

**A process of self-realization: The impact of secession referenda on  
inter-ethnic relations in Quebec and Latvia**

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# CHAPTER 1: INTRODUCTION, THEORETICAL FRAMEWORK AND METHODOLOGY

## 1.1 INTRODUCTION

“[A]s a direct act of constitutional authorship the referendum explicitly confronts those authors with the relationship they now share.”<sup>1</sup>

In his writings on sovereignty referenda, Stephen Tierney is clear about the dynamic role the referendum device can have on the society questioned. Tierney pays particular attention to the capacity of referendums to evoke divergent identities within the one state, calling the referendum “a process of self-realization”.<sup>2</sup> This, however, is a contentious view: in secession and sovereignty debates, a referendum is often employed in an attempt to conclude a debate viewed as so important to the welfare of the state that it must be put directly to the people rather than to their representatives. To those seeking finality, the referendum is not envisaged as a process, but an event; a line in the sand from which society can move on thereafter. For the political actors calling the referendum there is often “an assumption that the outcome of a referendum will constitute a final decision,”<sup>3</sup> that representative democracy has given way to direct democracy and that the issue is settled because the people themselves have spoken.

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<sup>1</sup> Tierney, S. 2012. *Constitutional referendums*. Oxford, United Kingdom: Oxford University Press, p.60

<sup>2</sup> Ibid.

<sup>3</sup> Gallagher, M. and Uleri, P. 1996. *The referendum experience in Europe*. New York: St Martin's Press, p.218

Existing cases suggest that there is enough merit in Tierney's characterisation of the sovereignty referendum to ask "why not let sleeping dogs lie rather than invite a confrontation over inclusion and exclusion?"<sup>4</sup> This theory posits that no matter what the result, sovereignty referenda "may unsettle established patterns of constitutional authority."<sup>5</sup> Others have gone further and have advanced the view that referenda bring sharp focus to an issue that is unlikely to disappear after the referendum campaign is over – "referendum is quite clearly a device that provides unusual opportunities for consul and second thoughts."<sup>6</sup>

In spite of the referendum device's tendency to have an unpredictable and dynamic impact on the society in which it is employed, a cursory look at the statistics suggest that, in areas with nationalist separatist movements, there is increasingly a normative role for secession referenda. In Matt Qvortrup's analysis of secession referenda, he found that while only fifty-six have been held since 1860, fifty of the referenda have been held since the end of World War II with the majority (thirty-nine) held after 1990.<sup>7</sup> Despite the risks for elite political actors, some, Austin Ranney included, have suggested that referenda are being commissioned as there are few other options. It is Ranney's belief that referenda "may seem to be the only method through which the irreconcilable

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<sup>4</sup> Tierney, S. 2012. P.58

<sup>5</sup> Ibid. P.152

<sup>6</sup> Ranney, A. 1981. *The referendum device*. Washington: American Enterprise Institute for Public Policy Research p.76

<sup>7</sup> Qvortrup, M. 2014. Referendums on Independence, 1860-2011, *The Political Quarterly*, vol.85, No.1, p.58

creed of nationalism can be reconciled with popular government.”<sup>8</sup> That is, the claims of nationalists - that they are governed by an unrepresentative central government failing to rule for those seeking separation - are put to the people as a test of the credibility of the state as it stands.

Certainly, this would explain why secession referenda have become an oft-used device in recent decades. The end of the Cold War in Europe, and the subsequent break-up of the constituent parts of the USSR created a situation in the 1990s in which secession has “become a dynamic and permanent feature of contemporary European politics”.<sup>9</sup> In modern European politics, the nationalist devolved government in Scotland has called a referendum on independence for September 2014 and Catalanian separatists are currently arguing the case for similar in their territory. The secession referendum is now inextricably linked to the cause of those desiring the formation of a new state and the device is “a firm feature in the transition to independent statehood.”<sup>10</sup>

Despite the impact the referendum can have on the demoi within a state, it is hard to disagree with the view that “historically the frontiers that were fixed by plebiscite could not easily be undermined.”<sup>11</sup> This permanence does, however, create a problem: borders settled by referenda may have been fixed, but those living within the borders cannot be expected to

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<sup>8</sup> Ranney, A. 1981. P.143

<sup>9</sup> Lynch, P. 2005. Scottish independence, the Quebec model of secession and the political future of the Scottish National Party. *Nationalism and Ethnic Politics*, p.503

<sup>10</sup> Tierney, S. 2012.

<sup>11</sup> Bogdanor, V. 1981, *Referendums and Separatism II*, in Radney, A, ed., *The Referendum Device*, p.145

switch their ethnic identity or to end their affinity to another constitutional settlement. And while “referendums have played an important role in attempts to resolve ethnic conflicts for centuries”<sup>12</sup> the success of the device in achieving this goal is an area up for debate and rich for academic research. Zoran Oklopcic notes that the very act of holding a constitutional referendum is “both a determination that a people exists and a definition of that people,”<sup>13</sup> but, by their very nature, secession referenda are an admission that within the state there is more than one demos. Central to the claim that secession referenda are a solution to ethnic tension is the issue of those who do not wish to affiliate themselves to the demos. If a referendum creates a new state then those who voted against the proposal are resident in an entity they did not vote to create. If secession is rejected then the issue of a demos split on the issue of national identity persists. This problem raises pertinent questions: How do minorities and those who lose referenda fare in the post-referendum state? Does the plebiscite induce harmonious relationships between groups or is the self-realization Tierney refers to a catalyst for further discontent?

## 1.2 THEORETICAL FRAMEWORK

In analysing the referendum device, David Butler and Austin Ranney acknowledged that in a comparison of the direct democratic device against representative democracy in the form of legislative assemblies, “referendums tend to threaten minority rights while representative

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<sup>12</sup> Qvortrup, M. 2012. The history of Ethno-National Referendums 1791-2011. *Nationalism and Ethnic Politics*, 18 (1), pp. p.137

<sup>13</sup> Oklopcic, Z. 2012. Independence Referendums and Democratic Theory in Quebec and Montenegro. *Nationalism and Ethnic Politics*, 18 (1), p.23



assemblies tend to protect them.”<sup>14</sup> In weighing up the relative merits of referenda and representative democracy they noted that legislative assemblies, while “far from perfect,”<sup>15</sup> have an advantage as they naturally “discuss, refer, study, delay, amend and give and take.”<sup>16</sup> If referenda in general suffer from being crude electoral devices then the results of secession referenda, in areas where ethnic cleavages are on opposing sides, have the potential to be highly divisive. In areas of ethnic conflict In particular, the finality that the political elite expects to come from devolving power to the people is troublesome. The people’s decision is viewed as being authoritative and gives total legitimacy to the future constitutional settlement. This brings attention once more to the situations in which secession referenda are used: What of situations in which one demos have their desires realised while others are defeated? Ivor Jennings made reference to this issue in his criticism of employing referenda on a divided demos: “let the people decide, it is in fact ridiculous because the people cannot decide until somebody decides who are the people.”<sup>17</sup>

Unlike elections to legislatures, where transferable votes or the creation of a coalition may give a voter who did not back the government solace, referenda are binary, with delineated winners and losers on a single issue. MacGinty views this zero-sum conclusion to a referendum as the “principle problem with referendums in situations of profound ethnic

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<sup>14</sup> Butler, D. and Ranney, A. 1978. *Referendums*. Washington: American Enterprise Institute for Public Policy Research, p.37

<sup>15</sup> Ibid. P.36

<sup>16</sup> Ibid.

<sup>17</sup> McGarry, J. and O'Leary, B. 1994. The political regulation of national and ethnic conflict. *Parliamentary Affairs*, 47, p.98

conflict”<sup>18</sup> and Butler noted, “referendums are bound to be more dangerous than representative assemblies to minority rights.”<sup>19</sup> To the victors the spoils is an inherently risky strategy in an area with ethnicities disagreeing over fundamental constitutional questions. Arend Lijphart remarked, “the deep social divisions and political differences within plural societies are held responsible for instability and breakdown in democracies”<sup>20</sup> and recommended “centrifugal tendencies inherent in a plural society are counteracted.”<sup>21</sup> Similar concerns led Michael Gallagher to warn, “The referendum is least useful if applied to an issue that runs along the lines of a major cleavage in society.”<sup>22</sup>

This is not a view that goes unchallenged. John McGarry and Brendan O’Leary categorized policy designed to alleviate ethnic conflict in two sections: “Difference eliminating policy” and “difference managing policy.”<sup>23</sup> Matt Qvortrup used this taxonomy to categorise referenda as either difference eliminating or difference managing. Difference eliminating referenda aim to legitimise political homogenisation, such as the Anschluss-referendum in Austria in 1938.<sup>24</sup> Those holding these referenda seek to bring together groups of the one ethnicity or political view under one political unit. Difference managing referenda, on the

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18 Qvortrup, M. 2012. Introduction: Referendums, Democracy, and Nationalism. *Nationalism and Ethnic Politics*, 18 (1), p.5.

19 Butler, D. and Ranney, A. 1978. P.36

20 Lijphart, Arend. *Democracy in plural societies*. New Haven: Yale University Press, 1977, p.1

21 Ibid.

22 Ibid, p.7

23 McGarry, J. and O’Leary, B. (1994). The political regulation of national and ethnic conflict. *Parliamentary Affairs*, 47, p 97.

24 Qvortrup, M. 2012. P.130

other hand, are held in order to manage national or ethnic differences such as the UK devolution referendums of 1997-1998.<sup>25</sup> It is often the case that difference-managing referenda, with the UK devolution referenda being a primary example, are initiated by the central government for political expediency – in this case to stem the potential rise of nationalist parties.<sup>26</sup>

Qvortrup expanded on McGarry and O’Leary’s categorisation in order to be more specific to the use of referenda in solving political conflict. In addition to the categories outlined by McGarry and O’Leary he added two of his own. The first, secession referenda, have been used to endorse (or otherwise) a territory’s secession from a larger entity. Qvortrup cites the example of Jamaica in 1963.<sup>27</sup> He also added right-sizing referendums, plebiscites that aim to solve issues with the drawing of disputed borders between countries.<sup>28</sup>

FIGURE 1: MATT QVORTRUP’S TYPOLOGY OF ETHNO-NATIONAL REFERENDUMS<sup>29</sup>

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25 Ibid.

