Pax Populi? On the Conflict Resolution Potential of Self-Determination Referendums

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Abstract

The international community increasingly promotes referendums as it intervenes in conflicts over self-determination. However, much of the existing literature is skeptical of the potential of such referendums to contribute to conflict resolution. Arguing against the prevailing scholarly opinion, this paper develops a theory that self-determination referendums can help to build a foundation for peace via the generation of political legitimacy. However, this requires that self-determination referendums do justice to conflicting claims to self-determination and are initiated with mutual consent. Unilateral self-determination referendums, by contrast, are likely to increase nationalist grievances and, thus, the risk of war. I find support for my argument in a series of case studies and a cross-national analysis of more than 100 self-determination referendums held in the context of noncolonial separatist conflicts, 1946–2012. Overall, this study suggests that self-determination referendums can make a contribution to peace, but only if the conditions are ripe and prior agreement on referendums can be found.

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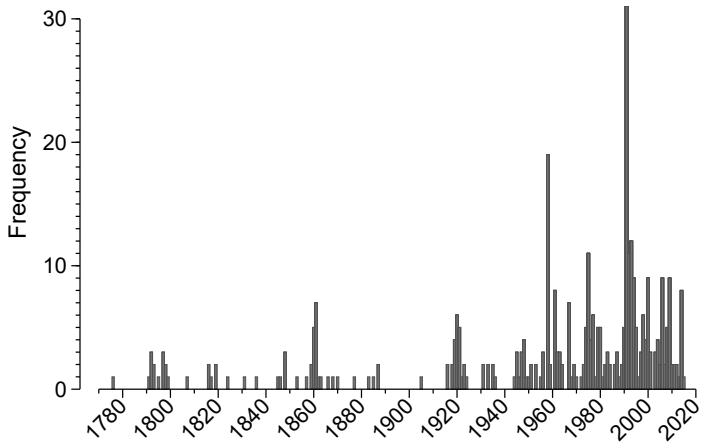
1 Introduction

In early May 1776, about two months before the Thirteen Colonies declared their independence from Great Britain, the Province of Massachusetts Bay embarked on what would become the modern era's first self-determination referendum. As would soon become clear, a majority of its eligible—male, white, and land-owning—citizens supported the Declaration of Independence (Maier 1997, 59–61). Over the following two-and-a-half centuries, self-determination referendums—here defined as direct popular votes on whether one or more of a state's regions should gain increased autonomy, become independent, or join their cultural motherland—have proliferated, especially in recent decades. Based on data that I introduce below, two-thirds of the 360 self-determination referendums held since 1776 fell in the post-World War Two period. The post-Cold War period alone accounts for around 150 self-determination referendums (see Figure 1).

There are several plausible reasons for the proliferation of self-determination referendums. Perhaps most obviously, conflicts over national self-determination have become much more numerous, and with them the demand for referendums on self-rule (Sambanis et al. 2018). At the same time, the appeal of democratic decision-making mechanisms, such as referendums, has increased as democratic norms have diffused. However, in addition to this, the international community has increasingly promoted referendums as it intervenes in self-determination conflicts around the world, driven by a belief that ballots prevent bullets (Collin 2015). Examples include the independence referendums held in Bosnia (1992), East Timor (1999), or South Sudan (2011), which were all held at the behest and, in some cases, under the supervision of international actors such as the UN.

Scholars, on the other hand, tend to be much more skeptical of self-determination referendums (though cf. Qvortrup 2014, 60–67). Sharply criticizing the practice of international referendum promotion, much of the existing literature holds that referendums are easily manipulated and, due to their majoritarian character, likely to ramp up, rather than lower, ethnic tensions. Reilly (2008, 236–237), for example, argues that referendums' "all-or-nothing" nature is likely to "short circuit any nascent routines of political dialogue". Therefore, Reilly suggests, self-determination referendums make violence more,

Figure 1: Self-determination referendums, 1776–2015



not less, likely, rendering them "the most damaging form of democratic legitimation" (p. 236). Similar arguments can be found in Mac Ginty (2003) and (Lee and Mac Ginty 2012), among other works.

Arguing against the prevailing scholarly opinion, this paper develops a theory that self-determination referendums can help to build a foundation for peace. However, I suggest that this is likely only if prior agreement exists between the key stakeholders that a referendum is held, including its form. That renders the self-determination referendum a tool of limited use for conflict resolution. Within these constraints, though, it can make a valuable contribution to peace.

It is true, as Reilly and others have contended, that referendums offer stark choices. However, stark choices cannot always be avoided. A region cannot be both autonomous and not autonomous; or secede and not secede. When unanimity is out of reach, referendums can imbue political decisions with perceptions of fairness and political legitimacy. Therefore, referendums have the potential to increase compliance with unwelcome decisions. In addition, anticipation of increased compliance can reduce commitment problems. However, for these peace-inducing effects to emerge, a partial compromise is necessary. *Mutual* perceptions of fairness and legitimacy are only likely to emerge if referendums adhere to the different parties' conflicting claims to self-determination. In order to promote peace, self-determination referendums need thus be consensually initiated. By contrast, unilaterally initiated referendums are likely to increase nationalist grievances due to per-

ceived violations of the ethnonationalist principle. Rather than decrease the risk of civil war, unilateral referendums are thus likely to increase it.

A key insight of my theory is that the conflict resolution potential of self-determination referendums is endogenous to the prospect for peace. Prior agreement on a referendum becomes less likely as the level of hostilities increases, so consensual referendums are less likely to emerge in hostile contexts. This, of course, complicates causal inference. While I, therefore, make no attempt to definitely prove the correctness of my theory, I provide two pieces of suggestive evidence. First, I use process-tracing to check whether the dynamics ensuing from several prominent self-determination referendums conform to my theory. Second, I conduct a cross-national, group-based statistical analysis of more than 100 self-determination referendums held in the context of noncolonial separatist conflicts in the post-World War Two phase.

