Negotiation as an Instrument of War

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Abstract

What role do negotiations play in the trajectory and termination of interstate wars? Extant scholarship has largely treated negotiations as a sincere activity that mirrors outcomes from fighting. This view of negotiations as a simple reflection of the battlefield is not well-supported by historical readings or empirical patterns of intra-war diplomacy, particularly in wars after 1945. I present an alternative view of negotiations as being *instrumental*. Diplomatic bargaining not only occurs in response to battlefield outcomes but is also used as a tool that allows beleaguered war targets to stall for time and mitigate the war initiator's strategic first-mover advantage on the battlefield. Using two daily-level datasets of battles and diplomatic activity, I find that negotiations in post-1945 wars extend conflict when the war initiator has an advantage in fighting, dampen the intensity of active hostilities, and are associated with reversals of fortune favoring the war target. This framework of instrumental negotiations shows that the effect of intra-war diplomacy is conditional on the state of hostilities and has substantial implications on our understanding of war termination and conflict resolution.

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When it declared statehood on May 14, 1948, Israel was not prepared for the swift and simultaneous attack that its four Arab neighbors—Iraq, Syria, Jordan, and Egypt—would initiate on the following day. Over the next five months, the new nation was battered on the battlefield and lost enormous amounts of its proclaimed territory. A tenuous ceasefire took hold on July 18 while Folke Bernadotte, United Nations Mediator to Palestine, facilitated negotiations via shuttle diplomacy. As talks fell apart in October, renewed fighting took a decidedly different tone. Israeli forces had spent the last three months planning a series of massive military offensives to push out their opponents. Beginning with Operation Yoav on October 15, these plans not only neutralized the Arab states' gains but helped Israel expand its territorial control beyond pre-war boundaries before hostilities ended in January of 1949.[1]

One notable feature of the Arab-Israeli War is that Israel appears to have exploited negotiations to properly mobilize for combat and alter the battlefield in its favor. Most international relations (IR) scholarship has little to say on this possibility and might consider it a one-off coincidence. Research on war tends to view negotiations as mechanical reflections of the battlefield that allows belligerents to make sincere attempts to gradually converge upon a mutual acceptable agreement before a war ends through complete military victory or defeat.

Against that backdrop, this paper makes two main contributions. First, I outline an alternative view of negotiations as being an *instrument* of war. I establish a theoretical framework that explains how periods of diplomatic bargaining can be exploited to help create temporary respites from fighting, which grants targets of war an opportunity to translate more of their latent war-fighting capabilities into active force on the battlefield. This helps to mitigate the war initiator's first-mover advantage. As such, negotiations are not only used to help settle conflicts, but also to help manage, fight, and potentially win them.

Second, I use new daily-level data on battles and negotiations over all interstate wars since 1945 to test these claims. I find that these conflicts follow a common trajectory consistent with an instrumental view of negotiations. Wars often begin with the initiator enjoying a distinct series of battlefield gains. When negotiations occur at these volatile moments, the pace of fighting—and with it, battlefield momentum—slackens. Most of these negotiations do not end wars, but rather

[1] Tal 2004.

precede reversals of fortune on the battlefield where war targets mitigate much of the war initiator's early momentum. These patterns are not effectively predicted or explained using extant theories of war, and they are much easier to understand if we view negotiations as a strategic tool of conflict with purposes that are not related to immediately forging peace. In essence, the use of negotiations in the Arab-Israeli War is not an aberration, but a relatively common strategy.

The concept of instrumental negotiations has substantial implications on our academic and policymaking approaches to conflict and its termination. Many of the inconsistencies between theories of war and the empirical record of wartime diplomacy can be reconciled by treating negotiations as a distinct, and not necessarily earnest, method to navigate hostilities. The fact that diplomacy itself can be harnessed to extend conflict, reduce military pressures, and reverse battlefield outcomes poses a severe challenge to extant scholarship that does not seriously contemplate intra-war diplomacy or solely views it as a manner to grant concessions. While it may seem unsurprising that states can abuse negotiations during war, no study has systematically considered the conditions under which such behavior should be more common, what effects they may have, nor whether those efforts prove successful. A thorough reassessment of the strategic incentives and implications of negotiations may help to shape a far more productive and practical study of conflict resolution—one that sees military and diplomatic activity in wartime as complements that can both advance a belligerent's objectives.

Sincere Negotiations

Negotiation refers to direct or mediated communication between active belligerents with the ostensible aim of creating a mutually acceptable agreement.[2] As will be made clear later, the inclusion of the word *ostensible* is important and differs from standard definitions that presuppose "interests in reaching agreement."[3]

Indeed, most extant research on war duration and termination has adopted a perspective in which negotiations are sincere attempts to strike an agreement that terminates hostilities. This assumption is often so strong that wartime negotiations are seen as largely irrelevant or a me-

[2]Iklé 1964.

[3]Rubenstein 1982, 97.

chanical reflection of battlefield outcomes. A predominant share of quantitative studies about war termination use entire wars as the unit of analysis, where fixed or initial characteristics only impact duration at the outset of conflict.[4] These black box and time-invariant methods preclude the study of how events that occur during the war itself, including negotiations, can reshape the war's trajectory once hostilities have already erupted.[5] This coarse methodology is largely a consequence of the field's paucity of systematic intra-war data about either fighting or bargaining. Alex Weisiger has recently improved this situation by creating data on monthly casualties during interstate wars, but few other resources have matched this standard.[6]

Without many options for dynamic data, a host of bargaining models have sought to open the black box of war and recognized that many wars go through and end via negotiations.[7] A majority of these works involve alternation between a take-it-or-leave-it offer and a potentially game-ending battle if the offer is rejected. This process continues as actors update their offers in response to information gathered through battles. In most cases, belligerents respond by slowly making more generous bargaining offers in order to screen for strong types. Diplomacy becomes productive once information from fighting opens a viable bargaining range, and offers or concessions converge upon a common set of expectations between the belligerents.[8] Wars end when one side accepts an offer through this negotiation process or is completely defeated through a fatal battle.[9] Note that even

[4]Bennett and Stam 1996; Goemans 2000; Slantchev 2004; Weisiger 2013.

[5]Formal scholarship that views conflicts as wars of attrition may technically analyze intra-war dynamics, but they also reflect the idea that serious efforts to terminate wars are only made once battlefield activity has exhausted one side. See Langlois and Langlois 2009, 2012; and Powell 2017.

[6]Weisiger 2016.

[7]Filson and Werner 2002; Leventoğlu and Slantchev 2007; Mattes and Morgan 2004; Powell 2004; Smith and Stam 2004; Wagner 2000; Wolford et al. 2011.

[8]Slantchev 2003.

[9]Goemans 2000, Reiter 2009, and Weisiger 2013 provide richer historical accounts of several wars to illustrate how information obtained from hostilities can endogenously influence each side's war aims. The quantitative sections in Goemans 2000 and Weisiger 2013 use methods and data that treat entire wars as the unit of analysis, precluding the consideration of time-variant factors or

if a round of talks fails to strike an agreement, negotiations are modeled as a good-faith attempt to reach the termination of hostilities.

Overall, many formal studies of war duration and termination produce a straightforward characterization of wartime diplomacy where the act of negotiation itself, divorced from the actual positions taken or concessions made, is a costless activity. Taking this "sincere" view to its logical conclusion produces at least three observable implications regarding wartime negotiations. First, belligerents should feel free to always or never negotiate. Second, when negotiations occur, they should directly react to battlefield outcomes but should not impact them short of ending the entire conflict. This leads to the third and most important point: Negotiations should have a positive relationship with the termination of hostilities.

Potential Shortcomings

The presumption that wartime negotiations are sincere helps to produce intuitive and internally consistent theories, but empirical support is mixed. Histories of conflict make clear that leaders often opt not to negotiate while fighting and take the choice to engage in diplomacy seriously. Patterns of negotiations are highly sporadic and do not appear to directly respond to outcomes from fighting. According to battle data described later in this paper, only 12.7% of recorded battles in the last two centuries were followed by negotiations in the next week; the number increases to 15.6% when using a two-week window. The alternating structure of formal models is obviously a technical feature that should not be taken literally, but it nevertheless undermines the notion that negotiations can have other implications during war. Another set of scholarship also argues that belligerents' negotiating patterns are better reflected using a war of attrition dynamic where actors obstinately refuse to negotiate before swiftly reaching an agreement.[10]

The notable inconsistencies between the implications of IR theories about war and the historical record indicate that we lack the proper quantitative and theoretical tools to grasp what role negotiations play in the trajectory and termination of conflict. Leaders and policymakers place

decisions. While instructive, their qualitative findings have not been fully assessed across multiple wars and do not speak directly to negotiations themselves.

[10]Fearon 2013; Langlois and Langlois 2012.

qualitative importance on intra-war diplomacy, underscoring the fact that this is a substantial flaw and that scholars may be overlooking other strategic considerations that play into the effects of negotiating during conflict. Furthermore, most evidence countering a sincere view of negotiations is based on formal models and anecdotes. This study presents one of the first opportunities to empirically assess these claims using quantitative data across multiple wars.

