The Political Dynamics of Secession and Institutional Accommodation

Hudson Meadwell
Department of Political Science
McGill University
855 Sherbrooke Street West
Montreal H3A 2T7
hudson.meadwell@mcgill.ca
514 398 4818 phone
514 398 1770 fax

ABSTRACT

Although not at the core of the history of ideas, federalism has a distinguished pedigree in political theory. On the other hand virtually all of the literature on secession dates from the last twenty or twenty-five years or less. This literature, of course, is a response to contemporary politics, in particular the breakup of the USSR and the Soviet bloc, but also to internal challenges to state borders in both the First and Third Worlds. These phenomena have motivated an interest in institutional arrangements which recognize the kinds of heterogeneity associated with secessionism without breaking apart existing states. And within these institutional solutions lies federalism.

This paper does not turn directly to federalism, however, and to the question of whether its institutional arrangements can be fine-tuned so as to reconcile territorial integrity and social heterogeneity. I propose instead a focus on the dynamics of secession rather than on federalism *per se*. This focus reveals the sensitivity of institutional accommodation to degrees of heterogeneity, showing that stable accommodation may depend on imposition rather than self or mutual enforcement.

Last revised: June 25 2008
A shorter and slightly different version of this paper is under review.

The Political Dynamics of Secession and Institutional Accommodation

Introduction

The literature on secession is a product of the last twenty or twenty-five years or less and is largely a response to contemporary political history. This history has motivated an interest in institutional arrangements which recognize the kinds of heterogeneity associated with secessionism without breaking apart existing states. And within these institutional solutions lies federalism.

The leading edge of the argument in this paper is not federalism *per se*, however, but the political dynamics of secession. I want here to draw attention *away* from one kind of situation which has influenced work on secession and related phenomena, particularly ethnic conflict. This is the analysis of situations in which ethnic groups or nations have incentives to preempt rivals and to move toward new state formation in the short-term – to use force sooner rather than later in interactions with a state or rival groups. These are often situations, moreover, in which states have either begun to fail or are well along the path of complete collapse.

Instead the paper draws attention to situations in which such short-term incentives are not necessarily present but in which an interest in secession continues to be present. What, in other words, would a secessionist project look like over the longer term? There are some fairly clear signs that secessionists can have long time horizons. If the calculation in the literature referred to above is something like: “Better to fight our way out now, sooner rather than later”; the contrary calculation is something like: “Better not to try and secure more now, better to build on concessions won”.

The theoretical interest of this latter position is that, if taken up in a secessionist movement, it implies that activists do not believe that the new political arrangements after concessions are self-enforcing. Rather, these arrangements are considered to be vulnerable to further political mobilization.

There are secessionist projects which span decades and several generations. Since these projects often are related to earlier forms of political mobilization which are not strictly secessionist, they might arguably be said to have even longer histories. These projects, moreover, need not be located in zones of war and violence, nor must we assume a history of conflict and war from which actors have recently exited as a backdrop to the discussion.

Rather the motivating condition here is one of deep disagreement about the distribution of territorial power, when there are no short-term incentives to fight one's way out, and the question is: Under what conditions can this kind of situation be secession-proofed? More directly, how can territorial decentralization, up to and including federal institutions, contribute to secession-proofness[1]?

I

One of the central issues in political mobilization in general arises in secessionist mobilization as well and it bears on this question. The issue is timing: '[I]t is a question of catching the right instant. Too early you break your neck. Too late you lose your time". These are the words of a Breton nationalist, writing in the late 1960s and reflecting on his political activity in the interwar period[2]. The political proposition embedded in

[1] A situation which is secession-proof is invulnerable to the threat of secession. See for example Haimanko, LeBreton and Weber, 2007, 2005; LeBreton and Weber, 2003. For critical discussion of this literature see Meadwell (2008).

