# Chapter 2

## *First Choice or Last Resort?*

*This century's awkward form of compromise.*
—C. L. Sulzberger, *New York Times* columnist,
   commenting on partition (February 17, 1964)

Let us assume two conditions. Agreement by nationalist adversaries to negotiate their conflict and to bargain together over specific terms of settlement is one necessary given. The second is their signaled willingness to do so on the basis of compromise. These markers established, we are justified in next asking to know what is the designated exit strategy for this final middle-course settlement.

When the declared goal is definitively resolving nationalist and intercommunal conflict on the order and magnitude of the Palestine problem, theoretically, precisely how many ideal-type peace paradigms are there to choose from? Surely territorial compromise cannot be the sole candidate. On the contrary; bearing in mind principled U.S. opposition to a partition-based solution for Bosnia, Iraq, Cyprus, or conceivably anywhere else, it is indeed far more commonly regarded as the least desirable of all options.

In normative terms, what do we require of prospective peace models? Why, when actually applied, are so few effective in practice, and—what really counts—over the longer haul? For that matter, what determines success or failure in the pacific settlement of such disputes?

By asking these end-of-the-negotiating-process questions, we are really going well beyond the "rules of the game" in peacemaking for a look at the "ground rules"—those criteria that are necessary for judging any "permanent status" or "final status" Middle East peace framework, but with particular reference to the partitionist solution.

## Peace Constructs: The Criteria

Assuming, of course, agreement on the negotiating agenda, an ideal-type solution has to meet four, possibly five qualifications. Does it, in the first instance, apply to and cover all the issues? If genuine, a peace construct will provide the outer scaffolding under which individual and separate solutions for each of the contentious issues (geographic, demographic, social, economic, political, military, etc.) can then be systematically arranged into an inclusive peace package.

Second, the tendered solution ought to have a certain intellectual appeal, besides satisfying the first criterion of comprehensiveness. A proffered peace formula also has to pass the test for logicality. Does it stand to reason? Does it make sense? Is it convincing? By this I mean it should be both rational and parsimonious. At once intelligible and compelling, politically, but even morally so. For if it fails to sufficiently convince and inspire, chances are it will then fail to win the minimum support necessary for adoption as the agreed policy course of action.

Logicality, though important, is insufficient in itself. When next applied to a specific conflict, the designated peace construct has got to be convincing on the plane of reality, i.e., directly relevant to facts on the ground. In a word, it must be doable, practicable.

But, fourth, in order to be workable in the fullest sense, the said solution must also be freely entered into by the two or more consenting parties. This insistence upon voluntary agreement expressly disqualifies any imposed solution or *diktat*.

Which relates, in turn, to a fifth, and final, stipulation: not an iron-clad guarantee but at least reasonable assurances of finality. Here, the emphasis is on durability, or, in the language of UN Security Council Resolution 242 of November 22, 1967: "a just and *lasting* peace." In this sense, again, shorter-term "stability" is not entirely consistent with true conflict "resolution," where reasonable prospects are sought for normalization in relations between former enemies now turned neighbors.

In short, we ask a great deal of peace constructs. That they be at once moral, fair, balanced, and pragmatic. That they be legal, contractual, and derive from compromise. Last, that they be practicable. Small wonder that perfect or ideal-type solutions are so hard to come by, and therefore so rare, in international dispute settlement.

Too often a prospective peace construct will satisfy one or more of the conditions but not all of them. For example, although compelling in principle or on paper, a certain proposal might then be judged wholly im-

practical given the complexities and particularities of the actual situation. Similarly, what often strikes the detached outside observer as eminently rational may be unacceptable culturally, emotionally, or politically to the direct participants. Nevertheless, still more surprising than how few meet the grade is the paucity in the number of basic peace strategies contemporary international law and diplomacy are able to offer for negotiating final status settlements.

Different types of conflict obviously require different kinds of solutions. Because our concern is restricted to the Israeli-Arab conflict, so is the discussion limited to the single category of intercommunal strife between rival nationalisms inside a defined geopolitical domain, with title to the land itself lying at the heart of the dispute.

## Peace Constructs: The Menu

Conflict studies and peace research really yield a total of only four reductionist models for the adjustment of territorial-based nationalist struggles short of armed conflict ending in unilateral victory or defeat. These are: binationalism, autonomy, the federalist principle—and partition.

All four constructs share at least two virtues. They do speak to the possession issue—either in terms of rights or of real estate. And they are compromise solutions. Which means they seek (a) to avert strife among adversarial nationalist forces and ethnic communities, (b) to retrieve a legal as well as practical modus operandi by appealing to whatever little remains of a frayed national consensus, (c) to resolve conflicting territorial imperatives.

This commonality aside, what stand out are the major differences between the first three approaches—binationalism, autonomy, federalism—and partition.

