

Pax Populi?

An Analysis 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 self-determination conflicts around the world. However, the ability of self-determination referendums to bring about peace remains uncertain. This paper develops the argument that the conflict resolution potential of self-determination referendums is conditional, depending on whether or not they are held under the mutual agreement of the conflict parties. When mutually agreed, self-determination referendums are likely to generate shared perceptions of fair decision-making and thereby increase chances for peace. By contrast, unilateral self-determination referendums are likely to increase ethnic grievances and, therefore, the risk of separatist violence. I find support for this argument in a global statistical analysis, a series of short case studies, and a survey experiment. Overall, this study suggests that self-determination referendums can make a positive contribution to peace, but only if the conditions for a partial compromise on a referendum, including its terms, are ripe.

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1 Introduction

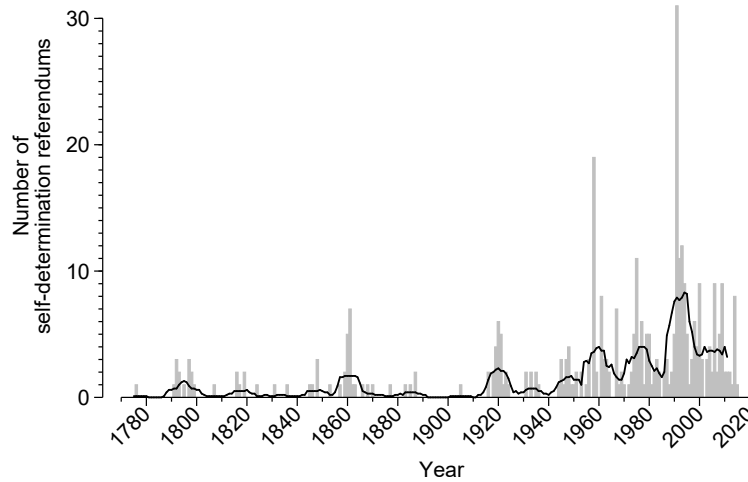
In early May 1776, the Province of Massachusetts Bay embarked on what at the time could only be described as an extraordinary exercise: a popular consultation on whether Massachusetts, along with the remaining twelve American colonies, should declare its independence from Britain (Maier, 1997, pp. 59–61). Since then, the idea of consulting citizens in questions of territorial self-determination has spread around the world, first to Europe and then to Africa, Asia, and Oceania. The popularity of self-determination referendums, here defined as direct popular votes on whether one or more of a state’s regions should gain increased autonomy or secede, has surged especially in recent decades (see Figure 1).¹ According to data collected by Mendez and Germann (2018), more than 75% of all 360 known self-determination referendums occurred after 1945; and around 40% were held over the course of the past three decades alone (see Figure 1).

The recent mushrooming of referendums on self-determination is likely owed to a multitude of factors including the increasing diffusion of democratic norms and ethno-nationalist ideals. Another likely reason is the increased promotion of self-determination referendums through the international community. As explained by Tierney (2012), there seems to be a common perception among diplomats, conflict mediators, and democracy activists that ballots can prevent bullets. As a result, international actors including the UN, the EU, and the U.S. have increasingly started to promote the use of referendums as they intervene in self-determination conflicts around the world (e.g., Northern Ireland, East Timor, Montenegro, and South Sudan).

However, contrary to the seemingly widespread belief among practitioners, the ability of self-determination referendums to bring about peace remains uncertain. To date, there have been only few systematic empirical analyses of the conflict resolution potential of self-determination referendums (Qvortrup, 2014). Furthermore, the existing, largely case-based literature remains sharply divided, with some expressing highly optimistic views about the ability of referendums to generate peace (e.g., Farley, 1986) while others eschew stark warnings. As an example of the latter view, Lee and Mac Ginty (2012) argued that self-determination referendums are deeply problematic because they are “zero sum”, creating winners and losers in situations

¹Note that I here follow a broad understanding of the terms ‘self-determination’ (i.e., including partial self-rule) and ‘referendum’ (i.e., any direct popular vote on an issue including direct popular votes initiated by governments, citizens, as well as mandatory referendums).

Figure 1: Annual frequency of self-determination referendums including 10-year moving average, 1776–2015



where compromise is what is needed. According to Lee and Mac Ginty, self-determination referendums are therefore likely to exacerbate violent conflict rather than reduce it (also cf. Mac Ginty, 2003). For Reilly (2008, p. 236), self-determination referendums amount to no less than “the most damaging form of democratic legitimation”.

In this article, I revisit the debate on the conflict resolution potential of self-determination referendums. While the existing literature has frequently cast self-determination referendums in black-or-white terms, I argue that the relationship between self-determination referendums and peace is more complex. While it is true that self-determination referendums offer stark and potentially polarizing choices, as some of their critics have argued, stark choices cannot always be avoided. A region cannot be both autonomous and not autonomous; or secede and not secede. Combining insights from the broader literature on procedural fairness, democratic theory, as well as the literature on ethno-nationalist conflict, I argue that self-determination referendums have basic value as a tool for conflict resolution because they can instill perceptions of fair decision-making and a willingness to accept unfavorable decision outcomes. However, I suggest that the conflict resolution potential of self-determination referendums is conditional, depending on whether or not they are held under the mutual agreement of the conflict parties. For referendums to generate peace, they need to instill fairness perceptions among both winners and losers, and in the case of referendums on self-determination, that is likely only when referendums are held under the mutual agreement of the parties to a conflict. By contrast, if self-determination referendums are initiated without mutual agreement, ethno-nationalist

grievances are likely to increase rather than decrease, and with them the risk of violence. Therefore, the critics' gloomy predictions may well come true in the case of unilateral self-determination referendums.

Two things are important to add. First, I am not suggesting that mutual agreement is the only factor which could influence the conflict resolution potential of self-determination referendums. Other factors such as electoral integrity or the timing of referendums are also likely to matter (He, 2002; Laponce, 2004; Loizides, 2014). However, I do contend that mutual agreement is a particularly important condition shaping the conflict resolution potential of self-determination referendums, which makes it a good point of departure for more in-depth study.

Second, I am not the first to argue that the conflict resolution potential of self-determination referendums depends on mutual agreement of the conflict parties. Indeed, already Sarah Wambaugh in her seminal 1933 treatise of the post-First World War international plebiscites made a similar recommendation (Wambaugh, 1933, p. 506). Similar arguments have occasionally been made in subsequent years (e.g., Bogdanor, 1981; Collin, 2015; Wheatley, 2012). However, the reasons why mutual agreement on self-determination referendums is so important, as well as its exact meaning, have remained under-specified. Even more importantly, the argument that the conflict resolution potential of self-determination referendums depends on mutual agreement has never been put to a systematic empirical test.