The results strengthen the plausibility of my theory. Qualitative evidence from different case contexts, including Northern Ireland and the former Yugoslavia, suggests that self-determination referendums are able to catalyze peace if they are consensually initiated, and I also find empirical support for the two mechanisms I suggest account for this. By contrast, I find indications that self-determination referendums are likely to ramp up nationalist grievances and, in some cases, even contributed to civil war. The cross-national analysis provides correlational evidence that these patterns hold more broadly while controlling for a large number of confounders. Overall, this study suggests that self-determination referendums can make positive contributions to peace, but only if the conditions are ripe and prior agreement on a referendum can be found.

2 Procedural Fairness and Conflict Resolution

How can societal conflicts be resolved peacefully and civil wars averted? The most seminal contributions to the civil war literature stress the role of states' coercive capabilities (e.g., Fearon and Laitin 2003). However, repression is costly and, especially if it is violent and indiscriminate, can be counter-productive (Nair and Sambanis 2019). Others

suggested that civil wars are thus best averted by minimizing conflict in the first place. According to this line of argument, the most important determinant of peace is a state's ability to produce broadly desired policies, public goods, and societal outcomes, such as economic growth or a fair allocation of resources (e.g., Cederman et al. 2011). However, conflict remains a basic reality of social life. Even in the most consensual societies, there will always be individuals who have to live under rules to which they are opposed. As various strands in political science (e.g., Levi 1988), sociology (e.g., Wimmer et al. 2009), and social psychology (e.g., Lind and Tyler 1988; Thibaut and Walker 1975), have long maintained, fair decision procedures can thus play an important role in the maintenance of peace.

The key contribution of fair decision-making procedures is the creation of political legitimacy. In the Weberian tradition, political legitimacy can be defined as a belief in the fairness, appropriateness, or justness of political authorities and social arrangements (cf. Tyler 2006). While legitimacy is partly a function of the policies and outcomes produced by the state (e.g., Rothstein 2009), it also depends on *how* political decisions are made. People are more likely to see a decision outcome as fair if it was made in a fair way (Grimes 2006; Tyler 2000). The critical behavioral consequence is increased compliance. As Weber (1964) has famously argued, legitimacy can induce a moral obligation to defer to political authority. By consequence, fair decision procedures are argued to increase the probability that people accept even unwelcome decisions (Beetham 1991; Easton 1965; Levi 1988), and thus to reduce violent challenges by 'decision losers' also decreases (Thibaut and Walker 1975).

There is extensive empirical evidence that procedural fairness impacts on people's willingness to obey decisions in both the political and non-political sphere (e.g., the work place) (for an excellent review of this literature cf. Tyler 2000). Moreover, the idea that individuals defer to authority, at least in part, because of a belief in the fairness of decision procedures also underlies several important contributions to civil war research. Some have, for example, emphasized how descriptive representation of minority groups can contribute to peaceful conflict resolution (e.g. Wimmer et al. 2009). Advocates of

transitional justice have argued that due process in domestic or international human rights courts can help stabilize post-conflict countries (Meernik et al. 2010). Similarly, Gibson (2006) and others have argued 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). In the next section, I proceed to combine insights from the procedural fairness literature with the literature on ethnonationalist conflict to develop a theory of the conflict resolution potential of self-determination referendums.

3 Theory

Self-determination conflicts constitute one of the major socio-political challenges of this age. The number of ethnic groups that are making claims for increased sovereignty, from more limited claims to internal autonomy (e.g., Mayas in Mexico) to more radical claims for outright secession (e.g., Scots) or the merger with a different state (e.g., Serbs in Bosnia), has shot up in recent decades (Sambanis et al. 2018). While many of these conflicts remain nonviolent, a troubling number escalate to civil war. Self-determination disputes constitute the chief source of political violence today (Walter 2009b).

The procedural justice literature would lead to the expectation that referendums can make a contribution to the peaceful resolution of self-determination disputes. The legitimacy of the state, its institutions, and right to make authoritative decisions are by definition contested in self-determination conflicts. Referendums provide a well-established, democratic mean for the establishment, or re-establishment, of political legitimacy (e.g. Barber 1984; Pateman 1970). They combine at least three criteria that prior research has shown are important in procedural fairness assessments: voice, respect, and impartiality (Tyler 2000). On the one hand, referendums provide direct, unmediated, and, therefore, maximal popular legitimacy to political decisions, thus ensuring that the voices of ordi-

nary citizens are both heard and respected. On the other hand, referendums provide a strong signal that political decisions are taken in an inclusive, impartial way.

There is considerable empirical evidence for the claim that referendums increase fairness perceptions, political legitimacy, and, as a result, decision compliance. Experimental survey evidence from Germany, Sweden, and the U.S. suggests that citizens think of political processes as fairer, and are more willing to obey decision outcomes they oppose, if the decisions are made by referendum, rather than by elected representatives, experts, or judges (Esaiasson et al. 2012; Esaiasson et al. 2019; Gash and Murakami 2015; Towfigh et al. 2016). A unique field experiment conducted in several dozens Indonesian villages suggests that citizens perceived selections of development projects as significantly fairer, and were more willing to make personal contributions, such as labor or materials, if projects were chosen in a referendum rather than by elected representatives (Olken 2010). Finally, observational evidence from Switzerland suggests that higher degrees of direct democracy increase government legitimacy and boost tax compliance (Torgler 2005; also cf. Marien and Kern 2018).