The former are unitary solutions applicable within a single but fractious country; they are meant to preserve both the state's sovereign status and its exterior boundary delineation. As Arend Lijphart and others remind us, autonomy, binationalism, and federalism are specifically designed as consociational peace structures for accommodation and intercommunal coexistence between different ethnic, nationalist groupings under a framework of shared sovereignty.[1] Edward Said, on the other hand, insists, "There is no such thing as partial independence or limited autonomy. You are either politically independent or you are not."[2] But, then again, in today's increasingly interdependent marketplace and world, even with formal statehood no one can claim to enjoy full independence in the accepted meaning of political sovereignty.

This argument over sovereignty's modern-day value and validity notwithstanding, partition stands in glaring contrast to the alternative constructs by counseling bifurcation of the fragmented society and the no longer functioning state. When applied, partition's effect is to reproduce sovereignty as well as to divide collective goods and to redraw borders.

From one geopolitical unit there emerges an indeterminate number of geopolitical subunits depending upon the scale—grand or narrow—of partition. One can expect to find at least one secessionist state and at least two copartitionist successor states. Multiple entities are also conceivable. French Indochina (1954), for instance; also British-ruled India (1947), which eventually segmented into India, Pakistan, and Bangladesh. Two other proximate examples (in one case, proximate chronologically; proximate in historical and geographic relevance in the other case) are the spawning of a half-dozen ostensibly independent Balkan republics in the wake of Yugoslavia's uncoordinated, therefore messy, breakup during much of the 1990s and, of course, a score and more states, including Palestine and Jordan, carved from the Arab provinces of the former Ottoman Empire before and after 1919.

The respective preoccupations are also markedly different. Partition is about entitlement, the others, empowerment. The former concentrates on redistributing territories, people, and resources, while the latter reapportion power and authority. Binationalism, autonomy, and federalism each underscore *constitutional* compromise (often on a regional, cantonal, or confessional basis), whereas partition rests upon *territorial* compromise. Put differently, the aforementioned grapple with political claims while finessing the territorial aspect. Not so partition, in that, whatever else, it does at least attempt to answer both the political and the land question.

In a word, the contrast is power sharing versus land sharing. Pluralism matched against the opposite goal, or mentality, of ethnic segregation and exclusivity. From this it follows that the other models look for coexistence within the preexisting state and inside its prevailing, established state boundaries. In keeping with the Westphalian principle of sovereign equality, under the partitionist formula peaceful coexistence best finds postpartition expression at the level of interstate relations between newly independent successor states destined to live side by side. This in effect is where Slovakia and the Czech Republic find themselves following their "velvet divorce" parting of the ways in 1993.

Similarly, the cluster of three nonpartitionist paradigms are mixed solutions, encouraging a degree of communal and ethnic group separatism at the same time that they would wish to foster cooperation and to en-

courage integrative forces. Thus, in practice, with but few exceptions, binationalism, limited self-rule, and federalism have not provided permanent remedies. Rather, these traditional frameworks for joint stewardship are, if anything, proving increasingly unsatisfactory and possibly only transitory in today's world.

Partition, on the other hand, is often advertised in ethnic politics as the clean cut. It is meant in theory to be a "pure" solution, one that calls for formal detachment and legal separation with prospects for longer-term permanence. In effect, it takes the nationalist and separatist argument to its logical, even if extreme, conclusion: to each nation a state. In quarrels between ethnic groups insisting upon seeing themselves as "potential nations"[3] and hence would-be candidates for statehood, the only realistic prospect for any degree of finality, although far from assured, would seem to lie in an agreed territorial division. Certainly when the only other alternative on the horizon is an imposed, or indiscriminate, bloody partition—"dismemberment" in the most ominous and literal sense.

By way of summary, therefore, binationalism, autonomy, and federalism represent a politics of optimism, speaking to solidarity and consolidation, urging the merits of sinking differences and redoubling efforts at living together in renewed harmony. Not so partition—the politics of fragmentation—with its seeming underlying skepticism of divide and quit. But a kind of surgical fragmentation that for all its dislocation and momentary suffering might also stimulate a greater degree of subsequent consolidation and solidarity. Beginning within each of the new and, one assumes, more homogeneous social and political units created by territorial detachment but possibly extending to closer interdependence between the former warring communities.

So that pro-partitionists need not necessarily be advocates for abandoning the parties, leaving them to go their separate ways. Rather than the air of pessimism and finality in divide and quit, political and territorial partition actually prescribes something else entirely, and in much longer-range terms: divide and begin again.

Beyond these few comparative observations there is little further utility to be had in confining the discussion to an evaluation of the four structures solely in terms of their theoretical premises. Nor in belaboring the many practical defects inherent in each of the first three simply so as to dismiss them out of hand in favor of partition.

The point needs to be made that the applicability and, second, the success of these alternative peace models are very much context dependent. The claim has been made that "history records no instance where ethnic

groups have agreed to share power in a democracy after a large-scale eth-
nic civil war" and that such wars end "only with a dictatorship that restores
order by the knout, or with partition."[4] Modern Lebanon offers an intrigu-
ing case to the contrary, although even there a final verdict is still pending.

