

Pax Populi? A Re-Assessment of the Conflict Resolution Potential of Referendums on Self-Determination

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Abstract

The international community increasingly promotes referendums as it intervenes in separatist conflicts around the world. Yet much of the existing literature warns against referendums on self-determination, arguing that they are likely to escalate tensions. This paper develops a novel theory suggesting an important revision to the scholarly consensus. Building on the broader literatures on procedural fairness and ethno-nationalism, I argue that self-determination referendums are only likely to descend into violence if they are unilaterally initiated. By contrast, referendums that are mutually agreed by the conflict parties are likely to instill perceptions of fair decision-making and can thereby facilitate peaceful conflict resolution. I find support for my argument in a global statistical analysis (1946–2012); a case study of referendums held in Northern Ireland; and a survey experiment. Overall, the findings of this study suggest that self-determination referendums can make a positive contribution to peace; however, only if the conditions are ripe.

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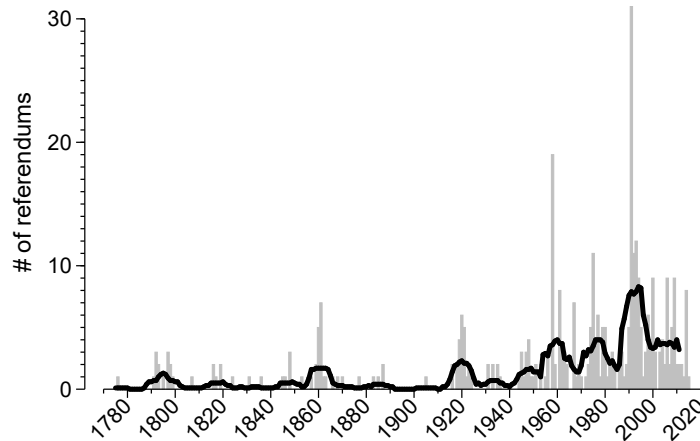
1 Introduction

In early May 1776, the Province of Massachusetts Bay embarked on what at the time could only be described as a highly unusual exercise: a popular consultation on whether the Thirteen Colonies should declare their independence from Great Britain (Maier 1997, 59–61). Since then, the idea of consulting the people in questions of national self-determination (i.e., autonomy or secession) has spread around the world, first to Europe, and then to Africa, Asia, and Oceania. According to recently collected data (Mendez and Germann 2018), more than 350 referendums on self-determination have been held since 1776, the bulk of which in recent decades (see Figure 1).

There are many plausible reasons for this increase, including the worldwide diffusion of democratic norms and ethno-nationalist ideals. Another important factor is international referendum promotion. From Bosnia over Northern Ireland, East Timor, Montenegro, South Sudan, and, most recently, Bougainville, international mediators have been busy promoting the use of referendums as they intervene in separatist conflicts. One of the key reasons is a belief among practitioners that ballots can prevent bullets (Tierney 2012). However, that view clashes with the (near) scholarly consensus. Most academic treatments point to referendums’ all-or-nothing nature as a key reason for concern. The argument goes that when applied in situations of profound ethno-nationalist conflict, the stark choices offered by referendums are likely to increase, rather than decrease, violence. According to Reilly (2008, 236), referendums on self-determination therefore amount to no less than “the most damaging form of democratic legitimation”.

However, the extant scholarly consensus on self-determination referendums rests on surprisingly weak empirical footing. To be sure, examples of self-determination referendums with damaging consequences are not hard to come by. Catalonia’s 2017 independence referendum constitutes a recent case in point. But that some self-determination referendums had bad consequences does not mean that all do. Scrutinizing the scholarly consensus in more detail is critical given that international referendum promotion is likely to continue in the future; and that new referendums are already being discussed in Catalonia, Scotland, Western Sahara, and elsewhere.

Figure 1: Annual frequency of self-determination referendums, 1776–2015



Note: Black line = 10-year moving average.

In this paper, I develop and test a novel theory of the conflict resolution potential of self-determination referendums. Contrary to the extant literature, I argue that self-determination referendums have basic value as a tool for conflict resolution. While it is true that referendums offer stark choices, stark choices cannot always be avoided. A region cannot be both autonomous and not autonomous; or secede and not secede. Building on the literature on procedural fairness, I suggest that referendums can imbue contentious (but sometimes necessary) decisions on territorial relations with perceptions of fair decision-making. As a result, referendums can increase the willingness among decision losers to accept the outcome. Referendums can also increase intercommunal trust and thereby reduce commitment problems (cf. Walter 2009).

However, I suggest that a partial compromise is necessary for these peace-inducing effects to emerge. At their core, disputes over territorial self-determination revolve around disagreements between ethnic groups over who has the right to make political decisions. I argue that self-determination referendums are therefore only likely to produce *mutual* perceptions of fair decision-making if they, including their terms, are mutually agreed by the key parties to a conflict. By contrast, if referendums are held in the absence of mutual agreement, ethno-nationalist grievances will often increase rather than decrease; and the gloomy predictions from the existing literature may often come true.

Empirical testing of this theory is not easy because mutual agreement on referendums

is clearly endogenous to conflict processes. While I therefore make no attempt to definitely prove the correctness of my theory, I offer three sources of complementary evidence. First, I report correlational evidence from a global analysis of the post-World War Two experience with self-determination referendums. The results suggest that in line with theoretical predictions, self-determination referendums are associated with a higher risk of separatist war only if they are unilaterally initiated. By contrast, mutually agreed self-determination referendums are associated with a lower risk of separatist war.

Second, I turn to an in-depth analysis of two referendums held in Northern Ireland (one consensual and the other unilateral) so as to probe the plausibility of my causal mechanisms. Providing additional support to my theory, I find that the consensually initiated referendum on the 1998 Good Friday Agreement helped to catalyze peace via the de-legitimization of potential spoilers, the enhancement of intercommunal trust, and by increasing compliance with the decision outcome. By contrast, the unilaterally initiated 1973 Border Poll exacerbated nationalist grievances and thereby made a direct contribution to more bloodshed.

Finally, I test key individual-level predictions of my theory using a survey experiment. Consistent with expectations, I find that British voters are much more likely to see an (at the time of writing) hypothetical second Scottish independence referendum as fair if that referendum was previously agreed by the Scottish and UK governments. By contrast, a referendum that was unilaterally initiated by the Scottish government tends to be seen as fair only by Scottish separatists, but not supporters of British unionism. Critically, the latter also become much more likely to accept a vote for Scottish independence if the referendum was previously agreed.

Overall, the findings of this study suggest that contrary to the highly negative views that prevail in the literature, self-determination referendums do have basic value as a tool of conflict resolution. However, that requires that the conditions are ripe and mutual agreement on a referendum can be found. Spain's outright refusal to even discuss the possibility of an independence referendum in Catalonia well-illustrates how difficult this can be. That renders the self-determination referendum a tool of limited value for conflict

resolution. Within these constraints, though, the self-determination referendum is worth keeping in the toolkit of conflict mediators.