Instrumental Negotiations

Negotiations may be necessary to create agreements, yet there is no guarantee that they will succeed in doing so. This may appear to indicate that talk is cheap, but history paints a more complicated picture. Accounts of negotiations spanning multiple industries and fields indicate that disadvantaged actors often use negotiations for "devious objectives"[11] that extend beyond and sometimes directly undermine settlement, all with hopes of improving their relative position to their opponent.[12] At the domestic level, rules are often established to preclude such behavior. For example, in the realm of U.S. labor law, the National Labor Relations Act governs permissible conduct in collective bargaining. Its regulations disallow failure to meet at reasonable times and intervals, engaging in piecemeal bargaining, refusing to provide relevant information, creating impasses using irrelevant topics, and not signing completed agreements.

Incentives to abuse negotiations should be even stronger in an anarchic and acrimonious wartime environment that which lacks strong institutions that can identify or punish acts of disingenuous bargaining. One common tactic across many negotiations during war is to make propagandistic statements in order to gain public attention, frustrate the opponent, and energize one's supporters. This occurred frequently and purposefully in peace talks at Kaesong and Panmunjom during the Korean War and Paris during the Vietnam War. As psychological warfare adviser to the United Nations Command during the Korean War, William Vatcher bemoans how the "peace talks supplied [the Communists] with a propaganda sounding board of unparalleled magnitude."[13]

[11] Richmond 1998.

[12] Gino and Shea 2012; Olekalns and Smith 2007.

[13] Vatcher 1958, 119.

In past qualitative literature on interstate diplomacy, Fred Iklé and Paul Pillar use the term "side-effects" to describe any consequences of talks which are unrelated to reaching an agreement.[14] Their discussion of negotiation's side-effects was somewhat cursory and unsystematic, but their core insight is important and has consequences far greater than fiery rhetoric. Since these diplomatic activities are being used as a tool for extraneous ends, I call them *instrumental negotiations*.

For the sake of clarity, I will present my primary claim up front: Negotiations can be used instrumentally and deceptively to buy time, which grants beleaguered targets a chance to mitigate an initiator's early advantage on the battlefield. Wartime diplomacy therefore does not solely mirror the battlefield but can directly reshape it. The remainder of this section will develop the concepts and logic behind this central claim.

Talking for Time

War is a grueling, relentless, and chaotic enterprise—a situation where time is often the most precious commodity.[15] While additional weapons may intensify or accelerate the pace of violence, negotiations used at opportune moments can provide a novel and deceptive avenue to create additional time and breathing room through delay. By pretending to be interested in diplomacy, parties can slow down their opponent in order to obtain a more favorable outcome for themselves.[16] For example, once President Johnson halted bombings on North Vietnam in November of 1968, the (North) Vietnam Workers' Party issued an internal decree that spelled out a strategy to drag out the Paris peace talks to wear down the Americans' will.[17] Importantly, the strategic environment between and around the belligerents can impact when negotiations are likeliest to be exploited in this manner.

Suppose that a belligerent can negotiate in one of two ways: in good faith or with instrumental ends.[18] A good-faith approach is based on genuine interest in forging peace through negotiations,

[14]Iklé 1964; Pillar 1983.

[15]Gray 2018.

[16]McMillan 1992.

[17]Asselin 2002.

[18]This process can be roughly understood in terms of a simple signaling game where the target is the Sender and the initiator is the Receiver.

while an instrumental approach mainly hopes to abuse negotiations to support the war effort. By treating bargaining offers as direct reflections of battlefield outcomes, most formal models of war implicitly assume belligerents negotiate in good faith.

Both good-faith and bad-faith targets have reasons to seek negotiations when they are being pummeled on the battlefield. Dramatic trends in fighting help actors to quickly converge upon beliefs over future expectations.[19] This would be the most likely scenario where good-faith actor would stop fighting in order to express a serious interest in negotiating peace. For instance, in the Seven Weeks' War of 1866, Austria sought negotiations after being shocked by Prussian forces' efficacy across a series of battles, culminating with a quick and decisive victory at Koniggratz.[20] A preliminary peace favoring Prussia was signed in Nikolburg a couple weeks later.

This also implies that when the battlefield is shifting in one belligerent's favor, an embattled party with instrumental ends can opt to negotiate and feign interest in peace. Mimicking a good-faith actor produces two interrelated side effects that mitigate one's losses. First, battlefield activity decreases. Beleaguered actors will decrease hostilities in order to behave like a genuine actor. Because the more successful party is, at best, uncertain about the opponent's motives, it will also deescalate to avoid unnecessary costs. Negotiations therefore create lulls in fighting and extend the overall conflict, even when no formal ceasefire is in place. Before armistice negotiations for the Korean War began on July 10, 1951, both the Communist and United Nations Command delegations explicitly agreed that hostilities would continue alongside talks. The first round of negotiations still saw a dramatic initial drop in battlefield activity as both sides wanted to see whether any progress would materialize.[21]

Second, by creating temporary breathing room on the battlefield, negotiations provide time for beleaguered parties to translate more of their latent war-fighting capabilities into active force on the battlefield. Such a strategy played out during the Falklands War, when the United Kingdom dithered through several international mediation efforts while sending a naval task force across the Atlantic to confront the Argentinian military presence. Going one step further, failed negotiations

[19] Slantchev 2003; Weisiger 2016; Werner and Yuen 2005.

[20] Wawro 1993.

[21] Zhu 2001.

may help losing states obtain their own short-term strategic advantage on the battlefield.[22] Substantial literature in military affairs attests to the importance of deception and misrepresentation as a "force multiplier" and their use, particularly by weaker parties, to gain a temporary competitive advantage.[23]

These deceptive and dilatory impacts of wartime negotiations are highly consequential but also unappreciated by individuals outside of the diplomatic world. In a memoir, former Secretary of State Dean Acheson lamented many policymakers' naive view of negotiations:

> I have heard people who should know better, including a head of government, say happily, "As long as we keep them talking, they're not fighting." Nothing could be more untrue: they are fighting.... To our minds international conferences and negotiations are so completely means for ending conflict that we are blind to the fact that they may be and, in the hands of experts, are equally adapted to continuing it.[24]

This instrumental view of negotiations, as described thus far, produces three implications. The first is that *negotiations decrease the likelihood of war termination when battlefield momentum heavily favors one belligerent relative to when recent fighting is balanced or when no negotiations take place.* Secondly, *periods of negotiations should feature lower levels of active hostilities compared to times without negotiation.* Note that this implication is not inconsistent with the sincere view of negotiations, which would suggest that negotiations should lead to war termination and therefore dampen hostilities, but is nonetheless a critical part of the instrumental view and has yet to be tested using quantitative data. This sets the stage for the third implication and the most tangible outcome: *Periods following failed negotiations feature shifts in battlefield momentum that favor the party suffering recent losses.*

[22] Tangredi 1985.

[23] For a sample, see Daniel and Herbig 1982; Gulsby 2010; Handel 1982; Joint Chiefs of Staff 2006; Lewicki 1983; and Stein 1982.

[24] Acheson 1961, 25.

The First-Mover Advantage

The first and third implications outlined above suggest that that instrumental negotiations can create vital and temporary pockets of breathing room for any belligerent that is faring poorly on the battlefield. However, there are significant reasons to believe that pausing hostilities through deceptive diplomacy is systematically more beneficial for targets of conflict than for initiators. An array of works have analyzed the advantage war initiators have due to having relatively higher capabilities than the targets that they choose. While some studies find that higher capabilities predict success,[25] others find weaker or null results.[26] One explanation for these mixed findings is that capabilities reflect latent forms of power, which are not equivalent to military power as manifested on the battlefield.[27] Choices regarding the employment of force and the elements of strategy strongly mediate the relationship between latent power and success in fighting.[28]

On that level, war initiators wield an additional and time-sensitive asset that permits them greater potential than their adversary to translate latent power into active power: a *first-mover advantage*. This concept is well-established in military affairs. Clausewitz highlights the importance of initially waylaying the opponent through "plans and dispositions, especially those concerning the distribution of forces" so that initial combat "confuses the enemy and lowers its morale."[29] Sun-Tzu makes the same point in *The Art of War*: "Whoever is first in the field and awaits the coming of the enemy, will be fresh for the fight; whoever is second in the field and has to hasten to battle will arrive exhausted. Therefore the clever combatant imposes his will on the enemy."[30]

By having the ability to select the time, place, and manner in which to begin hostilities, war initiators have a unique opportunity to choose conditions that optimize their likelihood of success.[31] Targets are often not expecting to fight or cannot predict when, where, or how an initial attack will

[25] Bueno de Mesquita 1981; Sullivan 2012.

[26] Cannizzo 1980; Carroll and Kenkel 2019.

[27] Sullivan 2007.

[28] Biddle 2004; Arreguín-Toft 2001.

[29] Clausewitz 1976 [1832], 198.

[30] Sun-Tzu 2007.

