

WATER OVER THE BRIDGE: CIVILIAN TARGETING
AND MILITARIZED INTERSTATE
CONFLICT PROCESSES

by

ERIN KIMBERLY LITTLE

HOLGER ALBRECHT, COMMITTEE CHAIR

KARL deROUEN

JOSEPH SMITH

KELLY KADERA

AMANDA MURDIE

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ABSTRACT

To what extent does civilian targeting independently shape interstate conflict processes? I argue that indiscriminate foreign attacks on civilians increase that population's perception of threat, motivating their leaders to retaliate, while increasing the costs of ineffective threats and diplomatic concessions. Because civilian targeting activates an independent threat against a leader's sovereignty, targeted state leaders have an incentive to not only reciprocate, but to use militarized force. However, mutual ratification of international humanitarian law may alter state interests against civilian targeting behavior.

I documented civilian targeting behavior and resulting fatalities for each militarized confrontation between two or more states from 1946 to 2010. This enables research viewing interstate conflict as a continuous process, comprising interconnected sub-war behaviors, rather than discrete periods of peace and conflict. My statistical analyses take advantage of this dynamic, examining durations of peace months between conflict events.

My results find strong support for the hostile effects indiscriminate civilian targeting can induce between states, even at low levels with few fatalities and even between joint democracies. Joint ratification of Protocol I to the Geneva Conventions within the disputing dyad has a pacifying effect that may prevent these types of initial civilian targeting actions. By studying the effects of civilian targeting behavior as the conflict progresses alongside preventative factors such as joint ratification of international law, we can improve our understanding of individual moments that may obstruct peace.

DEDICATION

This manuscript is dedicated to my sister and soul-twin, Kelli Little, who reminds me to love myself, hug my dog as much as possible, and always take home a plant that speaks to me.

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INTRODUCTION

Civilians are strategic tools within an ongoing narrative of interstate conflict, responding over time to the stimuli of conflict. Their responses have the capacity to transform state policy, as the children who survived foreign attacks grow to become future politicians and military personnel. Adults similarly pass on their experiences of threat – and those who threaten – to neighbors, friends, and younger generations. Enmities persist through the civilian population. So, too, do the policies that reflect those enmities. Yet, historical accounts of conflict have largely ignored the role civilian targets play in effecting policy between states, viewed instead as regrettable casualties of war (see, for example, Eden (2004)). To what extent does civilian targeting independently shape interstate conflict processes? I suggest that targeted civilian deaths invoke distinctive threats to national identity and security, apart from conventional engagements between armed forces. Likewise, attacks on civilian groups foster enmities that escalate interstate conflict once actuated, endangering prospects for positive peace. Lasting peace relies in part on disrupting this cycle, which is difficult outside of an exogenous shock to the system. However, international humanitarian law may provide a useful avenue in some cases to temper civilian targeting behavior and thus help prevent subsequent conflict escalation.

Scholarly work has greatly expanded our understanding of domestic processes which influence state behavior. Most suggest, directly or indirectly, that civilians matter, and that targeting civilians influences conflict outcomes. The nature of this influence and why it

occurs, however, remains unsettled. Some literature has suggested that targeting civilians during interstate war could allow aggressors to more effectively control annexed territory or bring a quicker end to protracted conflicts (Downes, 2008). Attacking civilians may deter rebellion among targeted populations, which allows states to more easily control foreign territories. Similarly, during wars of attrition, states become prone to “desperation logic,” which incentivizes civilian targeting in order to coerce victory against an opponent after the conflict has claimed heavy costs on both sides. The theory notably implies that civilian losses render a salient cost to the state, which could provide an opportunity for conflict resolution, but does not fully explain why state leaders would consider civilian losses salient, or whether variation in the degree of loss could lead to different conflict outcomes.

Yet, other work has suggested that civilian targeted only exacerbates the factors which fuel hostilities, making peaceful resolution less likely. Attacks on civilians demonstrate that non-combatance does not ensure personal security, which may facilitate state efforts to mobilize the population to fight out of fear (Kydd, 2007) or retaliation (Carr, 2003). For example, an extensive micro-level study of the international conflict in Afghanistan and Iraq following the September 11th attacks in the United States found that when international forces inflicted casualties on the local population in Afghanistan, insurgent violence increased in the long-run (Condra et al., 2010). Similarly, Kocher et al. (2011) found that indiscriminate aerial bombing of civilian populations actually benefited Viet Cong insurgents in the long run when these attacks occurred in territories not entirely under Viet Cong control. This ultimately increased the level of control insurgents had over localized territories and made such counterinsurgency efforts counterproductive. Again, the literature tells us that civilian targeting is salient, but suggests that civilian deaths escalate

and prolong hostilities, rather than render victory-enabling gains to the aggressor.

Some hope for preventing and resolving these costly conflict outcomes may lie in international pressures. International organizations mechanize multilateral talks involving third parties to encourage peaceful conflict resolution (Shannon, 2009). International pressures also activate reputation costs. State leaders face costs at home depending on how the public perceives a leader's actions within the context of the international stage. The public can punish leaders who initiate a war and then lose (Croco, 2011) or back down from interstate conflict, particularly in democracies since democracies face larger audiences (Fearon, 1994), pressuring state leaders to act mindfully in choosing when and how to engage in militarized conflict. "Naming and shaming" is another form of punishment that has demonstrated some sway in altering policies of states committing human rights violations, particularly in nondemocracies (Hendrix & Wong, 2013). However, its effectiveness varies according to the type of violation and the capacity of states to improve upon deviant behavior (Hafner-Burton, 2008), whether the human rights international non-governmental organizations active in "shaming" also maintain a domestic presence in the targeted state (Murdie & Davis, 2012), and how effective human rights INGOs are in mobilizing third-party influence to supplement these factors (Kim, 2015; Murdie & Davis, 2012). Even foreign aid can operate to leverage policy concessions from other states (Bueno De Mesquita et al., 2005). Underlying all of these processes are the standards the international community sets to define compliant and deviant behavior, codified through international law.

This manuscript helps clarify our understanding of the relationship between civilian targeting and interstate conflict processes, exploring whether attacks on foreign civilians

increase the likelihood of militarized reciprocation and escalation from targeted states. I also provide preliminary evidence that international humanitarian law has the capacity to pacify state interests in some cases, making civilian targeting behavior that catalyzes this escalation less likely. By examining isolated, individual conflict incidents, my empirical work provides a novel, nuanced, and comprehensive picture of how competing states strategically target civilians to render consequences to conflict processes.

Outline

The chapters of this manuscript seek to clarify how civilian targeting affects conflict processes and whether engagement with the international community can alter these effects. I use the first two chapters to build an image of civilian targeting as a salient threat which not only invites militarized reciprocation, but can escalate the nature of militarized conflict in some cases as well, threatening lasting peace between states. Civilians are not simply collateral damage to conflict, and their militarized victimization from foreign forces may help explain why we observe rivalries between the same sets of dyads over time. I conclude the third chapter with hope. In an international system which has constructed interdependence through global governance institutions and organizations, international judiciaries, and multilateral legislation, we would expect greater interdependence to pacify some of the harmful affects of civilian targeting. If states have a legitimate, non-militarized path toward resolving conflict, then even states facing salient threats such as civilian targeting could eventually achieve positive peace with foreign foes.

The next chapter begins by laying the groundwork for a standard conceptualization and measurement of civilian targeting. With varying types of data on the topic, most often

focusing on mass killing during war or isolated events of genocide, I use Chapter 2 to fully defend my approach to the discussion, to include why I define civilian targeting to include low-scale attacks on civilians, why I include attacks which resulted in no fatalities, and how I collected, documented, and measured these attacks within the context of ongoing, incident-level militarized action.

Chapter 3 uses this data and conceptualization to empirically explore why targeted states may find civilian targeting to be a salient threat. I delve into the reasons that motivate perceptions of threat in other salient cases, such as those that concern territory. I suggest that at the core of threats to the state is our conceptualization of the state itself as holding both sovereignty within set borders and a monopoly on violence and justice concerning its citizens. While considerable research has emphasized threats to the former - studying how disputed borders and territorial violations have increased the likelihood of both militarized reciprocation and war, among other conflict outcomes - less empirical research has verified the second. Attacking another state's civilian population challenges that state's monopoly on violence and justice. I use logit regression models to estimate how civilian targeting in the initial incidents of a conflict influences a targeted state's likelihood of militarized reciprocation. I demonstrate that foreign attacks on civilians increase the likelihood that the targeted state will choose to take militarized action in response, rather than making a diplomatic protest or taking no action. States *do* view civilian targeting as a salient threat, which may inhibit peaceful relations in the short term.

Knowing that states view civilian targeting as a threat is a valuable foundation to study the nature of militarized responses, whether and when civilian targeting *escalates* conflict. Chapter 4 studies the moments that accelerate militarized hostilities. We still

know little about the individual actions during the course of conflict that foster enmities and lead to escalatory use of force. One answer may lie in whom a foreign aggressor chooses to target: whether the target is the civilian population and whether the act is indiscriminate (targeting without regard for particular actions) or selective (targeting based on particular actions). I argue that indiscriminate targeting activates a perception of salient threat across a broader segment of the population, providing leaders with an opportunity to take advantage of potential rally effects if they use force in the population's defense. Using newly-collected data that documents civilian targeting actions and resulting deaths at the confrontation-level, I estimate the likelihood of recurrent militarized confrontations from 1946 to 2010. I find that all attacks on civilians populations increase the likelihood of a retaliatory attack in the subsequent month, but only indiscriminate targeting is resilient to other factors which may pacify targeted state behavior, such as joint democracy. Civilian targeting motivates an escalatory use of force, primarily when a broader segment of the population could be potential targets.

If attacks on foreign civilians lead to an escalatory cycle of enmity and militarization between states, peace in part relies on preventing incidents of civilian targeting. One answer may lie in international law. We generally think that international legal norms and intergovernmental organizations can constrain state behavior and prevent conflicts from escalating to war, but empirical evidence remains mixed. I argue in Chapter 5 that international humanitarian law can pacify state interests that incentivize civilian targeting behavior. For the norms of international humanitarian law to meaningfully affect state behavior, states would need to consider compliance to be more beneficial than taking unilateral action. Participation in an IGO can supplement the benefits of compliance,

particularly if violating a norm of international law could lead to costly consequences. In this case, participation in the UN, in which member states are subject to the statute of the International Court of Justice, provides a mechanism to both motivate compliance and discourage deviance. How effective norms of international humanitarian law are in influencing state behavior also relies on the strength of the norm in the system. The 1977 Protocol I to the 1949 Geneva Conventions clearly standardizes norms of humanitarian law prohibiting attacks on foreign civilians during armed conflict. This marks a turning point in collective state behavior. As more UN member states ratify the protocol, the likelihood of initiating civilian targeting events declines. However, state interests can still motivate states to attack foreign civilians in some cases if there is less fear of international reprisal through prosecution. Empirical evidence suggests that widely-accepted norms of international humanitarian law can help prevent the incidents of civilian targeting that threaten interstate peace, but only if there is a credible and probable consequence from the international system for violating these norms.

I conclude by comparing two dyadic relationships over time, illustrating through their history how the arguments from Chapters 2 through 4 play out in a practical context, and how we might use the information gleaned here to evaluate contemporary militarized interactions between states. I suggest that scholars and policymakers consider the potentially devastating effects of civilian targeting, and I propose greater engagement with global governance to help pacify enmities before they escalate. Once interstate rivalries develop, avoiding civilian targeting becomes even more vital toward establishing positive peace.

Civilian targeting threatens lasting peace because states ultimately exist to order

and protect civilian populations. More nuanced data enables us to ask deeper questions and find more thorough answers. This project contributes to our understanding of both.

Summary of Findings and Implications

Does civilian targeting threaten lasting peace? The short, simple, not-so-sweet answer is ‘yes.’ Attacking foreign civilians during militarized conflict not only increases the likelihood that targeted states will respond, even in cases where the underlying issue does not concern territory, but also increases the likelihood that targeted states will escalate the conflict to a use of force. I demonstrate in this manuscript that 1) civilian targeting presents a salient threat to state sovereignty; 2) civilian targeting can threaten state leaders to retaliate with force if the attack is indiscriminate, making the perception of threat among the population more widespread; and 3) we hold a greater chance of combating this cycle of militarized enmity if we hold states accountable for both severe and low-scale violations of international humanitarian law.

As part of this project, I conducted extensive data collection documenting all individual militarized actions between two or more states in the international system from 1946 to 2010. This dataset provides the only source concerning civilian targeting that accounts for attacks on civilians absent of fatalities, avoiding problematic selection effects from fatality-restricted data currently available. I also include small-unit attacks and other low-scale events which are absent from existing seminal studies of civilian targeting during interstate conflict. Since this data records both ‘targeted’ and ‘collateral’ distinctions, as well targeted civilian group identities, scholars have the opportunity to approach civilian targeting research questions from many angles that could expand our understanding of

both the causes and effects of civilian targeting. Because this data operates at the confrontation-level, we can also more effectively approach conflict studies that resemble relations between states as they actually occur - that is to say, continuously. Militarized conflict does not inherently exhibit discreet pockets of relations; it operates as an escalated extension of ongoing relations already in play. This opens up opportunities for future data collection efforts to fill in the gaps and document diplomatic events as well, providing a truly comprehensive foundation for international conflict studies.

Using this data, my project provides some of the first and only empirical studies of low-scale civilian targeting behavior during interstate conflict. Our theories have internalized an understanding that attacks on civilians cross a red line in acceptable, just conduct during militarized conflict. International law supports this understanding, as does existing scholarship concerning state development. However, these low-scale incidents often get overlooked, in part because we lacked the data to study them and in part because we tend to emphasize the value of more severe transgressions. There, we can find rich research concerning notable cases such as the Rwandan genocide (Nowrojee, 1996; Straus, 2013; Taylor, 2020), the Armenian genocide (Adalian, 2013; Astourian et al., 1998; Kévorkian, 2011), and the Srebrenica massacre (Delpla et al., 2012; Herman & Corwin, 2011; Rohde, 2012), just to name a few. What I argue suggests that low-scale attacks can also collectively lead to large-scale outcomes.

State leaders are not the only actors that influence state decision-making. Populations themselves can act to place implicit and explicit pressures on state leaders. Civilian targeting presents a unique threat to populations because it makes non-combatants tools in militarized conflict, asserting to populations that their conduct has no influence

over the costs they face to life and property, and that their government has failed to protect them. How targeted states and their populations respond to this reality can go many different directions. I have studied one. In recognizing that indiscriminate attacks elicit a more widespread perception of threat among the population, I demonstrated how state leaders may face both pressure and incentive to retaliate with force in order to defend the population and rally support for their leadership. Subsequent studies could focus more particularly on the identities of targets within the context of the state's history and ethnic and national heterogeneity. For example, greater divisions among the population could disincentivize militarized escalation if ethnic identities of those targeted do not share the identities of those holding majority power in the national government.

Other lines of inquiry could explore the responses of civilians in more depth. Once of the tertiary effects of civilian targeting is migration and waves of refugees seeking sanctuary from the costs of conflict. These migration patterns could have myriad effects on economic, social, and political development in both the source country and the destination country. One question, benefiting from the confrontation-level comprehensiveness of the data used here, could seek to determine at what point during interstate conflict that populations finally break and absorb the costs of leaving home. Other questions concerning citizenship and national self-determination are natural extensions of this line of reasoning. In an increasingly globalizing and interdependent world, what defines national identity and how does civilian targeting challenge our understanding of inter-group differences?

Many of these questions concern civilian targeting as an independent variable, which itself presents some unexplored opportunities for our empirical understanding of civilian populations as effectual tools in conflict processes. However, more in-depth reviews

of existing theories in the studying of civilian targeting during interstate war could be a useful road for scholarship. Downes (2008), for example, proposed and defended several interesting assertions regarding the causes of civilian targeting during war. One of his key arguments was that states will be more likely to target civilians during wars of attrition when states are seeking to increase costs to opponents and end the conflict more quickly. Aggregate data suffers in its inability to study the exact timing of events. With this confrontation-level civilian targeting data, we can now examine Downes' arguments more closely and in the context of sub-war conflicts as well. Are states more likely to target civilians towards the end of conflicts when both sides have already suffered heavy costs, as in a war of attrition?

Finally, future scholarship could focus on those factors that hold the potential to pacify state interests and promote both negative and positive peace. Ultimately, as conflict scholars we aim to understand the factors that undermine peace so that we can better understand how to overcome them. I reflected those goals in this project through my study of international humanitarian law as a mode for the international community to prevent or respond to the civilian targeting behavior that motivates cycles of militarized conflict and enmity. Initial findings reflect some hope; the international community collectively can overcome the interests of states, which may otherwise incentivize violence. However, we see the strongest evidence of pacification when the international community devotes concerted resources toward punishing transgressions. As long as states can violate international humanitarian law under the radar without costly reprisal, states have little incentive to avoid transgressions on principle alone.

CONCEPTUALIZING AND MEASURING CIVILIAN TARGETING

The phrase ‘civilian targeting’ evokes vague notions of civilian victimization and high-profile cases of genocide, ethnic cleansing, and drone attacks. All refer to ways in which civilians suffer from governments and non-state actors; yet, the lines between these terms remains murky, as evidenced in the ongoing debate concerning whether government-led attacks on the Rohingya population in Myanmar constitutes genocide or ethnic cleansing (Zawacki, 2012). Here, I will discuss how these concepts fit together and where civilian targeting finds a place among them. I define civilian targeting as all directed, targeted attacks on non-official, non-military civilians, regardless of whether the action was government-sanctioned or whether fatalities resulted from the attack. This definition is distinct from existing conceptualizations of civilian targeting, so I will also discuss where and why differences exist. How we understand the role of civilians during both civil and international conflict has evolved over time, and the way we study civilians during conflict has also developed relative to data available.

International conflict literature includes varied conceptualizations of ‘civilian targeting,’ but all capture large-scale militarized actions that result in high numbers of civilian fatalities. These actions can be targeted, collateral, intentional, or non-intentional. Sometimes, as in the case of Downes (2008) below, the conceptualization of civilian targeting is used interchangeably with civilian victimization, though civilian victimization

may also include a broader collection of human rights violations.

Downes (2008), for example, distinguished between civilian victimization and mass killing. Downes defined civilian victimization as either the strategic and intentional killing of noncombatants or strategic engagements which would predictably result in civilian deaths. In the latter case, Downes includes starvation blockades, sieges, and sanctions, which incidentally result in civilian deaths, but are not orchestrated attacks on civilian populations. Additionally, Downes only considered cases in which the government directed a strategy causing harm to civilians, excluding instances of small-unit attacks on an opponent's population. He adopted Valentino's (2004) definition of mass killing to capture more intense or severe instances of civilian victimization, requiring the intentional killing of at least fifty thousand civilians in no more than five years.

Valentino et al. (2006) used a slightly different conceptualization of civilian targeting, still requiring civilian death in order to be considered. Like Downes, they included directed attacks on civilian populations and indirect tactics, such as starvation blockades that result in civilian death, but excluded civilian death as a result of other collateral damage. They also excluded commander-led or soldier-led incidents unauthorized by the central government. However, Valentino et al. (2006) differs in that they explicitly distinguish between "intentional" and "non-intentional" targeting in order to arrive at their definition. They argued that intentional actions that result in civilian death could be directed attacks or coercive policies. Collateral damage, in this case, is not just civilian death as a secondary outcome to the action, but the outcome of an unintentional action.

In sum, existing definitions of civilian targeting vary, but generally rely on a certain number of civilian deaths resulting from directed and intentional militarized action,

collateral action, or unintentional action. Downes (2008) and Valentino et al. (2006) found two of the more common references to civilian targeting in existing literature, and as I illustrate, deeper specification is needed. In the past, our data has limited studies of civilian targeting during conflict primarily to aggregated numbers of civilian fatalities during wars. This has constrained conceptualizations to include only those cases in which civilians died as a result of an attack and made it more difficult to delineate different types of actions that result in civilian death. Two selection effects result. First, we have learned little about the relationship between civilian targeting behavior and interstate conflict short of those conflicts that escalate to war. Second, low-scale incidents in which civilians were the intended target of an action - but no civilians perished - are entirely unrepresented.

Conceptualizing Civilian Targeting

Recording civilian fatalities at the incident-level (which I will discuss in more detail under “Measuring Civilian Targeting”) has granted the opportunity to begin resolving these selection effects. With action-by-action accounting of not only incidents in which civilians were the targeted or collateral victims of a militarized action, but also whether civilians died as a result, I can study variation in conflict outcomes following low-scale militarized behavior. With this in mind, and in order to be as conservative as possible with my variable for civilian targeting, I conceptualize ‘civilian targeting’ incidents as *official militarized attacks upon the noncombatant inhabitants of another state, in which no military or otherwise official government presence would render these civilians as collateral damage*. This definition uses the same three primary identifiers used as a framework for other scholars of civilian targeting to distinguish among various civilian victimization

concepts: 1) the target of the action, 2) the type of action, and 3) the nature of the attack. The theoretical background for each factor provides the foundation for my methodological approach.

The target: noncombatant inhabitants

I consider civilians to be noncombatant inhabitants of a particular state, following Downes' (2008) definition of noncombatants as individuals who "do not participate in armed conflict by fighting, carrying weapons, serving in the uniformed military or security forces, or building weapons." Therefore, rebels, insurgents, and other combatant groups are excluded from my sample, though collateral civilian deaths may result from a targeted attack on suspected combatant bases of operations. Jones, Bremer, & Singer (1996) further distinguished between official personnel, such as diplomats and other government officials, and nonofficial personnel, such as merchants, villagers, and fishermen. Civilians are thus noncombatant inhabitants of a state with no official government or military title.

The type of action: interstate militarized attacks

'Targeting' civilians, then, first requires that a militarized action harms noncombatant inhabitants of a state with no official government or military title, though the type of targeting action varies by perspective and historical relevance. If I follow suit with previous definitions of civilian targeting in literature, 'targeting' could include anything from directed attacks on villages to sieges on strategic cities. However, conceptually, these are two very distinct types of strategies. Classical treatises on warfare and 'just war' literature back up this distinction, either in emphasizing the utility of the

tactic employed or in determining the primary target of the action.

Strategists discouraged tactics involving direct attacks on villages, for example, as it offered little utility. Prior to World War I, land and sea dominated battlegrounds for interstate conflict. Land provided a natural obstruction to reaching more heavily populated civilian centers, so civilian targeting would be primarily concentrated in border areas. Control over military border posts would offer greater strategic value than control over border villages. Even in the 5th century BCE, Sun Tzu considered attacking an opponent's homeland territories - termed 'dispersive ground' - risky because soldiers would use the chaos of battle to scatter and visit their nearby homes and families. Notably, Sun Tzu termed these homes as "refuges," implying that war in China at the time he was writing rarely reached civilians (Sun Tzu, XI.1).

Yet, while directed attacks on villages were frowned upon, engaging in siege tactics and naval blockades were considered advantageous, even if civilians inhabited the site under siege, primarily for their ability to obtain control of land and maritime territories (Morabito, 1991; Clausewitz & Maude, 1982). Both served to eliminate an opponent's access to food and supplies, rendering starvation and disease crippling weapons for coercing concessions. When the besieged location was a city, starvation and disease spread among civilians and armed forces alike. The tactic was brutal and should, as Clausewitz advised, be the last resort when all other options had been exhausted and the material gain from success was clear, usually in the form of securing a strategic and defensible position from which to advance an occupation of territory or control a government (Clausewitz & Maude, 1982).