[2] Olier Mordrel to John Legonna, November 11, 1968. John Legonna Papers. National Library of Wales.

these words is quite recognizable. Debates in secessionist movements between fundamentalists and gradualists or between purists and pragmatists are certainly in part about tactics and timing, about when (if at all) to settle for less, without giving up the ultimate goal, of how concessions in the short term might enable (or disable) further mobilization in the future and thus further concessions in the future. In this light, it is unlikely that gradualists or pragmatists are going to act as enforcers, on an enduring basis, of an agreement which secured concessions. They do not see the agreement as something permanent, and it is this attitude which secures their position in the debate with fundamentalists. It may secure their position but since these debates can be violent it may not secure their lives, when fundamentalists use force to challenge agreements which fall short of their expectations At the same time, it is unlikely the case that those in the group who did not seek or support a demand for territorial concessions have the power to enforce such an agreement since, by hypothesis, if they were this powerful within the group, concessions might not have to have been offered by the state agent in the first place.

These kinds of dynamics are common in secessionism, such as in the run up to sequential secession in the American South in the period from the nullification crisis in 1832 to 1860 (Meadwell and Anderson, forthcoming). A striking feature of political mobilization in this case is the existence early on of what can only be called a secessionist plan which focused on accomplishing secession through time. While care should be taken not to read too much forethought into any historical record, central actors in the radical core of the secessionist movement knew what they were planning. Secession was both end and means – a means by which to protect slavery and an end

against which political tactics would be evaluated. This is not to say that the radical core of the secessionist movement spent every waking moment mobilizing support or plotting the Southern revolution. However it is very difficult to make sense of the politics of secession without taking into account the strategic thinking of secessionists and how through time they quite consciously built a political stronghold in South Carolina from which to mobilize outward. There were radical secessionists in South Carolina who preferred immediate secession, even if it meant that secession would be a unilateral act, unsupported by other states. However, the dominant tendency within the vanguard from Nullification onward rejected unilateral secession as a political option because of the political risks associated with secession in one state. Yet the goal of secession was not abandoned or sacrificed; rather the decision was to bide one's time until the moment was ripe and the likelihood of support from other states was higher.

In Ireland after the signing of the Anglo-Irish Treaty in 1921, there was impassioned debate within the nationalist movement, indeed within most of Irish society, about the terms of the Treaty. Discussion centered, not primarily on the partitioning of Ireland which followed from the negotiations between the Irish plenipotentiaries and the British government, but rather on the symbolic issue of the Irish Republic and the oath of allegiance to the British monarch, which was tied to Dominion status. The problem from the point of view of the fundamentalists was not just that Ireland was now divided. The ratification debate in the Dail Éireann instead revealed their rejection of what was conceded by the British in the negotiations – Dominion status in the British Empire. When Michael Collins, one of the Irish negotiators, argued that the Treaty should be ratified by the Dail, he presented a classic kind of defense of the value of concessions

won in the short term for further mobilization in the future: "I do not recommend it [the Treaty] for more than it is. Equally, I do not recommend it for less than it is. In my opinion, it gives us freedom, not the ultimate freedom that all nations desire and develop to, but the freedom to achieve it"[3]. This was the 'stepping-stone' defense of the results of the negotiations[4]. That defense engaged an equally classic kind of response. To cite just one example: "[N]or do I intend to criticise the actions of those who support the Treaty honestly, on the grounds that it is a stepping stone to freedom. That may be so; time will tell. For my part I feel some day they will have a very rude awakening; to my mind, to get on that stepping stone you must drop fundamental principles. I cannot follow them, never more so than when that involves the sovereign independence of my country"[5]. (To be sure this debate requires more political interpretation, given the complex dynamics of the nationalist movement, the varying political commitments in play, and personal relations within the movement).

In the contemporary sovereignist movement in Québec, there have been longstanding differences about *étapisme*, a political strategy which seeks to progressively move toward independence in stages, by building on concessions achieved in the short term, especially concessions which strengthen the capacity of the movement and of the provincial state to shape identity-formation (Meadwell, 1993). The contemporary history of the Scottish National Party (eg. Levy, 1990; Miller, 1999) is marked by similar dynamics between gradualists and fundamentalists. There are differences of course since the legislature in Scotland is of recent provenance but now that the SNP shares power in

[3] Michael Collins, Dail Éireann December 19 1921.
[4] The metaphor of the stepping stone was first introduced into the debates in the Dail by Eoin O'Duffy on December 17 1921.
[5] Count O'Byrne, Dail Éireann January 7 1922.