26 Leduc, L. 2003. *The politics of direct democracy*. Peterborough, Ont.: Broadview Press, p.114

27 Ibid.

28 Qvortrup, M. 2012. The history of Ethno-National Referendums 1791-2011. *Nationalism and Ethnic Politics*, p.141

29 Ibid. p.131

<p><b>International Homogenizing:</b>  Secession Referendums  Example: Eritrea 1993</p>	<p><b>International Heterogenizing:</b>  Right-sizing Referendums  Example: Schleswig Referendum 1920</p>
<p><b>National Homogenizing:</b>  Difference Eliminating Referendums  Example: Egypt and Syria 1958</p>	<p><b>National Heterogenizing:</b>  Difference Managing Referendums  Example: Wales 2011</p>

Qvortrup characterises secession referenda as “international homogenizing”<sup>30</sup> in nature and states that they are initiated by political actors who take diversity as a fact. The secession referendum, in his view, is an attempt at creating stability out of this diversity by forming a schism in an area with ethnicities that cannot come to sustainable agreement on the division of resources and land. Alongside this view, however, he states that “the history suggest that short-term and long-term political calculations have been the main motivations for holding them.”<sup>31</sup> There is a tension in Qvortrup’s belief in the two-fold motive behind the holding of a secession referenda: If political actors call a secession referendum for reasons of political expediency then the focus on the ethnic conflict at play in the territory is diluted at best, or, at worst, an afterthought. With ethnicities often taking opposing sides in secession referenda, the adoption of short-term expediency cannot be viewed as conducive to placating the fears and desires of all. Others have come close to agreeing with Qvortrup by recognising that political actors often use the referendum as an “authoritative mechanism for breaking a political or constitutional deadlock,”<sup>32</sup> but breaking deadlock and bringing ethnicities on opposing sides of a debate together are different. Easing ethnic tensions

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30 Qvortrup, M. 2012. Introduction: Referendums, Democracy, and Nationalism. *Nationalism and Ethnic Politics*, 18 (1), p.8

31 Qvortrup, M. 2012. The history of Ethno-National Referendums 1791-2011. *Nationalism and Ethnic Politics*, Abstract

requires a long-term understanding of why tensions exist and a plan to overcome them, not merely a deadlock being broken. It is difficult to coalesce the views that secession referenda can be held for homogenising or conflict-eliminating reasons and also for political expediency.

The consequences of the multi-faceted motivation behind secession referenda is an area rich for further study: If secession referenda are a conflict eliminating device then how do those on the losing side deal with the loss? It may be expected that they accept the will of the majority, but acceptance and good relations between ethnicities are not one and the same. In addition, while armed conflict may be typically avoided, ethnic tensions dominating legislative agendas and impacting community relations cannot be said to be an ideal scenario. If the aftermath of a secession referendum further delineates ethnicities, setting groups against each other and making permanent the presence of ethnic cleavages in voting habits, then the device's role as conflict eliminating is called into doubt. As an example, referenda in the Baltic states, called to hasten the departure of the states from the USSR, are said to be prime examples of "how the constitutional referendum is not only a vehicle for nationalism but potentially an important framing device in the reconstruction of the political identity of the people."<sup>33</sup> This is a logically sound argument: the victor of the secession referenda has a bona fide case, exemplified by the numbers voting for secession, that separation is desired and that the formation of a new state is required. But, given the fluid nature of peoples across international borders, it cannot be expected that all the people back

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<sup>32</sup> Gallagher, M. and Uleri, P. 1996. P.160

<sup>33</sup> Moller, L. 2002. Moving Away from the Ideal: The Rational Use of Referendums in the Baltic States. *Scandinavian Political Studies*, 25(3), p.67

a choice ratified by referendum. How these groups are treated now that they reside in a state created in the image of one ethnic group is a subject this research will focus on.

If yet more deliberation on ethnic and state identity is a consequence of secession referenda then the problem has not been eliminated, but catalyzed or moved to another political space. It is worthwhile, therefore to return to the work of McGarry and O'Leary in their attempt at regulating ethnic conflict. They believe that dealing with ethnic conflict by secession and/or self-determination presents advocates of the idea with four questions: Who are the people? What is the relevant territorial unit in which they should exercise self-determination? What constitutes a majority? Does secession produce a domino effect in which minorities within seceding countries will seek self-determination?<sup>34</sup> Of these questions, two are key to this research, namely the questions on ascertaining who the people are and the idea that a referenda can produce a domino effect, not just on sovereignty, but on nationalist consciousness.

If secession referenda are homogenising then it is a natural consequence of this belief that there will be a clearer definition of the demos. This could take the form of ethnic nationalism altering course to be of a more civic nature or cleavages changing to be less ethnic in character. Tierney cautions against using the device in this manner and suggests that using the referendum device "to define the demotic question in a homogenizing way can in fact be highly dangerous in deeply fractured societies."<sup>35</sup> It would be folly to expect absolute homogeneity after the use of any device to quell conflict, as bitterness can often subsist, but

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<sup>34</sup> McGarry, J. and O'Leary, B. 1994. p.99

<sup>35</sup> Tierney, S. 2012, p.61

if secession referenda are conflict eliminators then it is natural to assume that ethnic issues will play less of a role in political discourse.

This research will focus on two cases of ethnic nationalism using the definition outlined by Michael Keating. While noting that ethnicity is a “notoriously difficult concept”<sup>36</sup> to define absolutely, it is possible to easily differentiate between civic and ethnic nationalism. Keating defined ethnic nationalism as that “in which the nation is defined on the basis of ascriptive criteria and differentiation, rather than inclusion and assimilation.”<sup>37</sup> Conversely, civic nationalism is based upon a “territorially defined community, not upon a social boundary among groups within a territory.”<sup>38</sup> Given that the focus of this research is on the boundaries on groups within a state, ethnic nationalism is of greater salience as cleavages are often matched to a side of the secession debate. This requires the qualifier that “most movements in practice make both types of appeal, and draw on both elements for their support.”<sup>39</sup> The cases selected for this work, however, primarily show the characteristics of ethnic nationalism.

With these issues in mind, this paper will analyse the success of secession referenda in curbing ethnic conflict and promoting stability between ethnicities. If new nation-states seek legitimacy through a popular plebiscite and political actors of sub-states seek secession via

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<sup>36</sup> Keating, M. 1997. Stateless nation-building: Quebec, Catalonia and Scotland in the changing state system. *Nations and nationalism*, 3(4), p.690

<sup>37</sup> Ibid.

<sup>38</sup> Ibid.

<sup>39</sup> Ibid. p.691

referenda, then their success in eliminating conflict should be an area of scholarly interest. Conversely, if those seeking solely to achieve a political goal call secession referenda then their status as conflict eliminators is called into question as the issue of solving conflict is secondary.

### 1.3 METHODOLOGY

In order to fully ascertain the consequences of secession referenda on inter-ethnic relations, it is first necessary to come to a definition of inter-ethnic relations and how this impacts on the governing of a state. Stefan Wolff defines ethnic conflict as “that in which the goals of at least one conflict party are defined in (exclusively) ethnic terms, and in which the primary fault line of confrontation is one of ethnic distinctions.”<sup>40</sup> This is a useful definition and, while the cases under consideration in this paper will be of a less violent nature – “independence referendums relatively rarely result in wars”<sup>41</sup> - Wolff notes, “not every ethnic conflict is characterised by violence.”<sup>42</sup> Indeed, he goes further and posits that to come to a “proper understanding of the dynamic of different ethnic conflicts” it is “not enough to simply look at the degree of violence present.”<sup>43</sup> The cases under consideration in this analysis share in common divisions in society formed around ethnic cleavages, and the impact secession referenda have had on the relationships between these cleavages is the subject of this study.

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40 Wolff, S. 2006. *Ethnic conflict*. Oxford: Oxford University Press. P.2

41 Qvortrup, M. 2014. Referendums on Independence, 1860-2011, *The Political Quarterly*, vol.85, No.1, p.60

42 Ibid. p.3

43 Ibid.



The fortune of minorities after secession referenda is another focus of this research. If secession referenda are conflict eliminating and partially homogenising then it should follow that minorities enjoy the rights and opportunities of the majority group. If the referendum returns a 'yes' vote then it is likely that the desires of the dominant group have been realised and the impact the referendum campaign and result have on state building is a subject requiring study. If the state is formed in the image of a dominant ethnicity then it is unlikely that homogeneity or a harmonious political solution will be the result. If the referendum results in a 'no' vote the role of minorities is equally as relevant if nationalist sentiment persists in spite of the loss.

This paper uses a small-n comparative analysis in an attempt to properly understand any causal links between the event of a secession referendum and the ongoing process of inter-ethnic relations and the standing of minorities in a post-referendum state. The small-n analysis allows for an appropriate focus on the nuances and complexities of the two cases. This has been influenced in particular by the belief that "a large-n test of a hypothesis provides little or no new insight into the causal process."<sup>44</sup> The research is influenced by Arend Lijphart's "hypothesis-generating"<sup>45</sup> research outlined in his article *Comparative Politics and the Comparative method*. It is important to note the contextual differences between cases and this played a part in framing the research method of this paper. It is said that "tests performed with case studies are often quite strong, because the predictions tested are quite unique,"<sup>46</sup> something that is required in the field of study of secession

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44 Van Evera, S. 1997. *Guide to methods for students of political science*. Ithaca: Cornell University Press. P.55

45 Lijphart, A. 1971. Comparative politics and the comparative method. *The American political science review*, p.689.

46 Van Evera, S. 1997. *Guide to methods for students of political science*. Ithaca: Cornell University Press. P.56

referenda as, while cases are often influential in future debates on secession, the contextual differences are notable.

In order to understand the impact of secession referenda on inter-ethnic relations this paper will study three indicators in cases in which secession has been passed and rejected by an electorate. It is important to understand the impact secession referenda have had not only in cases in which the formation of a new state has been the result as when the proposal to secede has been rejected there too exists a minority who are living in a state they do not feel naturally at home in. Even with cases in which secession referenda were passed, there invariably exists a group of people who rejected the formation of a new state. These indicators are chosen with Tierney's belief in mind that with a referendum "ideology intervenes to define the demos not simply in spatial terms but by way of constructed identity markers such as legally defined residence, citizenship, nationality and ethnicity."<sup>47</sup> Tierney refers to the referendum device in general in this assertion and it would be salient to follow this through to a situation in which the demos is already defined in those terms - what impact does the referendum have when these "identity markers" have necessitated a referendum.

### 1.3.1 INDICATORS

**Voting patterns and group identity:** If secession referenda are, as claimed by Qvortrup, difference eliminating, then identity would become a less divisive issue. By looking at census results in which nationality and language have to be declared I hope to come to study if this

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<sup>47</sup> Tierney, S. 2012, p.60

is the case. In regard to this indicator I seek to answer a simple question: When the people come to a conclusion on the constitutional status of the area in which they live, do they become more flexible in their attitude to personal identity? It would be naïve to expect complete assimilation as “ethnic group affiliation generally persists despite authoritarian efforts to assimilate the minority,”<sup>48</sup> but if secession referenda are to be considered as solutions to conflict over constitutional issues then it is not unwise to expect that, over time, cleavages would become less dominated by ethnic affiliation.

