Croco, and Appel's 2011 and 2013 datasets on territorial disputes and legal claims. To improve the 2013 dataset and update certain variables in line with developments in the quantitative literature on territorial disputes, I made significant modifications to the dataset. Still, the coding of legal claims remains unchanged. Because the 2013 dataset has a limited temporal scope ending in 2000, my analysis is also limited to the period between 1945 and 2000. This limitation makes the empirical test more challenging, given that the international legal order significantly stabilized in the post-Cold War world.

The dataset includes 3510 dyad-year observations and 165 territorial disputes. A dyad enters the dataset when the officials of the challenger state claim the territory of the target, and the target rejects these claims. The definition and the set of territorial disputes come from Huth and Allee (2002). Building on this dataset, Huth, Croco, and Appel (2013) use expert sources on the territorial disputes and the legal arguments of disputants and follow the principles of treaty and customary international law to code legal claims. Given the difficulty of quantifying the strength of legal claims, especially when they are not presented before the court, the authors employ a three-scale coding system, where 1 represents a weak legal claim and 3 represents a strong legal claim. This coding is in line with the ICJ jurisprudence and leading scholarship in legal literature (Kohen and Hebie 2018).

Although it appears controversial to code legal claims quantitatively, the strength of legal claims is suitable for some quantification. When a person seeks legal consultation, lawyers are usually able to make a prediction about the strength of one's legal position and the probability of prevailing before the court. Very often, lawyers agree on the legal issues and the probability of winning or losing and hence settle their dispute outside the courtroom. Territorial claims appear inherently political, but through the accumulation of considerable ICJ caselaw, it is similarly possible to code the strength of a legal claim in a territorial dispute, especially if this coding practice is not too granular to lead to disagreements. Huth et al. (2013) employed a three-scale coding system, which lacks the much-needed variation that would make the statistical analysis easier; however, the scale ensures the coding is legally sound and easy to agree on. It is relatively easy to categorize legal claims as weak, mixed, or strong and assign a dispute to one of these categories, rather than more fine-grained categories.

The strength of legal claims is one of two independent variables (IV) in this analysis. It is essentially an ordered categorical variable, with three categories: 1 representing a weak legal claim, 2 representing a mixed legal claim, and 3 representing a strong legal claim. In this analysis, I use legal claims both as a continuous and a categorical variable. In the analysis with the continuous dependent variable representing the strength of legal claims, I assigned weak claims a value of 0 and strong legal claims a value of 2, so that the model does not account for other variables in an empty category of the strength of legal claims in the regression analysis.

Table 1 provides a breakdown of legal claims by category. The categories of weak legal claims and mixed legal claims each have 75 disputes. The category of strong legal claims has 15 disputes. What is striking here is that disputes with a mixed legal claim produce more MIDs per dispute than other categories. Figure 2 shows the jittered distribution of the observations, representing a dyad-year with a territorial dispute. Most observations are concentrated in the mixed legal claims category. The number of observations with strong legal claims is very small relative to other categories.

The other main IV is military power. There are multiple ways of measuring military power, and the literature on power has been proliferating (Singer 1987; Anders et al. 2020; Souva 2022). Huth et al. (2013) have a measure of military power, which is the average ratio of three separate indicators of military capabilities from the COW National Material Capabilities v3.02: 1) total military personnel, 2) military expenditures, and 3) expenditures per soldier (Singer 1987). However, this measure fails to capture the military equipment and material capability of disputants. Most disputes occur in a limited setting (Schultz and Goemans 2019), and the majority of territorial conflicts last for a short time and stay geographically contained (Altman 2020). Due to their limited nature, I am more interested in the material capabilities of disputant states at any given time, rather than their economic or human potential to sustain a war in the long run.

For this reason, I use the Material Military Power (MMP) measure (Souva 2022) to calculate the military power ratio variable in my analysis. Unlike other variables that capture military spending, economy, or population size, the MMP variable captures a state's military capabilities, including naval, air, and land weapons, nuclear weapons, and ballistic missile capabilities, in each year. Given that MMP represents the world share of a state's military power, I create a military power ratio for disputants by dividing the challenger’s military power by their total share of military power. MMP measure misses some observations for recently independent states. For this reason, I lose 87 observations in my models with MMP.

Territorial Disputes **N=165**	**Challenger with Weak Legal Claim**	**Challenger with Mixed Legal Claim**	**Challenger with Strong Legal Claim**
Number of Disputes	75	75	15
Peaceful Resolution	42 (56%)	38 (51%)	10 (66%)
<u>Bilateral Settlement</u>	33 (44%)	31 (41%)	8 (57%)
<u>Legal Dispute Resolution</u>	9 (12%)	7 (9%)	2 (21%)
MIDs per Dispute	1.27	1.96	0.47
Rounds of Talk per Dispute	6.9	9.3	5.9

Table 1: Dispute Outcomes in Huth et al. (2011,2013) and Gibler et al.(2016)

After initial calculation, the military power ratio variable takes a value between 0 and 1 for each observation, excluding these two extreme values. This causes a problem for the interpretation of other variables because the set of observations with this variable having a value of zero is empty. In order to eliminate any issue of interpreting other variables at the baseline power level, I set the range of the military power variable as -0.5 and 0.5. Thus, the military power ratio variable in the logit models below takes a value in this range, making the value of 0 the point of power parity.

In addition to the MMP measure, I use Huth et al.(2013)'s measure of military power in the robustness check to make sure that results are not a product of my choice of power variable. The same interpretation issue also applies to this measure. I take the same action of adjusting the center value to zero to avoid interpretation issues.

