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**“How Do Peaceful Secessions
Happen?”**

Robert A. Young

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HOW DO PEACEFUL SECESSIONS HAPPEN?

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How Do Peaceful Secessions Happen?*

I. Introduction

The phenomenon of secession has recently attracted the attention of scholars working within a variety of theoretical perspectives. Spurred by events in the former U.S.S.R., specialists in comparative politics have returned to classic questions about nationalism and state viability.¹ Studies of the legal and moral issues around secession have begun to proliferate.² Political economists have engaged a process that lends itself well to calculation and strategic games.³ And theories both deductive and inductive are emerging about the causes and process of secession.⁴ Of course in particular countries, like Canada, where secession is a burning public issue, scholarly attention to all its causes, features and likely effects is intense.

In this context, the central purpose of this paper is modest and straightforward. It is to arrive at empirical generalizations about the politics of the process of secession. The objective is not to investigate the causes or consequences of secession; it is not to formulate theories about the relations between economic and social factors and political events; nor, finally, is it to predict when and how particular secessionist movements may achieve their ends. The purpose is simply to explore how secessions have occurred in the past, and to search for general patterns in the political dynamics.

This is worth doing for several reasons. First, it seems important to study the politics of the transition from a single sovereign unit to two or more states, because the long term outcomes of secession

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may be highly path-dependent. That is, the nature of the 'new' politics and the economic and political relations between them may depend critically on the process through which secession took place. Second, a primary focus on politics is justified to the extent that political actors possess a high degree of autonomy in making decisions about secession and how to respond to it. The societal constraints on decision-makers negotiating a new trade agreement, for example, may be far more binding than the constraints sensed by politicians who must decide how far to push secessionist demands, how to respond to them, or how to negotiate the unprecedented transition to separate sovereign entities. Finally, for analysts interested in particular cases, empirical generalizations about secession may assist in predicting how the process would unfold in other countries. Every country and every secessionist movement is unique, but this is precisely what renders predictions about each case unreliable (and contestable). Any evidence from comparative experience that suggests how the process might occur should be welcome to those who analyze particular systems. Inducing general patterns in the transition processes through which peaceful secessions have taken place is, in fact, possible: whether these generalizations illuminate other contemporary cases remains to be seen.

There is little point in summarizing the generalizations here. But the overall pattern is clear enough. After long and fundamental disputes, partisan realignments or external shocks cause one state to make an authoritative declaration of intent to end the union (or federation). This is accepted by the other government, in principle, a move that obviously distinguishes peaceful from contested secessions, since the only other alternative is to attempt violent repression.⁵ Negotiations follow inevitably, and they are fast, limited to big issues, constrained by foreign powers, and conducted by small teams to which broad authority is delegated. Throughout this process, the two sides polarize, and there are substantial pressures to maintain national solidarity. Peaceful secessions occur constitutionally, and involve minimal changes to the existing constitutional order(s). But policies in the new states soon begin to diverge, and some friction continues, as is normal between interdependent, sovereign entities.

Before proceeding to elaborate the generalizations in more detail, this paper's limitations should be noted. The most serious is that there are few cases considered here. Most attention is devoted to only three - the secession of Singapore from Malaysia in 1965, of Hungary from Austria in 1867, and of Norway from Sweden in 1905. There is a handful of other cases to which some reference can be made, but these are mainly breakups of short-lived colonial federations, countries outfitted by the receding British Empire with generic (or "neo-classical") federal systems that did not long endure.⁶ This small sample also ignores contemporary secessions from the former U.S.S.R., not because withdrawal from a communist empire is less relevant than some of the cases explored here - there undoubtedly is much to be learned from the C.I.S. - but because time and linguistic constraints have not allowed reliable information to be gathered. The breakup of the Czech and Slovak Federal Republic is of even greater interest, but I have treated it elsewhere in much more depth, using the same framework laid out here.⁷ The empirical generalizations accommodate this case very well, and that they do fit a modern, industrial, Eastern European, and fully democratic country should increase confidence in their robustness and validity.

Second, the survey covers only cases of peaceful secession. Contested secessions are excluded. This is not because those cases are irrelevant; on the contrary, useful lessons and analogies have been drawn from them.⁸ Moreover, contested secessions are far more numerous than peaceful ones. Bookman, for example, examines thirty-seven secessionist movements, most of which emerged after WWII (the exceptions being Northern Ireland, Ukraine, and the Kurds), and only twelve of which were peaceful: these include six in the U.S.S.R. (where the central state was collapsing), three in Europe (Catalonia, Lombardy and Scotland), Tibet (where Chinese repression is enough to prevent any mass action, peaceful or not), and Puerto Rico and Quebec. The other movements were violent, or civil war resulted.⁹ But contested secessions fall into a different class than that of interest here. For many purposes, it may be more fruitful to examine cases of 'success', and to look for patterns in the transitions, than to focus on instances of civil war in the hope of discovering salutary lessons. So how has peaceful

secession occurred in the past? What features have characterized the process?

i. Secession follows protracted constitutional and political disputes

While the event of secession is always abrupt, cases of peaceful secession have capped long periods of disagreement between the constituent units of a federation or empire. In a sense, secession results from an impasse about an important matter of principle, even though this may be only one of many irritants, or one which becomes important as the symbolic focus of autonomist yearnings.

