

I

Introduction

The very important role of international boundaries in modern times is underlined by the prolonged negotiation and hard bargaining which often precede their settlement, and also by the promptness with which States react or, at least, are expected to react, against the violation of their territorial sovereignty.

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I.1 INTRODUCTION

After the establishment of the People's Republic in 1949, the Chinese government set out in earnest to sign treaties that clarified its mutual borders with many of its neighbors – and with good reason. Among the many, diverse states in the international system, China boasts three of the longest interstate land borders in existence (with Russia, Mongolia, and India) and more neighbors (fourteen) than any other country. Settling these borders therefore became important, not merely because state security requires escaping – or at least, productively managing – external threats like territorial challenges, but also because the borders had regularly been disputed, altered, and partially settled at various points in history. The Chinese understood interstate borders to be a source of conflict, one highly salient to the state generally and to the regime's survival in particular.

Puzzlingly, the path to settlement, as well as the success achieved along this path, diverges markedly across China's negotiations with its many neighbors. Two broad outcomes regularly occurred. On the one hand, China engaged in serious confrontations with a handful of neighbors. After failed negotiations to establish a permanent boundary in 1959, for example, India and China began deploying troops, building outposts, and increasing patrols in their disputed border region. Their activities culminated in a Chinese military offensive in

October 1962.¹ Russian and Chinese territorial expansion after 1917 likewise led to decades of border clashes and militarization, including a seven-month crisis in 1969, which started when Chinese troops ambushed Soviet border guards on Zhenbao Island. Finally, the China–Vietnam border followed this path, too. In the aftermath of the Vietnam–United States and Vietnam–Cambodian wars, a series of military engagements occurred in the late 1970s and early 1980s. Among other concerns, China accused Vietnam of both shifting border markers to favor the Vietnamese and occupying its land. The crisis escalated into a brief border war in 1979. In all three cases, disagreements along shared boundaries resulted in multiple crises, troop deployments, repeated military skirmishes, and decades of mutually hostile foreign policies (e.g., geopolitical competition and elevated threats of war). In one of the cases – the Chinese–India border – the status of the boundary remains unsettled, providing a flashpoint for contemporary conflict.²

In contrast, China uncontroversially resolved its borders with many other neighbors. Between 1960 and 1963, for example, it signaled an interest in settling its borders with Burma, Mongolia, North Korea, Pakistan, and Afghanistan. Not only did it achieve these settlements through relatively quick rounds of negotiation, but the process also unfolded without violence and, in some cases, with China making significant concessions (Fravel 2008).³ What explains these two different settlement paths – one relatively peaceful and the other full of repeated violence and stalemate? Why did settlement proceed relatively smoothly in some cases and prove more difficult in others? We argue that the key to explaining these divergent outcomes lies in the characteristics of the exact border under dispute, which affects how easy bargaining over the border’s delimitation proceeds, as well as the likelihood that bargaining succeeds.

Interstate borders serve as one of the foundational institutions in modern international relations. Although often taken for granted today, the territorial state – defined through clearly delineated boundaries – is a relatively recent phenomenon in human history. Early hunter-gatherers had conceptions of territory and borders, but these varied greatly across groups and geographic locations (Diener and Hagen 2012). The emergence of empires and city-states

¹ As Ganguly and Pardesi (2020) note, “militarized incidents have come to the fore again. According to the Indian government, the Chinese military crossed into Indian territory 1,025 times between 2016 and 2018.” The most recent militarized incident occurred in May 2020. See “Why We Should Worry about China and India’s Border Skirmishes,” available online at <https://foreignpolicy.com/2020/05/23/india-china-border-skirmishes/> (last accessed May 27, 2020).

² Tensions remained high along the Chinese–Indian border as we sent the book to print. US President Donald Trump even offered to mediate in late May 2020. See “Trump Offers to Mediate ‘Raging’ India-China Border Dispute,” available online at www.usnews.com/news/world/articles/2020-05-27/trump-offers-to-mediate-raging-india-china-border-dispute (last accessed May 27, 2020).