[31] Diehl 2004; Gartner and Siverson 1996; Wang and Ray 1994.

occur. This opens a window of opportunity for initiators to take advantage of their target's lack of preparedness.[32] In other words, the first-mover advantage exploits the gap that exists between a target's latent war-fighting capabilities and its applied war-fighting capabilities at the outset of a conflict.

The Six-Day War of 1967 shows how the first-mover advantage can produce these dividends. Tensions in the Middle East had escalated to perilous levels, with both Israel and the Arab states making preparations for a potential outbreak of conflict. On May 5, Israel initiated hostilities by launching a devastating surprise attack from the air that neutered the Egyptian Air Force, as well as a simultaneous ground strike that marched toward the Suez Canal. The entire Israeli plan exploited the first-mover advantage with remarkable success. The exact timing of the strike was unknown to the Arab states, the location of the initial attack was completely different from past conflicts, and the method of flanking Arab forces through desert terrain went against expectations of a full-frontal assault using roads.[33] Although the Arab states were generally primed for war and had even built some fortifications around anticipated targets, they were caught off-guard by the specific features of the Israeli assault, could not mount a proper response, and were forced to accept defeat.[34]

Based on this more theoretically informed view, I expect the appeal and effects of deceptive diplomacy to asymmetrically benefit war targets. This leads to the following core implications:

Hypothesis 1 Negotiations decrease the likelihood of war termination when battlefield momentum favors the war initiator relative to when battlefield momentum favors the war target or when no negotiations take place.

[32]Luttwak 1987; Van Evera 1999.

[33]Bowman 2016.

[34]Note that the first-mover advantage is not synonymous with a preemptive strike, which is a rare occurrence; see Reiter 1995. I make no assumptions about whether a war initiator believed an attack was imminent; regardless of perceptions or intentions, war initiators have an inherent and temporary advantage. All preemptive wars are dramatic cases of the first-mover advantage, but moving first is not inherently an act of preemption.

Hypothesis 2 Periods of negotiations feature lower levels of active hostilities than periods without negotiations.

Hypothesis 3 Periods following the ending of failed negotiations feature shifts in battlefield momentum that favor the war target.

Some past studies have found that war initiators tend to fare worse the longer a conflict lasts.[35] My hypotheses are consistent with this view and indicate the central role that instrumental diplomacy could play in explaining this pattern.

This discussion highlights the fact that the first-mover advantage is transient, which in turn means the utility of exploiting negotiations to stall for time should diminish over the course of a war.[36] We therefore consider an extension of Hypothesis 1 that, if true, would provide additional support regarding the importance of the first-mover advantage as a mechanism behind instrumental negotiations.

Hypothesis 1a Negotiations decrease the likelihood of war termination when battlefield momentum favors the war initiator, particularly in the early stages of a war.

Reasons to Risk Negotiation

We have now established a rationale for why and how negotiations can support the war effort rather than end it. Nonetheless, one may question why a war initiator making gains on the battlefield would choose to negotiate and slacken the intensity of fighting when it is aware that talks could be used instrumentally and undo its successes. At least three reasons exist. First, an initiator may accomplish its ultimate war aims and see no other option but to try settling on its own terms. Second, and on a related note, an initiator that has made substantial gains from fighting may take the calculated risk of negotiating to attempt to lock down its gains through a successful diplomatic settlement.

[35] Cannizzo 1980; Filson and Werner 2002; Whitman 1941.

[36] In addition, the more often negotiations are used instrumentally, the more likely an opponent will learn not to engage in negotiations until a definitive result emerges from fighting.

The 1962 Assam War is an instructive case of these two factors in action. On October 20, 1962, Chinese forces launched offensives across the McMahon Line—a boundary between India and China that had been determined in 1914 but disputed ever since. Within three days, Chinese troops had overrun a series of Indian outposts and largely achieved their limited aims. Mao Zedong's regime proposed a negotiated agreement and sought to end the affair before drawing more international attention, which was then focused on the Cuban Missile Crisis. Nehru's government in India spent weeks asking for clarifications before accusing the Chinese of "cold-blooded massive aggression"[37] and renewing hostilities with remobilized troops in mid-November. This burst of activity led the Chinese to propose a more favorable ceasefire that gave India two-thirds of the disputed territory.

A third reason attests to the international system beyond the belligerents themselves: Warring parties may feel external pressure to engage in "unnatural" negotiations, especially when they face more criticism for instigating conflict. Leaders perceive enormous risks and costs to engaging in diplomacy during war, as it can signal weakness and flagging resolve,[38] which in turn can embolden the opponent and deflate domestic support for the war effort.[39] When left to their own devices, belligerents may find these liabilities so onerous that they choose to negotiate when it only seems absolutely necessary.

However, outside parties and institutions that are concerned by a conflict's potential for escalation may apply pressure for the belligerents to negotiate. These forces are especially strong in the post-1945 environment, where organizations like the United Nations actively strive to promote peace and stability, atomic weapons raise the stakes of escalation, and international institutions proscribe acts of aggression.[40] Such unnatural pressure may incentivize warring parties to come to the table and feign interest in peace by making vague or highly conditional offers, providing enough cover to relieve external pressures without signaling weakness or making their true sentiments patently obvious.[41] As an example, during the 1986-1987 War over the Aouzou Strip between

[37] Maxwell 1970, 376.

[38] Admati and Perry 1987; Mastro 2019; Schelling 1960; Van Evera 1999.

[39] Iklé 1971.

[40] Howard and Stark 2017/18.

[41] Montgomery 2013; Wallihan 1998.

Libya and Chad, relentless peace missions by the Organization of African Unity and multiple heads of African states only led the two states to engage in superficial and counterproductive talks. As the Arab-Israeli War further indicates, this environment also facilitates instrumental negotiations. This produces a final additional observable implication that would bolster the mechanisms underlying instrumental negotiations.

Hypothesis 1b Negotiations decrease the likelihood of war termination when battlefield momentum favors the war initiator, particularly when negotiations are the result of external pressure.

Overview

Table 1 reviews the contrasts between the sincere and instrumental views of wartime negotiation. The former perspective, which is more commonly reflected in conflict scholarship, suggests that negotiations influence war termination by mirroring and mediating battlefield outcomes. The occurrence of diplomacy indicates the opening of a viable bargaining range and the willingness of belligerents to make concessions to bring their positions closer together. As previously mentioned, a meaningful and *positive* relationship should exist between negotiations and the termination of war.

The latter perspective, which I have laid out, anticipates a meaningful but *conditional* relationship between negotiation and conflict termination. At least three dimensions are relevant to understanding this relationship: the battlefield, the passage of time, and external diplomatic pressures. Battlefield trends favoring the war initiator provide the ideal conditions and incentives for instrumental negotiations. In terms of conditions, it becomes easier for bad-faith actors to mimic the behavior of good-faith actors that would want to actually settle the war. In terms of incentives, it is precisely when fighting is going poorly for a target early in the conflict that it would want time and space to regroup and that an initiator would be willing to negotiate with hopes of ending the conflict on favorable terms. These factors are only intensified in the early stages of conflict when the first-mover advantage is most salient and when international actors push for diplomacy.

Three caveats are worth addressing. First, my argument does not claim that every negotiation is instrumental. Austria's desire for peace after numerous battlefield losses in the Seven

	Sincere	**Instrumental**
Summary	Negotiations indicate changing beliefs in response to fighting. Negotiations start when a bargaining range (re)opens and reflect the battlefield.	Decision-makers, especially when fighting favors an aggressor, use negotiations for strategic ends meant to shape the battlefield and buy time.
Negotiation → War termination	Positive relationship	Conditional relationship; lower probability when fighting favors an initiator (H1), especially early in war (H1a) and when based on external pressure (H1b)
Negotiation → Contemporaneous hostilities	Reduction of active hostilities	Reduction of active hostilities (H2)
Failed negotiation → Subsequent fighting	No theorized effect	Outcomes favoring the war target (H3)

Table 1: Overviews of two perspectives to negotiation's role in war.

Weeks' War, for instance, was genuine. Second, I do not suggest that every attempt to negotiate instrumentally is successful. In the 1974 Turko-Cypriot War, the Greeks dragged their feet during ceasefire negotiations pushed by the United Nations, United States, and United Kingdom in late July and early August. Greece hoped to amass international sympathy, frame the Turkish initiators as military occupiers, and prepare for further hostilities. Their diplomatic stalling failed to stop Turkey's advance two weeks later.[42] Finally, my framework does not preclude the possibility that war initiators can also rearm and regroup during negotiations. North Korean and Chinese forces undoubtedly used the first round of Korean War negotiations to prepare for more fighting.[43] The crux of my argument states that war targets have more to gain from stalling from time because they can mitigate a first-mover advantage, and thus, the overall effect of negotiations on the battlefield should systematically favor the war target. Diplomacy can impact a war's trajectory without producing any changes in bargaining positions but instead having direct impacts on the costs of fighting, which in turn influences choices about the continuation or cessation of war.

[42] Asmussen 2008.

[43] Vatcher 1958.