The outcome in each particular case will be determined by the interplay
of cultural, situational, and other variables, as twentieth-century compar-
ative and international politics readily confirm.[5] What might work for
Flemings and Walloons in Belgium or for the Swiss cantons in no way
foreshadows the outcome of fragmentation politics in Canada, Czechoslo-
vakia, Iraq, Lebanon, Nigeria, Russia, Spain, or Yugoslavia. Furthermore,
cumulative historical experience teaches us that every one of the four strat-
agems has been tested and found wanting on more than one occasion.

With these caveats in mind, the analysis proceeds from here to treat
the partitionist construct alone and to then discuss its respective merits
and demerits within the narrower confines of the single—but also singu-
lar—Arab-Israeli conflict and its attendant peace process. Nevertheless, I
shall be arguing that in this instance of "compromising Palestine" the de-
bate over partition is very much colored by three things. Further com-
pounding partition's mixed fortunes elsewhere (as in Cyprus, India, and
Ireland), and its questionable status and mixed reputation more broadly
in global affairs, are several previous disillusioning experiments in terri-
torially splitting the Holy Land.

## Partition and World Politics

Partitionism—defined here as the practice of dividing contested lands or
contentious peoples—is deeply rooted in diplomatic tradition. Through-
out history partition was applied as a function of dynastic rivalries, great
power hegemonial struggles, imperialism, and interstate conflict. For this
reason, regard for partition, as for its progenitor, the balance of power,
is, in the words of Mark Helprin, anything but "the elixir of popularity."[6]

Mistakenly thought discredited by the shocking manner of Poland's
dismemberment in the years 1772, 1793, and 1795, partition was long re-
garded as something of an anachronism in European councils and a word
all but deleted from the diplomatic vocabulary. Yet partitioning behavior
and its attendant effect of dividing nations, countries, continents, and
hemispheres nonetheless persisted throughout the nineteenth century un-
der the guise of "spheres of influence," "open door" policies, condo-
minium, and the "scramble for Africa."

Consequently, partition survived into the twentieth century, reaching
its zenith in the large-scale division of both Germany and Korea in 1945.

As for contemporary millennial world politics, the partitionist prescription may actually be experiencing something of a revival even as it undergoes redefinition.

For the first half of this century territorial partitioning continued in the familiar mode: as a blunt, often brutal mechanism for roughly calibrating competitive imperial and then Great Power drives through the arbitrary splitting of peoples and countries. As previously understood and practiced, partition ran entirely contrary to the anti-imperialism of the Wilsonians and to the principle of national self-determination. Nevertheless, it was given new meaning and reemployed for a while in the reverse process of decolonization. Thus, aside from figuring in efforts at international crisis management, partition for a while became a main theme in efforts by the British in the 1940s and 1950s toward imperial disengagement and the orderly transfer of power.[7]

Accordingly, Great Britain's hand can be seen in virtually every instance during the cold war where the East-West power struggle either converged or overlapped with third world independence struggles, and where partition was resorted to, with widely varying degrees of success and/or permanence: Germany and Cyprus. Korea and Indochina. India and Palestine. If you like, "divide and rule" met "divide and quit." These latter-day politics of partition only added to its previous bad name while amassing further proof of short-term expediency now compounded by failure in one instance after another to provide longer-term stable solutions.

Neopartition, by contrast, owes its latter-day rehabilitation and 1990s distinctiveness to considered application of the territorial compensation and sharing principle (and somewhat less objectionably) to situations of intrastate ethnic conflict. While very far from being universally endorsed and enthusiastically promoted, political and territorial compromise are nevertheless widely acknowledged to be one of the precious few conflict resolution formulas worthy of serious consideration in trying to cope with the politics of ethnicity. In a sense, territorial division is the handmaiden of ethnic compartmentalization and separation.

A further battery of arguments consistent with territorial compromise is inspired by contemporary emphases in the scientific study of international relations. Foremost is partition's relevance for modern geopolitics in that it squarely addresses the territorial dimension of nationalist conflicts. As Harold and Margaret Sprout, K. J. Holsti, and others remind us, elements of physical and political geography in general, and, in particular, rival territorial claims—how to apportion living space—continue even in the thermonuclear age to be a central element in political disputes and turf wars.[8] The discourse of political geographers is replete with refer-

ences to "shared space" versus "separate spaces." Here partition assumes relevance through its advocacy of sharing land by dividing it rather than fighting for exclusive possession.

Another ancillary line of defense is to see territorial compromise likewise fitting into integration theories as the reverse process of state deconstruction, or "building down." Olson and Groom, for example, insist that theories of disintegration be taken as seriously as those focusing exclusively upon unification, in that they address the important question of "why separate groups persist, and collective identities, in defiance of class or state, emerge, persist or resurge, becoming politically salient."[9] They go on to note, "Moreover, disintegration has only recently been taken seriously as something other than an anomaly or a pathological state."