Edinburgh the problems of how power is to be used, when a referenda is to be held and, if held, how it is to be worded, will ensure that these debates within the party and movement continue to be of consequence. The politics of the Basque country (Lecours, 2007) continue to exhibit these kinds of dynamics, such as during the debate about the Ibarretxe Plan, although made more complicated by the fact that, like Ireland, the movement has civil and military wings. In these kinds of cases, a war of maneuver has not crowded out a war of position in terms of political strategy and political choice. The dynamics of these cases seem generally different than the dynamics identified in the work by Fearon (1998)[6] which is the best presentation of the calculus of conflict when horizons are short and there are incentives to use force preemptively to fight one's way out.

A secessionist is not immediately obliged, or conditioned by rationality, to reject a concession simply because, in an ideal world outside time, he would prefer secession to the status quo modified by concessions. Rather, with a plan which stretches in time into the future, he can accept concessions as a stepping stone and continue to work toward the implementation of his plan which centers on secession. He might not make threats, but he might make promises. He might insincerely make commitments about the future to the state agent, promising to forgo campaigning for independence, for example, if compensation is received; he might promise to make no more demands for further decentralization, once (if) a territorial concession is made by the state agent. More straightforwardly, if concessions take the form of territorial decentralization, the secessionist can use these concessions as a baseline for further concessions, since every concession won in terms of territorial decentralization brings him closer to his ideal point (Sorens, 2004). He can act in these ways as long as his time horizon is not so short as to

[6] The general argument which underlies this application to ethnic conflict is presented in Fearon (1995).

preclude this kind of planning. Further, if a secessionist can do all of this, then the political status quo after concessions is not self-enforcing; rather it continues to be vulnerable to secessionist challenges, even if the secessionist foregoes his preference for secession in the short-term.

It is no contradiction to defer in time a direct move toward independence, although it is in essence a form of self-denial to do so. The political sacrifice which is implied when one's time horizon is long is, in fact, to acknowledge the possibility that independence will not be realized in one's lifetime, and to accept this fate, but to work to ensure that the next generation will be able to reap the full benefits of the concessions that you, and like-minded individuals, have won from the state. The political goal of the sincere secessionist with a plan, then, is to increase the odds of successful secession even if it does not occur in one's lifetime.

In this light, it is worth noting that a state agent might have shorter time horizons than a sincere secessionist with a plan. This is particularly the case if the agent of the state is elected and elections are relatively free and competitive, such that governments are regularly replaced. By hypothesis, the sincere secessionist is relatively insensitive to partisan governments – his or her time horizon and basic political commitments account for this insensitivity. A partisan politician, however, is sensitive to electoral incentives and, in general, these incentives encourage the development of a short time horizon tied to elections and electoral cycles. As a consequence, however, an elected politician may be willing for partisan reasons to make concessions in the short term if these concessions improve her competitive position in real-time partisan competition, even if these concessions produce arrangements which are closer to the ideal point of sincere

secessionists. In effect, the politician is deferring the full cost of concessions until later; these are costs which will be borne by other politicians. Thus, the elected politician reaps the partisan benefits of making concessions while passing on the potential costs to other politicians who come later. And, as a result, the patient secessionist with a plan moves closer to her ideal point. Politicians in the future then may find themselves boxed in by earlier partisan-driven decisions made by others. For example, it becomes difficult to roll back concessions made by earlier politicians as long as secessionists play a sophisticated game which conforms to the basic rules of the political game. Imagine a situation in which a politician who decides, given a history of concessions, that the best available choice she has is to agree to independence. The secessionist thus has a strategic advantage but this advantage can only be cashed in later rather than sooner. Still, it is an advantage because the specific cost that the secessionist has to bear is just that secession is deferred in time. He does not have to signal his willingness to bear more costs than this in order to signal his commitment to independence.

These considerations might not be operative when (a) politicians are elected but are insensitive to electoral incentives, or (b) politicians are elected and are sensitive but there no incentives to make concessions, or (c) when a state agent is not elected and thus not vulnerable to electorally-driven pressure. The first situation (a) is not an oxymoron but a politician who resists short term electoral incentives may soon be out of a job. To avoid the latter outcome, a politician would have to respond to the incentives, either positively by following them or by resisting them, seizing the opportunity to demonstrate leadership and lead rather than follow, risking political defeat in order to refashion the political dynamics of the situation. The second situation (b) is imaginable of course –

there may be situations or relationships in which there is never a short term incentive to make concessions. The third (c) is also imaginable and illustrates the value of thinking about the time horizons of state agents and considering the consequences of varying incentives according to political competition. Electoral competition is just one sort of political competition; even unelected state agents may face competition, often of a nastier sort. While further variations on these themes might be pursued elsewhere, the general point relevant for this paper now has been made: A secessionist with a long time horizon may have a strategic advantage in particular situations.