Data

Tests of the aforementioned implications require measures of active hostilities, momentum on the battlefield, and the occurrence of negotiations. Each of these requires a level of granularity that goes beyond the time-invariant approach common to quantitative studies of interstate war. I therefore rely on two recently generated sources of daily-level data on battles and diplomatic activity across 35 interstate conflicts since 1945, ranging from the First Kashmir War of 1947-1948 to the 2003 invasion of Iraq.[44]

Raw Battlefield Activity

Information on battlefield activity comes from a new dataset from the Author, which contains information on the dates and outcomes of 334 battles in interstate wars between 1946 and 2003.[45] Battles are defined as "a clash at a specific time and location between organized state-level forces over a contested strategic objective," and they are a natural unit of analysis and activity for military leaders.[46]

Each battle can have one of three outcomes: initiator victory (target loss), initiator loss (target victory), and inconclusive. Victory is based on which belligerent was able to either claim or defend the key strategic objective—such as a fort, city, hill, or the like—that stood at the center of the battle. These outcomes can be mapped to scores, where positive values indicate a victory for the war initiator and negative values indicate a victory for the war target. As Table 2 indicates, war initiators are slightly more successful overall than their opponents. The main analysis in this paper uses a standard score of $+1$ for war initiator victories and -1 for war target victories. This simplified system parallels how some formal models treat forts as being identical units. In Online Appendices E and G, I use two additional re-weightings to differentiate battles based on whether

[44] COW features 38 wars after 1945, but three were removed from my study due to lack of reliable data on battles and/or diplomacy: the 1968-1973 Second Laotian War, the 1970-1971 Communist Coalition War, and the five-day Sino-Vietnamese Border War of 1987.

[45] Author forthcoming (a).

[46] Dupuy 1987.

	War Initiator	Inconclusive	War Target
Total	167	18	149
Proportion	(0.500)	(0.054)	(0.446)
Standard score	+1	0	−1

Table 2: Distribution of all battle victories.

the defender wins the battle, as well as the overall duration of the battle. My results are not impacted by this choice.

Battlefield Measures

I use these raw scores to make three daily-level measures of battlefield activity. The first measure gauges the level of hostilities on the battlefield. I count the number of *active battles* taking place on each war-day according to my battlefield data. I use this number to test Hypothesis 2.

The other two track different forms of movement on the battlefield. For each day t in a war w, $s_{w,t} \in \mathbf{Z}$ is the sum of the outcomes for any and all battles that ended that day. If three battles came to an end on any particular day, $s_{w,t}$ could range between -3 (three victories for the war target) and $+3$ (three victories for the war initiator) using the standard scores.

Position is the cumulative total of all daily sums for the entire war. This variable captures overall results of fighting in terms of which side has won more battles. Formally,

$$Position_{w,t} = \sum_{i=1}^{t} s_{w,t}$$

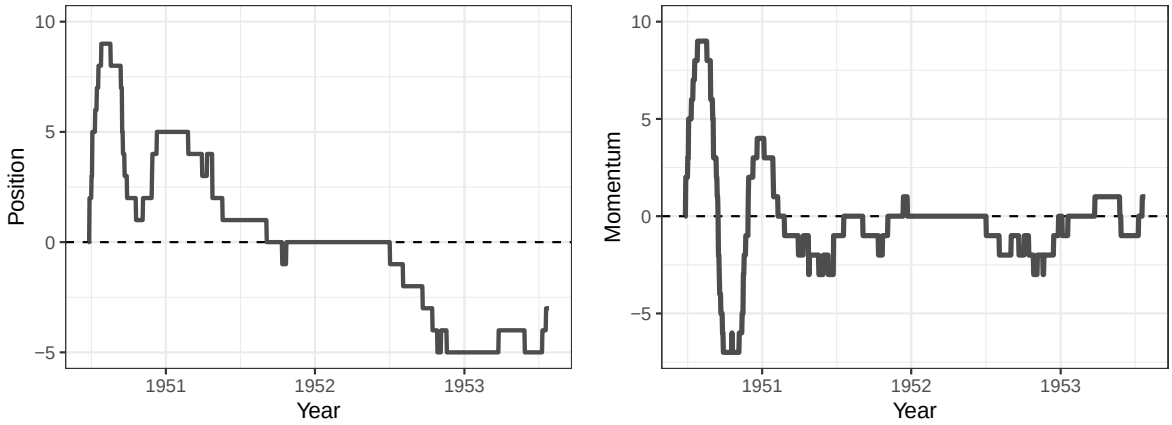
Momentum is calculated in the same manner, except only using the last $d = 60$ days of a conflict.[47] It therefore represents recent battlefield trends and reverts to zero if no new battles end in the following d days.

$$Momentum_{w,t} = \sum_{i=\max\{1,t-d\}}^{t} s_{w,t}$$

Figure 1 illustrates how these measures capture the 1948-1949 Arab-Israeli War.[48] The figures largely reflect the brief narrative previously described. The Arab states made a series of initial

[47]Results in Online Appendices E, F, and G replicate all the results in the main paper using $d = 30$ and $d = 90$.

[48]Online Appendix C contain plots of more wars.



(a) Position **(b)** Momentum

Figure 1: Battlefield measures for the Arab-Israeli War (1948-1949).

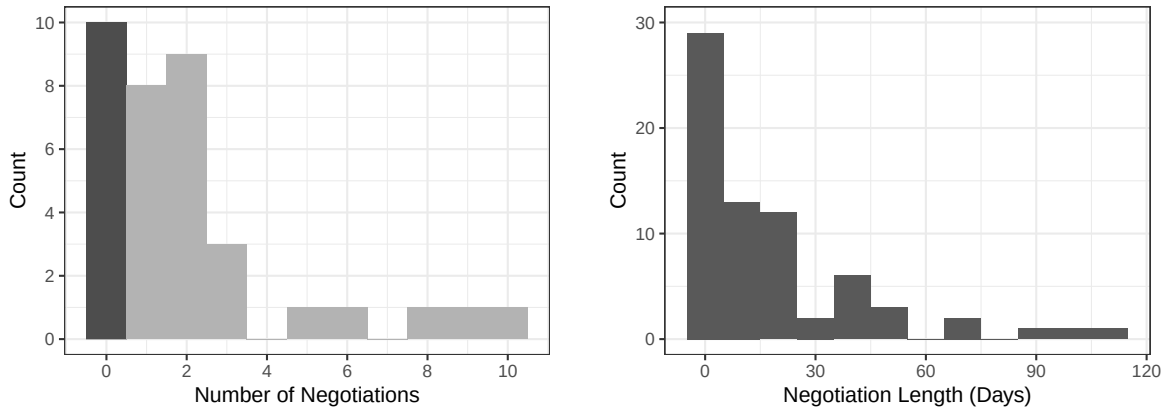
gains in the war but were later routed by Israeli forces once diplomatic activity faded. My analysis uses *momentum* as the primary measure of battlefield activity and includes *position* as a control.

Negotiations

To analyze the impact of negotiations on war, I rely on new daily-level data from the Author, which are based on over 190 historical texts, primary source documents, and periodicals.[49] A binary variable indicates whether negotiations took place between any pair of warring parties on a given day of war. The coding criteria require (1) a public or private exchange of bargaining offers (2) between appointed representatives of each warring state (3) which end when at least one party explicitly walks away from talks.[50] The data do not attempt to determine whether talks were "serious" or resulted in concessions. Any consecutive sequence of days with negotiations, whether they span one day or several months, are called a negotiation period. Across 13,123 total war-days in post-1945 conflicts, there are 73 negotiation periods that cover 3,613 (about 27.5%) days of communication. Subfigures 2a and 2b show how the 73 total negotiation periods are distributed across the 35 wars, as well as the lengths of these individual periods. Wars with negotiations tend to undergo three or fewer negotiation periods, which typically last less than three weeks. The

[49] Author forthcoming (b).

[50] Due to data limitations and the imprecise nature character of "peace feelers," it is not possible to reliably track which belligerent sent the initial request to negotiate.



(a) Number of negotiation periods per war. Light bar represents wars with no negotiations.

(b) Lengths of negotiation periods in days.

Figure 2: Descriptive statistics for negotiations.

data from the Author also indicate whether a negotiation period was largely instigated through third-party pressure, which is necessary to assess whether unnatural negotiations tend to be used more instrumentally. 49 of the 73 negotiations periods (67%) fall into this category.[51]

Figure 3 uses kernel regression smoothing to summarize the trajectory of negotiating and fighting in post-1945 interstate wars, normalized to fit on a $0-1$ continuum. I calculate the proportion of war-days spent negotiating as a function of the war's overall duration, as well as the average battlefield momentum. The movement of the line reflects negotiations and does not support the view that wartime negotiations simply reflect the battlefield or forge peace. A large bulge of diplomatic interactions occurs in the midst of conflict, especially when the war initiator has substantial battlefield momentum, only to dissipate later. Because the line drops in the middle of the figure, we see that numerous negotiations end without terminating the war. Furthermore, the overall rise and fall of wartime negotiations roughly align with a major shift in battlefield outcomes that come to favor the target. Unsuccessful negotiations appear linked to a dilution of the war initiator's first-mover advantage. These patterns present suggestive evidence of a more complicated relationship between battlefield activity and diplomacy that is consistent with the instrumental view.