To the extent that such findings can be generalized to referendums on self-determination, they have value for conflict resolution. However, self-determination referendums constitute a special case because they necessarily implicate an additional principle of political legitimacy: the idea that ethnic groups, or 'nations', have the right to self-rule (Gellner 1983). Therefore, I suggest that self-determination referendums are only likely to help peaceful conflict resolution if there is prior agreement between the parties that a referendum is held, including its terms.

3.1 Consensual Referendums

The ethnonationalist principle constitutes a central pillar of political legitimacy in the modern era (Wimmer 2002). Yet, that principle is by definition contested in self-determination disputes. On the one hand, there are the separatists who claim the right to national self-determination for their own group, typically a peripheral minority. On the other hand, there is the existing nation-state and its constituent group (typically the majority group)

who claim the same right for themselves while denying it to those who do not belong to the state-embodying group (Hechter 2000).

Therefore, self-determination referendums are only likely to generate mutual perceptions of fair decision-making if the ethnonationalist principle is respected. This, in turn, requires prior agreement on the referendum. Any referendum that is organized by one side while it is rejected by the other constitutes, from the perspective of the latter, a fundamental breach of its claim to self-determination. Even if a referendum is free, fair, and well-designed, this is unlikely to compensate for the lack of prior agreement.

To promote peace, then, self-determination referendums require a partial compromise—not necessarily on the best way forward, but that a referendum is held to decide the future allocation of political authority. Notably, that compromise must include the form the referendum should take, including who is eligible to vote and by what majority the referendum is decided.

Where such a compromise is possible, referendums can contribute to peace in two principal ways. First, they can increase peaceful compliance with the decision outcome. Of course, consensual referendums cannot be expected to magically create a consensus on the best way forward. However, by creating political legitimacy and, thus, moral obligations to comply, they increase chances that decisions are honored. Future attempts at reversing the decision may remain a possibility, but these are less likely to take violent forms. The decision 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 domestic, cross-ethnic coalitions or, in some cases, even coalitions involving international actors willing to defend the referendum outcome diplomatically or even militarily, thus deterring violent challenges (Collin 2015).

Second, consensual referendums can reduce commitment problems. Many negotiated settlements to intra-state conflicts, including separatist conflicts, are not implemented, or, if they are implemented, are likely to break down. Therefore, the anticipation that settlements will not be honored constitutes a key cause of civil war (Walter 2009a). 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 cast a long shadow and provide an informal lock to settlements. For example, even in the absence of explicit legal guarantees, states will find it more difficult to renege on a deal by simple parliamentary majority or executive privilege. Referendums' high, popular legitimacy creates 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, a key hindrance to peace (Walter 1997).

3.2 Unilateral Referendums

What if no prior agreement on a referendum can be found? Many states are unwilling to even consider the possibility of territorial concessions (Toft 2003). And, even if there is agreement that a referendum should be held, the parties often disagree on its form. Separatist groups may claim a referendum in their region, whereas majority groups think they, too, 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 supermajority, 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 are therefore often slim. Under such circumstances, only unilateral referendums remain a possibility. Unilateral referendums, however, constitute dangerous acts of brinkmanship.

Both primary parties to self-determination conflicts—states and separatist movements—may resort to unilateral referendums. Invariably, though, unilateral referendums can be understood as a bargaining tactic. Separatists use them as a form of protest and to establish a popular mandate for their demands. By contrast, states may use them to demonstrate strength and legitimize the status quo. These tactics can yield rewards.

Russia's Tatarstan region, for example, was granted increased autonomy over its natural resources after the separatists won a unilateral autonomy referendum in 1992 (George 2009, 63). However, unilateral referendums also entertain a high risk to exacerbate an already volatile situation.

While unilateral referendums can establish democratic legitimacy, they violate one of the parties' claim to self-determination. Hence, mutual perceptions of fair, legitimate decision-making are less likely to emerge and none of the peace-inducing mechanisms outlined above are likely to apply. Instead, unilateral referendums are likely to ramp up tensions and may further increase the risk of civil war. The violation of the ethnonationalist principle may increase grievances and further perceptions of political illegitimacy. 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 extensively demonstrated in the existing literature, such nationalist grievances can further aggressive behavior and increase the risk of civil war (e.g., Gurr 1970; Petersen 2002; Germann and Sambanis 2019).[1]

4 Case-Based Evidence

I begin to evaluate my theory with a focused comparison of two referendums held in Northern Ireland, a case context that offers the rare opportunity to directly compare the dynamics ensuing from consensual and unilateral referendums within the same conflict. After that, this section proceeds to shorter discussions of a series of referendums held in the former Yugoslavia, as well as some recent cases.

[1]In addition, a link between unilateral referendums and civil war can also be framed in terms of bargaining theory. Unilateral referendums may 'lock in' radical claims to, for example, complete independence and 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).

4.1 Northern Ireland

In December 1972, the British parliament decided to organize a referendum on the unification of Northern Ireland with the Republic of Ireland in the March of the following year. With this exercise, British members of parliament (MPs) hoped to demonstrate that a majority in the province rejects secession and, thereby, undermine the position of those "extreme", "intransigent", and "bigoted" politicians that were making calls for Irish unification. Separatist violence had been spreading rapidly in Northern Ireland at the time, with close to 200 deaths in 1971, and almost 500 in 1972 (McKittrick and McVea 2012). Many British MPs hoped that the referendum would help to stave off the violence (Dixon 1997, 4). Yet, while majority support for continued links with Britain was easily established, in line with my theory the referendum ended up increasing rather than decreasing ethnic tensions, with many observers suggesting that the vote contributed directly to further bloodshed (Qvortrup 2014, 66, 124; Tierney 2012, 73, 242; Wheatley 2012, 71).

