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**THEORETICAL CONCEPTS OF PARTITION
AND THE PARTITIONING OF IRELAND**

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WORKING PAPER 17

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AND THE PARTITIONING OF IRELAND**

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ABSTRACT

THEORETICAL CONCEPTS OF PARTITION
AND THE PARTITIONING OF IRELAND

The circumstances concerning the partitioning of Ireland do not fit easily with patterns observed in other examples. The evolving bases of partition between 1912 and 1925 varied significantly with regard to geography, political status, and function. Also, the presence of the third party in partitions is not strictly applicable to Ireland as Britain was both an external and internal party in the Irish equation. Partition is an intrinsically abstract and simplistic blunt instrument applied on a complex mosaic of peculiarities that constitute reality. There are very few modern states that are ethnically or culturally homogenous. In this context, partition is a subjective territorial tactic that treats symptoms of historical, political, and geographical difficulties. Hence, isolating politics, economics, history, or any other single perspective for analysis is likely to yield only limited insight, as they are not isolated in reality. The paper concludes that ultimately, notwithstanding the definitions and categories of partitions that have been devised, not only is each case of partition unique but subject to differing interpretations. In this regard, Ireland is a prime example.

BIOGRAPHICAL INFORMATION

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THEORETICAL CONCEPTS OF PARTITION AND THE PARTITIONING OF IRELAND

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INTRODUCTION

This paper seeks to survey the observations and classifications contained in the academic literature (dominated by geography and political science) on partition and to identify historical points of comparison and contrast that can be made between Ireland and other prominent examples, for which the partition of India offers the greatest scope. Partition is an intrinsically abstract and simplistic blunt instrument applied on a complex mosaic of peculiarities that constitute reality. Very few modern states are ethnically or culturally homogenous. In this context, partition is a subjective territorial tactic that treats symptoms of historical, political, and geographical difficulties. Hence, isolating politics, economics, history, or any other single perspective for analysis is likely to yield only limited insight, as these are not isolated in reality. As previously recognised by Waterman (1987) and Johnston (1973), partition studies may be better illuminated and complemented by studies of state integration and unification in appreciation of the reciprocal processes that can operate.

The partition of Ireland raises questions regarding the process and result of initially dividing the island of Ireland into two distinct political entities. This was legally effected by the 1920 Government of Ireland Act, which initially facilitated *within the United Kingdom* the establishment of devolved governments for Northern and Southern Ireland—the former consisting of six counties separated from the remaining twenty six of the latter. Emphasis is placed in this paper on the partitioning of Ireland within a timespan stretching from 1912, when partition was first substantially countenanced, and 1925, when the boundary of the partition was finally fixed. This accords with what Minghi classified as the stage of "active partitioning" (cited in Waterman, 1987: 162). In the "post-partition" stage, although the original 1937 Constitution of Ireland nominally restated territorial claims articulated earlier by the southern Irish Free State, partition was more effectively entrenched by the declaration of the Republic of Ireland in 1949. This was reciprocated by the Ireland Act of the same year, enacted at Westminister and guaranteeing Northern Ireland's constitutional position within the United Kingdom. While partition has been an ever pervasive theme in the politics of Northern Ireland and in conditioning British-Irish relations, it lost a great deal of practical significance within the context of evolving European integration and since the signing of the Belfast Agreement (or Good Friday Agreement) in 1998. This consolidated a paradigm in Ireland's partition that commenced in 1925, which stressed constitutional dimensions at the expense of territorial ones.

The comparative academic value of the Irish example is primarily augmented by its timing. It predated the partition of India and Palestine in which Britain was also involved, as well as the series of ideologically based divisions that were executed in Germany, Korea, and Vietnam. However, the specific dynamics and factors operative in Ireland can render the partition exercise there as not only an externally imposed one aimed at separating conflicting identities but also as a novel internal partition of the United Kingdom. Indeed, while the partition of Ireland set a substantial precedent for the partition process elsewhere and in providing material for assessing the principles and motives for partition, it has been dwarfed by subsequent examples in terms of territorial scale, the size of populations involved, and acute significance within both regional and world contexts.