The Siege of Sarajevo beginning in 1992 during the Bosnian War offers a modern

example. Following Bosnia and Herzegovina's split from Yugoslavia in 1992, Bosnian Serbs besieged the Bosnian capital, Sarajevo, in order to coerce the construction of a new Serbian government – Republika Srpska - and advance goals for the control of the incumbent government. Sarajevo became the battleground for Bosnian Serb nationalists to begin territorializing Bosnia-Herzegovina and creating a separate state for ethnic Bosnian Serbs (Donia & Fine, 1994). The siege harmed both civilians inhabiting Sarajevo and the incumbent government military forces and personnel of Bosnia stationed in Sarajevo. When the siege ended three and a half years later, nearly fifty-five hundred Bosniak and Croat civilians and over six thousand Bosnian government defense forces had perished (Bassiouni, 1994).

Though sieges and blockades certainly cause harm upon disaffected civilian populations, I do not include this behavior in my definition of 'civilian targeting.' While its relevance to combat is clear, discerning targeted action is more difficult. As Walzer (2015, 160) identified, civilians under siege or blockade are often attacked alongside soldiers. Particularly when an entire nation is cut off, making a path for exit nearly impossible for civilians, the doctrine of double effect (DDE) takes hold. Under just war theory, the DDE permits reprehensible effects of combat, such as collateral civilian death, if the tactic achieves a greater good in the end and the civilians are not the primary target. For example, if the objective is to weaken opposing forces, even in the case of bombardments on besieged sites, civilian death can fall under the DDE. The effects of a blockade or a siege upon civilians is secondary, even if the penultimate goal is to induce civilian casualties in order to weaken morale or military opposition. Further, a blockade or a siege first targets supply networks. As a result of obstructing those supply networks, civilians

suffer. This is distinct from artillery fire targeting a border village with no military presence. In this latter case, the effects of the attack upon civilians is primary, not secondary to the tactic. The action directly and independently harms civilians, which inherently violates the DDE. For DDE to hold, civilians can never be the target of the action (Walzer, 2015). In defining ‘civilian targeting,’ I therefore focus on actions that place civilians as the clear and directed primary target.

The nature of the attack: small-unit and large-scale militarized attacks

Remaining considerations captured in earlier scholarly definitions of civilian targeting concern whether the belligerent government sanctioned the action and whether civilian fatalities must result in order to be represented. In the first case, I include actions both sanctioned and orchestrated by government officials as well as low-scale actions perpetrated by smaller military units. Because I am primarily studying the effects of civilian targeting rather than the causes as part of a military strategy, including as many cases of directed attacks on civilians as possible allows me to determine how leaders and domestic populations respond when their populations are targeted, regardless of whether government personnel gave the direct order.

Additionally, both in cases involving civilians and opposing forces, military personnel on site are given jurisdiction over decision-making when the tactic concerns small-scale incursions or responses to immediate threat. Because I am concerned primarily with these low-scale militarized activities, rather than more severe attacks, which are more public to the international community, including all directed attacks on civilians is most useful to my conceptualization of ‘civilian targeting.’

Concerning whether to include only cases in which civilian fatalities occurred, though fatalities capture a degree of severity useful to many studies of international conflict, for my purposes such an exclusionary definition could lead to biased results. Of the 1,241 sub-war incidents involving targeted attacks on civilians between 1945 and 2010, only 47% (586) involved at least one fatality. Further, of the 813 attacks on villagers (excluding fishermen, merchants, and other noncombatants), the percentage involving fatalities is higher, but still only 59% (335) involved at least one fatality. Note that in cases where no fatalities resulted, civilians may have been wounded. The effects of civilian targeting in which civilians died may be distinct, but ignoring the huge proportion of non-fatal cases ignores effects that may result from low-level hostilities.

Therefore, for the purposes of this study, civilian targeting includes all directed, targeted attacks on non-official, non-military civilians, regardless of whether the action was government-sanctioned or whether fatalities resulted from the attack. By also incorporating conflicts short of war, I will have a greater opportunity to study more nuanced dynamics between civilian targeting and interstate conflict processes.

Civilian Targeting and International Law

International law reinforces the conceptualization above, joining together these historical treatises and theoretical literature with agreed-upon norms and standards in the international community. Civilian targeting broadly considers cases in which a foreign or domestic combatant causes innocent civilian populations to suffer direct or incidental harm during international or civil conflict. Looking deeper, we may consider civilian targeting distinct from other related concepts involving civilian suffering through the lens of conduct,

consequences, and circumstances associated with the action, which the International Criminal Court and International Court of Justice often employ to structure their rulings on such matters. Used here, civilian targeting violates the law of proportionality in consequence and considers combatant conduct against targets, both legitimate and non-legitimate, under circumstances of militarized international or civil conflict, all discussed in more detail below.

To start, we observe civilian targeting during militarized conflict, either within a civil conflict between insurgents and the state or internationally between two or more state system members. Rather than define and discuss civilian targeting explicitly, international law instead discusses civilian targeting in terms of distinction and proportionality against *legitimate targets*. Article 48 of Protocol I to the 1949 Geneva Conventions for the Protection of War Victims calls upon all parties in a conflict to first distinguish between civilians and combatants, and second between civilian objects and military objectives, directing their operations “only against military objectives.” The document later defines military objectives as “those objects which by their nature, location, purpose, or use make an effective contribution to military action and whose total or partial destruction, capture, or neutralization...offers a definite military advantage” (ICRC, 1977). A militarized attack on a civilian site that does not offer a definite military advantage, given information available at the time of the action, constitutes an attack on a civilian object and violates international law. Some debate suggests that attacks on civilian transport and resource networks may constitute a military advantage. Likewise, depending on the circumstances, attacks on civilian populations potentially offer a geo-strategic advantage during territorial disputes. However, Protocol I states that all civilian targets that do not clearly and

directly make an effective contribution to military action should be presumed to be civilian objects, and thus not legitimate targets. In practice, the presence of military or otherwise combatant personnel at a civilian site often provides the necessary evidence for an effective contribution to military action.

The next condition - the law of proportionality - considers cases against legitimate targets, when a militarized attack pursues some definite military advantage, but the action carries a potential loss of civilian life or property. ICRC (1977) defines violating the principle of proportionality as “launching an attack which may be expected to cause incidental loss of civilian life, injury, damage to civilian objects, et cetera, which is excessive relative to the concrete and direct military advantage anticipated.” Notably, civilian fatalities are not a necessary condition in order to be considered excessive, though the number of civilian fatalities relative to military fatalities offers a clear measure to help inform proportionality. Some legal entities, such as the European Court of Justice, also consider whether the act was *necessary*, meaning that no less-destructive means could be anticipated to achieve the same end. Attacks on civilian objects are inherently disproportionate, since they do not offer a concrete and direct military advantage.

Based on these details, civilian targeting includes militarized actions against civilian objects or against military objectives that result in disproportionate civilian death, injury, or property. In order to more clearly identify cases that meet these conditions, I focus in this project on both fatal and non-fatal directed militarized attacks against civilian objects, which are always disproportionate and isolate clear cases of civilian targeting from cases that include other strategic factors that may influence conflict processes and outcomes. Determining proportionality is often subjective, and calls upon ongoing debates concerning

when certain actions that otherwise offer a definite military advantage may violate international law. A good example of this is siege warfare. Sieges often offer a significant military advantage to the besieging force and do not inherently violate the law of proportionality. If civilians are allowed to receive humanitarian aid, leave the besieged territory, or civilian death, injury, and damage is proportionate to that of military forces, a siege is likely lawful. However, sieges in which continual bombing renders disproportionate harm to the civilian population and sieges on urban centers with little or no military presence are likely unlawful. Likewise, civilian populations are often not the primary target of a siege, so much as the military forces present or the strategic value of the site, meaning that any actions which follow may be a response to civilian targeting or to the weakening of a military position. Focusing solely on directed militarized attacks against civilian objects allows me to better isolate civilian targeting from other conflict determinants.

Lastly, I focus on civilian targeting during international conflicts, excluding militarized attacks on civilians of the same state. Though civilian targeting as conceptualized above may also apply to civil conflicts, the lasting relationship under study here concerns interstate dynamics and global peace, specifically intra-conflict processes and lasting enmity between states.

Civilian Victimization: Related Definitions

Here, I contextualize civilian targeting within the study of other forms of civilian victimization, which may include numerous modes of conduct - combatant, political, social,

etc. - that contribute to some violation of human rights or crime against humanity, irrespective of whether the consequence is proportional or whether the surrounding circumstances constitute militarized conflict. Civilian targeting and civilian victimization often appear simultaneously, making the concepts seem interchangeable, in part because the circumstances which contribute to one also often contribute to the other. For example, at a more severe intersection of civilian targeting and civilian victimization, we may observe genocide, defined in Article 6 of the Rome Statute as the intentional effort “to destroy, in whole or in part, a national, ethnical, racial, or religious group” (ICC, 1998).

One notable case is the Srebrenica Massacre of 1995 during the Bosnian War. Military units from the Bosnian Serb Army of Republika Srpska (VRS) killed over 8,000 Bosniak men and boys in and around the town of Srebrenica, Bosnia. In 2004, the International Criminal Tribunal for the Former Yugoslavia (ICTY) ruled that this action constituted a genocide because “the scale of the killing, combined with the VRS Main Staff’s awareness of the detrimental consequences it would have for the Bosnian Muslim community of Srebrenica,” gave sufficient evidence of specific intent to destroy the Bosniak population (UNSC, 2003). The combatant action not only violated the law of proportionality within a militarized conflict (i.e., civilian targeting) and violated the human rights of the Bosniak population (i.e., civilian victimization), but it also resulted in the intentional effort to destroy a particular sub-group of the Bosnian population (i.e., genocide).¹

¹Genocide may also include non-militant actions, such as causing mental harm, setting conditions of life designed to bring about the group’s physical destruction, or imposing measures intended to prevent births, as long as these actions are conducted with the intent to destroy an ethnical, national, racial, or religious group (ICC, 1998). However, for the purposes of empirical study, all declared cases of genocide at the time of writing have included some militant element that would constitute both civilian targeting and civilian victimization. This is likely because these cases are so extreme that they lend themselves to greater

Conversely, another severe form of civilian victimization - ethnic cleansing - can, but may not always, constitute civilian targeting. Distinct from genocide in circumstance, which requires proving intent and is defined and enforced under international law, ethnic cleansing can refer to the expulsion of an ethnic group from a particular territory, without the targeted use of violence. Again, though, these terms often overlap, making usage in theoretical and empirical work appear interchangeable or unclear.

Some existing research concerning civilian victimization more closely measures a conceptualization of mass killing or mass murder. For example, as noted previously, Valentino (2004) defined mass killing as cases involving over fifty thousand civilian deaths in no more than five years. The primary distinction between genocide and mass killing, as both involve the intentional deaths of large numbers of civilians, is that mass killing is indiscriminate. Genocide seeks to eliminate a particular sub-group identity, while mass killing could target any sub-group identity. Other human rights violations and crimes against humanity which fall under the scope of civilian victimization may help determine the circumstances surrounding civilian targeting, but are not restricted to the scope of militarized international and civil conflict. These include political imprisonment, enforced disappearance of persons, and torture, among others (Cingranelli et al., 2014).

Other bodies of work focus on political violence or terrorism. Both may involve civilian victimization in order to achieve particular ends, but are generally perpetrated by sub-state groups. Likewise, political violence often concerns social movements and individual acts targeting government forces, personnel, or institutions (Apter, 1997).

Collateral casualties among the civilian population may result, and in some cases, political

assurances of provable intent, a necessary condition to rule a case as genocide.

violence may involve intentional civilian death through self-sacrifice (such as in cases of self-immolation most common among Buddhist monks and nuns in East and Southeast Asia). However, the intended target is often not noncombatant civilians, and the type of action is usually domestic rather than between two or more states. While political violence may erupt *in response* to civilian targeting, these cases differ both in target and type of action.

Terrorism, on the other hand, often *does* use violence against noncombatant civilians to achieve its ends and may target foreign populations. However, those responsible do not represent state governments and so cannot be considered government-led civilian targeting. This also means that the processes that motivate, escalate, and legitimize terrorist actions extend beyond the scope that interstate diplomacy or militarized conflict alone can resolve. Distinct from this for conceptualization of terrorism, *cyber*-terrorism presents an increasingly volatile threat to state governments, but that requires no physical presence and involves no use of force. Likewise, official governments may engage in cyber-terrorism against other states, rather than operating exclusively through sub-state networks. The terms are similar, but the nature of the action differs, so I treat them as distinct. Terrorism represents an increasingly relevant form of civilian victimization worth closer study, but like the other related terms above, remains separate from civilian targeting as defined here.

Table 2.1 organizes the primary differences that separate these different forms of civilian victimization, to include my definition for civilian targeting. While this table does not incorporate all the more nuanced elements described above, it does capture a more simplified way to separate these concepts. Note that for political violence, I consider self-immolation as a selective attack (on the self). Any collateral damage from political

Table 2.1: Common Terms under Civilian Victimization

	Perpetrator	Victim		Action	
	Official Military Forces	Selective Civilians	Indiscriminate Civilians	Requires Force	Requires Fatalities
Political Violence		X	X	X	
Terrorism			X	X	
Mass Killing	X		X	X	X
Ethnic Cleansing	X	X			
Genocide	X	X		X	X
Civilian Targeting	X	X	X	X	

violence results in indiscriminate civilian victims, so this form of civilian victimization other than civilian targeting that may result in both groups of victims. Only civilian targeting is led by official military forces, may target civilians both selectively and indiscriminately, and does not require fatalities as a result of its use of force.

Data Collection and Measurement

In order to measure these individual cases of civilian targeting as I have conceptualized above, I collected data on civilian deaths and targeting behavior for every militarized confrontation among two or more states from 1946 to 2010.² This allowed me to analyze the effects of individual actions, and study these effects over the course of a conflict. Aggregate records of international conflict provide the most severe militarized action targeted states employ, but without accounting for the timing of these responses within the dispute. This makes it difficult to determine whether states reciprocate or

²This confrontation-level data itself is part of a larger project run by Douglas M. Gibler at the University of Alabama. For more information, go to <http://dmgibler.people.ua.edu/nsf-incidents.html>.

escalate militarized behavior following civilian targeting or some other confrontation or collection of confrontations. They do, however, provide a useful starting point from which to explore key periods of militarization between competing states.

To frame the collection process, I relied on the Militarized Interstate Dispute (MID) dataset of aggregate disputes.³ The MID dataset offers a comprehensive collection of interstate conflict, including not only wars and more severe uses of force involving military fatalities, but also low-level interactions, such as directed threats to use force. As such, the MID dataset's framework places conflicts which have already escalated to attacks on civilians in the context of prior and future low-level escalatory behavior. Beginning with Version 3.0 and continuing in Version 4.0, which together include militarized actions from 1993 to 2010, the MID dataset began including incident-level data. They coded dispute parameters for each, individual militarized taken by each state in the dispute. Ghosn et al. (2004) offered coding rules for militarized incidents within disputes, with a few revisions to Singer et al. (1972)'s initial coding rules, such as documenting maritime and airspace violations as shows of force rather than border violations and adding specific locations for each action.

I applied both Singer et al. (1972)'s and Ghosn et al. (2004)'s coding rules to document incidents with the same access to low-level militarized actions within disputes in mind, expanding Versions 3.0 and 4.0 of the MID dataset both temporally and substantively. To remain distinct from the MID incident-data, I refer to these incidents as *confrontations*. The data I use for this paper includes all militarized confrontations from

³In particular, I used a revised version of the MID dataset which corrected numerous coding errors after a thorough review of each case. For more information, Gibler et al. (2016) discuss this project and the results.

Figure 2.1: Coding source example between Britain and Yemen, 1957

Yemen Reports British Attacks
New York Times (1923-Current file); Apr 9, 1957; ProQuest Historical Newspapers: The New York Times
pg. 13

Yemen Reports British Attacks
CAIRO, April 8 (AP)—The Yemenite legation said today British forces launched two strong attacks during the last four days on Yemenite villages in the Harib border area. Britain and Yemen have had a long standing dispute over the border of the British protectorate of Aden.

1946 to 2010. Each confrontation represents one militarized action between two or more system states. As with the MID dataset, these actions include low-level threats and shows of force, as well as more severe uses of force. A clash, attack, or seizure, for example, would be considered a use of force, but border violations or mobilization of reserve forces would be considered a show of force. Other standard parameters I borrow from the MID data include military fatalities, start and end dates for each confrontation, the type of settlement (if any), and the most severe militarized action taken in the dispute. Substantively, I added variables for civilian targeting behavior, civilian fatalities, and group identity of the civilian target (e.g., villagers, fishermen, etc.), discussed in more detail below.

Figure 2.1 shows one of the sources I used to code MID#0259 between Britain and Yemen, pulled from ProQuest Historical Newspapers online database (NYT, 1957). This source describes four individual confrontations, two being targeted attacks on Yemenite civilians. Yemen protested two attacks by British forces on villages inside its territory in early April 1957. Because both necessarily involve crossing into Yemen to commit the attacks, each attack is also preceded by a British border violation. The attacks are targeted (rather than collateral) because there is no evidence that Yemenite military

personnel were present, and the protest specifically identifies that the target of the attacks were Yemenite villagers. I thus entered the group identity as “villager(s).” Because the source provides no information about fatalities, I coded the fatalities as missing, unless I could corroborate with another source that gave more details on the incident, which in this case was unavailable. I also coded location data for each confrontation, providing the general location (such as the state or region) and the specific location whenever possible (such as the city, district, or notable site). In this case, the general location was “Yemen” and the specific location was “Harib, Yemen.”

A note on sourcing

In coding these sources, I relied primarily on newspaper databases, with corroborative support from historical books and academic journal articles for context, especially concerning more complex conflicts. In most cases, I was able to verify coded information with more than one source. I used predominantly English-speaking sources to collect confrontation data on civilian targeting, suggesting that the confrontations observed in the data are those for which foreign audiences, often, had become aware. Depending on the research question under study, this could introduce selection bias. This method does not record all civilian targeting events between two states. It is likely that several confrontations occurred for which no report was ever made, or reports were made in local newspapers to which I did not have access. However, in evaluating the effects of civilian targeting on conflict processes, this data incorporates those cases which hold the most plausible likelihood of influencing state behavior. These are the cases to which domestic populations, state leaders, and the international community would be most likely to know

and thus respond.

This process involved first studying the MID I was developing confrontations for to be sure any militarized behavior fit well with the issue(s) under dispute. I then used newspaper databases, such as ProQuest Historical Newspapers, to search by month for the entire duration of the MID, using keywords such as the names of the states in the dispute or some detail about a territory under dispute to locate any sign of threats, shows, or uses of force. I catalogued any codeable sources into a comprehensive collection of source material, noting the MID number, article publication date, and newspaper in the file name. Each confrontation also references the particular source file(s) used to code the confrontation, as well as one to two sentences describing what occurred during the confrontation. This better allows scholars to track the nature of interstate conflict processes within the context of the ongoing narrative.

Measuring civilian targeting behavior

While I coded all threats, shows, and uses of force between two system states, civilian targeting variables only become relevant during attacks and clashes. To begin, I included a variable for whether there was civilian targeting during the attack or clash, with the options “targeted,” “collateral,” or “none.” During attacks and clashes, if civilian populations were mentioned either explicitly or implicitly in the source material, then by nature this variable was coded as “targeted” or “collateral.” The distinction relies on my definition. All civilian targeting during clashes must be collateral, because clashes imply reciprocity - there is some military presence on both sides that renders any civilian deaths collateral to the incident. Often, clashes follow a targeted attack on civilians, such as if

militarized forces cross a border, attack a village, and military personnel from the targeted state (Side B) initiates a retaliatory clash in response. This scenario would be coded as four separate confrontations: 1) the border violation; 2) the targeted attack on civilians; 3) the clash from Side B; 4) the clash from Side A. If Side B pursues Side A into Side A's territory during the clash, this border violation would be coded as a fifth confrontation. If civilians from either side suffer deaths during the clashes - say, from stray gunfire - these deaths would be coded as collateral during the clash confrontation. In this way, every potential targeted or collateral civilian targeting action could be accounted for in the context of ongoing militarized conflict to the best of my ability, given the information available.

I included as much information as possible in the base dataset so that scholars could benefit from distinguishing targeted and collateral attacks on civilians as required. However, for the scope of this project, my theories and analyses concern targeted attacks on civilians behavior specifically. I include all militarized confrontations, but exclude cases of collateral damage to civilian populations from the binary measurement of whether civilians were *targeted* during a given attack. This most closely matches the conceptualization I have described above, so that I can isolate the effects of attacks on foreign civilians with fewer intervening factors as part of the action that could otherwise influence conflict processes.

Civilian fatalities

In documenting civilian deaths, I used specific fatality numbers whenever I could confirm the number in source material. On rare occasions, sources disagreed on how many civilians died, and I tried to corroborate data with multiple sources to confirm fatalities whenever possible. Where discrepancies did exist, specific fatalities were marked as

Table 2.2: Civilian fatalities by group identity

Civilian Group	Civilian Fatalities						Total
	None	1-25	26-100	101-250	251-500	Missing	
Political persons	–	3	–	–	–	–	3
Fishermen	170	39	1	–	–	9	219
Settler(s)	2	3	–	–	–	–	5
Farmer(s)	21	6	–	–	–	–	27
Herder(s)	2	2	–	–	–	–	4
Journalist(s)	–	1	–	–	–	–	1
Passenger(s)	6	3	–	2	1	–	12
Passenger(s) and Crew	–	2	–	1	–	–	3
Crew members	144	42	–	2	–	6	194
Protestor(s)/rioter(s)	2	1	–	–	–	–	3
Refugee(s)	3	12	1	1	–	4	21
Villager(s)	258	210	15	6	1	151	641
Tribesmen	4	–	–	–	–	1	5
Worker(s)	11	7	–	–	–	3	21
UN worker(s)	1	–	–	–	–	–	1
Unspecified	31	40	5	1	–	4	81
Total confrontations	655	371	27	8	2	178	1,241

Sources for fatality numbers and civilian group identity derived from data collection using ProQuest Historical Newspapers

Dashes signify that there were no recorded civilian fatalities for that category.

missing. All attacks on civilians have a second civilian deaths variable for the range of deaths which most accurately reflected the reports. The fatality ranges resemble that of military fatalities in the MID dataset: 0 deaths, 1-25, 26-100, 101-250, 251-500, 501-999, and greater than 999 deaths. If no fatalities were reported, I recorded these deaths as missing. In analyses, I ran each model considering missing deaths both as 0 deaths and

then as 1-25 deaths. No meaningful differences appeared in my results. To most closely reflect what I could argue occurred in context, I report those results that considered missing fatalities as 0 deaths. If deaths occurred, journalists would likely have reported them. More importantly, for studying the effects of civilian targeting, fatalities should only influence domestic responses and state behavior if the population knows the fatalities occurred, which is unlikely if none were reported. Table 2.1 shows the breakdown of fatalities, including those cases where no fatalities were reported. A major takeaway is that while attacks on civilians are relatively frequent, fatalities, especially attacks resulting in over 25 fatalities, are somewhat rare at the confrontation level, indicating the importance this data provides to comprehensive records of low-level militarized conflict in interstate civilian targeting scholarship.

