Hearing: U.S. Policy Toward National Self-Determination Movements

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1 Introduction

National self-determination movements seek greater self-government for a national minority, typically including the right to vote on forming a new independent state. Recent examples of successful self-determination movements include South Sudan, Kosovo, Montenegro, and East Timor. Ongoing self-determination claims are found in Scotland, Catalonia, the Faroe Islands, Kashmir, Tamil Eelam, Somaliland, Western Sahara, West Papua, Tibet, Mindanao, and many other places. Like other states, the U.S. government faces decisions about whether to recognize declarations of independence, to enter into diplomatic relations with new states, and to engage in diplomacy with other states about self-determination movements within their borders.

In my testimony, I will first describe the current state of self-determination movements around the world, then summarize what scholars have learned about the relationship between self-determination conflicts and violence. I will conclude by assessing the validity of claims advocating the creation of new states or changes to national borders.

2 The Current State of Self-Determination Movements

Self-determination movements generally take one of two forms: political parties and armed groups. Currently, secessionist political parties that seek at least a vote on independence are found in Belgium (Flanders), Canada (Quebec), Denmark (Faroe Islands and Greenland), Finland (Åland), France (Brittany and Corsica), Germany (Bavaria), Italy (Veneto and Sardinia), Spain (Catalonia,

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the Baleares, the Basque Country, Navarre, Canary Islands, and Galicia), the UK (Scotland and Wales), and the United States (Alaska and Puerto Rico). In addition, *irredentist* parties, which seek to move territory from one country to another, are present in the UK (Northern Ireland) and Italy (South Tyrol).

Armed self-determination movements are typically found in the developing world. Figure 1 shows where intrastate armed conflicts on territorial issues (generally, self-determination) occurred during the 2011-2014 period. These conflicts require at least 25 battle deaths in a single year to be counted.
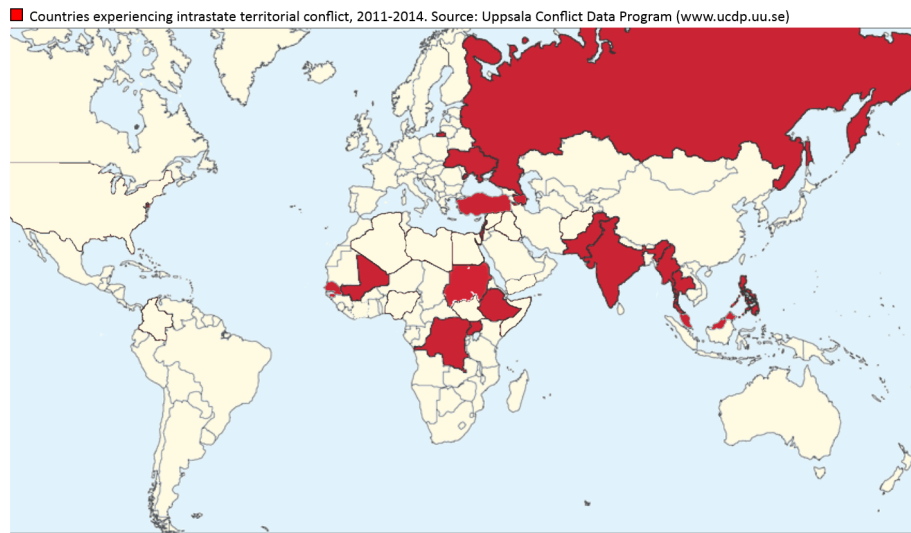

Figure 1: Map of Recent Intrastate Territorial Conflict

Developing countries usually forbid self-determination movements from organizing as political parties. For instance, Turkey, India, Pakistan, Sri Lanka, and Russia make advocacy for the self-determination of a particular region a criminal offense – an act that would be protected by the First Amendment in the United States.

Western, liberal democracies typically allow secessionist parties to organize and contest elections, but they do not all allow for secession. The Canadian Supreme Court has ruled that Quebec secession is negotiable if the province votes by "a clear majority on a clear question" for independence. The United Kingdom negotiated the terms of an independence referendum for Scotland and agreed to be bound by the result. The Danish government concedes a right to independence for Greenland and the Faroe Islands, and breakup is routinely discussed as a legal option for Belgium. St. Kitts and Nevis and Liechtenstein have constitutional clauses protecting the right of secession. On the other hand, France, Spain, and Italy all have constitutions explicitly defining their countries as indivisible, thus proscribing secession.

Majority support for independence in a population is rare. As of this writing,

in all the high-income democracies of Europe, North America, and the Pacific Rim, there is only one region in which parties clearly favoring short-run independence have won an absolute majority of votes in any recent election: Scotland. Furthermore, in Scotland, many voters voted for the Scottish National Party (SNP) without favoring independence, and support for independence has been below 50 percent in polls since that election, including the September 18, 2014 referendum itself. Using data from the Minorities at Risk project, I found that as of 2003, 107 ethnonational minorities, 38 percent of the total number in the data set, had a secessionist organization of any size (Sorens 2012, p. 56). In a recent article, I estimated the percentage of the population supporting independence in every state of India, finding figures no higher than 20 percent anywhere (Sorens 2014, p. 264).