Accordingly, this paper contributes to the literature in three main ways. First, I clarify why mutual agreement on self-determination referendums is so important and, building on the broader literatures on procedural fairness and ethnic grievances, I propose clear causal mechanisms linking self-determination referendums to both peace and war, depending on whether they are mutually agreed or not. Second, I propose a definition of mutual agreement that is sufficiently precise so as to be amenable to empirical research. Finally, I present the first systematic empirical test of the hypothesis that self-determination referendums can both increase and decrease the risk of separatist war, depending on the existence of mutual agreement.

To be sure, testing of this argument is not easy. Clearly, mutually agreed self-determination referendums are much more likely to emerge in situations where the ex-ante risk for violence is comparatively low. Conversely, unilateral self-determination referendums are more likely to

emerge in volatile situations with a considerable ex-ante risk of violence. Because the opportunity to randomly assign referendums to real-world conflicts is unlikely to materialize any time soon, this causal ambiguity is difficult to fully resolve. To nevertheless alleviate endogeneity concerns to the extent possible, I employ a three-pronged empirical strategy which simultaneously harnesses the strengths of cross-national large- N comparisons, case-based research, and experimental survey research.

First, I conduct a statistical analysis of the global experience with self-determination referendums since the end of the Second World War. This analysis allows me to explore correlations between self-determination referendums and macro-level conflict outcomes (i.e., separatist war) based on a large set of cases and while controlling for alternative explanations. Using fixed effects models and accounting for a large set of commonly cited predictors of separatist war, I find that mutually agreed self-determination referendums are associated with a reduced probability of new separatist wars breaking out and an increased probability of ongoing separatist wars ending. Consistent with theoretical predictions, I also find that unilateral self-determination referendums increase the risk of new separatist wars.

Second, I report a number of brief case studies of a series of self-determination referendums held in Northern Ireland and the former Yugoslavia. Drawing on secondary sources, I present evidence that mutually agreed self-determination referendums were able to make important contributions to peace processes in both case contexts by instilling shared perceptions of fair decision-making. By contrast, unilateral self-determination referendums held in the same contexts tended to exacerbate ethnic grievances and plausibly contributed to violent outcomes.

Finally, I leverage the ongoing debate in the UK about a second Scottish independence referendum to test an important micro-level prediction of my theory using a survey experiment. In keeping with my theory, the results suggest that self-determination referendums are much more likely to generate shared perceptions of fair decision-making and a shared willingness to accept the referendum outcome if they are mutually agreed. By contrast, unilateral self-determination referendums tend to be perceived as fair by the initiating but not the other side, which significantly undercuts their conflict resolution potential.

2 Self-Determination Referendums, Procedural Fairness, and Conflict Resolution

Clearly the most desirable way to resolve major societal conflict involves compromise. However, compromise is not always possible and decisions which favor one side while disadvantaging another cannot always be avoided. Procedural fairness theory suggests that when mutually acceptable compromise is not possible, the key consideration becomes how decisions are made. More specifically, procedural fairness theory holds that when decisions are made in a fair way, they are likely to become broadly accepted, which in turn reduces social conflict, including violent conflict (Tyler, 2000).

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 & Tyler, 1988; Thibaut & Walker, 1975). The central assumption behind procedural fairness theory is that fairness constitutes a universal social norm (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 & 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 & 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 voice; and that positive fairness evaluations increase people's willingness to voluntarily comply with decisions (Tyler, 2000). At the same time, increasing evidence links individual-level fairness considerations to macro-level conflict outcomes. For example, 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. Furthermore, 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 of elections as a mechanism for the peaceful allocation of power has been widely studied (Brancati & Snyder, 2013; Diamond, 2006).

If elections have potential to help resolve conflicts peacefully, then so should referendums. In fact, the conflict resolution potential of referendums could even be higher than that of referendums. Participatory democrats have long argued that decision mechanisms which give citizens a direct rather than merely an indirect say are likely to generate higher fairness perceptions (Barber, 1984; Pateman, 1970). Procedural fairness theory would therefore lead to the expectation that direct forms of democratic decision-making, such as referendums, lead to a higher willingness to (peacefully) accept unfavorable political decisions (Esaiasson et al., 2012).

Until recently, this basic contention has rarely been put to a systematic test. However, in recent years, the empirical evidence in favor of the superior ability of referendums to generate fairness perceptions and decision acceptance has started to mount. For example, survey experimental evidence from several Western countries including Germany, the Netherlands, Sweden, and the U.S. suggests that citizens think of political decisions as fairer, and are more willing to obey decision outcomes they oppose, if the decision is made by referendum instead of by elected representatives, experts, or judges (Esaiasson et al., 2012; Esaiasson et al., 2019; Gash & Murakami, 2015; Towfigh et al., 2016; Werner & Marien, 2020). At the same time, a unique field experiment conducted in several dozen 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 compliance with tax laws (Torgler, 2005).

Given the close connection between fairness perceptions, decision acceptance, and social cooperation, these findings provide clear indications that referendums should have basic value as a tool for conflict resolution. However, the conflict resolution potential of referendums is likely to be conditional, much like that of elections. For example, existing research suggests

that obviously rigged elections are unlikely to produce fairness perceptions and may be violently contested (Daxecker, 2012). Others have stressed the importance of the timing of elections in democratization processes (Mansfield & Snyder, 2007). Analogously, factors such as electoral integrity and the timing of referendums are likely to shape the conflict resolution potential of referendums (He, 2002; Laponce, 2004; Loizides, 2014). However, in the case of referendums on self-determination, another, even more fundamental factor comes into play: whether or not referendums are held under the mutual agreement of the conflict parties.

2.1 Mutual Agreement on Self-Determination Referendums

Democracy requires prior agreement on the rules. Only when there is prior agreement on when a vote should take place, who is eligible to vote, how the voting should take place, and how it is decided who wins and who loses can elections and referendums be expected to generate perceptions of fair decision-making and thereby convince the losers that they should respect the decision outcome (Beetham, 1991; Dahl, 1990). Prior agreement on the rules is usually less of a concern. Typically, the rules of democracy are codified in constitutions, which themselves are a product of democratic decision-making and, by and large, uncontested. By contrast, self-determination referendums are rarely regulated in constitutions; and if they are, the codified rules are frequently contested.