Notably, I include cases in which civilians were attacked, but suffered no fatalities, since these cases also meet my definition of civilian targeting and may influence public support and early state action. This allows me to capture less severe cases of civilian targeting which other comprehensive intra-dispute datasets do not, avoiding a potentially problematic selection effect found in other studies of civilian targeting. The Georeferenced Event Dataset (Sundberg & Melander, 2013) from the Uppsala Conflict Data Program (UCDP), for example, provides a thorough collection of events involving both state and non-state actors, but only includes actions which result in at least 25 deaths, excluding low-level actions which may precipitate escalatory behavior.

Civilian group identity

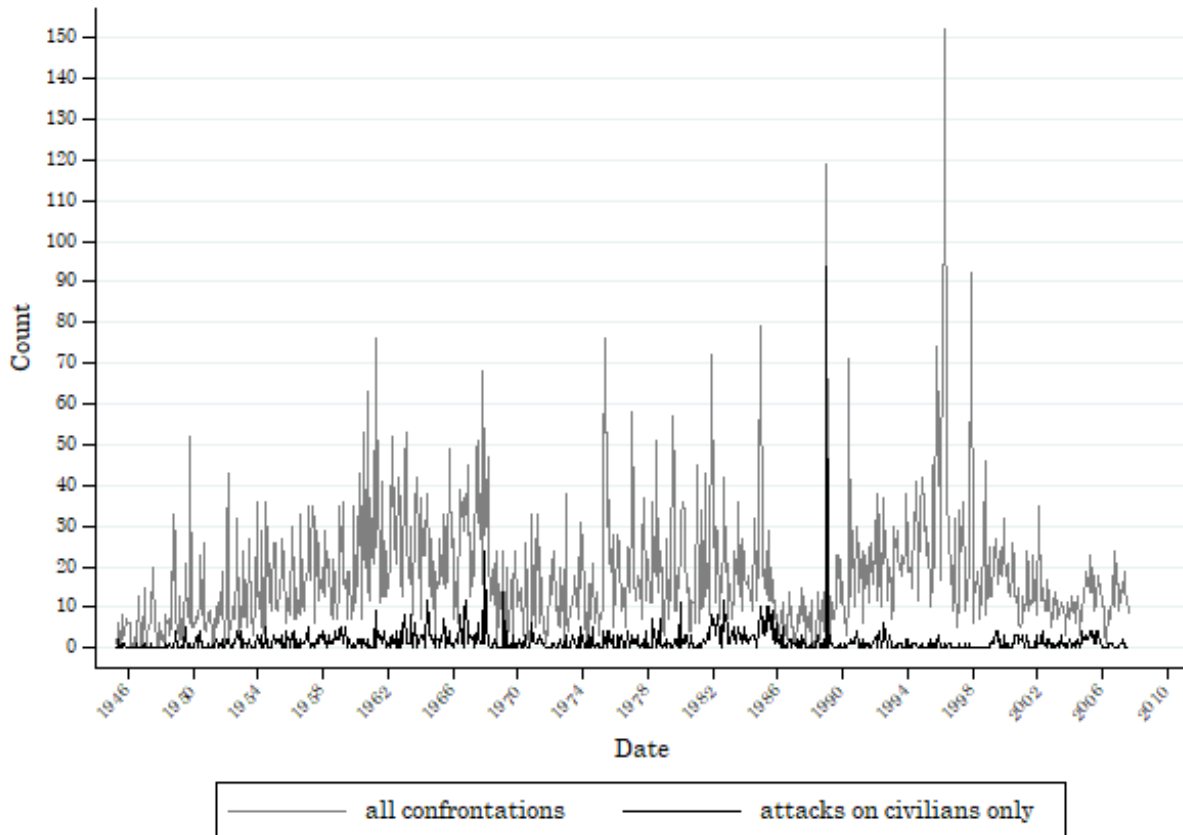
For each case of targeted or collateral behavior towards civilian populations, I also

included an open field for the group identity of the target. Table 2.2 organizes civilian group fatalities according to each of these group identities. As I coded these confrontations, I remained as consistent as possible across similar types of actions. The most common group identities were villagers, fishermen, crew members (as in those operating shipping vessels), and rebels. Attacks on crew members may be inflated due to the Tanker War during the 1980s, in which Iran and Iraq attacked shipping vessels headed toward the their opponent during the Iran-Iraq War. Therefore, the base dataset also includes a binary variable that accounts for any confrontations which are directly tied to the Tanker War so that scholars may control for this relationship in such cases as inflated attacks on shipping could bias results. Rebels fulfill a unique category here in order to try to provide as much information as possible from the source material, but do not usefully enter into my theories or analyses on interstate civilian targeting for the scope of this project. Also, since the MID data only includes pursuit of rebels across borders, rather than attempting to capture civil conflict processes comprehensively, this group identity should be included in any future research with caution and mindfulness regarding the research question under study. I exclude attacks on rebels from my binary measurement of whether civilians were targeted in a give confrontation. These group identities become particularly useful to my argument in Chapter 4, as they provide a proxy for considering one approach toward distinguishing discriminate and indiscriminate civilian targeting behavior.

The result

The result of this collection process is roughly 14,000 dyadic confrontations, including 1,241 targeted militarized attacks on civilian populations. Figure 2.2 illustrates

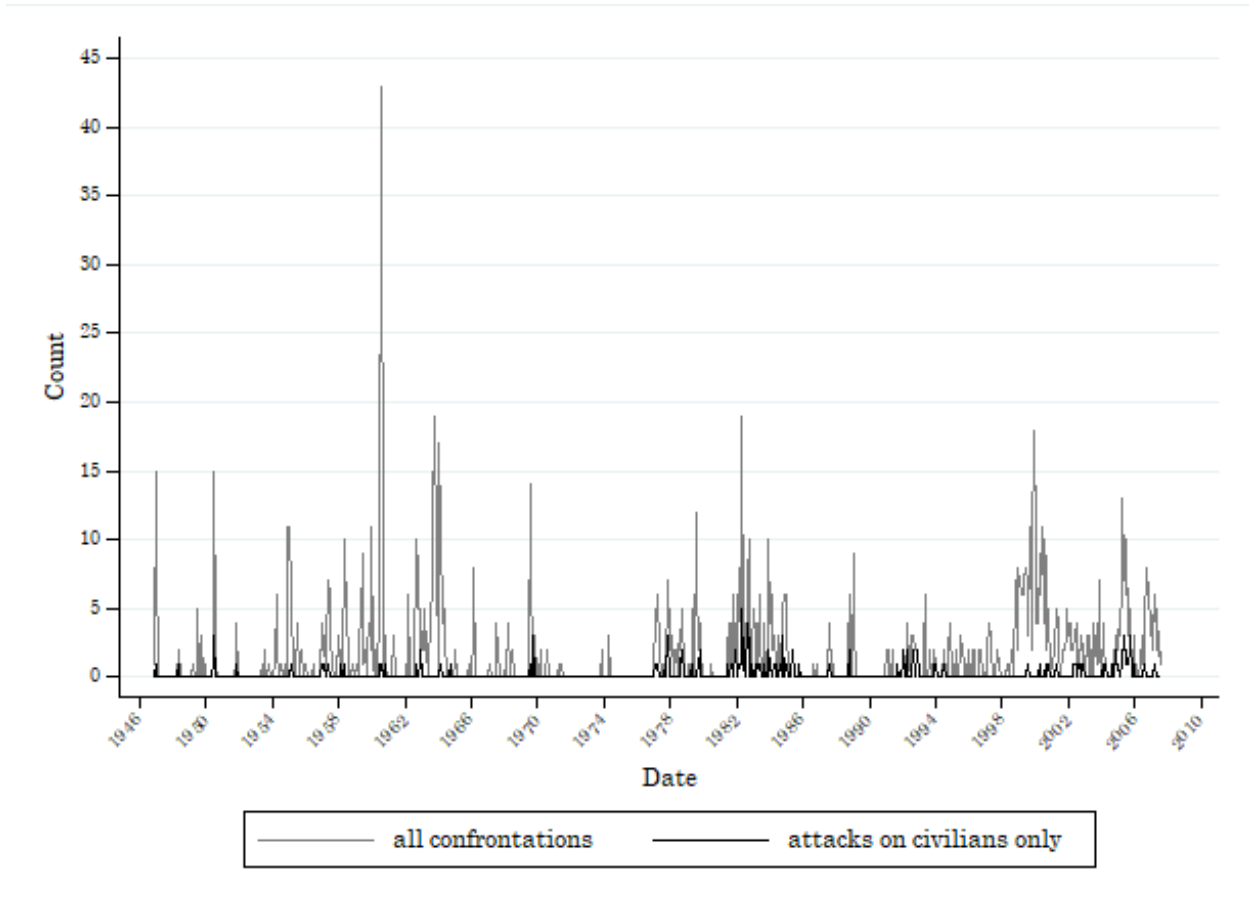
Figure 2.2: All Militarized Confrontations, 1946-2010



all confrontations over time for the selected period, parsing attacks on civilians from other types of confrontations. While this provides a broad scope and demonstrates the continuous flux of militarized conflict, examining the same dynamics over the course of one dyadic relationship offers some specific insights into how this data can inform our understandings of conflict processes.

Figure 2.3 graphs one example of confrontations over time for a particularly volatile dyad - India and Pakistan - from 1946 to 2010. The x-axis lists time in years, recording confrontations for months throughout each year with one notch on this graph every four years. The y-axis is a simple count of militarized confrontations. There are two notable

Figure 2.3: Militarized Confrontations between India and Pakistan, 1946-2010



spikes in militarized confrontations, one in the early 1960s and one in the early 2000s. We see additional activity around the 1950 mark, and relatively consistent low-incident reports throughout the time period. The time period around 1950 illustrates the India-Pakistan War of 1947-48 over the territories of Jammu and Kashmir. The strongest spike in activity, during the 1960s, shows heightened escalation during *and just prior to* the Indo-Pakistani War of 1965. Small spikes continue throughout the latter half of the twentieth century, with greater escalation developing due to a military standoff from 2001 to 2002, following the Kargil War in 1999 over Kashmir.

Conceptually, this means that we can study militarized conflict as a part of

continuous relations between two states, rather than discrete periods of escalatory behavior amid periods of relative “peace.” Militarized conflicts more closely resemble the classical notion of ‘politics by other means’ (Clausewitz & Maude, 1982), simply one form of behavior amid ongoing relations between two states. Wars and periods of militarized escalation provide highlights, anchors to explore interstate change, but now we have the context to examine these periods in a way that fulfills the mindset behind the MID dataset’s origins, focusing on those sub-war incidents which carry the potential to escalate relations. The next chapter begins dissecting how states evaluate threats within this context, focusing primarily on civilian targeting as a salient threat to state sovereignty which compels militarized action.

PRESERVING STATE SOVEREIGNTY: MILITARIZED RESPONSES TO CIVILIAN TARGETING

Foreign attacks on civilians present a salient external threat to state leaders because they threaten the fundamental capabilities of leaders to preserve their sovereignty and carry out essential tasks of government. Without the ability to extract revenue from the population or effectively defend their territory, leaders often struggle to maintain a hold on power. Even in dictatorships, leaders need revenue to secure their position, for example through private goods offered to a small selectorate (Bueno De Mesquita & Smith, 2009). Autocratic leaders may also face punishments from the population that allow them to generate audience costs (Weeks, 2008). This motivates state leaders to favor a militarized response over diplomacy or inaction when faced with an attack on their population. Discussing the relationship between the state and conflict, though, first warrants a discussion on how we conceptualize the ‘state’ and its sovereignty. These conceptualizations carry into both international law and international ethics scholarship, reinforcing the threat foreign attacks on civilians pose to state sovereignty, and to interstate peace broadly. Below I discuss the historical and theoretical origins of state sovereignty, then examine how political science scholarship has measured interstate conflict through the lens of threats to state sovereignty. I bring private citizens into this discussion to suggest that attacks on private citizens are consistent with this conceptualization and measurement on its own merit, such that attacks on private citizens of another state are an

independent and sufficient threat to the sovereignty of that state.

The *sovereign state* allows us to structure the international system into functionally autonomous entities, each with distinct territorial borders. To preserve this autonomy, state governments and leaders must maintain sovereignty, or a monopoly on violence and justice, *and* defend against external threats outside their borders (Spruyt, 1994), often through war-making (Tilly et al., 1992). In order to wage war, states need men and resources, which it attains through claiming additional territory (Biersteker, 2002; Murphy, 1996, 2013). These territorial expansions also served to buffer sovereign capitals and preserve the survival of the centralized government, at least until air power broke down the “hard shell” of the state, making territorial borders more easily penetrable (Herz, 1957). This pattern of endogenous territorial expansion and war-fighting formed the basis for Westphalian sovereignty. In particular, because state identity was so intrinsically tied to its ability to defend its own territory, the principle of sovereignty recognized that states had the right to reject authorities outside its territory (Krasner, 1999). The combination of these two notions - territorial demarcation and sovereign authority - still guide how state leaders determine both external and internal threats. External threats come from foreign actors outside territorial borders, while internal threats come from within the state. Both forms of threat work together to challenge a state’s sovereign authority over its territory.

These schools of thought suggest that external threat and internal threat work in tandem. If the state cannot fulfill its duties against external threats, the regime may face internal threats as well, emphasizing their implications for economic development, democratization, and state capacity. External threat leads to state centralization, which translates to a decline in democratization as power transfers from the hands of the public

and their elected representatives to the hands of the executive in order to adequately and efficiently face the threat (Owsiak, 2013). Likewise, transitional democracies with connections to other democracies in the region face better prospects for democratic reform (Gleditsch & Ward, 2006). Preventing civil war contagion from neighboring states also requires that a state have the necessary capacity to defend against external threats (Braithwaite, 2010). With democratization in decline and resources devoted toward defense, the ongoing effects of militarized conflict also impact domestic markets. Trade and shipping lanes may be disrupted, while populations face increasingly scarce resources and underground markets and terrorist networks benefit from the chaos conflict creates to traffic arms and drugs (Naylor, 2004).

What remains largely unexplored, and what I argue in this paper, is that foreign attacks on private citizens present a salient external threat that can carry the same implications for internal state stability as challenges to territorial sovereignty. Militarized reciprocation to civilian targeting confrontations provides evidence that state leaders recognize this threat and act upon it. In the remainder of this manuscript, I discuss in more depth how the concept of the “state” and “state sovereignty” have developed, how we theorize and measure threats to this sovereignty, and the role civilian targeting can play in this discussion of threat to better understand state behavior during militarized conflict. I use a series of logistic regression models to illustrate the salience of attacks on civilian populations, compared with other established threats to state sovereignty.

The Sovereign State and International Law

In the previous section, I conceptualized the state in terms how states developed

over time to meet pragmatic interests associated with resource management and security. Here, I spend some time observing how international law at the start of the 21st century reflects this development and sets internationally agreed-upon boundaries around the identity and duties of the state. This discussion is important for understanding how civilian targeting threatens state sovereignty, and how the international community justifies the militarized responses of threatened states.

The Montevideo Convention on the Rights and Duties of States provides a useful source to begin discussing statehood under international law (Grant, 1998). Initially a 1933 treaty signed among the United States and eighteen other states in the Americas, the convention set important legal precedents for statehood which have been referenced into the modern day for upholding customary international law. Article 1 defines the four essential qualifications of statehood: (a) a permanent population; (b) a defined territory; (c) government; and (d) capacity to enter into relations with other states. The second qualification, in particular, recalls half of Weber's definition mentioned in the previous section - territorial demarcation through distinct borders. The first and third qualification pertain to self-governance, which is only implicitly addressed in Weber's definition of state sovereignty. In order to maintain a monopoly on violence and justice within the territory, the state needs a permanent population and government operating towards the maintenance and security of this territory. Tilly's activities of the state, at its foundation, describe how a state operates to support its own self-governance. Coercion requires a government apparatus, and capital requires a permanent population to extract resources.

Notably, the last qualification stands distinct from Article 3 of the treaty, which states that "the political existence of the state is independent of recognition by the other

states.” The fourth qualification depends merely on the ability, through some governance structure, to engage with other states, not whether other states reciprocate such an effort. This differs from the path to United Nations membership, which relies on statehood qualifications under the Montevideo Convention, but also on the recognition of other states through UN Security Council and General Assembly approval to qualify for statehood.

These qualifications, however, do not address Weber’s manuscript on a monopoly of violence and justice within the territory, nor other notions of state autonomy. Article 8 speaks to this: “No state has the right to intervene in the internal or external affairs of another.” States become sovereign through delineating territory and developing a governance structure. Rights owed to the state include autonomy. Responsibilities and activities of the sovereign state to its own population in order to remain sovereign are largely unexplored, except to say that “the exercise of rights [concerning autonomy of internal and external affairs] has no other limitation than the exercise of the rights of other states according to international law.”

Where international law defines the limits of state autonomy provides perspective on what states view as a salient threat and when states may be provoked into using militarized action. Participation in an international organization, such as the United Nations, often demands some adherence to the rules and duties of membership, which inherently limits state sovereignty and autonomy. These limits define how we conceive of threat to a state’s sovereignty, since these limits are most lax in the face of imminent threat.

“Threat” and the Limits of State Sovereignty

Sovereign states become salient threats when their actions exceed those legally

granted by the international community. So understanding threat requires understanding the limits of state sovereignty. One of the key areas in which international law limits state autonomy is in the use of force against another state. Article 4 of the United Nations Charter prohibits all threat or use of force between sovereign states (Nations, 1945). Instead of the individual states having sole autonomy over the decision to use militarized force, Chapter VII dictates that the UN Security Council shall decide in all cases whether a threat to peace exists, and what measures should be taken “to maintain or restore international peace and security” (Nations, 1945), which may include militarized actions. This means that the 193 UN member states divest their right to sovereignty and autonomy over when to take militarized action against other states who may present a threat to their territory or monopoly on violence and justice.

The UN Charter identifies one exception, which grants some autonomy back to individual states. Article 51 of the United Nations Charter dictates that “Nothing in the present Charter shall impair the inherent right of collective or individual self-defense *if an armed attack occurs against a member of the United Nations* [emphases added]” (Nations, 1945). So if another state initiates the threat with militarized force, inherently violating the terms of the UN Charter, targeted states may then act as needed in self-defense to protect their sovereignty. Notably, Article 51 does not specify that an armed attack must be on the territory of the targeted state; the attack could be against the private citizens, government officials, or armed forces of a state that lies outside homeland territory.

The primary remaining limitation to state sovereignty in response to threat considers preventative militarized responses. The conceptualization of self-defense as laid in the UN Charter requires the targeted state to address threat only after they have

suffered some cost associated with a use of force. Customary international law reaffirmed a much older norm during the Nuremburg Tribunal to delimit when *pre-emptive* self-defense may be admissible as a rule governing state action outside the bounds of the UN Charter. In the words of U.S. Secretary of State Daniel Webster, which laid the foundations for pre-emptive self defense in 1837, “the necessity for self-defense was instant, overwhelming, and leaving no choice of means, and no moment of deliberation” (Drake, 1984). Additionally, “the act, justified by the necessity of self-defense, must be limited by that necessity, and kept clearly within it” (Drake, 1984). This criteria, often referred to as the *Caroline* test, introduced the principles of necessity and proportionality in governing militarized responses to an imminent threat of attack. These principles reappear in the Geneva Protocols governing militarized action against private citizens during international and civil conflict.

Necessity in the Geneva Protocols concerns establishing a military advantage. Article 48 of Protocol I to the 1949 Geneva Conventions for the Protection of War Victims calls upon all parties in a conflict to first distinguish between civilians and combatants, and second between civilian objects and military objectives, directing their operations “only against military objectives.” The document later defines military objectives as “those objects which by their nature, location, purpose, or use make an effective contribution to military action and whose total or partial destruction, capture, or neutralization...offers a definite military advantage” (ICRC, 1977). A militarized attack on a civilian site which does not offer a definite military advantage, given information available at the time of the action, constitutes an attack on a civilian object and violates international law. Some debate suggests that attacks on civilian transport and resource networks may constitute a

military advantage. Likewise, depending on the circumstances, attacks on civilian populations potentially offer a geo-strategic advantage during territorial disputes. However, Protocol I states that all civilian targets which do not clearly and directly make an effective contribution to military action should be presumed to be civilian objects, and thus neither legitimate nor necessary targets.

The second condition from the Carolina test found in the Geneva Protocols - the law of proportionality - considers cases against legitimate targets, when a militarized attack pursues some definite military advantage, but the action carries a potential loss of civilian life or property. ICRC (1977) defines violating the principle of proportionality as “launching an attack which may be expected to cause incidental loss of civilian life, injury, damage to civilian objects, et cetera, which is excessive relative to the concrete and direct military advantage anticipated.” Notably, civilian fatalities are not a necessary condition in order to be considered excessive, though the number of civilian fatalities relative to military fatalities offers a clear measure to help inform proportionality. Some legal entities, such as the European Court of Justice, also consider whether the act was necessary, meaning that no less-destructive means could be anticipated to achieve the same end. Attacks on civilian objects are inherently disproportionate, since they do not offer a concrete and direct military advantage.

International law, then, reflects a conceptualization of threat derived from exceeding the limits of state autonomy. Attacks on civilian populations, as an act of force, would warrant a militarized response in self-defense should the targeted state choose to do so, and may indeed provoke such actions. However, even where uses of force as self-defense are permitted, no attack, pre-emptive or otherwise, is necessary or justified against civilian

targets alone, suggesting the issue concerns more than just territorial security. Such attacks exceed both necessity and proportionality. According to these principles, attacks on civilians are an inherent and salient threat to the targeted state without exception, as they both violate a state's authority to use militarized force and are an unacceptable means of self-defense.

To this point, I have described the historical motivations for conceptualizing state sovereignty in two parts: 1) territorial demarcation through distinct borders; and 2) monopoly over violence and justice against the state's citizenry, which may attain citizenship in part through some permanent residency within the demarcated territory. I have suggested that militarized conflict arises from threats to state sovereignty, which include militarized actions taken against private citizens, and that international law reflects this. The ability of a state to preserve its own sovereignty against external threat remains an important ground to justify militarized action, and international law provides one clear baseline from which to determine the nature of these threats, incorporating both more conventional threats to territory or military forces, *as well as* attacks on private citizens.

Measuring Threats to State Sovereignty

The previous sections root the concepts of "threat" and "state sovereignty," discussing how they intersect from both the state development literature and international law. Here, I explore how the data we use in international relations scholarship attempts to reflect the observed body of external militarized threats to state sovereignty, and where this data finds limits.

The Militarized Interstate Dispute (MID) dataset is one of the most widely-used

datasets documenting militarized activity between two or more states. Jones, Bremer, & Singer (1996) laid out some important conceptual discriminations in how we study international conflict, distinguishing between event data (which includes all interstate activity, militarized or no) and conflict-oriented data (which focuses on “more hostile aspects of interstate interactions”). They emphasized the importance of sub-war militarized activity as a then oft-ignored element to conflict interactions between states, attempting to identify those cases that have the possibility of escalating to interstate war, or cases of “serious” interstate disputes. They conceptualized ‘serious’ as “those confrontations that led politicians in opposing states to invest energy, attention, resources, and credibility in an effort to thwart, resist, intimidate, discredit, or damage those representing the other side.” Limiting cases to those which involve militarized action was an effective way to identify ‘serious’ cases, since militarized action reflects this sort of state-led investment against opposing forces.