If secession referenda eliminate conflict and bring about a degree of homogenization then it would follow that the electorate would be less polarised in their behavior. In order to measure this I shall study voting patterns of respective ethnicities within the cases. Secession referenda are often brought about by political pressure of elites promoting a nationalist message. Does this nationalist sentiment give way to more conciliatory politics after the referendum or do ethnicities continue to vote for parties representing their own interests? While “ethnic politics have the potential to help stabilize new democracies by jump-starting party system stabilization,”<sup>49</sup> a political system dominated by rival ethnic parties governing in a centrifugal manner is not ideal as “ethnic political expression is considered intransigent and not conducive to the political compromise necessary for the healthy development of stable political systems.”<sup>50</sup>

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48 Ibid. P.8

49 Ibid. P.6

50 Birnir, J.K. 2007. *Ethnicity and Electoral Politics*. Cambridge: Cambridge University Press, p.2

**The politicisation of language:** In addition, the issue of language will be researched in order to discover how it has been politicised in light of a secession referendum and how the language of the minority group has been respected in the post-referendum state. Jean Laponce noted, “we should expect that language be a major factor with the outcome of sovereignty referendums.”<sup>51</sup> Given that language is a key ethnic identifier, and the dividing line between the groups analysed in this paper, the manner in which it has been treated in light of the referenda will be of relevance.

**Constitutional codification:** In situation in which secession has been rejected, those seeking independence are unlikely to give up their desires for autonomy. Where a new state has been created, those who voted against the proposal find themselves minorities in a new state. In both situations there exists the need for a degree of constitutional introspection given the presence of a minority unhappy with the constitutional settlement. Birnir has written about the “the value of finding an institutional structure where ethnic minorities are incorporated into the central government.”<sup>52</sup> How are their desires dealt with post-referendum? Does the new nation-state codify their minority status and seek to protect their rights? Is power devolved to allow minorities to make decisions over their own affairs? No matter the result, if the rights of minorities are ignored post-referendum then little has truly changed.

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<sup>51</sup> Laponce, J. 2012. Language and Sovereignty Referendums: The Convergence Effect. *Nationalism and Ethnic Politics*, 18 (1), p.113

<sup>52</sup> Ibid. p.13

Together, these three facets of life in the post-referendum state will provide an insight into how ethnicities have been impacted by the plebiscite. It is hoped that they will allow a thorough analysis of the claim that the device is conflict-eliminating.

#### 1.4 CASE SELECTION

The research of this paper aims to come to understand how the use of secession referenda influences relations between ethnicities. In order to do this, I need to look at cases in which the electorate rejected the idea of secession and cases in which a new nation state was created. By doing this I will reach conclusions on those living in a new state they did not wish to exist and those who remain in a nation-state they wish to split from. To achieve this, I have split my case selection and I will study one 'Yes' case and one 'No' case. There are important contextual differences in both cases but their status as useful cases for this research lies in the simple yes/no nature of the question and the position of different ethnic groups on both sides. As my interest lies in the impact of secession referenda on the ethnicities taking opposing sides, I have not included any cases in which nationalism can be viewed as being of a civic nature.

##### 1.4.1 QUEBEC

Following the 1976 Canadian provincial election, the separatist Parti Quebecois was elected to form the government of Quebec for the first time. In an attempt to push the issue of secession to the fore of Canadian politics, the party held a referendum on Quebec's

constitutional status with the Canadian Federation. The Canadian government did not recognise the referendum as being a binding secession referendum, a problem that led to a long-winded question being posed to the Quebecois electorate:

The Government of Quebec has made public its proposal to negotiate a new agreement with the rest of Canada, based on the equality of nations; this agreement would enable Quebec to acquire the exclusive power to make its laws, levy its taxes and establish relations abroad — in other words, sovereignty — and at the same time to maintain with Canada an economic association including a common currency; any change in political status resulting from these negotiations will only be implemented with popular approval through another referendum; on these terms, do you give the Government of Quebec the mandate to negotiate the proposed agreement between Quebec and Canada?

Despite the non-binding nature of the plebiscite, it is widely accepted that it “in effect purported to authorize secession”<sup>53</sup> and that the term “sovereignty association” was “a veiled description of independence.”<sup>54</sup> The referendum was defeated by a margin of fifty nine per cent to forty percent.<sup>55</sup>

The issue of secession in Quebec is symbiotic with issues of language and culture.

Nationalists “cite the ways in which political independence would enable them to preserve and strengthen their distinctive francophone culture.”<sup>56</sup> For those who seek to remain within the Canadian federation, the period between the two sovereignty referenda (1980 – 1995) was a time when they became even “more fervent about their love of country than their

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53 Tierney, S. 2012. p.141

54 Qvortrup, M. 2014. Referendums on Independence, 1860-2011, *The Political Quarterly*, vol.85, No.1, p.60

55 Fitzmaurice, J. 1985. *Québec and Canada*. 1st ed. New York: St. Martin's Press, p.47

56 Fullinwider, R. 2008. *A Theory of Secession: The Case for Political Self-Determination*. Philosophical Books, 49 (1), p.95

counterparts had been 15 years before.”<sup>57</sup> This paper will analyse the impact of the 1980 sovereignty referenda on relations between Francophones and Anglophones in Quebec. Specifically, whether the referenda had an influence on the standing of both groups in Quebecois society will be studied.

The pertinent questions of this research can be answered through an exploration of the context of Quebec after the referendum: Did the referendum cause ethnicities to come together to find a common way forward? How did the relationship between the linguistic groups affect the standing of the minority Francophones within the Federation and the minority Anglophones within Quebec?

#### 1.4.2 LATVIA

The "Popular Survey about the independence of the Republic of Latvia" was held on 3<sup>rd</sup> March 1991. The referendum was one feature of a diplomatic standoff with the reforming USSR; in a last-ditch attempt to preserve the union Mikhail Gorbachev planned a referendum of his own in the Soviet republics for 17<sup>th</sup> March of the same year. The plebiscite asked, "Do you consider necessary the preservation of the Union of Soviet Socialist Republics as a renewed federation of equal sovereign republics in which the rights and freedom of an individual of any nationality will be fully guaranteed?" Understandably unhappy with the framing of the question, Latvia pressed ahead with a referendum of its own which put a simple question forward, bereft of the leading language contained in the Soviet option: "Are

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<sup>57</sup> Pammett, J. H. and Leduc, L. 2001. Sovereignty, leadership and voting in the Quebec referendums. *Electoral studies*, 20 (2), P.267

you in favour of a democratic and independent Republic of Latvia?”<sup>58</sup> The electorate voted in favour by seventy three per cent to twenty four per cent.<sup>59</sup> Nationality was not registered at the polling station and while estimates show that the number of Russian speakers backing the proposal was “higher than expected,”<sup>60</sup> there were worries about the uncertainty that leaving the USSR would bring.

Latvia is of particular interest in this study as the referendum on independence from the USSR returned the highest no vote of the three Baltic states. Latvia also had the greatest number of Russian speakers resident of all the Baltic states.<sup>61</sup> These are not unrelated statistics and it is said that the issue of secession was “complicated by the number of Russians living in these republics.”<sup>62</sup> In particular, the issue of voting rights for ethnic Russians has been contentious in the years after the secession referendum. Latvia is also a case in which language plays an important role in state building after the referendum. In a study of official languages of newly independent states, Jean Laponce found that Latvia switched its official language from Russian to Latvian after the vote.<sup>63</sup> How this impacted on Russian speakers now living in an independent Latvia will be of interest. For Russian speakers, the

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<sup>58</sup> Nohlen, D. and Stöver, P. (2010). *Elections in Europe*. 1st ed. Baden-Baden: Nomos Verlag.p.1136

<sup>59</sup> Karklins, R. (1994). *Ethnopolitics and transition to democracy*. 1st ed. Washington, D.C.: Woodrow Wilson Center Press. P101

<sup>60</sup> Ibid.

<sup>61</sup> Budryte, D. 2005. *Taming nationalism?*. 1st ed. Aldershot, Hampshire, England: Ashgate.

<sup>62</sup> M\oller, L. 2002. P.68

<sup>63</sup> Laponce, J. 2012. Language and Sovereignty Referendums: The Convergence Effect. *Nationalism and Ethnic Politics*, 18 (1), pp. 113--128.



break-up of the USSR had the effect of “turning their world upside down”<sup>64</sup> and they “suddenly found their citizenship, their homeland, and their very identities in question.”<sup>65</sup> The large number of ethnic Russians led to Soviet Latvia being classed as “binational.”<sup>66</sup> A specific focus of this paper will be how the event of the referendum impacted on the process of state building and how the vote impacted the rights and opportunities enjoyed by the minority Russian speakers.

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<sup>64</sup> Laitin, D. *Identity in formation*. 1st ed. Ithaca: Cornell University Press. (1998). P.85

<sup>65</sup> Laitin, D. 1998. P.86

<sup>66</sup> Ibid. p.86

## CHAPTER 2: “EXTREME AND POLARIZED”: THE POLITICISATION OF LANGUAGE IN THE POST-REFERENDUM STATE

It is language that is the dividing line between the groups occupying opposing sides of the debate in both cases under review. Given the primacy of language in the culture and identity of groups within Quebec and Latvia, it would be wise to turn first to the impact the referendum had on the politics of language. If secession referenda are to be classified as a conflict eliminator then linguistic rights should not be limited in its aftermath.

It has been said that competing notions of nationhood in Canada are “iconicised by a different language”<sup>67</sup> and that “extreme and polarized renditions of language politics...are all too common within period of intense national debate.”<sup>68</sup> In Latvia, and other Baltic states, the issue of language was prominent in notions of self-determination after Soviet rule with Russian “dethroned as a primary language in order for these countries to regain their full sovereignty.”<sup>69</sup> Despite the state officially moving to make Latvian the official language of the state, “a considerable number do not speak the local languages”<sup>70</sup> and how they were catered for is of importance to an analysis of inter-ethnic relations. That the Latvian state switched its official language from Russian is not surprising considering that in 60% of

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<sup>67</sup> Vessey, R. 2014. Borrowed words, mock language and nationalism in Canada. *Language and Intercultural Communication*, (ahead-of-print), p.5

<sup>68</sup> Ibid.

<sup>69</sup> Aasland, 2002. Citizenship status and social exclusion in Estonia and Latvia. *Journal of Baltic Studies*, 33(1), pp.58.

<sup>70</sup> Ibid. p.57

“separation” referendums the “referendum replaces a foreign language of government by one that is endogenous.”<sup>71</sup> It is the manner in which this change was carried out, and the extent to which speakers of minority languages were catered for that is of relevance to this research. Given that the ethnicities in both territories are framed and defined by their use of language a study of language rights aids an understanding of how minorities in Latvia and Canada were recognized after the referendum.

While there “is no absolute international legal right to a minority language”<sup>72</sup> there exists a nebulous array of international laws that recognizes the importance of minority language rights. While existing law “does not ensure that language itself will be protected; it only ensures that one will not be discriminated against on the basis of language.”<sup>73</sup> This is enough to be of use to this research in which discrimination on the basis of language is key as there is recognition that individuals are “guaranteed the right to be free of discrimination on the basis on language.”<sup>74</sup> There exists a more defined moral argument for the protection of those speaking a minority language. It has been noted that the argument is often that “the price of emigration is the requirement that immigrants forsake their native language to embrace a new culture” but this cannot be used to justified the language of a minority in a state after a referendum since the residents are themselves natives. Moreover, if referenda are used to

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71 Laponce, J. 2012. P.120

72 Dudar, Sami M. 2012. 'Speaking Of Secession: A Theory Of Linguistic Secession'. *Heinonline*. P.567

73 Ibid. p.569

74 Ibid.

homogenize then casual indifference toward the language of a minority cannot be said to be conducive to positive inter-ethnic relations.

