

## WHAT IS THE JUSTIFIABLE *DEMOS* OF A REFERENDUM ON STATE SECESSION?

JOUNI REINIKAINEN  
Department of Political Science,  
Stockholm University  
[jouni.reinikainen@statsvet.su.se](mailto:jouni.reinikainen@statsvet.su.se)

ORCID:0000-0001-5051-5836

The predominant practice for enfranchisement in referendums on state secession only grants a vote to residents of the secessionist unit, while referendums on urban secession are often *all-inclusive*, in the sense of enfranchising all residents of the municipality challenged by secessionism. This paper examines the justifiability of a more exclusive practice at the state level from two principles for delimiting the demos, namely the all-affected principle and the all-subjected principle. The argument of the paper is that both these principles typically sanction an all-inclusive demos at both these levels of government. However, such a demos would carry a considerable risk of majority domination of a separatist minority at the state level, a risk that is much lower at the municipal level. The paper claims this to be a conclusive argument against applying these principles on referendums on state secession and thus for retaining our current enfranchisement practices.

**Keywords:** Secession; referendums; demos; the all-affected principle; the all-subjected principle; exit; non-domination.

A prática comum em matéria de concessão de direito de voto para efeitos de referendos sobre a secessão de um estado é a de conferir esse direito apenas aos residentes na unidade secessionista, ao passo que referendos relativos a secessões urbanas são frequentemente mais abrangentes, ao atribuírem o direito de pronúncia a todos os residentes no município sob ameaça de secessão. Este artigo analisa a justificabilidade de uma prática mais excludente no âmbito estatal a partir de dois princípios de delimitação do demos, nomeadamente o princípio da inclusão de todos os afectados e o princípio da inclusão de todos os sujeitos [à ação estatal]. O argumento deste artigo é o de que ambos os princípios legitimam um demos totalmente inclusivo nos dois âmbitos [estatal e municipal]. No entanto, um demos deste tipo acarreta um risco considerável de dominação da minoria separatista pela maioria no âmbito estatal, risco esse que é muito menor no âmbito municipal. Argumenta-se que este é um argumento definitivo contra a aplicação destes princípios quando de referendos sobre secessão de estados; e a favor da manutenção das atuais práticas de concessão de direito de voto.

**Palavras-chave:** Secessão; referendos; *demos*; princípio de todos os afetados; princípio de todos os sujeitos; saída; não-dominação.

## Introduction

The justifiability of the predominant enfranchisement practices in referendums on state secession may require reflection beyond what one may presume. The practice that predominates at present entails the enfranchisement of residents of a breakaway region of a state, but not residents of the rest of the state (see Arrighi, 2019; see also Ziegler et al., 2014). This practice has been claimed to be established in international law (see Qvortrup, 2012, p. 4). However, there seem to be very few international legal norms regulating these referendums (see Radan, 2012). The practice should probably be labelled a customary rule, as its establishment seems mostly to be a result of repeated exercise over a long period of time.

There are certainly *dissenters*, who have called this practice into question during this period. However, these pleas for a more inclusive referendum often seem more intended to thwart the plans of secessionists, rather than bring about a referendum that includes all residents of a state (see Whelan, 1983, p. 23; see also Bauböck, 2019, p. 240). Furthermore, there is also a conspicuous discrepancy between argument and reality on this score, as these alternative ideas about the proper demos of these referendums scarcely ever seem to win the day. Instead, any referendum decided despite this (and other types of) resistance usually takes place in the separatist unit.<sup>1</sup> This was the case in the very first referendums on state secession, in the American South, in 1861 (Qvortrup, 2012, p. 4).

The upshot of this long history of repeated exercise is that the practice is largely taken for granted in the contemporary debate on the demos of these referendums. The main controversies in this debate seem to revolve around whether or not suffrage ought to be extended to foreign citizens residing in the breakaway region (Arrighi, 2019), and whether regional citizens residing outside the separatist region should also be included in the demos (see Oklopcic, 2012, pp. 25–26; see also Stjepanovic & Tierney, 2019). Whether there are any reasons for extending suffrage to residents of the existing state, beyond the secessionist region, is not a question that seems to occur generally.

This is somewhat surprising, given the delimitation of the demos in referendums on secession at lower levels of government, particularly at the municipal level. The practices at these levels are not as thoroughly researched as those at the state level. The scattered image

---

<sup>1</sup> Two possible exceptions on this score are the French referendums on the Evian accords, in 1962, and on the Matignon Accords, in 1988. These referendums settled the question of self-determination for Algeria (the Evian accords) and New Caledonia (the Matignon accords). However, while both these referendums included the voters of metropolitan France, their classification as proper referendums on state secession is still questionable. The main question in these referendums was the approval of peace agreements for Algeria and New Caledonia. The question of self-determination for these territories was only a part of the agreements.

of a handful of studies, however, suggests that sub-state secession is very often settled through what we may call an all-inclusive vote (see Bauböck, 2019, p. 240). By *all-inclusive*, I mean a vote among all the residents in the polity from which the breakaway unit tries to secede, i.e., in the whole municipality, in cases at the municipal level. One example is article 29 of the German Constitution. According to this article, the redrawing of an internal border in a German Land presupposes a referendum on a bill about the change of status and borders held in all of the Land (Bauböck, 2019, p. 240). A survey among Swedish municipalities, carried out by the author of the present study, points in the same direction.<sup>2</sup> This survey reveals that an all-inclusive vote has been the solution in no fewer than 12 of the 18 cases where calls for urban secession in a Swedish municipality have resulted in a referendum. This means that suffrage has been limited to the breakaway part of the municipality in only six of the 18 Swedish referendums on urban secession, or in one-third of the cases.<sup>3</sup>

An all-inclusive vote also seems to be a quite common way of settling urban secessionism in the USA. An indication of this is the Californian bill on urban secession (Bill AB 62), which was signed into law in 1997 by the then Governor of California, Pete Wilson (see Boudreau & Keil, 2001, p. 1716). This bill establishes that all the residents of a Californian city or municipality must be included in the electorate if the secession of a part of the city or municipality is submitted to a referendum (Boudreau & Keil, 2001, p. 1716). Respect for the (anti-secessionist) opinion in the rest of the city was also the reason for the decision by the New York State Assembly to shelve the secession of the New York City borough of Staten Island in 1993. The Assembly did so by simply ignoring the result of a prior referendum where suffrage had been limited to Staten Island—and where 65 percent of the voters had cast their ballots for secession from the City of New York (Flanagan & Kramer, 2012; see also Briffault, 1992).