³ Evidence suggests that China was also willing to settle with – and make significant concessions to – India at the same time (Fravel 2008; Lamb 1964).

in the ancient world afforded territorial domains greater structure; even then, though, borders often remained ambiguous and likely to overlap. The concept of the state subsequently expanded further still, presumably because of its reliance on land (i.e., agriculture) and people (i.e., a tax base) for its authority. As it did, it came into contact with other expanding states, creating an urgent need to clarify the territorial jurisdictions of geographically proximate states.

The Treaty of Westphalia in 1648 serves as the watershed moment for the modern interstate system – and the territorial state. To be fair, the system it established evolved over centuries. Weaknesses in the various governing systems, such as the feudal system that dominated medieval Europe between the ninth and fifteenth centuries, likely facilitated its arrival (Spruyt 1994; Tilly 1992); yet the Treaty codified the idea of geographic sovereignty – that is, the notion that states hold distinct territories within which they can govern as they see fit, free from the external interference of others. This not only established sovereigns as the highest authority in domestic matters (i.e., within their respective states), but also extended that right to foreign policy interactions as well (i.e., relations between states; see Shaw 2014). Sovereigns gained the exclusive power to make war, peace, and other agreements with their counterparts abroad. The resources with which they could wage these wars (e.g., treasure, people, and taxes), as well as enrich their own well-being, depended intimately on what land belonged to them. The need to define interstate borders thereby gained greater importance.

Despite the salience of borders to the interstate system, little research looks at how states bargain over the placement of their borders, what causes them to fail at border settlement, or what the consequences of that failure are. What, for example, differentiates the borders that China settled relatively easily – and with generous concessions – from those that not only remained unsettled, but also produced protracted, militarized, and violent conflict? Our book addresses this puzzle by answering three interconnected questions. First, what factors facilitate or inhibit the likelihood that neighboring states successfully delimit their mutual, territorial border(s)? Second, should neighbors fail to settle their border(s), what effect does this have on their relationship? Do unsettled borders increase the odds that neighbors develop a hostile competition with one another? And, finally, how do states locked into such hostile competitions eventually settle their disputed borders, and what happens to their relationship when they do?

Revisiting the example of China and her neighbors offers hints at potential answers, ones that we develop throughout the entirety of the book. Most interstate borders settle peacefully, and indeed, Chinese negotiations with Burma, Mongolia, North Korea, Pakistan, and Afghanistan follow this path. Its more intransigent border negotiations, however, reveal a curious trend: the disputed territory in these cases frequently contained a militarily strategic position or economically valuable resources. Much of the border conflict between Russia and China, for example, derives (in part) from the strategic importance of

securing possible invasion points along the Amur and Ussuri rivers, protecting transportation routes (e.g., port and railway access), and controlling mountain passes along the China–Mongolia border. India and China likewise dispute border regions in Sikkim and Arunachal Pradesh, the latter of which represents a critical geographical point that India perceives to be essential for the defense of its homeland. And although some of the China–Vietnam border skirmishes relate to Vietnam’s conflict with Cambodia, the Sino-Vietnamese conflict over the Paracel and Spratly islands concerns access to the sea and oil resources.⁴

In the end, whether the disputed territory contains a militarily strategic position or economically valuable resources – what we call power endowments – constitutes a major factor that separates cases into the two paths that Chinese border settlements take. Neighboring states that dispute territory lacking power endowments follow the less intransigent settlement path, while those disputing territory that contains power endowments more often experience repeated, protracted bargaining failure. This occurs because power endowments introduce a unique bargaining obstacle: the commitment problem. When combined with other characteristics that accompany bargaining over territorial issues, the commitment problem generates interstate rivalries – that is, intense, hostile relationships in which states perceive one another as threats, enemies, and competitors. After rivalries begin, states must then overcome the commitment problem in order to settle the border and, consequently, to terminate the rivalry that the unsettled border created and sustained.