One interesting feature of this situation is that this advantage might be eliminated if the state agent imposes institutional constraints upon himself which operate as self-limits such that any political temptation to make concessions are avoided. (This solution might well imply limits on electoral democracy, given the kinds of incentives I introduced above). What a state agent seems to need, however, if concessions are to remove the possible strategic advantage of the sincere secessionist with a plan, without imposing such self-limits, is an enforceable contract which ensures that compensation or concessions are exchanged for good behavior – do not continue your secessionist ways. But to agree to such a contract with the foreknowledge that it is a complete and binding contract is, for a sincere secessionist, to give up his goal. Agreement forces him to live up to his promises and as a consequence he forgoes independence.

On the face of it, this situation is secession-proof. However, relatively little work is being done by the bare fact of concessions alone, including territorial concessions. The notion of a contract has been introduced simply to underline the separability of concessions from their enforceability. The existence of feasible concessions does not

secession-proof this situation. This situation is secession-proof because concessions are backed up by an enforceable contract. In other words, the situation is secession-proof because we have introduced strategy-proofness via the complete and binding contract.

We should next consider under what conditions a sincere secessionist would forgo his plans and agree to sign this contract. The secession-proofness of this situation may be dependent on more than just enforceability. In fact, introducing enforceability merely makes more interesting the question of why, in the first place, a sincere secessionist might agree to the contract, knowing it is enforceable.

But suppose that in giving up independence, he is giving up something that he has come to consider infeasible. The virtue of the contract is that he gets something in return for forgoing his plans. It cannot be the concessions themselves, nor the contract itself, that drive sincere secessionists to the conclusion that independence is now infeasible, where at some earlier point they considered independence feasible. Rather, as their estimates about feasibility change, the likelihood that they will agree to accept concessions and an enforceable contract increase. Thus, secession-proofness in this situation is not a consequence just of the bare fact of concessions, or even of concessions enforced by a contract. So something else should be taken into account, if secession-proofness is also related to feasibility, which is analytically independent of both concessions and enforceability.

The feasibility of secession – which varies with the costs of secession -- is also partially endogenous to the actions of the state agent since this agent, through his or her actions and decisions, can raise or lower these costs, particularly the transition costs of secession. What the state agent desires, though, is something somewhat more permanent -

- an explicit binding agreement which removes the secessionist plan from politics; he does not want to depend in the first instance at least on his more informal manipulation of situational parameters to accomplish this desired result by shaping transition costs. Moreover, raising the barriers to secession by endogenously increasing the transition costs of secession may not be likely, on its own, to induce sincere secessionists to agree to give up their plan. In order to secure the binding agreement of sincere secessionists, which endogenously raising costs is unlikely to do, the state agent offers concessions. Sincere secessionists accept concessions and agree to give up their plans when they estimate that the costs of secession are too high to bear and they have little impact on these costs.

Recall now that territorial decentralization, including federal arrangements, are often proposed as a way of accommodating certain forms of heterogeneity related to secession and, as well, that decentralization is sometimes considered a mechanism by which to defuse conflict and violence (for example, Lustick et. al. 2004; Brancati, 2006; Hechter, 2001). The argument to this point shows why and how these proposals are underspecified. Decentralization on its own only conduces to stable accommodation if the situation is strategy-proof.

Further, even this result depends on an assumed upper limit on heterogeneity. How much hetereogenity does it take, such that no compensation exists which converts conditional secessionists without encouraging secession from the center? What if secessionists cannot be bought off, or what if any compensation offered to would-be secessionists triggers secession from the center? It must be the case that there is an upper limit on hetereogeneity, if this situation is secession-proof.