These examples by no means give us the whole picture of how the demos is delimited in referendums on secession at lower levels of government across the world. Nevertheless, they warrant a look into the justifiability of the practice that prevails at the state level on this score. The mere fact that a more inclusive practice is possible at lower levels makes the established practice at the state level appear biased and exclusive. It also provides a case for theorists, like Allen Buchanan, who play with the notion that an all-inclusive vote would be more democratic, at least in some cases of secession at the state level (Buchanan, 2004, p.

---

<sup>2</sup> This is an unpublished survey that I made among Swedish municipalities in 2019.

<sup>3</sup> These figures are the result of my survey.

378). The disturbing question brought forth by the existence of more inclusive practices at the municipal level is whether they render more exclusive practices, at the state level, unjustifiable.

This paper will examine this question using two principles for a delimitation of the demos, which are commonly termed the all-affected principle and the all-subjected principle. As the labels suggest, these principles propose different criteria for enfranchisement in democratic decision-making—enfranchisement is granted either to those affected by, or those subjected to, a decision. As we will see, the demos deriving from these principles still very much depends on how we understand the terms of affected and subjected. I will consider a few alternatives here, and argue for an understanding that I claim is defensible on each score, before I use these understandings to derive an answer to the principled question of the paper.

The choice of these two principles as vantage points is due, in part, to their standing as the main alternatives for the drawing of the boundaries of a demos in contemporary democracy theory. However, my choice is also due to the critical point I wish to make. The argument of the paper is that these two principles make questionable, from a democratic point of view, the exclusive demos found at the state level. The fact is that both these principles suggest that an all-inclusive vote would be more democratic in most of these referendums, at both the state and the municipal level. To the extent that they sanction a vote in the breakaway unit, they only seem to do so in a few cases at the municipal level. However, an all-inclusive vote on state secession would carry a considerable risk for majority domination of a separatist minority, a risk that is much lower at the municipal level. I will argue that this is a conclusive argument against applying any of these principles to referendums on state secession, and for retaining our present enfranchisement practices at both levels of government.

The latter, critical part of my argument falls back on the *exit* approach to secession. This approach is a non-domination based theory of secession that was developed in a previous study of mine (Reinikainen, 2018). The exit approach portrays secession as critical to freedom, but mainly by virtue of protecting minorities from domination. The basic assumption of the approach is that exit is an ultimate safeguard against domination, and that we, therefore, need to make sure that people have a possibility to exit from all their associative relationships, be they social, civil societal, religious, or political (cf. Lovett, 2010, pp. 38–40; Pettit, 2012, p. 37–40). The exit approach subsumes secession as a part of this

defence (cf. McGarry & Moore, 2011). Although collective and coordinated in form, secession is still a way of exiting our membership in a state, and, as such, it complements the possibility of an individual, migratory exit through emigration. The exit approach, however, also assumes that emigration needs to take precedence, and remain the default option for exit, as long as secession fails to be a legal right. Under these circumstances, the relevant benchmark for the justifiability of secession is the availability of the option of emigration. This means that exit through secession is justifiable to the extent that the option to emigrate is unavailable or restricted.<sup>4</sup>

I have divided the paper into two main parts. The first part devotes one section apiece to the discussion of the all-affected principle and the all-subjected principle. The second part also contains two sections, which successively unfold my argument against applying these principles on referendums on state secession.

## **1. Who Is Affected by a Decision to Secede?**

The all-affected principle can be defined as the precept, “that all those people who are affected by a particular law, policy, or decision ought to have a voice in making it” (Whelan, 1983, p. 16).<sup>5</sup> Most theorists seem to presume this criterion for inclusion to entail that a demos very often needs to be supranational (see Goodin, 2007; Held, 1995). However, some understand the entailments of this principle differently, especially concerning the demos that will decide about secession. According to these theorists, the all-affected principle commits us to narrow down the demos in this type of decisions, so that it only includes the separatist minority. More precisely, they claim this to be the case under certain conditions. I will claim that this understanding is mistaken, and argue that the all-affected principle commits us to an all-inclusive vote in the bulk of these referendums—save a few cases at the municipal level.

David Owen has presented a quite elaborated defence of this understanding, which I claim to be mistaken (Owen, 2012).<sup>6</sup> Owen, in particular, defends a division of labour between the all-subjected principle and the all-affected principle, under which the all-subjected principle determines enfranchisement in an already established state, while the all-affected principle defines the “demos who are entitled to decide whether to constitute a

---

<sup>4</sup> This prioritising and conditioning of secession is, in part, due to the hybrid theory of legitimacy underlying the exit approach (see Reinikainen, 2019, 373). However, it is also due to the greater potential of emigration in securing exit for everyone who wants to leave a state, without imposing exit on anyone who wants to remain.

<sup>5</sup> For a defence of the all-affected principle, see Goodin, 2007; see also Held, 1995; Arrhenius, 2005, 2018.

<sup>6</sup> For a similar view, see Dahl, 1989, p. 208.

polity” (Owen, 2012, pp. 145–146). Owens assigns the all-affected principle the latter job because this principle “specifies those to whom a duty of justification is owed ... [that] requires the impartial treatment of ... interests within the decision-making process” (Owen, 2012, p. 143). To be owed this duty means that you have interests that cannot be neglected in the decision-making process, or through the lack of a functioning process. If your interests are neglected in contempt of this duty, then you and all those similarly situated will be upgraded to a “specific kind of demos, namely, the *pre-political* demos that has the right to determine whether to constitute a structure of governance and, if so ... to constitute a polity” (Owen, 2012, p. 143). The duty of justification has this entailment, Owen argues, since “the absence of such impartial treatment triggers a right to constitute an impartial structure of governance that can ensure such treatment” (Owen, 2012, p. 143). To form a new polity is, thus, a right that a minority will obtain if their interests are sufficiently neglected in the common decision-making process, or if existing structures of governance are inadequate and fail to protect their interests.