Disputes over self-determination by definition involve two sides which both claim the right to make political decisions over the same territory. On the one hand, there are the separatists, who claim the right to make political decisions for their own people, typically a peripheral minority. On the other hand, there is the majority group, which claims the right to make decisions for the entire existing state, including the minority's claimed territory (Gellner, 1983; Hechter, 2000). These claims need not be absolute; for example majority groups may be willing to share power with the minority group in an autonomy arrangement, and vice versa. Still, the right to have a say on whether, when, and how a decision on the fate of (part of) one's claimed territories is made is integral to the idea of political self-determination. Therefore, self-determination referendums are only likely to generate perceptions of fair decision-making among both the majority and minority groups if they, including their terms, have been mutually agreed.

At this stage, it is important to clarify the exact meaning of mutual agreement. Mutual agreement could be seen as requiring that self-determination referendums have the support of all members of the groups in question. Of course, though, universal support cannot be realistically ascertained. I argue that universal support is not necessary. Departing from the idea of ethno-national representation (Cederman et al., 2010), I suggest that mutual agreement can be said to exist if a self-determination referendum is publicly supported by the key representatives of both the minority and the majority group. At a minimum, this should entail the national government and representatives of the separatist group, such as a regional government or the leaders of a separatist movement.

However, even if universal support among group members is not necessary, mutual agreement on a self-determination referendum is often hard to find. The unwillingness of states to give up territory is notorious and states frequently also reject autonomy arrangements. Therefore, states tend to be unwilling to agree to autonomy referendums and even more unwilling to agree to independence referendums. Moreover, even if they agree that a referendum should take place, states and separatist groups frequently disagree on its form because the design of self-determination referendums is likely to affect their outcome. For example, self-determination referendums are likely to have a different outcome depending on whether eligibility is limited to the separatist region or if all citizens from across the state can vote (Goodhart, 1981). Questions such as the voting rights of ethnic minorities or settlers can constitute major stumbling blocks, as in the long-awaited referendum on the independence of Western Sahara. The separatists are likely to prefer a simple majority while the state may want a qualified super-majority, and so forth. Especially in the more intractable conflicts about self-determination, chances for a compromise on a self-determination referendum are likely to be slim.

Nevertheless, in some cases states and separatist groups have been able to negotiate mutually agreed self-determination referendums. Prominent examples include the cases of Montenegro and Northern Ireland discussed below as well as the independence referendums held in South Sudan (2011) and Scotland (2014). In rarer cases, mutually agreed referendums can result from uncontested constitutional routines. Examples include Quebec and Puerto Rico, which both have an uncontested right to call referendums on secession at their own discretion (Leslie, 1999; Peters, 1995, p. 206). I argue that if self-determinations are mutually agreed, they can

make a positive contribution to peace because mutually agreed self-determination referendums are likely to instill shared perceptions of fair decision-making among both the majority and minority group. As a result, both the winners and losers in mutually agreed self-determination referendums are likely to accept and honor the decision, which in turn increases the probability of peace.

2.2 Unilateral Self-Determination Referendums

By contrast, self-determination referendums which are unilaterally initiated by one side without the agreement of the other are likely to be seen as fair only by the initiating side because the unilateral decision to hold a referendum violates the other side's claim to self-determination. Moreover, the initiating side unilaterally determines the referendum rules, which therefore usually favor the initiators and are consequently rejected as unfair by the other side. As a result, unilateral self-determination referendums are best characterized not as an honest attempt at conflict resolution, but as a bargaining tactic. The separatists, on the one hand, use them to establish a popular mandate for their demands for autonomy or outright secession. States, on the other hand, use unilateral referendums to legitimize their continued rule of the minority territory. In either case, unilateral self-determination referendums represent an attempt by the initiating side to enforce their will on the other side in a situation where compromise, even a partial compromise on a referendum, is perceived to be undesirable or outright impossible.

However, bargaining by unilateral referendum constitutes a dangerous act of brinkmanship. Because they are unlikely to create shared perceptions of fair decision-making, unilateral self-determination referendums are unlikely to instill a shared willingness to accept the referendum outcome. Instead, unilateral self-determination referendums are likely to make a bad situation worse by increasing ethno-nationalist grievances on the losing side. If states organize a unilateral referendum, they thereby confirm perceptions of unfair treatment among the minority group and render more visible imposed 'alien' rule. By contrast, if the separatists organize a unilateral referendum, members of the majority group are likely to be infuriated by what they consider to be illegal, unconstitutional posturing. As explained by Petersen (2002), perceptions of unfair treatment by other ethnic groups are conducive to emotional responses including anger and resentment. Direct consequences include increased radicalization as well as an increased

perception that violence is justifiable or even necessary (e.g., Cederman et al., 2010; Germann & Sambanis, 2021; Gurr, 1970). Therefore, rather than decrease the risk of violence, unilateral self-determination referendums are likely to exacerbate conflict and increase the risk of violence.

3 Global Statistical Analysis

I begin to evaluate my theory using cross-national regression analyses. This analysis allows me to establish whether, as my theory would predict, self-determination referendums are associated with peace when they are mutually agreed and with large-scale violence when they are not. Due to the endogeneity of self-determination referendums to conflict processes, I will control for known determinants of separatist civil war as well as unobserved dispute-level heterogeneity.

3.1 Data

The analysis is based on a global sample of disputes over self-determination (1946–2012). Disputes over self-determination are defined as violent or nonviolent conflicts between states and ethnic groups that make claims for increased autonomy or outright secession. Mimicking the approach pioneered by Germann and Sambanis (2021), I include all self-determination disputes which (1) are included in Sambanis et al.’s (2018) Self-Determination Movements (SDM) dataset and (2) are also included in the Ethnic Power Relations dataset (EPR) (Vogt et al., 2015). As explained by Germann and Sambanis (2021), this approach comes at a cost because certain self-determination disputes cannot be included. Most importantly, this is because EPR’s definition of ethnicity includes linguistic, religious and racial groups, but not regionally defined groups (e.g., Lombards in Italy). However, this disadvantage is more than made up by the fact that by merging SDM with EPR, I gain access to EPR’s large library of data on pertinent control variables (e.g., political exclusion or regional autonomy levels), thus significantly improving my ability to rule out alternative explanations. Furthermore, despite the loss of cases, this approach still allows me to investigate the consequences of self-determination referendums based on a diverse set of cases covering all world regions. Overall, my sample includes 290 of the 464 self-determination disputes coded by the SDM dataset, or around two

thirds.² The unit of analysis in all analyses reported below is the country-group-year.