[51] Online Appendix D supplies more descriptive statistics.

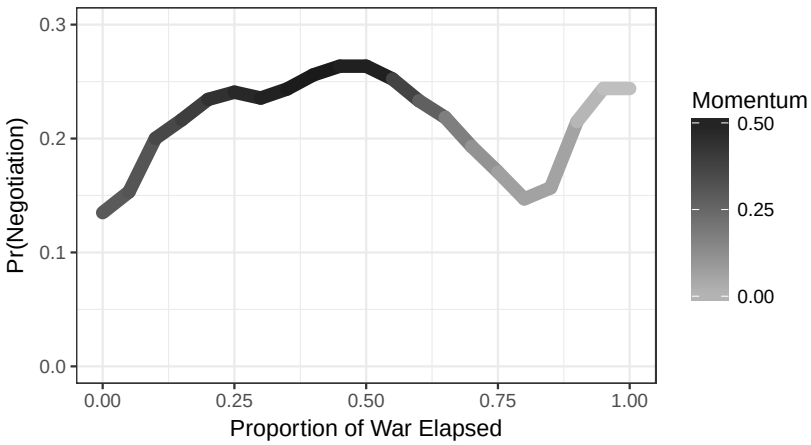


Figure 3: Proportion of post-1945 wars featuring negotiations as a function of overall conflict lengths. Battlefield momentum in gray scale.

Research Design

Each of the proposed hypotheses uses negotiations as part of the key explanatory variable but differ in the outcome of interest. Hypothesis 1 concerns the effect of negotiations on war termination conditional on contemporaneous battlefield momentum. To evaluate this relationship, I use Cox proportional hazard models with time-varying covariates where the explanatory variable is an interaction term between the occurrence of negotiations and battlefield momentum. Hypothesis 2 predicts that periods of negotiations should see decreased levels of active hostilities. I test this using a Poisson regression where the number of active battles on each day is the dependent variable, and negotiations are the explanatory variable. I address Hypothesis 3 using an ordinary least squares regression with changes in *Momentum* before and after failed negotiations as the outcome of interest. All regression models that follow use war-days as the unit of analysis and include standard errors clustered by war.

Control Variables

My analysis necessitates a selection on observables approach.[52] I include several control variables common to war termination literature that could also simultaneously affect battle outcomes and negotiating behavior.[53]

- *Issue salience:* Belligerents may be more willing to fight harder when a conflict involves existential threats, which are often linked to wars with serious credible commitment issues. I use the classification scheme developed by Holsti and extend it to cover more recent wars.[54] Each side's most important issue area related to the war is categorized as being, in decreasing order: regime/state survival (2), a territorial or ideological dispute (1), or a commercial or policy dispute (0). I add together the issue salience scores of both sides to produce the final measure.
- *Contiguity:* Wars between more distant belligerents may be difficult to supply or manage.[55] Conflicts between neighboring states may not only be easier to fight but involve more familiar parties and difficult issues such as territorial claims. Utilizing the COW Direct Contiguity dataset, I create a dummy variable for wars where belligerents share a land or river border.
- *Capability ratio:* Using the Composite Index of National Capability (CINC) measure from the National Material Capabilities dataset, I add together the annual CINC measures for all active belligerents on each side in the war, with adjustments made when belligerents in multilateral wars enter and exit. I divide war initiator's score by the sum of both sides' scores. Values near 1 represent a far more capable war initiator, while those near 0 indicate a much more capable war target.

[52]Note that the presence of multiple observations per war, which permits fixed effects estimation, also allows us to weaken the selection on observables assumption; see Keele 2015.

[53]Descriptive statistics for all variables are available in Appendix A.

[54]Holsti 1991.

[55]Slantchev 2004.

- *Democracy:* A trove of literature expects democracies to be more discerning, credible and effective—yet impatient—belligerents in war.[56] A binary measure based on Polity tracks whether each side is democratic.
- *Nuclear weapons:* The threat of nuclear warfare is often considered a vital reason why post-1945 wars have maintained a limited nature.[57] Nuclear states at war may also possess greater coercive capabilities while bargaining because of the ability to turn to a nuclear option. I include a variable for whether the initiator and target successfully tested a nuclear weapon on or after the war-day in question.
- *Post-Cold War:* Considerable scholarship reflected on how the end of the Cold War and the bipolar order would affect international relations.[58] A dummy variable indicates whether a war-day occurs after December 26, 1991—the day on which the Soviet Union dissolved.
- *Position:* I include the measure of position described above to ensure that the effects of momentum are not reliant on the static configuration of the battlefield. Positive values reflect times when the war initiator has won more battles than the war target.
- *Completed battles:* More overall fighting represents more information and costs, both of which may impact subsequent war-fighting decisions. I track the total amount of hostilities by measuring the logged number of battles completed by the war-day in question.

Results

We now proceed to formal results.

A Conditional Effect on War Termination

Table 3 characterizes the relationship between battlefield outcomes and the efficacy of negotiations in ending war. I assess this by interacting the binary negotiation variable with battlefield momentum.

[56] Choi 2004; Reiter and Stam 2002; Schultz 1999; Valentino et al. 2010. Farber and Gowa 1995 and Desch 2002 are two dissenting voices.

[57] Halperin 1961; Waltz 1979.

[58] Gaddis 1992-1993; Kalyvas and Balcells 2010.

Models 1 and 2 first analyze the isolated effects of negotiation on war termination. Neither model yields a statistically significant finding. A naive interpretation of these results is that wartime diplomacy is largely noise—a rather pessimistic version of the sincere view of negotiations. However, results change when we interact the negotiation variable with battlefield momentum in Models 3 and 4. Both point out a conditional and negative effect: When the battlefield trends in favor of the war initiator, negotiations that take place are far less likely to bring the war to an end compared to scenarios where momentum is more favorable to the war target or where negotiations do not occur at all.

For improved interpretability, Subfigure 4a uses Model 4 to display the marginal effects of negotiations on the termination of conflict across the entire range of values for battlefield momentum. The instrumental impact of negotiations is visually striking. Diplomacy at times when the war initiator has momentum tend to delay the termination of conflict, and this effect is statistically significant at the 95% level for most positive values of momentum. The impact is also substantively meaningful: Negotiations that occur when momentum takes a value of +2 are approximately 99% less likely to terminate conflict compared to the baseline hazard.

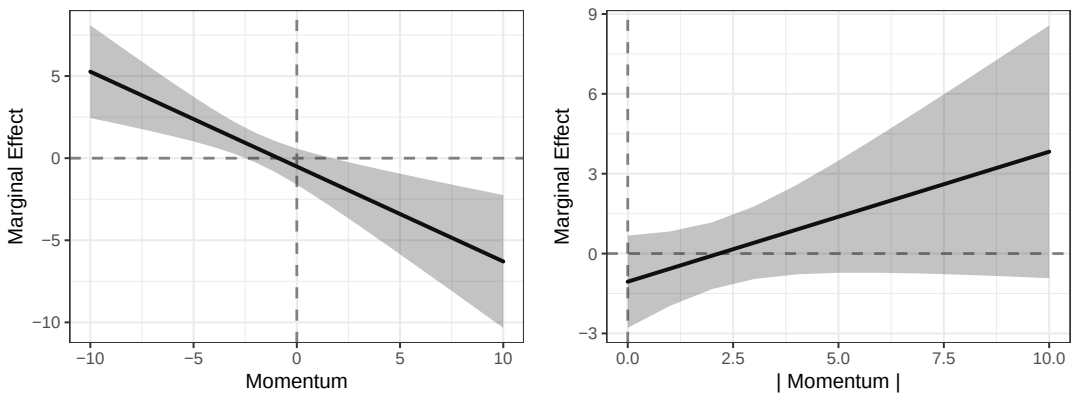
Models 5 and 6 replicate Models 3 and 4 but use the absolute value of *Momentum*, thus capturing imbalance independent of who is the initiator or target. Subfigure 4b shows that marginal effects slowly increase over the range of imbalance but never reach meaningful levels of statistical significance. As such, instrumental negotiations exhibit highly asymmetrical effects that attest to the benefit of stall tactics for embattled war targets; they are not equally useful for both belligerents.[59]

The results for several control variables in Table 3 also merit review. A consistent negative effect of issue salience supports our intuition that belligerents are willing to fight longer when conflicts involve more serious and potentially existential matters. Wars featuring more capable initiators, as well as those after the Cold War, generally end more quickly. Lastly, completed battles have a highly positive impact on the hazard rate. Past research has yielded contradictory results regarding

[59]Results are robust to the use of different time frames for momentum, re-weighting fighting scores, removal of longer wars, switching of controversial initiator/target labels, and inclusion of ceasefires. See Online Appendix E.

Table 3: Cox proportional hazard model results regarding the effects of negotiations and momentum on war termination.