The reason I take this understanding to be mistaken is that the solution Owen suggests here—to let the minority decide, if they wish, to form a new polity—in most cases will be at odds with the principle he invokes. While the all-affected principle theoretically may allow us to leave such a decision to a minority, it will only do so if the interests of the rest of the residents of the existing polity would remain unaffected by the secession of the minority. As soon as this fails to be the case, this principle requires us to include even these people in the demos that decides about the secession. Not including them, in this situation, would both fail to treat their interests impartially, and disregard our duty of justification to them. This would amount to fixing one democratic deficit by creating another.<sup>7</sup>

Owen might respond here that the interests of the rest of the residents can be catered to “through a variety of other structures of impartial governance ranging, for example, from contestatory courts in which those affected can challenge decisions ... to second order polities which have the power to regulate the decisions” (Owen, 2012, p. 139). To some extent, this is true. It is, indeed, possible to take the interests of these people into account by

---

<sup>7</sup> It should be added that Owen also qualifies decisions made by the pre-political demos based on a principle of consent, and that this provides him with a possibility to respond to the point I make here. Owen's qualification on this score is that “the decision-making of this *pre-political* demos cannot legitimately be collectively binding on all members of this demos ... unless those concerned have unanimously pre-committed themselves to taking the decisions as collectively binding” (Owen, 2012, p. 143). The upshot of this qualification is that a minority could refuse to pre-commit themselves to be bound by a decision made by the pre-political demos, and that, in this way, they could back out from the decision. What Owen could respond, based on this qualification, is that a separatist minority similarly would be able to back out if everyone else in the existing polity would be included in the pre-political demos making the decision on the formation of their new polity. However, while this allows Owen to claim that the minority still would be the ones deciding about the formation of a new polity, it does not make it easier for him to square this solution with the all-affected principle. It is difficult to see that it would be compatible with the all-affected principle if a minority could back out from a decision made by everyone affected as soon as it goes against them.

allowing them to contest the decision of the minority. However, as compared with other ways of ensuring impartial consideration of their interests, this would obviously not be as secure as simply including these people in decision-making. Furthermore, resorting to other structures of governance does not seem to sit well with the all-affected principle, if we can solve the problem by including these people in the vote straight off. In any event, it does not seem to do so if we understand this principle in the commonsensical way of being a principle for enfranchisement. Given such an understanding, it will simply be insufficient to let people contest a decision *a posteriori* if they are affected by it.

Then again, however, it is possible to reject this commonsensical understanding, and to argue that the all-affected principle is a principle for entitlement to influence, rather than a principle for enfranchisement (see Arrhenius, 2018). If we accept such a view, it will also be reasonable to grade people's influence based on how affected they are. Depending on the latter, we would then sometimes grant people "a vote (perhaps with differential weights), sometimes a veto, sometimes only a right to participate in the deliberation or the right to make proposals" (Arrhenius, 2018, p. 108). If we are open to such differentiation of influence, the (imagined) response from Owen above will at once seem much more reasonable. If people outside the separatist unit are less affected than people within this unit by the secession, then perhaps a possibility to contest the decision of the minority *ex post*, in a court, is just the amount of influence that these outsiders are entitled to.<sup>8</sup>

However, falling back on this view will not always make it possible to reconcile the all-affected principle with the solution that Owen suggests here. Note, first, that this view entails a quite substantial dilution of the democratic content of this principle. This is due to the varying effects of most political decisions on people's interests, and the subsequent need to frequently abandon the political principle of one person-one vote in order to accept this view. However, the biggest problem for Owen's solution is its failure to sanction that we routinely give people outside the separatist unit less influence in a decision on secession. This failure creates doubts because these people are quite often significantly affected by such a decision. More specifically, a distributive definition of affectedness, which includes all those "being made significantly better or worse off by the policies a demos adopts" (Miller, 2009,

---

<sup>8</sup> Note, though, that this move raises the problem of who is to determine whether people are affected or not. If we leave this decision to the separatists, there is an obvious risk that they will decide that people outside the breakaway unit fail to be equally affected regardless of the way secession impacts their lives. To be able to measure people's entitlement to influence with some level of objectivity, thus, we would first need to agree on a calculable measurement of affectedness. I am not sure if it is possible to reach such an agreement, but still presume that a distributive definition of affectedness is a more likely candidate for agreement than most other definitions.

p. 215), would encompass these individuals. The fact is, those residing outside the separatist unit not infrequently are worse off when a part of the existing polity secedes.

This point can be illustrated with the secession of Staten Island—which, as mentioned, was aborted at the last minute by a higher authority in 1993. In a case study, Richard Briffault argues that “a Staten Island secession would constitute a loss of wealth and tax base for New York City” (Briffault, 1992, p. 837). Although such a loss may seem negligible for a megacity like New York, it is actually not, he claims. Briffault points out that in “an era of chronic urban crisis, the loss of any fraction of the City’s tax base would be a blow” (Briffault, 1992, p. 837). According to him, “the secession of Staten Island would affect sales and income tax payments as well as the tax on real property” (Briffault, 1992, p. 837). If the secession of Staten Island indeed would have had such far-reaching distributive consequences for the City, it would seem unjustifiable to limit the influence of the rest of the residents of New York, even if we were to see the all-affected principle as a principle for entitlement to influence. Instead, given such an understanding, we must conclude that enfranchising all New York City residents is the only valid option.

Note here that we would arrive at this conclusion in spite of the fact that Staten Island is a case at the municipal level, where the distributive consequences of secession are usually less dramatic than at the state level. The main reason that these consequences tend to be more dramatic at the state level is because states monopolise things like natural resources and infrastructure within their territories, while municipalities usually do not. States are also responsible for more of the redistributive measures that are important for equalising people’s life-chances. This means that people outside the separatist unit are more likely to be significantly affected by secession at the state level than at the municipal level. It also means that the all-affected principle, consequently, would require the enfranchisement of the same group of people in more referendums on secession at the state level. The upshot of applying this principle would be to almost invert existing enfranchisement practices. Rather than being inclusive at the municipal level and exclusive at the state level, we would usually need to be inclusive at the state level, and exclusivity would only be possible in some cases at the municipal level—where people are more likely to remain unaffected under a distributive definition of affectedness.

It is, of course, possible to avoid this conclusion if we tweak our definition of affectedness. One such tweak would be to require people’s most basic rights and interests to

be at stake before we see them as affected.<sup>9</sup> This definition of affectedness would justify excluding people outside the breakaway unit in most of these referendums, regardless of the level of government, simply because a referendum on secession typically fails to put the basic rights and interests of these people at stake at any level.

However, such a revision does not seem the right way to proceed for advocates of the all-affected principle. One problem with such a tweak is that the specialised definition of affectedness loses much of its force given the way the term *affected* is used in common speech. Another and more worrying problem is that the tweaked definition also seems to have questionable democratic implications. More specifically, the definition is restrictive to the point of failing to justify a right to vote on a number of questions where we have that right today, but where our most basic interests are not at stake. Accepting this definition would deprive us of the right to participate in such decisions. Elections at the municipal level run a particularly high risk of disenfranchisement given this definition. The reason is that decisions made at this level of government typically do not concern our basic rights and interests.