Further, strategy-proofness is a strong restriction and removing this restriction so that strategic behavior by sincere secessionists is introduced produces a situation in which decentralization is unstable. In the absence of strategy-proofness, decentralization conduces to stable accommodation only when the agreement underlying decentralization is enforceable *and* the feasibility of secession is low. Decentralization also might lower the likelihood of *violence*, thus defusing a conflict situation, but this cannot on its own induce secession-proofness. Rather what it can induce, in the absence of enforceability and low feasibility, is simply a change in tactics from violent to non-violent means among sincere secessionists. Giving up violence is not the same as giving up independence. And this is another place where the sincere secessionist might act strategically. He may use or threaten the use of force in support of secession (rather than threaten to secede) in order to win concessions including decentralization which, if accomplished, leaves him closer to independence and, absent his agreement to a contract which enforces the concessions he has won, leaves him able to pursue his longer-term agenda of independence.

The argument also shows that the problem of precedent-setting arises in dyadic relationships between a state agent and sincere secessionists. Precedent-setting is not just a problem across dyads (for an argument about precedent-setting across dyads, see Duffy-Toft, 2003). The state agent needs to take into account how concessions in the dyad affect the dyadic relationship in the future. This is a problem of precedent-setting which does not depend on how the state agent evaluates the consequences of concessions for other dyads (other territorial cultures within the state). The same argument holds for

application of the 'chain store paradox' (Walter, 2006)[7]: reputation matters in the dyad as well as across dyads if the state agent is concerned that concessions in the dyad at one point in time will be vulnerable to future exploitation within the dyad at some later point.

A further point about these two arguments suggests that we have in fact identified a situation basic to the dynamics of secession. Neither Duffy-Toft nor Walter treats other locally distinctive cultures in other dyads as endogenous. This is more of a problem for Walter since she is working within a game-theoretic framework – a framework which seeks to make as much as possible endogenous and to make everything endogenous relative to or produced by choice (Meadwell, 2004). These other local cultures instead are treated as exogenous and fixed parameters which state agents take into account when interacting with secessionists.

These cultures thus are considered politically inert, but the politicians and activists of these other cultures surely are politically active. So, for example, the use of force by the state against secessionists in the first dyad may not deter secessionists in other dyads; rather it may embolden them to act themselves, since they will then confront a state occupied on other fronts. It is then a short step to hypothesize that in these conditions there are incentives for the local cultures and territories in these dyads to coordinate in some fashion. Against these possibilities we can introduce another possible consequence of making these other cultures endogenous: Why for example couldn't other cultures bargain for concessions from the state agent in exchange for forgoing secession, which might save the state the costs of using force against secessionists in the first dyad, keeping in mind that concessions to one implies decentralization all-the-way-around and

[7] The first application of the chain store paradox to territorial politics of which I am aware is James (1999). For early and central discussion of this paradox and its place in economic theory, see Selten (1978), Kreps and Wilson (1982).

would leave the state agent in a position of having to face further demands in the future from a newly-decentralized baseline? Thus posing these questions and making these other cultures endogenous rather than part of a fixed environment reproduces the basic situation under discussion here whether there is one or several dyads.

Enforceability, even in the hypothetical form of a complete contract, is rarely, if ever, completely invulnerable perhaps for some of the same reasons that institutional design cannot reduce to zero problems of implementation and compliance. Any concession and contract is made in the first instance among individuals or perhaps more broadly a generation. Can future generations feasibly be bound? Does the hypothetical contract have a time limit? If it does, the implication is that it is renegotiated on a regular basis. But what is negotiated? The point of the contract then is not simply to enforce but in a more fine-grained way to define those issues which are insulated from bargaining and those which are not. The contract then comes to more resemble a constitution. The argument about enforceability and a contract should still extend to a constitution, however. The purpose of a contract *cum* constitution is to effectively put some issues outside the reach of both or several parties, so as to encourage compromise and exchange on other issues. But no human artefact can be immunized from change, no constitution written or unwritten is immutable, and the separation between the two realms is no eternal firewall.

In a general way, however, it is possible to describe the moves which would make the contract null and void: If the state agent rolls back concessions, the forgoing of independence by once-secessionists is off; if the secessionist plan is revived, the concessions which were made can be renounced by the state agent. Moreover, the

contract might include clauses which stipulate what this kind of bad faith can trigger, such as a declaration of independence, if concessions are rolled back, and the initiation of bargaining between the rump state and the new state to distribute the transaction costs of new state-formation. Yet it is unlikely that the basic indeterminacy in this situation can be eliminated, whatever the content of these kinds of clauses, for clearly in this hypothetical case for example, secessionists now have an interest in triggering the consequences of this clause by inducing the state to renounce concessions. But the best way to induce this rolling-back of concessions is to revive the secessionist plan, which is exactly what the contract is designed to remove[8].