1.2 THE MAIN ARGUMENT

The book asks two broad questions related to interstate cooperation. First, under what conditions are neighboring states likely to cooperate over their shared borders, and relatedly, under what conditions will cooperation be prone to break down? Second, if cooperation fails and a boundary consequently remains unsettled – defined here as the absence of (an) interstate agreement(s) that delimit(s) the entirety of neighboring states’ shared boundary – then what consequences follow?

Questions like these strike at the heart of what it means to be a state in the modern international system. Territorial boundaries define the limits of the sovereign state, determining which state’s laws and authority govern a people’s daily activity. Moreover, most interstate interactions – including both conflict and cooperation – occur across these borders between neighboring, as opposed to nonneighboring, states. As a result, states hold strong incentives to delimit their borders clearly. Doing so removes a highly salient, contentious issue from their foreign policy agenda with neighboring states, thereby making them

⁴ As we note in Chapter 2, we focus on land borders between contiguous states throughout this book. Future work might modify and extend the book’s argument to maritime borders, a possibility we discuss in Chapter 9.

more secure and allowing them to divert resources to other policy priorities. It also resolves jurisdictional ambiguity so that economic activity flourishes (e.g., tourism, travel, trade, and investment).

As long as borders remain unsettled, then, states pay numerous direct and opportunity costs. They must defend their claim to disputed land diplomatically, which requires that they prioritize the border over other policy initiatives. Because a competing claim threatens to take a piece of the state, leaders also divert significant resources into the military, fearing that the territorial competition will turn violent (i.e., that one of them will turn to the “outside option” to bargain via war). Whether to prepare for a potential conflict or to deter the adversary from encroaching on its perceived sovereign rights, the state needs a strong military. And finally, when sovereign jurisdiction in the disputed area remains unclear, trade and investment suffer (Simmons 2005). Without a clear understanding of which rules do (or will) govern their activity, economic actors cannot form accurate expectations about what consequences their behavior will have. Economic activity therefore remains depressed – a potentially significant opportunity cost – until the neighboring states sort out the matter.

Given the high potential costs of undelimited (i.e., unsettled) borders, why do borders remain unsettled, sometimes for decades? One theoretical answer derives from the bargaining and enforcement problems that arise when states negotiate over border territory (Fearon 1998). It begins with the above motivations, which encourage neighboring states to work earnestly and quickly to establish their mutual border(s). The involved states encounter two interrelated, common obstacles during this work: a bargaining problem and an enforcement problem. States care about the distribution of the disputed good and bargain hard to ensure they get at least their minimum preferred share. They also want reassurances that any signed agreement will be enforced, although knowing the agreeing must be honored reinforces states’ incentive to bargain harder to ensure a favorable deal (Fearon 1998). Bargaining and enforcement concerns are present in any interaction that tries to resolve a disagreement, and scholars have specifically identified information and commitment problems as issues that add friction to these interactions. Our study’s main contribution novelly applies bargaining theory to border settlement and rivalry, focusing on the commitment problems that impede the settlement process because they incentivize one party not to honor the agreement in the future. Information-based bargaining problems arise in the border settlement as well, and we consider them as a potential alternative explanation for rivalry development and termination.

An information problem emerges when actors negotiate over the distribution of a good (like border territory), and they each want to maximize their share of it. Whether in business or international relations, how much each negotiator receives depends on its power relative to its counterpart – that is, the costs it will bear in pursuit of the object, how willing it is to forego settlement

altogether (i.e., its next best option), and its chances of winning the good via other means (e.g., war; Fisher, Ury, and Patton 1991). Under such conditions, negotiators hold incentives to misrepresent their interests, intentions, strength, and resolve. If a negotiator successfully convinces a counterpart that it has a stronger bargaining position than it actually does, then it should receive better settlement terms. Each side knows this, however, and all negotiators consequently engage in the same behavior. Gaining credible, shared information becomes the key challenge.