What does this mean for the question of this paper? Well, the all-affected principle usually fails to sanction that we limit the suffrage to the secessionist unit in referendums on state secession. Unless we want to deprive the all-affected principle of some part of its democratic content, we need to understand this principle as a principle for enfranchisement demanding that we give a vote to everyone who will be made significantly better or worse off by the policies a demos adopts. On such an understanding of this principle, a referendum on secession would ordinarily need to be all-inclusive regardless of the level of government. The possible exceptions are the few cases where people in the remainder of the existing polity actually would remain unaffected by a secession, even under a distributive understanding of affectedness. As I have argued, however, such cases are more likely to exist at the municipal level than at the state level.

## **2. Who Is Subjected to a Decision to Secede?**

Let us now move on to the all-subjected principle—which is the main alternative to the all-affected principle in the present debate. The all-subjected principle can be defined as the principle “that all those who are subjected to the laws, i.e., those whose actions are governed

---

<sup>9</sup> For a discussion contemplating this definition of affectedness, see Arrhenius, 2005.

by them, should have a say in their making” (Erman, 2014, p. 538).<sup>10</sup> In contrast to the all-affected principle, this principle, thus, focuses on the application of law, and it identifies the demos based on whether laws apply to people or not. If a person is a legal subject in this sense, then this person needs to be a part of the demos deciding about the laws that apply to her or him. However, it is not the laws as such that are of interest to the defenders of this principle. The legal interest of these theorists is a consequence of their ambition to include each person for whom a collective decision is binding. Their key assumption is, namely, “that collective decisions are binding primarily through law” (Beckman, 2014, p. 255).

The value underlying and motivating the all-subjected principle is (personal) autonomy. This value remains, remarkably, unarticulated in the writings of most of the champions of this principle. However, the urge to include the legal subjects of a state is only comprehensible once we see autonomy as the bottom line. Autonomy is the normative prime mover motivating this urge. Advocates of the all-subjected principle all, in one way or another, assume that the binding force of law restricts autonomy utterly. Hence, they also see subjection to the laws as a more urgent ground for inclusion than merely being affected in some non-binding way. Inclusion is a way to protect the autonomy of these people in the face of their subjection.

The most important difference emanating from the alternative focus of this principle is that the all-subjected principle is more restrictive than the all-affected principle, when it comes to the boundaries of the demos. While the all-affected principle willingly sanctions an expansion of these boundaries beyond the nation-state, the all-subjected principle is more restrained and pre-programmed to reserve voting rights for the subjects of a state. Regardless of the effects of the policies of a state on you, you will not be entitled to vote on these policies, unless you are a legal subject of the state.

Despite these differences, the implications of these two principles coincide surprisingly well, when it comes to the question of this paper. More precisely, they coincide surprisingly well if we see domination as the basic normative problem, and an aspect of subjectedness that grants people the right to have a say (see Sager, 2014; see also Owen, 2012; Beckman & Hultin Rosenberg, 2018). This is also the most plausible view, I will argue. However, there is also another and, in my eyes, less plausible view, which considers that the entailments of these principles do not coincide very much at all. This is David Miller’s idea, namely that

---

<sup>10</sup> Ludvig Beckman similarly defines the all-subjected principle as the “principle ... that anyone subject to the law should be included in the democratic process” (Beckman, 2014, p. 255).

coercion is the morally problematic aspect of subjection (see Miller, 2009, 2010). Let me first sketch the implications of Miller’s view, before I explicate the implications of the more plausible domination-based view.

Miller is one of the few champions of the all-subjected principle who actually articulates the basis of this principle in autonomy. He starts out from the strong and widely held intuition that people who, “routinely [are] forced to comply with the decisions of a democratic authority ... are entitled to a say in those decisions” (Miller, 2009, p. 218). However, he is also clear insofar that the strength and prevalence of this intuition are due to coercion’s forming the very antithesis of autonomy. He explains that, “what is normatively distinctive about coercion is that it undermines the autonomy of the person coerced” (Miller, 2009, p. 221). This is why, “being coerced ... does generate a claim for inclusion that is far stronger than any claim that the [all-]affected interests principle is likely to generate” (Miller, 2009, p. 225).

Miller, however, adds that, “the normative force of the coercion principle depends upon understanding ‘coercion’ in a strict sense” (Miller, 2009, p. 225). According to Miller, there is a crucial difference between the true coercion experienced by a state’s subjects and the pseudo-coercion experienced by migrants stopped at a state’s borders. He tries to capture this difference by making a distinction between coercion and prevention, according to which the former applies to the subjects of a state, while the latter applies to migrants. Coercion, Miller explains, “means that there is some course of action that the agent is forced to take; prevention means that some course of action that might otherwise have been available is now blocked” (Miller, 2009, p. 220). The crucial aspect of this distinction is that coercion is the only type of interference that he presumes entitles a person to a democratic say. The reason for this, Miller continues, is that, “removing one option from the available set is much less serious than reducing the eligible set to just a single course of action, which is what coercion paradigmatically involves” (Miller, 2009, p. 220). This is why people who are stopped by the borders of a state fail to have a say on the state’s border policy, according to Miller (Miller, 2009, pp. 116–117; see also Miller, 2010, p. 125).

Now, if our evaluation of the question in this paper were to proceed from Miller’s view, we would be able to conclude that limiting suffrage to the separatist unit in referendums on secession, at both the municipal and the state level, is justifiable. We would draw this conclusion because secession typically fails to add any additional coercion for people outside

the seceding unit at any of these levels. These outsiders will instead remain under the rule of the existing polity, and thus never have to obey any of the new laws or rules of the seceding entity. On Miller's understanding of democratic entitlement, these outsiders are therefore essentially on a par with migrants who are stopped at state borders. They may be restricted, but they fail to be coerced. Consequently, they also fail to have a claim for inclusion.

The problem with this conclusion, however, is the question-begging understanding of subjection from which it derives. A law is, in fact, not very often coercive in the sense required for inclusion in Miller's understanding. For this to be the case, a law needs to undermine a person's autonomy to a point where the person is, "an instrument for the coercer's will; [and] she has no real choice but to do what the coercer commands" (Miller, 2009, p. 219). Laws of this kind do exist, and military conscription laws are one example. However, laws do not typically work in this manner. Rather, the typical interference brought about by the law is limited to the fact that it blocks or removes certain options. However, this is *only* prevention, which Miller considers insufficient for inclusion. This makes it a bit mysterious how the subjects of a state then can be entitled to a say in the making of all these preventive laws. I take this to entail that Miller's understanding of subjection is inadequate for the argument he tries to make. In order to be able to argue that these subjects are entitled to participate in the making of all their laws, he would actually need to scrap the idea that coercion is what grants people a right to a say. His own argument implicitly seems to assume that prevention, too, is a sufficient ground for inclusion.