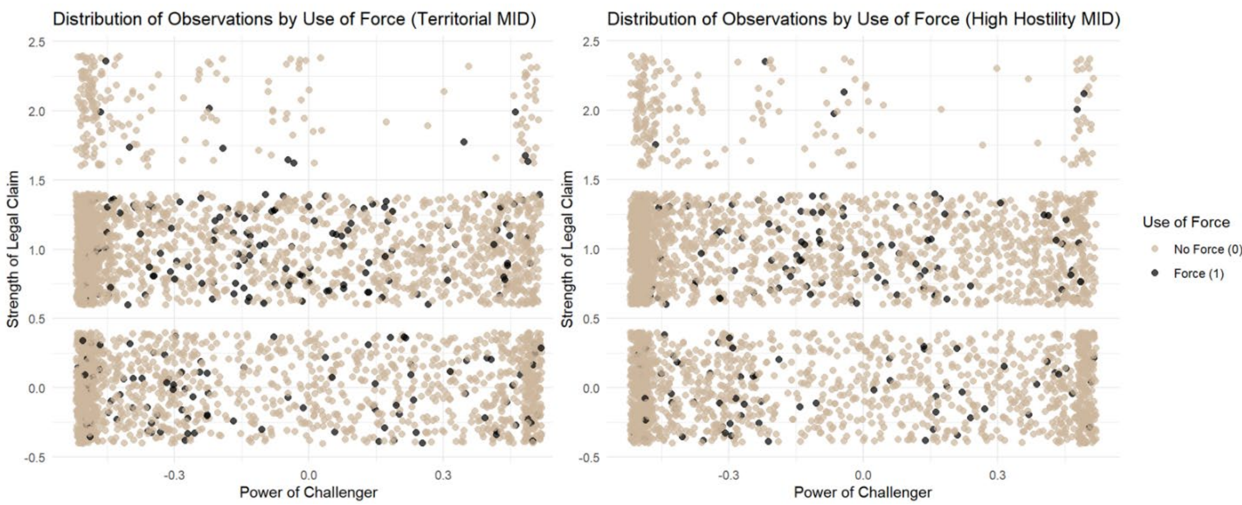

Figure 2: Distribution of the Use of Force Observations by Power and Legal Strength

To capture the effect of disproportionately high levels of challenger power, I include the squared term of the military power ratio. This variable captures the extreme values of the power variable and serves as a proxy for high levels of power in the analysis. Unlike the main power variable (which ranges from −0.5 to 0.5), the squared term of the military power ratio is not centered at 0. It is bounded between 0 and 1. As a result, the squared variable distinguishes between moderate imbalances in either direction. For instance, a centered value of −0.3 (where the challenger is weaker) and +0.3 (where the challenger is stronger) both indicate the same absolute distance from parity in the main power variable, but the squared measure highlights that both cases reflect an imbalance of power, while allowing very high-power values (near 0.5) to stand out more strongly.

b. Dependent Variables

Since I explore the effect of legal claims in interaction with military power on the challenger's willingness to use force, I use the use of force as the dependent variable. Similar to the power variable, several variables can be used for this purpose. Huth et al. (2013) use the presence of territorial militarized interstate disputes (MIDs) in an observation of dyad-years to generate their binary variable of the use of force. From their codebook, I understand that they used the MID dataset v3 (Ghosn et al. 2004). Given the errors in the earlier versions of MIDs, I used Gibler, Miller, and Little's corrected version of MIDs to recount the MIDs between the dyads (Gibler et al. 2016). This dataset excludes MIDs with erroneous coding or those without any evidence of occurrence. More specifically, I used all the MIDs of a territorial nature between a dyad to code the presence of a territorial MID as a binary variable.

My theory conceptualizes the use of force in a more severe form. MIDs have five levels, four and five representing the actual use of force. MID level 4 represents the instances of the use of military force, and level 5 represents war. Level 4 includes the following events: blockade, occupation of territory, Seizure, attack, clash, declaration of war, and use of CBR weapons. Level 5 includes beginning an interstate war and joining an interstate war. In my analysis, I use both territorial MIDs (not excluding less severe levels) and the high-hostility MIDs (those with severity levels four or five). I use both in order to make sure that the results are not a product of my choice of DV. Still, the territorial MID variable offers more power, given that it has more positive observations.

Table 1 shows the outcome of territorial disputes. Other outcomes in this table are based on the variables manually coded by Huth et al. (2011, 2012). I present the other outcomes for descriptive purposes as they are not a part of the quantitative analysis below. In the sample of 3510 observations, I found 249 positive observations in which the challenger initiated a territorial MID in a dyad-year (7.1%). In the sample, there are 173 instances of high hostility MIDs (4.9%). Their distribution is shown in Figure 2.

Parallel to the literature on territorial disputes, there is a literature on territorial conquests. This literature provided multiple measures of territorial conquests (Altman 2020; Tir et al. 1998). However, I am not using territorial conquests as the DV because the challenger's use of force doesn't necessarily lead to the outcome of conquest. In many instances, such as the wars between Pakistan and India and confrontations between Morocco and Spain, or Turkey and Greece, the use of force or war ends with the target successfully defending itself and repelling the challenger's attacks. Consequently, the use of conquest as the outcome variable would be incompatible with my theory. I am using territorial MIDs as a measure of the use of force, which would include conquests as well as attempts at conquest.

c. Controls

The control variables in Huth, Croco, and Appel's (2013) dataset include alliance ties, rivalry, stalemate, joint democracy, and the strength of the target's legal claim. The alliance variable based on the COW Alliance dataset is coded as 1 if there is a defense pact or entente military alliance between the challenger and target and zero otherwise (Gibler and Sarkees 2004).

The rivalry variable is a binary one based on Huth and Allee's (2002) coding of rivalry. The two sides are coded as being enduring rivals if they have experienced at least five militarized conflicts during the past two decades. Considering that earlier versions of MIDs included some coding errors, the earlier rivalry coding projects are also questionable if they relied on the earlier MID data. I reconstruct the rivalry variable moving from the MID dataset of Gibler et al. (2016). Huth and Allee (2002) considered rivalry as the presence of five MID in the past two decades for each observation. However, this measure is heavily dependent on the shorter history of a dyad. Rivals do not have to fight continuously to maintain their rivalry. Once rivalry arises, it can remain active if the rivals engage in sporadic military disputes. In line with Diehl and Goertz (2000), I recoded the rivalry variable by examining the record of military disputes following the emergence of rivalry. The variable takes the value of 1 if a dyad has experienced five MIDs (of all kinds, not just territorial) in the last twenty years and if a dyad with an active rivalry experiences 1 MID in the last ten years. This measure is also less dependent on the DV.

The joint democracy variable is a binary variable, and it is coded 1 if both states' net Polity scores are below 6 and coded 0 otherwise (Marshall et al. 2002). This variable received a value of 1 if both states' net Polity scores are below 6, and zero otherwise (Marshall et al. 2002). The stalemate variable is the number of stalemates in rounds of talks in the past five years (Huth and Allee, 2002). The legal strength of the target's legal claim is also coded by Huth, Croco, and Appel (2011) in the same project.

In my model, enforcement is a variable that influences the likelihood of using force. Although it is not an independent variable and is therefore not primarily tested, I operationalize the enforcement of international law by third parties in two ways. First, I consider the post-Cold War period as a time when we observe high enforcement of international rules. In this period, major powers took actions more actively to fulfill the objectives of the territorial order established by the UN Charter (Beardsley and Schmidt 2012). Consequently, I use a "Post-Cold War" dummy variable to operationalize enforcement. Unfortunately, the dataset ends in the year 2000, and the number of observations from this period is limited.