DEFINITIONS AND HERITAGE OF PARTITION

The word "partition" may collectively or individually refer to a historical event or result, a political instrument of statecraft, or a geographical process. Ireland predates a series of partitions in the twentieth century, such as India, Palestine, Cyprus, Germany, Korea, Vietnam—partitions whose effects still reverberate to this day, but which as case studies vary in exhibiting common characteristics or significant differences. Issues concerning the definition of partition are perennially subject to debates that parallel those concerning the principle of partition itself, with the significance of definition lying in the judgements that have derived from it. The *Concise Oxford English Dictionary* (2004: 1044) defines the word thus:

> Partition n[oun]. 1. (especially with reference to a country) the action or state of dividing or being divided into parts. 2. a structure dividing a space into two parts, especially a light interior wall.
> …v[erb]. 1. divide into parts. 2. divide or separate by erecting a partition.

From a political science perspective, O'Leary (2001: 54) is more deliberate in articulating that:

> A partition should be understood as an externally proposed and imposed *fresh* border cut through a least one community's national homeland, creating at least two separate units under different sovereigns and authorities (original emphasis).

Any analysis of partition must acknowledge its multi-dimensional attributes and attempt to account for its causes, triggers, aims, justifications, and consequences. However, composing any definition, typology, model, or formula is inevitably bedevilled by being prescriptive, and so, elusive to universal application. Nevertheless, certain aspects of precedents can be seen to be followed or repeated even as new ones are being set. Perspectives on partition are conditioned by academic approach and political allegiance that can arouse a great deal of controversy ranging from perceptions of national ignomy and deliverance, and assessments of its moral or natural justice, as well as its functional effectiveness. Pounds (1964: 161) and Mansergh (1997: 33) have both noted that partition has acquired a "pejorative" reputation. For nationalist and liberal sensibilities, it largely possesses the stigma of infamy that is only inadequately mitigated by its perceived transience. However, the principle of partition pervades all levels of the administrative and territorial spiral from inter-state relations to growing hedges and building walls. While partition at in-

ter-state level is a politically loaded term, applied at sub-state level it amounts to an administrative subdivision possessing a generally more benign character (Waterman, 1987: 153).

Partition can encompass many variants of territorial disintegration such as the dissolution of empires, decolonisation, secession, and state contraction. Although simplistic in principle, partition is complicated in practice as it is a parasitic concept bound up with others such as territory, boundaries, self-determination, the nation, and the state. Partition is a concept that acknowledges that states and nations are rarely coterminous but it should be recognised that it is not a flawless remedy. Indeed, just as the idea of the nation-state when applied in reality is imperfect, the process of partition can be regarded similarly. Partition as a political device has had connotations of imperial expediency and has been identified as the source of conflict in many parts of the world. It is usually the perceived injustice of the terms of partition that fuels an antagonism that manifests itself by challenging its entire legitimacy and existence.

The partition process is in essence an exercise in boundary making. An early partition example was the simplistic longitudinal partition of South America between Spain and Portugal as codified in the 1494 Treaty of Tordesillas brokered by papal arbitration. The introduction of partition into the political and historical lexicon can be traced to the episodic partitions of Poland in the late eighteenth century that exemplified the extent to which it was subject to balance of power vicissitudes of the Prussian, Austrian, and Russian empires (partition in this sense meant "the division of a state so that it loses its identity or even disappears from the political map", but for much of the twentieth century it meant "the creation of two or more states within a territory which had previously been subjected to only one"; Pounds, 1964: 162). Partition became synonymous with the epithet "divide and rule" as imperial powers augmented territorial possessions via annexation and colonisation. The "scramble for Africa" as represented in the 1885 Berlin Conference epitomised the scope of European imperial interests. It helped establish respective spheres of influence within mutually recognised boundaries whose arbitrary delimitation reflected an inadequate and remote grasp of geographical realities on the ground with regard to language, race, religion, and culture of the indigenous populations—realities which began to manifest themselves acutely as empires began to dissolve.

CATEGORISATIONS AND TYPOLOGIES

As alluded to earlier, the task of definition is problematic and this extends to classification as well. One attempt by Sambinis (2000) to apply qualitative data analysis is somewhat undermined by the lack of a sufficient number of case studies to make any conclusions statistically significant but it does outline the range of variables that can be considered (see table 1). However, qualitative analyses have been more useful and more prevalent. One basic typology of partitions concerns divided nations and partitioned states (see Henderson et al., 1974, and table 2).