In 1867, Hungary and Austria were separated through the Ausgleich (Compromise), which was finally sealed by its acceptance by the Austrian Reichstat on December 21.¹⁰ This agreement provided a durable arrangement for the co-existence of territories that had been united but riven by fundamental conflict for almost two decades. As part of the 1848 revolutions that swept Europe, Hungary had achieved first a separate ministry responsible to the national Diet, and then had declared formal independence in April 1849. This revolt was crushed by the Russians who returned the errant state to the Austrian Emperor. After a period of authoritarian rule in the 1850s, a brief flirtation with a decentralized structure was followed in 1861 with a centralized, bicameral system. This the Hungarians boycotted for some years in a struggle for greater autonomy. Their local Diets generally refused to raise taxes or military recruits for the Imperial authorities. In April 1865, Francis Déak and other Hungarian moderates published a program for reform that envisaged a largely autonomous country, and the Emperor encouraged discussions to be held with Hungarian leaders because the central authorities were weakened by the boycott and by rapidly rising debt.¹¹ In early 1866 a new Hungarian Diet was called, and it worked out a program for negotiations. But these became serious only towards the end of the year, after Austria was defeated by the Prussians at Sadowa, and the Treaty of Prague dissolved the Germanic Confederation, essentially removing Austria from the Germanic system and making an internal re-

ordering highly advisable.¹²

Norway, a Danish possession, was united with Sweden under King Karl XIII in 1814. While each country maintained separate citizenships, ministries, civil services, and courts, and while there was no joint legislature (formally), there were important joint and common functions. The King appointed each of the ministries, he could veto legislation, and, most critically, he conducted war and foreign policy.

Despite the fact that Sweden's main economic links were with Germany while Norway's were with England, there also was substantial economic integration. A common coinage was introduced in 1875, and joint tariff law prevailed after 1825. The tariffs covered a few items only, but were a cause of continuing dispute as Sweden sought to increase protection towards the end of the century; failing agreement, the joint laws lapsed in 1897.¹³ But there were no serious economic disputes between the countries.

Deeper political integration was resisted, mainly by Norway. An 1850s plan for a confederal legislature failed, and Norway also blocked moves towards closer cooperation in 1871, causing much bitterness.¹⁴ As under the Austro-Hungarian Ausgleich, it was the common royal prerogative that ensured some internal policy harmonization, through the veto power and the authority to select ministries. More important in an era of very limited government, the Crown's control over war and foreign policy enabled the countries to operate as a unit on the international stage, and although such an arrangement was not envisaged in the Riksakt (the Act of Union), the King was working through a Joint Council for diplomacy and foreign affairs by the late 19th century.¹⁵ In the case of Sweden and Norway, however, growing nationalism and liberal demands for a fully responsible government led to the secession.

The immediate issue of contention was the Norwegian demand for a separate consular service. This led the countries near to war in 1895. Further negotiations over the issue opened in 1902. The stakes escalated in a bitter election campaign in Norway, won by the Conservatives who then had one last

chance to find a negotiated solution.¹⁶ In February 1905, however, the Norwegians refused the Swedish proposals; in March a coalition government was formed in Norway; then a consular bill was passed in the knowledge that the King would veto it and precipitate a crisis.

The secession of Singapore from Malaysia on August 9, 1965 was remarkable for the speed with which it was accomplished. But the final, very brief negotiations put the seal on a disengagement motivated by acrimony on several fronts. Discord had been growing almost since Malaysia was formed in September 1963. (Although this federation was very young, and in part was a contrivance of British Imperial withdrawal, it should be noted that the sovereign Federation of Malaya had been formed in August 1957, building upon the four-state Federated Malay States (1895) and the Federation of Malaya Agreement (1948). More important, under colonial rule, Singapore and the Malay states had been governed as an economic unit since the 19th century. The common Malayan dollar, for instance, had been issued by a Currency Board since 1906.¹⁷ Interrupted by World War II, there had also been close (British-led) defence co-operation between the colonies since 1951.)

In this case there were disputes about central-bank arrangements that were protracted and tense and were unresolved at the time of secession.¹⁸ As well, Singapore, which had supported the federation in part to gain fuller access to the Malayan market, was disappointed by the slow progress towards the goal of a full common market, which was enshrined in Annex J of the 1963 constitution.¹⁹ Other causes of friction included the distribution of tax revenues in the federation, economic favoritism towards the Borneo territories (Sabah and Sarawak), and Singaporean under-representation in Parliament and the Cabinet (a consequence of the asymmetrical powers that Singapore possessed under the constitution).²⁰ All these were aggravated by an undeclared war with Indonesia - the Confrontation - which put pressure on expenditures and led to the imposition of emergency-power rule.²¹

The major incompatibility between the units, however, concerned race and the deep ideology that would underpin the federal political system. The accession of Singapore (80% Chinese) to the Federation

posed a threat not only to the special privileges of the Malays (who became a minority overall), but also to the communitarian system through which the country traditionally had been governed. This was a system of elite accommodation between racial groups, largely achieved within the Alliance between the United Malay National Organization and the Malayan Chinese Association (UMNO-MCA). The Indian community, about 10% of the population, was also incorporated into this system. But communitarianism was challenged by Lee Kuan Yew of Singapore, through his People's Action Party (PAP), which advanced an ideology of progressivism, individualism, and pluralism, under the slogan of a "Malaysian Malaysia".²² While the longstanding conflict was expressed through partisan competition, it went to the cultural and systemic foundations of the federation. PAP swept the 1963 elections in Singapore, then contested the 1964 elections on the mainland, albeit with little success. Undeterred, Lee Kuan Yew continued in 1965 to press for non-communal equality, and spearheaded the Malaysian Solidarity Convention to fight the Alliance, targetting the sensitive states of Sabah and Sarawak.²³ In the summer of 1965 there were serious race riots in Singapore, but even before this manifest unrest, it seems, the Tunku Abdul Rahman, prime minister of Malaysia, had concluded that Singapore's secession would be desirable for Malaysian stability.²⁴

ii. The secessor state declares its intent to withdraw

This event is abrupt. In the West Indies case, the Jamaican referendum of September 1961 was immediately followed by a declaration that it would quit the Federation of the West Indies. In the case of Singapore, the situation was reversed: the Malaysian leader consulted his inner cabinet about Singapore's exit in July 1965, and declared his decision to the government of Singapore upon his return to Kuala Lumpur on August 5. The announcement that Singapore would leave the federation was made in Parliament on August 9.