Following convention in the civil war literature, I run separate models explaining the onset and the termination of separatist war, respectively. The onset of separatist war is defined as a transition from no separatist war to separatist war, with cases of ongoing war dropped. The termination of separatist war is defined as a transition from separatist war to no separatist war, with cases of ongoing peace dropped. This combination of dependent variables allows me to study the consequences of self-determination referendums held during both peace and war-time. The data on separatist war is drawn from the SDM dataset and includes both major civil wars and armed conflicts with lower intensity (Sambanis et al., 2018). Overall, my data includes 183 cases of separatist war onset and 159 cases of separatist war termination.

The main independent variables reflect the incidence of (1) mutually agreed and (2) unilateral self-determination referendums in the context of a self-determination dispute. The referendum variables are coded 1 in the year a referendum is held and the following year, 0 otherwise. I identified self-determination referendums based on the Contested Sovereignty dataset, which includes data on all sovereignty-related referendums held since 1776 (Mendez & Germann, 2018). Next, I added information on whether self-determination referendums were mutually agreed in line with the above definition. 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). Section 1.2 of the Supplementary Material includes case-by-case notes explaining all coding decisions. Overall, my sample includes 106 self-determination referendums, 45 of which were mutually agreed and the remaining 61 unilateral.³ Mutually agreed referendums are more likely to deal with internal autonomy, but a substantial number also deal with outright secession (11 of 45 cases). By contrast, unilateral self-determination referendums more often deal with outright secession (36 of 61 cases). Three quarters of the unilateral referendums are initiated by separatists and the remaining quarter by central states.

²Additional details on the merging of SDM and EPR can be found in section 1.1 of the Supplementary Material.

³There were another 156 self-determination referendums held between 1946 and 2012. Two thirds of these (101 cases) were held in the context of anti-colonial conflicts, which are not part of my sample. The remaining 55 noncolonial cases cannot be included in the statistical analysis because the corresponding separatist disputes are not represented in EPR.

3.2 Method

I estimate both the war onset and the war termination models using linear probability models including dispute fixed effects. Many of the known correlates of separatist war are (close to) time-invariant, including whether ethnic groups are regionally concentrated (Toft, 2003) and the ruggedness of terrain (Fearon & Laitin, 2003). Dispute fixed effects account for all time-invariant confounders, including confounders such as such as long-standing ethnic antagonisms which would be difficult to measure reliably.

In addition, I control for several time-varying variables which have been associated with separatist war in previous studies (cf. Cederman & Vogt, 2017; Germann & Sambanis, 2021; Toft, 2012). The list includes the following group-level variables: political exclusion, regional autonomy, autonomy restrictions, cross-border separatist kin, and presence of hydrocarbon reserves. In addition, I control for the following country- and system-level variables: level of democracy, country wealth (logged), presence of peacekeeping operations, and a Cold War flag. It is worth noting that that the control for regional autonomy ensures that estimates of the effects of self-determination referendums are independent of changes in groups' autonomy status in the wake of a referendum (see e.g. the case of Northern Ireland discussed below). Self-determination referendums can also lead to secessions (see e.g. the Yugoslav examples discussed below). Separatist conflict is no longer possible after secessions and cases therefore leave the sample. Sections 1.3 and 1.4 of the Supplementary Material include additional information on the coding of control variables, data sources, and summary statistics. Finally, to account for time dependence, the onset model includes cubic polynomials of the number of years a group and its host state have lived in peace. Analogously, the termination model includes cubic polynomials of the number of years a group and its host state have been engaged in war (Carter & Signorino, 2010). Standard errors are clustered by country.

3.3 Results

I begin by evaluating the correlations between self-determination referendums and the onset of separatist war. Model 1 in Table 1 shows the results (also see Figure 2). In line with expectations, I find that the risk of separatist war onset decreases by around two percentage points in the wake of a mutually agreed self-determination referendum. By contrast, the onset

Table 1: Fixed effects models explaining separatist war onset and termination, 1946–2012

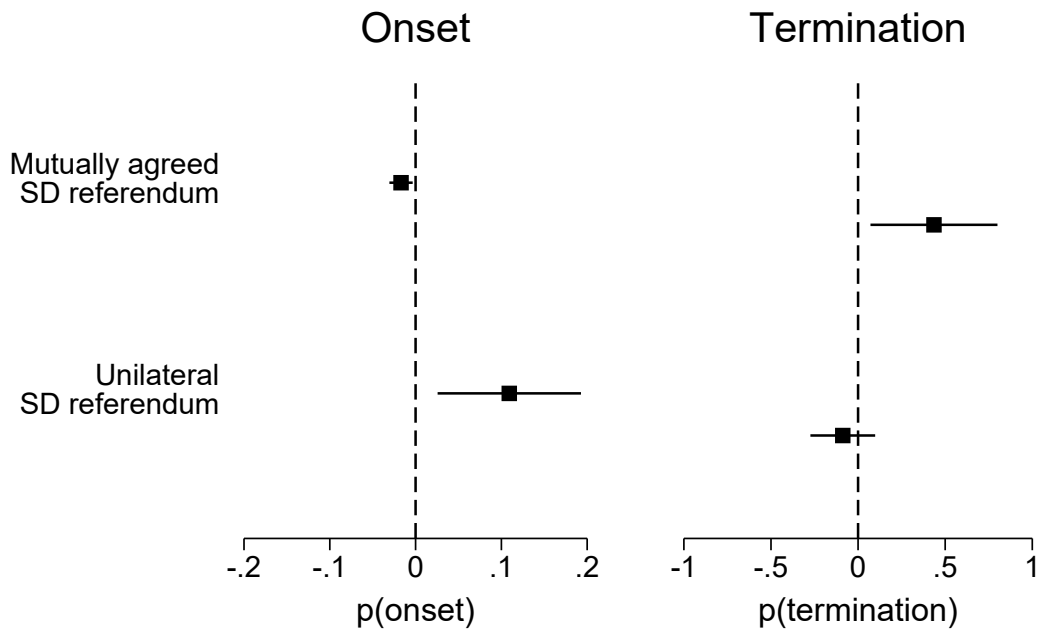
	(1) Onset	(2) Termination
Mutually agreed SD referendum	-0.017* (0.007)	0.436* (0.186)
Unilateral SD referendum	0.109* (0.043)	-0.088 (0.095)
Exclusion	0.046* (0.018)	-0.089 (0.061)
Regional autonomy	0.016 (0.016)	0.059 (0.051)
Autonomy restriction	0.183*** (0.048)	-0.075 (0.047)
Separatist kin	-0.000 (0.017)	-0.008 (0.031)
Hydrocarbon reserves	0.047+ (0.025)	0.003 (0.046)
Democracy	-0.006 (0.027)	0.053 (0.076)
ln(GDP per capita)	-0.024+ (0.013)	-0.006 (0.026)
Peacekeeping	0.000 (0.023)	0.054 (0.041)
Cold War	0.029* (0.012)	-0.012 (0.033)
Dispute FEs	Yes	Yes
Peace years	Yes	No
War years	No	Yes
Groups	277	123
Countries	94	51
Observations	6571	2241