Key to analyzing language in a post-referendum state is the belief of Sami Dudar that “the destruction of language means the elimination of a political voice in elections, an uneducated electorate and an inability to understand the law.”<sup>75</sup> In a threefold explanation of the moral basis for the preservation of language Dudar notes that “language is required to participate in the political process”<sup>76</sup> and for this reason language rights become a political necessity and a “government cannot simply tolerate language in the same way as religion.”<sup>77</sup> A mere recognition of the existence of a minority language is not conducive to its speakers enjoying full rights; a more active approach is needed to limit polarisation and to ensure that minority language users are not hindered in everyday life.

Language, therefore, is relevant to the work of Birnir in that it is an avenue through which the representative capabilities of a minority can be limited. If language is integral to a minority’s access to governmental power then the post-referendum state should be seen to actively protect linguistic rights of all.

## 2.1 LATVIA

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<sup>75</sup> Ibid.

<sup>76</sup> Ibid. p.567

<sup>77</sup> Ibid. p.568

Birnir attributed “uneasy relations between the state and the Russian minority” since independence to the period when the state “instituted stringent language requirements for citizenship, effectively excluding much of the minority from gaining citizenship.”<sup>78</sup> This exclusion of Russian speakers from the outset had a detrimental impact on their opportunities in the new state and the confusion over how best to facilitate the minority meant that “some economic and social rights were limited for non-citizens since their status had not yet been determined.”<sup>79</sup>

If referenda homogenise and ease ethnic tensions then it should be expected that language would be depoliticised to the extent that it would not be highly divisive. In order to understand whether the Latvian referendum was homogenising in nature it is important to note that language politics came to the forefront of the independence movement before the referendum was called. The Republican Language Law of 1989 was said to have “sent shivers down the spine of most Russians.”<sup>80</sup> The language laws, introduced in the three Baltic countries and Kazakhstan, were so harsh that Gorbachev’s glasnost was ignored temporarily by local Soviets who were “obliged to intervene to soften the final versions.”<sup>81</sup> And yet, despite being viewed as overly harsh on Russian speakers, these pre-independence laws afforded protection and support to Russian speakers which was not present in language laws following independence. There was no mention within the 1989 law for state support for

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78 Birnir, J.K. 2007. P.56

79 Aasla, 2002, p.61

80 Laitin, D. 1998. P.87

81 Ibid. p87-88

Russian, but the law did give those in state jobs “three years to learn the state language.”<sup>82</sup>

There was also the “absolute right for education in Latvian or Russian” and an understanding of localized diversity of language in that the local Soviets would decide if translation into Russian of street signs was required.<sup>83</sup> While these edicts were far from favourable to those seeking to continue to use Russian as they had during total Soviet control, a comparison with language rights in independent Latvia demonstrates that the referendum did not create a willingness to support linguistic individuality.

The Latvian constitution, passed in 1993, contains a number of telling articles on language, with the Latvian language being pushed to the forefront of the apparatus of the new state. Tierney sees the referendum as the link between the Glasnost era reforms of a reinvigorated Latvian political class and the subsequent nature of the post-independence constitution – “the device which both facilitated and legitimized their constitutional aspirations was the referendum.”<sup>84</sup> Nation building during the downfall of the Soviet era was catalyzed by the referendum and the nascent acts of constitutional authorship that came before the referendum, such as the aforementioned language acts, were given impetus by a referendum victory. A direct result was that the, admittedly piecemeal, safeguards for the Russian language fell by the wayside when an emboldened Latvian state came to write a constitution for a post-Soviet state.

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82 Ibid. p.90

83 Ibid.

84 Tierney, S. 2012. P.70

Throughout the constitution, the primacy of Latvian is apparent and there is little mention of the language of the country's largest ethnic minority. Chapter II of the constitution deals with the parliament of Latvia (the Saeima) and Article 18 within this chapter contains the oath of office taken by every member of the parliament. Members undertake to "strengthen its [Latvia's] sovereignty and the Latvian language as the only official language."<sup>85</sup> Article 114 within the Chapter on "Fundamental Human Rights" notes that "ethnic minorities have the right to preserve and develop their language" but stipulates no onus on the state to aid this process. Echoing Dudar's opinion that it takes more than tolerance of minority languages to properly assimilate minorities into society, William Safran compared the treatment of Russians in Latvia to being "provided canoes without paddles."<sup>86</sup> That is to say that minorities in Latvia are responsible for the preservation and development of their own language, and the state is under no obligation to facilitate or aid them to this end. There was no help in the form of legislation or enthusiasm for the preservation of minority culture and identity. The result of the terse definition of minority language rights is that "rules that limit the use of these languages in the public sphere"<sup>87</sup> cannot be deemed to be anti-constitutional and Latvian is therefore established as the de facto and de jure language of the state and, by extension, of those seeking to fit into the definition of Latvian.

It is perhaps useful to ascertain how other countries have dealt with minority languages in their territory in order to gauge if the independent Latvian constitution was truly discriminatory toward the language of the Russian minority. Stipulating that the state shall

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<sup>85</sup> Latvian Constitution: <http://www.saeima.lv/en/legislation/constitution>

<sup>86</sup> Fishman, J. 1999. *Handbook of language & ethnic identity*. 1st ed. New York, N.Y.: Oxford University Press. P.61

<sup>87</sup> Ibid.

have an official language is far from unique, but “postwar settlers who were monolingual speakers of Russian...felt that attempts to make Latvian the state language were discriminatory”<sup>88</sup>. In a comparison with other constitutional codification of official language status, it is not difficult to assess the reasoning behind this discontent. In other states, many with a lower number of minority linguists, dispensation was made for the diversity of language within the state and the case of Austria shows that official language status need not automatically demote the rights of minority language speakers. Article 8 of the Austrian constitution states that:

*“German is the official language of the Republic without prejudice to the rights provided by federal law for linguistic minorities”*<sup>89</sup>

It is notable that the Latvian constitution contained no mention of a state law to protect minority languages. Slovenia’s approach to minority languages highlights a different and more nuanced approach. The Slovenian constitution recognises Slovenian as the national language but Article 11 states, “in those municipalities where Italian or Hungarian national communities reside, Italian or Hungarian shall also be official languages.”<sup>90</sup> Considering that the majority of Russian speakers live in urban centres – 47% of Riga’s population was ethnically Russian in 1989<sup>91</sup> - recognition of equality of language in certain areas could have been put in place in Latvia without damaging the position of Latvian as the language of the

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<sup>88</sup> Karklins, R. 1994

<sup>89</sup> Austrian Constitution: [http://www.servat.unibe.ch/icl/au00000\\_.html](http://www.servat.unibe.ch/icl/au00000_.html)

<sup>90</sup> Constitution of Slovenia: <http://www.us-rs.si/en/about-the-court/legal-basis/constitution/>

<sup>91</sup> Laitin, D. 1998. P.87



territory as a whole. Proportionally, there is the same number of Russian speakers in Latvia as there are French speakers in Belgium, so a lack of constitutional codification of language rights in independent Latvia does not favourably reflect on the position of minority groups in society.

This pride in Latvian should be viewed in historical context. Such stringent codification of Latvian as the national language is inextricably linked to the demotion of the status of the Russian language. That is not to say that the primacy of Latvian and the attitude toward Russian was a policy enacted in malice, rather “it is more than revenge; it is part of the effort of these countries to recover complete control over their national identity.”<sup>92</sup> Latvian, suppressed in order to forward Russian as the primary language of the USSR, was, in the view of Latvian political elites, in need of resurgence.

But this was lost on the Russian minority and the manner in which language was linked to citizenship is said to have been “controversial and probably increased tension between the ethnic groups.”<sup>93</sup> And it mattered little that “tying access to the civil service and even the acquisition of citizenship to mastery of the local language...has been a way to reverse the cultural Russification”<sup>94</sup> of the country rather than a measure taken to punish ethnic Russians, as the effect was the same – to alienate this group and to create a new nation state in which they did not feel at home in.

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<sup>92</sup> Fishman, J. 1999. *Handbook of language & ethnic identity*. 1st ed. New York, N.Y.: Oxford University Press. P.61

<sup>93</sup> Aasla, 2002, p.60

<sup>94</sup> Fishman, J. 1999. P.65

Most Latvian politicians of the era were of the view that “political integration in a state is the precondition for citizenship, rather than vice versa”<sup>95</sup> but they did not make this an attractive or easy proposition for ethnic Russians by affording little respect to their mother tongue. This led to an alienation that had tangible consequences and Artjoms Ivlevs, included “strict linguistic and citizenship legislation”<sup>96</sup> as a factor in his attempt to explain why “the Russian speaking minority is more likely to emigrate than the Latvian speaking majority.”<sup>97</sup>

Tierney is clear that the referendum was not merely a rubberstamp of the inevitability of secession, but a process that “allowed and caused” all those living in the Baltics to “reflect upon their own identities and to mobilize their emerging sense of national selves.”<sup>98</sup> This reflection was not conducive to easing the linguistic tensions between Russians and Latvians and the evidence suggests that the referendum process catalysed the process of limiting the role of Russian in public life. The importance of language to identity, and the manner in which Latvian became so primary in issues of citizenship, representation and employment resulted in the referendum having a negative impact on linguistic rights of the minority Russian population.

## 2.2 QUEBEC

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<sup>95</sup> Karklins, R. 1994. P.147

<sup>96</sup> Ivlevs, A. 2013. Minorities on the move? Assessing post-enlargement emigration intentions of Latvia's Russian speaking minority. *The Annals of Regional Science*, 51(1), p.2.

<sup>97</sup> Ibid.

<sup>98</sup> Tierney, S. 2012. p. 70

Language delineates the nations of Canada in that proponents of the federation see the Canadian nation as being multi-lingual as well as multi-ethnic. For many Quebecois, however, the French language creates a nation apart: Quebec, with the aforementioned claim that it is uniquely French in mother tongue and in culture. Rene Levesque, the Premier behind the referendum of 1980 said “We are Quebecois...at the core of this personality is the fact that we speak French.”<sup>99</sup> It is along linguistic lines that the nationalism debate is defined and this was not a new phenomenon – “language has been attached to ideologies of nation and state...since the nineteenth century.”<sup>100</sup> The importance of language as a delineating factor in the sovereignty debate is so paramount – polls typically show that ninety eight per cent of Franchophones support nationalist options<sup>101</sup> – that “it is unlikely that a universal nationalism, encompassing the entire population can develop.”<sup>102</sup>

The primacy of language and its links with identity over centuries affords an opportunity to study a politically charged indicator in the years following the independence referendum of 1980. This is particularly relevant, as the defeat of those seeking secession did not kill the issue stone dead and Levesque declared “A la prochaine fois!” – until next time - in his referendum concession speech. The referendum may have passed, but those who argue that the referendum is a process, not an event, will find ample evidence for this belief in Quebec and the impact the aftermath had on language is what this section will focus on.