Modern approaches to the classical theory of the balance of power are certainly receptive to partitionist thinking. Many leading thinkers of the realist and neorealist school like Morton Kaplan, Hedley Bull, and Kenneth Waltz have maintained the traditional preoccupation with static power equations and configurations—bipolar, triangular, quadrilateral, pentagonal, with structures of balance or imbalance, and with stable or unstable equilibria.[10] Others, however, like Michael Sheehan, are shifting the emphasis away from balance of power as *situation* toward the concept of a more dynamic, ongoing *process* of balancing and reequilibrating power.[11] From this latter viewpoint what matters most is the methodology behind balancing behavior and the techniques available to statesmen for creating and preserving rough balances as well as for redressing imbalances.

Wars, arms races, accumulated wealth, and alliances aside, historically the balancing of power has relied heavily upon four different usages of the land factor: unilateral conquest and annexation, neutral buffer zones, spheres of influence, partition. In this context, it is fair to say that partition has long been handmaid to the balance of power. And, to the extent that world affairs signal a return to the balancing of power, then territorial adjustment and compensation—so central to the partition logic—are all but certain to remain a permanent fixture on the international scene.

Current peace research contributes further to partition's rehabilitation. Writings on international mediation and conflict resolution assign highest priority among territorial claimants to what Zartman calls "the fifty percent solution," by which he means a formula for mutual concessions and compromise.[12]

Spokesmen for the international system appear to be taking essentially the same position as students of rational choice theory and expected utility models, namely, that almost any end to intercommunal (ethnic) or possibly even interdenominational (religious) conflict within segmented

societies—even one without a necessarily happy ending—is to be preferred to conflicts without end. In 1754 the American colonists may have waved a banner showing a serpent and the motto "Join, or Die," whereas in the waning days of the Soviet Union the slogan that carried the day was "Divide, or Die!" In this spirit all recommended negotiating strategies for peacefully resolving territorial and other political differences—whether couched in terms of self-interest or payoffs and cost variables—put the willingness to "split the difference" at an absolute premium.

This change in thinking toward national and territorial partition has earned it newfound diplomatic respectability, which can be sensed in John Mearsheimer's provocative March 1993 *New York Times* op-ed piece, "Shrink Bosnia to Save It." There he challenges conventional wisdom by asking, "Wouldn't it make good practical and moral sense to organize and plan the border changes rather than to allow the chaos of war to decide them?"[13]

Returning to this theme in a subsequent article, Mearsheimer and Van Evera fault American foreign policy makers in Bosnia on two counts. In the first instance, for having blindly, reflexively opposed partition for so long because partition "is so ugly"; and, in the second instance, for belatedly seeing the light only at "the culmination of a glacial process," finally consenting at the Dayton roundtable talks to "a veiled partition but a partition nonetheless."[14] Going beyond Bosnia, the authors offer the following important generalization: we must be willing at times to decide "that some states cannot be sustained and should instead be disassembled." For only if we accept this reality "honestly and promptly" will we have, in their words, "a reasonable chance of managing their disassembly and keeping it relatively peaceful." Their parting words are equally relevant for our discussion: "Partition should remain a last resort, but, regrettably, we still live in a world where it is sometimes necessary."

What Mearsheimer and Van Evera do is take contemporary thought forward, asking us to overcome an a priori antipartitionist bias that is the legacy of eighteenth and nineteenth century European power politics in the spirit of *divide et impera*. For they are basically arguing that territorial division deserves the endorsement of leading international actors if it can fulfill two basic preconditions. The first requirement is consent; consent of the partitionees, who themselves are also the partitioners, àla the Czechs and the Slovaks—in contrast to the past, when collusion among the dividing power or outside copartitionist powers was the only necessary and sufficient condition. The second criterion for endorsement is that the pro-partition initiative also be preemptive, meaning that agreement be given prior to (indeed, in place of) hostilities.

Given both propitious circumstances, partition then becomes something else entirely. It constitutes a form of preventive diplomacy and therefore more readily defensible as conflict *avoidance* rather than, as so often in the past, a "natural" part of conflict *termination*—a postconflict exercise by high-handed statesmen in arbitrarily sharing out the spoils of military superiority.

Mearsheimer and Van Evera, in effect, mirror a sober realist viewpoint. For all its problems, on any comparative real-world basis partition may be the "least bad" of the proffered alternatives. Geoffrey Clark reasons that the West might do well "to get over its fetish for the unitary and inviolable nation-state," if simply because many of the world's states are quite artificial and in any case already divided, de facto, by deep ethnic differences.[15] Himself an observer of post–Second World War and post-cold war situations of civil strife (in Cambodia, in Bosnia, in a number of African states), Clark urges in such instances, "Let them divide, rather than encourage them into winner-take-all elections or civil wars," concluding, "It is not the best solution, but at this late stage it is better than no solution."

Just how much better is quite another affair and best left to case-by-case examination. The main point, however, is the goal of restructuring both nations and failed states in striving for more homogeneous units that are capable of functioning. Also, in striking contrast to the former instinctive knee-jerk reaction of immediately disqualifying it out of hand, a greater willingness that one finds of late to at least consider the option of radical surgery and partitionism's offer of a clean break.