	Dependent variable:					
	War termination					
	(1)	(2)	(3)	(4)	(5)	(6)
Negotiation	−0.072	−0.522	−0.097	−0.511	−0.316	−1.057
	(0.600)	(0.636)	(0.647)	(0.677)	(0.925)	(0.995)
Momentum		−0.026	0.176	0.017		
		(0.163)	(0.120)	(0.164)		
Negotiation × Momentum			−0.502**	−0.578***		
			(0.245)	(0.258)		
|Momentum|					0.390***	0.450***
					(0.091)	(0.158)
Negotiation × |Momentum|					0.318	0.488
					(0.301)	(0.333)
Position		−0.003		0.007		−0.024
		(0.146)		(0.144)		(0.069)
Issue salience		−0.953***		−0.978**		−0.770**
		(0.327)		(0.340)		(0.326)
Contiguity		0.369		0.535		1.180*
		(0.561)		(0.570)		(0.727)
CINC ratio		1.023		1.357*		2.446**
		(0.779)		(0.790)		(0.957)
Democracy		−0.711		−0.700		−0.883
		(0.586)		(0.597)		(0.592)
Nuclear		1.115*		0.969		0.251
		(0.571)		(0.599)		(0.602)
Post-Cold War		1.431**		1.353**		1.752***
		(0.592)		(0.596)		(0.643)
Completed battles		2.532***		2.505***		1.093*
		(0.465)		(0.461)		(0.510)
Clustered SEs (War)	✓	✓	✓	✓	✓	✓
Observations	13,123	13,123	13,123	13,123	13,123	13,123
Events	35	35	35	35	35	35
Note:						$^{*}p < 0.1$; $^{**}p < 0.05$; $^{***}p < 0.01$



(a) Model 4 **(b)** Model 6

Figure 4: Marginal effect of negotiations on conflict termination conditional on battlefield momentum, using models from Table 3. 95% confidence intervals in bands.

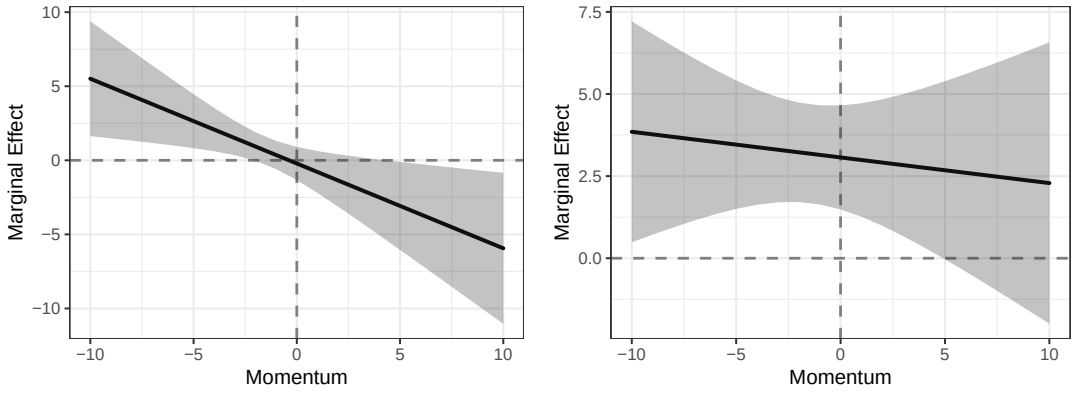
duration dependence—that is, whether a war is more likely to end as it becomes longer.[60] My result involving completed battles suggests an informal sort of duration dependence where hostilities that produce information and/or costs are more important to understanding overall conflict length than the literal passage of time itself. While intuitive, this conclusion could not have been made without analyzing intra-war data.

Early and Unnatural Negotiations

We previously established Hypotheses 1a and 1b as two additional implications that would shed light on key strategic mechanisms that enable the use of instrumental wartime diplomacy. If the first-mover advantage is relevant to understanding the appeal of bad-faith negotiations, then diplomatic talks during early stages of conflict should be more likely to be instrumental than those that occur later. In addition, if third parties concerned about escalation force belligerents to negotiate even when at least one side has no desire to settle, then unnatural negotiations motivated by external pressure should be more liable to be instrumental than negotiations without such pressure.

To test for the temporal dimension, I redefine the negotiation variable to distinguish between the early and late periods of conflict. No pre-established threshold exists, so I use the median

[60]For works that find positive duration dependence, see Wolford et al. 2011 and Vuchinich and Teachman 1993. For those that find no such evidence, see Bennett and Stam 1996 and Goemans 2000.



(a) Early (first 93 days) **(b)** Later (after 93 days)

Figure 5: Marginal effect of negotiations on conflict termination, conditional on battlefield momentum and timing during war. 95% confidence intervals in bands.

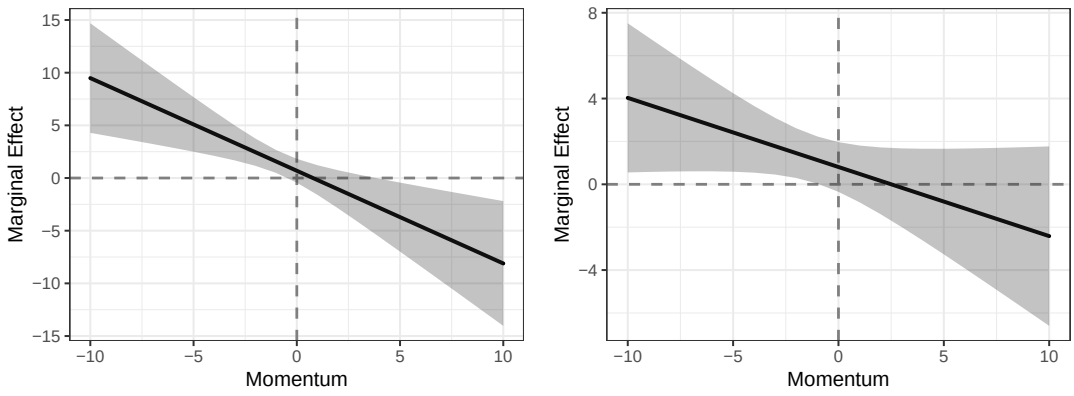
length of wars in my data, which is 93 days. Table 4 replicates the survival analysis in Table 3 after disaggregating negotiations according to whether they occurred in the first 93 days of a conflict. Models 1 and 2 show a strong positive effect of later-stage negotiations on war termination. Given how the variable is constructed, this is not entirely surprising. Models 3 and 4 introduce interaction terms that condition diplomacy on contemporaneous battlefield momentum. Here, the negative coefficients for the *Early* × *Momentum* variable indicate that early-stage negotiations that occur when the war target is faring poorly are more likely to delay the end of conflict than when no negotiations occur. Such a relationship does not exist for later talks.

The marginal effects plots in Figure 5, which reflect Models 3 and 4, highlight the notable differences in how wartime diplomacy relates to conflict resolution. When the initiator has substantial momentum early in the conflict, negotiations at those times are linked to a much lower likelihood of termination. This echoes the results from the pooled data in Model 4 of Table 3. Subfigure 5b shows that this delaying effect disappears after the first three months. In fact, both models suggest that when recent fighting trends in the war target's favor, negotiations are highly likely to end the conflict—and more so when the war is in its later stages.

Table 5 and Figure 6 tell a similar story using the distinction between negotiations attributed to third-party pressure and those that lacked such pressure. Models 1 and 2 indicate that negotiations which occur naturally without clear outside intervention are strongly and unconditionally predictive of war termination, while no such relationship exists for unnatural talks spearheaded by outside

Table 4: Cox proportional hazard model results regarding the effects of negotiations and momentum on war termination, conditional on timing.

	Dependent variable:			
	War termination			
	(1)	(2)	(3)	(4)
Early negotiation	−0.052	−0.359	0.091	−0.216
	(0.569)	(0.619)	(0.601)	(0.650)
Later negotiation	2.635***	3.178***	1.777**	3.068***
	(0.710)	(0.851)	(1.600)	(0.868)
Early × Momentum			−0.556*	−0.572**
			(0.289)	(0.304)
Later × Momentum			−0.117	−0.078
			(0.521)	(0.472)
Momentum		0.027	0.191	0.069
		(0.137)	(0.120)	(0.134)
Position		−0.056		−0.052
		(0.115)		(0.108)
Issue salience		−0.837**		−0.858**
		(0.326)		(0.339)
Contiguity		0.486		0.627
		(0.556)		(0.570)
CINC ratio		0.921		1.133*
		(0.728)		(0.728)
Democracy		−0.627		−0.734
		(0.583)		(0.622)
Nuclear		1.200*		1.106
		(0.573)		(0.602)
Post-Cold War		1.507***		1.464**
		(0.588)		(0.590)
Completed battles		2.199***		2.243***
		(0.401)		(0.411)
Clustered SEs (War)	✓	✓	✓	✓
Observations	13,123	13,123	13,123	13,123
Events	35	35	35	35
Note:				$^{*}p < 0.1$; $^{**}p < 0.05$; $^{***}p < 0.01$



(a) External pressure (Unnatural) **(b)** No external pressure (Natural)

Figure 6: Marginal effect of negotiations on conflict termination, conditional on battlefield momentum and external pressure. 95% confidence intervals in bands.

parties that belligerents may participate to placate the international community. These findings corroborate another finding by the Author[61] and stress the importance of permitting belligerents to seek peace on their own. Models 3 and 4 add a conditional dimension and show that unnatural negotiations borne of outside pressure are associated with delay when war initiators are doing well in fighting, while this does not hold for natural negotiations.