Second, I created a variable of average liberal orientation among the P5 members of the UN Security Council by using the ideal point scores coded by Bailey, Strezhnev, and Voeten (2017)). In their coding, Bailey et al. (2017) used repeating resolutions as the reference point and coded every state's liberal orientation, which is called "ideal point score." Assuming that the upholding of international principles is a liberal endeavor to some extent, I used the average of P5's ideal point scores every year to measure the concert between the major powers as the instrumental variable for the enforcement of international legal principles.

In my conceptualization of enforcement, every state benefits from it, but not all states have the capacity to enforce the principles through confrontations with challengers that are capable of using military force to press their claims. Given that not every state is capable, states that are most capable must solve their cooperation problems in order to provide enforcement as a public good. Here, cooperation does not have to be at the same policy level, which would lead to a deeper, broader trade-off. Enforcing third-party states can set different levels of cooperation as long as everyone is working to generate the public good (Gilligan 2004). Here, I focused on the concert among the most capable actors as an instrumental variable to operationalize enforcement.

d. Binary Logistic Regression Models

In my analysis, I use binary logistic regression to test the hypotheses since my two main DVs are binary variables of territorial and high-hostility MID. Instead of using a multinomial model to compare the outcomes of the use of force with those of the status quo, negotiations, and DR, the reasons I use binary logistic regression is mainly because I am interested in the use of force outcome and because of the power issues and the limited number of observations with a negotiated settlement and DR, making a regression analysis with a large number of variables harder. Subsequently, my theory may propose a mechanism for the overall territorial dispute, but in the empirical test, I focus on the use of force.

Table 2 presents Models 1 to 6 that use all territorial MIDs as the DV. Models 1 and 2 aim to serve as a baseline for other models with different controls. With Model 1, I aim to get a sense of how variables in a simple formulation function. Model 2 is to observe the model with controls but without the interaction variable. Model 3 is the complete model without any enforcement controls. Models 4 and 5 are the ones with different enforcement variables. In the first five models, I use the strength of legal claims as a continuous variable. In Model 6, I present the results from a logit model with the strength of legal claims as a categorical variable.

Models in Table 3 have the same characteristics as the models in Table 2, but with the high-hostility MIDs as the DV. I also test the hypotheses through an additional set of models in Appendix 2. All these models propose the same causal story and produce similar results, showing that the findings are robust across different DV or IV measurements.

This empirical test of the effect of legal claims is indeed a hard one. The use of force outcomes in territorial disputes is not the primary place where one looks for the effect of international law and legal claims. This challenging nature of the test is also rewarding, considering that any result showing the effect of legal claims on the use of force presented in this context is a strong argument for the role of international law in territorial disputes.

6. Logit Models and Findings

Tables 2 and 3 present the results of the binary logistic regression analyses. I find strong support for H1, H2, and H3, but the support for H4 is mixed. Overall, I show that (1) an increase in the challenger's power increases the likelihood of the use of force, (2) the use of force becomes less likely when the challenger's power is disproportionately high, and (3) an increase in the strength of the legal claim in interaction with military power also emboldens a challenger to use force.

In Table 2, I start with two base models. In Model 1, I find statistically significant results for power, power squared, and interaction variables. These results lend support for H1, H2, and H3. The power variables in Model 2 lend support for H1 and H2. Models 1, 2, and 3 suggest that there is a positive and statistically significant relationship between military power and the use of force, supporting H1. As states become more powerful relative to their adversary in a territorial dispute, the probability of using force increases. This finding is in line with Huth's (1996) findings. However, I find a negative and statistically significant relationship between disproportionately high military power and the use of force. Stronger challengers are much less likely to use force, confirming the H2. This relationship is stable across models with and without controls and enforcement variables. These findings offer a more complicated relationship between military power and the use of force, in contrast to the conventional understanding of power in bargaining theory and the realist arguments.

Table 2: The Binary Logit Models with All Territorial MIDs

	DV: Use of Force (Territorial MID)					
	(1)	(2)	(3)	(4)	(5)	(6)
C's Claim Strength (continuous)	0.100 (0.119)	-0.069 (0.152)	0.009 (0.157)	0.012 (0.158)	0.019 (0.157)	
C's Mixed Claim						0.014 (0.175)
C's Strong Claim						0.036 (0.395)
Military Power Ratio	5.587*** (0.744)	4.765*** (0.785)	4.249*** (0.805)	4.184*** (0.814)	4.282*** (0.808)	4.379*** (0.824)
Power Ratio Squared	-5.958*** (0.739)	-4.218*** (0.796)	-4.216*** (0.797)	-4.140*** (0.806)	-4.215*** (0.800)	-4.282*** (0.801)
Alliance		0.175 (0.175)	0.143 (0.175)	0.176 (0.177)	0.143 (0.176)	0.133 (0.176)
Rivalry		1.516*** (0.153)	1.507*** (0.153)	1.457*** (0.156)	1.534*** (0.155)	1.505*** (0.154)
Stalemate		0.171*** (0.060)	0.175*** (0.061)	0.203*** (0.062)	0.197*** (0.061)	0.177*** (0.061)
Joint Democracy		-0.350** (0.157)	-0.403*** (0.157)	-0.450*** (0.160)	-0.413*** (0.158)	-0.389** (0.158)
T's Claim Strength		0.111 (0.130)	0.137 (0.130)	0.162 (0.132)	0.161 (0.131)	0.150 (0.132)
P5's Liberalism				-0.717** (0.305)		
Post-Cold War					-0.381* (0.189)	
Legal Claim × Power Ratio	0.671* (0.349)		0.858** (0.371)	0.863** (0.372)	0.840** (0.371)	
Mixed Legal Claim × Power Ratio						0.662 (0.445)
Strong Legal Claim × Power Ratio						2.252** (1.811)
Constant	-0.334 (0.281)	-1.568*** (0.442)	-1.635*** (0.444)	-1.062*** (0.511)	-1.648*** (0.459)	-1.648*** (0.445)
Observations	3,423	3,423	3,423	3,312	3,423	3,423
Log Likelihood	-843.117	-785.874	-783.206	-767.543	-781.041	-782.880
Akaike Inf. Crit.	1,696.234	1,589.748	1,586.412	1,557.085	1,584.083	1,589.760
Note:						*p<0.1 *; **p<0.05 **;*** p<0.01 ***

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Table 3: The Binary Logit Models with High -Hostility MIDs