Graham Fuller, reinforcing Clark's argument, judges the present international order of existing state borders to be essentially obsolete. He predicts that we are entering only the first phase of a new cycle in what he terms "state regeneration," leading to a proliferation of national actors, the endless subdivision of traditional state units, the multiplication of sovereign entities, and the doubling or tripling of UN membership over the next century.[16] By such formulations does partitionism reemerge as a valid instrument for inspired diplomatists—rather than what Conor Cruise O'Brien once referred to in the context of Ireland as "an expediency of tired statesmen."[17] And contrary to categorical rejection, as in Robert Schaeffer's "Partition is a failed political policy."[18]

## Applying Partition to Irreconcilably Divided Societies

With concern for international peace and stability shifting from cross-border wars to civil wars, statesmen hard-pressed to come up with a better solution are more inclined to respect the territorial compromise for-

mula primarily as an instrument of nationalist politics. Or, at a minimum, no longer gratuitously to dismiss partition in categorical terms: no less unthinkable than it is politically unacceptable.

As of the 1990s it is the alarming increase in the number of deteriorating *internal* situations marked by multiethnicity and intercommunal strife from Abkhazia through Kosovo to Zaire that has replaced imperial and superpower rivalries as the greatest single threat to order. The specter of Huntington's "clash of civilizations"[19] and wars of religion is materializing not so much at the interstices between differing cultural states as domestically, within the territorial confines of individual states.

Thus, presenting both the pros and cons of partition as a solution for ethnic groups in conflict, Donald L. Horowitz, for one, comes down on the side of partition. He finds that despite the difficulties, and because the benefits would be substantial, partitionist solutions directed at separating the antagonists through a pragmatic course of civilized territorial compromise "deserve full-dress consideration."[20]

From a strictly functional as well as a larger systemic standpoint, this desire to "go it alone" makes little sense. Economically, for example, more than being simply wasteful or inefficient, separatist nationalism stands to be ruinous. But then, since when are liberationists necessarily standard-bearers for "right reason" or particularly interested in justifying balance sheets or rationalizing trade performance?

Nonetheless, anticipating the economic deprivation, nonviability, insecurities, and other attendant costs in fragmentation, several international trends presently underway suggest the availability in the future of shock absorbers to help shield prospective breakaway states from some of these costs. By realistically acknowledging the likelihood of proliferating smaller units, upgraded partition constructs can incorporate novel, even progressive ways to compensate consenting copartitionist parties for the pains of disintegration at the domestic subnational level. How? By offering modes of accommodation, cooperation, and interdependence at the higher plane of supranationalism.

In the future, for example, integration theory and regionalism, although contrary in spirit and thinking to the very idea of insularity and separatism, might actually help to offset psychological and material advantages forfeited in opting out of existing states. Witness membership in the European community, breaking the fall for the Czechs and Slovaks and easing the initial disruptive dislocation necessarily accompanying any such large-scale disengagement. Should a further wave of separatist movements and secession become reality, then new, greater possibilities will present themselves

in the twenty-first century for admitting smaller copartitionist successor states, like the Czech and Slovak republics or prospective Cypriot and Turkish entities on a divided Cyprus, into broader frameworks.

Affiliation in larger regional security regimes and economic unions, if anything, might actually cushion the effects of territorial division, enhancing rather than weakening its appeal in the future. In other words, in an era of globalization and larger functional networks of states, ethnic separation combined with territorial partition may be unesthetic but not necessarily unworkable.

Still, the centrifugal forces of renewed tribalism and religious fundamentalism threaten in the more immediate future to expose twin post-Westphalian fictions nevertheless maintained since 1648: the unity of the nation and the sovereignty of the state. Today nation and state are regarded as separate concepts and need to be dealt with as such by international diplomacy. In which case the prospective repartitioning of Palestine, especially if fully implemented, is profoundly instructive for other multinational societies and states likewise imprisoned by the divisive politics of fragmentation.

If for these reasons alone, and notwithstanding classical partition's sordid reputation, the practice of compromising and redividing contested territory surely deserves a fair hearing. Two additional arguments: relative to other scenarios, controlled partition may be no less a humane, democratic, compromise solution; and, second, neopartitionism to a large extent can be accommodated into current mainstream international relations thinking.

To the same extent that borders may be untenable, so is it possible for entire states to be rent asunder by unbridgeable sectarian differences. If their residents and segmented communities simply cannot or will not live together, then they might better be encouraged, if nothing else, at least to agree upon peacefully going their own respective separate ways. Once neither shared rejoicing nor shared grief suffice any longer to unite them, what remains, really, for accidental neighbors and citizens by compulsion who feel themselves imprisoned within traditional political allegiances and borders that serve as nothing but stifling walls of confinement?

## Rationalizing Territorial Compromise

Global political trends aside, a pro-partition stance is more readily defensible in the prevailing intellectual climate. Specific reference is made here to recent academic work in important subfields and cognate disciplines of international relations.

Political geography maintains an abiding concern with spatial determinants even in the nuclear era. Integration theory, of late expanded to include the reverse process of *dis*integration as well, instructs us in the ongoing dialectic of unity/disunity and recombinated geopolitical entities. Territorial adjustment and compensation are traditionally subsumed within the political realist approach. For much of world history partitioning contested land has served as one of the instruments most favored for balancing power between competitive actors in an anarchic, self-help regional or international system.