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<sup>99</sup> Levesque, R. 1968. *An option for Quebec*. McClelland and Stewart, Toronto. P.14

<sup>100</sup> Fishman, J. 1999. P.298

<sup>101</sup> Keating, M. 2001. *Nations against the state*. 1st ed. Houndmills, Basingstoke, Hampshire: Palgrave. P.100

<sup>102</sup> Ibid.

In his study of the Anglophone community in Quebec, Garth Stevenson, noted that the English speakers of Quebec were not celebratory about the defeat of the secessionist question. On the contrary, the loss presented them with pressing fears: would the loss mean that the Parti Quebecois had no use for them anymore? How would this present itself in policy given that the PQ were in power in Quebec?<sup>103</sup>. These fears, understandable but as yet unsubstantiated by any direct threat or action, were now given credence as the “government began to implement the prohibition of bilingual signs”<sup>104</sup> and the result was the Anglophone community bringing about “a revival of preoccupation with interest group politics.” The Alliance Quebec was founded in 1982 to lobby for the rights of English speakers and “given the traditional resistance of Quebec Anglophones to participatory democracy” the support the organisation provoked was surprising in its scope and energy. While lobby groups could have led to a more accurate reflection of the hopes and fears of the English speaking community, conciliation was not the result. The PQ government rejected outright the six demands of the Alliance following the first meetings between its leader Eric Maldoff and the Quebec Premier Rene Levesque. This did not break relations entirely and a “working relationship with the Parti Quebecois government”<sup>105</sup> was eventually found.

Despite this, it is through such clear demarcation of the body politic – Anglophone and Francophone – that Tierney’s claim that the secession referenda evoke self-realization is given weight. The Anglophone community’s introspection in light of the referendum was one of paranoia, albeit paranoia eventually justified by the actions of the PQ government. It was

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103 Stevenson, G. 1999. *Community besieged*. 1st ed. Montreal, Qué.: McGill-Queen's University Press. P.167

104 Ibid.

105 Ibid. p.174

the referendum campaign that brought about this introspection and the impact was a mobilisation along linguistic grounds. It is important to note that despite widespread disenchantment with the PQ government's Bill 101, passed well before the referendum, it was the referendum and not a law widely viewed as anti-Anglophone that mobilised English-speaking Quebeckers to form a collective pressure group. This division does little for promotion of common language between different ethnicities. The divisiveness creates a situation in which English-speakers have one language alone, and Quebecois refuse to accept the benefits of bilingualism. This has been said to be a problem as "low levels of French-English bilingualism prevent individuals from accessing perspective of the other group."<sup>106</sup>

Another impact of the referendum was the departure of Anglophone businesses from Quebec's economic centre - Montreal. Once more, it is important to note the impact Bill 101, a law passed well before the referendum, had on the Anglophone community before the referendum of 1980. The referendum, though, was a step too far for the head offices of some firms. Defeat of the secessionist question was again not greeted as a victory and "businesses cited the uncertainty they created as their main reason for leaving the city"<sup>107</sup> of Montreal. In a similar trend to pressure group mobilisation, it appears that the language laws of the 1970s upset the Anglophone community, but it was the referendum that caused them to take action. Both business interests and those interested in language rights were of the belief that the referendum was the beginning, not the end, of the constitutional discussion and this led

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106 Vessey, R. 2014. P.12

107 Albouy, D. 2008. The wage gap between Francophones and Anglophones: A Canadian perspective, 1970--2000. *Canadian Journal of Economics/Revue canadienne d'\`economique*, 41(4), pp.1211--1238

them to take direct action to safeguard their interests. In light of this, it is apparent that the referendum caused self-reflection that led to further linguistic demarcation in Quebec.

The 1982 repatriation of the Canadian constitution created grounds for legal redress for the Quebec Anglophones. The Canadian Charter of Rights and Freedoms, the first section of the Canadian Constitution Act, brings into sharp focus the battle lines drawn by the nationalist fervour of the period after the referendum. The federal government, in an attempt to gain support for preservation of the Canadian federation during the referendum campaign, made the express promise of “renewed federalism” in the event of a “non” vote. This ill-defined but prominent feature of the no campaign “ultimately persuaded many voters to view the choice in these terms, effectively changing the subject of the discourse.”<sup>108</sup> Legislation like the controversial Section 23(1)(b) of the Canadian Charter demonstrated that little changed after the referendum. The Section declares that a child whose parents were educated in English in Canada has the right to receive his or her school instruction in English.<sup>109</sup> This clashes with the Quebecois language laws passed in the late 1970s granting the right to English education only to those whose parents went through English education in Quebec. Far from renewed federalism, regarding language law the federal government appeared to be usurping local control to foist upon the Quebecois a more bilingual education system. The promise of renewed federalism appeared to be vacuous and the federal government’s failure to act created a situation in which they, and not Quebecois nationalists, prolonged the debate on national identity and secession.

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108 Setälä, M. and Schiller, T. 2009. *Referendums and representative democracy*. London: Routledge, p.151

109 Tetley, W. 1982. Language and education rights in Quebec and Canada (a legislative history and personal political diary). *Law & Contemp. Probs.*, 45, p.210

When the competing notions of linguistic rights reached the Quebec Supreme Court, the ruling was scathing of the position of the government of Quebec. It decreed that the Canadian Charter overruled the Quebec language laws as “Every individual in Canada should enjoy his rights to the full when in Quebec, whether alone or as a member of a group; and if the group numbers 100 persons, the one hundredth has as much right to benefit from all the privileges of citizens as the other ninety-nine.”<sup>110</sup>

### 2.3 CONCLUSIONS

The view of Birnir that “ethnic group affiliation generally persists despite authoritarian efforts to assimilate the minority”<sup>111</sup> are given credence by events in Quebec and Latvia after the respective referendums. While there was not overt subjugation of language in Quebec and Latvia, there was a tacit effort to assert the primacy of one language to the detriment of another in aid of nation building. It is said that “a state policy to legally ban or suppress minority language is coercion” and while it would be incorrect to brand policies in the two cases as legal prohibition, it is not hyperbolic to view language policies in the areas as unintended suppression in order to forward the nation-building cause. Birnir is correct in pointing to the folly of such actions if the end goal is homogeneity and both Quebec and Latvia demonstrate that ethnic identity persists, and is mobilised, by efforts to demote the role of an identity marker as integral as language.

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110 Ibid.p212

111 Birnir, J.K. 2007. p.8

### CHAPTER 3: ETHNIC IDENTITY AND VOTING PATTERNS

The previous chapter demonstrated that the referendum led to soul-searching among different ethnic groups in Quebec and Latvia after their referenda. This had an impact on language rights in the territories and given the importance of language as the primary division between groups, it would be useful to study how greater ethnic demarcation impacted on ethnicity identity and electoral behavior.

Tierney acknowledges that the “complex range of possible motives behind referendums has knock-on consequences for electoral behavior.”<sup>112</sup> If secession referenda, as characterised by Qvortrup, are homogenising in nature, then it would be natural for voters to act according to factors other than ethnicity. It should be noted that after referenda parties are subject to the usual ebb and flow of party politics and it is, therefore, important to qualify an analysis with the view that “any attempt to link referendums and initiatives to the strengthening or weakening of parties in general is fraught with difficulties.”<sup>113</sup> This chapter will study not the fortunes of particular parties, but the extent to which ethnic groups vote en bloc and how this varies before and after the referendum campaign. The chapter will focus on the first election following the referendum, in order to study the referendum just passed when it is still salient to those casting their vote.

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112 Tierney, S. 2012, p.127

113 Mendelsohn, M. and Parkin, A. 2001. *Referendum democracy*. Houndmills, Basingstoke, Hampshire: Palgrave, p.80



### 3.1 LATVIA

An analysis of ethnic voting patterns in Latvia is difficult on account of the disenfranchisement of many in the newly independent state. While the franchise was extended to all for the independence referendum, this was not the case for subsequent elections. In order to come to a conclusion on ethnic identity post-referendum in Latvia it is worthwhile studying other indicators of identity alongside electoral results.

	October 1990		April 1991	
Resident of:	Latvians	Others	Latvians	Others
An area or city	37	44	23	31
Latvia	55	31	65	43
The USSR	1	15	0	10

FIGURE 2: TERRITORIAL IDENTITY: LATVIANS AND MINORITIES (1990-1991)<sup>114</sup>

Figure 2 shows the chosen territorial identity of Latvians and Russians, when asked where they considered their place of residence to be, before and after the referendum. One month after the referendum, non-Latvians in the country had accepted that the USSR was no longer an accurate term to describe where they resided. This occurred despite the fact that the USSR did not recognise Latvian independence until September of the same year. While the results are reflective of territorial identity and not personal feelings of identity, the location

<sup>114</sup> Zepa, B. 1996. The Changing Discourse of Minority Identities: Latvia. *Scientist*, 39(8), p.35

of minorities within Latvia makes them significant. Ethnic Russians are concentrated in urban centres in Latvia, and yet the number of minorities declaring their location to be an area or city decreased as the number declaring Latvia increased. It would appear that, only one month after the referendum, ethnic minorities were relatively at ease with accepting the new borders of the state. This may well be attributed to the coalescing tones of the referendum campaign, which played to “diverse audiences”, many of which required political elites to “show their civic face.”<sup>115</sup> As Latvia began to discover its voice as an independent country these conciliatory attitudes gave way to a discussion on what it was to be Latvian. In November following the referendum, Visvaldis Lacis, head of the Latvian National Independence Movement, made comments widely reported in Russian language press. Commenting on the role of Russians in the new Latvia, Lacis classed them as not even “second class” citizens, branding Russians as “nobodies.”<sup>116</sup>

As a new nation state, the process of assimilation and homogenising can be expected to take longer than the period covered in figure 3. That non-Latvians were accepting that they no longer could describe their place of residence as being the USSR supports the aforementioned view of Bogdanor that physical borders created by referenda are often permanent constructs, and the figure shows this to be a view accepted by all, but they do not speak for feelings of personal identity and affinity of those within the borders of the newly sovereign Latvia.

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115 Laitin, D. 1998. P. 93

116 ‘Sovetskaia molodezh’, September 11, 1991; quoted in Kolstø, P. and Edemsky, A. (1995). *Russians in the former Soviet republics*. 1st ed. Bloomington: Indiana University Press. P123

To analyse if the referendum was homogenising it would be valuable to study trends in the years following the referendum. In 1994, the Centre for the Study of Public Policy at the University of Strathclyde surveyed residents of Latvia on a disparate array of questions on identity, material wealth and political activity. The results show that the referendum did not quell an undercurrent of distrust between ethnicities.