It is no coincidence that the analysis of early versus later negotiations bears similarities to the comparison of natural versus unnatural negotiations; the two are related. While 77% of earlier negotiation-days have unnatural and external origins, the number plummets to 33% for later negotiation-days. Outside actors appear to play a prominent role in kick-starting negotiations at the outbreak of conflict, but their efforts may be creating the space for overpowered war targets to stall for time to improve their strategic situation.

Unnatural negotiations also occur more readily when the aggressor is moving quickly on the battlefield. Average momentum during natural negotiations is +0.067 but is +0.754 during unnatural ones.[62] An open question is whether third parties purposefully promote diplomacy to create breathing room for the war target or whether they incidentally create these opportunities through well-meaning diplomatic efforts. At least some anecdotal evidence supports the former view: Secretary of State Henry Kissinger pushed for negotiations during the 1973 Yom Kippur War to help

[61] Author forthcoming (b).

[62] A simple t-test finds this difference to be highly statistically significant ($p \ll 0.01$).

Table 5: Cox proportional hazard model results regarding the effects of negotiations and momentum on war termination, conditional on external pressure.

	Dependent variable:			
	War termination			
	(1)	(2)	(3)	(4)
Unnatural negotiation	−1.077	−1.692	−1.045	0.688
	(0.958)	(1.107)	(1.042)	(0.578)
Natural negotiation	1.488***	0.795	1.499***	0.807
	(0.557)	(0.955)	(0.588)	(0.891)
Unnatural × Momentum			−0.376**	−0.880***
			(0.405)	(0.379)
Natural × Momentum			−0.400	−0.322
			(0.309)	(0.346)
Momentum		−0.066	0.151	0.024
		(0.162)	(0.123)	(0.151)
Position		0.053		−0.001
		(0.144)		(0.132)
Issue salience		−0.800**		−0.879**
		(0.340)		(0.337)
Contiguity		0.618		0.402
		(0.585)		(0.575)
CINC ratio		1.455**		1.580**
		(0.795)		(0.830)
Democracy		−1.047		−0.507
		(0.629)		(0.603)
Nuclear		1.240*		0.987
		(0.582)		(0.593)
Post-Cold War		1.087		0.932
		(0.620)		(0.587)
Completed battles		2.765***		2.745***
		(0.518)		(0.517)
Clustered SEs (War)	✓	✓	✓	✓
Observations	13,123	13,123	13,123	13,123
Events	35	35	35	35
Note:				$^{*}p < 0.1$; $^{**}p < 0.05$; $^{***}p < 0.01$

buy time for Israel on the battlefield.[63] Further research beyond the scope of this paper is required to converge upon a more definitive answer to this critical puzzle.[64]

A Dampening Effect on Active Hostilities

Hypothesis 2 postulates that belligerents will tone down the intensity of active hostilities during negotiations. A test of this proposition is straightforward. I regress the running count of active battles per war-day on negotiations using a Poisson model with war fixed effects.[65] Model 1 finds that periods of negotiations are indeed associated with fewer active battles. Model 2 maintains this result once controls are included. Keeping all other factors constant, Model 2 finds that the occurrence of negotiations decreases the number of active battles by approximately 50%. In the Online Appendix, I show that ceasefires also have a strong negative impact on the number of active battles but do not explain away the pacifying effect of negotiations.

Models 3 and 4 disaggregate negotiations by whether they take place in the first 93 days of the conflict. Coefficients for both early and later talks are negative and statistically significant across both specifications. The fact that negotiations dampen fighting regardless of timing is important: If the opponent could readily differentiate sincere and instrumental diplomacy, particularly during the initial stages of conflict, levels of fighting would not systematically decrease for early negotiations. We instead see evidence that the number of active battles may decrease more during early negotiations than later ones. Whether bad-faith actors are able to successfully mask their true intentions for negotiating or belligerents feel compelled to temporarily reduce hostilities while diplomacy ensues, we see a mollifying effect of talking on fighting throughout the conflict.

A Reversal of Fortune with Battlefield Momentum

Evidence up to this point shows that negotiations can string out conflicts and lessen battlefield activity. Completing this sequence, Hypothesis 3 theorizes that failed negotiations should be followed by battlefield outcomes that are more favorable to the war target. I evaluate this by looking at

[63] Dowty 1984.

[64] For some relevant work, see **?** and **?**.

[65] See Online Appendix F for results using negative binomial regressions.

Table 6: Poisson regression results for the number of active battles per war-day.

	Dependent variable:			
	Active battles			
	(1)	(2)	(3)	(4)
Negotiation	-0.225^{***}	-0.385^{***}		
	(0.039)	(0.051)		
Early negotiation			-0.376^{***}	-0.448^{***}
			(0.069)	(0.071)
Later negotiation			-0.164^{***}	-0.347^{***}
			(0.046)	(0.066)
Momentum		-0.020^{*}		-0.020^{*}
		(0.011)		(0.011)
Position		0.024^{***}		0.024^{***}
		(0.006)		(0.006)
Issue salience		2.505^{***}		2.531^{***}
		(0.195)		(0.195)
Contiguity		-2.580^{***}		-2.589^{***}
		(0.185)		(0.185)
CINC ratio		-0.856^{***}		-0.886^{***}
		(0.182)		(0.184)
Democracy		-0.190		-0.178
		(0.143)		(0.142)
Nuclear		1.624^{***}		1.609^{***}
		(0.137)		(0.139)
Post-Cold War		0.661^{**}		0.728^{**}
		(0.300)		(0.311)
Completed battles		-0.399^{***}		-0.404^{***}
		(0.029)		(0.029)
Constant	-0.253^{***}	-3.489^{***}	-0.192^{**}	-3.508^{***}
	(0.079)	(0.351)	(0.077)	(0.350)
War FEs	✓	✓	✓	✓
Clustered SEs (War)	✓	✓	✓	✓
Observations	13,123	13,123	13,123	13,123

Note: $^{*}p < 0.1$; $^{**}p < 0.05$; $^{***}p < 0.01$

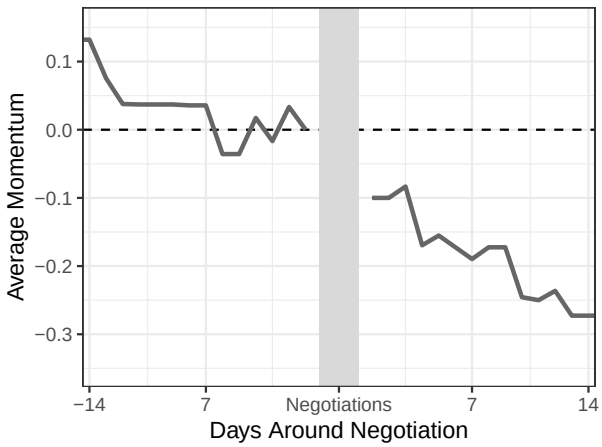


Figure 7: Average value of momentum in the 14 days before and after every negotiation period that does not terminate war.

changes in battlefield momentum before and after every negotiation period that fails to terminate a conflict.

Some descriptive data prove useful here. First, a plurality of negotiations lead to an immediate improvement in the war target's battlefield success. About 47% of negotiations fail and then are followed by a battlefield victory by the war target; 22% favor the war initiator; and the remaining 31% end the conflict. War initiators are not irrational to negotiate with hopes of striking a settlement that locks down their gains, and instrumental war targets have a reasonable chance to mask their intentions by acting like a party that will forge a negotiated peace.

Second, Figure 7 shows the average daily value of momentum during the two weeks before and after every negotiation period that fails to end conflict. The turnaround in battlefield outcomes is apparent. In the days prior to a negotiation, average momentum values slightly favor the war initiator. Soon after negotiations end, average momentum slips into negative values. This inflection indicates that war targets gain their own initiative and successfully begin to push back against their opponent.

Table 7 presents results of ordinary least squares regressions that compare momentum before and after every negotiation that fails to terminate a war. Models 3 and 4 explore changes in the two-week period surrounding negotiations, mirroring Figure 7. Days following failed negotiations have substantially better battlefield outcomes for war targets compared to moments preceding those talks: a -0.278 drop in Model 4 represents a major decrease from momentum's mean value of 0.074.