Negotiation theory, in turn, certainly places the highest emphasis upon bargaining strategies that encourage give and take and compromise. Again, the supreme value of compromise is highlighted as well in the extensive literature emerging from empirical and conceptual work in recent years on nationalism and ethnic conflict and, not least, peace research itself. The combined effect is to reinforce the strong link between our two themes of territory and compromise.

A 1992 commentary provides useful insight into subtle changes of attitude toward partition that have begun to percolate upward into policy-making circles. Referring to the flaring up of old eastern European nationalism, the *Economist* editorialized: "The way to deal with such a legacy is not to resist break-ups by forcing unhappy peoples to live together in one country. It is to recognize that in some places divorce is inevitable, and to mediate as amicably as possible."[21] It added: "The world's happier nations could not have prevented the Yugoslav bust-up, but they might have made it less cruel by helping to negotiate the terms of separation earlier on."

Venturing beyond partition's inevitability, Michael Walzer is prepared to defend it on a second, higher plane of moral justice, whenever "there doesn't seem to be any humane or decent way to disentangle the tribes, and at the same time the entanglements are felt to be dangerous—not only to individual life, which is reasonable enough, but also to communal well-being."[22] Because the methods of coercion required to keep peoples together against their will are unacceptable, he is led to conclude, "We have to think about divorce, despite its difficulties."

In sum, peace and partition are not inherently or necessarily incompatible. Present-day conceptual and policy-oriented attempts at dealing with post–cold war international threats to peace by (a) averting, (b) easing, or (c) ending intrastate conflicts might well give reconsideration to territorial compromise as political compromise. This sounds far easier than it is in practice, because of ingrained dislike for partition among diplomats in general and American diplomatic tradition in particular.

To be sure, partition does not lack for critics; neither is it claimed to be flawless.

Nevertheless, in countering traditional, intense Pavlovian-like aversion to any form of territorial partition, insisting upon key distinctions might help in at least earning partitionism a fair hearing. Whatever else, judgment on the partition construct should be nuanced and not categorical.[23] It should be based on case studies, close analysis, and comparative research. Comparative also in the other sense of being weighed, critiqued, and judged always against the relative advantages, and faults, of the other available rival solutions and peace constructs.

Preempting a good deal of the anticipated criticism, the imperfections of partition and much of its bitter history are well known from previous essays in political and territorial division, India and Palestine in particular. For example, partition cannot claim to be singularly effective in producing durable peace settlements. At best, it can provide a respectable formula for ethnic communities to spare themselves considerable grief, while offering some hope for staying alive, retaining sanity, and seeking normalcy.

There are enormous practical difficulties in disengaging. Partition invariably leaves behind a good deal of unfinished business; note Kashmir. Few "partitionables"—from Quebec to northern Italy and from Sudan, the Basque country, Kurdistan, and Baluchistan to the West Bank—are going to be nearly as neat and amenable as former Czechoslovakia. Critics are therefore on solid ground in faulting—but not disqualifying and eliminating—the construct for its tendency to lead, in Schaeffer's analysis, to "the displacement of indigenous populations, disenfranchisement of ethnic and secular minorities, frustration of empowered majorities, internecine social conflict, and interstate war."[24] Nevertheless, done properly—*which means, above all, by insisting upon, and pressing for mutual consent*—territorial compromise has as much chance for being confirmed practical necessity as folly. For doing arguably more good than harm. For granting self-determination, however illogical, until such time as more rational heads are ready to begin the long postpartition climb back to closer cooperation, possibly even reintegration.

Yet so engrained is the antipartition bias that many people are quite simply unready to look at both sides of partition. Out of a self-professed "obsession with partition," Radha Kumar has somehow managed to get it all wrong in her passionate 1997 critique, *Divide and Fall? Bosnia in the Annals of Partition.*[25] Setting out single-mindedly "to counter the re-

cently revived idea that partition can be a solution to ethnic conflict" and to demonstrate once and for all how "in the present time the formula is essentially anachronistic,"[26] she focuses on the enduring Yugoslav crisis as the outstanding case in point for categorically dispensing with partition anywhere.

Alas for Kumar's efforts at closure of debate on partition, Bosnia-Herzegovina is neither a failure in partition nor a triumph. It certainly does not stand as a condemnation of the basic theory and entire concept of partition, for the very simple and prosaic reason that partition has never been pronounced the peace construct of choice in the Balkans. In fact, quite the opposite: the Clinton administration did not recognize partition as a fait accompli; reintegration was the declared message of Dayton; America's energies were channeled into averting a final political and ethnic split. Indeed, the entire thrust behind the U.S.-brokered Dayton agreement to this very day remains to preclude, not promote, territorial separation—which may very well yet prove historically to be the single greatest anachronism of all.