Note: All models include a constant (not shown). Standard errors clustered by country in parentheses. FEs = fixed effects; GDP = gross domestic product; SD = self-determination. + $p < 0.10$, * $p < 0.05$, ** $p < 0.01$, *** $p < 0.001$.

of a new separatist war becomes around 11 percentage points more likely in the aftermath of a unilateral self-determination referendum. Both effects are statistically significant at the conventional 5% level.

Model 2 in Table 1 shows analogous results for separatist war termination. The results are again broadly consistent with my argument, but should be interpreted with care because the number of referendums held during separatist wars is relatively small (6 mutually agreed and 15 unilateral referendums). With this caveat in mind, the results suggest that the probability that a separatist war terminates increases by more than 40 percentage points in the wake of a mutually agreed self-determination referendum ($p < 0.05$). By contrast, unilateral

Figure 2: Marginal effects plots



Note: The spikes indicate 95% confidence intervals. SD = self-determination.

self-determination referendums are negatively correlated with war termination, though the coefficient is not statistically significant. A possible reason is the small number of referendums. More importantly, mutually agreed and unilateral self-determination referendums again clearly behave differently, in line with expectations.

I report several robustness checks in section 1.5 of the Supplementary Material. First, I find similar results when adding additional time-varying controls to the models, including measures of the government's military strength, nonviolent protest, and conflict mediation. Furthermore, I find similar results in models not including any controls; when considering different temporal cut-offs for the referendum variables, including both shorter and longer time frames compared to the two-year cut-off used above; and, finally, also when limiting the analysis to major separatist wars as defined by Doyle and Sambanis (2006).

Overall, these results suggest that self-determination referendums are associated with different macro-level conflict outcomes depending on whether they are mutually agreed or not. Unilateral self-determination referendums increase the risk that new wars break out while mutually agreed self-determination referendums decrease that risk. Mutually agreed referendums also increase the chance that ongoing wars end. Notably, these results apply while controlling for a large set of known determinants of civil war and unobserved dispute-level heterogeneity.

4 Qualitative Evidence

Next, I proceed to report a series of brief case studies in which I draw on the existing case-based literature to illustrate my theoretical predictions and assess the basic plausibility of my suggested causal mechanisms. First, I will consider the case of Northern Ireland, which offers a rare opportunity to compare a unilateral and a mutually agreed self-determination referendum within the same case context. After that, I proceed to a shorter discussion of a series of referendums held in the former Yugoslavia.

4.1 Northern Ireland

The first self-determination referendum in Northern Ireland was held in March 1973 and involved the question whether Northern Ireland should join the Republic of Ireland or remain with Britain. The decision to hold this referendum was made by the British government in a context of escalating violence and without any involvement of Northern Ireland’s separatist minority, the Northern Irish Catholics (McKittrick & McVea, 2012; Qvortrup, 2014). In line with the above theoretical narrative, the 1973 referendum was therefore also less an honest attempt at peaceful conflict resolution and more a bargaining tactic. Indeed, when the referendum was debated in the British parliament, several British MPs openly explained their hope that the vote would yield a clear expression of popular support for continued union with Britain and thereby undermine the position of those “extreme”, “intransigent”, and “bigoted” Catholics who were making calls for Irish unification (Dixon, 1997, p. 4). However, that tactic clearly failed and, in a clear illustration of the dynamics predicted by my theory, the unilateral 1973 referendum ended up exacerbating tensions even further rather than decreasing them.

To be sure, in line with the hopes of its initiators the 1973 referendum did come out in favor of continued links with Britain as a whopping 99% of votes were cast in favor of union with Britain and against unification with Ireland. However, this overwhelming margin was not owed to many Irish Catholics voting against unification with Ireland—or, in fact, many Irish Catholics voting at all. Indeed, from the most radical to the most moderate, all Irish nationalist parties had called for the referendum to be boycotted. Therefore, the result largely reflected the opinion of Protestants in Northern Ireland, who were generally opposed to unification with Ireland (Tierney, 2012, p. 73). It should be added that Northern Ireland’s Catholics were not

fundamentally opposed to the idea of holding a referendum. However, Catholics would have liked a different referendum, namely, a referendum in which all Irish can vote, including those in the Republic (O’Leary, 2019, p. 36). (Contrary to Northern Ireland, the island of Ireland as a whole, including the Republic, has a Catholic majority.) By contrast, the referendum that was actually held was widely rejected by the Catholic side because it did not give a vote to all Irish and, even more importantly, because the Catholic side was not in any way involved in the decision to hold a referendum (Qvortrup, 2014, p. 66). Accordingly, Catholics tended to see the 1973 referendum as an imposition of alien rule, a “propaganda exercise”, or even “a democratic farce” (Bogdanor, 1981, pp. 149, 153; Tierney, 2012, p. 73). Ultimately, the 1973 referendum therefore served to increase, rather than decrease, ethnic grievances on the Catholic side and, consistent with my theory, it is widely held to have contributed to additional violence by close observers of Northern Ireland (Qvortrup, 2014, pp. 66, 124; Tierney, 2012, pp. 73, 242; Tonge, 2000, p. 45; Wheatley, 2012, p. 71).