In the Austria-Hungary case, the Hungarian Diet drew up and approved a program for independence in early 1866. But war with Prussia was declared the following day. In July 1866, after the Empire's stunning defeats, Déak, the leader of the Hungarian moderates, met the Emperor, and in a famous interview was asked what Hungary wanted now that the realm was so weakened: he replied, "No more after Sadowa than before."²⁵

In the Norwegian case, the declaration took two forms. The first was a Storting vote in favour of the principle of dissolving the union, passed under the new coalition government in March 1905. Then the consular bill was passed in May, and it was duly vetoed. The Norwegian ministry resigned. The final act came on June 7, when the Storting passed a resolution authorizing the ministry to continue as the government and to exercise the authority granted to the King under the constitution: it also dissolved the union.²⁶ This resolution passed unanimously.

iii. The predecessor state accepts the principle of secession: negotiations follow

This is a truism, *ex post facto*, but it reflects the most profound decision on the part of the leadership of the predecessor state - to accept that secession will occur. In the cases examined here, this is a bitter and very difficult decision. But it makes the fundamental difference between peaceful secessions and those that are violent. This immense concession then sets in train all that follows, and the first item, obviously, is negotiations.

In the case of the breakups of colonial federations, it was the imperial power that generally had to accept that secession would occur. In late 1962, for instance, Britain recognized the right of Nyasaland (later Malawi) to secede from the Central African Federation: this led directly to a similar demand by Northern Rhodesia, and to the Victoria Falls Conference in June, 1963. Similarly, the British

government accepted both the Jamaican referendum result and the decision of Trinidad to seek its own independence.²⁷ In Malaysia-Singapore, the normal situation was reversed. It was Lee Kuan Yew who had to swallow the bitter pill presented by Malaysia, and to negotiate as best as possible around the terms of secession which were presented to him and his colleagues.²⁸ The acceptance in Austria-Hungary was through the Emperor, who had come to the conclusion that the weakened realm could only be salvaged by placating the Magyars through recognizing the principle of Hungarian independence. After his meeting with Déak, negotiations were opened.

Acceptance was most difficult in Sweden, where the populace as well as the government and the King was deeply shocked by the Storting's vote to sever the union. On the same day, however, despite some ministers' advocacy of war, the cabinet decided to proceed peacefully. This decision was confirmed by an extraordinary meeting of all party leaders the following day. Norwegian opinion was solid for sovereignty, war would be ruinous, and the Great Powers would isolate Sweden if it tried forceably to maintain the union. Negotiation represented the only viable course of action. Even Conservative newspapers declared that, after the Storting vote, the union had become "devoid of value for Sweden and, therefore, the use of force was unthinkable."²⁹

iv. Secession is a momentous, galvanizing event

Despite contemporary slogans such as the "velvet divorce" or the "rupture tranquille", even peaceful secessions are times of much disruption and uncertainty. They mark profound changes in the relations between peoples and between states, and this is fully recognized at the time. Secession opens new possibilities and closes off options, and it does so in a compressed time period where the actors and arguments and choices are known to have big long-term consequences. Even peaceful separations are marked by considerable ferment.

There are always changes at the elite level. In the Hungarian case, for example, new leadership emerged in the moderate party during the early transition (in the person of Count Andrassy), and in Austria the minister-president resigned in some confusion after the major elements of the Ausgleich had been agreed. Coalitions formed and re-formed in both Norway and Sweden. As discussed below, reflecting the turmoil of the transition, the internal politics and policies of the de-federating units change a great deal.

There is also considerable mass unrest and excitement. In Singapore, racial tension and conflict continued after secession. In Austria, the Czechs and other minorities saw new opportunities for autonomy during the uncertainty of 1866-7, a prospect that led to external appeals to Russia and internal agitation by Prussia.³⁰ And in Norway-Sweden, secession was marked by huge public demonstrations in both countries, much chauvinism and tension, and the mobilization of defensive forces even as the negotiations about disengagement were taking place.³¹

v. The government is broadened and strengthened on each side, and there is a premium on solidarity

In order to undertake fundamental constitutional change, the governments of both the predecessor and successor state are strengthened. As discussed below, attention is focussed on the immediate need to reach a settlement, rather than on other constitutional matters. Hence, it is the leaders in place who assume responsibility for negotiating secession. And in non-bipartite cases, it is the central government which negotiates. In the extreme case, Malaysia-Singapore, the state governments - including Sabah and Sarawak, which had entered the expanded federation with Singapore - were not even informed about the secession arrangements.³²

But the national governments seek to augment their authority by broadening their bases of

support. This occurs both in the period leading to the declaration of intent to secede and in the transitional period of negotiations. In Hungary, for example, the platform of demands that issued from the Diet in 1866 was forged by a special committee of 67 members, representing all factions, and by a strong executive committee of 15 members. In Singapore and Malaysia, PAP and the Alliance respectively had overwhelming majorities, so broadening was not necessary. But in Norway and Sweden, where the transition was particularly tense, this process was very evident.