Still, having conceded most of partition's known or alleged shortcomings, there is a profound difference between (1) viewing partition with complete disdain, (2) treating it as an imperfect yet expedient tool, and (3) addressing it in more positive and even constructive terms. Primarily, in the latter instance, as a peace formula that while not suitable everywhere may still be appropriate to certain situations or types of conflict, equitable under the "fair share" principle and also workable. If certain conditions prevail, or can be made to prevail. It follows from this, second, that the differences are no less profound between agreed partition at the behest of those targeted for separation and a coerced partition that is involuntary.

By way of conclusion, the theoretical framework used in this study posits four dimensions to partition as territorial compromise. The first axis is coercion versus consensus; the second axis is general or universal versus case- and country-specific.

Therefore, in proceeding with this close examination of Palestine and agreed partition, on the first count, I adopt Uri Savir's rendering of the Oslo accords as "an equation of freedom and security which leads to political separation on one side and to broad cooperation on the other."[27] This is a more worthy, and in my estimation, a more realistic point of departure than, by comparison, Radha Kumar's frankly ungracious dismissal of Israel's post-Oslo actions and, in effect, the whole direction of the

process, as "pointed towards the ultimate creation of an invisible Palestine within a bispatial structure whose upper tier would comprise an Israel with highways overpassing Palestine to the rest of the Arab world, and whose lower tier would comprise impoverished and disparate Palestinian territories."[28]

On the second, theoretical, count, here I am partial to Schaeffer's reading of partition as cyclical rather than dead-end. In seeming self-contradiction, at one point he concludes, categorically, that partition "is a failed policy," only to reverse himself in writing, more perceptively: "Violence is used to advance partition. Which is seen as a solution to violence. But partition, in turn, produces new conditions that lead to violence and war, where partition can again be advanced as a solution."[29] There is no better proof of the ongoing dialectical politics of partition than Palestine.

Therefore, more than anything else, we do need to be discriminating, although in an entirely different sense of the word. Discriminating not in a priori and biased, one-sided judgments. Definitely not the categorical, blanket condemnation of partition represented in the writings of Kumar and others. And often unaccompanied by any better or more effective alternative to the plight of estranged ethnic and national groupings than appeals for "reintegrative programs" and "pluralistic projects for economic reconstruction and development"[30] by precisely those nations and people who have lost the will to collaborate. But, rather, discriminating in our ability, and willingness, to search for useful distinctions. To identify gray areas, to sensitively calibrate lesser evils, and to zero in on what may still be politically possible relative to complex real-world conditions.

In short, we start out by acknowledging that any design for repartitioning Palestine/Israel and the West Bank will yield imperfect peace: Sulzberger's "awkward form of compromise." But compromise and peaceful accommodation nonetheless.

## Partition Qualifiers

Part of partition's problem is that it has always been regarded as a Machiavellian solution; whereas it deserves to be seen as embodying elements of sensitivity and, yes, fairness as well. Realpolitik and political realism are not necessarily one and the same thing. Certainly not when it comes to exercising prudence and discerning when two people—or for that matter, two peoples, or two nations—have reached a breaking point and pro-

nounce themselves no longer capable of coexisting within a single framework.

This latter point leads to an important distinction: partition *of* and partition *between*. Dividing something integral as opposed to dividing two already distinctive units or entities.

In one column, for instance: wantonly dividing a single organic *nation* (Germans, Koreans). Illegally and capriciously splitting an existing *state* (Poland, Czechoslovakia in the late 1930s, ostensibly on the grounds of wishing to separate Sudetenland Germans from Czechs. Arbitrarily carving up a failed, vanquished *empire* or even an entire *continent* (Africa).[31] In a separate column, though, are prescriptions for decoupling two diverse *societies*. Here the reference is to two or possibly even more *ethnic communities* whose forebears were thrust together within a single geopolitical unit because of an "accident of history." But who at the current stage of their national history—or histories!—pronounce themselves mismatched and politically incompatible and, therefore, ask to break the formal and now restrictive ties keeping them together.

Similarly, in directing this reassessment of partitionism to the Arab-Israel conflict, two further analytical distinctions need to be made. Paradigmatically, territorial separatism can be interpreted in one of two ways. As exchanging land not in kind (i.e., for a different piece of land) but in return for some other value, be it peace, security, monetary compensation, or supplementary guarantees or trading land for land, which is partition defined as territorial compromise. In instances of the latter the final partition regime as agreed upon can be either "hard" or "soft," the chief difference being sealed borders and high walls signaling independence *from* each other versus a qualified disengagement and separatism allowing for a degree of interdependence *upon* each other. But whatever the exact format, hard or soft, the main point about partition is that it leaves neither copartitionist dependent in the sense of subordinated one to the other.

Rather than using partition in cavalier fashion as a catch-all, we ought to insist on differentiating between types of partition. The following table suggests one possible set of key variables.

Such classifications and refinements do more than aid our understanding of partition as a technique available to the peacemaker and statesman. Above all, they guard against our rendering blanket, categorical judgments, whether for or against.