This is precisely what advocates of a domination-based view of subjection assume. As its label reveals, this view originates in the idea of freedom as non-domination. In Philip Pettit's formulation of this idea, non-domination presupposes an absence of mastery by others, but not that we actually achieve full self-mastery (Pettit, 1997, p. 22). What we must achieve is, strictly speaking, to rule out that a "dominating party can interfere on an arbitrary basis with the choices of ... [a] dominated [party]" (Pettit, 1997, p. 22). This is important because a lack of freedom is not only the result of actual intervention from a coercer, as presupposed by negative conceptions of liberty. It suffices that a dominating party is in a position to interfere with someone's choices by means of coercion. If this is the case, then these other people will anticipate an intervention, and adjust their choices in advance, in order to avoid the intervention (Pettit, 1997, pp. 22–27). This means that we will have a freedom problem even though we fail to have any kind of intervention. The problem is that people will

then, “curtail their own choices” (Pettit, 1997, p. 87), and that they will thereby be dominated.

Theorists proceeding from a domination-based understanding of the all-subjected principle take this notion of (un)freedom to also make sense of the moral problem of our subjection to laws. Domination, they take it, is precisely what follows if people are legal subjects without being included. Consequently, they also assume that this notion provides the relevant criterion for inclusion.

On this criterion, it is not only wrong to coerce someone through laws without giving the person a say on the laws, but also “a serious wrong to limit someone’s options through preventive laws without providing institutions and opportunities that give people a voice in their legislation” (Sager, 2014, p. 197). The wrong in the latter case consists in the fact that lawmakers will be positioned to impose laws on an arbitrary or uncontrolled basis, at the same time that the subjects of the laws will be at the mercy of the lawmakers, with regard to their options. This means that it is uncalled for to insist on coercion, in the strict sense, before we see an agent as entitled to inclusion. Instead, it suffices that another agent “has the capacity to remove or replace the options available to the first agent by the use of coercion” (Beckman & Hultin Rosenberg, 2018, p. 189). Note that this solves the mystery of how people can be entitled to a democratic say on laws that are *only* preventive. The reason, on this view, is that preventive laws entail domination in the absence of such a say.

What, then, will the all-subjected principle tell us about the justifiable demos of a referendum on secession, if we were to proceed from this view of subjection? As far as I can see, it will then tell us to opt for an all-inclusive vote in most of these referendums at both the municipal and the state levels. This is because secession involves the drawing of a new border right through an existing polity. This act is much more problematic, under this principle, than if we assume Miller’s view. This is because a new border will block and remove options for people not currently subject to restrictions. Given a domination-based notion of subjection, these people will be considered dominated if they are denied a say in the drawing of the border.

This is most obviously the case at the state level. If a minority were entirely free to decide about the drawing of a new state border on its own, it would also be positioned to unilaterally remove or replace options as regards movement, settlement, and employment for other people in the state. Hence, ensuring that the latter group does not end up at the mercy of

the minority, with respect to such options, requires including them in the decision. The case for inclusion is weaker and more conditioned at the municipal level. However, there is a case at this level as well. More precisely, if the drawing of a new municipal border would entail the withdrawal of municipal services in the breakaway part from the municipality's common menu of services, so that these services only become available to the residents of the seceding part, then other people in the municipality must have a say. Were it up to the separatists to draw a new border in this situation, they would also de facto decide whether the services available to other municipal residents should be restricted. Hence, for the availability of these service options not to be left to the mercy of the separatists, these other residents must also be included.

The latter argument obviously fails to apply if municipalities grant residents and non-residents the same access to their services. If this were the case, it would be justifiable to limit the vote to the breakaway part of a municipality given a domination-based view of subjection, as well. However, this only confirms my point. Just like the all-affected principle, the all-subjected principle does indeed seem to sanction a limitation of suffrage to the breakaway unit in some cases. However, it only seems to do so in a few cases at the municipal level. If we wish to justify the same limitation at the state level—which the question of the paper comes down to—then the all-subjected principle will actually not be of any more help than the all-affected principle. When it comes to referendums on state secession, both principles seem to brand the existing practice for enfranchisement as questionable from a democratic point of view. These principles instead seem to urge us to mainstream our practices for enfranchisement, so that an all-inclusive referendum would become the standard way of settling secessionism even at the state level. As we shall see, however, this would not be a very good idea.

### **3. An All-inclusive Referendum on Secession and Majority Domination**

The big problem with—and the conclusive argument against—an all-inclusive referendum on state secession is the majority-domination that this type of vote would entail in most cases. This risk is not due to the tendency of majorities to become tyrannical. In contrast to what some advocates of non-domination assume (Pettit, 1997, pp. 8, 62, 180), simple majority rule does not have an unavoidable tendency to degenerate into a tyranny of the majority. A host of research suggests that simple majority rule is benign to minorities, and

that a minority, over time, actually acquires greater influence under this type of rule than under counter-majoritarian constraints (see Dahl, 1956; N. R. Miller, 1983; McGann, 2006; cf. Shapiro, 2012).

The risk of majority domination in this context is, thus, something of an anomaly, and mainly due to an effect of the boundaries of the demos, or, more correctly, to the fact that this effect is unusually clear in referendums on secession. The effect is that one type of boundaries for the demos, rather than another, will “restrict the range of alternatives that ... have a realistic chance of being adopted” (Whelan, 1983, p. 41). When it comes to a referendum on secession, this effect is so restrictive that only boundaries limiting the vote to the breakaway unit will typically give secession a realistic chance of being adopted. This is so because all-inclusive boundaries will usually be a quite safe recipe for a majority against secession.