A second obstacle concerns the commitment problem. Bargainers that identify an acceptable way to divide the disputed good in question next think about how those settlement terms will be implemented. Any concerns about the implementation phase then, working backwards, affect states' willingness to sign onto the settlement terms they find acceptable (Fearon 1998). The largest such concern includes a rapid, large, potential shift in future power that threatens to undermine the settlement. When a power shift of this type occurs, one state strengthens at the expense of the other. The rising state cannot credibly promise not to renege on the agreement after the settlement shifts power in its favor. If it reneges, it can renegotiate better settlement terms for itself from its position of newfound strength. The declining state, however, anticipates that incentive. Barring protections against the strengthened state renegeing and reopening the bargaining process, the weaker state elects to forego settlement altogether, creating an impasse. Nonviolent bargaining fails, settlement stalls, and the bargainers turn to alternative means of managing their dispute — namely, war.

When we apply the logic of information and commitment problems to the border settlement process, two general paths emerge. In the first, neighbors primarily face an information problem. Although a common, noteworthy obstacle to settlement, information problems need not be insurmountable. They complicate negotiators' ability to both find the bargaining range (i.e., the set of all settlement terms that both sides prefer to reaching no settlement at all) and agree upon precise settlement terms that fall within this range. Yet conflict management tools increase the (credible) flow of information between negotiators, thereby offering a way forward. Bilateral negotiation, mediation, and even sometimes war serve this purpose.⁵ As the negotiators exchange offers and counteroffers, their assessment of one another's strength theoretically converges, which increases the probability that they reach a settlement.

Three characteristics define this settlement path. First, states employ conflict management, particularly negotiation and mediation, repeatedly. Their efforts may fail, especially early in the process when negotiators must sift through a greater amount of inaccurate information. Each iteration, though, theoretically

⁵ Consistent with international relations research, we include good offices, fact-finding, and conciliation under the umbrella of mediation (Greig, Owsiak, and Diehl 2019). International law scholars adopt a different approach (see, e.g., Merrills 2005).

inches the negotiators closer to settlement. Second, the settlement process is less protracted along this path than the second one (described subsequently). This need not imply that settlement proceeds smoothly; indeed, it often moves in fits and starts, with stalled progress along the way. Nevertheless, the larger point remains: this path generally proves easier to travel than the second one. Finally, states along this settlement path resort infrequently to violence. Because negotiators achieve progress at the bargaining table, the need for violence arises less often. Stated differently, as long as negotiators clarify incomplete information via nonviolent conflict management, their need for violence to achieve the same goal declines. Moreover, when violence does arise, it remains isolated and infrequent – used to clarify incomplete information.

The second settlement path arises when bargainers encounter the commitment problem. Numerous circumstances theoretically put the commitment problem's logic in motion (Powell 2006), but we focus on situations in which states bargain over an object that itself contains a source of power (Fearon 1996). Border territory often possess this characteristic. In particular, some territory contains a militarily strategic position (e.g., a valley, high ground, or straits) or economically valuable resources (e.g., natural resources or populations) – what we call “power endowments.” These power endowments worry states. A settlement necessarily (re)distributes border territory and, therefore, any power endowments it contains (i.e., at least one side will need to make concessions in order to resolve a competing territorial claim). When the disputed territory lacks power endowments, states expect that a settlement will produce no noteworthy change in their relative power; the redistributed territory carries no accompanying, significant redistribution of power endowments. In contrast, when the disputed territory contains power endowments, states predict that power will quickly (re)distribute after they sign and implement a settlement, and so a commitment problem emerges. Settlement advantages one state, making it more powerful in the post-settlement period. Because a stronger bargainer should get better settlement terms, that state cannot credibly promise not to renege on and renegotiate the settlement from its position of greater, future strength. At the same time, settlement disadvantages the other state, which then fears the vulnerability that a settlement creates, seeks to avoid that vulnerability, and therefore refuses to sign any settlement – even if it finds the settlement terms generally acceptable. The settlement process then stalls.