TABLE 2.1.  Partition Variables

| Partitioner | Partitioned | |
|---|---|---|
| Rival global or regional powers | Colonial possessions | Defeated belligerents |
| | A homogeneous nation-state and society | |
| The rival communities themselves | A multiethnic state/entity | |
| **The Enforcement Mechanism** | **Ease of Implementation** | |
| Imposed | Resistance | Large-scale dislocation and/or violence |
| Consensual | Compliance | Minimal, controlled damage Peaceful |

**Degree of Separation**
Hard partition
Soft partition

| Nature of Postpartition Relations | Duration |
|---|---|
| Strict segregation, exclusionary strained relations | Unstable, short-lived, transitory |
| Qualified Separation | Transitional |
| Inclusionary, interactive (economic union, condominium) | (possibly leading to recombinatory forms of federalism) |
| Correct relations | Institutionalized and durable |
| Normalized relations | |

Endorsement of partition as well as opposition to it must be discerning. It ought to be done on a case-by-case basis. It must fit the specific problem relative to both prevailing conditions and to the chances, alternatively, for a unitary rather than separatist solution. And it has to meet the threefold standard: credible, workable, durable. In this way it becomes entirely possible for the United States and other international actors politically to favor partition in one instance while opposing it in another, and still not be charged with flagrant policy inconsistency.

Partition, in conclusion, does offer a possible exit strategy in either instance: conflict avoidance or conflict termination. But only in certain, admittedly select instances. The Israeli-Arab conflict may be one of them.

Indeed, turning from the general (the theory of the politics of partition) to the case specific (repartitioning Palestine), nowhere are the above insights more relevant than in the context of Middle East peacemaking. Here Israelis and Palestinians are deeply immersed in their own private experiment at negotiating a political-territorial redivision of British-mandated Palestine: *Eretz Yisrael/Filastin.*
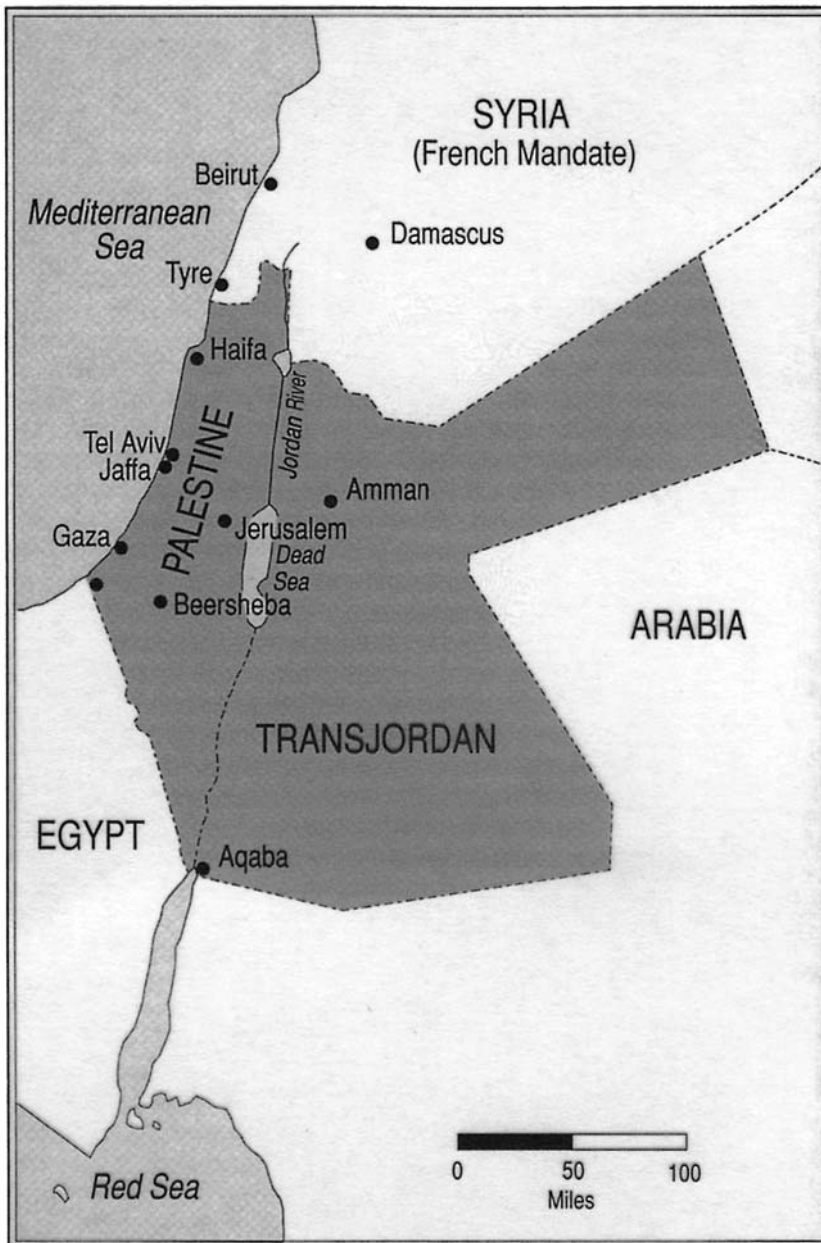
**1. Palestine and Transjordan Under the British Mandate**