In May 1998, almost exactly 25 years after the 1973 referendum, another self-determination referendum was held in Northern Ireland. This time, a second referendum was held simultaneously in the Republic of Ireland. However, even more importantly, the twin referendum in 1998 was a result of inclusive negotiations involving key representatives from both the Catholic and Protestant side, as well as the governments of both the UK and Ireland. Those negotiations had concluded in April 1998 with the signing of the Good Friday Agreement, which promised the return of devolved government to Northern Ireland with guaranteed representation of both ethnic communities. As part of the deal, the Good Friday Agreement was subjected to popular ratification in both Northern Ireland and the Republic (Evans & O’Leary, 2000, p. 79; McGarry & O’Leary, 2009, p. 25; Wheatley, 2012, p. 71). 71% of voters in Northern Ireland and 94% of voters in the Republic ended up voting in favor of the Good Friday Agreement, upon a turnout of 81% and 56%, respectively.

Consistent with my theory, the mutually agreed twin referendum tends to be seen in a much more positive light by case experts. Apart from the occasional outburst, violence largely receded in the aftermath of the 1998 referendums, and there has been no return to armed conflict to this date (McGarry & O’Leary, 2009, 51ff). Of course, this sharp decline in violence cannot be singularly attributed to the 1998 referendums. By stipulating ethnic power-sharing

and providing Northern Ireland with substantial autonomy, the Good Friday Agreement made a major contribution to peace in Northern Ireland (O’Leary, 2019, 178ff). Nevertheless, the 1998 referendums are widely held to have made an independent contribution to the peace process by helping to stabilize a fragile peace process (e.g., Qvortrup, 2014, p. 66; Wheatley, 2012, 71f).

While the Northern Irish civil war was no longer as intense in the mid- and late 1990s as it had been in the early 1970s, significant violence continued and the road to the Good Friday Agreement was all but a smooth ride (O’Leary, 2019, 135ff). The talks had stretched over years, with many ups and downs, and when a deal was finally reached, the terms were far from universally popular. This applied in particular to the Protestant side. According to survey evidence, Protestants were about equally divided on the Good Friday Agreement (Evans & O’Leary, 2000; Tierney, 2012, p. 281) and Northern Ireland’s second-largest Protestant party, the Democratic Unionist Party (DUP), campaigned for a ‘no’ vote (McKittrick & McVea, 2012). Meanwhile, support for the agreement was more robust on the Catholic side, but still, splinter groups such as the Real Irish Republican Army (RIRA) remained starkly opposed. Putting the Good Friday Agreement to a mutually agreed vote helped to generate shared perceptions of fair decision-making. As a result, even strong opponents of the agreement came to accept the agreement, including the DUP, which subsequently even proceeded to join Northern Ireland’s power-sharing government (McGarry & O’Leary, 2009, pp. 72, 82). At the same time, the RIRA and other armed groups decided to lay down their arms in the aftermath of the referendums (Collin, 2015, 117ff; Loizides, 2009, p. 5).

4.2 Former Yugoslavia

Support for my theory can also be deduced from another prominent series of self-determination referendums: the independence referendums held in Slovenia (1990), Croatia (1991) and Bosnia (1992) in the context of the break-up of the former Yugoslavia. These three referendums have been recognized as contributing factors to the Yugoslav civil war(s) (e.g., Kalyvas & Sambanis, 2005, p. 193; Tierney, 2012, 71ff, 238) and are therefore frequently cited by the critics of self-determination referendums as support for their argument that self-determination referendums are best avoided (Lee & Mac Ginty, 2012, pp. 47–48; Reilly, 2008, p. 237). However, all three referendums were unilaterally initiated by the respective regional governments (Radan, 2002,

207ff). The fact that these referendums added further fuel to the escalatory spiral is therefore consistent with my theory. Specifically, given their unilateral origins, I would expect that the referendums in Slovenia, Croatia, and Bosnia were unable to generate shared perceptions of fair decision-making among Yugoslavia's majority group, the Serbs. And indeed, all three referendums were rejected as illegitimate not only by the Yugoslav authorities, but also the respective regions' Serbian minorities, who decided to boycott the referendums. In the case of Croatia and Bosnia, Serbs even proceeded to organize their own unilateral referendums, thus proclaiming their intentions to join Serbia.

The Yugoslav context (broadly defined) also provides an example of a more benign self-determination referendum: Montenegro's 2006 independence referendum. Often overlooked by the critics, this consensually initiated referendum helped to usher in a peaceful resolution to a high-stakes nationalist dispute in a deeply divided society. While the region had clearly been in a different place by 2006, a scenario not too dissimilar from the one in the early 1990s unfolded when the Montenegrin authorities started to make a push for independence in the early 2000s. Unsurprisingly, Montenegrin independence was fiercely rejected by Serbia and, similar to the situation in Bosnia and Croatia 15 years prior, there was strong opposition to independence also within Montenegro, most notably from the Serbian minority. However, in this case, the Montenegrin authorities did not launch their own, unilateral referendum. Instead, they chose to engage in inclusive negotiations with representatives from all sides (Friis, 2007). Ultimately, the parties were able to agree on a referendum with a 55% super-majority requirement. The campaign was fierce and the result slim: upon a high turnout of 86%, 55.5% of voters ended up voting for independence, a margin of just 2,000 votes (Huszka, 2014, 136ff). Nevertheless, both Serbia and (after some initial rumblings) the pro-unionists within Montenegro accepted the decision and allowed Montenegro to secede peacefully (International Crisis Group, 2006).

5 Survey Experiment

Finally, I report evidence from a survey experiment which was designed to test a key individual-level prediction of my theory. The design of the experiment builds on existing studies from the procedural fairness literature which have used randomized vignettes to test the legitimacy-generating potential of different democratic and non-democratic decision-making mechanisms.

As mentioned previously, this literature has tended to find that decision-making by referendum generates comparatively high fairness perceptions and decision acceptance (Esaiasson et al., 2012; Esaiasson et al., 2019; Gash & Murakami, 2015; Towfigh et al., 2016; Werner & Marien, 2020). However, when it comes to referendums on self-determination, my theory predicts that mutual agreement on referendums is necessary to generate fairness perceptions which are shared by members of both the majority and minority group; as well as a shared willingness to accept the referendum outcome. The experiment discussed below was designed to test this prediction, thus complementing the existing evidence that referendums in general have a special legitimizing appeal among citizens.