FIGURE 3: THREAT PERCEPTION IN POST-REFERENDUM LATVIA


Ethnic Russians remained dubious about the ability of the newly independent Latvia to protect their rights, while Latvians were wary of Russia and the country’s intentions. On questioning what posed the greatest “threat to peace and security in this country?” the answer “Russian state” was said to “definitely” be a risk by thirty one per cent of Latvians but only four percent of Russian Latvians.<sup>118</sup> Old wounds of occupation were not healed and continued ambiguity over the role of Russian Latvians in the new state was linked to the view that non-Latvians were a proxy for Russia and its nefarious intentions.

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<sup>117</sup> Rose, R., Maley, W. and others, 1994. Nationalities in the Baltic States: A survey study. *Centre for the Study of Public Policy, University of Strathclyde*. P.43, Q.151

<sup>118</sup> Ibid.

FIGURE 4: IMPORTANCE OF COUNTRY IN POST-REFERENDUM LATVIA


The survey also highlighted that ethnic Russians were not, three years after the referendum, in possession of a patriotic spirit toward Latvia. In response to the option “this country” following the question “How important are the following to you?”, sixty nine percent of Latvians answered “very important” while only twenty seven per cent of Russian Latvians gave the same response.<sup>119</sup> Latvians were wary of the true affinity of Russian speaking residents of Latvia while the Russian speakers felt that they were an afterthought. It appears that the referendum did little but perpetuate this cycle of mistrust.

The first election of the newly independent Latvia supports the survey results in that the results show ethnic divisions at the forefront of political debate.”<sup>120</sup> The results should, however, be qualified by the fact that franchise laws and an unfamiliarity with the machinations of democratic elections led to an election carried out in flux. The parties “were no more than nascent parties” with individuals “coalesced into loose political groupings.”<sup>121</sup>

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<sup>119</sup>R., Maley, W. and o

<sup>120</sup>thers, 1994. Nationalities in the Baltic States: A survey study. *Centre for the Study of Public Policy, University of Strathclyd*

<sup>121</sup>e. P.43, Q.151Davies, P. and Ozolins, A.V. 1994 The Latvian Parliamentary Election of 1993. *Electoral Studies* 13(l) p.84

Nevertheless, parties were easily differentiated by their position on citizenship. At the liberal end of the discussion on citizenship were The Concord Party, favouring the extension of citizenship to all non-military personnel, and the Equality Party, seeking to bring about full citizenship status for Latvia's ethnic Russians as long as they were resident on 4 May 1990. These parties combined to garner seventeen per cent of the vote.<sup>122</sup> Supporting stringent checks on any extension to citizenship were For Fatherland and Freedom who supported "anything but the most carefully controlled extension of citizenship."<sup>123</sup> Of more interest than the vote share of these parties is the location of their support. Those voting for the parties favouring only moderate requirements on acquiring citizenship were located in areas at the "precise opposite of the regional support for the group For Fatherland and Freedom."<sup>124</sup> Given the geographical breakdown of ethnicities in Latvia, the results highlight bloc voting in the first democratic election.

The Strathclyde survey results support the evidence that ethnic factors played a part in the election. The parties Latvians supported in large numbers were invariably the parties Russians could "never" vote for. The survey asked both groups whom they were likely to support, with Latvians putting Latvian National Independence second to Latvian Way in first place.<sup>125</sup>

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122 Ibid. p.85

123 Ibid.

124 Ibid. p.86

125 Rose, R., Maley, W. and others, 1994. p.50, q.174

**FIGURE 5: VOTER COMMITMENT**

Voter commitment for Latvians and Russian Latvians:		
	Latvians	Russian Latvians
Fatherland and Freedom	9	2
Latvian National Independence	10	1
Concord for Latvia	3	13
Equality	-	12
Latvian Way	14	7

Latvian Russians, when asked which party they would never consider voting for, put Latvian National Independence first.<sup>126</sup>

**FIGURE 6: VOTER ANTIPATHY TOWARD POLITICAL PARTIES**

Is there any party on this list that you would never vote for, or (if Russian) that you would never favour?		
	Latvians	Russian Latvians
Equality	57	8
Latvian National Independence	6	16
Fatherland and Freedom	5	13

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<sup>126</sup> Ibid.

It is important to note the small level of support for any option offered. This is down to the aforementioned embryonic nature of the Latvian party system. Despite this, the correlation between parties Latvians favour and those Russian speakers could never vote for is telling. Linguistic groups became tribal in their affiliation.

When this question was switched and Latvian Russians were asked whom they were likely to support they put Equality second. Again, this was the party rejected by Latvians with fifty seven per cent of those asked saying that they would never vote for Equality.<sup>127</sup> The results of the election and the survey support the claim that there exists a “visible and sharp division between ‘Latvian’ political parties and ‘Russian’ ones.”<sup>128</sup> And the view of Mihail Rodins that motivations behind choosing these parties has not been based on ethnic groups sharing similar beliefs on ideology, but that “ethnic belonging is a chief factor in selecting a political party. Other motivations lag behind.”<sup>129</sup>

These results are not symptomatic of ethnicities in conflict, but neither do they highlight homogeneity. As the dust settled on the formation of a new state, ethnicities saw fit to support parties which they felt would best represent their own interests. There is no evidence that ethnic cleavages gave way to civic concerns.

## 3.2 QUEBEC

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<sup>127</sup> Ibid.

<sup>128</sup> Cheskin, A. 2013. P.288

<sup>129</sup> Rodins, M. 2005. National Identity and Democratic Integration in Latvia in the Middle of the 90s. p.72

The 1980 referendum was the result of the Parti Quebecois' election victory of 1976. Many believed that the defeat of the secession option in the referendum would make the PQ's success a short-lived affair, but the party was victorious once more in the 1981 election. Of relevance to this research is whether this increased majority was down to a partisan entrenchment of Francophones manifesting itself in support of the party at the vanguard of the secession movement. Of equal interest are the voting habits of the minority Anglophone community – did the referendum result provide English speakers with enough security in the constitutional position of Quebec to free them to vote for different parties?

The PQ's success in the 1981 election reveals that the issue of the national question did not depart the stage after the referendum of 1980. On the contrary, the federal government changed the dynamic of Quebecois politics by introducing the idea of renewed federalism - "40 per cent of those intending to vote for sovereignty saw this as a way to force negotiations for renewed federalism."<sup>130</sup> Despite losing the referendum, over the course of the campaign the PQ increasingly became the party housing the broad church of those seeking change. Support for the party rose as the PQ became successful in facilitating those of all strands of nationalist sentiment. Only a year after the defeat of their *raison d'être*, the party increased their presence in the regional parliament by winning forty nine per cent of the vote and eighty assembly seats in 1981.<sup>131</sup> This was an increase of 9 assembly seats and a gain of eight percent in the popular vote on the 1976 election.<sup>132</sup> Figure 7 shows the entrenchment of the electorate either side of the sovereignty referendum.

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<sup>130</sup> Keating, M. 2001. *Nations against the state*. Houndmills, Basingstoke, Hampshire: Palgrave. P.100

<sup>131</sup> Clarke, H. 1983, p.68.

<sup>132</sup> *Ibid.* p.82



**FIGURE 7: PROVINCIAL PARTY IDENTIFICATION BY ATTITUDES TOWARD VARIOUS CONSTITUTIONAL OPTIONS<sup>133</sup>**

<b>Parti Quebecois</b>		
	1979	1980
Status Quo	18%	12%
Renewed Federalism	21%	25%
Constitutional special status	41%	43%
Sovereignty association	72%	77%
Independence	86%	90%
<b>Liberal Party</b>		
	1979	1980
Status Quo	65%	79%
Renewed Federalism	66%	68%
Constitutional special status	48%	49%
Sovereignty association	19%	19%
Independence	6%	4%

Figure 7 illustrates how support for the parties was affected by a hardening of attitudes. Those favouring the retention of the status quo – a Quebec within the Canadian federation – already backed the Liberal Party, but the fourteen percent jump in support for the Liberals amongst this group is testament to how the political parties were increasingly viewed as

133 Ibid. p.77, Table 4.

proxies for the positions on the referendum ballot paper. Likewise, the PQ benefitted from the support of those who sought changes in the constitutional settlement and became a catch-all party, increasing their share of the vote from those seeking only minor changes to voters desiring outright independence.

Birnir posits “ethnic groups and other factions become intransigent in response to situations where access to government is limited.”<sup>134</sup> In the case of Quebec, it did not matter that access to government was not limited – it was enough that government felt more aloof and unrepresentative, a belief that brought about increasingly tribal voting habits. The Anglophones, who “voted Liberal almost unanimously” in the election of 1981, are said to have been “a pampered minority not realizing its status” before the referendum, switching quickly to a view of itself as “an oppressed minority struggling to defend its rights.”<sup>135</sup> Francophone voters, on the other hand, were dismayed at the undelivered promise of “renewed federalism.” While a nebulous promise of further empowerment worked well during the referendum campaign, there was little doubting Quebecois desire for autonomy, and failing to define the “renewal” allowed nationalists to cast the results as inadequate for a province requiring fundamental constitutional alterations. This was not a difficult task as “almost a year had passed since the Quebecers came within a hair’s breadth of forever altering the political structure of Canada, and nothing has changed.”<sup>136</sup>

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134 Birnir, J.K. 2007.p.8

135 Legault, José e 1992. *L'invention d'une minorité: les Anglo-Québécois*. Montreal: ÉditionsBore'al.

136 A, Turcotte. 1996, p.402.

### 3.3 CONCLUSIONS

Evidence from Latvia and Quebec suggest that the referendums did not bring about homogeneity of identity nor a harmony between those on different sides of the debate. In Quebec, Francophones opted for the Parti Quebec in the expectation that the increased autonomy that was promised would be a battle requiring nationalists at the frontline. For Anglophones, support for the Liberal Party became more settled as they too readied themselves for the constitutional debates to follow. Invariably, these patterns are revelatory of a greater trend with sovereignty referenda – the open ended nature of the device. Far from ending debate on the constitutional status of Quebec, the federal governments promises extended the scope and length of the discussion and the two linguistic groups sided tribally with those they believed would guarantee the protection of their interests and the achieving of group goals. In Latvia, state-building and democratic elections occurred without violence and this is an achievement that should not be downplayed. Despite this, ethnicities there too decided to vote together for parties their perceived to be their own. This was especially pointed given that the debates over citizenship and language were far from over.

What is clear from the empirical evidence is that the view that “referendums are likely to have a conservative effect, allowing free reign to populist forces to impose their own simplistic agenda on the body politic”<sup>137</sup> has some grounding in facts. It was in the interest of political parties to position themselves on the issues of identity and sovereignty left unanswered and this had the effect of retaining the multiple demos which brought about a referendum in the first place. Birnir’s belief that “stability comes from giving ethnic groups

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137 Gallagher and Uleri, 1996 p.235

access to government so they can represent the interests of their ethnic community”<sup>138</sup> is shown to be at least partially true by the democratic stability of the two cases. What cannot be doubted, though, is that the referenda were not homogenising in their impact on the voting patterns or ethnic affiliation of the public.