In Norway there was a tremendous premium on solidarity in the spring of 1905 as the crisis developed. This is not to say that partisan considerations were entirely forgotten, for the radical Venstre party pressed a hard line on the consular issue. That matter decided, however, Norwegian politicians submerged their differences. A Special Committee of the Storting was established, and it took much initiative. Then a new coalition government was formed with broad representation, and until the June 7th vote and during the subsequent negotiations, this ministry relied heavily on the Committee.³³ In Sweden, after the vote, an Extraordinary Committee of the Riksdag was formed. It helped frame the national response to the Norwegian declaration, which consisted of a set of conditions to govern the secession. Then, in July, a coalition cabinet was assembled. This incorporated the opposition Liberals, and so it had a much broader composition than any preceding Swedish government.³⁴

The crisis of secession, then, solidifies each side politically. And the sides polarize. These effects are undoubtedly less thoroughgoing than what occurs in contested secessions, when war entirely divides the states and forces internal unity. Nevertheless, those responsible for negotiations seek truly national support by submerging partisan and ideological differences for the duration of the crisis. And this effect is not confined to political elites. The plebiscite about secession forced upon the Norwegians by the Swedes as a pre-condition of negotiations carried by 367,149 to 184.³⁵ Such a margin could never have been achieved six months earlier. The process of secession, or the crisis of the transition, itself generates internal unity.³⁶

vi. The negotiations involve few participants

Some cases examined here involve quasi-democracies characterized by a limited franchise and deference to regal or charismatic leaders. Nevertheless it still is striking that the negotiating teams have been very small in numbers, and this is the more remarkable when this feature is combined with the broadening of support discussed above. The paradox vanishes when one realizes that the teams incorporate the strongest leaders, of all factions, and that the same solidarity that arises from the national dimension of the crisis permits the delegation of substantial power to a very few representatives.

In Singapore-Malaysia, only the Prime Ministers were involved, aided by a few key members of their cabinets.³⁷ In East Africa, just as the Nairobi Declaration had been the product of the anti-colonial leaders from each state, so were the failed negotiations about federation conducted by them. In Austria-Hungary, the predecessor state was effectively represented by the minister of foreign affairs, Baron Ferdinand Beust, who was appointed in November 1866 and who alone conducted the serious negotiations which began in January 1867. In the case of Norway and Sweden, one immediate and critical issue to settle was whether Norway should invite a member of the Swedish Royal House (the Bernadottes) to take the throne: secret negotiations undertaken by one man had produced a solution - Prince Carl of Denmark - within a month (though confirmation was delayed until after the main negotiations were through, because the election of a King had implications for international recognition).³⁸ The main negotiations about secession and its terms, conducted at the Karlstad Conference, involved Norwegian and Swedish delegations of only four members each.

vii. The settlement is made quickly

Negotiations about secession are not protracted. When a unit breaks up peacefully, the two sides

disengage quickly, and the negotiations concern a relatively short list of items which are settled in principle. Singapore-Malaysia is the extreme case. The Tunku, Abdul Rahman, returned from London to Kuala Lumpur on August 5, 1965, and summoned Lee Kuan Yew in order to present him with the separation agreement, which was signed on August 7 and passed through parliament on August 9, effective immediately.³⁹ The Victoria Falls Conference that dissolved the federation of Rhodesia and Nyasaland took place in less than a week in June-July, 1963: the federation was terminated formally in December of that same year. The Jamaican referendum in favour of secession took place in mid-September 1961, and the Federation of the West Indies was wound up in May 1962. The Karlstad Conference opened on August 31, 1905 and negotiations were completed on September 22: then the Storting approved the arrangements on September 30, the Riksdag legislated the abrogation of the Act of Union on October 16, the King abdicated, and the Storting unanimously elected Prince Carl of Denmark as Haakon VII on November 18.

The content of negotiations, of course, is primarily about the terms and conditions of disengagement. Even when it is not limited to this, but the framework for future relationships is also being established, events still move quickly. In the Austria-Hungary case, an extremely complex set of institutions was established under the Ausgleich. These were patterned on the Hungarian proposal of 1866. But serious negotiations began only in January 1867. By mid-February the Hungarian constitution was restored along with a responsible ministry, and Hungary approved the Ausgleich on May 29. In Austria, approval was delayed by an election and by the insistence that all financial arrangements be finalized; nevertheless, the Reichstat enacted the Compromise on December 21, 1867. The institutional structure of what Lloyd George called this "ramshackle realm" was settled within a year's time.

viii. The settlement involves a relatively short list of items

In cases of peaceful secession, negotiations centre on a few significant matters. This is not a sufficient condition for a quick resolution of the crisis, but it does appear to be a general feature of these secessions. The two parties settle the most pressing issues in framework agreements, leaving other matters and details to be worked out later.

The Singapore-Malaysia separation agreement, for instance, has only eight articles. It recognizes Singapore's sovereignty, commits the parties to a treaty on external defence and mutual assistance (spelling out four principles which mainly confer military rights upon Malaysia), establishes the principle of economic cooperation, repeals the economic-union provisions of the 1963 constitution, and releases Malaysia from its guarantees of Singapore's debt. In the case of Norway and Sweden, the Swedes imposed the pre-negotiation condition of a plebiscite to sound Norwegian opinion. The actual negotiations concerned only:

1. Sweden's demand that Norwegian forts on the frontier be razed,
2. the establishment of a 10-kilometer neutral zone along the border,
3. guarantees for the unimpeded migration of the Lapps,
4. equal rights for transit and access to transfrontier watercourses (for railroads and water for log drives), and
5. an arbitration treaty to govern future disputes.⁴⁰

Finally, in the Austria-Hungary case, the negotiations concerned not only the principles of disengagement - the restoration of the Hungarian constitution, a fully responsible ministry, and the coronation of Franz Joseph as King of Hungary - but also the mechanisms for future coordination. These were complex, involving a small number of common ministers, decennial agreements about each state's contributions to the common expenses and about the common tariff schedule, and a confederal system of

'delegations' from each state to approve annual budgets. But much of this was left to be fleshed out in subsequent discussions and later practice. Hungary approved the arrangement even before the first fixing of tax contributions had been made.

ix. Foreign powers play an important role

This generalization holds in every case. The dissolution of the new Commonwealth federations was crucially dependent on Great Britain's approval of terms, and also on the probabilities of international recognition. In Malaysia-Singapore, the Confrontation with Indonesia made precipitous action more possible (and more necessary, from Malaysia's standpoint). But Indonesia also offered potential new markets to Singapore, which quickly assumed a friendlier stance towards it; in fact, after Singapore withdrew from the Combined Defence Council in March 1966, Indonesia aimed to establish normal relations with the new state.⁴¹ Despite Singapore's moves towards both non-alignment and a new relationship with the United States, its partners in the existing Anglo-Malayan Defence Agreement insisted that it continue to cooperate in defence with Malaysia.⁴²