The 'Border Poll', as the 1973 referendum has come to be known, because it was initiated by the British state without the consent of and, in fact, over protests by, the Irish Catholic community (Qvortrup 2014, 35, 66). Irish Catholics were not opposed to the idea of a referendum. But they wanted a different referendum, one that includes *all* Irish, including those in the Republic. Contrary to the island of Ireland as a whole, Northern Ireland has a Protestant majority. 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 Irish Catholics, the Border Poll thus came to serve as demonstration of Britain's disregard for the Irish right to national self-determination. In line with my expectations, this seems to have increased nationalist grievances. 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 in Northern Ireland called for the referendum to be boycotted (Tierney 2012, 73). Com-

pliance with the calls for a boycott was near-universal; the Border Poll yielded a 99% majority in favor of continued links with Britain upon a 59% turnout (Wheatley 2012, 71; Tonge 2000, 45).

Almost exactly 25 years later, in May 1998, another self-determination referendum was held in Northern Ireland—this time under radically changed circumstances, and with a diametrically opposed outcome. A good month prior to the referendum, inclusive negotiations involving key representatives from both the Protestant and Catholic divide, as well as the governments of both Britain and Ireland, had resulted in the signing of the Good Friday Agreement. The agreement promised the return of devolved government to Northern Ireland with guaranteed representation of both ethnic communities. The deal was subject to ratification in a referendum in Northern Ireland, and a simultaneous referendum in the Republic (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 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).

Conforming with my predictions, 1998's twin referendum made two key contributions to the pacification of Northern Ireland—notably above and beyond the consociational system it helped to ratify (McGarry and O'Leary 2009, 51). First, it ensured compliance with the agreement while de-legitimizing potential peace spoilers. Second, it reduced commitment problems.

The peace process had remained fragile. The terms set out in the Good Friday Agreement were not universally popular. Opposition on the Protestant side was considerable. 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), had campaigned for a 'no' vote, and there was significant internal dissent within the Ulster Unionist Party (UUP), the largest Protestant party (McKittrick and McVea 2012). Meynwhile, most Catholics were in favor, but some Catholic splinter groups, including the Real Irish Republican Army (RIRA), remained

starkly opposed. The twin referendum generated popular legitimacy for the deal and thereby helped to ensure that it was, by and large, honored, despite continued unhappiness with the deal in some quarters (Loizides 2009, 5–6; McEvoy 2018, 870–872; Tierney 2012, 259, 297). The referendum worked to undercut militant tendencies, contributing to the decision of paramilitaries, such as the RIRA, to lay down their arms (Collin 2015, 117, 119; Loizides 2009, 5). Still, the electoral fortunes of the critics of the agreement, including the DUP, increased considerably after the agreement. Yet the Good Friday Agreement proved resilient, helped by the popular mandate (McGarry and O'Leary 2009, 72, 82). Finally, the referendum process enhanced 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 can, in principle, be revised at any time by simple majority in the British parliament. The twin 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).

4.2 Former Yugoslavia

The predictions of my theory are also consistent with another prominent pair of referendums: the independence referendums held between 1991 and 1992 in Bosnia and Croatia. Skeptics often point to these cases as evidence that self-determination referendums are likely to ramp up ethnic tensions (Lee and Mac Ginty 2012, 47–48; Reilly 2008, 237). However, while both referendums are widely recognized as contributing factors to the Yugoslav civil war(s) (e.g., Kalyvas and Sambanis 2005, 193), they were also both unilaterally initiated by the respective regional governments (Radan 2002, 207–208). Not only were the referendums therefore not recognized by the Yugoslav authorities. Even more importantly, they were both fiercely opposed by the respective regions' Serbian minorities. Refusing to participate in what they saw as an illegal attempt at secession, they proceeded to organize their own unilateral referendums so as to proclaim their intentions to join Serbia. Thus, direct democracy provided further fuel to nationalist fervour and

the escalatory spiral that was already in full swing (Tierney 2012, 71–76, 238).

However, the Yugoslav context also provides an example of a more benign self-determination referendum: Montenegro's 2006 independence referendum. Often overlooked by the skeptics, this consensually initiated referendum helped to usher in a peaceful resolution to a high-stakes nationalist dispute in a deeply divided society. Similarly to Bosnia and Croatia, there was strong opposition to Montenegrin independence not only from Serbia, but also within Montenegro. In particular, Montenegro's one-third Serbian minority strongly resisted the idea of secession. However, rather than inflame inter-ethnic tensions, the Montenegrin referendum helped to reduce them. Unlike in Bosnia or Croatia, representatives from all sides negotiated prior to the referendum and, with the help of an EU-mandated mediator, managed to forge a consensus on the terms of a referendum. After a fiercely fought campaign (Huszka 2014, 136–139), Montenegro's independence referendum yielded the slimmest of margins in favor of independence: 0.5%points, or around 2,000 votes.[2] Nevertheless, given the high legitimacy emanating from the referendum process, and an accompanying willingness on the side of the EU to accept and defend the outcome, both Serbia and the pro-unionists relented and allowed Montenegro to secede peacefully (Friis 2007; ICG 2006).

4.3 Recent Experience

Patterns consistent with my theory can also be gleaned from the most recent experience. In 2011, South Sudan seceded peacefully from Sudan after a negotiated referendum that drew in both the UN and the U.S. as guarantors (though South Sudan was soon embroiled in an internal war) (Collin 2015, 119). After lengthy negotiations with the British government, Scotland voted on independence in 2014 in a widely celebrated referendum. While the secession referendums in Montenegro and South Sudan were both won by the separatists, Scots rejected independence 55% to 45%, suggesting that consensual referendums remain useful as conflict resolution tools even if they are lost by the separatists (Tierney 2016). Meanwhile, unilateral referendums have maintained their terrible track record.