The characteristics defining this settlement path differ markedly from those that define the first path. Conflict management efforts still occur, as states try to reach a settlement; yet these efforts generally do not move states meaningfully closer to settlement. Negotiation and mediation increase information flows. Because bargainers do not primarily face an incomplete information problem along this path, however, conflict management proves less helpful, unless it can overcome the commitment problem mechanism – that is, unless it prevents a power shift from occurring or reduces the likelihood that a state reneges on a

signed settlement. Most, but not all, conflict management efforts fail to address this logic, leaving settlement consistently beyond the disputants' reach.⁶

Scholars posit that, when peaceful conflict management fails, states resolve a commitment problem via war (Powell 2006). This avenue, however, may be neither feasible (e.g., when states are not prepared to fight) nor desirable. To solve a commitment problem via war, states need to destroy the source of power (i.e., prevent the power shift), conquer the territory (i.e., prevent a need to renegotiate for more of the disputed territory later), or remove the foreign government (i.e., the actor who might try to renegotiate later). Problems arise with each option. States do not want to destroy the power endowments, but rather to acquire and hold them; the (modern) international system does not recognize conquest as an appropriate way to acquire territory; and, setting aside the international legal ramifications, replacing a foreign government proves costly – often prohibitively so. Neither conflict management nor the alternatives (e.g., war) move states toward settlement, so the bargaining process becomes protracted and states turn to threats, displays, and uses of violence. Some of this violence escalates to war, but war does not definitely resolve the issue. More often, states engage in aggression and violence short of war; although intended to defend each neighboring state's claim to the disputed territory, these behaviors also sour the neighbors' relationship.

This second path motivates our other question about interstate cooperation: what consequences follow for neighboring states' interactions when border settlement fails? Scholars typically argue that states use war to resolve the bargaining failure that commitment problems create. As we note earlier, however, war may not be possible in the border settlement process – at least, not as a way to *solve* the commitment problem. We therefore derive a novel, alternative policy that states use in such circumstances: a rivalry. When neighboring states dispute power-endowed border territory, they face a commitment problem (i.e., lie along the second settlement path discussed earlier). Nonviolent bargaining fails, and war seems either undesirable or unacceptable. The states still find the territory highly salient, though, and want both to defend their claim to it and to deny their adversary uncontested control over it. They therefore begin a long-term geopolitical competition with each other – conceptualized here as a rivalry (Colaresi, Rasler, and Thompson 2007; Diehl and Goertz 2000). The rivalry offers states a means to continue competing over the disputed territory. It marshals resources and allows states to maintain their defenses, to prepare for any violence that might occur, and to bolster their bargaining power for future negotiations, all while trying to erode the adversary's strength (or bargaining power). Moreover, rivalry results naturally from the recurring violence that lies along the commitment–problem-driven settlement path. This recurring violence creates feelings of threat, enmity, and competition – the hallmarks of interstate

⁶ Legal approaches, which increase the cost of renegeing on a settlement, constitute an important exception. See Section 1.3.

rivalry. To escape this path (and the related rivalry), states then need to settle their border, which requires overcoming the commitment problem.

1.3 THE ROADMAP

The book follows a path commensurate with the above argument. The first part considers how states navigate the border settlement process generally. It shows that some states reach settlement more easily than others, as well as the conditions under which they do so. The second part of the book then follows the states that struggle to settle their mutual borders. It asks, in particular, what happens to neighboring states' relationship as they try and fail repeatedly to settle their borders. We argue that these states disproportionately encounter a commitment problem, and they initiate a rivalry as a policy response to that problem. Finally, the third part of the book investigates how rivals with unsettled borders can move toward settlement and what happens to their relationship when they succeed. Once again, we propose that rivals with unsettled borders disproportionately face a commitment problem that they find difficult to overcome. Some, but not all, conflict management tools help states surmount this obstacle, and once they clear it, the states' relationship changes fundamentally, from a hostile to a more benign one.