In Austria-Hungary, the threatened international position of the Empire was an underlying cause of disengagement. In the longer term it was also relations with Germany (through the 1879 Dual Alliance against Russia) that helped maintain the confederal system of the Ausgleich. This system mitigated the fear of absorption into Germany of the inhabitants of Cisleithania (especially the minorities) while diminishing the threat posed to the Magyars by the Southern Slavs.⁴³ More generally, the secession was peaceful and the new arrangement worked because outside powers - Germany, Turkey and Russia - each could pose as an ally of some internal minorities, and therefore presented threats to others.⁴⁴

Norway-Sweden provides more examples. As the consular crisis mounted, the Norwegians immediately understood how important would be international recognition of their new state. This

underlay both a vigorous public-relations campaign among the Great Powers and the decision to continue a monarchical system (with a Bernadotte as King, if necessary).⁴⁵ As well, fear of outside intervention in Scandinavia certainly helped lead both sides towards compromise when, even during the Karlstad Conference, each country contemplated war.⁴⁶

x. The secession is accomplished constitutionally

Peaceful secessions, without exception, are achieved through established legal processes. Even such fundamental constitutional change occurs constitutionally. There is no legal rupture of the type associated with unilateral declarations of independence. Basically, this is a straightforward consequence of the predecessor state accepting the principle that secession will occur.

In Austria-Hungary, the restoration of the Hungarian constitution was effected through a royal letter, and the Ausgleich was properly passed by the Diet. Similarly, the Austrian Diet amended the 1861 constitution to bring it into conformity with the new arrangement, and these changes to fundamental laws were duly sanctioned by the Emperor. In the Norway-Sweden case, established rules prevailed, as the Act of Union was abrogated by the two legislatures, the King abdicated from his Norwegian throne, and the new King was properly elected and crowned. In Singapore-Malaysia, although it took the Malaysian Parliament only three hours to do so, the constitutional amendment that eliminated Singapore from the federation was passed by the required two-thirds majority.⁴⁷ And the generalization holds for the new colonial federations that broke up: each failure was "marked by a constitutional act, like federation itself."⁴⁸ Even in the case of Iceland's separation from Denmark, in 1944 in the midst of war, when the Nazis controlled Denmark and the British were in Iceland, the matter was accomplished constitutionally. Iceland invoked a clause in the Act of Union that allowed for unilateral termination of the Act, and the decision was confirmed, as required, by a national plebiscite.⁴⁹

- xi. There are no other substantial constitutional changes in either the seceding or the predecessor state**

This is a rather surprising fact, for one might anticipate that such a fundamental change as secession might either force or allow for other constitutional alterations. But this is not the case. The reasons appear to be twofold. The predecessor state and the seceding state especially seek stability, the first for damage-control and the other for international credibility. Second, for the significant policy changes which each state generally does undertake, constitutional amendment is not a prerequisite.

In any event there are some limited exceptions. In some short-lived colonial federations, the exit of one state - Jamaica and Nyasaland - led to the collapse of the rest of the federation. In Austria-Hungary, much of the drive for the new arrangements came from ethnic tension, not only between the two major ethnic groups but also between each and internal minorities. Hungary's Magyar majority was well served by their traditional constitution, and no post-secession change occurred there. In Austria, however, secession was accompanied by a vigorous debate about the degree of centralization that should obtain within the realm, with the non-Germanic minorities pressing the case for local autonomy. In the end, constitutional changes were enacted to confer the residual power upon the regional Diets.⁵⁰ But provincial legislation still required the Emperor's approval, and the Crown also appointed the provincial governors and the presidents of the regional Diets; moreover, in 1873, direct elections to the central parliament replaced indirect election by those Diets, so further weakening their power.

There were policy changes, however. In Hungary, the separation allowed the continuance and heightening of social conservatism, including a firm policy of Magyar supremacy that was pursued in the linguistic and educational fields. In Austria, in contrast, the German-speaking Liberal Party introduced important social and economic reforms.⁵¹

In Malaysia, there were post-secession constitutional changes associated with ethnic issues, which

had been made acute by Singapore's both joining and leaving the federation. In 1967, Malay became the sole official language, except in Sabah and Sarawak. But this had been due to happen in any event under the 1957 constitution.⁵² Further, in response to sectarian violence, discussion of racial issues was outlawed between 1969 and 1971, under constitutionally invoked emergency powers. For its part, Singapore established a Constitutional Commission in March 1966. But there was no change until 1969, and this was minor: the Presidential Council was established to advise on legislation and to scrutinize it.

Again, while there was no constitutional change directly associated with secession, there was considerable policy change. Malaysia moved to diminish internal economic barriers. Singapore did much more. Under the slogan "Survival", the government moved towards *dirigisme*, towards the construction of a "tightly organized society", with National Service, new labour legislation attractive to investors, and a general stance favouring order and economic growth.⁵³

In the Norway-Sweden case, policy changed in Sweden as the Liberals came to power in late 1905. But there was no constitutional change after secession. Norway provides a clear example of how secessionist states avoid unnecessary constitutional change, as its leaders decided to retain the monarchy so as not to offend the European powers (a choice ratified by plebiscite), and even extended an invitation to a son of the very monarch whose abdication would be occasioned by secession. There was no change in the form of government, in order to avoid a constitutional crisis simultaneous with secession, to placate Swedish rage, and to attain quicker international recognition. Subsequently Norway moved on several policy fronts to become one of the most liberal states in the world, but apart from an extension of the franchise, this did not involve internal constitutional restructuring.

xii. Policies in the two states soon begin to diverge

In Austria-Hungary, secession produced two sovereign states. But, in contrast to the other cases,

it was accompanied by new institutions for coordination. The keystone of the system was the monarch, Franz Joseph, who was Emperor of Austria and King of Hungary, and who chose separate ministries in each country, as well as special, common ministers for foreign relations, the military, and the joint finances to support these functions. This structure was successful in maintaining a common defence, monetary, and tariff structure until the Dual Monarchy collapsed during World War I. But there was tremendous friction between the two states, and this grew over time. The tariff negotiations broke down in 1897, only Austrian tolerance permitted agreement on the level of financial contributions, and the Hungarians sought more influence over the National Bank and the army. Moreover, domestic policies on minorities and religious matters began to diverge shortly after the Ausgleich was enacted; indeed, secession had come about in part to allow autonomy in these matters.