II

One immediate institutionally-oriented response to this argument would look to the details of institutional design, posing such questions as: what is written in the constitution with regard to the right to secede; how is the upper house or second chamber organized; do electoral rules encourage coalition formation in governments; how are languages and other elements of identities protected and recognized; how much fiscal autonomy do substate units possess; do subunits have autonomous militaries; how many subunits are appropriate and how are the boundaries of subunits drawn?[9] No one can deny the intrinsic interest of these questions. Taken together, as a complex pattern of institutional checks and balances which provide centripetal counterweights to centrifugal concessions, the requisite arrangements imply a kind of calculus. Together, these desiderata imply that the arrangements which they instantiate are self-enforcing. These arrangements are stable equilibria because they induce self-limiting behavior.

[8] This point bears on the literature on the consequences of 'constitutionalizing' a right to secede. For different perspectives on this issue, see Sunstein (2001: 95-114 and Wellman (2005).
[9] See for example Roeder and Rothchild (2005), Filippov et. al.. (2004), Figueiredo et. al. (2007).

On the one hand, the very interest in institutional design, on its own, speaks to the difficulty of the problem at hand. Such a design has to be seriously elaborate, however simple its basic calculus. The design is complex, the calculus is simple.

On the other hand, what reasons do we have to think that these situations can be stabilized by fine-tuning institutions? How much heterogeneity does it take to overwhelm an institutional design? What if the success of federalism is an artifact of an initial condition of comparatively low cultural heterogeneity?

III

Even federal arrangements, however fine-tuned they are institutionally, may depend for their stability on something more than a self-enforcing equilibrium. Federations are still states and federal solutions to problems of heterogeneity are still solutions that trade on the statist characteristics of federations.

Instead of self-enforcement, it is the distribution of force between the parties, whether group to group or state to group, and the distribution of costs, and the ability of states or groups to endogenously influence the transaction and transition costs which would be borne by members of the seceding group in seceding and establishing a new state, which sets limits. Much then would seem to come down to comparative advantage in capabilities and force and the comparative willingness of states and groups to inflict and bear costs.

Given just enough cultural heterogeneity, if the costs of secession are negligible, institutional accommodation will not last. I would further suggest, then, that these arrangements of accommodation are not self-enforcing, given this sensitivity to degree of heterogeneity. A basic feature of the interest in institutional design, a feature which

evades in a way the problem of heterogeneity, is the presumption that there is enough homogeneity in these situations to make secession unlikely, whether of the regions or of the center, but there is still enough heterogeneity to induce the successful search for a point of institutional accommodation which decentralizes political power between the parties involved. Moreover, there has to be enough heterogeneity in these situations for a threat of secession to be credible enough to induce concessions from a state agent but there cannot be so much heterogeneity that independence is preferred to the status quo modified by concessions made to the seceding group by the state or by another group.

Too little cultural heterogeneity and there is no problem of accommodation to solve; too much heterogeneity and the problem of accommodation cannot be solved.

Then how are these institutional arrangements stabilized if they are not self-enforcing in the face of heterogeneity? If these arrangements are not self-enforcing, they cannot be stabilized endogenously. The stability of institutional accommodation must be exogenous in this kind of situation. There must be an element of imposition in these arrangements.

We need, however, to consider further just how to interpret heterogeneity. In the first instance, this is not a problem. Heterogeneity is meant to refer to those phenomena which have the potential consequence of challenging the territorial status quo. Typically here we think of distinctive identities, practices, interests and loyalties which are socially organized and territorially concentrated. Moreover the paradox of federalism places a further sense on heterogeneity. It is that in the circumstances in which the paradox of federalism arises, secession is a real possibility. In a real sense, then, this literature is

motivated by the question of whether there are decentralized political institutions which are secession-proof in the presence of significant heterogeneity of this sort.