2 Existing Literature

The merits (or not) of referendums have been debated for centuries.¹ As early as the 17th century, democratic theorists have divided into two main schools of thought about how best to realize the principles of democracy (Butler and Ranney 1994). One holds that government by representation will necessarily distort citizens' views. True democracy can therefore only exist when citizens are given a direct say over the issues that concern them (Barber 1984; Pateman 1970). The other argues that referendums are often damaging or even outright undemocratic. A variety of reasons are cited, including low levels of voter competence (Sartori 1987) and concerns about the protection of minority rights (Gamble 1997).²

The latter, negative view of referendums is especially widespread when it comes to referendums on self-determination (though cf. Qvortrup 2014). Lee and Mac Ginty (2012), for example, suggest that the key problem with self-determination referendums is that they are “zero sum”, creating winners and losers in situations where compromise is what is needed (also cf. Gallagher 1996; Haskell 2000). Contrary to elections, there usually are no periodic re-runs of referendums, implying that who is a loser now could remain a loser forever (Rudrakumaran 1989). Given the stark choices offered, self-determination referendums are therefore argued to further increase societal polarization; and ultimately to exacerbate violent conflict (Mac Ginty 2003; Reilly 2008).

Problematically, though, the near scholarly consensus that self-determination referendums increase violence is based on little more than anecdotal evidence. Frequently cited in the literature are the independence referendums in Bosnia (1992) and Croatia (1991),

¹In keeping with the comparativist literature (Butler and Ranney 1994), I here follow a broad understanding of the term ‘referendum’ that includes any direct popular vote on an issue. This definition includes direct democratic votes initiated by citizens (e.g., via signature collection), in addition to government-initiated and mandatory referendums.

²For reviews of the general debate on direct democracy cf. Butler and Ranney (1994) and Altman (2011).

both of which played a role in the emergence of the Yugoslav wars (Lee and Mac Ginty 2012; Reilly 2008). Other, more recent examples include the previously mentioned Catalan independence referendum—which was marred in post-referendum violence—and the 2014 secession referendums in Crimea and Eastern Ukraine—both of which helped to fuel an ongoing war. However, that some self-determination referendums have fuelled violence does not necessarily mean that all self-determination referendums fuel violence. As the next section argues, the conflict resolution potential of self-determination referendums is likely to be conditional. For the literature to progress, that conditionality needs to be theorized and subjected to rigorous empirical testing.

3 Theory

This section develops a novel theory of the conflict resolution potential of self-determination referendums. First, I draw on the broader literature on procedural fairness to justify the claim that self-determination referendums have basic value as a tool for conflict resolution. After that, I present my argument that mutual agreement on the referendum constitutes a key condition that needs to be met for self-determination referendums to fulfill their conflict resolution potential.

3.1 Referendums, Procedural Fairness, and Conflict Resolution

As we have seen, the key argument against self-determination referendums in the extant literature is that they create winners and losers in situations where compromise would be desirable. However, while desirable, compromise is not always possible; and consensus solutions can be particularly hard to reach in territorial conflicts, where the parties often show considerable reluctance to retreat from maximalist claims (Goddard 2006). Therefore, decisions that favor one side and are opposed by the other cannot always be avoided. However, as a long scholarly tradition suggests, the way in which such decisions are made matters. Specifically, the outcomes of collective decisions are only likely to become broadly accepted if the procedures leading to decisions are seen as fair. Fair

decision procedures can therefore promote social cooperation and, ultimately, peace.

The idea that fair decision procedures can help to resolve disputes peacefully goes back to the ancient Greeks, but it has more recently been formalized by various strands in political science (e.g., Levi 1988) and social psychology (e.g., Lind and Tyler 1988; Thibaut and Walker 1975). The central assumption behind procedural fairness theory is that fairness constitutes a universal social norm and value (Esaiasson et al. 2019). Therefore, procedural fairness theory suggests that people who experience a decision-making process will assess the fairness of the procedural arrangements; and that this assessment then causes reactions. Most directly relevant in this context, procedural fairness theory suggests that perceptions of fair decision-making cause individuals to perceive a moral obligation to accept a decision outcome, even if it is against their preferences (Beetham 1991; Levi 1988; Lind and Tyler 1988). Fair decision procedures should therefore increase the cooperation of decision losers and reduce the chance that they violently oppose a collective decision (Thibaut and Walker 1975).

There is extensive empirical evidence confirming the basic intuition behind procedural fairness theory. In brief, it is well-established that people from different cultural contexts engage in procedural fairness evaluations; that broadly similar criteria tend to be used in these fairness assessments, including impartiality and whether voice is provided to those affected; and that positive fairness evaluations increase people's willingness to voluntarily comply with decisions (for a review of this literature cf. Tyler 2000). Beyond individual-level research, scholars have also linked procedural fairness considerations to macro-level conflict outcomes, including civil wars. For example, a wealth of evidence supports the argument that the descriptive representation of ethnic minorities reduces civil war risk (e.g., Cederman et al. 2010). Due process in domestic or international human rights courts has been shown to help stabilize post-conflict countries (Meernik et al. 2010). Similarly, Gibson (2006) and others found that truth commissions can provide a valuable avenue for victims to air past injustices and thereby induce reconciliation. Finally, the literature on the internal democratic peace argues that democracies tend to avoid war in part because of the fairness of their decision procedures (Hegre 2014). In particular,

the role elections as a mechanism for the peaceful allocation of power has been widely studied (Brancati and Snyder 2013; Diamond 2006).

By contrast, procedural fairness considerations are largely absent from the literature on referendums and peace. That is surprising in light of findings from the broader literature on direct democracy. Several recent studies suggest that people from both Western and non-Western countries tend to be highly supportive of referendums as a form of political decision-making (e.g., Schuck and Vreese 2015). In part, that is because referendums tend to be seen as a particularly fair way to make important political decisions—fairer, indeed, than decision-making by elected representatives. Several studies have therefore found that referendums make it particularly likely that people come to accept negative decisions; and that referendums can boost compliance with collective decisions (e.g., Esaiasson et al. 2012; Marien and Kern 2018; Olken 2010; Torgler 2005). Given the close connection between social cooperation and peace, these findings provide clear indications that referendums have basic value as a tool for conflict resolution. However, analogously to other democratic decision procedures, the conflict resolution potential of referendums is likely to be conditional.

3.2 The Importance of Mutual Agreement

It is well-established in the literature that elections do not always produce peaceful outcomes. For example, obviously rigged elections are unlikely to produce perceptions of fairness and may therefore be violently contested (Daxecker 2012). Others have stressed the importance of the timing of elections in democratization processes (Mansfield and Snyder 2007). By extension, factors such electoral integrity and timing should also matter in the context of direct democracy (Loizides 2014). However, when it comes to the special case of referendums on self-determination, another, even more fundamental factor comes into play: whether or not referendums are held with the mutual agreement of the conflict parties.

The key reason why referendums can generate fairness perceptions is that they give a direct say to the people (Esaiasson et al. 2012). However, democracy presupposes

agreement on a demos (Dahl 1990). Therefore, democratic procedures are only likely to generate perceptions of fair decision-making where there is prior agreement on the relevant demos. That is usually less of a concern. In most ‘standard’ elections or referendums, who is eligible to vote is, by and large, uncontested. But as the literature on ethno-nationalism reminds us, the notion of peoplehood is at the very heart of disputes over self-determination (Gellner 1983; Hechter 2000). On the one hand, there are the separatists who claim the right to make decisions for their own group, typically a peripheral minority. On the other hand, there is the state-embodying group (or groups), who claim the same right for themselves. Due to this, self-determination referendums are only likely to generate fairness perceptions on all sides if they are initiated with mutual agreement. It follows that only mutually agreed self-determination referendums are likely to help the peaceful resolution of separatist conflicts.