	DV: Use of Force (High-Hostility MIDs)					
	(7)	(8)	(9)	(10)	(11)	(12)
C's Claim Strength (continuous)	0.102 (0.143)	-0.190 (0.186)	-0.073 (0.194)	-0.079 (0.195)	-0.062 (0.194)	
C's Mixed Claim						-0.026 (0.215)
C's Strong Claim						-0.302 (0.511)
Military Power Ratio	6.364*** (0.887)	5.604*** (0.951)	4.874*** (0.963)	4.729*** (0.972)	4.913*** (0.969)	4.881*** (0.985)
Power Ratio Squared	-7.149*** (0.909)	-5.009*** (0.964)	-5.141*** (0.974)	-5.017*** (0.985)	-5.114*** (0.980)	-5.148*** (0.979)
Alliance		0.361* (0.210)	0.299 (0.210)	0.323 (0.213)	0.304 (0.212)	0.293 (0.211)
Rivalry		1.700*** (0.180)	1.687*** (0.179)	1.636*** (0.182)	1.723*** (0.182)	1.678*** (0.180)
Stalemate		0.183*** (0.071)	0.187*** (0.071)	0.215*** (0.073)	0.219*** (0.072)	0.188*** (0.071)
Joint Democracy		-0.471** (0.189)	-0.553*** (0.188)	-0.584*** (0.192)	-0.572*** (0.189)	-0.550*** (0.189)
T's Claim Strength		0.071 (0.157)	0.108 (0.156)	0.127 (0.158)	0.138 (0.157)	0.112 (0.158)
P5's Liberalism				-0.664* (0.363)		
Post-Cold War					-0.530** (0.233)	
Legal Claim × Power Ratio	1.189*** (0.442)		1.442*** (0.469)	1.474*** (0.471)	1.406*** (0.469)	
Mixed Legal Claim × Power Ratio						1.407** (0.561)
Strong Legal Claim × Power Ratio						3.135** (1.350)
Constant	-0.326 (0.333)	-1.641*** (0.530)	-1.697*** (0.533)	-1.175* (0.613)	-1.718*** (0.543)	-1.719*** (0.534)
Observations	3,423	3,423	3,423	3,312	3,423	3,423
Log Likelihood	-636.991	-585.675	-580.927	-569.174	-578.079	-580.766
Akaike Inf. Crit.	1,283.982	1,189.349	1,181.885	1,160.349	1,178.158	1,185.552
Note:				*p<0.1 *; **p<0.05 **;** p<0.01 ***		

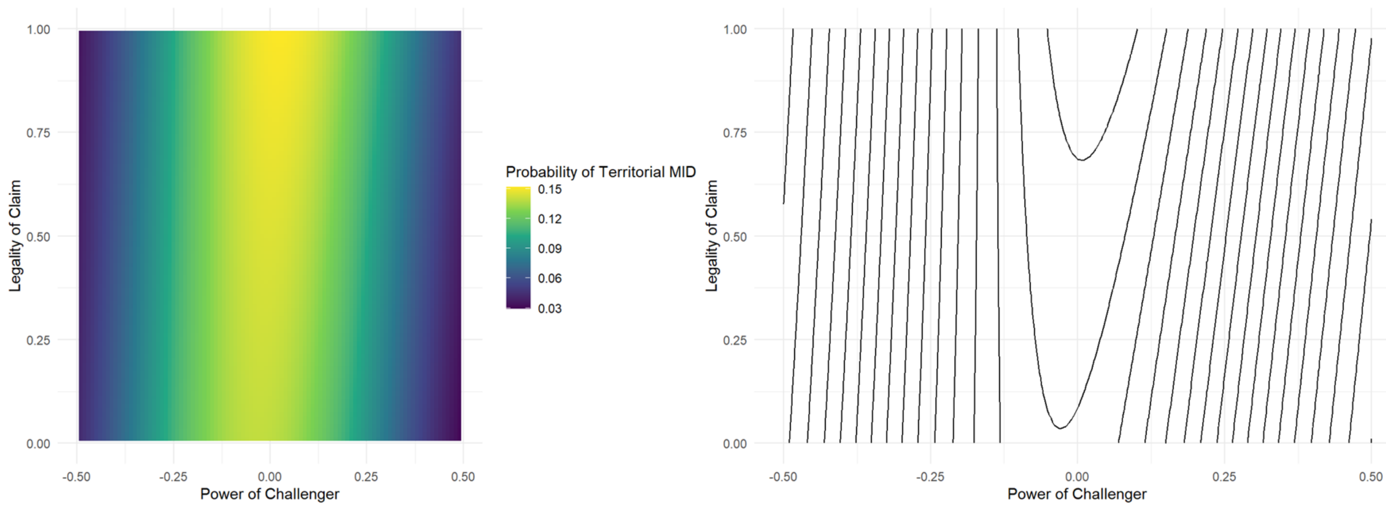

Figure 3: Heat and Topographical Map: Probability of Territorial MID

The same relationship between military power and the use of force outcome holds in models with high-hostility MIDs as the DV. Models from 7 to 12 confirm this complicated relationship and support H1 and H2. As a robustness check, I also test the relationship with different power variables. The relationship also holds in other logit models with the power variable in Huth et al. (2013). Table 1 in Appendix 2 presents results, confirming a statistically significant relationship between the use of force outcome and the power and power squared variables.

In none of the models in Tables 2 and 3 is the independent variable of the strength of the challenger's legal claim statistically significant. These findings contradict H4, which represents the conventional wisdom in the literature. H4 suggests a negative relationship between the strength of the legal claims and the likelihood of using force. This is the pacifying effect of international law in territorial disputes. The findings in Tables 2 and 3 do not support the argument for this effect. In Models 6 and 12, I use the legal claims as a categorical variable, setting the weak legal claims as the reference category. Still, the results do not support the hypothesis in favor of the pacifying effect of international law.

The lack of a statistically significant relationship between the independent variable of the strength of the challenger's legal claim doesn't mean that legal claims have no pacifying effect. The test here is indeed a challenging one, as I explore the conditions under which a challenger uses force, which is inherently dependent on military power. Huth et al. (2012) propose a multinomial design that considers multiple outcomes in their theory; however, it would not be applicable in this setting due to the rare-event nature of DR and bilateral agreements as distinct outcomes.

Conversely, I find strong support for H3 in this analysis across multiple designs. The interaction variable is statistically significant across models with positive coefficients. This finding supports the argument that higher strength levels of the challenger's legal claim embolden a capable challenger, increasing the likelihood of using force. This finding mostly holds across the models with and without control variables and with different DVs. In fact, Models from 7 to 12 offer a stronger relationship between the existence of high-hostility MIDs and the interaction variable. The results also hold in Models 6 and 12 with categorical variables. As a robustness check, I run the same set of logit models with the power variable in Huth et al. (2013), seen in Table 1 in Appendix 2. The relationship also holds in these models.