3 The Causes of Self-Determination Conflicts

Popular demand for independence comes from a combination of a distinctive cultural identity, territorial contiguity, and either political or economic benefits of independence (Sorens 2005, Hale 2008, Sorens 2012). Having just one of these elements is not enough, which is why the vast majority of minority nations around the world do not have any secessionist movement at all.

One worry about allowing secessionist movements is so-called "contagion" across regions or countries, but secessionism does not in fact seem to be contagious across countries, although it does have a tendency to spread *within* a country (Ayres & Saideman 2000, Sorens 2012), which is why governments often crack down on them (Walter 2006).

At the individual level, there is some evidence that voter support for independence is rational, that is, related in the expected way to the expected benefits of independence (Howe 1998). However, there is a difficult-to-resolve debate about the extent to which independence support is caused by voters' assessments of the benefits of independence, or if instead independence support causes those estimates of benefits through a process of rationalization (Mendelsohn 2003).

Secessionism is strongly associated with violent conflict (Toft 2003). In general, separatist civil wars last longer than other kinds of wars, implying that the warring parties cannot find negotiated settlements even when the conflicts are stalemated (Fearon 2004, Sorens 2012).

I find that providing a legal path to independence is associated with less ethnonationalist rebellion (Sorens 2012). The United Kingdom, Canada, Denmark, and Belgium have had much less secessionist violence than France, Spain, and Italy – and secessionist violence has gone away in Puerto Rico since the U.S. government informally recognized their right to independence. Clauses permitting secession were also crucial to peace agreements ending the conflicts in Northern Ireland, South Sudan, and Bougainville (part of Papua New Guinea). The European Union's Treaty of Lisbon explicitly recognizes member states' right to secede from the Union, because no country would want to join a union they could never leave.

4 Implications for U.S. Policy

A legal path to independence can promote peace by constraining secessionists and central governments to pursue their aims through electoral and legislative means. On the one hand, secessionists have no excuse for resorting to violent tactics; to do so would be to admit failure to persuade a majority of the people they claim to represent, while imposing costs of violence on the very people they purport to represent and from whom they would have to recruit. On the other hand, central governments often cannot commit to respecting a negotiated regional autonomy compromise without also conceding a right to secede. The South Sudanese and Bougainvillean secessionists would probably not have agreed to a peace deal without a referendum guarantee. These conflicts lasted 22 and nine years, respectively. Authoritarian and especially nationalistic central governments will face both desire and opportunity to renege on previously negotiated autonomy arrangements; only a right to secede may be sufficient to deter them and thereby induce secessionist rebels to lay down arms in the first place. I also find that central governments permitting a legal path to independence are more likely to decentralize to ethnic minority regions and have *never* recentralized power in the post-World War II era (Sorens 2012).

If every country recognized its minority nations' right to secede, only a few would apparently exercise such a right. Moreover, the overall level of global violence would likely decline by replacing intrastate conflicts with interstate conflicts. Intrastate conflicts are far more common than interstate conflicts (see Figure 2). Since World War 2, civil conflicts have killed seven times more people than interstate conflicts (Collier & Sambanis 2005, *Data on Armed Conflict* 2013). Civil wars last much longer than interstate wars (Fearon 2004). Civil wars are also more likely to happen in more populous countries (Fearon & Laitin 2003). These findings suggest that a global increase in the number of independent states and a decrease in their average size would reduce the number of civil conflicts, increase the number of interstate conflicts, and decrease the total number of conflict deaths.

There are good reasons for the U.S. government to avoid assertively internationalizing other countries' self-determination conflicts, which can look like meddling in other countries' internal affairs. The U.S. arguably erred in refusing to negotiate a democratically authorized partition of Kosovo; as a result, an independent Kosovo lacks broad recognition from other states and is having trouble entering international institutions. Nevertheless, once a declaration of independence is issued, the U.S. government has no choice but to respond. In such an event, the U.S. government might wish to consider not only the interests of the host state, but also the interests of the seceding state and the effect of secession on regional stability. On average, replacing a state-to-nation relationship with a state-to-state relationship reduces violence.

Armed Conflict by Type, 1946-2014
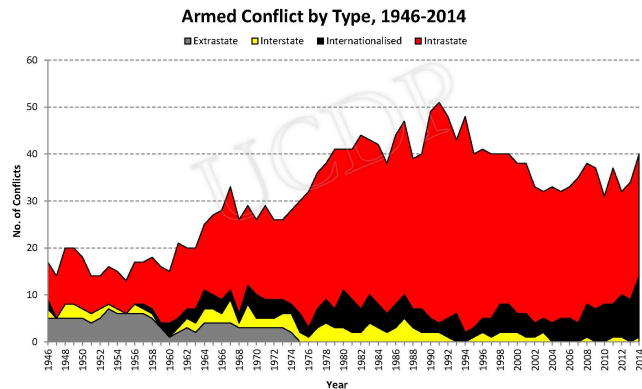
Figure 2: Types of Conflicts Over Time

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