In other words, Jones, Bremer, & Singer (1996) sought to identify cases which presented an external militarized threat to state sovereignty. Their conceptualization of serious conflict incidents indicates militarized actions that reflect some attempt to damage an opposing states control over demarcated territory or monopoly on violence, or state sovereignty. By virtue of being ‘serious,’ ‘militarized,’ and directed towards those representing the other state, these cases represent external militarized threats. According to Jones, Bremer, & Singer (1996), threats to use force, shows of force, and uses of force “short of the sustained combat that characterizes a war” Jones, Bremer, & Singer (1996, p.166) all carry this implication of war, or put differently, share an external militarized threat to state sovereignty. Notably, they also make a point to include cases of interstate

militarized action that was not reciprocated, indicating that it is possible for a militarized action to be considered serious and carry the implication of war even if the targeted state does not respond in kind with militarized action. Militarized, and therefore serious, only requires that one state involved activates its military to threaten, show, or use force.

Regarding the scope of this paper, then, militarized attacks on the private citizens of another state do align with Jones, Bremer, & Singer's (1996) conceptualization of 'serious' confrontations. The politicians of the aggressing state, by virtue of taking militarized action, invested the energy, attention, resources, and credibility to intimidate or damage those representing the other side. As I discussed in the section conceptualizing state sovereignty and definitions of the state, private citizens - and protecting private citizens - are an important element to statehood, meaning private citizens represent the other side, along with government officials and militarized forces, and inflicting harm upon private citizens damages this other side. In doing so, attacks on private citizens present an external militarized threat to state sovereignty. Likewise, as discussed previously, international law regards militarized attacks on private citizens as a threat to state sovereignty, and would justify activating the UN Charter's exception to existing limitations on a state's autonomous use of force for cases of self-defense.

However, when we get to the operational definition of a MID, Jones, Bremer, & Singer (1996) include all serious sub-war confrontations, or militarized threats, shows, and uses of force short of war, against those representing the other state, *but specifically exclude militarized actions targeting the private citizens representing another state*. They define a MID as the "united historical cases in which the threat, display or use of military force short of war by one member state is explicitly directed towards the government,

official representatives, official forces, property, or territory of another state” Jones, Bremer, & Singer (1996, p.164) They include external militarized threats to both control over demarcated territory and a monopoly on violence, as long as that violence is not directed towards private citizens, thus failing to capture all external militarized threats to state sovereignty.

In the rules governing militarized incidents that constitute disputes, they do offer an exception to the definition of a MID for actions taken by the official forces of one state against the private citizens of another state. However, the exceptions only include seizures within disputed territory and attacks on international shipping, excluding, for example, attacks on fishermen - the second most populous category of attacks on private citizens in recently-collected civilian targeting data at the incident level, discussed in more detail later in Chapter 1.¹ Importantly, attacks on private citizens within another state’s territory would be included in the dataset for a different reason unrelated to private citizens - the attack is still an attack on foreign territory, and thus activates the provisions of the MID definition. Further, even these exceptions are only included if the targeted state protests, militarily or diplomatically. This leads to two separate types of incidents that enter the MID data, with two separate logics: conventional state-to-state militarized incidents and protest-dependent militarized incidents (Gibler et al., 2016).

Gibler et al. (2016) determined that the MID data includes a particular type of heterogeneity which may bias some studies of interstate conflict: one set of observations only enters the data if the targeted state protests militarily or diplomatically (Jones,

¹This exception also includes the pursuit of rebels across international boundaries, but this incident would constitute a border violation regardless of the reason.

Bremer, & Singer, 1996). This means that concerning militarized actions taken against civilian populations, we unfortunately lack a body of negative cases in which the targeted state did not protest. Because the full set of cases is not introduced into the data, the MID data incorporates a degree of measurement bias, which may influence how we interpret the effects of notable conflict predictors, such as contiguity and regime differences. The thought process behind this heterogeneity as a coding rule seems to suggest that attacks on civilians do not inherently carry the implication of war, and thus requires protest in order to indicate some perception of threat.

As a result, the MID data, developed to collect in one place all serious, militarized confrontations which carry the implication of war, define MIDs according to these state-to-state militarized incidents rather than the complete population of external militarized threats to state sovereignty. The MID data considers serious, militarized confrontations directed towards *the private citizens* representing another state to explicitly not be militarized incidents, as they define them. Contrasting international law and the literature on state development, Jones, Bremer, & Singer (1996) measurement of militarized incidents, then, suggests that attacks on private citizens in fact do not inherently present an external militarized threat to state sovereignty, and thus would not carry the implication of war or lead states to reciprocate the attack with militarized action.

Additionally, Gibler et al. (2016) only examined the first confrontation in a dispute. Due to coding rules, every militarized action was coded, to include border violations and shows of force that precipitated an attack. In fact, of the 429 attacks by Side A involving civilian targets in the first five confrontations, only 151 (35%) occur in the first incident. This suggests that Gibler et al. (2016) captured heterogeneity in some vital, more severe

disputes that began with an attack on civilians, but we may learn more about civilian targeting as a salient threat from exploring how states behave beyond this first encounter.

As I have discussed, international law and state development literature seem to suggest that states have every justification to perceive attacks on their citizens as a threat to their sovereignty which may carry the implication of war. We know that the issues at stake in conflict vary in salience, but we still discuss salient threat as effecting a unitary outcome - war. Instead, I suggest that we study war, or these serious cases of interstate conflict in which states invest a great deal of energy and resources, because war acts as a proxy for a severe international environment that may result in state failure. Salient threats, or threats that carry the implication of war, are threats to state sovereignty because states do not want to fail. State failure does not result from a loss of territorial integrity alone, but also from losing the regime's monopoly on violence and justice. When we begin to consider what we intend war to capture, we can explore heterogeneity in the effects of threats on state sovereignty, as well as the issues that manifest them.

Civilian Targeting and Salient Threat

If states go to war because they do not want to fail, and state failure can result from threats to territorial integrity *or* a monopoly on violence and justice, then we would benefit from a typology of threat that captures this variation. I include foreign attacks on civilians to study salient threats to a state's monopoly on violence and justice. The salience of external threat varies depending on the nature of the threat and the issue at stake. This idea is not new. Several scholars have researched and defended the salience of territorial issues, in particular, in motivating escalatory behavior which can lead to war, as well as

rivalries and others signs which point to a lack of peace (Vasquez, 2009). This makes sense if we consider the literature on state development and international law and the theoretical underpinnings of Jones, Bremer, & Singer (1996) MID definition. Even regarding territorial issues, we observe variation in salience. Gibler & Hutchison (2013) proposed a typology of territorial issues which indicated various forms of territorial threat, from homeland territories to island territories to maritime borders and foreign colonies. Homeland territories, where the core of government infrastructure and state decision-making sit, remains the most salient issue to motivate militarized behavior when faced with external threat.

When we consider the meaning behind salience - what states are actually concerned about - this typology of issues becomes particularly informative. Territorial sovereignty is perhaps the clearest indicator of state autonomy and power. A threat to territorial sovereignty fundamentally threatens the state's existence, not only as a sovereign entity with control over demarcated borders, but as an independent international actor. The implication to disputes with territorial issues is that states are actually concerned about losing land within its borders, and thus threatening its state autonomy and power. This takes on particular flavors depending on the type of territory under dispute. Maritime territory, for example, often holds economic value, and thus access to material power, through its fishing industry. Islands may also represent economic resources, such as those in the South China Sea, where China, the Philippines, Brunei, Malaysia, Taiwan, and Vietnam are vying for rights to oil, fish, and shipping lanes.

Yet, these are not the only salient issues at stake in international conflict literature. The Issues Correlates of War (ICOW) dataset (Frederick et al., 2017) also collects data

concerning the salience of identity claims, defined as “explicit contention between two or more nation-states over the status of an ethnic group that is located in both states” (Frederick et al., 2017). ICOW measures salience based on the relationship between the ethnic group and the states at conflict across territorial, historical, and spatial dimensions, as well as ethnic, linguistic, and religious similarity between the ethnic group and the disputing state’s population. Including these issues acknowledges that states are concerned with not only territorial sovereignty, but also the treatment of its civilian population - and who has the authority over violence and justice concerning that population. In other words, it implies that states consider a threat to its monopoly on violence and justice as salient enough to engage in interstate conflict.

In practice, this is difficult to isolate from salient threats to territorial integrity. Most incidents of foreign attacks on civilians target either villagers in homeland territories or fishermen, usually operating in claimed Exclusive Economic Zones (EEZs). Correlates of War (COW) provides a useful source of issue heterogeneity underlying the dispute in their variables for revisionist character for both parties in a dyad. Jones, Bremer, & Singer (1996) noted that states are revisionist if they operate to change the status quo. To what issue the status quo pertains is captured in a variable for ‘revisionist type.’ The first type concerns making open claims to territory, which fits quite nicely as a threat to a state’s territorial integrity. However, this variable also captures conflicts with an existing regime and opposition to abiding by another state’s policy. If a targeted state faces militarized action regarding one of these other revisionist types, and reciprocates the action, this would indicate that some other process is motivating a perception of threat to the state, which I propose could be a threat to the state’s monopoly on violence and justice.

I have argued that the targeted state will likely reciprocate militarized action, indicating a perception of threat, in response to attacks on its civilians. I suggest here that whether the targeted state acts because it perceives a threat to its territory or a threat to its monopoly on violence and justice lies in the revisionist character of the aggressor. Civilian targeting in the context of claims to its territory indicate that militarized reciprocation is likely more a response to underlying territorial issues than the civilian targeting action itself. However, when these claims are absent and the aggressor acts to revise the targeted state's regime or oppose its policies, civilian targeting should have a distinct and independent effect on the likelihood of militarized reciprocation. States can consider this threat salient because it inherently challenges the state's sovereign monopoly on violence and justice. In other words, when targeted states decide whether to reciprocate a militarized threat, they first determine the nature and salience of that threat. If civilian targeting increases the likelihood of militarized reciprocation when claims to territory are not the underlying issue, then civilian targeting presents an independent and salient threat. These assertions lead to two hypotheses:

Hypothesis 1: Attacks on civilians increase the likelihood of militarized reciprocation from the targeted state when the underlying issue is territory.

Hypothesis 2: Attacks on civilians increase the likelihood of militarized reciprocation from the targeted state when the underlying issue concerns regimes or policy.

Model Specification

I created a sample of the first five militarized confrontations for each Militarized

Interstate Dispute (MID) from 1946 to 2010 to more effectively isolate potential perceptions of threat in these early stages of a dispute. Including later confrontations would make it more difficult to determine whether targeted states are perceiving threat due to the attack on its citizens or to building tensions over the course of several confrontations. The result was 3,612 directed-dyad observations.

I argue above that before targeted states decide whether to reciprocate an action, they first evaluate the perceived issues motivating a given attack. If an attack on civilians is coupled with a non-territorial revisionist motive, then we can hypothesize that reciprocation reflects a perception of threat to the state's monopoly on violence and justice, rather than simply the territorial component. In other words, this would suggest that civilian targeting itself has an independent effect on the likelihood of militarized reciprocation, even if the attack also takes place on the targeted state's homeland territory.

However, this process introduces selection bias. Because targeted states evaluate the aggressor's goals before acting - whether the aggressor holds a particular revisionist motive - any potential outcomes we observe on the effects of civilian targeting inherently select into this initial decision. Whether civilian targeting independently increases the likelihood of militarized reciprocation is contingent on whether the targeted state views the aggressor's motives as a threat to its monopoly on violence and justice. I therefore employ a bivariate probit model with selection to simultaneously estimate both stages of the process. I use this type of selection model, rather than a simple Heckman model, because the dependent variable in my outcome equation is binary rather than continuous.

Selection equation

My dependent variable in stage one is the revisionist motives of the aggressor (Side A). I use Correlates of War Version 4.01's measures for revisionist type (Palmer et al., 2015). I created a binary variable for whether the motives concern territory, acting as threat to the targeted state's territorial sovereignty, or some other issue, more closely indicating a threat to the state's monopoly on violence and justice if civilian targeting occurs. Other issues which this variable covers concern policy disputes, regime or government disputes, and non-specified "other" disputes which do not otherwise fit cleanly within another category.

Estimating outcomes using a selection model also requires that I incorporate an exclusion restriction in my selection equation to avoid imprecise estimates in the outcome equation. This variable appears in my selection equation, but not in my outcome equation. I used a measure of the regime type for Side A, the aggressor, in this case. Regime type could influence the interests of the aggressor, and help define whether any revisionist motives concern territory, policy, or some other issue. While all contiguous states have a need to resolve borders, which may lead to militarized disputes if these borders are contested, revising a status quo regime or opposing another state's policy reflects a more discriminate character. I use Polity IV's aggregate measure of regime type, preserving its categorical scale to permit more variation across regimes in the international system (Marshall & Jaggers, 2002).

As the state leans more toward democracy, we would expect any revisionist interests to lean more toward regime or policy differences, rather than territory. Because regime and

policy differences reflect a fundamental difference in ideals and approaches to governance, the aggressor's form of governance should help define whether and how it seeks to change the status quo on these issues. Also, greater democratic governance suggests that salient territorial interests have already been resolved, allowing for the decentralization of government that precipitates stable democracy (Gibler, 2012). However, once militarized action has been initiated, the regime type of the aggressor should have little influence over whether the targeted state reciprocates, especially relative to other considerations that compel defense of state sovereignty. A threat already exists; whether the source of threat is more democratic or autocratic may influence specific tactics or strategies, but not the act of reciprocation itself, which makes the regime type of State A a particularly useful exclusion restriction from a theoretical standpoint.

Outcome equation

The primary dependent variable for stage two - and the outcome we are most concerned with in this chapter - is whether the targeted state reciprocated militarily during the dispute with a threat, show, or use of force. To take any militarized action commits to engagement in militarized conflict that has the potential to escalate. Even a threat to use force holds the implication of war, as Jones, Bremer, & Singer (1996) noted. I, therefore, consider reciprocation using any militarized action as the first step in evaluating the effects of civilian targeting on interstate conflict processes. Because I am discerning whether states view civilian targeting as a salient threat to its sovereignty, reciprocation is a useful outcome to study, because it activates state resources such that potential militarized escalation is a more attractive than diplomacy or doing nothing. To act in the absence of

threat would be unlikely.

My key independent variable is a binary measure of whether the aggressor attacked the targeted state's civilian population in the initial five confrontations of the dispute. Again, I focus on these early events to better evaluate whether the targeted state is responding to civilian targeting or to other ongoing factors spurious to the conflict once it has escalated. This also better prevents issues concerning potential causes of civilian targeting in the first place. If an aggressor targets civilians later in the dispute, this action too could be spurious to ongoing hostilities, making it difficult to estimate its effects independent of these factors.

Controls

I included several standard controls which appear in both the selection and outcome equations, namely land contiguity (Stinnett et al., 2002), rivalry (Thompson, 2015), capability ratio (Singer et al., 1972), and joint democracy (Marshall & Jagers, 2002). Joint democracy would theoretically decrease the likelihood of militarized reciprocation. Contiguity should increase the likelihood of both an aggressor's revisionist character and the targeted state's likelihood to reciprocate. Aggressor's are more likely to have territorial claims if there is the opportunity for contested territory to exist between the two states, which occurs more often along borders where both states in the dyad could make a reasonable claim. Likewise, if a territorial claim exists, targeted states will have greater interest and logistical ability to assert its own position if it is contiguous with its aggressor. Rivalry indicates ongoing enmities which incentive both revising the status quo and reciprocating militarily when new - or in the context of rivalry, renewed - threats become

apparent. Capability ratio reflects the material capacity to engage in costly militarized conflict, using COW measures which identify each state's total and urban populations, military expenditures, military personnel, iron and steel production, and energy consumption (Bennett & Stam, 2000). As this ratio approaches 0.5, we should see targeted states more likely to reciprocate and aggressors more likely to hold revisionist interests, since the outcome of the conflict is less certain and militarized action could lead to victory in an ongoing dispute (Singer et al., 1972). Aggressors could also initiate militarized action if their material capabilities overpower their opponent, as this could also secure victory in revising the status quo. I include a final control for a count of peace months since the last attack on civilians within the dyad. More recent attacks on civilians could cumulatively incite a greater likelihood of militarized reciprocation from the targeted state.

Results and Discussion

Table 3.1 shows two models that estimate the effects of civilian targeting on the likelihood of militarized reciprocation from the targeted state. The first model considers a selection equation in which the dependent variable is whether the aggressor sought to revise the status quo regime or policies of the targeted state. Absent of underlying territorial claims, if the outcome equation indicates that attacks on civilians have a statistically significant effect, then the effect is independent. A second model considers when the selection equation's dependent variable *does* include a territorial claim. This offers a good point of comparison. We know that reciprocation is more likely when the issue under contention is salient, such as in territorial disputes (Hensel, 1996; Hensel et al., 2008). My results indicate that civilian targeting also independently increases the

likelihood of reciprocation.

The selection equations perform as expected concerning the exclusion restriction. The regime type of the aggressor decreases the likelihood of revisionist militarization regarding policy, regime, and other non-territorial issues as the regime reaches higher measures of democracy. This makes sense, as democratic states may be more likely to revise the status quo on these issues through diplomatic means rather than initiating a dispute. Democracy in the initiating state also seemed to decrease the likelihood of revisionist militarization concerning territory. This likely reflects the finding that democracies are more likely to have already settled their land borders, allowing for democratic development to then follow (Gibler, 2012). Higher measure of democracy, then, would indicate less contentious territorial disputes that may otherwise incite revisionist militarization. Interestingly, this assertion changes when both states share democratic status, as joint democracy increases the likelihood of revisionist militarization concerning territory. The type of territory under dispute could matter here. Land borders may be settled, but maritime borders that determine the boundaries of Exclusive Economic Zones for fishing and resource rights could be more common between democracies. One example is the “Cod Wars” between the United Kingdom and Iceland from 1958 to 1976 over maritime territory and associated fishing rights in the North Atlantic.

Many of the controls are statistically significant in the selection equations, but take on reversed relationships when comparing their effect on policy and regime revisionist character versus territorial revisionist character. As we might expect, contiguity increases the likelihood of revisionist territorial claims. Rivalry also increases this likelihood, indicating that cycles of enmity persist through salient issues. And the relative capabilities

Table 3.1: Bivariate Probit Model with Selection estimating the Likelihood of Reciprocation to Civilian Targeting, 1946-2010

	(1) Policy, Regime, Other		(2) Territory	
	<i>Selection Equation</i>	<i>Outcome Equation</i>	<i>Selection Equation</i>	<i>Outcome Equation</i>
Attacks on civilians (Side B)		1.185*** (0.339)		1.693*** (0.279)
Polity score (Side A)	-0.020*** (0.004)		-0.016*** (0.004)	
Rivalry	-0.306*** (0.084)	0.056 (0.141)	0.394*** (0.108)	-0.149 (0.468)
Capability ratio	0.378*** (0.069)	-0.242* (0.116)	-0.121 (0.076)	0.435 (0.251)
Land contiguity	-0.204*** (0.048)	0.107 (0.077)	0.625*** (0.051)	0.163 (0.506)
Joint democracy	0.035 (0.071)	-0.085 (0.153)	0.641*** (0.076)	0.064 (0.383)
Peace months since last attack on civilians	0.001 (0.000)	-0.002* (0.001)	0.001 (0.000)	-0.011* (0.005)
Constant	-0.216* (0.091)	-0.013 (0.367)	-1.423*** (0.115)	-1.592 (1.897)
Observations	2,291	1,321	2,786	826

Robust standard errors in parentheses.

Note: *p<0.05; **p<0.01; ***p<0.001

of both states decrease the likelihood of militarized policy and regime disputes as they approach parity. Parity could reflect state interests to revise the status quo on non-territorial issues if relative material capabilities indicate some latent obstacle resolving differences in ideals, governance, or development through other channels. Concerning territory, some evidence suggests that states with greater capabilities select into conflicts they know they can win, making territorial claims less likely in cases of parity (Gibler et al., 2017). However, parity could conversely suggest that states are too evenly matched to make concessions on policy without a fight, increasing the likelihood of policy and regime claims. When we consider that parity increases the likelihood of non-territorial revisionist interests, but rivalry decreases this likelihood, we observe what could be a counter-intuitive nod towards which types of militarized conflicts states are likely to choose. Rivals may be less likely to use their militaries to revise status quo policy, pursuing other means instead as desired, if they need to devote those resources towards defending territory.

Concerning the outcome equations, we see strong support for the effects of civilian targeting on increasing the likelihood of militarized reciprocation in both models. Even when the underlying issue known to both parties does not concern territory, attacks on civilians motivate targeted states to engage their militaries in response. The regime type of the targeted state has no statistically significant pacifying or aggravating effect on militarized reciprocation. The principles of state sovereignty are universal. Once states perceive a threat to their sovereignty, they defend against that threat, regardless of their degree of democratic governance. Notably, the more time that has passed since the last attack on civilians, the less likely we are to see militarized reciprocation to a new attack, indicating that the nature and frequency of these attacks on civilians could influence

escalatory behavior within the dispute, as I discuss in Chapter 4.

This finding is valuable. Territory is not the only salient threat that can plausibly escalate militarized conflict, and attacks on civilians cannot be discounted as incidental to the conduct of militarized disputes. Civilian targeting represents an independent, statistically significant influence on whether we observe militarized behavior from both sides of a dyad, once initiated.

Implications

This chapter reconciles apparent differences in how the state development literature, international law, and Jones, Bremer, & Singer (1996) each conceptualize threat during interstate conflict. I suggest that a study of civilian targeting can provide leverage both over the differences among them, and how they compliment one another. Civilian targeting does threaten state sovereignty according to the state development literature. The logic from international law reinforces this, regarding attacks on civilian populations as a threat severe enough to justify militarized use of force as an act of self-defense. Jones, Bremer, & Singer (1996) sought to identify any militarized action that states could view as a salient threat, because if states perceive salient threat, then those actions carry the implication of war. I demonstrate that attacks on foreign civilians represent an important and often-overlooked element in our understanding of the threats that mechanize interstate conflict processes.

By studying civilian targeting behavior in the context of the revisionist motives of aggressors in a militarized dispute, we can better affirm whether civilian targeting presents an independent threat or whether some other issue such as territory is the only threat that

motivates militarized responses. My results suggest the former. Even when aggressors do not threaten a state's territorial integrity, targeted states still perceive a threat salient enough to reciprocate militarized action. If salient threats are those threats that intrinsically challenge a state's sovereignty, as supported in state development literature and other studies of interstate militarized conflict, then threats which do not explicitly or directly undermine a state's territory could then attack another element of state sovereignty. In these cases, I argue that civilian targeting threatens the state's monopoly on violence and justice. Both theoretically and empirically, we observe a statistically significant effect on militarized state behavior following attacks on civilians.

However, we also know that the way in which states reciprocate action has varied implications for escalation as well. A threat or show of force, for example, signals a weaker commitment to escalate to war if necessary than a militarized use of force. In the next chapter, I discuss how the relationship between a leader and their population can influence whether militarized reciprocation takes the form of low-level posturing and weak threats or more escalatory behavior associated with militarized use of force.