We may deduce as much by looking at the (quite rare) polls made in the state as a whole in connection with a secession process. These polls quite consistently reveal an anti-secessionist preference outside of the separatist unit that is sufficiently strong to create a majority against secession in the state as a whole. In some cases, this majority would prevail even in the event of an overwhelming majority for secession in the separatist unit. A poll just before the Scottish independence referendum in 2014 revealed precisely a majority of that magnitude among the voters in England.<sup>11</sup> A 2019 poll on Catalan independence in Spain as a whole similarly revealed that a quite substantial majority of people in Spain, outside Catalonia, resisted the very idea of holding a Catalan self-determination referendum.<sup>12</sup>

However, this is not the only ground for drawing this conclusion. Another is the election results in all-inclusive referendums on urban secession. A case in point is a 2001 referendum on the secession of San Fernando Valley from the City of Los Angeles—held in accordance with the 1997 Californian bill on urban secession, mentioned above. In this case, it was indeed the fact that the vote took place in the City of Los Angeles as a whole that tipped the balance to a majority against secession. If the districts in San Fernando Valley alone were to have voted, there would have been a majority for secession (see Hogen-Esch & Saiz, 2001). The referendums on urban secession in Sweden teach us the same lesson. In the

---

<sup>11</sup> According to a Yougov-survey, only 19 percent of people in England supported Scottish independence just before the Scottish independence referendum. See Centre on Constitutional Change, 2014.

<sup>12</sup> See Catalan News, 2019.

12 referendums where such a referendum has been all-inclusive, there has been a majority against secession in 11 cases (92 percent).<sup>13</sup>

Note, however, that the risk of majority domination does not follow from the mere fact that the majority outside the separatist unit would quite likely vote down the minority, were they included in a referendum on state secession. Not always getting one's own way is not in itself problematic, but a part of democracy. The moral problem lies instead in the possibility that the majority, if included in the referendum, could always block and eliminate the possibility of secession for the minority. It is the fact that they could and quite likely would refuse to let the minority leave the state that is problematic here. This is what turns the foreseeable outcome of including these people into domination, and makes this use of democracy unjustifiable.

The blocking and eliminating of the minority's secession option by the majority would very often result in a denial of exit as such for many members of the minority, due to the crucial role that secession plays for a minority's possibilities to exit their state at all. For quite a few members of a separatist minority, a possibility to secede is a precondition for there to be such a possibility. Exit very much depends on the existence of a possibility to secede for these people. Including people outside the separatist unit in the demos would open the door for them to restrain exit for members of the minority.

These consequences are a result of the high costs faced by those, among the would-be separatists, who pursue an individual, migratory exit at the state level—i.e., emigration. In fact, the costs for a migratory exit are so high at this level that a formal right to emigrate typically is insufficient for ensuring adequate exit options for everyone in a state. The basic problem is that emigration very often presupposes that people relinquish a number of necessities that some people are acutely dependent on. These necessities include the very basics for survival, like an including income, a job, an apartment, social services, etc. People's dependence on these necessities undercuts the right to emigration to the point where it fails to entail that everyone is substantially free to leave her or his current state (see Lovett, 2010, pp. 49–55; cf. Hume, 1894, p. 475).

What this means, for the right to secede, tends to be overlooked even by theorists who see restrictions on the freedom to emigrate as a just cause for secession. Buchanan, for

---

<sup>13</sup> The only yes majority in an all-inclusive vote on urban secession in Sweden materialised in the 1978 referendum on the secession of Vaxholm. See SOU, 1993:90, pp. 412–413.

instance, correctly points out that, “the case for secession on the grounds of liberty is greatly strengthened in circumstances in which the right to emigrate is denied” (Buchanan, 1991, p. 31). However, the circumstances he has in mind only include legal restraints suppressing the formal freedom to emigrate. Material constraints on the same freedom are not a part of the equation. Nevertheless, the latter constraints very often result in a quite substantial reduction of people’s freedom to leave their states. Bewilderingly, Buchanan acknowledges this. In another context, he argues that material obstacles to emigration undermine people’s freedom to emigrate to a point where, “the costs of exit are so high ... that remaining in place cannot count as consent” (Buchanan, 2004, p. 244). I think that Buchanan is on the right track in both these passages, but that he fails to connect the dots. If we value liberty, we should also see the presence of material obstacles to emigration as strengthening the case for secession. Secession enables people to both exit and keep their incomes, jobs, apartments, social services, etc. Hence, it is also a much more *affordable* exit option for members of a separatist minority, whose dependence on these necessities constitutes an obstacle to their emigration.

This does not mean that I mistakenly assume that emigration is an interesting exit option for members of a separatist minority. In most cases, it is not. These people are separatists. This means that they usually are not very interested in emigration at all. Their primary desire is, rather, to make it possible for the *territory* they inhabit to leave the state, so that they can form an independent state while personally remaining in place. However, their own evaluation of these two exit options is not decisive for our view, in moral terms, of their case for secession. The decisive aspect is, rather, that people’s dependence on the necessities of life undermines the very possibility of exit through emigration for many members of the minority. This is decisive because it means that we would leave these people vulnerable to domination if we were to deny them exit through secession. Their vulnerability in that situation would be due to a lack of any viable exit options. In reality, they would be forced to remain subjects of their current state.

#### **4. The Justifiability of our Present Practices for Enfranchisement**

I believe that this permits the conclusion that proceeding from either the all-affected principle, or the all-subjected principle, is utterly misguided when determining the justifiable demos of a referendum on state secession. Doing so would be comparable to applying these

principles to decisions of divorce, and consequently making a vote among the members of a family the standard way of settling whether a parent who wishes to end a marriage may do so.

The basic problem with accepting either of these principles as a guide is that they would often entail granting others a say in our exit from an association. It is actually no more reasonable to do so in decisions about continued political association, than in the case of marital association. The decision to exit is a decision we must make on our own, regardless of the association we consider leaving. If other people were granted a say in such a decision, then our exit from the association would be at the mercy of their will. This would grant other people the ability to restrain our exit, creating an imminent risk that we may be locked into our current associations. However, it would also grant these other people leverage for further domination (Lovett, 2010, pp. 38–40), due to the key role that a restraint of exit plays in all policies and measures aiming to dominate and subordinate people. Exit is our ultimate safeguard against such restrictive policies, and the oppressive power of the dominant party stands or falls on its capacity to restrict or impede our ability to exit from the association.

Note, however, that this is only an argument for limiting suffrage to separatist units at the state level, and that it usually fails to justify a similar limitation in secessionist referendums at the municipal level. A referendum on urban secession very rarely results in a restraint of exit for the losers, and is thus unlikely to entail domination. The much lower risk for this, at the municipal level, is the result of a more supportive infrastructure for an individual, migratory exit at this level. In contrast to what we find at the state level, the freedom to move and take up residence across borders is normally quite substantial at the municipal level. Furthermore, municipalities tend to have much less discretion than states in saying no to newcomers. This means that a migratory exit fails to be as dependent on the good will of another agent, at this level, as at the state level. The most important difference between these two levels, however, is that moving from our municipality is typically associated with much lower exit costs than the costs of emigrating from our current state. In contrast to emigration, a move across municipalities does not necessarily presuppose that we give up our job, income, social security, social services, etc. The surplus value is the much more affordable possibility to opt out of our municipality than to emigrate.