What do I mean by mutual agreement on a referendum? In a strict sense, mutual agreement could be seen as requiring that a referendum has the support of all individual members of the groups in question—a condition that can neither be realistically ascertained, nor is it likely to ever hold. Consistent with the idea of ethno-national representation (Cederman et al. 2010), I instead argue that mutual agreement is often sufficiently established if a referendum is publicly supported by key representatives from the different groups. At a minimum, this must entail the national government and representatives of the separatist group, such as a regional government or the leaders of a separatist movement. Crucially, mutual agreement must include agreement on eligibility criteria; but it must also include other referendum rules, such as majority requirements.³ However, there is notably no requirement that all parties agree on the preferred outcome of a referendum.

But even if no substantive compromise on the way forward is required, mutual agreement on a self-determination referendum is hard to find. Many states are unwilling to even consider the possibility of territorial concessions (Toft 2003). And, even if the parties do not object to a referendum, they often disagree on the form this should take. Sep-

³Note that there are no necessary consequences for decision rules. In particular, there is no need for separate votes among the minority and majority groups.

arartist groups may claim a referendum in their region, whereas the central state thinks the whole country should have a vote (Goodhart 1981). Questions such as the voting rights of ethnic minorities or settlers may constitute major stumbling blocks, as in the long-awaited referendum on the independence of Western Sahara. One party may prefer a simple majority and the other a qualified super-majority, and so forth. Especially in the more intractable self-determination conflicts, such as Kashmir, Tibet, or Palestine, chances for a compromise on a self-determination referendum tend to be slim.

Still, mutual agreement on self-determination referendums is sometimes achievable. Successful examples include the independence referendums held in Scotland (2014) and South Sudan (2011), as well as the 1998 referendum on the Good Friday Agreement (see below). I argue that mutually agreed self-determination referendums can contribute to peace in at least two ways. First, they can increase peaceful compliance with the decision outcome. Of course, consensual referendums cannot magically create a consensus on the best way forward. However, by creating perceptions of fair decision-making and, thus, a moral obligation to comply, they should increase chances that decisions are accepted and honored. Future attempts at reversing the decision remain possible, but these should be less likely to take violent forms. The referendum losers have fewer grounds to claim unfair treatment and violent challenges become more difficult to justify. Furthermore, the high legitimacy that emanates from consensual referendums can motivate the formation of cross-ethnic coalitions who support the referendum outcome. In some cases, consensual referendums may even draw in international actors willing to defend the referendum outcome diplomatically or even militarily, thus deterring violent challenges (Collin 2015).

Second, consensual referendums may also reduce commitment problems. The anticipation that settlements will not be honored constitutes a key cause of civil war (Walter 2009). By agreeing on a referendum, the parties can signal credible commitment. States, in particular, find it easy to renege on promises, but often have few means available to plausibly demonstrate commitment. Consensual referendums provide an informal guarantee that settlements will be honored. Referendums can cast a long shadow and provide an informal lock to settlements. For example, even in the absence of explicit legal guar-

antees, states will find it more difficult to renege on a deal via a parliamentary vote or by citing executive privilege. Popular legitimacy is likely to create informal pressure that changes would, once more, have to be ratified in a similar referendum. Especially if they draw in third parties as guarantors, consensual referendums can thus counter issues with credible commitment (Walter 1997).

By contrast, these peace-inducing effects are unlikely to apply if self-determination referendums are initiated without mutual agreement. Unilateral referendums violate one of the two sides' claim to self-determination. They therefore constitute dangerous acts of brinkmanship. When agreement on a referendum cannot be reached, the separatists may resort to unilateral referendums as a form of protest and to establish a popular mandate for their demands. States, on the other hand, can use unilateral referendums to demonstrate strength and legitimize the status quo. These tactics can be successful. For example, Russia's Tatarstan region was granted increased autonomy over its natural resources after the separatists won a unilateral autonomy referendum in 1992 (George 2009, 63). However, bargaining by unilateral referendum is a dangerous business. Mutual perceptions of fair decision-making are unlikely to emerge. Even if a referendum is not obviously rigged, this is unlikely to compensate for the lack of prior consent. Therefore, none of the peace-inducing mechanisms outlined above are likely to apply.

Instead, unilateral referendums are likely to ramp up tensions, exacerbate an already volatile situation, and further increase the risk of separatist war. The violation of one side's claim to self-determination that is implied in unilateral referendums is likely to increase nationalist grievances. If states organize referendums under rules that are rejected by the separatists, they thereby confirm and render more visible imposed 'alien' rule. By contrast, if separatists unilaterally hold referendums, supporters of the state are likely to be infuriated by what they consider to be illegal, unconstitutional posturing. As the literature on ethno-nationalist conflict has extensively demonstrated, such nationalist grievances can further aggressive behavior and substantially increase the risk of war (e.g., Gurr 1970; Petersen 2002; Germann and Sambanis 2019).⁴

⁴A link between unilateral referendums and separatist war can also be framed in terms of bargaining theory. Unilateral referendums may 'lock in' radical claims to, for example, complete independence and

4 Cross-National Evidence

I begin to evaluate my theory using group-based cross-national regression analyses. No causal claims can be made based on this analysis. Nevertheless, the data allow me to establish whether, beyond anecdotal evidence based on a small number of cases, correlations between self-determination referendums and separatist war conform to my theory.

4.1 Data

The analysis is based on a global sample of disputes over self-determination from 1946 to 2012. Disputes over self-determination are here defined as violent or nonviolent conflicts between (host) states and ethnic movements that make claims for increased autonomy or outright secession.

More specifically, the sample consists of all self-determination disputes represented in the Ethnic Power Relations dataset (EPR), version 2014 (Vogt et al. 2015). The advantage of anchoring the analysis on EPR is that EPR includes information on a series of pertinent confounders, such as whether separatist groups have representation in the central government or regional autonomy. However, there are also costs as EPR does not include all separatist groups. Most importantly, EPR does not include separatist groups defined by region of origin (e.g., Lombards in Italy) or groups located in overseas territories and colonies. Still, this approach allows me to investigate the effects of consensual and unilateral self-determination referendums based on a diverse set of separatist conflicts.

I rely on the Self-Determination Movements (SDM) dataset for the identification of separatist groups in EPR (Sambanis et al. 2018). Overall, SDM counts a total of 464 separatist ethnic groups in the period from 1946 to 2012. 290 of these can be matched to EPR. 225 of the separatist groups in the SDM data correspond directly to an EPR group. In another 65 cases, EPR and SDM aggregate groups differently, but a match can still be established. Overall, the EPR sample includes a total of 280 separatist groups in 94

thereby strengthen perceptions of issue indivisibility (cf. Goddard 2006). Moreover, reputation concerns can lead states to clamp down on separatist groups that have unilaterally organized a referendum (cf. Toft 2003).

countries.⁵ The unit of analysis in all analyses reported below is the country-group-year. The total number of observations is 8,817.

My theory makes predictions regarding separatist violence in general, including both the onset and duration of separatist wars. Accordingly, I employ separatist war incidence as the main dependent variable. In an additional analysis, I show that similar conclusions are reached when distinguishing between the onset and duration of separatist war; however, the estimates regarding war duration are less precise due to the relatively low number of referendums held during ongoing wars. Separatist war incidence is coded 1 in any country-group-year that saw a separatist war, 0 otherwise. The data is drawn from SDM and includes both major civil wars and low-intensity armed conflicts. To shield against reverse causality, I recoded a small number of cases so that the dependent variable always reflects the situation after a referendum (see Table S1 in the online appendix for details). Around a quarter of the observations are coded with separatist war (2,270 out of 8,817).