[2]The parties had negotiated a 55% majority requirement and the referendum result was 55.5% in favor of independence.

Both Catalonia's and Iraqi Kurdistan's 2017 independence referendums were marred in post-referendum violence (Economist 2017b, 2017a). Finally, the referendums organized by pro-Russian forces in Crimea and Eastern Ukraine in 2014 fueled an ongoing civil war (Collin 2015, 112).

5 Cross-National Evidence

Next, I turn to cross-national regression models to evaluate the relation between self-determination referendums and separatist civil war more broadly, including in lesser-known cases. Given that self-determination referendums and whether or not they are agreed beforehand are endogenous to conflict processes, no causal claims can be made based on this analysis. Nevertheless, the data allow me to establish whether correlations between consensual and unilateral referendums, respectively, and separatist civil war conform to my theory.

5.1 Data

I test my hypotheses using a global sample of self-determination conflicts from 1946 to 2012. Self-determination conflicts constitute a natural testing ground because self-determination referendums, almost by definition, tend to occur in the context of active conflicts over territorial self-rule—that is, violent or nonviolent conflicts between ethnic movements that make claims for increased autonomy or outright secession and their host state.[3]

More specifically, the sample consists of all self-determination conflicts represented in the Ethnic Power Relations dataset (EPR), version 2014 (Vogt et al. 2015). The critical advantage of this approach is that EPR includes state-of-the-art data on a series of pertinent control variables, such as the level of regional autonomy enjoyed by ethnic groups and whether groups have representation in the central government. However, there are also costs to this approach because EPR does not include all separatist conflicts. For

[3]That said, I get similar results when extending the analysis to politically relevant ethnic groups more generally (see section X in the online appendix.

example, ethnic groups located in overseas territories are not included in EPR, so my analysis does not include anti-colonial movements and referendums held in the context of decolonization. Moreover, EPR does not include regional identity groups. Therefore, EPR systematically omits separatist groups defined by region of origin, such as the Lombards in Italy. That said, EPR includes a large number of separatist groups defined over language, religion, and race. Therefore, my approach allows me to investigate the effects of consensual and unilateral referendums based on a diverse, if not universal, set of separatist conflicts.

Overall, EPR covers around two thirds of all known noncolonial separatist conflicts. The most complete listing of self-determination conflicts—the Self-Determination Movements or SDM dataset—counts a total of 464 separatist ethnic groups in the period from 1946 to 2012 (Sambanis et al. 2018). Of these, 290, or 63%, 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 countries.[4] The unit of analysis in all analyses reported below is the country-group-year. The total number of observations is 8,817.[5]

The central dependent variable is the incidence of separatist civil war. The variable is coded 1 in any country-group-year that saw a lethal conflict over self-rule with casualties on both sides, 0 otherwise. I draw data on separatist civil war from SDM. The data includes both major civil wars and low-intensity violence.[6] To shield against reverse causality, I recoded a small number of cases so that the dependent variable always reflects the situation after a referendum in a given year (see section X in the online appendix for details). Around a quarter of the observations in my sample are coded with separatist civil war (2,270 out of 8,817). The remaining three quarters represent nonviolent claims for self-determination. In additional models reported below, I extend the focus from civil

[4]Refer to section X in the online appendix for additional details on the merging of SDM's data on separatist groups with EPR.

[5]The substantive conclusions remain the same when I analyze all 464 movements included in the SDM dataset using a more limited set of country-level controls (see section X in the online appendix).

[6]I get similar results when including only major civil wars (see section X in the online appendix.

war incidence to their onset and termination.

The central explanatory variables reflect incidences of consensual and unilateral self-determination referendums. I identify self-determination referendums using the Contested Sovereignty dataset, a global compilation of all sovereignty-related referendums held since 1776 (Mendez and Germann 2018). I find a total of 360 votes that conform to my definition of a self-determination referendum. 200 of the 360 referendums refer to decolonization or were held before or after the period analyzed (1946–2012). Of the remaining 160, 105 (66%) can be linked to EPR.[7]

Testing of my hypotheses requires information on the form of initiation (consensual vs. unilateral) of self-determination referendums. I collected new data on the form of initiation for all 160 noncolonial self-determination referendums held from 1946–2012. I code a referendum as consensual if all key stakeholders consent to the referendum. At a minimum, this requires prior agreement on a referendum, including its terms, between representatives of the central state and the separatist group. If there are relevant local minorities within separatist regions, such as in Bosnia or Croatia, I also require that representatives of the minority consent to the referendum. Consensual referendums are often straightforward to identify because they result from formal negotiations. However, I also include cases in which consent is more implicit, such as when a referendum is initiated without formal negotiations, but in accordance with mutually accepted constitutional rules (e.g., Quebec in 1980 and 1995). By contrast, I code a referendum as unilateral if it was initiated against the express will of one of the conflict parties. Often, disagreement finds expression in calls for boycotts or declarations by the state that a referendum is illegal or unconstitutional.[8] Overall, 82 of the 160 referendum are coded as consensual. 45 of these, or 55%, can be linked to EPR. The remaining 78 referendums are coded as unilateral, 60 of which can be linked to EPR (77%). The majority of consensual referendums deal with internal autonomy, though a considerable number (26%) involve outright secession. Separatists are more likely to initiate unilateral refrendums (81% vs.

[7] 13 referendums are linked to more than one EPR group (e.g. Eritrea's 1993 independence referendum is linked to both Christian and Muslim Eritreans).

[8] Section X in the online appendix provides additional details on the coding procedure, including case-specific coding notes and sources.