5.1 Case Context

The context for the experiment is provided by the ongoing debate in the UK on a second Scottish independence referendum. In September 2014, Scots voted in their first independence referendum. That referendum had been a result of lengthy negotiations between the (regional) Scottish and the (national) UK government, and it resulted in a relatively narrow victory for the unionist side, with 45% of Scots voting in favor of independence and 55% against. In keeping with my theory, the separatists accepted the referendum outcome. However, calls for a repeat referendum started to emerge in the aftermath of the UK's 2016 referendum on leaving the European Union. The reason was that while the UK as a whole had voted to leave the European Union, Scotland had voted to stay by almost a two-thirds margin. Pointing to changed circumstances and emboldened by increasing support for independence in surveys, the Scottish National Party (SNP) made increasingly vocal claims for a second referendum. However, in late 2019, when the data for this experiment was collected, it remained highly uncertain whether the UK government would agree to a second independence referendum; and there notably was speculation that the Scottish regional government might go its own way and unilaterally call a referendum on Scottish independence if the UK government does not agree to one.⁴

⁴E.g., <https://tinyurl.com/y79ku4c9>; <https://tinyurl.com/vlbw93b>. At the time of writing in mid-2021, no second referendum has taken place, though the debate continues.

5.2 Experimental Design

The experiment exploits the uncertainty about the form of a possible second Scottish independence referendum to provide ecologically valid causal estimates of the effects of mutual agreement on self-determination referendums on fairness perceptions and decision acceptance. Similar to existing experiments in the procedural fairness literature, the experiment took the form of a vignette experiment with two randomly assigned conditions. First, subjects were reminded about the lingering uncertainty concerning a second Scottish independence referendum. Next, subjects were asked to imagine that another referendum on Scottish independence is held. 50% of respondents were randomly shown a scenario in which the referendum was mutually agreed 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 subjects were then asked the same two outcome questions. First, subjects were asked to rate the fairness of the referendum on a scale from 0 to 10. Second, subjects were asked to rate their willingness to accept a Scottish vote for independence, again on a scale from 0 to 10. The wordings of the outcome questions were adapted from prior vignette experiments (Esaiasson et al., 2012; Esaiasson et al., 2019; Werner & Marien, 2020). The complete vignettes and question wordings are contained in section 2.1 of the Supplementary Material.

The data for the experiment was collected as part of an online voter information tool called *WhoGetsMyVoteUK*, which was made freely available online in the run-up to the 2019 UK general election and promoted through a slew of channels including print, broadcast, and social media. The purpose of *WhoGetsMyVoteUK* was to allow British 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 expert-coded party positions. Furthermore, *WhoGetsMyVoteUK* also asked subjects about their demographic profile and, for a total of 12 days in late November and early December, it featured the scenario experiment described above.

More than 20,000 British voters participated in the experiment, excluding subjects who used the tool more than once. However, I will not analyze the entire sample. Instead, I focus on two theoretically informative sub-samples: (1) subjects who identify as English; and (2) subjects who identify as Scottish. My theory would predict that whether or not the (fictitious)

second Scottish independence referendum had the agreement of the UK government should make a large difference for members of the UK's majority group, the English, as they should be much more likely to see the referendum as fair and accept a vote for Scottish independence if the referendum was previously agreed by the UK government. Meanwhile, prior agreement by the UK government should matter less to the relevant minority group, the Scots. Subjects are coded as English/Scottish if they indicated that the label English/Scottish perfectly describes them prior to the experiment.

In additional analyses, I further restrict the samples to (1) subjects who identify as English *and are opposed to Scottish independence*; and (2) subjects who identify as Scottish *and support Scottish independence*. Not all Scots are in favor of independence and not all English are against it. Given the higher perceived stakes for them, whether the UK government has agreed to the referendum should make a particularly large difference for members of the English majority group who oppose minority independence. Meanwhile, Scots who favor independence should be particularly likely to see a second independence referendum as fair and should be particularly likely to accept a vote for Scottish independence no matter how the referendum came about. Subjects are treated as supporters/opponents of Scottish independence if they agreed or completely agreed/disagreed or completely disagreed with the following (pre-treatment) statement: "Scotland should become an independent country".

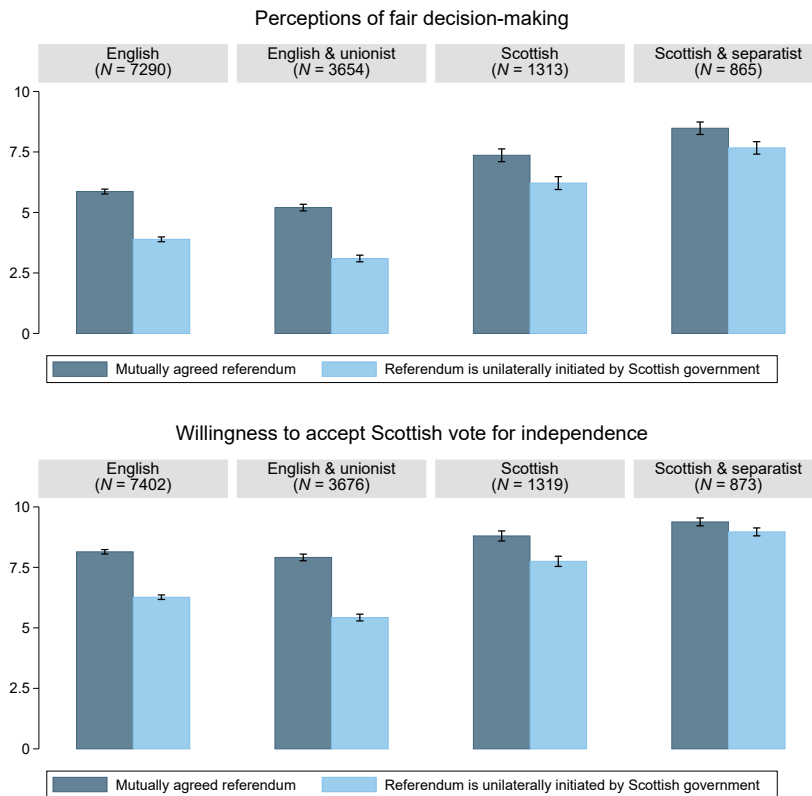
It is important to note that the samples are self-selected and that online voter information tools like *WhoGetsMyVoteUK* are known to appeal more to certain segments of voters, including younger and more educated voters (Germann & Gemenis, 2019). Nevertheless, the samples are diverse and include substantial numbers of both highly and less highly educated subjects as well as significant numbers of subjects from all but the oldest (60+) age group. Furthermore, the samples are well-balanced in terms of gender, political interest, and include substantial numbers of voters from across the political spectrum (see section 2.2 of the Supplementary Material). As such, the samples used here are quite typical of those used in online experiments more generally and, notably, significantly more diverse compared to student samples. Finally, despite the various sample restrictions, the sample sizes are large, ranging from around 900 to around 7,500 subjects.