The central explanatory variables reflect the incidence of consensual and unilateral self-determination referendums, respectively. Each variable is coded 1 in the year of a referendum as well as the previous year, 0 otherwise. In order to be coded 1, a referendum needed to have directly affected a self-determination dispute. For example, the 1997 referendum on Scottish devolution is associated with the dispute between the UK government and the Scots over Scotland, but not the dispute over Wales. In additional models I analyze exponential decay functions indicating the time elapsed since a consensual or unilateral referendum. The decay functions are coded 1 in the year of a referendum and then decrease exponentially with a half-life of three years. They allow consideration of the more long-term implications of referendums under the assumption that the effects of events such as referendums decrease over time.

I draw data on dates and locations of self-determination referendums from the Contested Sovereignty dataset, a global compilation of all sovereignty-related referendums held since 1776 (Mendez and Germann 2018). I find a total of 160 votes that conform to

⁵Refer to section 1.1 in the online appendix for additional details on the merging of SDM with EPR.

my definition of a self-determination referendum and were held during the period analyzed (excluding colonial cases). I have to discard 55 of these cases as the corresponding separatist disputes are not represented in EPR.⁶ For the remaining 105 cases, I coded whether or not the referendums were mutually agreed in line with the definition provided above. Most of the cases were straightforward to code as they either resulted from inclusive negotiations and/or had an uncontested constitutional basis (indicating mutual agreement); or were clearly and publicly disavowed by one side through calls for boycotts or declarations that a referendum is illegal or unconstitutional (indicating lack of mutual agreement). The supplementary materials include case-by-case notes explaining all coding decisions. 45 of the 105 referendums in the analysis sample are coded as consensual; the remaining 60 cases as unilateral. The consensual referendums are more likely to deal with internal autonomy than with outright secession (34 vs 11 cases). By contrast, unilateral self-determination referendums more often deal with outright secession (35 vs 25 cases). Three quarters of the unilateral referendums are initiated by separatists and the remaining quarter by central states.

Self-determination referendums can result in territorial concessions by the state. Therefore, all models reported below control for whether or not ethnic groups enjoy a meaningful level of regional autonomy. Note that secessions are automatically accounted for because seceding groups leave the sample. In addition, all models control for regional concentration (e.g., Toft 2003), relative group size, exclusion from the national executive (e.g., Cederman et al. 2010), a country's level of democracy (e.g., Cunningham 2013), and lagged separatist war incidence (to account for time dependence). Section 1.2 in the online appendix contains variable definitions and data sources. All controls are lagged by one year, except if they are measured at the beginning of a calendar year (e.g. exclusion). Summary and descriptive statistics are reported in section 1.3 in the online appendix.

Table 1: Regression models explaining separatist war incidence, 1946–2012

	(1) Logit	(2) Logit	(3) Logit	(4) Logit	(5) OLS	(6) OLS
<i>Self-determination referendums:</i>						
Consensual referendum _{t-1/t}	-2.345** (0.894)		-1.970** (0.755)		-0.061* (0.029)	
Unilateral referendum _{t-1/t}	1.358** (0.436)		1.483** (0.480)		0.068* (0.031)	
Consensual referendum (decay)		-2.124* (1.079)		-1.725* (0.860)		-0.059+ (0.035)
Unilateral referendum (decay)		0.633 (0.463)		0.793 (0.506)		0.046+ (0.026)
<i>Group-level controls:</i>						
Regional concentration _t	0.896* (0.414)	0.893* (0.412)				
Relative group size _t	0.851 (0.734)	0.825 (0.731)	0.676 (0.832)	0.642 (0.826)	0.247 (0.393)	0.237 (0.391)
Exclusion _t	0.570** (0.201)	0.537** (0.202)	0.649** (0.202)	0.621** (0.203)	0.054** (0.017)	0.054** (0.017)
Regional autonomy _t	-0.203 (0.250)	-0.184 (0.250)	-0.137 (0.241)	-0.125 (0.241)	-0.008 (0.026)	-0.006 (0.027)
Separatist war _{t-1}	6.075*** (0.213)	6.052*** (0.210)	5.967*** (0.200)	5.951*** (0.198)	0.781*** (0.027)	0.781*** (0.027)
Autonomy restriction _{t-2/t-1}			1.949*** (0.324)	2.023*** (0.337)	0.132*** (0.031)	0.135*** (0.032)
Separatist kin _{t-1}			0.043 (0.154)	0.057 (0.153)	-0.002 (0.017)	-0.001 (0.017)
Hydrocarbon reserves _{t-1}			0.243 (0.206)	0.230 (0.208)	0.046* (0.023)	0.047* (0.023)
Mountainous terrain _t			0.441+ (0.252)	0.440+ (0.252)	-0.132 (0.705)	-0.160 (0.724)
Noncontiguity			0.285 (0.258)	0.254 (0.254)		
<i>Country-level controls:</i>						
Democracy _{t-1}	-1.187* (0.520)	-1.164* (0.523)	-0.057 (0.430)	-0.051 (0.429)	0.023 (0.030)	0.023 (0.030)
ln(GDP per capita _{t-1})			-0.437*** (0.113)	-0.427*** (0.114)	-0.000 (0.011)	0.000 (0.011)
Peacekeeping _{t-1}			-0.000 (0.260)	-0.005 (0.260)	-0.030 (0.024)	-0.031 (0.024)
<i>System-level controls:</i>						
Cold War _t			0.419** (0.139)	0.419** (0.140)	0.017+ (0.010)	0.017+ (0.010)
Only concentrated groups	No	No	Yes	Yes	Yes	Yes
Dispute FEs	No	No	No	No	Yes	Yes
Groups	280	280	269	269	269	269
Countries	94	94	90	90	90	90
Observations	8812	8812	8428	8428	8428	8428

Note: All models include a constant (not shown). Standard errors clustered by country in parentheses.
⁺ $p < 0.10$, * $p < 0.05$, ** $p < 0.01$, *** $p < 0.001$.

4.2 Results

Table 1 shows the results of regression models explaining separatist war incidence. The sample consists of active self-determination disputes, 1946–2012. To deal with time de-

⁶Note that a small number of referendums affected multiple country-group dyads in EPR. For example, the 2011 independence referendum in South Sudan simultaneously affected the Dinka and the Nuer, along with other southern groups.