Before delving into the chapter details, we wish to clarify the overall research strategy that guides our investigation. The book presents a causal theory, but does not claim to test that theory or engage in causal inference. It starts with an empirical puzzle – namely, that neighboring states experience divergent outcomes when attempting to settle their borders with one another. It then offers a theoretical argument that makes sense of that puzzle. Finally, we review the data to ascertain whether the patterns that the argument suggests generally and robustly appear there. In other words, although our theory identifies causal relationships, our empirical analysis does not attempt to establish causality.⁷ We therefore use causal language when advancing the theoretical argument (or mechanisms), but avoid causal language when discussing the empirical strategy and data analyses. In these latter cases, we instead adopt language that notes whether the patterns within the data are, or are not, consistent with the theoretical arguments' expectations.

Each chapter contributes to the larger theoretical story, developing the detail underlying it and using the above empirical strategy to search for evidence consistent with it. Two important concepts provide the foundation for the entire story: border settlement and commitment problems. In order to ensure conceptual clarity, Chapter 2 first defines and justifies our use of these two concepts. Border settlement, for example, means different things in scholarly research – sometimes “mutual satisfaction” and sometimes “mutual agreement.” Mutual

⁷ For a discussion of the various ways to pair data with theory, beyond merely theory testing, see Clarke and Primo (2012).

satisfaction, or de facto settlement, exists when neighboring states are content with the current distribution of a given border territory. In contrast, mutual agreement refers instead to de jure settlement, which exists when neighboring states have signed a treaty (i.e., a formal, interstate agreement) that settles their mutual border's delimitation under international law.

Our argument concerns de jure border settlement, measured through the lens of border delimitation agreements, rather than mutual satisfaction with a border's territorial distribution. That decision rests on three considerations. First, mutual satisfaction remains impossible to observe empirically. It is true, for example, that satisfaction demands a lack of conflict, but a lack of conflict itself does not necessarily imply satisfaction. Rivals (e.g., the United States–Soviet Union during the Cold War, or Syria–Israel or India–Pakistan today) often experience periods without active conflict, even though the status quo does not satisfy them (i.e., they are involved in intense, hostile competitions with one another). We therefore cannot use the absence of conflict to track “satisfaction,” and we would not want to do so. Because the theoretical relationship between unsettled borders and rivalry – itself correlated with interstate conflict – interests us, measuring unsettled borders through conflict (or its absence) creates a tautology that would undermine the study. We instead need a measure of settlement that does not depend on conflict. No such reasonable measure of de facto settlement exists, so we turn to de jure settlement to achieve that goal.

Second, all neighboring states are preoccupied with the placement of their borders and sign agreements to delimit their respective jurisdictions. The delimitation process therefore appears within all neighboring states' histories, and the public process of reaching and signing agreements places information about de jure settlement prominently in the public domain. Indeed, we have narratives of the border settlement process for most contiguous dyads over the past 200 years.⁸ Finally, although other scholars proxy mutual satisfaction, we can directly observe delimitation efforts and outcomes. We prefer a direct approach, as it better ensures that the observed behavior (i.e., the delimitation process) aligns with the concept we wish to capture (i.e., settlement). These considerations lead us to distinguish between de jure border settlement – that is, signing international border agreements that function as international law – and de facto settlement, or satisfaction with the territorial distribution. We adopt the former, which connects our work with the subfields of international law (through interstate treaties and agreements) and international conflict management (through the delimitation process).

The second half of Chapter 2 then centers on our use of a bargaining framework. This framework emphasizes the commitment problem mechanism, which operates when one state expects that its adversary will likely experience

⁸ We created these narratives for the book project. They are available from the authors upon request.