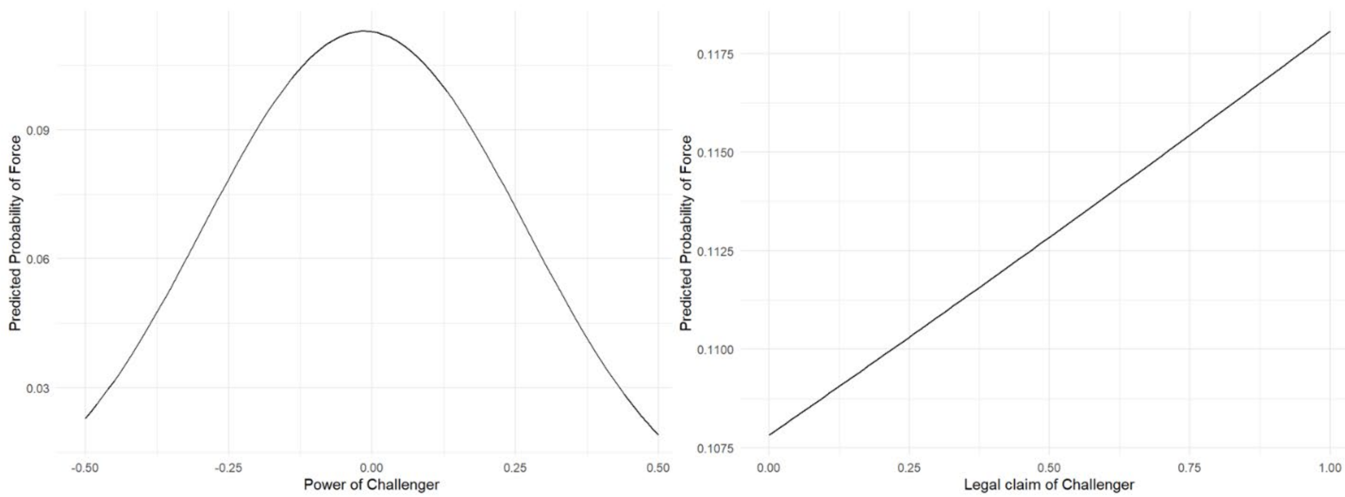

Figure 4: Probability of Force (reference values: on the left: mixed legal claim; on the right: 0, power parity)

The logit models support the relationship between the use of force and the interaction, but they do not present a clear picture of how the variables in the interaction term behave. To unpack the relationship between legal claims and military power in the interaction term, I utilize a heat map and a topographical map in Figure 3. These figures provide a more detailed narrative. The predicted probability of observing force is low on the left and right sides of the maps, where the challenger is either much weaker or much stronger, respectively. Using force is not a viable option for the militarily weak challenger. Until the point where the disproportionately powerful challenger doesn't need to use force to achieve its objectives, increasing the challenger's military power increases the likelihood of the use of force as an outcome. These points support H1 and H2.

Most importantly, the effect of legal claims becomes apparent in the middle area of the maps where the challenger is credibly capable of using force. In this middle area, the probability of observing force increases as we move from a weak legal claim to a strong legal claim. Stronger legal claims embolden a challenger to use force. This finding supports the H3 that proposes such an emboldening effect for the first time in the literature.

Relative to military power, the impact of legal claims is modest, as the coefficients tell us in Tables 2 and 3. Still, the likelihood of using force is considerably higher when we compare the challengers with a strong legal claim with the challengers with a weak legal claim. In Figures 3 and 4, we can see the effect of legal claims in the interaction term. As we move from a weak legal claim to a strong legal claim at the power parity point, the likelihood of using force increases by 8% roughly. For reference, in the mixed legal claim category, when we move from the point of −0.25 (the target is three times stronger) to 0 (power parity), the likelihood of using force increases by 32%. Thus, the emboldening effect of legal claims here is not trivial.

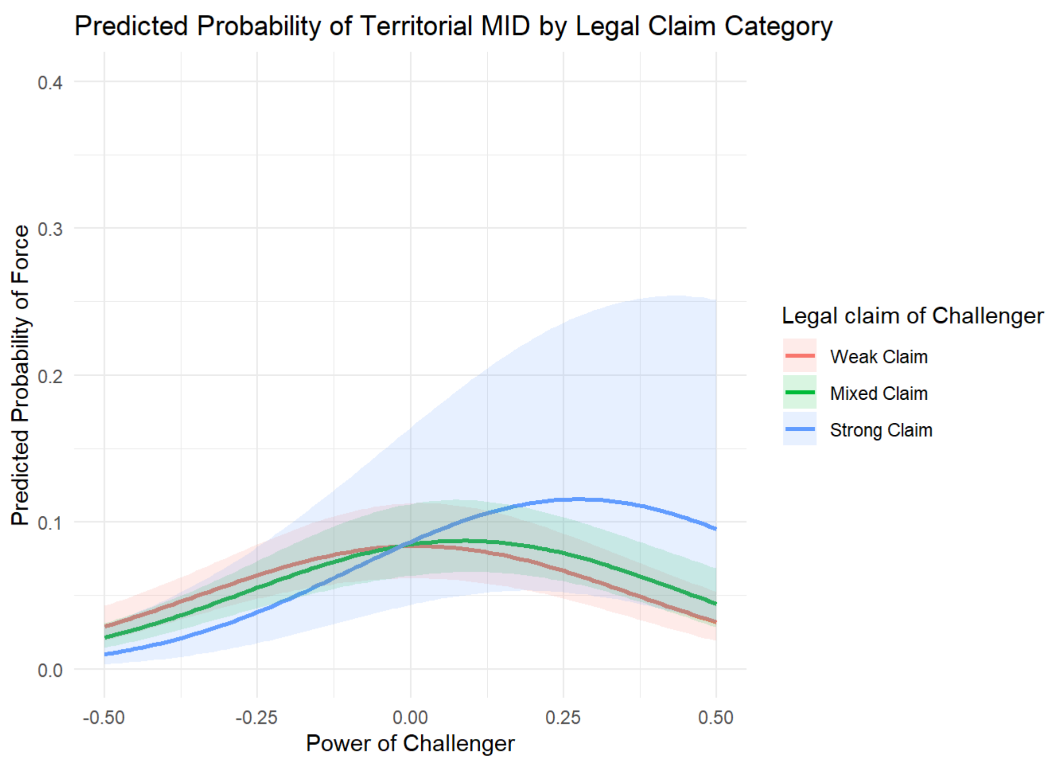

Figure 5: Predicted Probability of Territorial MID by Legal Category

In Figure 5, I show the predicted probability of observing the use of force outcome across different levels of legality. As we move from a weak legal claim to a strong legal claim, the use of force becomes more likely for the challenger capable of using force. Overall, these findings support H3 across multiple models and power measurements.