HOW LEADERS RETALIATE: CIVILIAN TARGETING AND THE ESCALATORY USE OF FORCE

Peace scholars have propelled our collective understanding of the moments that accelerate militarized hostilities. We know that rivalry (Rasler & Thompson, 2006), arms racing (Sample, 1997), alliances (Colaresi & Thompson, 2005) can all lead to escalatory behavior and even war (Senese & Vasquez, 2008). We also know that territorial issues are more salient than other conflict issues and often underly those conflicts which escalate to war.¹ Likewise once states settle their borders, we know that they are more likely to decentralize, develop democratic institutions, and engage more peacefully in the future (Gibler, 2007; Gibler & Owsiak, 2018). Yet, we still know little about the individual actions during the course of conflict that foster enmities and accelerate hostilities. We can start with how leaders make decisions.

If we acknowledge that leaders often engage in interstate decision-making based in part on dynamics at the domestic level (Putnam, 1988), then it follows that domestic responses to interstate conflict should influence leaders' decisions during the course of hostilities. We would expect populations to respond more strongly when they view themselves as having a stake in the conflict, such as suffering losses or perceiving a salient threat to their livelihood. These responses among the population can precipitate escalatory behavior in cases where leaders view domestic costs associated with backing down or

¹For a thorough review of the literature concerning territory and war, see (Toft, 2014)

pursuing more peaceful courses of action, but first we need to identify those individual actions which activate this kind of response among the population.

In this paper, I suggest that foreign attacks on civilians are one type of action that can activate strong responses from the targeted population. The expectation that this response can then incentivize leaders to use force against their aggressor soon after these attacks in order to take advantage of potential rally effects from popular support for continued fighting in their defense. While some, such as Downes (2008), have examined sources of action against civilian targets, and civil conflict has explored the relationship between civilian targets and state leaders more extensively (see, for example, Fjelde & Hultman (2014), Wood & Kathman (2014), and Wood & Kathman (2015)), the *effects* of civilian targeting during interstate conflict remains largely unexplored. I argue that civilian targeting motivates escalatory use of force when these attacks are indiscriminate rather than selective, meaning that a greater portion of the population is susceptible to attack and thus shares a stake in the conflict.

To isolate how these individual attacks on civilians may influence targeted state behavior and escalatory use of force, I use newly-collected data which documents all militarized threats, shows, and uses of force between two state system members. This allows me to not only analyze behaviors across aggregate sets of militarized disputes, but also how states behave *during* these disputes, and how long states ‘rest’ in between militarized actions. So when a state attacks the civilians of another state, I can observe how the targeted state behaves in the following month.

In the next section, I discuss in more detail some of the literary background concerning the factors of escalatory use of force. I then explain how I conceptualize civilian

targeting for the purposes of this paper, and develop a theory regarding the effects of civilian targeting actions. I discuss my research design, present the results which support my theory, and conclude with some final remarks concerning implications regarding the relationship between civilian targeting and conflict processes.

Background

Conflict escalation studies rely on the dynamic that the use of force occurs either in order to credibly signal willingness and capability to carry the conflict to war if necessary, hoping to compel concessions from an opponent, or because state leaders face constraints which prevent them from backing down once a conflict has begun. In both cases, leaders weigh the costs of concessions against the costs associated with continued fighting or potential conflict escalation. Factors which can influence this costs-benefits analysis include relative capabilities, the types of issues under dispute and their salience (Diehl, 1992) (particularly if the issue relates to territory (Gibler, 1997)), and domestic audience costs (Fearon, 1994).

Salient issues can increase the resolve of state leaders to fight, even if their capabilities might suggest that they should back down. Consider territorial disputes. Securing state borders is essential to a leader's ability to preserve their sovereignty. If an opponent threatens territorial claims, the leader may be more likely to use force to defend their claims. This process increases the costs of concessions because conceding territory means conceding a portion of the leader's sovereignty, increasing the relative benefits of continued fighting or potential conflict escalation. Conflicts between enduring rivals are more likely to involve territorial issues than other kinds of disputes (Tir & Diehl, 2002).

These factors increase the determination of state leaders to engage and escalate the conflict based on normative interests (Leng, 1998).

Likewise, domestic audience costs, which can result in removal from power or some other form of public protest, increase the costs of backing down from threats, making concessions more costly than fighting. A leader more able to incur audience costs from the population for backing down is also able to signal to foreign actors that they are less likely to back down from any threats they make because they do not want to activate these domestic costs (Fearon, 1994). If the opponent does not back down following credible threats, the initiator is more likely to be constrained to escalate the conflict, as conceding following threat activates their audience costs and threatens their hold on power. This suggests that when both initiators and targets who are constrained in this way, they are more likely to escalate to a use of force because neither side can back down (Partell & Palmer, 1999). In other cases, where only one state in the dyad can incur audience costs, this state's credible threats are more likely to coerce opponents to concede, preventing the conflict from escalating, but increasing the instances of conflict initiation in order to gain concessions (Crisman-Cox & Gibilisco, 2018). Even following severe attacks, which deplete support for continued fighting and offer an opportunity to de-escalate, leaders may still escalate in the effort to call a state on its bluff or counter with an equal or greater signal of resolve to continue fighting and the capability to absorb such costs (Carlson, 1995).

From these studies, we can infer a great deal about the macro-level environments, circumstances, and conditions that lead competing states to use force. We know that issues matter, and that states that become rivals are more likely to escalate conflict in the future. We know that territorial disputes activate state-level responses to salient threat which

often involve force, and that domestic populations can constrain behavior and prevent leaders from backing down from threats. In all of these cases, relative capabilities define a state's access to means necessary for using force, and regime type can alter the conditions under which leaders make military decisions. What remains is a more thorough study of micro-level processes, particularly once one side has already escalated the conflict to force. State leaders do not always retaliate in kind to individual actions, and escalation to force in one month does not mean that both states continue fighting in the subsequent month. Conflict resembles a more dynamic mix of alternating low-level and high-level militarized actions. These intra-conflict actions can help us better understand the immediate factors which compel states to use force and retaliate against aggressors, rather than settle. While macro-level conditions remain, continuing to threaten peace and motivate escalatory behavior, micro-level, short-term behaviors can form a pattern over time and help explain variation in the evolution toward either enmity or resolution.

I argue that the nature of an aggressor's militarized action can prompt targeted states to use force in the subsequent month. In particular, I suggest that repeated, indiscriminate attacks on civilian populations during interstate conflict compel state leaders to use force over other degrees of militarized action in the period following the attack. This form of civilian targeting activates a perception of salient threat among the population, unifying a meaningful portion of the population against their aggressor. Leaders use this opportunity to rally the population behind them during the conflict, and use force to avoid domestic costs that may result from low-level actions that lack resolve or commitment to fight.

I suggest that civilian targeting - particularly indiscriminate civilian targeting -

illustrates one form of salient external threat. Because civilian targeting inherently violates the promise of security from state leaders, leaders have an incentive to cue the population toward retaliation against a foreign foe in order to deflect potential backlash from failing to protect their citizens. Likewise, indiscriminate civilian targeting personalizes and individualizes conflict in similar ways across affected territories, which can activate the same processes of internal cohesion that constrain leaders' behavior toward militarized retaliation over other forms of response. From both perspectives, civilian targeting motivates state leaders to take militarized action and continue fighting against foreign foes. I discuss this process in more detail below, following a brief discussion conceptualizing and defining 'civilian targeting' for the scope of this paper.

Civilian Targeting and Escalation

Chapter 3 demonstrated that foreign attacks on civilians present a salient external threat to state leaders because it threatens the fundamental capabilities of leaders to preserve their sovereignty and carry out essential tasks of state-making. Without the ability to extract resources from the population or fight militarized conflicts, leaders struggle to maintain a hold on power. This motivates state leaders to favor a militarized response over diplomacy or inaction when faced with an attack on their population. Here, I suggest that the nature of this militarized response - whether the response is a low-level threat or a more escalatory use of force - depends on whether the leader anticipates unified support from the population. This argument develops in two parts. First, I discuss how populations can respond to civilian targeting, and why leaders may anticipate particular responses. Second, I suggest that leaders take actions to maximize popular responses in

their favor and minimize the costs associated with conflict.

Personalizing civilian targeting as a salient threat

Attacks on civilians can influence the targeted population through personal association with the attack, and through mobilizing the population around defined social identities. In the former, we observe that surviving an attack, or even having knowledge of an attack, particularly if that knowledge comes from a close friend or family member, can personalize conflict and give civilians resolve to fight. Whether the nature of the attack is selective or indiscriminate influences how widespread this response is among the population. In the latter, we see how sub-state group dynamics can interact with regional or international group dynamics to create in- and out-groups according to national identity within targeted states. Leaders take advantage of this process to rally support among the population and effectively meet state-making interests. I discuss each point in more detail below.

Civilian targeting tells a population that noncombatance does not protect them from the costs of conflict. The nature of conflict shifts from a battle between official militarized forces, and sometimes militant non-state actors, to a form of total conflict. All persons within sovereign territories at dispute become potential targets, along with their homes, personal effects, food sources, infrastructure, religious and cultural sites, schools, and other cornerstones of social living (Hourani et al., 1986). The effects of attacks on a civilian community are immediate and can be disruptive to even the most basic activities and daily needs within a society.

Civilian targeting thus activates a perception of salient threat, one personal and

individual, which gives the targeted individuals a stake in the conflict. While little regarding these effects have been empirically studied in interstate conflict literature, we can learn from civil conflict research to inform how civilians respond to this threat during interstate conflict. Within civil conflict, state-led attacks on civilians serve to disrupt insurgency networks or coerce support from the population, but are often counterproductive. In these circumstances, civilians find - similar to foreign attacks on the population - that noncombatance or inaction does not protect them. Populations may then respond out of fear and insecurity, desiring another source of protection (Kydd, 2007), or out of anger, desiring to retaliate against their aggressor (Carr, 2003). In both cases, the likely result is to rally behind whichever side opposes their attackers. If the state is responsible for these attacks, civilians may turn to unofficial combatant forces (i.e., rebels, insurgents, etc.) as a source of protection and security, since the state both failed to protect them and was responsible for their suffering.

This matters for interstate targeting because, in the short term, the effect of civilian targeting from a foreign actor is materially the same as an attack by the population's own leader. Regardless of who initiates the attack, the lives and livelihoods of targeted noncombatants becomes immediately disrupted, activating a perception of threat among targeted groups. Targeted populations translate their suffering into social identity, distinguishing those they consider friends from those that are enemies (or in-groups and out-groups, respectively). As individual-level in-group sympathies grow stronger, animosities toward out-groups also become stronger, increasing the resolve to fight against threatening members of the out-group (Tajfel, 1982, 2010; Turner & Reynolds, 2004). Within civil conflict, this results in the processes defended above in the literature.

Targeted groups rally behind whomever opposes their attacker, sometimes to include taking up arms. They identify themselves according to the lines their attackers drew to target them, in this case according to sub-state identities associated with ethnicity, religion, geographic residence, et cetera. Sides in opposition align with these sub-state categories. What differentiates civilian responses during interstate conflict is where civilian targets draw the line between friend and foe, in-group and out-group. If the aggressor targeted foreign civilians based on national identity - simply being citizens of the opposing state, without regard for whether their actions were militant - then we would expect the targeted population to respond to this threat by associating with their national identity. This may be because when states suffer attacks and losses, in this case through attacks on civilian populations, citizens within the state consider the loss a threat to national group identity (Long & Brecke, 2003). We observe this behavior in response to another threat: foreign attacks on territory. When facing territorial threat, individuals in targeted states self-identify as citizens of their state, even as populations in initiating states are more likely to self-identify as members of a particular ethnicity (Gibler et al., 2012).

I have suggested thus far that civilians perceive foreign attacks on themselves or their property during interstate conflict as a salient threat because these attacks threaten their lives and disrupt daily needs within their societies, and more importantly, noncombatance or inaction does not protect them. In response to this threat, civilians will likely self-identify as citizens of their state, since it was based on this group identity that they were targeted. This means that targeted populations, broadly speaking, interpret their “friends” or in-group as fellow citizens, and their “enemies” or out-group as foreign nationals of their aggressor’s state. The targeted individuals, then, *should* also rally behind

whoever opposes the foreign state, in this case, their own state leader. However, the nature of the attack on civilians also plays a role in how in-groups and out-groups develop when facing salient external threat.

Indiscriminate targeting and the perception of threat

Within the broader category of interstate civilian targeting behavior, attacks on civilians can be either selective or indiscriminate. The key difference is whether noncombatance or inaction protects civilians from suffering personal costs during conflict, since this factor motivates a perception of salient external threat. Kalyvas (2006) considers indiscriminate attacks as those attacks conducted against noncombatant populations without regard for the actions or preferences of the group. This suggests that determining whether the group was *targeted* differs from determining whether the group suffered selective attacks. As discussed earlier, targeting results from an attack on an illegitimate civilian target or, in some cases, a disproportionate attack on a legitimate civilian target. Selective violence, according to Kalyvas, has nothing to do with the identity of the target or the proportionality of the attack, but on whether the attack is initiated in response to some actions of the target.

Thus, while civilian targeting more generally indicates that non-combatance or inaction does protect civilian populations, selective targeting indicates some exceptions which may result in a different public response. Specific actions can trigger a foreign attack. Consider attacks on fishermen that take place during state disputes over maritime boundaries. One simple example concerns an attack on four Philippine fishing vessels for violating Palau's exclusive economic zone (EEZ) in July 2000. Palau's Justice Minister at

the time, Elias Chin, remarked that "the Philippine fishing vessels' intrusion into the Palau waters must be stopped" (Sayson, 2000). The fishermen claimed they had received a fishing license through Indonesia, but Palau denied that they shared an EEZ with Indonesia, making the license invalid. Palau selectively targeted the Philippine fishermen because they *acted* in violating a maritime territorial claim, not due to their identity as fishermen. Because this act of violating territory alone determines risk of attack, the remaining population of the Philippines was protected, and we did not observe a rallying effect behind the Philippine state in opposition to Palau, even after the Philippines issued a public protest and similar attacks repeated in the future. This sort of selective targeting also suggests to the remaining civilian population that action determines whether they will be protected from conflict. Avoid violating the claimed maritime border, and avoid suffering personal costs associated with conflict.

Conversely, consider U.S.-led aerial bombing on civilian populations during the Vietnam War. These attacks had little to do with the individual actions of members of the noncombatant civilian population, so much as a sweeping counter-insurgency engagement against the resources and infrastructure which could support Northern Vietnamese forces. The result was often counterproductive. Aerial bombing against as a form of indiscriminate targeting often increased the level of territorial control Viet Cong insurgents had over localized, targeted territories (Kocher et al., 2011). Because the inaction or noncombatance did not protect the population, indiscriminate attacks led the population to support insurgent forces. We observe this effect most strongly when the opposing force has strong material capabilities to provide an alternative source of protection for civilian populations (Wood, 2010).

Because foreign attacks on civilians often occur during the course of other interests at stake between two official state forces, without regard for the actions of noncombatant groups, many of these attacks are inherently indiscriminate. When foreign forces *do* target selectively, the target is often either militants (which do not qualify as a civilian object) or particular professions which take some violating action (such as fishermen or shipping crew who violate maritime boundaries). The majority of civilian targeting confrontations come from attacks on villagers, followed by fishermen and shipping crew. There is also a relatively small number of cases in which foreign actors target refugees from their own countries who have fled to neighboring territories. However, these should not activate the same dynamics as attacks on a leader's own citizens, in which the targeted state is responsible for their protection in order to preserve their sovereignty. So attacks on fisherman and shipping crew should be regarded as selective targeting, while the majority of the remaining attacks should be regarded as indiscriminate.

Whether the attack was selective or indiscriminate can contribute to how widespread the perception of threat and related responses are beyond the geographical limits of the targeted community. Indiscriminate targeting should initiate a more widespread perception of threat among the population, even beyond the locale of the targeting event, particularly if the attack results in high numbers of deaths or if many attacks occur over time. Each of these suggests that the costs of noncombatance will resonate with a greater portion of the population. Selective targeting does not initiate the same perception of threat, since noncombatance or inaction can still protect civilians in these cases. Thus, whether the greater population perceives an attack on their state's citizens to be a salient threat depends largely on whether the greater population shares

some identity with those attacked that would lead suggest themselves as potential future targets. In other words, whether the population unifies enough to pressure state action depends on how much of the population translates civilian targeting actions as a personal threat. Leaders can more effectively use militarized action to rally public support and meet their interests in response to indiscriminate targeting, when more of the population will likely share a similar perception of foreign threat and unify behind their state leader.

When leaders use force

Since targeted populations generally respond to salient threat out of either insecurity or anger, as mentioned above, they will tend to rally behind leaders that can ensure their protection or effectively retaliate. This offers leaders a prime opportunity to maximize public support for their hold on power, while simultaneously pressuring particular forms of action as the population becomes more unified. Both cases suggest that leaders will be able to rally greater support, thus preserving their sovereignty and material interests, through more hawkish action, as the public may not view low-level threats or diplomacy as effective means to protect them. As the number of attacks on civilians increases, the population unifies against external threat and the domestic costs of perceived concessions also increases, and the relative costs of using force against an aggressor decreases. Some evidence even suggests that the population can punish leaders who back down on threats, particularly against rivals, and replace the leader with a more hawkish alternative (Colaresi, 2004). So even in cases where targeted state leaders initially take more dovish actions, we should see uses of force become more likely after repeated attacks on civilians compel the targeted population to pressure a change in the leader's behavior or

replace the leader with someone who will respond more aggressively.

Hypothesis 1: *Targeted state leaders are more likely to use force following attacks on their civilians.*

Hypothesis 2: *Targeted state leaders are more likely to use force as the number of attacks on their civilians increases.*

Whether the leader can use force to rally the population in their favor still depends, however, on whether enough of the population would likely unify following a civilian targeting confrontation or set of confrontations if the leader responds effectively. Only indiscriminate targeting, as I have argued above, should unify both victims of attack and those that have not suffered attacks behind the same perception of threat, because only indiscriminate targeting suggests that non-victims may become victims in the future, regardless of their behavior. The more of the population that regards themselves as potential targets, the more likely that population will be to view a foreign actor as a salient threat. Thus, civilian targeting presents an opportunity to gain support, but only in response to repeated *and indiscriminate* targeting. Because selective targeting does not activate the same domestic processes, leaders lack the same ability to use civilian targeting to rally public support, as well as pressure to respond hawkishly or face domestic costs. Leaders will thus be more likely to use force in response to indiscriminate attacks against indiscriminate civilian targets, particularly if these attacks are repeated, and we should see a negative or null effect in response to selectively targeted civilian groups.

Hypothesis 3: *Targeted state leaders are more likely to use force following attacks on villagers and other indiscriminate civilian targets.*

Hypothesis 4: *Targeted state leaders are either less likely to use force following attacks on fishermen and shipping crew or there is no effect.*

The relationship between the response of the population and the response of the leader could be reversed. Rather than leaders anticipating the response of the population and acting accordingly, leaders may have the power to influence the response of the population to their preferences. If this is the case, leaders could choose diplomacy or inaction against the perceived interests of the populations, and then repress dissenters or appease dissenters by other means in order to avoid costs which place their hold on power at risk. However, the more unified the population, the more costly would be any effort to repress or otherwise appease dissenters. Further, unresolved grievances increases the risk of political violence and threats to the leader's hold on power (Regan & Norton, 2005). Leaders could benefit more from using the threat to rally the population through hawkish action, securing power rather than threatening it.

Research Design

My sample includes directed dyad-months from 1946 to 2010, beginning with the month that the dyad experienced its first confrontation. Each dyad exits the sample once five years (sixty directed-dyad months) have passed without a confrontation, and the dyad experiences no further confrontations for the remainder of the temporal domain. Structuring the data in this way allows me to study the development of conflict processes within the dyad over time by month, while reducing zero inflation from dyads that experience relatively few confrontations. This results in 129,969 directed dyad-months under study.

I recognize that my use of English-speaking sources to collect confrontation data on civilian targeting can introduce bias into an otherwise globally comprehensive sample. Particularly in exploring the causes of civilian targeting, a sample that excludes events happening locally, which do not reach international news circulation in English, faces measurement bias. In fact, future research may find the leaders are more likely to initiate attacks on civilians when the international community is unlikely to take notice, a relationship difficult to explore if a sample only includes events reported in English-speaking newspapers. However, the sample resulting from English-speaking sources is sufficient and effective for the scope of my argument exploring effects rather than causes of civilian targeting. Actions that reach foreign information sources also suggest that the populations within targeted states, being much closer to the site of conflict, are more likely to be aware of the attack, even if they did not personally suffer costs. To perceive threat from an action, the population first have to be aware of the action. The collection of confrontations within the data thus present a good sample of cases where we would most expect to see populations unify behind a similar perception of threat, pressuring leaders to respond with force. If we observe no statistically significant effect for these cases, it is unlikely civilian targeting affects the nature of militarized responses from targeted states.

In order to analyze whether targeted states use force shortly after attacks on their civilians, I estimate the duration of peace following civilian targeting confrontations using an ordinary least squares model. My dependent variable is the number of months between the attack on civilians and the targeted state attacks the aggressor. I specifically look at attacks rather than all uses of force to capture more severe forms of action, since blockades, seizures, and the like can also signal posturing or threatening behavior without invoking

the same costs as an overt attack. I conduct 4 models: a base model estimating the effects of all civilian targeting, two models comparing the effects of attacks on villagers against fishermen and shipping crew in order to analyze responses to indiscriminate versus selective targeting, and a final model using the effects of attacks on refugees as a robustness check. I also include marginal effects for the independent variables of interest, along with their interactions. I discuss these models and their associated variables in more detail below.

Primary independent variable: civilian targeting

My primary independent variable is whether the initiating state attacks the civilians of a targeted state. I coded an attack as targeted if there was no evidence of military presence in the sources that would render the attack proportional according to the international legal definitions discussed previously. All cases of civilian targeting in my sample are attacks on civilian objects which violate the law of proportionality, though some cases may involve legitimate civilian targets if the aggressor can defend the attack's strategic value.² I did not attempt to discern intent, declared or otherwise, so attacks described later as accidents were still coded as targeted incidents. While discerning intent may be important for studies exploring the causes of civilian targeting and which strategies leaders may employ to do so, targeted populations suffer the same costs whether or not their aggressor *intended* to attack them. So the effects I am analyzing for the scope of this paper should also be the same, regardless of intent.

²Attacks on rebels were also included in the data as civilian targeting incidents so that studies of civil conflict which diffuse into neighboring territories may benefit from records of rebel activities. However, for this project, I only study attacks on noncombatant civilians. I treated civilian targeting variables in which the civilian group identity was labeled "rebels," "insurgents," or "combatants" as though no civilians were targeted or collateral.

Model 1 analyzes the effects of all forms of civilian targeting on the likelihood that the targeted state responds with a use of force in the proceeding month. Models 2 and 3 examine whether this response varies, depending on whether the attack resembles indiscriminate or selective civilian targeting. I use civilian group identity to differentiate these different forms of attack. For selective targeting, I suggest that attacks on fishermen and shipping crew adequately fit the definition. Aggressors target these groups based on the actions they take. Aggressors only attack fishermen when they violated claimed or disputed maritime economic zones, and they usually attack shipping crew during linked conflicts, in which shipping vessels are ferrying resources to the aggressor's enemy. Conversely, attacks on villagers most often take place without regard for the actions or preferences of the civilians, but because they happen to be within reach or reside in strategic territories. These attacks are indiscriminate, and should result in a higher likelihood of a reciprocal use of force in the subsequent month.