Table 1: Consensual and unilateral self-determination referendums, 1946–2012

	All	Can be linked to EPR
Consensual referendums	82	45 (55%)
Autonomy	61	34 (56%)
Secession	21	11 (52%)
Unilateral referendums	78	60 (77%)
Autonomy	37	25 (68%)
Secession	41	35 (85%)

Note: Referendums held in colonial contexts are not included. A total of 6 referendums included options for both increased autonomy and outright secession. They are here counted as secession referendums.

19% initiated by the state), and more than half of the cases involve outright secession (cf. Table 1).

I model the effects of self-determination referendums using two binaries that are coded 1 if a given country-group dyad involves a consensual or unilateral referendum, respectively, in the current or the previous calendar year (0 otherwise). 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. The latter allow consideration of the more long-term implications of referendums under the assumption that the effects of events such as referendums decrease over time (cf. e.g., Forsberg 2013).[9]

5.2 Results

In line with my predictions, the results suggest that peace is more likely to hold after consensual referendums, whereas unilateral referendums are often followed by war. Table 2 shows the results for separatist civil war incidence. All models are restricted to ethnic groups that actively mobilize for self-determination. To deal with time dependence all models control for civil war incidence in the previous year. Models 1 to 3 are estimated with logit regression; further below I turn to a linear probability model with group fixed effects (model 4). Standard errors are clustered by country.

[9]I report results using different time frames in section X of the online appendix.

Table 2: Self-determination referendums and separatist civil war incidence, 1946–2012

	(1)	(2)	(3)	(4)
Self-determination referendums:				
Consensual referendum$_{t\text{-}1/t}$	-2.345**		-1.940*	-0.060*
	(0.894)		(0.756)	(0.029)
Unilateral referendum$_{t\text{-}1/t}$	1.358**		1.484**	0.068*
	(0.436)		(0.486)	(0.031)
Consensual referendum (decay)		-2.124*		
		(1.079)		
Unilateral referendum (decay)		0.633		
		(0.463)		
Group-level controls:				
Regional concentration$_t$	0.896*	0.893*		
	(0.414)	(0.412)		
Relative group size$_t$	0.851	0.825	0.582	0.249
	(0.734)	(0.731)	(0.835)	(0.396)
Exclusion$_t$	0.570**	0.537**	0.632**	0.056**
	(0.201)	(0.202)	(0.201)	(0.017)
Regional autonomy$_t$	-0.203	-0.184	-0.099	-0.009
	(0.250)	(0.250)	(0.260)	(0.027)
Autonomy downgrade$_{t\text{-}2/t\text{-}1}$			1.961***	0.130***
			(0.319)	(0.032)
Separatist kin$_{t\text{-}1}$			0.035	-0.002
			(0.153)	(0.017)
Hydrocarbon reserves$_{t\text{-}1}$			0.280	0.047*
			(0.201)	(0.023)
Mountainous terrain$_t$			0.435+	-0.138
			(0.249)	(0.706)
Noncontiguity$_t$			0.274	
			(0.254)	
Civil war$_{t\text{-}1}$	6.075***	6.052***	5.953***	0.782***
	(0.213)	(0.210)	(0.205)	(0.027)
Country-level controls:				
Democracy$_{t\text{-}1}$	-1.187*	-1.164*	-0.015	0.017
	(0.520)	(0.523)	(0.441)	(0.029)
ln(GDP per capita$_{t\text{-}1}$)			-0.436***	0.000
			(0.115)	(0.011)
Federal state$_{t\text{-}1}$			-0.164	0.021
			(0.190)	(0.018)
Peacekeeping$_{t\text{-}1}$			0.050	-0.029
			(0.287)	(0.024)
System-level controls:				
Cold War$_t$			0.443**	0.016+
			(0.149)	(0.009)
Only concentrated groups	No	No	Yes	Yes
Group FEs	No	No	No	Yes
Groups	280	280	269	269
Countries	94	94	90	90
Observations	8812	8812	8428	8428

Note: Models 1–3 are estimated with logit regression. Model 4 includes group-level fixed effects and is estimated with OLS. All models include a constant (not shown). Standard errors clustered by country in parentheses. $^{+}$ $p < 0.10$, * $p < 0.05$, ** $p < 0.01$, *** $p < 0.001$.

Model 1 considers the short-term effects of self-determination referendums in the current or previous year, controlling for several key confounders. Territorial concessions in the aftermath of referendums are likely to have an independent effect on the risk of civil war, so I control for groups' level of regional autonomy. (Secessions are automatically accounted for because seceding groups leave the sample.) In addition, I include controls for several variables shown to be strongly related to separatist civil war in prior studies: regional concentration (e.g., Toft 2003), relative group size (e.g., Cederman et al. 2010), exclusion from the national executive (e.g., Wimmer et al. 2009), and a country's level of democracy (e.g., Cunningham 2013). All controls are lagged by one year, except if they are measured at the beginning of a calendar year (e.g. exclusion).[10]

Conforming to expectations, the coefficient for consensual referendums in model 1 is negative whereas the coefficient for unilateral referendums is positive. Both effects are statistically (p <0.01) and substantively significant (see Figure 2).[11] As expected, model 1 suggests that consensual referendums tend to occur in situations where the ex-ante risk of civil war is already low (3%). However, introducing a consensual referendum to the mix further decreases the risk of a civil war to 0.3%. Unilateral referendums, by contrast, are held in much more conflict-prone situations; in particular, they are more likely than consensual referendums to involve excluded groups[12], more likely to be held in dictatorships[13], and more likely to be preceded by civil war in the previous year[14]. Accordingly, the baseline civil war risk in situations typical for unilateral referendums is estimated to be much higher (11%), but unilateral referendum further increases that risk almost threefold, to 32%.