In most models except Models 4, 5, 10, and 11, I tested my hypotheses without any enforcement variable. In Models 4, 5, 10, and 11, I include the enforcement variables as a control, and they support the theory move broadly, even though I do not have the enforcement element as a part of my testable hypotheses. Although Models 4 and 5 lose some observations due to the missing coding of P5's Liberalism in 1945, the main IVs perform very similarly to the base models. In Models 4 and 10, it is possible to see that the P5's concert has a negative and statistically significant impact on the use of force, albeit at a modest level. Similarly, Models 5 and 11 have a statistically significant post-Cold War variable with a negative coefficient. Like many other studies, I find that the enforcement of international law gained momentum after the Cold War, and when the P5 managed to act in concert (Beardsley and Schmidt 2012).

7. Conclusion

As the United States and many Western major powers turn increasingly isolationist, territorial disputes are resurfacing on the global agenda. Russia's invasion of Ukraine, undying territorial tensions in East Africa and Asia, and escalating disputes in the South China Sea and South America have shaken the belief that territorial revisionism and conquest were over (Zacher 2001; Goertz et al. 2016; Hathaway and Shapiro 2017). Many scholars were pointing out that it was too early to conclude the end of interstate war (e.g. Braumoeller 2019). Events proved them right. In this increasingly unpredictable world, international law is one of the most important defenses against the erosion of the rule-based territorial order and the outbreak of contagious territorial revisionism. However, overly optimistic or pessimistic views about international law and the lack of comprehensive studies on international law and legalized territorial claims undermine our ability to understand the conditions under which international law is effective.

In this project, I make three major contributions. First and foremost, I show that international law and legal claims over territory are not inherently peaceful and pacifying forces in international politics, as military power is not an inherently violent force. Law allows actors to take certain actions and requires enforcement in one way or another. These actions may be violent. In this paper, I demonstrate that the strength of legal claims emboldens a challenger willing to use force to achieve its territorial ambitions and serves as a defense against international punishment. To the best of my knowledge, this paper is the first to present such an argument. I also show that more military power does not necessarily lead to more use of force in this setting. This paper models why overwhelmingly powerful challengers are less likely to feel compelled to use force to achieve their territorial ambitions.

Second, this paper builds on the theory of Huth, Croco, and Appel (2011, 2012, 2013) but goes beyond by offering a comprehensive account of the legal claims and their effect on the use of force and other outcomes of territorial disputes. It is critically important to understand the behavior of states across the legality spectrum to have a complete picture of the causal mechanism. Unlike other papers focusing on strong legal claims, this paper can explain the challenger's behavior across the legality spectrum. This is critically important for the literature on territorial disputes, given that most observations involve challengers with weak or mixed legal claims, and that most conflicts occur in this area where the legality is unclear.

Lastly, I formally model the effect of legal claims in territorial disputes. With this model, I unpack the mystified international audience cost and support for legal claims by offering an enforcement mechanism as a function of the strength of the legal claim. This formulation of territorial disputes in the shadow of international law also bridges the gap between the arguments in favor of enforcing international law and the institutionalist and normative arguments in favor of institutional or normative elements, apparently pacifying interstate relations at the international system level.

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Appendix 1: Formal Model

a. <u>The Model Setup</u>

The model assumes that two states are playing a game of territorial dispute over an indivisible territory with complete information. The player controlling the territory is the target, and the player challenging this control is the challenger. The value of the territory is normalized to 1. In the status quo (SQ), the challenger maintains a territorial claim, which doesn't generate a payoff, and the target controls the territory with a payoff of 1.

The model further assumes that bilateral demands through negotiations (N) are costless, that dispute resolution mechanisms (DR) are a low-cost way of taking territory, and that using force (F) is a very costly lottery due to the cost of fighting and the cost of punishment imposed by third parties as a function of the strength of the challenger's legal claim.

In the model, I disaggregate the probability of victory and the cost of fighting to state them in the form of military power. The challenger's probability of victory is a function of its power divided by the total power of the disputants:

$$q_C = \frac{P_C}{P_C + P_T}$$

Similarly, the target's probability is $1 - q_C$, which is the target's power divided by the total power. The cost of fighting for the challenger is a function of the target's power divided by the challenger's power and multiplied by a scaling factor, α, representing the natural costliness of the fighting:

$$c_C = \alpha . \frac{P_T}{P_C}$$

The cost of fighting for the target follows the same logic, with the nominator and the denominator reversed.

The model also assumes that the sum of disputants' legal arguments is equal to one ($L_C + L_T = 1$). These values also represent the probability of prevailing before a court or an arbiter. The model adopts a punishment cost for using force (K) that is a function of the challenger's legal claim:

$$K = k . (1 - L_C),$$

k being the factor representing the enforcement.

The game proceeds as follows. In the first stage, the challenger chooses between SQ, N, DR, and F. If the challenger maintains the SQ, the game ends with the target in control of the territory and the challenger maintaining the claim (0,1). If the challenger chooses F, it conquers the territory with the probability of q and the cost of fighting (c_C) and the punishment cost (K), and the game ends.

$$EU_{F_C} = q_C - c_C - K = \frac{P_C}{P_C + P_T} - \alpha.\frac{P_T}{P_C} - k(1 - L_C)$$

If the challenger chooses F, the target fights and wins with the probability of $1 - q$ and the cost of c_T. Unlike the challenger, the target doesn't suffer an additional cost of punishment due to the use of force. Use of force is illegal as a rule, and the challenger, the side that naturally uses force to change the territorial status quo, suffers punishment at an appropriate level.

$$EU_{F_T} = 1 - q_C - c_T = \frac{P_T}{P_C + P_T} - \alpha.\frac{P_C}{P_T}$$

If the challenger chooses N and the target accepts, the game ends with the challenger in control of the territory (1,0). If the target rejects, the challenger can choose another action among SQ, F, and DR. If the challenger chooses DR and the target accepts, the challenger wins the territory with the probability of L_C and the cost of c_{DR}. Mirroring the challenger's payoff, the target wins with the probability of $1 - L_C$ and the cost of c_{DR}. If the target rejects, the challenger then chooses another action among SQ, N, and F.

b. Solution: Backward Induction

I solve the model by using backward induction. In order to do so, I take the payoffs for F as the reference and compare payoffs for other outcomes with it to find the equilibria.