## CHAPTER 4: CITIZENSHIP AND CONSTITUTIONAL CODIFICATION

It is said, “when a territory secedes, it is not the seceded territory itself and the populations but the host state and its institutions that are withdrawn”<sup>139</sup> and therefore, “in all secessions and most attempts at secessions, new political and legal institutions are established.”<sup>140</sup>

These institutions and the manner in which they come about are key to understanding ethnic relations after the referendum - Karklins noted “ethnic policy revolves around institutional arrangements as well as around political culture and attitudes”.<sup>141</sup> Considering that Latvians remained divided in their attitude to national identity and affinity, it would be valuable to assess the constitutional state of affairs as the new state went about governing its own affairs. In addition, constitutional change is not limited to cases in which the territory secedes as nationalists rarely take referendum defeats, as the final act is the debate over sovereignty. The manner in which the parent state reacts to a referendum victory is vital in assessing the position of the nationalist minority going forward.

### 4.1 LATVIA

In the case of Latvia it was therefore required that a new state apparatus be formed. At the heart of this is the issue of who can be a citizen of a new state. If secession referenda induce

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<sup>139</sup> Pavković, A. and Radan, P. 2007. *Creating new states*. 1st ed. Aldershot, Hampshire, England: Ashgate. P.8

<sup>140</sup> Ibid. p.33

<sup>141</sup> Karklins, R. 1994. *Ethnopolitics and transition to democracy*. 1st ed. Washington, D.C.: Woodrow Wilson Center Press. P.141 Mendelsohn, M. and Parkin, A. 2001 p.158

harmony between ethnic groups then the state formed in the aftermath of a 'yes' vote should be inclusive of all who live within its borders. Latvia's issues with defining citizenship show a narrow definition of what it is to be Latvian. The aforementioned view of some Latvian politicians than Russians in the new Latvia were "nobodies" was not a flippant jibe at a minority, but a statement evidenced in the fact that many Russian Latvians, while accepting of the new state, were without classification.

In October 1991 the Supreme Council restored Latvian citizenship only to those who had been citizens in 1940 and their direct descendants. In doing this, Russian settlers were tacitly classed as colonialists, ill deserving of recognition in the new state. This act "left more than 200,000 persons, or approximately 28 per cent of Latvia's residents, without Latvian citizenship."<sup>142</sup> This stringent attitude to citizenship bears similarities to language laws in the new state in that both were part of creating sovereignty anew and both were heavily influenced by the dilution of Latvian identity within the Soviet Union. Citizenship played an important role in the formation of a state that Latvians desired to be independent politically and in identity. Latvia was subject to huge ethno demographic change during Soviet rule with Latvians' share of the population decreasing from "77 percent in 1939 to 52 percent in 1989."<sup>143</sup> Reasserting sovereignty was not only an issue of state independence but of recasting that state as non-Russian in character. Citizens of Baltic states, which had strong national identities throughout the Soviet era, were inclined to view this influx of Russians "through the prism of denationalization"<sup>144</sup> and Russian speakers were viewed as a proxy of

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142 Budryte, D. 2005. *Taming nationalism?*. 1st ed. Aldershot, Hampshire, England: Ashgate. P.103

143 Brubaker, W. 1991. Citizenship struggles in Soviet successor states. *The International migration review*, 26(2), p.273

144 Ibid.p.274

the state which Latvia sought separation from. It is, therefore, a logical progression that Latvian unrest at what they viewed as dilution of their identity resulted in the issue of citizenship being front and centre of nation-building after the referendum. Once more the secession referendum failed to provoke a civic conversation on this issue and the result was four years of injurious ambiguity after independence. This period touches on another issue with the use of secession referenda in situations of ethnic division: the process is not exhaustive as the Latvian people viewed the referendum and independence as only the first step on the road to reassertion of sovereignty.

It was not the referendum that brought about a civic conversation on identity and citizenship, but the aftermath. This occurred in a time of flux, when a state was being formed as another left and cannot be said to have been a conciliatory discussion, as was required. This waiting period was not conducive to a state being formed in which minorities and the dominant group worked together to create a civic identity. In fact Latvia “through 1994 had no provisions for noncitizen residents to vote in local elections.”<sup>145</sup> The ambiguity, and the language of extreme sections of society on the position of Russians in the country, was not the best start for the state and the prejudice had clear and direct impact on the civic role of the biggest minority. The legal ambiguity led to a situation in which “many were afraid to leave Latvia to travel abroad, fearing that they might not be allowed to return.”<sup>146</sup> Those without citizenship “can get certain jobs, especially in the public sector, only if they pass language exams.”<sup>147</sup> In another discriminatory development, referenda following the

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145 Laitin, D. 1998. P.96

146 Budryte, D. 2005. P.108

147 Ibid. p.61

independence referendum excluded the “one-third of the Latvian population” who did not have citizenship. Residency was grounds for enfranchisement for the secession referendum, but subsequent decisions deemed important enough for direct democracy left many of those it would effect powerless to effect change. In effect, minorities were asked if they desired the formation of a new state and then refused full membership of the state and enfranchisement upon its formation.

It was not until 1994, after the election of the first independent parliament, that Latvia had a citizenship law to deal with the issue. The solution came via pressure from external actors and not from an internal agreement on the issue. The Russian government exerted its influence to force pressure on the Latvian government to recognise the status of Russian speakers within its borders. Present too were European bodies who sought to eventually include the Baltic states in the European Union and the prospect of gaining membership “was the most effective stimulus for Latvia and Estonia to change their legislation”<sup>148</sup> on citizenship.

Rather, as evidenced by the election and identity statistics, it came to the fore of politics and branded a minority as outsiders from the outset. Eventually, it took pressures from the EU and the OSCE to get Latvia to loosen the definition of Latvian and relax citizenship laws.

It is important to note that the citizenship legislation did not create an under-current of non-citizens, but it did impact on the early days of a nation state in which the input of minorities would have been valuable.

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148 Ibid. p.7



## 4.2 QUEBEC

In the event of a referendum rejecting secession the desire for autonomy does not dissipate. This is especially true of the case of Quebec with the Canadian government promising, “renewed federalism” to placate those open to secession as a means to achieving more local control over government. If homogeneity and good relations between ethnicities come about by finding a solution to the issue at hand, then it cannot be said that the Quebecois referendum is a supporting case. The ambiguity over promises made, and the subsequent difficulty in manifesting these promises in concrete constitutional changes, angered Francophones and created further division.

While the federal government based their campaign around the renewal of federalism, beyond highlighting the risks inherent in a Quebec without the protection that came with being part of the federation, the government saw little need to directly spell out exactly what “renewed federalism” entailed. This tactic is a common one in referenda in that “those opposed to a proposal do not necessarily have to make a strong case against it”<sup>149</sup> but in a case with ethnic cleavages forming different sides of a debate, it creates room for distrust and, ultimately, for a catalysed nationalist spirit. While an ambiguous definition of renewed federalism worked in the referendum campaign, Quebecois desire for at least some

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149 Setälä, M. and Schiller, T. 2009., p.150.

autonomy was apparent and failing to define the “renewal” allowed nationalists to cast the undelivered promise as the work of an aloof central government incapable and inadequate of governing Quebec.

When the Canadian constitution was repatriated in 1982, the federalist structure had still not undergone an overhaul, and with the fall of the Meech Lake Accord – an attempt by Canadian Prime Minister Brian Mulroney to gain Quebecois support for the repatriation – Quebecers were sure that their desire for increased autonomy and special status within the federation was not coming. The good intent of Mulroney was noted – the Accord was well received as it included plans to recognise the unique standing of the Quebecois within the federation – but intent did not bring delivery and this was the sole concern of those seeking autonomy and recognition. The impact of the first referendum was to have a domino effect on constitutional politics in Canada. Having won a referendum on an undelivered promise “renewed federalism did not have the same currency at the time of the second referendum”<sup>150</sup> and “a Quebec electorate frustrated with the failed constitutional initiatives of the previous fifteen years was much more prepared to listen to the arguments put forward by the yes side”<sup>151</sup> in the 1995 referendum. Basing support for a “non” vote on an ambitious promise led to the referendum hanging over politics for fifteen years and the “period between the signing of the Meech Lake Accord and the eventual failure of its ratification process when the question of identity presented itself with unprecedented urgency.”<sup>152</sup>

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150 Pammett, J. and Leduc, L. 2001. Sovereignty, leadership and voting in the Quebec referendums. *Electoral studies*, 20 (2), p.268

151 Setälä, M. and Schiller, T. 2009, p.151

152 Karmis, la souche –

With disappointment and distrust evident, the view that “when their national aspirations are not met, Quebecois mobilize in favour of sovereignty”<sup>153</sup> was shown to be true and the ill feeling led to “gradual gains in popularity of the sovereignty option over the period between 1980 to 1995.”<sup>154</sup> The true impact of the Quebec referendum of 1980 was not harmony between groups seeking different constitutional settlements, but a continuation of the same debate that brought the referendum about. Indeed, it has been noted, “constitutional recognition of Quebec’s distinct status in confederation has been stalled by the referendum process.”<sup>155</sup> In many ways, the referendum was viewed as an easy solution and its impact was not one that engendered stability in identity and ethnicity.

For those voting no, their feelings of identity too were more cast in stone while deliberations over constitutional change raged on. Before the second secession referenda in 1995 it was said that Anglophones were “even more fervent about their love of country than their counterparts had been 15 years before.”<sup>156</sup> This is not surprising as minorities, often all too aware of their numerical disadvantage, “are far more likely to find referenda an alienating event.”<sup>157</sup> Anglophones may have been on the successful side of the referendum in 1980 but

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153 Richez, E. and Bodet, M. 2012. Fear and Disappointment: Explaining the Persistence of Support for Quebec Secession. *Journal of Elections, Public Opinion & Parties*, 22 (1), p.89.

154 Pammett, J. and Leduc, L. 2001, p.268

155 Mendelsohn, M. and Parkin, A. 2001. *Referendum democracy*. 1st ed. Houndmills, Basingstoke, Hampshire: Palgrave. P.118

156 Pammett, J. H. and Leduc, L. 2001 p. 267

157 Mend and Park

as the debate over constitutional change delineated linguistic groups, and Francophones generally favoured at least some more autonomy, English-speakers felt ostracised.