5.3 Results

I begin by discussing the consequences of mutual agreement on self-determination referendums on procedural fairness perceptions (see Figure 3). Consistent with my theory, whether or not a fictitious second Scottish independence referendum was agreed by the UK government makes a large difference to members of the UK's majority group, the English. On average, English subjects see a Scottish independence referendum as rather unfair if it is unilaterally initiated by the Scottish government ($M = 3.9$). However, English subjects give the referendum referendum a two-points higher average fairness rating if it was agreed by the UK government ($M = 5.9$). This represents an increase of around 50% ($p < 0.001$). Meanwhile, Scottish subjects see a Scottish independence referendum as relatively fair even if it is held without UK consent ($M = 6.2$). This provides evidence in favor of the argument that whether or not a referendum is agreed by the other side matters much less for members of the initiating side. To be sure, Scottish subjects also rate the referendum as fairer when it is mutually agreed ($p < 0.001$). However, the difference is substantially smaller (only around one point, or a plus of 20%). As expected, these patterns are even starker when comparing English unionists and Scottish separatists (see Figure 3).

Whether or not the referendum was agreed by the UK government also affects the willingness to accept a vote for independence, again especially among the English. First, though, a surprising finding is that English subjects show a relatively high willingness to accept a Scottish vote for independence even when the referendum was unilaterally initiated. The likely reason is the (comparatively unusual) circumstance that the UK government has previously signalled its openness to grant Scotland independence. Nevertheless, English subjects ($M = 6.3$) and particularly English unionist subjects ($M = 5.4$) are clearly less willing to accept a unilateral vote for Scottish independence compared to Scots ($M = 7.5$), and particularly compared to secessionist Scots ($M = 9$). Furthermore, in keeping with my theory the willingness of English subjects to accept a Scottish vote for independence increases substantially if the referendum is agreed by the UK government. For all English subjects, the difference is around two points, a plus of around a third ($p < 0.001$). For English unionists, the difference is even starker—around two-and-a-half points, or a plus of almost 50% ($p < 0.001$). Meanwhile, UK agreement to the referendum is far less consequential for Scottish subjects. While there continues to be

Figure 3: Fairness perceptions and decision acceptance in hypothetical second Scottish independence referendum



Note: The spikes represent 95% confidence intervals.

a statistically significant increase, the difference to a unilateral referendum is only around one point, or a plus of 10% ($p < 0.001$). In the case of Scots who favor independence, the difference is even smaller: less than half a point, or a plus of only 4% ($p < 0.001$).

I report three robustness checks in section 2.3 of the Supplementary Material. First, I repeat all analyses while adjusting for a series of covariates including age, gender, education, political interest, and general political orientation. Second, I repeat all analyses while dropping speeders. Finally, I repeat all analyses while using a more lenient definition of ethnic identity which also includes subjects who indicated less than perfect identification as English/Scottish. In each case, the results remain similar.

Overall, these results provide support to the micro-level foundations of my theory. While the previous literature has established that referendums generally lead to high fairness perceptions, this experiment showed that mutual agreement significantly improves the chances that self-determination referendums can generate shared fairness perceptions among members of the relevant majority and minority groups. As a result, the losing side (in this case, the English

and especially English unionists) became much more likely to accept a vote for Scottish independence if the referendum was mutually agreed. These micro-level findings lend support to the idea that mutually agreed but not unilateral self-determination referendums are likely to contribute to peaceful conflict resolution at the macro level. Furthermore, the low fairness ratings observed among the English when the referendum was unilaterally initiated by the Scottish government illustrate how unilateral self-determination referendums may serve to increase ethnic grievances about unfair treatment.

6 Conclusion

By combining a global statistical analysis with short case studies and a survey experiment, this study has amassed the most extensive evidence yet on the conflict resolution potential of self-determination referendums. The results paint a clear picture. Irrespective of the method applied, I found support for the idea that the conflict resolution potential of self-determination is crucially shaped by whether or not the referendum has been mutually agreed by the conflict parties. First, the global statistical analysis suggested that mutually agreed self-determination referendums are associated with peace even after controlling for a large set of potential confounders as well as unobserved dispute-level heterogeneity. By contrast, unilateral self-determination referendums were associated with an increased risk of new separatist wars breaking out. Second, the qualitative analysis provided clear indications that mutually agreed and unilateral self-determination referendums thus tend to produce very different dynamics at the meso and macro level. For example, while Northern Ireland's Irish Catholic parties universally called for the unilaterally initiated 1973 referendum to be boycotted, rebel groups decided to lay down their arms in the aftermath of the mutually agreed referendum on the Good Friday Agreement which was held 25 years later. As a result, many observers of Northern Ireland suggested that the unilateral 1973 referendum was directly responsible for additional bloodshed while the mutually agreed 1998 referendum was able to stabilize a fragile peace process. Finally, the survey experiment provided micro-level evidence that a shared perception of fair decision-making and, therefore, a shared willingness to honor the referendum result are only likely to emerge when self-determination referendums are mutually agreed.

Despite these clear results, caution remains warranted. The study of self-determination

referendums presents formidable challenges in terms of causal inference which this study could only partly overcome despite its multi-pronged methodological approach. Therefore, more evidence is needed to substantiate the implications of mutual agreement for the conflict resolution potential of self-determination referendums. In addition, future research should extend the focus beyond mutual agreement on self-determination referendums and systematically study the role of other factors, such as electoral integrity, eligibility criteria, and majority rules. 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, it is nevertheless worth considering the implications of this study for policy assuming its results are true. First and most importantly, the results of this study suggest that self-determination referendums cannot create a consensus where none exists to begin with. Therefore, the first priority of peace-makers who are considering a referendum on autonomy or independence should be the facilitation of mutual agreement on a referendum between the conflict parties. Second, self-determination referendums should only proceed where mutual agreement is feasible. Self-determination 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 would have been possible in the early 1990s. Nevertheless, European powers promised quick recognition after a referendum. This study suggests that self-determination referendums have limited value as a tool for conflict resolution and should not therefore be promoted at all costs. Finally, if a self-determination referendum is nevertheless held in the absence of mutual agreement, that could provide an early warning for separatist war and diplomatic or other interventions aimed at conflict de-escalation should be considered.

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