Starting from the scenario in which T rejects N, the challenger (C) decides between SQ and F. C abandons SQ and uses force if:

$$EU_F \geq EU_{SQ} \tag{1}$$

Substitute:

$$q_C - c_C - K \geq 0 \tag{1.1}$$

$$\frac{P_C}{P_C + P_T} - \alpha.\frac{P_T}{P_C} - k(1 - L_C) \geq 0 \tag{1.2}$$

Solving for P_C to find the condition:

$$P_C = \sqrt{(P_C + P_T)\big((k - kL_C)P_C + \alpha P_T\big)} \tag{1.3}$$

Lemma 1 (Condition for Force to be Preferred over Status Quo): C prefers F to SQ if and only if

$$P_C \geq \sqrt{(P_C + P_T)\big((k - kL_C)P_C + \alpha P_T\big)}$$

When Lemma 1 is true, C chooses F instead of SQ. Moving up in the game tree, T decides between Reject and Accept. Assuming that Lemma 1 holds, then T accepts the offer of N and cedes territory without a fight if and only if:

$$EU_{N_{Accept}} \geq EU_{N_{Reject}} \tag{2}$$

$$0 \geq 1 - q_C - c_T \tag{2.1}$$

$$0 \geq \frac{P_T}{P_C + P_T} - \alpha.\frac{P_C}{P_T} \tag{2.2}$$

Solving for P_C to find the threshold:

$$P_C = \frac{P_T\big(-\alpha \pm \sqrt{\alpha + 4}\big)}{2\alpha} \tag{2.3}$$

Lemma 2 (Condition for Target's Willingness to Concede in Negotiation): Assuming Lemma 1 holds, T is willing to accept an offer of N and cede the territory to avoid conflict if and only if

$$P_C \geq \frac{P_T(-\alpha \pm \sqrt{\alpha + 4})}{2\alpha}$$

If Lemma 1 and 2 holds, T accepts the offer. If any of them are false, T rejects the offer. Knowing that T will reject N, C is not going to choose N, leading to two separate propositions.

Proposition 1 (Status Quo Equilibrium): If Lemma 1 fails, then C maintains SQ, and the game ends without conflict.

Proposition 2 (Negotiated Settlement Equilibrium): If Lemmas 1 and 2 hold, C proposes N, and T accepts. The dispute is resolved bilaterally and peacefully.

So far, I have compared SQ and N with F. Now, I turn to DR to find the conditions under which I observe DR as an outcome. Using backward induction again, C will choose F if Lemma

1 holds after T's rejection of the DR offer. Assuming that Lemma 1 holds, T accepts a DR offer instead of rejecting if and only if:

$$EU_{DR_{Accept}} \geq EU_{DR_{Reject}} \tag{3}$$

Substitute:

$$(1 - L_C) - c_{DR} \geq 1 - q_C - c_T \tag{3.1}$$

$$1 - L_C - c_{DR} \geq \frac{P_T}{P_C + P_T} - \alpha.\frac{P_C}{P_T} \tag{3.2}$$

Solving for P_C to find the threshold for Target to choose DR:

$$P_C = \frac{\frac{P_T^2}{P_C + P_T} - P_T(1 - L_C - c_{DR})}{\alpha} \tag{3.3}$$

Lemma 3 (Target's Willingness to Accept Dispute Resolution): Assuming Lemma 1 holds, T accepts a DR offer if and only if:

$$P_C \geq \frac{\frac{P_T^2}{P_C + P_T} - P_T(1 - L_C - c_{DR})}{\alpha}$$

This condition captures whether T finds the expected legal loss and fixed cost of DR preferable to a costly military confrontation. However, T's willingness alone doesn't lead to the DR outcome. C must prefer DR to F and N. Given the costless nature of N, C chooses it when Lemma 2 holds. Consequently, C chooses DR if Lemma 1 holds but Lemma 2 fails, and if DR is preferable to F:

$$EU_F \leq EU_{DR} \tag{4}$$

Substitute:

$$q_C - c_C - K \leq L_C - c_{DR} \tag{4.1}$$

$$\frac{P_C}{P_C + P_T} - \alpha.\frac{P_T}{P_C} - k(1 - L_C) \leq L_C - c_{DR} \tag{4.2}$$

Solving for P_C to find the threshold:

$$P_C = \sqrt{(P_C + P_T)\big((L_C - c_{DR} + k - kL_C)P_C + \alpha P_T\big)} \tag{4.3}$$

Lemma 4 (Challenger's Preference for DR over Force): Assuming that Lemmas 1 and 3 hold and Lemma 2 fails, and that T accepts DR, C prefers DR to F if and only if:

$$P_C \leq \sqrt{(P_C + P_T)\big((L_C - c_{DR} + k - kL_C)P_C + \alpha P_T\big)}$$

These two lemmas lead to the two final propositions.

Proposition 3 (Dispute Resolution Equilibrium): If Lemmas 1, 3, and 4 hold but Lemma 2 fails, then C proposes DR, and T accepts.

Proposition 4 (Force Equilibrium): If Lemma 1 holds, but Lemmas 2 and 4 fail, C chooses F. T resists, and the outcome is determined by military capabilities and legal punishment.

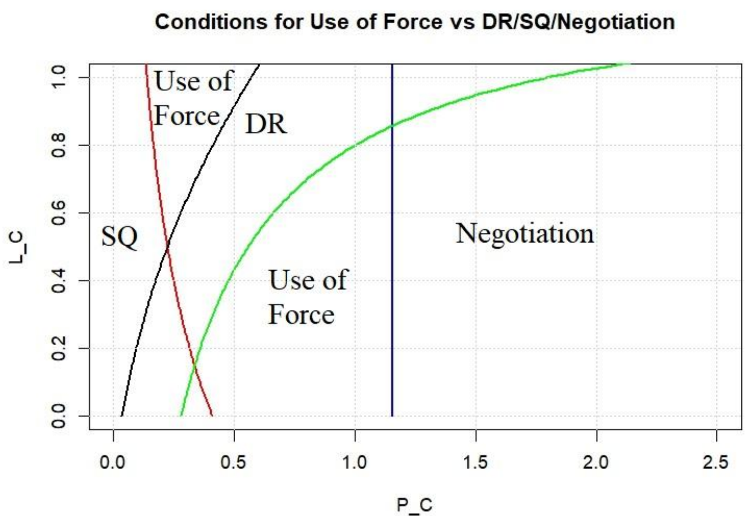

Figure 6: For the plot above, I assumed the following values: k = 0.5,α = 0.2,P_T = 0.25,c_DR = 0.15.

c. <u>Equilibrium Scenarios</u>

Figure 1 is the overall representation of the model for the given values. Since I am interested in the effect of power and the strength of the legal claim on the actions of disputants, L_C is on the y-axis, and P_C is on the x-axis.