In Norway-Sweden, domestic policies did diverge along broad ideological lines. But there was also some coordination, within the Scandinavian framework. This was accomplished through informal mechanisms, like the Scandinavian Inter-Parliamentary Union, established in 1907, the Nordic Societies, established in 1919, and many voluntary associations.⁵⁴ In this, the common foreign policy of neutrality and isolation helped, as did the stabilizing presence of Denmark (and the later participation of Iceland and Finland). After the separation, the two (and three) countries sometimes passed parallel legislation, such as the Marriage Law of 1921-25, but this continued a tradition dating back to the monetary convention of the 1870s and the Bank Drafts Act of 1880.⁵⁵ Lindgren argues that the union of Norway and Sweden "itself formed a barrier", and that its dissolution "opened the way for an integration impossible under pre-1905 conditions."⁵⁶ But it would not do to overstate this case. The two countries never signed a mutual-defence treaty, Norway enjoyed a great-power guarantee of its borders, and the Kings did not meet until 1914. The development of genuinely integrative institutions awaited the formation of the Nordic Council in 1951.⁵⁷

The countries of the colonial federations did not tend to harmonize policies upon dissolution. In

Central Africa, economic integration had been deepened considerably in the federation era, and existing trade patterns did continue, even with the renegade state of Southern Rhodesia.⁵⁸ But this was a consequence of the abject dependence of Zambia on Rhodesian coal and hydro-electric power for its copper industry. Apart from this, integration eroded, notably when Malawi and Zambia issued their own currencies in 1963. In East Africa, similarly, there was an even longer history of cooperation among Tanganyika, Zanzibar, Kenya and Uganda, with a postal union dating from 1911, a customs union from 1917, and a common currency from 1920. These soon deteriorated after the projected federation failed. By 1965 Tanzania was imposing quotas on Kenyan goods, and the currency union was fractured in 1966. Generally, economic policies came to diverge sharply, and there were also military tensions between the former partners.⁵⁹

Singapore-Malaysia provides a striking instance of policy divergence. Article VI of the separation agreement provided for cooperation in economic affairs and the establishment of joint committees and councils to promote it. But within a week of the secession, Singapore restricted imports of 187 manufactured goods from Malaysia. Malaysia retaliated. By October the governments had agreed to revert to the *status quo ante*; but when Malaysia announced it would work towards an internal common market within the federation, Singapore re-imposed tariffs. It then established a work-permit system for non-citizens, and Malaysia set up immigration controls.⁶⁰ Despite some later relaxation of these measures, Singapore's foreign-labour policy was dictated exclusively by its domestic interests.⁶¹ In 1967, the currency union was ended. Singapore withdrew from the Combined Defence Council, and there was little cooperation in this area. There were no Prime Ministerial visits until the early 1970s.⁶² Singapore was even thrown out of the Associated Chinese Chambers of Commerce in Malaysia.⁶³ As a consequence of nation-building policies on both sides, economic integration weakened. In 1964, Malay-peninsula imports from or via Singapore were 37% of the total, and exports were 28%: this dropped to 9% and 20% by 1975.⁶⁴ The federation itself was short-lived. But its breakup led to the erosion of an

economy which had been integrating for decades.

xiii. Secession is irrevocable

There has never been a case of reunification after secession. Fundamentally this is because of two factors. First, the whole project of the seceding state is to acquire more autonomy. The exercise of these greater powers would be compromised by integrative arrangements. More important, though, are the effects of the transition itself. The process of secession marks both elites and masses. It affects them profoundly. Not only is there the psychic break, with the recognition that the community is fractured, but there also is the internal solidarity forged in the process of disengagement. Unity on each side develops through the crisis, and is built by a collective concentration on the Other. Hence each community is solidified through the transition process, and even where there is not great animosity between the two citizenries, the crisis forges separate identities and interests that cannot subsequently be subsumed in a new union. As Watts put it, delicately, "[w]henver secession has occurred, it has inevitably been accompanied by sharp political controversies which are not easily forgotten. ...the resentments aroused by the circumstances occurring at the time of separation have tended to persist and to discourage the subsequent creation of a looser form of association between the territories concerned."⁶⁵

II. Conclusion

There is little to add to this bare account of how peaceful secessions take place. Perhaps it is appropriate to emphasize, though, that these generalizations are quite robust. They hold true, more or less and mostly more, in circumstances separated by geography, culture, time, and degrees of democracy. It is also worth emphasizing that the process of the transition helps determine the long-term outcomes of

the separation. In uncertain and unprecedented times, political leaders have considerable scope for taking decisions that have lasting consequences: the largest decision taken in the cases reviewed here was that the secession would not be contested. Moreover, choices are made about institutional arrangements, both domestically and between the two states, and institutions have enduring effects. Finally, it is tempting to speculate about how the standard pattern of peaceful secession might be fitted to the case of Canada and Quebec. But this is a larger task than can be accomplished here.⁶⁶ It is enough to have isolated the pattern.