This also makes possible more inclusive practices for enfranchisement in referendums on urban secession. Recall here that the problem with an all-inclusive vote on state secession is not the majority against secession that such a referendum quite likely would result in, but

rather the ensuing possibility for the majority to restrain exit for the minority. However, this means that it will be unproblematic to include people outside the separatist unit in a situation where their likely refusal of secession fails to restrain the minority's exit. It also justifies giving priority to other concerns in this situation.

We tend to encounter precisely this kind of situation at the municipal level. The bonus of a more supportive infrastructure for migratory exit at this level is, namely, that residents of a separatist parish or borough will typically have the necessary exit options even in the absence of a possibility to secede. If this is the case, then an all-inclusive vote will be a perfectly justifiable way of using democracy. More specifically, it will be so whenever the all-affected principle and/or the all-subjected principle call for an all-inclusive vote. However, it will not be so in cases where these principles fail to require this type of vote. In the latter situation, it is more reasonable to give priority to freedom of political association, and let the residents of a separatist parish or borough form a new municipality if they so wish. This follows from the precedence that I believe we should give to liberty in the absence of more urgent moral concerns.

Advocates of the all-affected principle could object here that the above approach to the demos of these referendums would still be insufficient for protecting affected interests outside the separatist unit at the state level. Just letting a minority in a state walk away, with the natural resources and other economic goods in the breakaway unit, would obviously make people outside this unit worse off, at least on a collective level (see Gauthier, 1994). However, while I believe that we should protect these interests even at the state level, I do not believe that the best way of doing so is by demanding that referendums on state secession be all-inclusive. Given the stakes here, a more sensible means would be to condition regional secession referendums on some form of binding assurance from the separatists regarding the protection of these interests. This could take the form of a legally binding declaration of intent, ensuring both parties' continued access to critical resources in the event of secession.

Advocates of (a domination-based understanding of) the all-subjected principle could present a related objection, which is even more tricky considering the normative premises of my argument. The objection is that my approach to the demos of these referendums is a go-ahead for a separatist minority to dominate the majority at the state level. It is so, since limiting suffrage to the separatist unit in a referendum on state secession grants the minority the option to block and remove options as to movement, settlement, and employment for

people in the remainder of the state. Why is this domination of the majority not something to be concerned about here?

This is indeed important, but I do not consider it our main concern in this context. Neither do I take it to necessitate an all-inclusive vote on state secession. It is, rather, a reason for conditioning regional secession referendum on such agreements as outlined above, here designed to ensure continued availability of the options that people risk losing. Such agreements could take the form of assurances of freedom of movement and resettlement across a potentially new border, made before a regional secession referendum may take place.

We should secure continued availability of these options with such agreements, rather than with an all-inclusive vote, because of the grave risk posed by the two types of domination. Of these two types of domination, the prospect of the majority dominating the minority through an all-inclusive referendum clearly poses a more serious threat. The domination risked by members of the majority is merely one-off, consisting of the loss of certain options for movement, settlement, and employment. The majority does not usually risk further domination by the minority, as would indeed members of a separatist minority after being refused secession.

## **5. Conclusions**

I have argued that the exclusive practice of enfranchisement in referendums on state secession can be justified despite the existence of more inclusive practices at the municipal level. Referendums on secession differ at these two levels in terms of the risks they carry for majority domination of the minority. The risk of this type of domination is very low, or even non-existent, if all residents of a municipality are included in a referendum on urban secession. However, the same risk would be imminent if we were to include people outside the separatist unit in a referendum on state secession. This makes it justifiable to retain our divergent practices of enfranchisement at these two levels, namely, the more exclusive form of demos practised at the state level.

The greater risk of majority domination at the state level results from the more vulnerable situation of minorities at this level. In contrast to urban separatists, members of a separatist minority in a state would often be bereft of viable exit options if denied secession. This is due to the higher costs of an individual, migratory exit at this level. This difference is

critical to our view of the anti-secessionist sentiments that tend to predominate among people outside of a separatist unit at both levels of government. While such sentiments are usually quite unproblematic at the municipal level, they are a cause for concern and a reason for exclusion at the state level. Given the more vulnerable situation of minorities at this level, granting a say to an anti-secessionist majority in a referendum on state secession would enable this majority to restrain exit for many members of the minority.

I have also argued that both the all-affected and the all-subjected principles sanction a streamlining of our enfranchisement practices in this context, making an all-inclusive vote appear to be the ideal way of settling secessionism even at the state level. However, a move towards an all-inclusive vote would be a virtual recipe for majority domination, and we should therefore see it as utterly misguided. I claim this to be a conclusive argument against applying any of these principles in cases of referendums on state secession.

The limited applicability and standing of these principles are instructive. The all-affected principle and the all-subjected principle are both what we may call second-order values, that is, their applicability depends on the extent to which they enable the realisation of first-order values. The litmus test, in this context, is their compatibility with freedom—which is our main concern and the first-order value here. That these principles undermine freedom, in the sense of non-domination, makes their application to referendums on state secession unjustifiable. This does not, however, licence disregarding these principles in referendums on urban secession. In fact, it would be misguided not to apply them in that context, where they are typically perfectly compatible with non-domination.

## References

- Arrhenius, G. (2005). The boundary problem in democratic theory. In F. Tersman (Ed.), *Democracy unbound: Basic explorations I*. Stockholm University.
- Arrhenius, G. (2018). The democratic boundary problem reconsidered. *Ethics, Politics and Society*, 1, 89–122. <https://doi.org/10.21814/EPS.1.1.52>
- Arrighi, J-T. (2019). ‘The People, Year Zero’: Secessionism and citizenship in Scotland and Catalonia. *Ethnopolitics*, 18(3), 278–297. <https://doi.org/10.1080/17449057.2019.1585091>
- Bauböck, R. (2019). A multi-level theory of democratic secession. *Ethnopolitics*, 18(3), 227–246. <https://doi.org/10.1080/17449057.2019.1585088>