In Figure 1, the red line represents the first condition. The area left of the red line is where the challenger maintains SQ (Lemma 1 fails). Given that the first condition must be true to observe use of force, negotiation, or DR, we only observe SQ when the first condition is false.

Equilibrium Scenario 1: When the challenger is weak and has low L_C, the challenger maintains the status quo.

The blue line represents the second condition (Lemma 2). The area to the right of the blue line is where the challenger chooses negotiation, and the target accepts. Because the first and second conditions must be true for demands through negotiation to be observed, the challenger's negotiation offer is accepted for a certain level of P_C.

Equilibrium Scenario 2: When the challenger is overwhelmingly powerful (Lemmas 1 and 2 hold), the challenger and the target will resolve the dispute through negotiations.

The black line represents the third condition. On the right side of the line, the target is willing to accept a DR offer. The green line represents the fourth condition. It is the line that represents the threshold between the challenger's choice between use of force and DR. DR is a viable option in the area left of the green line. Thus, the DR is a feasible option in the area between the green and black lines (Lemmas 3 and 4 hold), above the red line (Lemma 1 holds), and to the left of the blue line (Lemma 2 fails).

Equilibrium Scenario 3: A low-cost DR can be a stable equilibrium, especially when the war is costly (high α) and the punishment enforcement (k) is high.

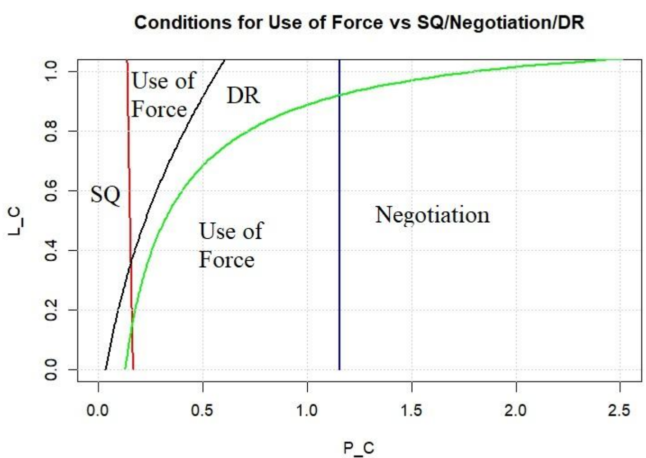

Figure 7: For the plot above, I assumed the following values: k = 0.1, α = 0.2, P_T = 0.25, c_DR = 0.15.

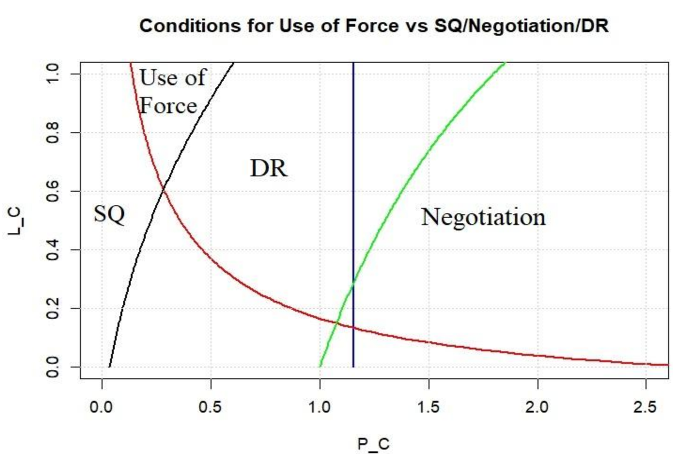

Figure 8: For the plot above, I assumed the following values: k = 0.9, α = 0.2, P_T = 0.25, c_DR = 0.15.

Figures 2 and 3 show that, for different values of the punishment enforcement (k), some equilibria become unfeasible. As k As the use of force increases, it becomes less appealing. Instead, DR and SQ become more feasible.

Appendix 2

Table 1: The Binary Logit Models with Huth and Allee (2002)'s Power Variable

	DV: Use of Force (Territorial MIDs)					
	(1)	(2)	(3)	(4)	(5)	(6)
C's Claim Strength (continuous)	0.033	-0.177	-0.066	-0.057	-0.054	
	(0.119)	(0.148)	(0.156)	(0.157)	(0.156)	
C's Mixed Claim						-0.026
						(0.177)
C's Strong Claim						-0.231
						(0.393)
Military Power Ratio	10.517***	10.722***	9.984***	10.005***	9.996***	10.498***
	(1.251)	(1.311)	(1.321)	(1.334)	(1.325)	(1.332)
Power Ratio Squared	-11.457***	-10.248***	-10.464***	-10.500***	-10.457***	-10.498***
	(1.328)	(1.367)	(1.395)	(1.410)	(1.401)	(1.396)
Alliance		0.077	0.022	0.034	0.011	0.014
		(0.178)	(0.179)	(0.181)	(0.179)	(0.179)
Rivalry		1.430***	1.398***	1.328***	1.412***	1.389***
		(0.149)	(0.149)	(0.152)	(0.150)	(0.150)
Stalemate		0.205***	0.205***	0.234***	0.228***	0.210***
		(0.061)	(0.061)	(0.063)	(0.063)	(0.062)
Joint Democracy		-0.409***	-0.502***	-0.562***	-0.512***	-0.497***
		(0.154)	(0.156)	(0.159)	(0.156)	(0.157)
T's Claim Strength		0.143	0.176	0.199	0.194	0.186
		(0.128)	(0.129)	(0.130)	(0.129)	(0.130)
P5's Liberalism				-0.779**		
				(0.307)		
Post-Cold War					-0.374**	
					(0.188)	
Legal Claim × Power Ratio	1.287**		1.642***	1.752***	1.677***	
	(0.540)		(0.599)	(0.603)	(0.599)	
Mixed Legal Claim × Power Ratio						1.477**
						(0.704)
Strong Legal Claim × Power Ratio						4.077**
						(1.801)
Constant	-1.029**	0.104	-0.093	-0.782	-0.096	-0.065***
	(0.400)	(0.509)	(0.512)	(0.585)	(0.517)	(0.514)
Observations	3,510	3,510	3,510	3,393	3,510	3,510
Log Likelihood	-837.414	-778.908	-775.115	-758.381	-773.024	-774.819
Akaike Inf. Crit.	1,684.828	1,575.817	1,570.230	1,538.763	1,568.048	1,573.638
Note:				*p<0.1 *;* ***p<0.05 **;*** p<0.01 ***		