Other independent variables and controls

I include additional independent variables for the number of past attacks on civilians, land contiguity, capability ratio, democracy, rivalry, and ongoing civil conflict, each discussed in more detail below. The dyadic data available for all of these variables, except for the number of past attacks on civilians (which comes from the confrontation data I collected), use years as time units. Because my unit of analysis is the directed dyad-month, I expanded these datasets, using the last value to fill in missing months and create dyad-month data. Since land contiguity, capability ratio, democracy, and rivalry do not experience much, if any, variation by month, expanding the data in this way does not

present problems for inference. The start of a civil conflict may vary by month, but it is unlikely that a civil conflict begins without some ongoing dispute between the state and domestic groups in the months preceding, which is the essential factor I am trying to capture, so this too should not present issues for inference. I discuss each variable and its measurement below.

Number of past attacks on civilians

I argue that we should be more likely to see leaders use force after repeated attacks on civilian populations, since repeated behavior increases the expectation that the aggressor may strike again. Repeated indiscriminate attacks also suggest to a greater portion of the population that they could become targets in the future, spreading a perception of salient threat and activating a hawkish response from leaders in order to satisfy the public. I thus include a count measure of the number of past attacks on civilians within the dyad.

Land contiguity

Land contiguity remains one of the strongest predictors of escalatory militarized action between states. Territorial disputes over homeland territories are the most salient forms of dispute, exacerbating the propensity for conflict escalation, and contiguous homeland territories are more likely engage in such disputes (Gibler, 2017). Likewise, contiguity makes uses of force tactically possible for states that do not have the material capabilities to project force beyond their borders. Further, once states settle their borders with neighboring territories, we see states begin to de-centralize and democratize, reinforcing the relationship between contiguity and escalatory - or de-escalatory - behavior.

Contiguous territories should be more likely to suffer from indiscriminate attacks, and thus more likely exhibit uses of force. I include a binary measure of land contiguity Stinnett et al. (2002), expanding these values for state system members in all months beyond the end of the coded data since contiguity remains constant.

Capability ratio

States with comparable material capabilities are more likely to escalate militarized conflict, since both states lack information concerning who is more likely to be victorious (Geller et al., 1998). Some evidence suggests that targeted states may be less likely to escalate if they view escalation as too costly relative to other forms of action (Benard et al., 2017). If civilian targeting rallies the population and pressures hawkish behavior, as I have argued, then leaders choosing how to respond must balance the domestic costs of dovish behavior against the material costs of using force against the enemy. Using force will be considered less costly in the long term if the targeted state's relative capabilities are competitive and doing so has a greater chance of leading to victory. Thus, we would expect states suffering from civilian targeting confrontations to be more likely to respond with a use of force as the capability ratio between aggressor and target approaches parity. To measure capability ratio, I use the Composite Index of National Capability scores (Singer et al., 1972), which includes measures of population, iron and steel production, energy consumption, and military personnel and expenditures.

Joint democracy

Though democracies are no less likely to initiate extreme incidents of civilian

targeting than autocracies (Downes, 2008), *targeted* democracies may respond more passively, particularly if both states are democratic. Democracy provides a useful signal of domestic dynamics, since democracies offer direct means for the population to hold their leader accountable. If populations influence state behavior in the way I have argued, then we should see a difference between the effects of indiscriminate and selective targeting for democratic states. I consider joint democracy because it is in these cases that the theory I have argued should be least effective, even with the institutional means to hold leaders accountable. A considerable body of literature touts that democracies do not tend to fight one another. Taking both the domestic and dyadic role of democracy into account, the result should be robust to the potentially pacifying effects of joint democracy for indiscriminate targeting over selective targeting. I use Polity IV's 20-point polity scale of regime type for the targeted state Marshall & Jaggers (2002). I also run an interaction term to analyze whether democratic dyads respond differently to attacks on their civilians than other regimes.

Rivalry

Among other conflict processes, dyads who gain rival status have been found more likely to engage in crisis escalation (Colaresi & Thompson, 2002), fight more often (Goertz & Diehl, 1993, 1995), elect more hard-lined leaders which perpetuate rivalry (Vasquez, 1993, 2009), and use mass killing against civilians to quell domestic dissent (Uzonyi, 2018). If the states at dispute are rivals, even after a period of relative peace, this lasting enmity may explain an escalatory response using force, rather than the factors I've described which allow civilian targeting to mechanize state behavior. I therefore include a control for

whether the states are considered rivals during the month of the civilian targeting confrontation.

Ongoing civil conflict

In order to account for conflict among domestic actors, I also include a dummy variable for whether there is an ongoing civil conflict during the same month as the civilian targeting confrontation. Some work suggests that unifying behind national group identity may not be a universal response. Domestic dynamics among sub-state ethnic or social groups may reinforce divisive lines between these groups if some groups do not view others as legitimate citizens of the state. In times of external threat, leaders may target these illegitimate groups as out-groups, rather than seek their support (Tir & Jasinski, 2008). Combined with an exclusionary ideology, external threat may even allow leaders to justify attacks on these sub-state out-groups through such extreme measures as mass killing (Hong & Kim, 2019). These studies suggest that attacks on members of the sub-state out-group would not activate the same militarized responses as attacks on citizens that leaders view as “legitimate” or are necessary to maintain their hold on power. If domestic divisions are pronounced enough to influence state behavior, we would expect some form of civil conflict to be more likely. Thus, the ‘ongoing civil conflict’ variable provides a proxy for whether the leader is at dispute with some faction of the domestic population, such that they would be less concerned with maintaining public support and using force if said opposing faction were attacked.

Tanker war

Finally, I include a control for whether an attack on shipping occurred during the Tanker War of the 1980s. This time period was marked by a sharp increase in attacks on shipping in the Persian Gulf linked to an ongoing war between Iraq and Iran. This control is particularly relevant for the third model, which examines the attacks on fishing and shipping. I do also include the control in the first model analyzing all attacks on civilians.

Robustness check

My theory in part hinges on this distinction between indiscriminate and selective targeting. I have used group identity as a mechanism to get at which types of civilian targeting attacks fit into each category, using these groups to compare the nature of leaders' responses. However, the groups I identify - villagers being attacked indiscriminately, while fishermen and shipping crew are attacked selectively - suggests that territory rather than civilian targeting may be the factor explaining the use of force. Attacks on villagers mean an attack on homeland territories. Attacks on fishermen and shipping crew inherently occur away from homeland territories. While an attack on homeland territory is almost certainly a salient factor explaining variation in militarized responses, it is difficult from these group distinctions to assert that civilian targeting is also a distinct factor. So I include a robustness check which analyzes whether leaders use force in the month following an attack on refugees. Refugees do not share the same national identity as the rest of the population, and so should not activate the same dynamics as the indiscriminate targeting of villagers. But since attacks on refugees also occur on homeland

territories, we can isolate territory as a factor and learn whether civilian targeting is a factor driving state behavior, or whether threats to territory alone motivate escalation. If states do not tend to use force following attacks on refugees, but do use force following attacks on villagers, then I can more robustly infer that I am indeed capturing the effects of civilian targeting, and not just territorial threat. These results are in Model 4.

Results and Discussion

Because I used an Cox proportional hazards model, the coefficients for all models represents the hazard ratios associated with introducing an attack on civilians during a particular month over the lifetime of the dyad. The greater the hazard, the less time until a failure event - in this case, when the targeted state attacks State A. A coefficient over 1 designates a greater hazard, while a coefficient less than 1 indicates a lesser hazard. A hazard ratio of exactly 1 indicates no meaningful change. So in Model 1, the coefficient tells us that any civilian targeting attack increases the hazard of the targeted state attacking State A by 44% when both states are democracies. Figure 4.1 shows the same estimates as a coefficient plot with 95% confidence intervals to show the precision of these results. Figure 4.2 shows the Kaplan-Meier failure curves for each type of attack on civilians, showing the hazard of failure over time for a reciprocatory attack from the targeted state compared with the baseline model.

Key variables operate as argued, with indiscriminate targeting against civilian populations within homeland territories overcoming even the pacifying effects of joint democracy. Table 4.2 shows five columns: (1) a baseline model analyzing the effects of foreign attacks all civilian groups; (2) the effects of foreign attacks on villagers and other

indiscriminate targets within homeland territories; (3) the effects of foreign attacks on shipping crew and fishermen; and (4) the robustness model analyzing the effects of foreign attacks on refugees within homeland territories. In Model 1, we see that civilian targeting does increase the hazard of an attack from the targeted state, even when interacted with joint democracy, which reduces this hazard. Models 2 and 3 reveal interesting findings.

I have argued that leaders will be more likely to attack their aggressors following an indiscriminate foreign attack on civilians, but not a selective attack. Indiscriminate attacks activate a perception of salient threat among the population that pressures leaders to take action. If I am capturing this effect, attacks on villagers, settlers, herders, and other targets that most often reflect indiscriminate attacks should increase the hazard of an attack from the targeted state. Indeed, Model 2 supports this finding. More importantly, these attacks, once again, overcome the pacifying effects of joint democracy. Within joint democracies, targeted state leaders will take militarized action against State A following indiscriminate attacks on their civilians with a 41% greater likelihood than if no civilians were targeted. This finding also supports my theory in regards to domestic behavior, since within democracies (where the population has direct means of removing leaders from power), indiscriminate civilian targeting increases the pressure on a targeted state to attack its aggressor.

Similarly, if what I have argued holds water, more selective attacks on shipping crew and fishermen should lessen the hazard of an attack, or there should be no effect. If we observe the constituent terms in Model 3, selective civilian targeting still reduces the hazard an attack, but by a slightly smaller margin - only 29%, compared with the 41% we observed from indiscriminate attacks. Figure 4.1 affirms that the estimate for

Table 4.1: The Hazard of Reciprocatory Attacks following Civilian Targeting, 1946-2010

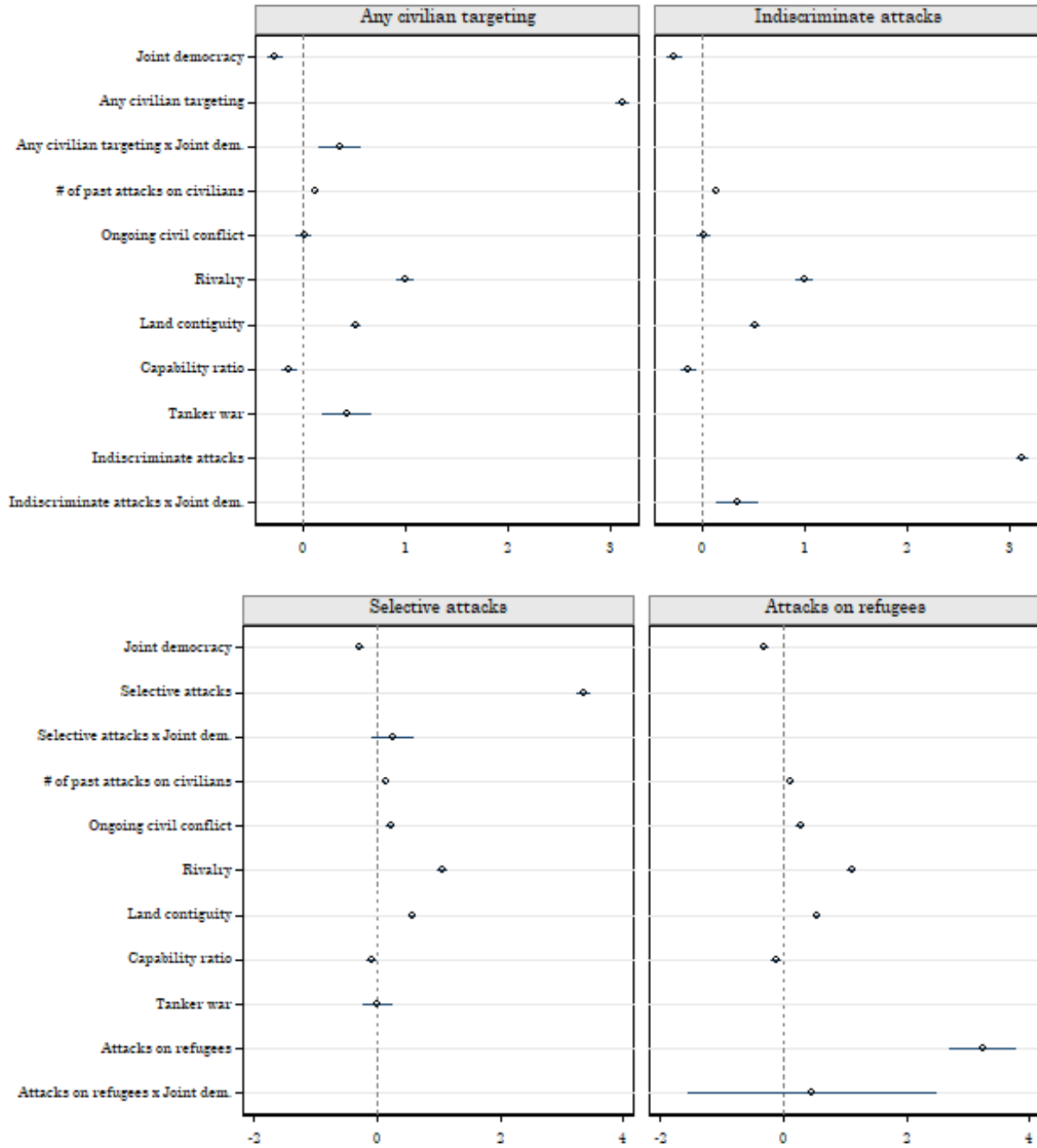
	<i>DV: Time-to-event failure (State B attacks)</i>			
	(1)	(2)	(3)	(4)
Joint democracy	0.77*** (0.030)	0.76*** (0.030)	0.76*** (0.029)	0.75*** (0.027)
Any civilian targeting	22.87*** (0.791)			
Any civilian targeting x Joint democracy	1.44*** (0.140)			
Indiscriminate attacks (on homeland populations)		22.82*** (0.784)		
Indiscriminate attacks x Joint democracy		1.415** (0.145)		
Selective attacks (on shipping crew and fishermen)			28.86*** (1.679)	
Selective attacks x Joint democracy			1.30 (0.226)	
Attacks on refugees in homeland territories				25.73*** (2.89)
Attacks on refugees x Joint democracy				1.61 (1.66)
# of past attacks on civilians	1.14*** (0.002)	1.14*** (0.002)	1.15*** (0.002)	1.15*** (0.002)
Ongoing civil conflict	1.02 (0.039)	1.02 (0.039)	1.25*** (0.046)	1.32*** (0.048)
Rivalry	2.72*** (0.117)	2.73*** (0.117)	2.94*** (0.126)	3.04*** (0.130)
Land contiguity	1.69*** (0.047)	1.68*** (0.046)	1.81*** (0.050)	1.73*** (0.047)
Capability ratio	0.88** (0.036)	0.879** (0.036)	0.92** (0.037)	0.89** (0.036)
Tanker war	1.56*** (0.19)		1.02 (0.134)	
Observations	129,969	129,969	129,969	129,969

Robust standard errors in parentheses.

Note: *p<0.05; **p<0.01; ***p<0.001

indiscriminate attacks is more precise. More importantly, when interacted with joint democracy, this relationship disappears; discriminate civilian targeting loses statistical significance. Only indiscriminate attacks overcome the pacifying effects of democracy. Though democracies are unlikely to fight difficult battles, favoring low-stakes maritime conflicts that are easier to win (Reiter & Stam, 2002), this finding suggests that even for

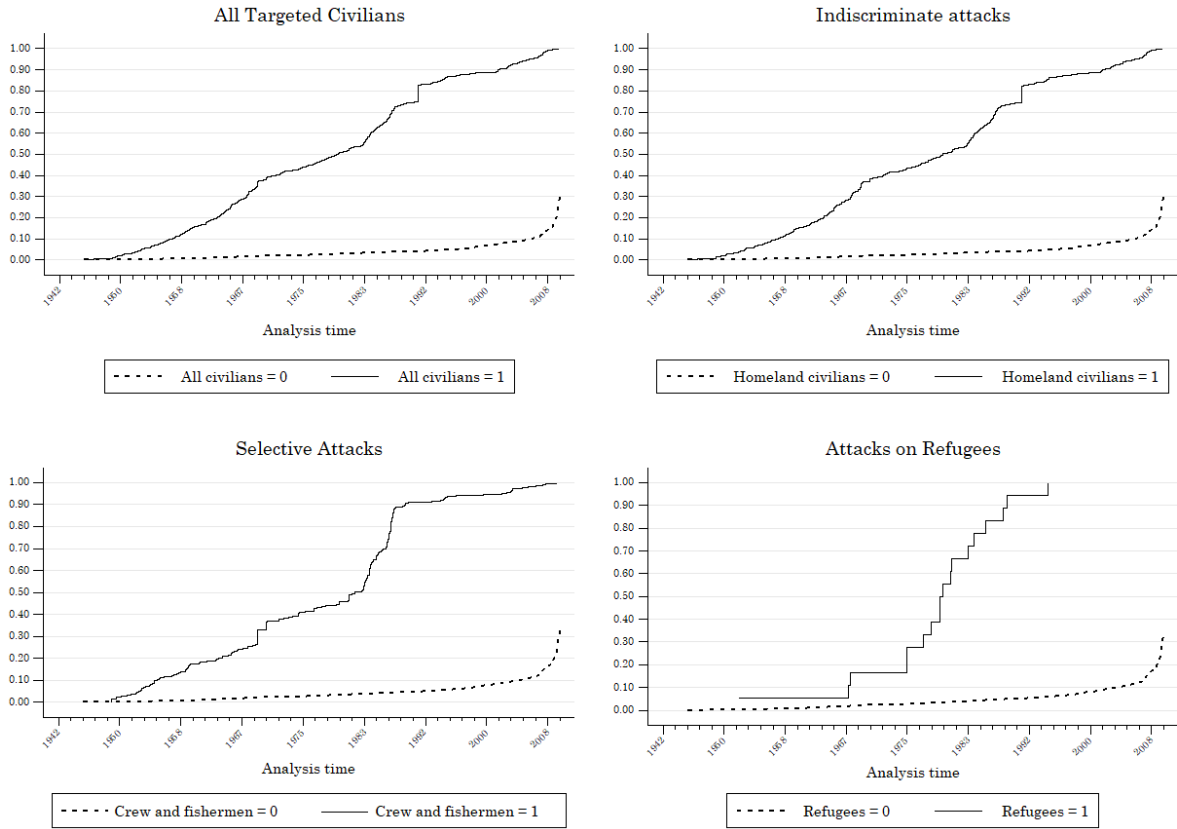
Figure 4.1: Coefficient plot for Table 4.1 with 95% CIs



low-stakes conflicts, civilian targeting is unlikely to provoke an escalatory response within democratic dyads.

The final model offers leverage over whether I am capturing some distinction

Figure 4.2: Kaplan-Meier Failure Curves for Attacks on Civilians



between the effects of indiscriminate versus selective targeting, or whether I am simply capturing the salience of attacks on territory. The indiscriminate attacks I identified based on civilian group identity all occur on homeland territories, while the selective attacks all occur away from homeland territories. Refugees uniquely bridge this distinction, since they are selective attacks on homeland territories. Model 4 lends support to my theory. It operates very similarly to the selective attacks from Model 3. The constituent terms remain statistically significant, but this time by a greater margin. This relationship loses significance when interacted with joint democracy. These results suggest that attack on refugees behave more like selective civilian targeting than attacks on homeland territories. I

am indeed capturing the effects of particular types of civilian targeting, not just attacks on territory.

The number of previous attacks on civilians increases the hazard of an attack from the targeted state in all models. As attacks continue, the population's ability to unify behind a common perception of salient threat increases, as does the pressure this places on leaders. This variable behaves as expected, and supports my second hypothesis. Contiguity increases the hazard of an attack from the targeted state in all models, as we would expect. Capability ratios have a statistically significant effect on reducing the hazard of a retaliatory attack on State A as dyadic capabilities approach parity.

The proxy for divisions between the leader and their population - shown here as an indicator of ongoing civil conflict in the targeted state - operates cohesively with existing literature. Ongoing civil conflict increases the hazard of an attack from the targeted state when refugees are the target. These attacks most likely reflect some conflict with neighboring states where refugees have fled civil conflict in their own states, and may even be suspected of harboring rebels. The only other model in which ongoing civil conflict significantly influences the hazard ratio is following selective attacks, once again showing that responses to attacks on refugees more closely resemble those to selective attacks than to indiscriminate attacks.

The finding with rivalry is intuitive. Rivals already have enmities which have developed over time due to past militarized confrontations, suggesting that the targeted state should be more likely to attack sooner. The leaders suffers fewer restraints from the population which would otherwise prevent them from engaging in costly conflicts, since the foreign entity is already viewed as an enemy and source of salient threat. The results

support this notion. Rivalry increases the hazard of an attack from the targeted state.

In sum, I find consistent support for Hypothesis 2 concerning the number of previous attacks on civilians, Hypothesis 1 (concerning civilian targeting, generally) and Hypothesis 3 (concerning indiscriminate attacks on civilians). These attacks increase the hazard of an attack from the targeted state, even overcoming the pacifying effects of joint democracy. Hypothesis 4 earns only partial support, as selective attacks on shipping crew and fishermen do lose significance, but only when interacted with joint democracy. The robustness model using attacks on refugees lends support to my theory and Hypothesis 3, as attacks on refugees behave more like attacks on shipping crew and fishermen than attacks on villagers, settlers, or other indiscriminate targets within homeland territories.

Implications

The presence of militarized action alone tells us little about the factors which induce the kind of conflicts that persists, nor the interstate enmities that impel these conflicts. I sought in this chapter to explore more deeply one of the points during the course of militarized hostilities that interstate relations become more at risk of inciting retaliatory action. If we can identify the particular actions that lead targeted states to use costly force rather than pursue diplomacy or engage in lower-level posturing and threats, then we have moved one step closer to learning ways to prevent these kinds of actions in the future. I have argued here that targeting civilians is one such action, which can lead targeted states to engage in retaliatory force.

My theory relies on the relationship between leaders and their populations. If attacks on populations influence state leaders' behaviors toward their attacker, there must

be a connection between civilian victims and the interests of leaders. Populations perceiving salient threat from a foreign foe will rally behind leaders that can effectively protect them. As more of the population experiences this perception of threat, the leader greater more benefits from tapping into this rally effect to gain support and consolidate power. However, diplomacy and low-level threats or shows of force may not effectively signal to the population a capability or willingness to defend their interests, making a use of force more likely. The key element, then, becomes how populations - which are often inherently divisive and ideologically heterogenous - may unite behind the same perception of threat, especially if only a few civilian locations suffer an attack.

I have suggested that the distinction Kalyvas (2006) made between indiscriminate and selective targeting is essential to understanding the dynamics of interstate conflict as much as civil conflict. Populations perceive threat when they view themselves as potential targets. When states target civilians indiscriminately, action does not protect them from the costs of conflict. If their own agency cannot protect them, then any civilian can become a potential target, activating the kinds of threat perceptions that rally populations and influence state behavior. Selective targeting tells a different story, wherein only particular actions lead to costs.