ENDNOTES

1. Gertrude E. Schroeder, 'On the Economic Viability of New Nation-States', *Journal of International Affairs*, 45:2 (1992), 549-74; Amatai Etzioni, 'The Evils of Self-Determination', *Foreign Policy*, 89 (1992-93), 21-35.
2. Allen Buchanan, *Secession: The Morality of Political Divorce from Fort Sumter to Lithuania and Quebec*, (Boulder: Westview Press, 1991); Alexis Heraclides, 'Secession, Self-Determination and Nonintervention: In Quest of a Normative Synthesis', *Journal of International Affairs*, 45:2 (Winter 1992), 399-420.
3. Donald Wittman, 'Nations and States: Mergers and Acquisitions; Dissolutions and Divorce', *American Economic Review*, 81:2 (1991), 126-29; Pierre Simard, 'Compétition Électorale et Partage des Pouvoirs dans un État Fédéral', *Canadian Public Policy*, XV:4 (Dec. 1991), 409-16; Robert A. Young, 'The Political Economy of Secession: the Case of Quebec', *Constitutional Political Economy*, 5:2 (Spring/Summer 1994), 221-445.
4. James M. Buchanan and Roger L. Faith, 'Secession and the Limits of Taxation: Toward a Theory of Internal Exit', *American Economic Review*, 77:5 (1987), 1023-31; Stéphane Dion, 'Why is Secession Rare? Lessons from Quebec', MS, December 1993; Michael Hechter, 'The Dynamics of Secession', *Acta Sociologica*, 35:4 (1992), 267-83.
5. This paper does not deal with a third class - the few instances like Western Australia in 1933-35 and Nova Scotia in 1868 where secessionist movements captured the support of popular majorities or elected representatives, but were simply ignored or 'waited out'.
6. These cases are discussed in Thomas M. Franck, ed., *Why Federations Fail*, (New York: New York University Press, 1968): the "neo-classical" appellation is from his concluding essay, 'Why Federations Fail', 167-99: 195. The other cases include the breakup of the West Indian Federation, the non-formation of the East African Federation, and the disintegration of Rhodesia and Nyasaland (the Central African Federation). As well, the secession of Iceland from Denmark (1944) is of some interest. See also Ronald L. Watts, *New Federations: Experiments in the Commonwealth*, (Oxford: Clarendon Press, 1966), and Ursula K. Hicks, *Federalism: Failure and Success*, (London: The Macmillan Press, 1978).
7. Robert A. Young, *The Breakup of Czechoslovakia*, (Kingston, Ont.: Queen's University, Institute of Intergovernmental Relations, 1994).
8. Ronald L. Watts, 'The Survival or Disintegration of Federations', in R. M. Burns, ed., *One Country or Two?*, 41-72. See also, for example, E. Wayne Nafziger and William L. Richter, 'Biafra and Bangladesh: The Political Economy of Secessionist Conflict', *Journal of Peace Research*, 13:2 (1976), 91-109, and Milicia Zarkovic Bookman, *The Economics of Secession*, (New York: St. Martin's Press, 1993).
9. Bookman, *The Economics of Secession*, Table 1.2, 31-4.
10. Leslie C. Tihany, 'The Austro-Hungarian Compromise, 1867-1918: A Half Century of Diagnosis; Fifty Years of Post-Mortem', *Central European History*, II:2 (June 1969), 114-38: 115-6.

11. Arthur J. May, *The Hapsburg Monarchy 1677-1914*, (Cambridge: Harvard University Press, 1951), 495-6 and note 22; Thomas F. Huertas, *Economic Growth and Economic Policy in a Multinational Setting: The Hapsburg Monarchy, 1841-1865*, (New York: Arno Press, 1977), Table 8, 37-8.
12. May, *Hapsburg Monarchy*, 34-6.
13. Franz Wendt, *Cooperation in the Nordic Countries: Achievements and Obstacles*, (Stockholm: Almqvist & Wiksell, 1981), 21.
14. Raymond E. Lindgren, *Norway-Sweden: Union, Disunion, and Scandinavian Integration*, (Princeton: Princeton University Press, 1959), 49-51.
15. *Ibid.*, 62-5.
16. *Ibid.*, 95-111.
17. P.J. Drake, 'Singapore and Malaysia: The Monetary Consequences', *Australian Outlook*, 20:1 (April 1966), 28-35: 28.
18. Chan, Heng Chee, *Singapore: The Politics of Survival 1965-1967*, (Singapore: Oxford University Press, 1971), 36-7.
19. Nancy McHenry Fletcher, *The Separation of Singapore from Malaysia*, Data Paper No. 73, (Ithaca, N.Y.: Cornell University Southeast Asia Program, 1969), 12-16.
20. See R.L. Watts, *New Federations: Experiments in the Commonwealth*, (Oxford: Clarendon Press, 1966), 177, 257.
21. *Ibid.*, 16-23; Nena Vreeland *et al.*, *Area Handbook for Malaysia*, (Washington: American University Foreign Area Studies, 1970), 74; James P. Ongkili, *Nation-building in Malaysia 1946-1974*, (Singapore: Oxford University Press, 1985), 181; H.P. Lee, 'Emergency Powers in Malaysia', in F.A. Trindale and H.P. Lee, eds., *The Constitution of Malaysia: Further Perspectives and Developments*, (Petaling Jaya: Oxford University Press, 1986), 134-56.
22. Ongkili, *Nation-building in Malaysia*, 184-5.
23. Fletcher, *The Separation of Singapore*, 50-1, 56-66.
24. Lyon considers the possibility that the secession was a "contrived withdrawal" by Lee Kuan Yew; on balance, though, he agrees with most analysts that the event was an eviction: see Peter Lyon, 'Separatism and Secession in the Malaysian Realm 1948-65', in Institute of Commonwealth Studies, University of London, *Collected Seminar Papers on the Politics of Separatism*, collected seminar papers no. 19, 1976, [W.H. Morris-Jones, ed.], 69-78, esp. 74-6.
25. May, *The Hapsburg Monarchy*, 34.
26. Lindgren, *Norway-Sweden*, 130-1.
27. See Watts, *New Federations*, 311-12.