Model 2 replaces the binary indicators of referendums in the current or previous year with the decay functions described above, enabling insight into referendums' more long-term effects. I find that the coefficient for consensual referendums remains nega-

[10]Section X in the online appendix provides additional details on the measurement of controls, including data sources.

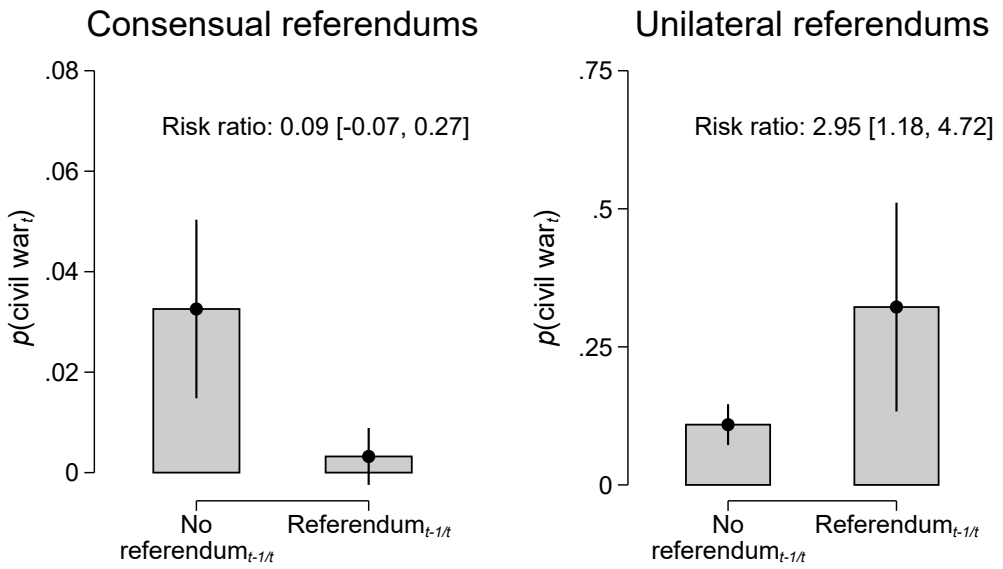
[11]All predicted probabilities are calculated by holding covariates at their means when there was a consensual or unilateral referendum in the same or previous year, respectively.

[12]78% of cases vs. 49% for consensual referendums.

[13]The average democracy score at the time of referendums, measured on a scale from 0 to 1, is 0.44 for unilateral referendums and 0.66 for consensual referendums.

[14]27% of the cases (unilateral) vs. 11% (consensual).

Figure 2: Referendums' short-term effects

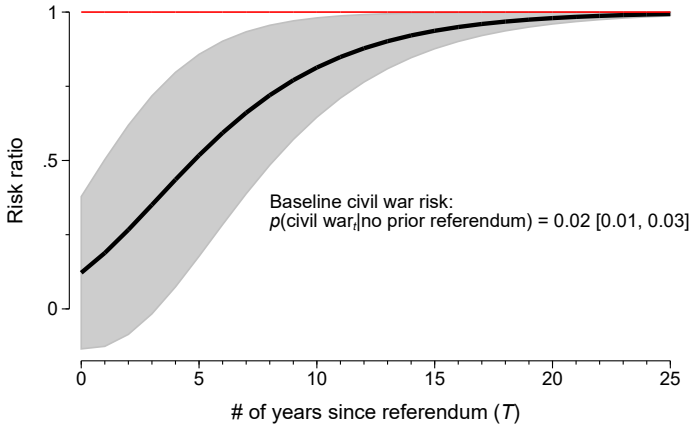


Note: Risk ratio = p(civil war$_t$|referendum$_{t\text{-}1/t}$)/p(civil war$_t$|no referendum$_{t\text{-}1/t}$). The spikes indicate 95% confidence intervals. Controls held constant at average values among cases with a consensual/unilateral referendum in current or previous year.

tive and statistically significant (p <0.05), suggesting that consensual referendums could contribute to a reduction in civil war risk for years to come (see Figure 3). Meanwhile, the coefficient for unilateral referendums remains positive but fails to reach statistical significance, suggesting that unilateral referendums may be most likely to affect the risk of civil war in the short term.

Models 3 and 4 report the results of two robustness checks, both focusing on the short-term effect of referendums in the current and previous year (analogous results for the decay specifications are reported in the online appendix). First, model 3 restricts the analysis to regionally concentrated groups while controlling for additional confounders. All but 11 separatist groups in my sample are regionally concentrated and restrict the sample to concentrated groups allows me to include three additional controls that are specific to ethnic settlement areas: noncontiguity to the main body of a country, the ruggedness of terrain, and the presence of hydrocarbon reserves. In addition, model 3 introduces controls for country wealth (e.g., Fearon and Laitin 2003), peacekeeping operations (e.g., Hegre et al. 2018), and a number of other possible confounders, including recent autonomy retractions (Germann and Sambanis 2019). Reassuringly, the results

Figure 3: Long-term effect of consensual referendums



Note: Risk ratio = p(civil war$_t$|referendum$_T$)/p(civil war$_t$|no prior referendum). The gray area indicates 95% confidence intervals. Controls held constant at average values among cases with a consensual referendum in any previous year.

remain substantively similar.[15]

Second, model 4 reports the results of a linear probability model including group fixed effects. Group fixed effects account for any unobserved heterogeneity at both the ethnic group level (such as long-standing ethnic antagonisms) and the country level (such as political culture).[16] Again, I get similar results.