Two provisos now need to be added. The first is that we should not think of secession as intrinsically connected to regions or peripheries as we often do in the literature on nationalism. Secession is a more general problem and secession of the center is not a contradiction in terms, although this has been discussed here only in passing. The second proviso is that an interest in federalism does not have to depend in the first instance on culturally distinctive identities and practices, and how these can be recognized and organized in political institutions.

An interest in federal institutions can be independently motivated by the problem of the concentration of political power. The problem of political centralization can arise in a society in which individuals are culturally interchangeable. Secession (whether of the center or by the regions) is then potentially part of the problem if secession simply reproduces the statist structure of international society since, from this political point of view, it is this structural principle which concentrates political power. There are few reasons to think that states formed through secession will concentrate less power than the states they left and some reasons to think that, if anything, they will be more concentrated, if their stepping-off point is already to some extent decentralized.

This is to say that there can be a form of heterogeneity which is not about identity per se. This form is a potential challenge to at least some kinds of institutional arrangements but it is not motivated by the desire to have a state of one's own. Instead it is motivated by the fear of excessive centralization of power (call this form political heterogeneity). It is less sociological and more narrowly political.

Even without heterogeneity of the first kind (what I have called cultural heterogeneity) there thus remains an issue of political power and its distribution. Here the motivating problem is in a sense the state itself – not merely *particular* states, with particular identities and practices, but the principle of the state.

This political problem can register a different justification for the relevance of cultural heterogeneity, namely that the investments that persons make in local identities and practices provide a way to protect a division of power which is required to decentralize power in light of the problem of the concentration of power. Leaving aside the implication that these identities and practices will need to be invented where they are not present, this is to imply that political heterogeneity in itself does not have the sociological roots to instantiate and reproduce an appropriate territorial division of power within a state. However, these local cultures must be neither too strong nor too weak.

Think of this as a kind of bargain: Culturalist challenges to the state get some institutional recognition of their identities and practices, politically motivated challenges to the state get some protection from excessive concentration of power. It is a complicated bargain, however, since there is a large difference between seeking a state of your own on cultural grounds and seeking to hollow out a state by decentralizing public authority. The former is not anti-statist in the same way as the latter. The former kind of challenge is much more likely to be nationalist and sovereignist; the latter challenge is much more skeptical in general about public authority centralized in states and thus skeptical about both sovereignty and nationalism. The issue with regard to the latter challenge, however, is whether this political position has strong enough sociological roots to achieve and reproduce political decentralization.

This therefore might be a kind of Faustian pact, given the ways in which cultures are cultures precisely because of their homogenizing consequences[10] and the ways in which some cultures are drawn towards states of their own. Either cultures might be too weak to do the work they are supposed to do with regard to the division of power or they do this work because they are themselves concentrated. This kind of justification then seems to be self-defeating. Protection against centralization is achieved but only by producing homogenization at a lower level. The tradeoff appears to be this: better cultural homogenization locally than political concentration centrally. This move then will beg the question that motivates this literature on the paradox of federalism: Given this tradeoff, how are these relatively homogenous local cultures held together institutionally in equilibrium?

IV

These provisos are entered in light of the final issue to be noted here. Is this political equilibrium self-enforcing or does it depend on imposition? If the stability of decentralized institutional arrangements is not self-enforcing but is enforced, then it depends on imposition. But this is exactly the problem that motivates the political fear of centralization. This way of putting the point about imposition would encourage those so motivated to distinguish between the rejection of political centralization *per se* and the rejection of imposed order even if that order is decentralized. The moot question is whether such challengers reject centralization imposed on them (whether within the baseline state or within a state formed through secession) while accepting decentralization imposed on others.

[10] Culture should imply at least some degree of common-mindedness.

It is consequential who is doing the institutional fine-tuning referred to earlier. Institutional design can be presented in an oddly idealized way – it is as if the persons doing the designing provide the solution without being a part of the problem – design from the outside, so to speak, as if institutional design was solely about limiting the action of others. But an institutional design which limits others but not oneself is, at first blush at least, imposed on those others and is exogenous to the actions of those on whom it is imposed, unless the first mover – the institutional designer -- is a principal or if really "outside", if she is 'correlated' with a particular principal (eg, has been 'captured' by a principal), in which case the design is not strictly exogenous even if imposed. Yet without imposition it then is not immediately clear that the design *can* be instantiated because, if 'correlation' is present for example, it is hard to believe that the design does not contain unjustified prejudices – that is, biases – and if it does then why would one party agree to it? And further, a design which is not imposed then must be self-enforcing, and self-enforcing designs are sensitive to endogenous dynamics.