Models 1 and 2 replicate the same analysis with a 7-day window, while Models 5 and 6 do so with a 21-day window. Results remain robust. Magnitudes of the downward shifts become larger when time frames widen, suggesting that the war target's fortunes tend to improve even further after negotiations flounder.[66]

The strength of this post-negotiation effect, paired with its intensifying magnitude over time, may raise concerns that I am merely capturing a downward trend in momentum within each war. It is plausible that war targets eventually manage to mobilize and properly respond to an attack, regardless of whether negotiations intercede during the process. I address this in two ways. First, every model in Table 7 already includes a linear time trend. Second, I perform a placebo test by randomly choosing a war and then drawing a random sequence of consecutive days from the war.[67] I treat this sequence as a hypothetical negotiation period, and I use the 14 days before and after this period as the pre-negotiation and post-negotiation phases. After gathering 100 of these hypothetical pre-negotiation and post-negotiation days into a single dataset, I run the same analysis that produced Table 7. I repeat this process 1,000 times to yield bootstrapped estimates for the post-negotiation effect, generating Figure 8. The mean estimate from this exercise is -0.019, and the 95% confidence interval for this estimate is $[-0.208, 0.155]$, providing no evidence of a systematic reversal of fortune for war targets. This null result gives us greater confidence that negotiations have a non-trivial relationship with a war target's ability to regather themselves and redouble their efforts on the battlefield. The dilution of battlefield momentum may also help to explain why more contemporary wars have tended to end inconclusively without definitive treaties or victories.[68]

Considered together, these findings tell a story that bolsters the instrumental view of negotiations. The purpose and result of negotiations varies widely depending on the context that recent battlefield activity provides. War initiators tend to enjoy a first-mover advantage on the battlefield

[66]Appendix G shows that these results remain when using alternative versions of the battle momentum measure.

[67]The probability of being chosen is weighted by the total number of days the war constitutes in the data.

[68]Fazal 2013; Fortna 2009.

Table 7: Least squares regressions of momentum, before and after negotiations end.

	Dependent variable:					
	Momentum					
	7-Day Window		14-Day Window		21-Day Window	
	(1)	(2)	(3)	(4)	(5)	(6)
Post-negotiation	-0.128^{**}	-0.172^{***}	-0.210^{***}	-0.278^{***}	-0.285^{***}	-0.363^{***}
	(0.057)	(0.062)	(0.045)	(0.049)	(0.039)	(0.043)
Negotiation		0.051		0.038		0.121^{*}
		(0.132)		(0.092)		(0.070)
Issue salience		-0.855^{**}		-0.798^{***}		-1.236^{***}
		(0.346)		(0.222)		(0.194)
Contiguity		2.595^{***}		2.691^{***}		3.342^{***}
		(0.364)		(0.267)		(0.244)
CINC ratio		-1.136^{***}		-0.714^{**}		0.463
		(0.394)		(0.309)		(0.296)
Democracy		0.369		0.201		-0.119
		(0.264)		(0.197)		(0.174)
Nuclear		0.613^{***}		0.489^{***}		-0.035
		(0.159)		(0.134)		(0.119)
Post-Cold War		1.695^{***}		1.839^{***}		1.839^{***}
		(0.540)		(0.373)		(0.312)
Active battles		0.149^{***}		0.123^{***}		0.082^{***}
		(0.047)		(0.034)		(0.030)
Completed battles		0.433^{***}		0.443^{***}		0.456^{***}
		(0.113)		(0.079)		(0.066)
Time trend		-0.0003^{**}		-0.0003^{***}		-0.0004^{***}
		(0.0001)		(0.0001)		(0.0001)
Constant	-0.365^{*}	-0.668	-0.123	-0.821^{**}	-0.001	-0.717^{**}
	(0.213)	(0.621)	(0.134)	(0.374)	(0.113)	(0.287)
War FEs	✓	✓	✓	✓	✓	✓
Clustered SEs (War)	✓	✓	✓	✓	✓	✓
Observations	788	788	1,440	1,440	2,025	2,025

Note: $^{*}p < 0.1$; $^{**}p < 0.05$; $^{***}p < 0.01$

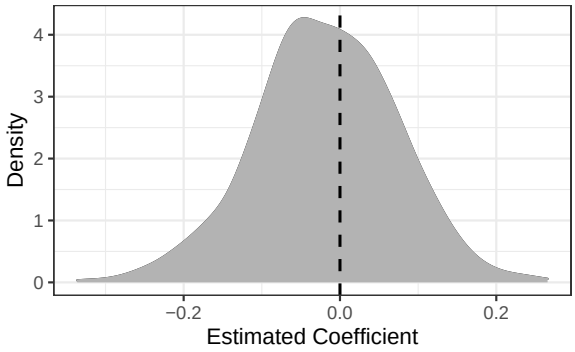


Figure 8: Bootstrapped estimates for the effect of the post-negotiation period on battlefield momentum in a placebo test using fully specified model with war fixed effects.

and capitalize on their target's lack of preparedness at the outset of conflict. When battlefield momentum is swinging in favor of a war initiator, some targets will mimic the behavior of a good-faith actor and enter negotiations with the ostensible aim of finding an agreement but the real goal of stalling for time—particularly in early stages of a conflict and when belligerents are pressured into negotiating. Active hostilities fall during these periods of time when a peaceful settlement seems possible. This breathing room creates space that allows a bad-faith target to compensate for their initial material and strategic disadvantages, and thus, mitigate the first-mover advantage. Failed negotiations tend to be followed by reversals of fortune on the battlefield that favor the war target before conflicts come to an end. Diplomacy manages to actively influence, and not simply reflect, the battlefield.

Conclusion

Carl von Clausewitz is famously remembered for his maxim that "War is a mere continuation of policy by other means."[69] The last two decades of war scholarship have been heavily influenced by this notion of war as a distinct extension of a bargain that failed to be settled through diplomacy alone. This very productive line of research, however, has developed at the expense of studies involving intra-war activity, including the use of diplomacy in the midst of conflict. Leading theories and models of war tend to treat negotiations as being a direct and mechanical reflection of the battlefield. This conception of negotiations may be buttressed by a heavy focus on signaling theory

[69] Clausewitz 1976 [1832].

or a supposed normative belief that diplomacy should not be exploitative.[70] Such a view does not correspond well with observed patterns of negotiation, where diplomacy seems far more inconsistent, intransigent, and intertwined with hostilities than these theories assume. Negotiations during the Arab-Israeli War, described at the outset of this article, exemplify these inconsistencies.

This paper has theorized and shown that these apparent discrepancies are part of a regular pattern where negotiations are often used as an active tool of war that can slow down, moderate, and reshape the battlefield—especially to mitigate a war initiator's early strategic advantage. Instrumental negotiations make a substantial contribution to bridging the gap between theories and histories of war. Contrary to the suggestions of many studies, bad news from the battlefield does not necessarily engender interest in peace, and diplomacy's value does not suddenly dissipate once blood is shed. As Dean Acheson said himself, we must recognize "negotiation as an instrument of war."[71]

The results of this study have meaningful ramifications on contemporary conflict resolution. Recent negotiations to quell conflicts in Syria, Northern Ireland, the Sudan, and Colombia have all been characterized by suspicions and accusations of parties negotiating in bad faith to prepare for renewed hostilities. This paper suggests that negotiations should not be viewed as universally desirable during war; their ability to promote the cessation of violence is linked to the dynamic successes and setbacks experienced by each belligerent.[72] While some unilateral efforts to start negotiations may genuinely create a settlement, others may be designed to generate other side effects. The fact that most intrastate wars pit rebel groups against a vastly more powerful adversary only exacerbates the potential for diplomacy to be harnessed as a weapon of the weak.[73] Beyond the direct context of war, North Korea's diplomatic behavior over the last two or three decades, which have ultimately allowed the regime to become a de facto nuclear state,[74] also demonstrate

[70] Ander-Nissen 2015; Roberts 2009.

[71] Acheson 1961.

[72] Indeed, when mediation efforts or ceasefires are imposed in unnatural settings where fighting has not reached a self-enforcing equilibrium, conflicts tend to relapse. See Beardsley 2011 and Werner and Yuen 2005.

[73] Huang 2016.

[74] Chanlett-Avery et al. 2018.

the efficacy of instrumental negotiations for weaker parties that can take advantage of international support for engagement.

The strategic logic of negotiation, both genuine and instrumental, opens avenues to a deeper study of war on multiple fronts. By engaging in or withdrawing from negotiations, democratic leaders may trigger domestic unrest or energize opposition elites.[75] These domestic considerations, as well as normative beliefs about negotiating in good faith, may affect democracies' willingness to use negotiations in relation to non-democracies. Furthermore, if democracies tend to initiate wars they feel they can win,[76] instrumental negotiations may deflate their first-mover advantage and pose a direct threat to success. Negotiations may be a necessary condition for belligerents to make concessions, but future studies would be well-served by detailed information on when belligerents actually made substantial concessions during conflict, as well as what those changes broadly entailed. Concessions do not necessarily indicate a genuine desire to forge a conflict-ending agreement, but it would be illuminating to see what factors alter states' demands.

Hampered by limited data, contemporary war scholars have made narrow progress in analyzing the ebbs and flows of war, both on the battlefield and at the bargaining table. History indicates that a comprehensive understanding of conflict requires a serious look at the role of diplomacy during hostilities. The existence of instrumental negotiations, which can undermine peace, temporarily dampen fighting, and reshape the trajectory of hostilities, reaffirms the importance of this endeavor.

[75]Iklé 1971.

[76]Bueno de Mesquita et al. 2003; Reiter and Stam 2002.

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