28. Ongkili, *Nation-building in Malaysia*, 186.
29. Lindgren, *Norway-Sweden*, 133-4.
30. May, *The Hapsburg Monarchy*, 50-1; Victor-L. Tapié, *The Rise and Fall of the Hapsburg Monarchy*, (New York: Praeger, 1971), 304-5.
31. Lindgren, *Norway-Sweden*, 189-90.
32. Ongkili, *Nation-building in Malaysia*, 187-90.
33. Lindgren, *Norway-Sweden*, 128. The Committee refused to abide by the views of the ministry just before the decisive vote, but there was no ministerial crisis: "the times demanded that there be no constitutional or parliamentary conflicts."
34. *Ibid.*, 149-51.
35. Lindgren, *Norway-Sweden*, 167; Andrén, *Government and Politics in the Nordic Countries*, 121.
36. In the Czech-Slovak case, the last three generalizations do not entirely hold. There was no clear, unequivocal declaration by either side of its intent to secede, nor was there a corresponding acceptance by the other of the principle that separation would occur; moreover, in neither state were broad coalitions formed to confront the national crisis. To some extent this was caused by the confusion and uncertainty that marked the re-emergence of democracy in Czechoslovakia, and by the massive challenges facing its governments. More fundamentally, though, there simply was not enough public support for secession in either republic. The whole separation took place through a gradual process of polarization, one that was spearheaded by partisan leaders who found it politically profitable to engage in mutual antagonism. In the June, 1992 elections, pluralities were won by these leaders - Vaclav Klaus of the Czech republic and Vladimir Meciar of Slovakia - and they could not agree to form an operational government at the federal level. Each then formed a tight coalition at the republic level, just sufficient to dominate the legislature, and polarization proceeded as they entered negotiations about ending the common state. As these took place, punctuated by provocative acts, threats, and feints towards sovereignty, public opinion shifted to the extent that pluralities in each republic favoured separation, and large majorities thought it inevitable. No referendum was ever held. Until the negotiations were well underway, a referendum would not have carried. But once they began, pressures to maintain national solidarity were evident. See Young, *Breakup of Czechoslovakia*, 11-18, 24-40. All the rest of the generalizations hold in this case.
37. Vreeland *et al.*, *Area Handbook for Malaysia*, 75; Fletcher, *The Separation of Singapore*, 3.
38. Lindgren, *Norway-Sweden*, 155-66.
39. Gordon P. Means, *Malaysian Politics*, 1st ed., (London: University of London Press, 1970), 294-5. The agreement is in Chan, *Singapore*, 58-9.
40. Lindgren, *Norway-Sweden*, 145-51.
41. Peter Boyce, *Malaysia and Singapore in International Diplomacy: Documents and Commentaries*, (Sydney: Sydney University Press, 1968), 24-5, 88-92.

42. Vreeland *et al.*, *Area Handbook for Malaysia*, 358-9; Chan, *Singapore*, 41-7; David Jenkins, 'New Life in an Old Pact', *Far Eastern Economic Review*, November 7-13, 1980, 26-8.
43. John W. Mason, *The Dissolution of the Austro-Hungarian Empire, 1867-1918*, (London: Longman, 1985).
44. Hence Deak's remark that "for us Austria's existence is just as necessary as our existence is for Austria": Tihany, 'The Austro-Hungarian Compromise', 118.
45. Lindgren, *Norway-Sweden*, 112-4, 127-31.
46. *Ibid.*, 182-6.
47. In fact, it was passed unanimously, the PAP members having absented themselves by prior arrangement.
48. Franck, 'Why Federations Fail', 170.
49. Andrén, *Government and Politics in the Nordic Countries*, 97-8.
50. May, *The Hapsburg Monarchy*, 37-8.
51. Mason, *Dissolution of the Austro-Hungarian Empire*, 16-18; May, *The Hapsburg Monarchy*, 46-69.
52. Ongkili, *Nation-building in Malaysia*, 194-5; Vreeland *et al.*, *Area Handbook for Malaysia*, 94; Watts, *New Federations*, 234.
53. Chan, *Singapore*, 48-51, 22-5; Stanley S. Bedlington, *Malaysia and Singapore: The Building of New States*, (Ithaca, N.Y.: Cornell University Press, 1978), 210-43.
54. Lindgren, *Norway-Sweden*, 235, 245-6.
55. Gunnar Leistikow, 'Co-operation between the Scandinavian Countries', in Henning Friis, ed., *Scandinavia - Between East and West*, (Ithaca, N.Y.: Cornell University Press, 1950), 307-24: 311-18.
56. Lindgren, *Norway-Sweden*, 7.
57. Wendt, *Cooperation in the Nordic Countries*; Erik Solen, *The Nordic Council and Scandinavian Integration*, (New York: Praeger, 1977), esp. ch. 3.
58. Herbert J. Spiro, 'The Federation of Rhodesia and Nyasaland', in Franck, ed., *Why Federations Fail*, 37-89: 80.
59. Franck, 'East African Federation', in Franck, ed., *Why Federations Fail*, 3-36: 6-11, 17-8.
60. Chan, *Singapore*, 29-32.
61. Eng Fong Pang and Linda Lim, 'Foreign Labour and Economic Development in Singapore', *International Migration Review*, XVI:3 (Fall 1982), 548-76.

62. Bedlington, *Malaysia and Singapore*, 247-8.
63. Chan, *Singapore*, 39.
64. *Ibid.*, 33 note 48; Vreeland *et al.*, *Area Handbook for Malaysia*, 338.
65. Watts, 'Survival or Disintegration', 69.
66. See Robert A. Young, *The Secession of Quebec and the Future of Canada*, forthcoming.