## CHAPTER 5: CONCLUSIONS AND DISCUSSIONS

This research began as an attempt to analyse the belief of Matt Qvortrup, based on the work of O’Leary and McGarry, that the secession referendum can be considered to be a conflict-eliminating device. In addition, given Qvortrup’s own typology, it was important to assess the degree to which a secession referendum, no matter the result, could bring about a degree of homogeneity in a previously split demos. These two processes combine: If the referendum ends the debate on secession and brings about a more homogeneous civic nationalism then it would naturally be a conflict eliminator. The findings point to a different reality, one which Qvortrup himself pointed to in his analysis of the device in the 19<sup>th</sup> century when he spoke of “the practical use of the referendum as a means of generating support of legitimacy, which had helped Louis Napoleon (Napoleon III) to win power in 1851.”<sup>158</sup> In the two cases studied, the motive would appear to have been a similar desire for legitimacy.

### 5.1 LATVIA

The result of Latvia’s independence referendum was never intended to be a close affair. It was called by political actors keen to paint the USSR referendum on a similar issue as illegitimate and the results were entirely predictable. The referendum was part of the process of reinvigoration of the Latvian nation that began in the late 1980s with the language laws analysed in this work. The referendum was a move to put numbers to the desire to be

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158 Qvortrup, M. 2012, p.134

completely independent and the aftermath was revelatory in discounting secession referenda in areas with heightened ethnic nationalism. Far from the first step in a democratic reawakening, the mandate gained from the referendum was used to bring about increasingly divisive policy to the benefit of those viewed as Latvian in identity.

The Latvian Foreign Minister, Georgs Andrejevs, made a revelatory statement in his derision of calls to include non-Latvians in the official citizenry: “we will not sacrifice our country for the democratic rules of the western world, which are currently not suitable for our situation.”<sup>159</sup> The referendum was carried out in the spirit of democracy, but it cannot be said to have been in aid of a democratic awakening in the country. Andrejevs, and his colleagues, were prepared to use the device to bring legitimacy to their cause, but the referendum did not entrench the ideals of democracy. The referendum was a means to an end and it is difficult to find fault with the view that “in Latvia and international conflict has been ethnicized.”<sup>160</sup> The referendum failed to stop this and it did not lead to the protracted conversations, most specifically on dealing with the past, required for Latvians and Russians alike to enjoy the newfound freedom that independence brought.

What the process of self-realization did lead to was further delineation. A former director of the Department on National Questions in Latvia, Vladimir Stashenko, was explicit about this when he said “I had to ask myself who I was first and foremost – the representative of a national minority or the representative of a state. I realized that I was first and foremost the

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159 Budryte, D. 2005 p.110

160 Karklins, R. (1994). P.133

representative of a national minority.”<sup>161</sup> Stashenko, a Russian speaker happy to play a part in the creation of a new state, resigned his position. It is hard to square his words and actions with the theory that secession referenda are uniformly conflict eliminating or homogenising in any way.

Modern Latvia bears few similarities to the early 1990s and the identity question. While identity is “still centred around knowledge of the titular group language”<sup>162</sup> it is said “the nationalist movement evolved from ethnic to civic in Estonia and Latvia after international pressure.”<sup>163</sup> It wasn’t, therefore, the referendum that brought about a sense of civic identity and pride, but international actors engaging in the understandably prolonged process of creating a nation state with rights for all. The simple act of time passing since Soviet control of Latvia has also played a part in Russian speakers being viewed as less of a threat. If this is the case then the ability of a secession referendum to evoke competing notions of nationality in which voters are expected to tie their loyalty to one state or another cannot help the situation.

In regard to Latvia, it is clear that to boil down the issue down to a yes or no question when ethnicities are involved is too simplistic a solution. More than Quebec, Latvia shows that one natural consequence of the secession referendum – ‘to the winner the spoils’ – is not conducive to a true solution to the litany of underlying issues wrapped up in the issue of nationalism. Cheskin noted “in order to allow Russian speakers to integrate fully into Latvian

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161. Budryte, D. 2005 P.113

162 Ibid. p.291

163 Ibid P.213

society, these conflicting historical narratives must also be integrated”<sup>164</sup> – what was required was a conciliatory attitude in order to address concerns, something deeply unlikely to occur during the cut and thrust of a referendum campaign and its aftermath.

## 5.2 QUEBEC

In Quebec the referendum was the work of a nationalist party in government, largely unrepresentative of the wishes of the Anglophone minority. The defeat of the referendum in Quebec and the repercussions highlights another issue with the device being used as a conflict eliminator. Despite defeat, the nationalists were emboldened by bringing about a referendum at all. Far from bring finality, the aftermath referendum of the referendum occurred during continued Parti Quebecois rule and their agenda for government was no less ethnic in character because of their defeat. The promised renewed federalism left the national question open-ended and the uncertainty had knock-on effects for all in Quebec.

The uncertainty led businesses to move out of Quebec and into English speaking Canada. Anglophones were worried enough to mobilise along linguistic grounds through the formation of lobby groups to support the status of English after the vote. As with Latvia, what was required was a more holistic approach to the issue of nationality. As mentioned earlier in this work, what actually happened was a stalling of the process of recognition of Quebec’s individual status. In addition to the evidence submitted in this paper, the mere fact that another referendum was called for 1995 demonstrated that the referendum did not bring

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164 Cheskin, A. 2013. P.289



about an answer to the question at the heart of ethnic relations in Quebec: the status of the territory within the federation.

It is this inability to provide finality that is more useful in the analysis of Quebec and it is a shortfall that provides pressing questions to those seeking to put secession referenda forward as a solution.

### 5.3 FINAL CONCLUSIONS

In his assessment of the phenomenon of secession, Wolff stated that it is “best understood as the political movement of an ethnic group that hopes to succeed in establishing an independent state of its own on the territory on which it lives.”<sup>165</sup> Wolff accurately summarises the true motivations behind the secession referenda. Asking the demos to decide upon the constitutional arrangement under which they wish to live allows the people to “position themselves symbolically as discrete peoples.”<sup>166</sup> The issue with secession referenda in areas of ethnic diversity is that this is not a civic or collective discussion, but one which “begs the democratic question – which people are you?”<sup>167</sup> The demos in ethnically diverse areas is not a demos at all, but a demoi split along language, culture and historical perspective. It follows, therefore, that asking disparate groups “which people are you?” will bring about different, often competing ideas of identity. This question “lies unfronted in a

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165 Wolff, p.45

166 M\oller, L. (2002) p.67

167 Tierney, S. 2012, p.70

world dominated by a uni-national ideology,"<sup>168</sup> and the secession referendum is one of the only ways in which democratic politics confronts the issue head-on. The results, unsurprisingly, are unpredictable and dynamic.

At the heart of this puzzle was the extent to which secession referendum can bring people together to discuss their differences and move on together after the vote. In addition, in order to be truly international homogenising, the referendum would have to placate the way in which identity is symbiotic with a desire for a particular constitutional settlement. This research has, almost totally, been in agreement with Tierney's appraisal of referenda - "The notion of a straightforward solution merely serves to underestimate the complexities of modern democracies."<sup>169</sup> Often referenda are used by political actors as a means to an end, and rarely is that end one of ethnic harmony and collaboration. In Latvia "the core ethnopolitical goal was to emancipate the Latvian people and their culture"<sup>170</sup> The referenda in these cases were the work of the representatives of one section of the community, and it is unsurprising that the results were not favourable to all. That indicators showed that ethnicities did not benefit from better relations in both cases - one being a 'yes' vote, another a 'no' vote - highlights that it is the device playing a part, not merely the local context.

The manner in which secession referenda are used makes them a crude political device, uninterested in the consequences of the "process of self-realization" and the fact that

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168 Ibid. p.59

169 Tierney, S. 2012, p.262

170 Ibid.

further ethnic demarcation will occur and have an impact upon the population. To assert that secession referenda are conflict eliminating is to misunderstand the fluid nature of identity across the borders of nation-states. It is necessary to return once more to the writings of Tierney, who when analysing the Latvian referendum touched on the true motives behind referenda. Far from bringing about an inclusive discussion on the constitutional status of nations, the device is often used as a head-count to validate the claims of one side of the debate.

Far from ethnic accord, secession via referenda is hard to distinguish from secession brought about by a unilateral declaration. In Latvia the referenda was used not to bring ethnicities together for substantive debate on the country's future, but because they referenda are viewed as being a normative part of state-building. It has been noted in this work that the tone of political elites in Latvia before secession was one of conciliation and liberation. The referendum was brought about in this spirit and because the political narrative of the day, in light of the fall of the Berlin Wall, was one of democratic emancipation. That this may only be emancipation for those seeking secession was not factored into the decision to hold a plebiscite. Ultimately, political actors call referenda to give democratic legitimacy to their call for secession and not to create a civic conversation on the merits of different constitutional settlements.

The motives behind referenda lead directly to the constraints and downsides of the device in areas with ethnicities taking opposite sides. After all, "referenda fail to facilitate a discursive public conversation"<sup>171</sup> and the differences between communities are never truly dealt with until after – constitutional change in Quebec; the political fortunes of linguistic groups in

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171 Mendelsohn, M. and Parkin, A. 2001.

Latvia. In the case of Latvia “the shift in state boundaries did signify a comprehensive shift in power relations,”<sup>172</sup> away from Russian Latvians and toward native Latvians. But is this to be desired? A simple swap of who enjoys political ascendancy will never facilitate the prolonged and serious discussion that is required with the formation of any new state. Likewise, a headcount of linguistic groups in Quebec will do nothing but arm each camp with the knowledge of their numbers. In Quebec, it made nationalists determined to effect change and this led to secession remaining on the political agenda. But referenda, being zero-sum competitions, do not give easily to soul-searching, to pacifying discussions or to agreements on specifics no matter what the result of the referendum. Rarely, if ever, is the referendum an event; the ramifications no matter the result make it a process and this appears to be missed by political actors on all sides.

With those calling referendums often being focused solely on secession or on retention of links with the parent state, it is correct that “the trajectory of the referendum can result in outcomes that surprise elite actors.”<sup>173</sup> It is unfair, therefore, to see the use of referenda as intentionally divisive. Rather the use of them is expedient, but an analysis of alternatives is useful at this point. Tierney posits that a cross-community majority could be a way forward with “each voter when registering could be registered as a member of a particular community. And when votes are counted, the support of each community could then be determined.”<sup>174</sup> This would require both camps to campaign across ethnicities and to propose that the area’s future be one in which all have an equal part to play. Another

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172 Karklins, R. 1994. P.142

173 Tierney, S. 2012, p.70

174 Ibid. p.282

solution is the imposition of federalism, an admittedly difficult task given the determined nature of many proponents of secession. It has also been noted that federalism can both induce and prevent secession so a resolution may not be achieved with this solution either.

What remains is an acceptance of Ranney's belief that referenda are the only way in which nationalist sentiment and democratic theory can combine. Despite being a critic of referenda, he concedes "it would be wrong to dismiss entirely the use of the referendum in dealing with the challenge of separatism."<sup>175</sup> Despite the evidence that the use of the referendum is not conducive to the status of minorities or to relations between ethnicities, the politically expedient use of the device is likely to continue, in spite of the dynamic, unpredictable and sometimes harmful aftermath of the process of self-realization.

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175 Ranney, p.157

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