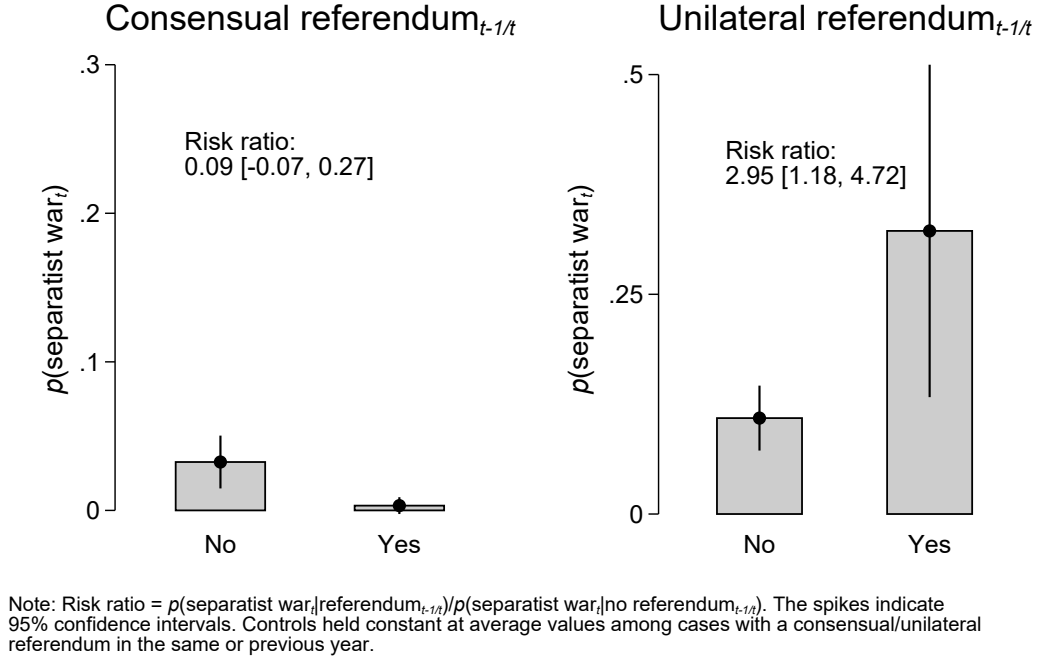
pendence, all models control for separatist war incidence in the previous year, in addition to the previously mentioned variables. Models 1 to 4 are estimated with logit regression; further below I turn to linear probability models with dispute fixed effects (models 5 and 6). Standard errors are clustered by country.

Model 1 in Table 1 shows that in line with expectations, separatist war becomes more likely in the two years after a unilateral referendum ($p < 0.01$). By contrast, separatist war becomes less likely in the aftermath of consensual referendums ($p < 0.01$). Predicted probabilities based on this model (see Figure 2) indicate that separatist war is relatively unlikely to begin with in situations typical for consensual referendums, even in the absence of a referendum (around 3%). The holding of a consensual referendums further reduces that risk to 0.3%. In stark contrast, unilateral self-determination referendums tend to be held in much more conflict-prone situations. For example, unilateral referendums are much more likely than consensual referendums to involve excluded groups (78% of cases vs. 49% for consensual referendums) and also more likely to be held in dictatorships. Accordingly, model 1 predicts a baseline separatist war risk of 11% in situations typical for unilateral referendums. Still, the holding of a unilateral referendum further increase that risk almost threefold, to 32%.

The results reported above refer to the short-term implications of referendums in the same or previous calendar year. To enable insight into the more long-term implications of self-determination referendums, model 2 introduces the referendum decay functions described above. Predicted probabilities based on this model (see Figure 3) suggest that mutually agreed self-determination referendums are associated with a significantly lower separatist war risk up to 10 years down the line ($p < 0.05$). Meanwhile, the coefficient for unilateral referendums remains positive but fails to reach statistical significance. This could suggest that unilateral referendums affect separatist war risk mostly in the short term, when memories of grievance are still fresh.

Models 3 to 6 report the results of two robustness checks. First, models 3 and 4 show that the results remain unchanged when adding controls for country wealth (e.g., Fearon and Laitin 2003), peacekeeping operations (e.g., Hegre et al. 2018), recent autonomy

Figure 2: Short-term effects of self-determination referendums on separatist war incidence



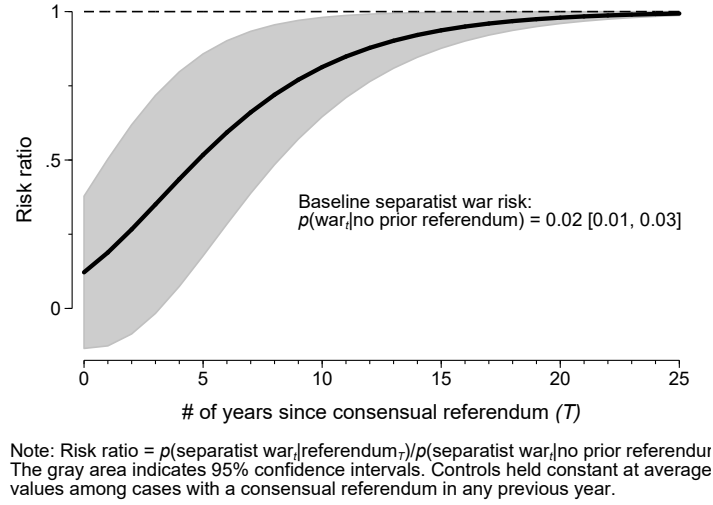
retractions (Germann and Sambanis 2019), and a series of further possible confounders. Note that some of the additional controls (e.g., presence of hydrocarbons) are specific to ethnic settlement areas. Hence, models 3 and 4 restrict the sample to regionally concentrated separatist groups.

Second, the final two columns report the results if models 3 and 4 are re-estimated with dispute fixed effects. Dispute fixed effects account for any unobserved heterogeneity at the dispute level, including long-standing ethnic antagonisms and unobserved country or group characteristics.⁷ The results are again similar, except that the long-term effect of unilateral referendums is now marginally significant ($p = 0.08$).

Finally, I report results from a first-order Markov transition model. The dependent variable remains the same (separatist war incidence), but all explanatory variables are now interacted with lagged separatist war incidence. This allows me to separate the associations of self-determination referendums with the onset of separatist war and war duration (McGrath 2015). I focus on the implications of referendums in the current and previous year. Model specification consists of the full set of controls used above, including

⁷Noncontiguity is time-invariant and therefore dropped from the list of controls.

Figure 3: Long-term effect of consensual self-determination referendums on separatist war incidence

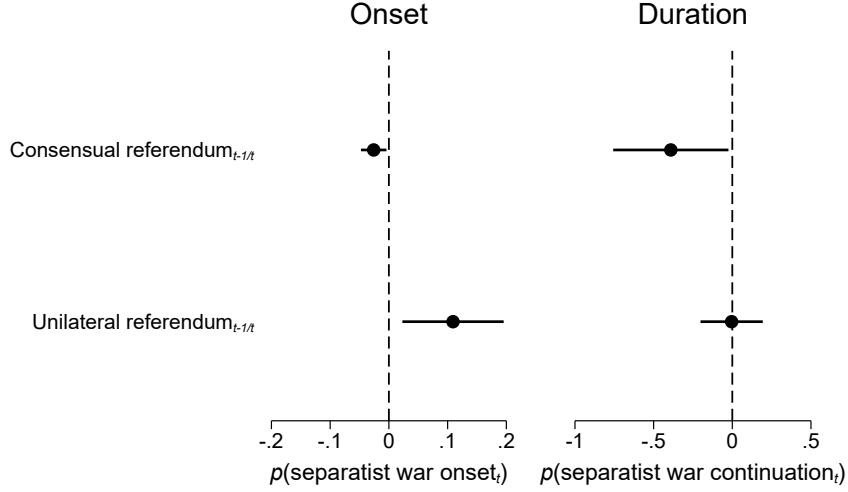


dispute fixed effects. Following Carter and Signorino (2010), I include cubic polynomials of the time elapsed since the last separatist war or since the start of a separatist war, respectively.