This is the dilemma: An institutional design which is imposed is strictly speaking not self-enforcing but it may be secession-proof; a design which is not imposed must be self-enforcing to be secession-proof but self-enforcing arrangements are difficult to strategy-proof.

References

Brancati, Dawn (2006). “Decentralization: Fueling the fire or dampening the flames of ethnic conflict and secessionism”, International Organization 60: 651-685.

Duffy-Toft, Monica. (2003). The Geography of Ethnic Violence. Princeton and Oxford: Princeton University Press.

Fearon, James. (1998). “Commitment problems and the spread of ethnic conflict” in David Lake and Donald Rothchild (eds.) The International Spread of Ethnic Conflict. Princeton, N.J.: Princeton University Press.

Fearon, James. (1995). “Rationalist explanations of war”, International Organization 49: 379-414.

de Figueiredo, Rui J. P. Jr., McFaul, Michael and Weingast, Barry R. (2007). **“**Constructing self-enforcing federalism in the early United States and modern Russia”, Publius 37: 160-189.

Fillipov, Mikhail, Peter C. Ordeshook, and Olga Shvetsova. (2004). Designing Federalism. Cambridge and New York: Cambridge University Press.

Haimanko, Ori, Michel LeBreton and Shlomo Weber. (2007). ‘The stability threshold and two facets of polarization”, Economic Theory 30: 415-430.

Haimanko, Ori, Michel LeBreton and Shlomo Weber. (2005). “Transfers in a polarized country: bridging the gap between efficiency and stability”, Journal of Public Economics 89: 1277-1303.

Hechter, Michael. (2001). Containing Nationalism. Oxford and New York: Oxford University Press.

James, Patrick. (1999). “The chain store paradox and constitutional politics in Canada”, Journal of Theoretical Politics 11: 5-36.

Kreps, David & Robert Wilson (1982) “Reputation and imperfect information”, Journal of Economic Theory. 27: 253-79.

LeBreton, Michel and Shlomo Weber. (2003) The art of making everybody happy: how to prevent a secession” IMF Staff papers 50: 403-435.

Lecours, André. (2007). Basque Nationalism and the Spanish State. Reno, NV: University of Nevada Press.

Levy, Roger. (1990). Scottish Nationalism at the Crossroads. Edinburgh: Scottish Academic Press.

Lustick, Ian S., Dan Miodownik and Roy J. Eidelson. (2004). “Secessionism in multicultural states: Does sharing power prevent or encourage it?” American Political Science Review 98: 209-229.

Meadwell, Hudson and Lawrence M. Anderson. (forthcoming). “Strategy and sequence in the secession of the American South”, Theory and Society.

Meadwell, Hudson. (2008). The Dynamics of Secession: Spatial Models of Secession-Proofness and Equilibrium Size. Manuscript under review.

Meadwell, Hudson and Axel van den Berg. (2004). “Conclusion”, in Axel van den Berg and Hudson Meadwell (eds.) The Social Sciences and Rationality. Promise, Limits, and Problems. New Brunswick, N.J.: and London: Transaction Publishers.

Meadwell, Hudson. (1993). “The politics of nationalism in Québec”, World Politics 45: 203-241.

Miller, William L. (1999). “Modified rapture all round: The first elections to the Scottish Parliament”, Government and Opposition 34: 299-322.

Roeder, Philip G. and Donald Rothchild (eds.) (2005) Sustainable Peace. Ithaca, N. Y. and London: Cornell University Press.

Selten, Richard. (1978). "The chain-store paradox", Theory and Decision 9: 127–159.

Sorens, Jason (2004). "Globalization, secessionism and autonomy", Electoral Studies 23: 727-752.

Sunstein, Cass R. (2001). Designing Democracy. What Constitutions Do. Oxford and New York: Oxford University Press.

Walter, Barbara. (2006). "Building reputation: why governments fight some separatists but not others", American Journal of Political Science 50: 313-330.

Wellman, Christopher. (2005). A Theory of Secession. Cambridge and New York: Cambridge University Press.