So in my research design and statistical analysis, I focused primarily on comparing which type of attack on civilians - indiscriminate or selective - places aggressors at greater risk of experiencing a retaliatory attack. Results supported my theory. Indiscriminate targeting against civilian groups who took no particular action to instigate the attack increased the hazard of retaliation, even when other factors such as joint democracy should have increased the incentive to pursue diplomacy or other alternatives instead. Selective

targeting also saw an effect, but this effect depended entirely on the absence of joint democracy. And just to be sure that attacks on territory rather than attacks on civilians were not driving my results, I included a robustness model for selective attacks on refugees within homeland territory. This model behaved as other selective attacks, only leading to a retaliatory attack in the absence of joint democracy. In other words, indiscriminate attacks are more resilient to other factors - such as joint democracy - which may be assumed to ameliorate the escalatory effects.

One important takeaway from the results described above is that while joint democracy determines a strong distinction in the way targeted states respond to indiscriminate versus selective attacks, civilian targeting in general matters. Regardless of which civilian group identified in this paper is targeted, attacking civilians still increases the risk of escalated violence more quickly in the future.

Future work would benefit from exploring more deeply as data becomes available which ethnic groups or social groups were targeted, even in homeland territories, and whether these groups are closely represented within the existing government. I offered reasoning for considering attacks on villagers and similar groups within homeland territories as indiscriminate attacks, since the line between indiscriminate and selective relies on action, not identity. But identity could play a significant role in activating the escalatory dynamics I have described here. Likewise, a closer look at how dyadic relationships which suffer from civilian targeting incidents find resolution, and if negotiated settlement is likely in these cases, could further our understanding of the factors which obstruct lasting peace.

This study tells us that civilians matter for conflict processes and material interests, not just for esoteric interests in the value of human life. Civilian losses factor into the costs

of conflict in meaningful ways that motivate state-level behaviors. Populations are not merely collateral damage; they are agents who can lend greater power to their leaders based on changes in their perception of threat during international conflicts. Leaders will act to preserve this support, even if it escalates hostilities vis-a-vis their aggressor, so strategists should engage tactfully in designing militarized tactics affecting civilian populations.

PACIFYING STATE INTERESTS:
INTERNATIONAL HUMANITARIAN LAW AND CIVILIAN TARGETING

Most states in the international system behave according to clearly-delimited codes of conduct most of the time. Whether through multilateral treaties or intergovernmental organization (IGO) rules and mandates, international law is pervasive in defining which behaviors are deviant or acceptable. However, violations of international law remain frequent, and the circumstances that prompt noncompliance remain elusive, largely because discerning how and when international law pacifies state interests requires also discerning which norms of international law have been internalized within the international system. Only after provisions within international law have reached the status of customary law, being widely accepted and practiced among states in the international system, can we expect states to adjust their behavior according to those provisions.

International humanitarian law provides a useful arena to explore when international law can potentially pacify state interests. Being well-established through the 1949 Geneva Conventions and 1977 Protocols to the Geneva Conventions, I analyze whether international humanitarian law shapes state behavior. In particular, I ask whether Protocol I to the Geneva Conventions decreases the likelihood that states will initiate attacks on foreign civilians.

One key difficulty concerns identifying norm effectiveness, whether norms of international humanitarian law influence either deviant or compliant behavior. If

international law pacifies state interests, it is because the *norms* of international law reflect internalized patterns of behavior in the international system. While violations of international law are often apparent, states can choose to *comply* with a norm of international law for myriad reasons, which may or may not result from the norm itself. States who respect maritime boundaries, for example, may do so because they respect the norm of territorial sovereignty which extends to a state's territorial sea. Or states who respect maritime boundaries may simply lack a pre-existing territorial dispute, rivalry, or other state interest which would incentivize more aggressive action.

Views concerning norm effectiveness remain mixed. From a constructivist perspective, as more states internalize the norm, remaining states face international and domestic pressures to conform. A state may then comply with the norm because it has modified its interests or preferences in response to these pressures (Risse-Kappen et al., 1999). Checkel (2001) argued that argumentative persuasion mechanizes social learning, which leads to changing preferences and subsequent norm compliance. Alternatively, states may seek to revise the norm through broadening or narrowing the scope of issues to which the norm is applicable (Grigorescu & Replogle, 2016), rather than simply reject or yield to the norm. Norms become effective through revision to meet the evolving interests of the international community.

The neorealist position asserts that norms have little or no independent coercive power, but instead are natural outcomes of competition and socialization in an anarchic system. In the end, the most successful states resemble one another in adopting similar norms, and norms are only effectual while powerful states choose to adhere to them (Waltz, 1979). Likewise, institutions alone do not predict peace, contrary to the neo-liberal

tradition, but instead reflect competitive state interests. Power dynamics predict both institutional development and incidents of peace or conflict (Mearsheimer, 1994), though cultural norms can still potentially frame the manner in which states seek power and to what end (Katzenstein, 1996).

The scholarly debate concerning the democratic peace theory provides a clear example of conflicting views towards democratic norm effectiveness. Proponents have argued that democracies do not tend to fight one another because democracies intrinsically promote more effectual cooperative and pacifying norms than their non-democratic counterparts (see, for example, Russett (1994), Fukuyama (2006), Wendt (1999), and Russett & Oneal (2001). Even in instances of threat, compliance with these norms inhibits the likelihood that democratic states will initiate escalatory behavior against non-democratic states (Huth et al., 2002). Liberalizing norms have independent coercive power. Skeptics, on the other hand, have cited empirical evidence suggesting that democracies do not in practice behave according to the proposed norms underlying the democratic peace theory (Rosato, 2003), and that other interests, such as settling territorial borders, give rise to both democracy and peace (Gibler, 2007). Compliance with cooperative and pacifying norms could either result from the intrinsic values of democratic regimes, or perhaps result from a lack of competing state interests as salient issues become resolved.

This paper demonstrates that both schools of thought carry empirical merit. Standards of international humanitarian law *do* independently pacify state behavior during interstate conflict, particularly for indiscriminate attacks, but only when both states in the dyad have ratified those standards. System adoption of these standards is insufficient on its

own to overcome state interests within the dyad. Contrary to expectations, joint ratification of Protocol I does discourage states from low-fatality attacks on foreign civilians, even though these actions are a manner of norm violation less likely to render prosecution in the International Court of Justice. I posit the consequence for deviance in these cases primarily comes from the other state in the dyad, either through militarization or diplomatic advantage in the future. System-level processes seem most valuable in writing and ratifying widely-recognized international legal standards, pressuring other states to adopt these standards and increasing the likelihood that both states in a dyad will have ratified a particular law. In the following sections, I discuss the relationship between international law, norms, and state interests. I estimate the likelihood that states will initiate attacks on foreign civilians, and conclude with final thoughts for interstate peace.

When International Humanitarian Law Matters

As it pertains to international conflict, we should expect two dimensions to influence whether international humanitarian law pacifies state behavior: 1) the strength of the law within the international system, and 2) the predominance of other state interests in the dispute. For the first, I study how international law constructs norms which proponents suggest motivates patterns of state behavior. For the second, I consider how threats to state sovereignty may present salient state interests that make compliance with international law more difficult.

Norms and international law

One of the predominant ways in which international law pacifies state behavior is

through clearly defining strong, persistent norms among international system states. I conceptualize norms using Axelrod's (1986) behavioral definition, which regards norms as being standards of conduct that exist within a social group as long as its members adhere to said standards. In this case, the social group is the international community. Finnemore & Sikkink (1998) tell us that socialization and institutionalization are benchmarks for norm development, meaning that for a particular standard of behavior to root itself within the international system to the degree that it would influence state behavior at the dyadic level, there must be some means by which this standard diffuses through the system. Importantly, norms develop and persist through enforcement, or delivering some form of punishment to members who violate these standards. Repeated interactions between states in which states reinforce a particular standard through punishment of deviant behavior socializes states to behave in similar ways that avoid this punishment. In other words, states tend to adopt behaviors that were successful for other states, and success is often reliant on approval from the international community.

However, norms are not created equally. If states adopt behaviors which avoid punishment, the punishment must be a credibly plausible consequence. This means that only norms which are well-established and clearly-defined will have likely diffused into the international system to the degree that it would influence state behavior, because only these norms can send the credible signal that deviant behavior will result in punishment. Thus, strong norms are clear, institutionalized, and collectively recognized, and should be more likely to influence state behavior during interstate disputes.

International law provides one verifiable way to conceptualize and measure strong norms, as the law clearly defines standards of behavior and punishments commensurate to

violation. In practice, once the majority of members within the international system comply with the law and the implied policies it constructs, the law becomes the norm (Franck, 1995). Without a global mechanism enforcing international law, compliance relies on other state-led enforcement mechanisms, such as sanctions, severing diplomatic relations, or in more severe cases, militarized confrontation. The International Court of Justice (ICJ) provides an alternative to unilateral action, allowing individual states to hold violators of international law accountable on a global stage.

The ICJ operates as the judicial organ of United Nations global governance. All member states of the UN are subject to the ICJ Statute and may prosecute other member states for international legal violations. Through this process, the United Nations provide one of the primary mechanisms for states to clearly define, codify, and regulate international legal norms, particularly following World War II (Brownlie & Baker, 1973; Meron, 1987). Most member states in the UN have accepted and institutionalized sets of norms governing war crimes (Meron, 1994), domestic human rights protections (Meron, 1989; Sohn & Buergenthal, 1973), territorial sovereignty (Crawford & Crawford, 2006), and shipping and fishing rights (Churchill & Lowe, 1999), to name a few. States choose to operate through IGOs, such as the UN, because they offer a unique set of benefits. Below I briefly discuss the relationship between IGOs and norm development to clarify how international law uses IGOs to internalize its norms within the international system. I then examine the relationship between the UN, the ICJ, and international humanitarian law more particularly.

IGOs and norm development

Because IGOs rely on continual intergovernmental interaction, system membership in an IGO serves to promote both international law and lasting peace (Russett et al., 1998; Russett & Oneal, 2001). IGOs reduce uncertainty among states through mutual information sharing and set mandates for membership and participation. Once international law is codified, IGOs maintain governance, often providing a global mechanism of accountability to punish states who deviate from established norms. The World Trade Organization (WTO), for example, regulates international trade agreements between and among states, monitoring compliance with these agreements and providing a platform to diplomatically settle trade disputes. IGOs have particularly pacifying effects when comprised largely of democracies (Pevehouse & Russett, 2006), though this finding may indicate that major powers (often democracies) are driving the effect rather than the IGO itself (Waltz, 1979). Even if the independent effect of IGOs is more limited, IGOs still provide indirect links between states that can operate like direct diplomatic ties (Dorussen & Ward, 2008) and promote compliance with peaceful agreements, particularly if the settlement is binding (McLaughlin Mitchell & Hensel, 2007).

IGOs merge state interests toward cooperative ends. IGOs promote international norms, integration, and economic interdependence, rendering deviant behavior more costly than pursuing other individual interests that may violate a norm or set of norms. The stronger and more frequent the degree of diplomatic communication between a pair of states, the more certainty likely exists regarding each state's preferences and intentions, and the more costly will be any action that violates this relationship.

Of course, this dynamic reveals a selection effect. Because states choose in which IGOs to be active, states only choose to participate in those IGOs that they view as diplomatically beneficial (Boehmer et al., 2004). As more states join a particular IGO, the benefit a state can attain from membership vis-a-vis international cooperation and information-sharing will increase. Because membership obliges states to adhere to IGO rules and mandates, often aligning with international law, membership also encourages norm compliance and improves the strength of the norm as more states become members (Barnett & Finnemore, 1999).

Normalizing international humanitarian law

Much of international humanitarian law has been codified through the 1949 Geneva Conventions and 1977 Protocols. Civilian targeting, as I have conceptualized it thus far - concerning non-combatant civilians during times of international armed conflict - most aptly falls under the scope of Protocol I to the 1949 Geneva Conventions relating to the Protection of Victims of International Armed Conflicts. In particular, Article 51 prohibits both targeted and indiscriminate attacks on civilian populations (ICRC, 1977).

As I have discussed, laws and norms are intimately connected. Once international laws are widely accepted and practiced within the international community, such that the laws themselves influence state behavior, these laws are considered “customary norms.” The provisions of Protocol I to the Geneva Conventions are customary norms, indicating that the provisions against civilian targeting hold a high degree of strength among system states. However, there is an even more particular concept under which these provisions also fall - *jus cogens*, or peremptory norms. *Jus cogens* are norms of international law which

have no derogations. These norms represent the most universal code of conduct that binds the international community. No other treaties or laws may violate them. International humanitarian law actively and intrinsically protects the inherent right to life of every human being, marking many of its norms to have achieved the status of *jus cogens*.

In 2019, the International Law Commission of the United Nations affirmed how the UN gains evidence that the international community has recognized and accepted a norm of international law, such that the norm is a peremptory norm. The Commission concluded the following:

Such forms of evidence include, but are not limited to: public statements made on behalf of States; official publications; government legal opinions; diplomatic correspondence; legislative and administrative acts; decisions of national courts; treaty provisions; and resolutions adopted by an international organization or at an intergovernmental conference (ILC, 2019).

The Commission also affirmed subsidiary means, such as international courts and tribunals, particularly those of the ICJ. These details highlight the connection between UN participation, the ICJ, and the strength of international humanitarian law within the international system. The UN, as an IGO with the legal organ of the ICJ to prosecute violations against the laws and norms it has established, acts to pacify any otherwise militant or peace-threatening state interests. Because we know that civilian targeting violates *jus cogens* norms of international humanitarian law, we would expect UN member states to avoid initiating attacks on foreign civilians. Yet, we also know that these attacks occur with some frequency. The relationship between state interests and international law can explain some of this variation, and clarify when we might see states target civilians rather than comply with international humanitarian law.

State interests and international law

If a state adheres to international humanitarian law and agrees to be potentially prosecuted through the ICJ if it fails to comply as members of the UN, this suggests that the state's interests align with the interests of the law. However, salient state interests may challenge the perceived efficacy of complying with international law or through UN channels in other cases (Mearsheimer, 1994). Territorial threats are well-supported as a salient state interest, being more likely to recur (Hensel, 1998), escalate to war (Vasquez, 2009), involving higher numbers of military fatalities (Senese & Vasquez, 2008), and inhibiting democratization when the threat is high (Gibler & Tir, 2014).

Chapter 3 demonstrated that civilian targeting, and its associated threat to the state's monopoly on violence and justice, represents another salient state interest. States are more likely to pursue militarized reciprocation in response to civilian targeting. This means that though civilian targeting represents an inherent violation of international humanitarian law, targeted states are more likely to take matters into their own hands than pursue diplomatic channels or prosecute through international courts. At least on the surface, it seems that the fundamental state interest to preserve its sovereignty against foreign threats supersedes the influence of norms, institutions, and international law. Further reinforcing this position, Chapter 4 argued that targeted states will actually be more likely to *escalate* the conflict in response to civilian targeting. Well within the state's legal right to self-defense, this chapter suggested that indiscriminate targeting, in particular, increases the perception of threat among the population, leading state leaders to use force as a rallying mechanism.

So we observe how international law could potentially influence state behavior from two angles: 1) norms constructed through international law can dissuade states from violating the law; and 2) when violations do occur, targeted states have an alternative to militarized conflict in order to resolve the violation. However, when the issue is salient enough, as in the case of civilian targeting, and violations have already occurred, the findings from Chapter 3 suggest that targeted states are less likely to use available diplomatic channels to prosecute transgressors.

One explanation could be that the norms associated with international humanitarian law most relevant to cases of civilian targeting during interstate conflict have not been internalized in the international system long enough to meaningfully influence state behavior. However, if we again refer to Protocol I to the Geneva Conventions from 1977 as a well-established benchmark for conduct toward civilians during interstate conflict, then the vast majority of UN member states have accepted this as a norm, internalizing the norm in the international system. As of March 2021, 174 of the 196 UN Member States have ratified Protocol I, with 155 of these ratifying before the year 2000. Table 1 shows a list of all parties to Protocol I to the Geneva Conventions with the year and month they ratified the treaty.¹ The ICJ applied the principles of Protocol I to its 1996 Advisory Opinion on the *Legality of the Threat or Use of Nuclear Weapons*, making explicit the principle of distinction between combatants and non-combatants. The ICJ affirmed that both targeted and indiscriminate attacks toward civilians violates

¹The following states are not listed, as they have not yet ratified Protocol I: Andorra, Azerbaijan, Bhutan, Eritrea, India, Indonesia, Iran, Israel, Kiribati, Kosovo, Malaysia, Marshall Islands, Myanmar, Nepal, Papua New Guinea, Pakistan, Singapore, Somalia, Sri Lanka, Taiwan, Thailand, Turkey, Tuvalu, United States, Yugoslavia, and Zanzibar. All ratification dates come from the International Committee of the Red Cross (ICRC). Source: <https://ihl-databases.icrc.org/>

Table 5.1: Ratifications of Protocol I over time

Year	Month	State	Year	Month	State
1978	Feb.	Ghana	1990	Nov.	Canada
	Jun.	Libya		Feb.	Barbados
	Nov.	El Salvador		Nov.	Paraguay
1979	Apr.	Ecuador		Jun.	Romania
	May	Botswana		Jan.	Ukraine
	Jun.	Cyprus	Apr.	Yemen Arab Republic	
	May	Jordan	Apr.	Yemen	
	Jun.	Niger	1991	Apr.	Chile
	Aug.	Sweden		Feb.	Germany
Aug.	Tunisia	Oct.		Poland	
1980	Apr.	Bahamas		Dec.	Latvia
	Aug.	Finland		Mar.	Uganda
	Mar.	Mauritania		Apr.	Djibouti
	Apr.	Gabon		Oct.	Malawi
	Sep.	Bangladesh		Sep.	Maldives
Nov.	Laos	Oct.		Brunei	
1981	Dec.	Norway		Jun.	Australia
	Oct.	Vietnam	1992	May	Brazil
1982	Nov.	Cuba		May	Portugal
	Oct.	St. Lucia		May	Croatia
	Feb.	Switzerland		Dec.	Bosnia and Herzegovina
	Aug.	Austria		Mar.	Slovenia
	Jun.	Denmark		Oct.	Zimbabwe
	Jun.	Democratic Republic of the Congo		May	Madagascar
	Mar.	Mauritius		Oct.	Egypt
	Jan.	South Korea		Apr.	Turkmenistan
	1983	Apr.		St. Vincent and the Grenadines	Sep.
Mar.		Mexico	May	Kazakhstan	
Dec.		Costa Rica	1993	Sep.	Colombia
Dec.		Bolivia		Feb.	Czech Republic
Nov.		Congo		Apr.	Slovakia
Feb.		Tanzania		Jul.	Albania
Mar.		Mozambique		Sep.	Macedonia
Nov.		Syria		May	Moldova
Mar.		United Arab Emirates		Jan.	Estonia
Sep.	China	Jun.		Armenia	
1984	Jun.	Belize		Sep.	Georgia
	Jul.	Guinea		Jun.	Burundi
	Jun.	Togo	Jan.	Tajikistan	
	Mar.	Cameroon	Oct.	Uzbekistan	
	Jul.	Central African Republic	1994	May	Dominican Republic
	Nov.	Rwanda		Apr.	San Marino

1984	Sep.	Angola
	Nov.	Seychelles
	Mar.	Oman
	Aug.	Samoa
1985	Dec.	Suriname
	Dec.	Uruguay
	May	Senegal
	Nov.	Comoros
	Jan.	Kuwait
	Feb.	Vanuatu
	Jul.	Jamaica
	Oct.	Antigua & Barbuda
	Feb.	St. Kitts and Nevis
	Nov.	Argentina
	May	Belgium
	Feb.	Italy
	Oct.	Guinea-Bissau
	Jul.	Equatorial Guinea
May	Benin	
Oct.	Sierra Leone	
Oct.	Bahrain	
1987	Oct.	Guatemala
	Jun.	Netherlands
	Apr.	Iceland
	Oct.	Burkina Faso
1988	Aug.	Saudi Arabia
	Jan.	Guyana
	Jun.	Liberia
	Oct.	Nigeria
	Apr.	Qatar
	Mar.	North Korea
1989	Feb.	New Zealand
	Sep.	Solomon Islands
	Jul.	Peru
	Aug.	Luxembourg
	Aug.	Liechtenstein
	Apr.	Spain
	Apr.	Hungary
	Apr.	Malta
	Mar.	Greece
	Sep.	Bulgaria
	Sep.	Russia
Oct.	Belarus	
Jan.	Gambia	
Feb.	Mali	
Sep.	Ivory Coast	
Aug.	Algeria	

1994	Apr.	Ethiopia
	Jun.	Namibia
	May	Lesotho
1995	Feb.	Honduras
	Sep.	Panama
	Mar.	Cape Verde
	May	Zambia
	Nov.	South Africa
	Nov.	Swaziland
1996	Dec.	Mongolia
	Sep.	Federated States of Micronesia
	Apr.	Dominica
1996	Jul.	Sao Tome and Principe
	Jun.	Palau
1997	Jan.	Chad
	Jul.	Lebanon
1998	Sep.	Grenada
	Jul.	Venezuela
	Jan.	United Kingdom
1999	Jan.	Cambodia
	Jul.	Nicaragua
	May	Ireland
2000	Feb.	Kenya
	Jan.	Monaco
2000	Jul.	Lithuania
	Jul.	Trinidad and Tobago
2001	Apr.	France
2003	Jan.	Tonga
2004	Aug.	Japan
2005	Apr.	East Timor
2006	Dec.	Haiti
	Aug.	Montenegro
	Mar.	Sudan
2006	Jun.	Nauru
	Jul.	Fiji
2008	Jul.	Fiji
2009	Nov.	Afghanistan
2010	Apr.	Iraq
2011	Jun.	Morocco
2012	Mar.	Philippines

international humanitarian law (Bekker, 1997). So even in cases where states could claim civilian targeting behavior was merely collateral to the conflict, the international community has recognized such behavior as a clear and persistent violation of international humanitarian law. If Protocol I marks a turning point in internalizing the norm against civilian targeting, then we would expect to see the likelihood of initiating attacks on foreign civilians to decline as more states ratify the Protocol, particularly if the state is a UN member and subject to the ICJ Statute. This will be most relevant for pacifying state interests in each dyad if both states have ratified Protocol I in a given month and year.

Hypothesis 1: UN member states who have ratified Protocol I are less likely to commit attacks on foreign civilians of other states who have also ratified Protocol I.

Another argument could be that once aggressors have initiated salient militarized threats against another state, the targeted state cannot prosecute through international legal channels alone and effectively defend its sovereignty. Prosecution takes time and resources. Cases introduced in the ICJ routinely take 1 to 2 years to reach a conclusion, and may take as long as 14 years, as in the Application of the Convention on the Prevention and Punishment of the Crime of Genocide (*Bosnia and Herzegovina v. Serbia and Montenegro*) (Sivakumaran, 2007). The UN Security Council can also apply universal jurisdiction to prosecute grave breaches of the Geneva Conventions and Protocols, though this rarely occurs and also takes considerable time to deliberate after the conflict has concluded. The most notable cases established the International Criminal Tribunal for Rwanda and the International Criminal Tribunal for the Former Yugoslavia, lasting 21 years and 24 years, respectively, with a combined cost of \$2.2 billion (Wippman, 2006).

This suggests that aggressors may, in fact, be *more* likely to initiate low-scale attacks on foreign civilians that address issues under contention with less fear of international reprisal, but are not as likely to escalate the conflict. Contextual examples where issues may lead states to target civilians include, but are not limited to: territorial disputes, in which aggressors target border villages; fishing disputes, in which fishermen violate the Exclusive Economic Zones of neighboring territories; and attacks on shipping, in which states seek to prevent competitors from acquiring material resources.