The results (see Figure 4) suggest that consensual referendums reduce the risk of separatist war onset by an estimated 2.5%points ($p < 0.05$). By contrast, unilateral referendums increase the risk of separatist war onset by 11%points ($p < 0.05$). Turning to war duration, I find that consensual referendums substantially decrease the probability that separatist wars continue ($p < 0.05$). Expressed differently, ongoing separatist wars are more likely to terminate after a consensual referendum. By contrast, unilateral referendums have no discernible effect on whether wars continue or end. This could suggest that unilateral referendums make less of a difference if tensions (and, therefore, grievances) are already high. However, the war duration results are based on a small number of cases (6 consensual and 15 unilateral) and estimation uncertainty is therefore considerable. Too strong conclusions should be avoided.⁸

⁸Tables S4-S7 in the online appendix show a series of additional robustness checks, including models employing alternative time frames/half-lives in the estimation of the short-term and long-term associations of referendums with separatist war, models restricting the dependent variable to major wars, and models with further controls. The results are similar.

Figure 4: Short-term effects on separatist war onset and duration



Note: The spikes indicate 95% confidence intervals.

5 Case-Based Evidence

Having established correlational evidence in favor of my theory based on large- N comparisons, I now turn to a more in-depth analysis of two referendums held in Northern Ireland. The qualitative analysis allows me to evaluate key dynamics and causal mechanisms predicted by my theory. The Northern Irish case offers a unique perspective as it allows for a diachronic, intra-case comparison of the consequences of a unilateral and a consensual referendum.

5.1 Border Poll (1973)

In late 1972, the UK parliament decided to organize a referendum on the unification of Northern Ireland with the Republic of Ireland in the March of the following year. The ‘Border Poll’, as the 1973 referendum came to be known, unsurprisingly established that a majority of the Northern Irish favored continued links with Britain. However, the referendum was unilaterally initiated without the consent of the leaders of the separatist group (i.e., Irish Catholics). This referendum could not, therefore, calm the waves. Instead, ethnic tensions increased, consistent with expectations from my theory.

The 1973 referendum provides a clear illustration of the brinkmanship and dangers

involved in unilateral self-determination referendums. The expressed intention of British MPs voting for the referendum was to use an expression of public support for the union to undermine the position of those “extreme”, “intransigent”, and “bigoted” politicians who were making calls for Irish unification (Dixon 1997, 4). Separatist violence had been escalating for some time in Northern Ireland, with close to 200 deaths in 1971, and almost 500 in 1972 (McKittrick and McVea 2012). The British hoped that a referendum could help to de-legitimize the separatists and thereby stave off the violence (Dixon 1997, 4).

Critically, though, the Irish Catholic community was not involved in the decision to hold a referendum (Qvortrup 2014, 35, 66). To be sure, many Irish Catholics were not opposed to a referendum as such. But they wanted a different referendum; a referendum in which *all* Irish can vote, including those in the Republic of Ireland (O’Leary 2019, 36). Northern Ireland had a Protestant majority, contrary to the island of Ireland as a whole. And contrary to many Irish Catholics, Protestants almost unanimously favored (and still favor) union with Britain (Evans and O’Leary 2000, 82f). From the perspective of many Irish Catholics, the Border Poll was therefore not a fair decision-making mechanism, but served as demonstration of Britain’s disregard for the Irish right to national self-determination. Irish Catholic politicians variously described the 1973 referendum as “an empty exercise”, “a propaganda exercise”, or “a democratic farce” (Bogdanor 1981, 149, 153; Tierney 2012, 73). The Irish Republic refused to accept the validity of the referendum (Bogdanor 1981, 148); and, from the most radical to the most moderate, all Irish nationalist parties called for the referendum to be boycotted (Tierney 2012, 73). Irish Catholic compliance with the calls for the referendum to be boycotted was near-universal and the referendum ended up marred in violence (Wheatley 2012, 71; Tonge 2000, 45).⁹ Many observers suggested that the grievances induced by the 1973 referendum made a direct contribution to further bloodshed (Qvortrup 2014, 66,124; Tierney 2012, 73,242; Wheatley 2012, 71).

⁹The Border Poll yielded a 99% majority in favor of continued links with Britain upon a 59% turnout.

5.2 Referendum on the Good Friday Agreement (1998)

A quarter of a century later, another self-determination referendum was held in Northern Ireland. Contrary to the Border Poll, the May 1998 referendum was held with the express consent of all key parties to the conflict. And contrary to the earlier unilateral referendum, the 1998 referendum helped to foster peaceful relations.

The 1998 referendum was a result of inclusive negotiations involving key Northern Irish Catholic representatives, in addition to Protestants as well as the governments of both the UK and Ireland. Those negotiations concluded in April 1998 with the signing of the Good Friday Agreement. Among other things, that agreement promised the return of devolved government to Northern Ireland with guaranteed representation of both ethnic communities. As part of the deal, the agreement was subjected to popular ratification in both Northern Ireland and the Republic of Ireland (Evans and O’Leary 2000, 79; McGarry and O’Leary 2009, 25; Wheatley 2012, 71). Clear majorities of 71% in Northern Ireland and 94% in the Republic voted in favor, upon a turnout of 81% and 56%, respectively.

The aftermath of the 1998 referendum saw a sharp decline in separatist violence and there has been no return to armed conflict to this date (McGarry and O’Leary 2009, 51ff). To a large extent, the decrease in violence can be attributed to the consociational institutions stipulated by the Good Friday Agreement (cf. O’Leary 2019, 178ff). But the literature on Northern Ireland points to two key contributions of the referendum itself, both highlighted by my theory. First, the 1998 referendum increased compliance with the Good Friday Agreement while de-legitimizing potential spoilers. The road to the Good Friday Agreement had been extremely bumpy (O’Leary 2019, 135ff). Talks had stretched over years, and the peace process remained fragile. The terms set out in the agreement were far from universally popular, especially on the Protestant side. According to surveys, Protestants were about equally divided on the agreement (Evans and O’Leary 2000; Tierney 2012, 281). The region’s second-largest Protestant party, the Democratic Unionist Party (DUP), even campaigned for a ‘no’ vote (McKittrick and McVea 2012). Support for the agreement on the Catholic side was more robust. But nevertheless, several splinter groups, including the Real Irish Republican Army (RIRA), remained

starkly opposed. A key contribution of the 1998 referendum was then to generate popular legitimacy for the deal, which in turn helped to ensure that the agreement was, by and large, honored—despite continued unhappiness in some quarters (Loizides 2009, 5–6; McEvoy 2018, 870–872; Tierney 2012, 259, 297). The referendum also worked to undercut militant tendencies, contributing to the decision of the RIRA and other armed groups to lay down their arms (Collin 2015, 117, 119; Loizides 2009, 5).

The second key contribution of the 1998 referendum was a reduction in commitment problems. The electoral fortunes of the critics of the agreement and especially the DUP increased considerably after the agreement. Nevertheless, the Good Friday Agreement proved resilient, which observers (partly) put down to the popular mandate generated by the 1998 referendum (McGarry and O’Leary 2009, 72, 82). Moreover, the referendum process was able to enhance intercommunal trust because popular ratification elevated the agreement to *de facto* constitutional status (Tierney 2012, 53–54, 73–74, 148). Under the British doctrine of parliamentary sovereignty, every element of the agreement could, in principle, be revised at any time by simple majority in the British parliament. Therefore, the 1998 referendum increased the credibility of the settlement because it provided an informal guarantee that the agreement cannot be changed in the absence of another referendum (McGarry and O’Leary 2009, 32–36).

5.3 Additional Cases

Section 2 of the online appendix includes shorter descriptions of a series of additional cases. A key conclusion of this discussion is that my theory is consistent with the Yugoslav experience with self-determination referendums that is frequently referenced in the extant literature. Furthermore, I show that my theory is consistent with several out-of-sample cases that were held after 2012, the last year that was included in the cross-national analysis above (e.g., the unilaterally initiated referendum in Catalonia in 2017).