- Beckman, L. (2006). Citizenship and voting rights: Should resident aliens vote?. *Citizenship Studies*, 10(2), 153–165. <https://doi.org/10.1080/13621020600633093>
- Beckman, L. (2014). The subjects of collectively binding decisions: Democratic inclusion and extraterritorial law. *Ratio Juris*, 27(2), 252–270. <https://doi.org/10.1111/raju.12038>
- Beckman, L., & Hultin Rosenberg, J. (2018). Freedom as non-domination and democratic inclusion. *Res Publica*, 24(2), 181–198. <https://doi.org/10.1007/s11158-016-9348-8>
- Boudreau, J-A., & Keil, R. (2001). Seceding from responsibility? Secession movements in Los Angeles. *Urban Studies*, 38(10), 1701–1731. <https://doi.org/10.1080/00420980120084822>
- Briffault, R. (1992). Voting rights, home rule, and metropolitan governance: The secession of Staten Island as a case study in the dilemmas of local self-determination. *Columbia Law Review*, 92.
- Buchanan, A. (1991). *Secession. The morality of political divorce from Fort Sumter to Lithuania*. Westview Press.
- Buchanan, A. (2004). *Justice, legitimacy and self-determination. Moral foundations for international Law*. Oxford University Press.
- Catalan News. (2019, November, 21). Half of Spaniards outside Catalonia would accept result of agreed referendum, says poll. *Catalan News*. [www.catalannews.com/politics/item/half-of-spaniards-outside-catalonia-would-accept-result-of-agreed-referendum-says-poll](http://www.catalannews.com/politics/item/half-of-spaniards-outside-catalonia-would-accept-result-of-agreed-referendum-says-poll)
- Centre on Constitutional Change. (2014). *The English favour a hard line with Scotland* [Press release]. [https://www.centreonconstitutionalchange.ac.uk/news\\_opinion/english-favour-hard-line-scotland-whatever-result-independence-referendum](https://www.centreonconstitutionalchange.ac.uk/news_opinion/english-favour-hard-line-scotland-whatever-result-independence-referendum)
- Dahl, R. (1956). *A preface to democratic theory*. Phoenix Books.
- Dahl, R. (1989). *Democracy and its critics*. Yale University Press.
- Erman, E. (2014). The boundary problem and the ideal of democracy. *Constellations*, 21(4), 535–546. <https://doi.org/10.1111/1467-8675.12116>
- Flanagan, R., & Kramer, D. (2012). *Staten Island: Conservative bastion in a liberal city*. University Press of America.
- Gauthier, D. (1994). Breaking up: An essay on secession. *Canadian Journal of Philosophy*, 24(3), 357–371. <https://doi.org/10.1080/00455091.1994.10717374>
- Goodin, R. (2007). Enfranchising all affected interests, and its alternatives. *Philosophy and Public Affairs*, 35(1), 40–58. <https://doi.org/10.1111/j.1088-4963.2007.00098.x>

- Held, D. (1995). *Democracy and the global order: From the modern state to cosmopolitan governance*. Stanford University Press.
- Hogen-Esch, T., & Saiz, M. (2001). An anatomy of defeat: Why San Fernando Valley failed to secede from Los Angeles. *California Policy Issues*, Nov., 39–66.
- Hume, D. (1894). *Essays, Moral, Political, Literary*. G. Routledge & Sons.
- Lovett, F. (2010). *A general theory of domination and justice*. Oxford University Press.
- McGann, A. (2006). *The logic of democracy*. University of Michigan Press.
- McGarry, J., & Moore, M. (2011). Secession and domination. In A. Pavkovic & P. Radan (Eds.), *The Ashgate research companion to secession*. Ashgate.
- Miller, D. (2009). Democracy's domain. *Philosophy and Public Affairs*, 37(3), 201–228. <https://doi.org/10.1111/j.1088-4963.2009.01158.x>
- Miller, D. (2010). Why immigrant controls are not coercive: A reply to Arash Abizadeh. *Political Theory*, 38(1), 111–120. <https://doi.org/10.1177/0090591709348194>
- Miller, N. R. (1983). Pluralism and social choice. *The American Political Science Review*, 77(3), 734–747. <https://doi.org/10.2307/1957271>
- Oklopčić, Z. (2012). Constitutional (re)vision: Sovereign peoples, new constituent powers, and the formation of constitutional orders in the Balkans. *Constellations*, 19(1), 81–101. <https://doi.org/10.1111/j.1467-8675.2011.00667.x>
- Owen, D. (2012). Constituting the polity, constituting the demos: on the place of the all affected interests principle in democratic theory and in resolving the democratic boundary problem. *Ethics and Global Politics*, 5(3), 129–152. <https://doi.org/10.3402/egp.v5i3.18617>
- Pettit, P. (1997). *Republicanism. A theory of freedom and government*. Oxford University Press.
- Pettit, P. (2012). *On the people's terms: A republican theory and model of democracy*. Cambridge University Press.
- Qvortrup, M. (2012). The history of ethno-national referendums 1791–2011. *Nationalism and Ethnic Politics*, 18(1), 129–150. <https://doi.org/10.1080/13537113.2012.654081>
- Radan, P. (2012). Secessionist referenda in international and domestic law. *Nationalism and Ethnic Politics*, 18(1), 8–21. <https://doi.org/10.1080/13537113.2012.654083>
- Reinikainen, J. (2019). What is the democratic approach to plebiscitary secessionism?. *Ethnopolitics*, 18(2), 362–378. <https://doi.org/10.1080/17449057.2019.1591044>
- Shapiro, I. (2012). On non-domination. *University of Toronto Law Journal*, 62(3), 293–336. <https://doi.org/10.3138/utlj.62.3.293>

- Sager, A. (2014). Political rights, republican freedom, and temporary workers. *Critical Review of International Social and Political Philosophy*, 17(2), 189–211.  
<https://doi.org/10.1080/13698230.2012.733586>
- SOU. (1993:90). *Lokal demokrati i utveckling: Slutbetänkande av lokaldemokratikommittén* [The development of local democracy: Final report of the Local Democracy Committee]. Allmänna förlaget.
- Stjepanovic, D., & Tierney, S. (2019). The right to vote: Constitutive referendums and regional citizenship. *Ethnopolitics*, 18(3), 264–277.  
<https://doi.org/10.1080/17449057.2019.1585090>
- Whelan, F. G. (1983). Prologue: Democratic theory and the boundary problem. In R. Pennock & J. W. Chapman (Eds.), *Liberal Democracy* (pp. 13–47). New York University Press.
- Ziegler, R., Shaw, J., & Bauböck, R. (2014). *Independence referendums: Who should vote and who should be offered citizenship* (Robert Schuman Centre for Advanced Studies Research Paper No. RSCAS 2014/90). <https://doi.org/10.2139/ssrn.2494832>