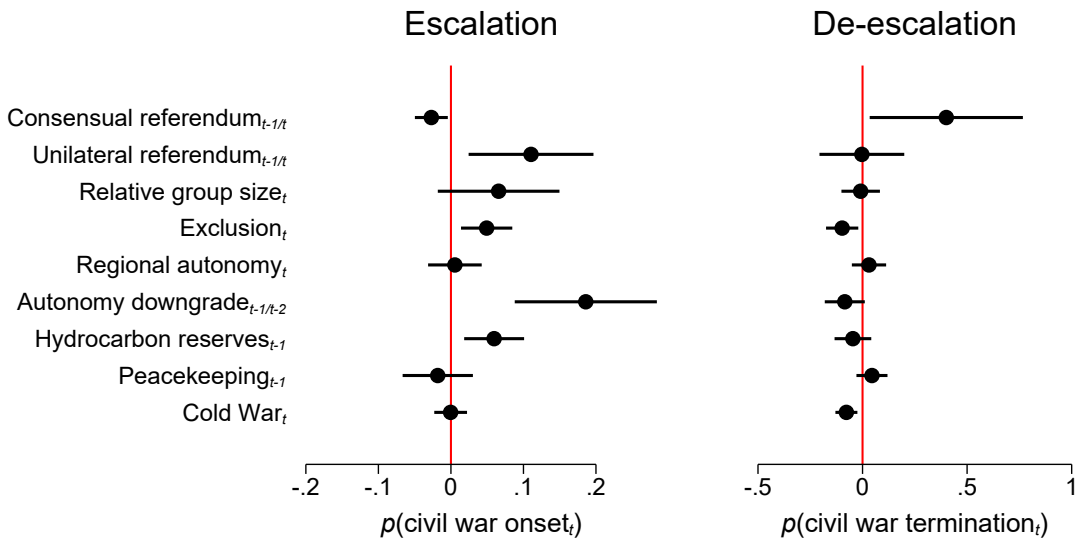
Finally, I report results from a first-order Markov transition model. This allows separate consideration of the effects of referendums on the onset and termination of separatist civil wars. Again, I focus on the implications of referendums in the current and previous year. Model specification consists of the full set of controls used above, including group fixed effects. Following Carter and Signorino (2010), I in addition include cubic polynomials of the time elapsed since the last civil war or since the start of a civil war, respectively. The dependent variable remains the same (civil war incidence), but all explanatory variables are now interacted with lagged civil war incidence (McGrath 2015). Figure 4 shows the key results.

As becomes evident, consensual referendums reduce the risk that nonviolent separatist conflicts escalate by an estimated 2.5%points (p <0.05). At the same time, consensual referendums also increase the probability that ongoing civil wars terminate (p <0.05).

[15]I get similar results also when adding controls for civil war mediation, prior civil war in any year, nonviolent protest, and other variables (see section X of the online appendix).

[16]Noncontiguity is time-invariant and therefore dropped from the list of controls.

Figure 4: Selected results from a first-order Markov transition model



Note: The graphs show the estimated effects of one-unit increases, except for group size (one standard deviation). The spikes indicate 95% confidence intervals.

By contrast, unilateral referendums increase the risk of conflict escalation by 11%points (p <0.05), but have no statistically significant effect on civil war termination. However, it should be noted that the results for civil war termination are based on a very small number of cases, especially for consensual referendums.[17] Accordingly, the 95% confidence interval for consensual referendums ranges from as little a 3% increase in the probability of civil war termination to an 80% increase.

6 Conclusion

When it comes to sensitive issues such as self-determination, much of the existing literature is skeptical of the value of direct democracy 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. This study qualifies this unconditional negative view.

[17]My sample contains a mere 6 consensual referendums held in the context of prior war, compared to 15 unilateral referendums.

Causal inference remains challenging. While caution therefore remains prudent and necessary, a combination of methodological approaches provide evidence in favor of my argument that self-determination referendums can make contributions to peace processes. Qualitative evidence from Northern Ireland (1998) and Montenegro (2006) shows how referendums can increase the legitimacy of decisions on self-rule and thereby increase the probability that decisions are honored—even if, as in Northern Ireland, opposition continues well beyond the referendum. Furthermore, the Northern Irish twin referendum also illustrates how referendums can help to increase the credibility of settlements. However, these beneficial effects presuppose prior agreement on referendums, including their terms. Cross-national evidence spanning the globe suggests that where such agreement is given, self-determination referendums are associated with increased chances of peace and can prevent armed conflicts from occurring, recurring, or continuing. By contrasts, the escalatory tendencies feared by skeptics seem likely to ensue if referendums are initiated against the express will of a party to a conflict. Unilateral referendums affirm one side's right to self-determination while denying the other side the same right. The Border Poll and the secession referendums held in Bosnia and Croatia in the early 1990s showcase how this denial can translate into increased nationalist grievances, trigger divisive rhetoric, and provoke contentious reactions, including referendum boycotts or counter-referendums. Cross-national evidence suggests that conflicts can escalate quickly after unilateral referendums and the risk of separatist civil war incidence increases.

There are several ways in which this research could be advanced further. While prior agreement lays a foundation for perceptions of fair decision-making, it may not guarantee them. Future research should consider in more detail the conditions under which consensual referendums are most likely to advance fairness perceptions. In particular, the contributions of international actors seem worthy of further study. The EU's diplomatic efforts in the run-up to Montenegro's independence referendum seem to 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. Additional research on the best design of self-determination ref-

erendums is needed. While this study suggests it is most important that the parties agree on a procedure, compromise on some referendum designs may be easier than compromise on other designs. 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).

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 increase democratic legitimacy and thus strengthen the outlook for peace, but 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 prior agreement is feasible. Referendums are an inadequate and implausible measure for peace promotion 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 under the condition of a referendum. This study suggests that referendums should not be promoted at all costs. If a self-determination referendum is nevertheless held, despite the lack of prior agreement, that might provide an early warning for civil war and diplomatic or other interventions aimed at conflict de-escalation should be considered.

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