6 Experimental Evidence

Finally, I report on a survey experiment that allows me to test two important individual-level predictions along the causal path from self-determination referendums to macro-level conflict outcomes: that mutually agreed referendums are more likely than unilateral referendums to generate mutual perceptions of fair decision-making; and that their outcomes are more likely to be accepted, especially by decision losers.

6.1 Context and Experimental Design

The context for the experiment is provided by the dispute between the Scottish and UK governments over a second Scottish independence referendum. This dispute became highly salient in Britain in September 2019, when the leader of the (separatist-led) Scottish government announced that she would seek permission from the UK government for a rerun of the 2014 Scottish independence referendum.¹⁰ There was considerable speculation in the aftermath of this announcement about whether that permission would be granted; and whether, if it was not granted, Scotland would still proceed and hold a unilateral referendum.¹¹ The experiment exploits this uncertainty to provide ecologically valid causal estimates of the effects of mutual agreement on self-determination referendums on fairness perceptions and decision acceptance.

The experiment takes the form of a scenario experiment with two randomly assigned conditions. The vignette and outcome questions are contained in section 3.1 of the online appendix. First, subjects were reminded about the lingering uncertainty concerning a second Scottish independence referendum. Subjects were then asked to imagine that another referendum on Scottish independence is held. 50% of respondents were randomly shown a scenario in which the referendum is mutually agreed at elite level (i.e., by the Scottish and UK governments). The other 50% saw a scenario in which the Scottish government proceeds unilaterally without the agreement of the UK government. All

¹⁰<https://tinyurl.com/y3tklbkt>.

¹¹E.g., <https://tinyurl.com/y79ku4c9>; <https://tinyurl.com/vlbw93b>. Shortly after the election, the newly elected Conservative government refused to grant permission for a second referendum; cf. <https://tinyurl.com/vbntr4h>.

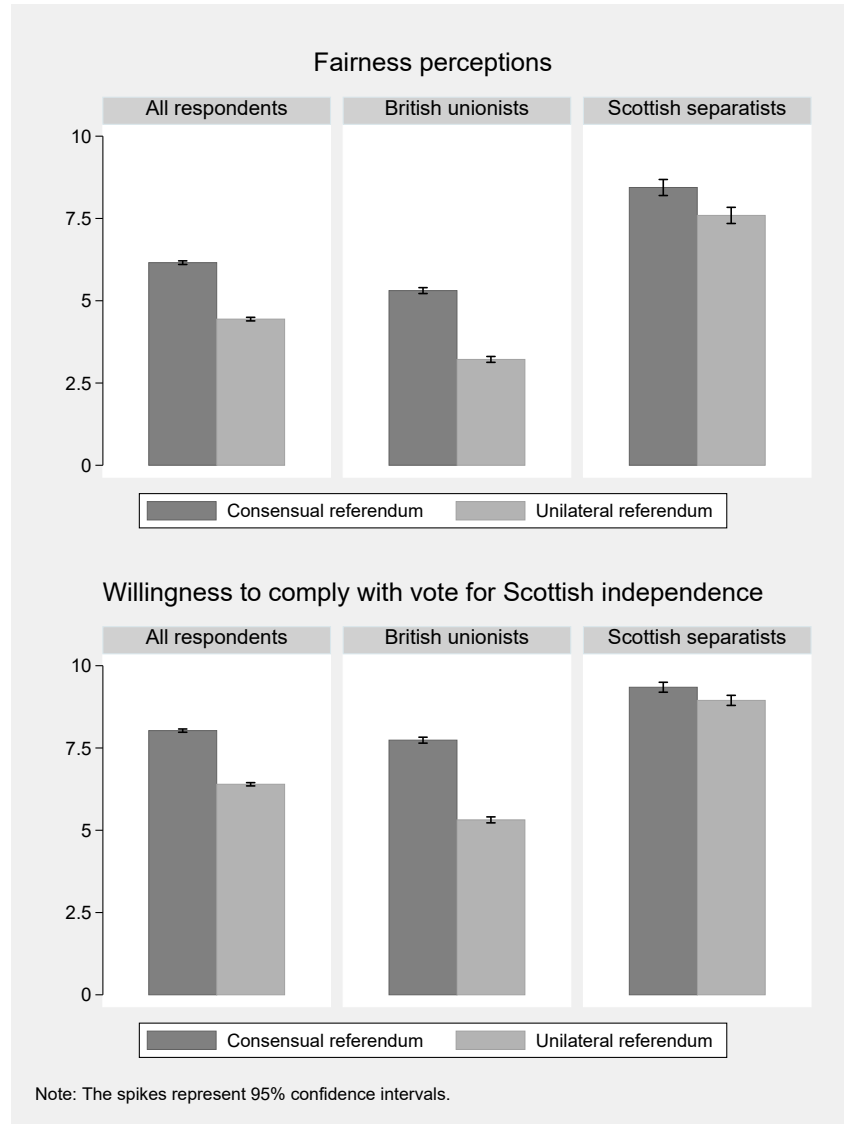
subjects were then asked the same two outcome questions. First, all subjects were asked to rate the fairness of the referendum on a scale from 0 (very unfair) to 10 (very fair). Second, to tap decision acceptance, all respondents were asked to imagine that Scotland voted to become an independent country in the referendum that was described to them, and then to indicate how important they think it would be to comply with the referendum outcome on a scale from 0 (not important at all) to 10 (very important). The wordings of the outcome questions are adapted from prior experimental studies in the procedural fairness literature (Esaiasson et al. 2019).

The data for the experiment was collected in the run-up to the 2019 UK general election as part of an online voter information tool called WhoGetsMyVoteUK. WhoGetsMyVoteUK was promoted through print and broadcast media, and advertised on social media (i.e., Facebook ads). The tool enabled voters to learn about their ideological congruence with the various parties contesting the election. To this purpose, users had to indicate their opinions on a series of political issues, which the tool then matched with previously coded party positions. WhoGetsMyVoteUK also prompted a series of standard socio-demographics and, for a total of 12 days (11/25–12/6), it featured the scenario experiment described above. A total of 31,000 respondents accessed the tool during this time, excluding respondents who used the tool more than once and those who stated that they are not eligible to vote. Around 25,500 provided valid answers in the referendum experiment. The analysis sample was highly educated (66% had a university degree), well-balanced in terms of gender (51% female), had a mean age of 38, and 52% positioned themselves on the left wing of the political spectrum. There are no statistically significant differences between the treatment groups for these and other covariates (see Table S8 in the online appendix).

6.2 Results

The results support key individual-level predictions of my theory. A difference-of-means test suggests that a hypothetical second Scottish independence referendum is much more likely to be seen as fair by respondents across Britain if it is mutually agreed by the

Figure 5: Fairness perceptions and decision acceptance in hypothetical second Scottish independence referendum



Scottish and UK governments (see the upper left panel in Figure 5). Compared to a unilateral referendum, a consensual referendum increases the average fairness rating by 1.7 points, from 4.4 to 6.1 ($p < 0.001$). In line with theoretical predictions, I find that these differential fairness assessments translate into significant differences in the willingness to accept a Scottish vote for independence (see the bottom left panel in Figure 5). Compared to a unilateral referendum, a consensual referendum increases average decision acceptance by 1.6 points, from 6.4 to 8 ($p < 0.001$).