Some research supports this assertion. Stanton (2016) argued that within the context of civil conflict, the risk of international reputation costs associated with civilian targeting could temper government-led violence toward civilians. Similarly, militant groups who could not conceivably pressure their governments to make concessions may show more restraint in violence toward civilian groups in order to garner international support. During interstate conflict, third-party coercion can induce compliance with international humanitarian law, preventing cases of mass killing (Prorok & Appel, 2014), though this finding comes with cautionary evidence that such coercion could compel states to commit low-scale violations of international humanitarian law instead.

We can identify these low-scale attacks according to fatalities. Less than 26 fatalities, to include cases in which no civilians died from an attack, indicates a low-scale attack in which the methods used were not likely to result in severe damage. I hypothesize that states will be more likely to commit low-fatality attacks on foreign civilians to avoid facing costly reprisals from violating a jointly-ratified international agreement. Chapter 4 suggests that targeted states are still likely to escalate militarized conflicts in response to low-fatality civilian targeting incidents *if these attacks are indiscriminate*. This introduces

a different kind of heterogeneity across cases, based on the group identity of the target. I also examine whether joint ratification can pacify indiscriminate attacks specifically, since these are the attacks most likely to activate a cycle of escalatory conflict. If states do not want to face international reprisal *or* escalate conflict, then joint ratification should be most effective in preventing indiscriminate attacks.

Hypothesis 2: UN member states who have ratified Protocol I are more likely to commit low-fatality attacks on foreign civilians of other states who have also ratified Protocol I.

Hypothesis 3: UN member states who have ratified Protocol I are less likely to commit indiscriminate attacks on foreign civilians of other states who have also ratified Protocol I.

Research Design

My sample includes all directed dyads from 1946 to 2010, beginning with when each dyad encounters its first militarized confrontation during the time period to avoid non-relevant cases. This results in 370,140 observations. I ran logit models to estimate three binary dependent variables. The first measures whether a UN member state in the dyad committed an attack on civilian populations. The second and third address hypotheses two and three, dis-aggregating civilian targeting by severity according to fatalities and discriminate nature, respectively. Low-fatality attacks I measured as 1 if the attack resulted in 25 or fewer fatalities, to include cases where no fatalities occurred, and 0 otherwise. Discriminate attacks I measured according to the group identity of the target, following the method from Chapter 4 for consistency. This means that occupation or identity-dependent targets, such as fishermen, were discriminate (recorded as 1), while

villagers and other groups where group identity could not reasonably protect a civilian from becoming a possible target were considered indiscriminate (recorded as 0).

I constructed three primary independent variables. The first is a simple binary measure of joint ratification of Protocol I to the Geneva Conventions. If both states have ratified Protocol I in a given month, I coded the value as 1, and 0 otherwise. Mutual ratification reduces uncertainty regarding the interests of both parties, and means that both states know that the international system could hold themselves and their competitor accountable to transgressions. Second, I include a variable for age of Protocol I in months, being a count of the number of months from June 1977 to December 2010. Lastly, I include a variable for world coverage of the Protocol I ratification, which measures the percentage of states in the international system that had ratified Protocol I for each month under study.

Controls incorporated common international conflict measures that could otherwise influence state interests and compete with international humanitarian law in guiding the decision to target civilians. I included binary variables for direct land contiguity (Stinnett et al., 2002), whether the two states were rivals (Thompson, 2015), and whether the two states in the dyad were joined in any type of alliance (Gibler, 2008). Contiguity should make civilian targeting more likely, since foreign civilian populations would be more accessible. Rivalry should increase the likelihood of militarization, and alliances should deter civilian targeting, since attacking civilian populations would be an especially egregious violation of an alliance agreement. I measured capability ratio as the CINC score for State A divided by the sum of the CINC scores for States A and B (Singer et al., 1972). To account for temporal dependence, I also included controls for peace months since the

last militarized attack, along with its square and cube (Carter & Signorino, 2010).

For regime type, I used a measure of political distance, taking the difference between the two states' polity scores in the dyad (Marshall & Jaggers, 2002). I found political distance to be particularly valuable for this argument because it considers how closely the interests of the two states may align on a scale, insofar as regime type defines these interests. I considered two other regime type variables - joint democracy and the weak-link specification (Oneal & Russett, 1997)- but opted for political distance as these did fit as closely with my argument. ² Joint democracy is widely used in conflict literature, but provides only a coarse measure of political similarity. Because it relies on first converting the polity scale to a binary measure of democracy (greater than or equal to "6" being entered as 1), joint democracy does not consider the degree of similarity for polity scores who do not reach that benchmark democratic measure. The second measure - the weak-link specification - takes the lowest of the two states' polity scores in the dyad. Unlike the raw polity score or a binary measure of joint democracy, this assumes that the less democratic state in a dyad will be less constrained in their behavior, and thus be more likely to initiate militarized disputes. However, this variable's measure does not use any information regarding the state with the higher polity score, and thus it does not meaningfully evaluate the political distance.

Results and Discussion

Table 5.2 lists the results of my logit analyses. ³ Hypothesis 1 posited that joint

²I did run models with these variables as well and my results did not meaningfully change.

³I ran these models again using only politically-relevant dyads in the sample. Those results and its discussion can be found in the Appendix.

Protocol I ratification would reduce the likelihood that one of those states would attack the civilians of the other. As we observe in Model 1, there is statistically significant support for this hypothesis. Interestingly, neither the percentage of states in the world system ratifying Protocol I over time nor how long Protocol I had been codified in international humanitarian law had an effect on the likelihood of civilian targeting. These latter two variables both evaluate system pressures and hint at the role legal norms may play, absent direct bilateral relations. What we see instead is that the relative positions of the two states in the dyad on a particular issue drives state behavior, not simply global trends. This may reflect a compromise between state interests and the international institutions which attempt to constrain these interests through international law. International humanitarian law can pacify state interests that motivate civilian targeting behavior, but only in contexts where there is bilateral understanding in a shared interest to support a particular law (in this case, Protocol I to the Geneva Conventions). World coverage may still matter for pressuring new states to ratify laws such as Protocol I, however, increasing the number of dyads each year who fall into the category of joint ratification.

Table 5.2 lists the results of my logit analyses. Figure 5.1 plots these coefficients with 95% confidence intervals as a visual reference. Hypothesis 1 posited that joint Protocol I ratification would reduce the likelihood that one of those states would attack the civilians of the other. As we observe in Model 1, there is statistically significant support for this hypothesis. Interestingly, neither the percentage of states in the world system ratifying Protocol I over time nor how long Protocol I had been codified in international humanitarian law had an effect on the likelihood of civilian targeting. These latter two variables both evaluate system pressures and hint at the role legal norms may play, absent

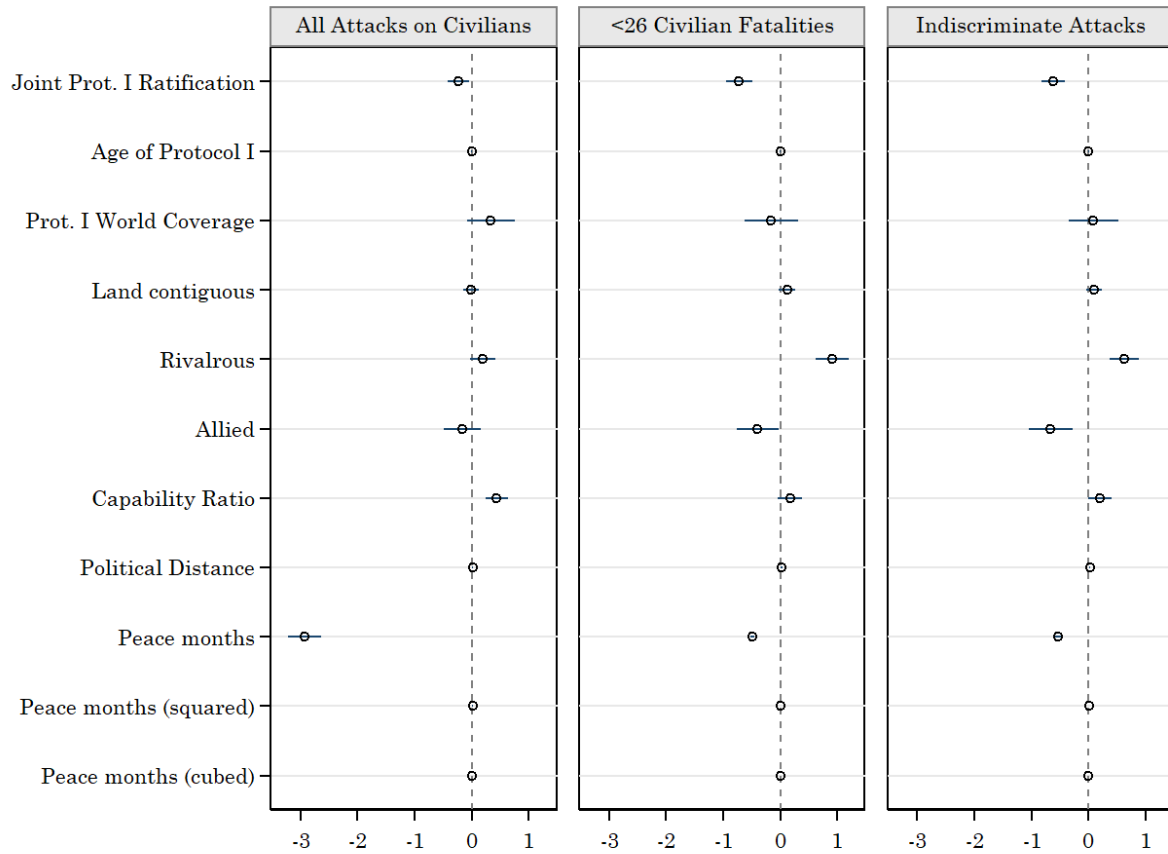
Table 5.2: Logit Regression Analysis of Protocol I Ratification Effectiveness on Civilian Targeting, 1946-2010

IVs	All Attacks on Civilians (1)	<26 Civilian Fatalities (2)	Indiscriminate Attacks (3)
Joint Protocol I Ratification	-0.014* (0.094)	-0.722*** (0.117)	-0.621** (0.107)
Age of Protocol I	-0.001 (0.002)	0.002 (0.002)	0.000 (0.002)
Protocol I Ratification World Coverage	0.336 (0.216)	-0.157 (0.240)	0.082 (0.221)
Land contiguous	-0.008 (0.069)	0.123 (0.074)	0.091 (0.070)
Rivalrous	0.196 (0.113)	0.912*** (0.147)	0.623*** (0.127)
Allied	-0.167 (0.163)	-0.394* (0.184)	-0.669** (0.001)
Capability Ratio	0.438*** (0.101)	0.174 (0.109)	0.195 (0.195)
Political Distance	0.014** (0.005)	0.025*** (0.005)	0.019*** (0.005)
Peace months	-2.929*** (0.151)	-0.487*** (0.021)	-0.535*** (0.023)
Peace months (squared)	0.015*** (0.001)	0.003*** (0.000)	0.003*** (0.000)
Peace months (cubed)	-0.000*** (0.000)	-0.000*** (0.000)	-0.000*** (0.000)
Constant	-2.261*** (0.136)	-3.645*** (0.169)	-3.157*** (0.149)
Observations	370,140	370,140	370,140

Robust standard errors in parentheses

Note: *p<0.05; **p<0.01; ***p<0.001

Figure 5.1: Coefficient plot for Table 5.2 with 95% CIs



direct bilateral relations. What we see instead is that the relative positions of the two states in the dyad on a particular issue drives state behavior, not simply global trends. This may reflect a compromise between state interests and the international institutions which attempt to constrain these interests through international law. International humanitarian law can pacify state interests that motivate civilian targeting behavior, but only in contexts where there is bilateral understanding in a shared interest to support a particular law (in this case, Protocol I to the Geneva Conventions). World coverage may still matter for pressuring new states to ratify laws such as Protocol I, however, increasing the number of dyads each year who fall into the category of joint ratification.

These patterns hold for Model 2 and Model 3 as well, which disaggregate the type of civilian targeting attack being committed. Model 2 estimates cases which result in no civilian fatalities or fewer than 26 civilian fatalities. Recall that existing datasets that include event data or civilian targeting information do not include these less severe cases. Chapter 3 and Chapter 4 asserted that these cases, too, could escalate militarized responses and held the potential to invoke a perception of threat against both the civilian population and the state's sovereignty. As we observe, joint ratification of Protocol I has the same effect on low fatality attacks as it does on all attacks. This actually runs counter to Hypothesis 2, which suggested that states may be *more* likely to engage in less severe attacks that fall under the radar of the international community. Because the bilateral relationship seems to be a stronger predictor of state behavior than systemic trends regarding Protocol I ratification, this finding may suggest that even if less severe civilian targeting attacks may not reach prosecution in the ICJ, they may still become costly to present and future relations within the dyad itself. If both states share an understanding (through public joint ratification of Protocol I) that civilian targeting is an unacceptable transgression during militarized conflict, then either side violating this standard could not only escalate the conflict and lead to more material costs, but also lead to a weaker negotiating position concerning the conflict itself and any diplomatic relations that become necessary moving forward.

Model 3 builds upon the findings of Chapter 4, which saw the greater likelihood of conflict escalation resulting in response to indiscriminate attacks on civilian populations. I find that joint ratification of Protocol I is statistically significant in pacifying these behaviors, which states may perceive as more costly to ongoing relations between the two

states. Given that international system trends do not seem to effect the likelihood of indiscriminate attacks, fear of international reprisal may be less of a concern that potentially escalating the conflict. However, as we saw in Table 2.1 of Chapter 2, indiscriminate attacks on civilians still comprise on of the three largest proportions of group identities targeted. This further emphasizes this finding's importance, since it illustrates one mechanism by which we might explain variation in when states choose to target villagers indiscriminately. With such targeting being fairly common, knowing that joint Protocol I ratification can pacify this behavior may prevent cycles of militarized escalation in the future.

Other variables operate as expected. Rivalry increases the likelihood of civilian targeting, particularly for low-fatality cases and indiscriminate attacks, while an alliance can prevent attacks on civilians for the same set of cases. More equal relative material capabilities has a positive relationship with civilian targeting, but seems to be driven by more severe and discriminate cases included as part of Model 1 through all attacks on civilians. Political distance may offer a useful avenue for future research, as it emphasizes the notion that the degree of institutional differences and differences in political ideology within the dyad increases the likelihood of civilian targeting, rather than focus primarily on a lack of stalwart democracy as inducing conflict.

Final Thoughts

This last chapter provides some hope for ameliorating the harmful effects of civilian targeting. With legitimate, universally-recognized institutions standing behind global treaties, we find that joint ratification of such a treaty can pacify state interests. States are

less likely to attack foreign civilians if both states have ratified Protocol I to the Geneva Conventions, which specifically writes into law protections for civilians during interstate conflict. I argue that this may be because international humanitarian law alters the strategic considerations of both states. Ratification is on the public stage, so it clarifies both states' interests regarding the issue being codified. Simultaneously, the act of ratifying reflects an internationally-supported norm of international law against civilian targeting. Results emphasize that global ratification is insufficient to influence state behavior; ratification must be active within the dyad itself.

So now we have two broad lines of inquiry to continue further research regarding civilian targeting. The first concerns the effects that attacking foreign civilians has on militarized conflict processes which impair peace between the two states. This line recognizes that civilians are not static structures that can be calculated alongside the material costs of conflict. Civilians are dynamic tools of the state before, during, and after that state has engaged in militarized conflict. Indiscriminate foreign attacks on civilian populations increase the perception of threat across the population, increasing the demand for leaders to ensure protection and effectively retaliate while also increasing the political costs associated with ineffective threats and diplomatic concessions. Combined with the independent threat that civilian targeting activates against a leader's sovereign monopoly on violence and justice, targeted state leaders have an incentive to not only reciprocate militarized action, but to also use force.

However, the second line of inquiry suggests the role of international law and intergovernmental organizations deserves focused attention. Positive peace relies, in part, on the ability to first resolve latent enmities that motivate militarized action. If civilian

targeting inflames these enmities, then international humanitarian law could be a path toward altering state interests against such behavior that can be costly not only within the dyad, but also in the face of the international community. Considerable research still remains to determine the role of legitimate institutions in incentivizing both the development of international humanitarian laws and the ratification of such laws, the various circumstances under which these laws can pacify state interests, as well as how threatened civilian populations become tools in this global process.

Civilian targeting independently shapes interstate conflict processes to the extent that civilian populations remain dynamic players characterizing a state leader's hold on sovereignty and responding to salient threats. Through this lens, civilian targeting catalyzes a cycle of conflict escalation that becomes part of the complex equation to lasting enmity and ephemeral peace. Discovering the factors that prevent or disrupt this cycle, such as through mutual accountability to and ratification of international humanitarian law, is invaluable toward our collective pursuit of lasting peace.

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APPENDIX: ROBUSTNESS CHECKS

Below, I include additional model specifications. For the fourth chapter concerning how leaders retaliate, I run OLS models to compare with the Cox proportional hazard models I used originally to evaluate how targeted states retaliate to attacks on their civilians. For the fifth chapter concerning mutual ratification of Protocol I to the Geneva Conventions, I run the same model using only politically relevant dyads.

How Leaders Retaliate

Using the original directed-dyad data, I ran each model again using an OLS estimation method to illustrate the consistency of my results. In this model, negative values indicate that a determinant decreases the number of months until a reciprocatory attack. Table 6.1 presents the estimates of this analysis, mirroring the findings from the Cox proportional hazards model for the key independent variables under study.

Pacifying State Interests

Of the original 370,140 directed dyad observations, I subset the sample to only politically-relevant dyads in order to emphasize the pacifying effects of joint Protocol I ratification for those pairs of states considered most at risk for international conflict (Lemke & Reed, 2001). Table 6.2 shows the results. These dyads must include at least one major power according to the Correlates of War Project (Correlates of War Project, 2017), resulting in 125,331 politically-relevant directed dyad observations (51% of the total used for the original analyses). This means that only dyads involving the United States, France,

Table 6.1: OLS estimation of Civilian Targeting on Reciprocatory Attacks, 1946-2010

	<i>DV: Months until State A attacks</i>			
	(1)	(2)	(3)	(4)
Joint democracy	13.99*** (0.777)	14.01*** (0.777)	14.03*** (0.776)	14.10*** (0.775)
Any civilian targeting	-43.50*** (2.900)			
Any civilian targeting x Joint democracy	-18.32* (8.492)			
Indiscriminate attacks (on homeland populations)		-44.25*** (2.878)		
Indiscriminate attacks x Joint democracy		-17.47* (8.547)		
Selective attacks (on shipping crew and fishermen)			-43.39*** (4.987)	
Selective attacks x Joint democracy			-25.23 (14.857)	
Attacks on refugees in homeland territories				-45.23*** (21.47)
Attacks on refugees x Joint democracy				-25.75 (91.06)
# of past attacks on civilians	-4.04*** (0.150)	-4.04*** (0.150)	-4.21*** (0.150)	-4.21*** (0.150)
Ongoing civil conflict	-23.70*** (4.785)	-23.55*** (4.791)	-43.74*** (4.552)	-50.42*** (4.505)
Rivalry	-18.32*** (0.820)	-18.29*** (0.820)	3.11*** (0.133)	-18.52*** (0.822)
Land contiguity	-2.63*** (0.660)	-2.61*** (0.660)	-2.74*** (0.661)	-2.54*** (0.661)
Capability ratio	-4.83*** (0.953)	-4.81*** (0.953)	-4.82*** (0.954)	-4.77*** (0.954)
Tanker war	-16.65 (9.875)		-14.78 (10.377)	
Constant	75.84*** (0.964)	75.81*** (0.964)	75.69*** (0.965)	75.52*** (0.965)
Observations	129,969	129,969	129,969	129,969

Robust standard errors in parentheses.

Note: *p<0.05; **p<0.01; ***p<0.001

and Russia were included for the entire time period under study. China becomes a major power from January 1st, 1950 through the remainder of the sample, while Japan and Germany only entered the data after December 11, 1991.

Table 6.2: Logit Regression of Protocol I Ratification Effectiveness on Civilian Targeting for Politically-Relevant Dyads, 1946-2010

IVs	All Attacks on Civilians (1)	<26 Civilian Fatalities (2)	Indiscriminate Attacks (3)
Joint Protocol I Ratification	-0.162 (0.213)	-0.252 (0.221)	-0.302 (0.213)
Age of Protocol I	-0.006 (0.003)	-0.007 (0.003)	0.006 (0.003)
Protocol I Ratification World Coverage	0.743 (0.423)	0.970* (0.414)	0.962* (0.389)
Land contiguous	-0.476 (0.262)	-0.501 (0.276)	-0.375 (0.256)
Rivalry	-1.201*** (0.185)	-0.711*** (0.196)	0.984*** (0.177)
Allied	0.352 (0.336)	0.442 (0.320)	-0.193 (0.355)
Capability Ratio	0.566 (0.187)	0.355 (0.197)	0.419 (0.185)
Political Distance	0.010 (0.010)	0.020* (0.010)	0.015 (0.009)
Peace Months	-5.269*** (1.008)	-1.214*** (0.114)	-1.207*** (0.106)
Peace Months (squared)	0.022 (0.070)	0.008*** (0.000)	0.006** (0.002)
Peace Months (cubed)	-0.000*** (0.000)	-0.000*** (0.000)	-0.000*** (0.000)
Constant	-1.257*** (0.222)	-2.112*** (0.240)	-1.682*** (0.219)
Observations	125,331	125,331	125,331

Robust standard errors in parentheses

Note: *p<0.05; **p<0.01; ***p<0.001

A Note on the Democracy Measure

As several scholars have examined (see, for example, Munck (2009), Pickel et al. (2015), and Vanhanen (2000)), democracy measures are difficult to consistently develop because the concepts and interpretations of democracy and democratization driving these measures often differ. Therefore, I explored other options beyond the widely-used Polity IV dataset to provide stronger robustness for my findings on this variable, most often running into temporal limitations that would devalue meaningful comparisons.

Freedom House provides a useful alternative measure of democracy that emphasizes political rights and civil liberties. Unfortunately, their data only goes back to 1973, just a few years prior to the Geneva Protocol I being introduced in 1977. Limiting the data to this time period could introduce time-dependent biases that make it difficult to compare results with those of Chapters 3 and 4. Chapter 5 illustrates well the importance of the mid-1970s for shifting state behavior regarding civilian targeting when both states at dispute have ratified Protocol I, and therefore the importance of exploring variation reaching prior to the 1970s in order to evaluate the role of persistent dynamics in state sovereignty and conflict escalation. For the results of Chapter 5 itself on estimating the effectiveness of Protocol I ratification, Freedom House's time period does not provide enough variation to analyze whether state behavior changed as a result of Protocol I ratification or some other determinant.

Other potential alternatives to Polity's measure of democracy similarly limited the temporal scope under study by at least two decades (see, for example, Lipset (1959), Banks (1972), and Quraishi (2021)), making it difficult to meaningfully compare and contrast my original results with these measures. A valuable alternative resource to study armed conflict - UCDP/PRIO's Armed Conflict Dataset (Pettersson et al., 2021) - *does* cover the entire time period under study and beyond, from 1946 to 2020. However, like the Militarized Interstate Dispute dataset, the data does not include a measure for regime type or democracy.

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