Next, I discuss findings from two theoretically informative sub-samples. My theory leads to the expectation that whether or not the UK government has consented to the

referendum constitutes a crucial factor especially among British unionists, that is, respondents who are opposed to Scottish independence and strongly identify with the British nation. By contrast, as they claim the right to self-determination for Scotland—and, hence, the right to hold referendums—whether or not the UK government has consented should make much less of a difference to Scottish separatists. WhoGetsMyVoteUK allows me to straightforwardly test these predictions as the tool included questions on Scottish independence as well as British and Scottish identity. Both questions were shown before the experiment (i.e., pre-treatment). I code respondents as British unionists if they strongly identify as British (8 or more on a scale from 0 to 10) and disagreed or completely disagreed with the statement “Scotland should become an independent country” ($N = 8541$). Analogously, I code respondents as Scottish separatists if they strongly identify as Scottish (8 or more on a scale from 0 to 10) and agreed or completely agreed with the statement on Scottish independence ($N = 1000$).

Difference-of-means tests in these two sub-samples provide additional support to my theory (see the remaining panels in Figure 5). On the one hand, I find that UK consent matters greatly to British unionists, with the mean fairness ratings among this group increasing from a mere 3.2 for a unilateral referendum to 5.3 if the referendum was agreed, representing a plus of 2.1 points ($p < 0.001$). In stark contrast to this, Scottish separatists tend to see a referendum as fair even if it is held without UK consent (mean fairness score of 7.6). Consent by the UK government continues to matter, but the effect is much smaller among Scottish separatists (+0.8 points, $p < 0.001$).

The results for respondents’ willingness to accept a vote for Scottish independence are even starker. On the one hand, Scottish separatists think it is highly important to comply with a vote for Scottish independence even if the referendum is unilaterally initiated (mean score of 8.9). By contrast, British unionists think it is less important to comply with a unilateral referendum in favor of Scottish independence (mean score of 5.3). However, the latter become much more inclined to accept Scottish independence after a consensual referendum with the same outcome (mean score of 7.7, representing a plus of 2.4 points, $p < 0.001$). For Scottish separatists, the difference is much smaller

(+0.4 points, $p < 0.001$).

Additional results reported in Tables S9-S11 of the online appendix suggest that the effects of mutual agreement on decision acceptance reported above are mediated by differences in fairness perceptions, as predicted by my theory. Furthermore, the results from the sub-group analysis remain similar when alternative measures are used for the identification of Scottish separatists and British unionists (vote intention for the Scottish National Party and the Conservatives, respectively). Finally, all of the estimates reported above remain similar when adding covariates, when dropping racers who rushed through the tool in less than half of average time, and when using survey weights that make the data representative in terms of key socio-demographics.

Overall, the experimental evidence suggests that mutual fairness perceptions are much more likely to emerge if self-determination referendums are mutually agreed. Importantly, the experiment also supports the claim that universal consent by every individual is not necessary to generate mutual fairness perceptions. Instead, it is sufficient if elites from the different sides agree on a referendum (in this case, the Scottish and UK governments). Finally, the experiment suggests that higher fairness perceptions associated with consensual self-determination referendums translate into higher willingness to accept decision outcomes, especially among decision losers (in this case, British unionists).

7 Conclusion

Much of the existing literature is skeptical of the value of self-determination referendums as a mechanism for conflict resolution. The all-or-nothing nature of referendums is seen as likely to block necessary compromise and increase ethnic polarization. Rather than facilitate peace, self-determination referendums are thus argued to pave the road to war. The results of this study qualify the conventional view.

A combination of methodological approaches provide evidence in support of the argument that self-determination referendums can make contributions to peace processes if they have been previously agreed at elite level. First, evidence from a survey experiment

suggests that mutual agreement on referendums makes it much more likely that individuals on both sides of separatist conflicts see them as fair and are willing to accept the decision. Second, qualitative evidence from Northern Ireland suggests that consensual self-determination referendums can therefore increase the probability that decisions are honored—even if, as in Northern Ireland, opposition continues well beyond a referendum. Furthermore, the referendum on the Good Friday Agreement also illustrates how referendums can help to increase the credibility of settlements. Finally, a cross-national analysis spanning the globe suggests that consensual self-determination referendums can therefore increase the chance of peace and prevent separatist wars from occurring, recurring, or continuing.

However, in keeping with the prior literature, the results of this study also suggest that self-determination referendums are no panacea. The escalatory tendencies feared by skeptics are likely to ensue if referendums are initiated against the express will of one of the parties to a separatist conflict. Unilateral referendums affirm one side’s right to self-determination while denying the other side the same right. Experimental evidence confirmed that unilateral self-determination referendums are therefore less likely to generate mutual fairness perceptions and decision acceptance on both sides. As demonstrated by the Northern Irish Border Poll, unilateral referendums are therefore likely to increase nationalist grievances, trigger divisive rhetoric, and provoke contentious reactions, including referendum boycotts or counter-referendums. Cross-national evidence suggested that conflicts can therefore escalate quickly after unilateral referendums and that the risk of separatist war increases.

Overall, the results of this study suggest an important corrective to the prior literature. But there are also several ways in which this research could (and should) be advanced further. I argued that mutual consent lays an important foundation for mutual perceptions of fair decision-making. But other factors are likely to matter as well. Future research should consider in more detail the conditions under which consensual referendums are most likely to advance fairness perceptions. This should include the implications of electoral integrity, but also the conditions under which electoral integrity

can most likely be guaranteed. The contributions of international actors are worthy of further study. The example of Montenegro’s independence referendum (see the online appendix), but also more recent referendums held in South Sudan or Bougainville (Collin 2015, 2019) suggest that external actors can play an important role in the facilitation of compromise on a referendum. Election observation and assistance, or security guarantees, could constitute further important contributions. Finally, the UK’s 2016 Brexit referendum suggests the hypothesis that mutual legitimacy perceptions require a high degree of clarity on the options being voted on.

Additional research is needed on the best design of self-determination referendums. This study suggests that agreement on a procedure may be most important, but compromise on some referendum designs could be easier to find compared to others. In some cases, agreement on different referendum designs could be possible, calling for research into the kind of referendum design most amenable to perceptions of fair decision-making, conditional on agreement. While answers are likely to be context-dependent, the appropriateness of different eligibility criteria and decision rules seem especially important (for some suggestions cf. Laponce 2004; Tierney 2012). Finally, future work should extend the focus beyond referendums on self-determination. Are countries more likely to remain peaceful if their constitutions are ratified in referendums? Are settlements to center-seeking civil wars more likely to guarantee peace if they are subjected to referendums? As in the case of self-determination referendums, little systematic evidence has been collected on these questions.

While more work needs to be done, the results of this study suggest important implications for policy. First, while self-determination referendums *do* seem to have value for conflict resolution, that value is *limited*. Self-determination referendums can foster mutual perceptions of fair decision-making and thus strengthen the outlook for peace. However, they cannot create a consensus where none existed to begin with. Therefore, the first priority of peace-makers considering a referendum must be the facilitation of prior agreement. Furthermore, referendums should only proceed where agreement is feasible. Referendums are an inadequate and implausible measure for conflict resolution in highly

polarized, volatile situations. For example, it is highly unlikely that an agreement between Bosniaks and Serbs on a referendum was possible in the early 1990s. Nevertheless, the European Communities (EC) promised quick recognition after a referendum. This study suggests that self-determination referendums should not be promoted at all costs. If a referendum is nevertheless held in the absence of agreement, that could provide an early warning for separatist war and diplomatic or other interventions aimed at conflict de-escalation may have to be considered.

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