Table 1. Main variables in partition

- Conflict type—identity, ethnic, religious, ideology
- Deaths and displacement totals
- Ethnic heterogeneity
- Population size
- Conflict conclusion (truce/rebel victory)
- Geographical context/location
- Historical context
- Others: literacy/GDP/life expectancy/income equality/energy consumption

Source: adapted from Sambanis (2000: passim)

Divided nations tend to be separated on the basis of political ideology rather than that of nationalism, and the degree of ideological separation between the two is seemingly proportional to the permanency with which the partition may be viewed. As already intimated, integrationist forces may be in operation but the actual relations between separated states are influenced by the level of stability and legitimacy each is able to maintain as well as the relations with and between larger state patrons. Waterman observes that if "divided nations as a whole, or one part of them, at least, see themselves as the sole legitimate successors of a prior state or nation and have asserted a legal identity with the forerunner, unification or reintegration seems more likely to remain an ultimate aim" (Waterman, 1987: 159). When either the prospects of waging a successful war or agreeing terms on a political settlement prove unattainable then the status quo may be accepted in a climate of peaceful coexistence.

Divided nations, which imply an acknowledgement of an initially homogenous nation and territory, are underscored by ideological conflict with the corollary of a "hot" or "cold" war that maintains and entrenches the partition. The product states serve as ideological satellites or clients of hegemonic patrons as well as each claiming a monopolistic legitimacy as the true successor state.

Table 2: Categorisation of partition examples

Divided nations	Partitioned countries
Germany	Ireland
Korea	India and Pakistan
China	India, Pakistan and Bangladesh
Vietnam	Ruanda-Urundi (Rwanda-Burundi)
Cambodia and Laos	Palestine-Eretz Israel
Mongolia	

Source: Henderson et al., 1974

Assertions of such legitimacy may be pursued overtly in propaganda and non-recognition or covertly via destabilisation tactics. This can even manifest itself in the nomenclature of the state: North Korea is officially titled the "Democratic People's Republic of Korea" and the South is simply the "Republic of Korea"; West Germany was the "Federal Republic of Germany" while East Germany was the "German Democratic Republic". Hence, it has been necessary to resort to unofficial geographical shorthand to circumvent the formal political branding to distinguish them (north, south; east, west). Christie (1992: 68) applies the term "ideological" or "cold war" partition rather than "divided nation" in pointing to the significance of the presence of post-war forces in occupying the territory of vanquished opponents. The subsequent polarisation and the installation of separate polities reflected differences of ideology and not of identity. Christie also recognises that both entities in this type of partition aspired to national unity but differed on its ideological base.

Partitioned countries are created in order to contain and resolve conflict by separating hostile ethnic groups, and meeting national demands by endowing them with a state structure. Delimiting a precise boundary line to separate them is beset with complex difficulties of both a technical and political character. Thus there is scope for conflict to intensify as "the mixing of different ethnic groups, [and the] location of the border between them is hardly ever satisfactory and almost always problematic" (Waterman, 1987: 160). In partitioned countries, partition is more likely to be perceived as permanent, despite the diverging opinions of the respective parties on whether this was the intention. Such views may be buttressed by changes in population or alterations to the boundary itself. They have also been characterised as a last resort after strong external pressure has been exerted. Both "divided nations" and "partitioned countries" display the influence of external factors that have interacted with wars and revolutions. There may also be systemic consequences in triggering or sustaining similar dynamics in other places. External influences have had an over-proportionate bearing on the drawing of boundaries but the sheer distance of the partitionist agent can explain how local geographical aspects have been ignored in boundary delimitations (Waterman, 1987: 164).

The adoption of partition in "partitioned countries" constitutes a policy option alongside federation or devolutionary autonomy in addressing the governance of entities containing plural identities. These strategies for territorial management can be altruistic and seek administrative efficiency and convenience or they may be more machiavellian and exploitative in purpose so as to contain or dominate a community. Christie classifies similarly "identity based partitions" that largely followed the demise of European empires in Europe and their possessions further afield. They were particularly typified in areas "where an ethnic or religious (or, more likely, ethnic and religious) minority dominated a geographically-definable area, particularly in the periphery of the state or region concerned" (Christie, 1992: 69). The key factor distinguishing these types of partition from ideological ones was a lack of consensus on unity:

> The fundamental difficulty in these cases lay in the asymmetry of aspiration between the major ethnic-religious group asserting the unity of the whole region or state, and

the smaller ethnic-religious group or groups demanding a separate status for the region that they dominated (Christie, 1992: 69).

Christie also asserts that if partition was seen as the most appropriate solution reached at the time of decolonisation "the aspiration for unity would often remain among the dominant ethnic-religious group (as in the case of Ireland)." Conversely, if unity was the solution, the aspiration for separate status may remain constantly unrequited among the minority groupings seeking to secede.

Another classification by Murphy (1985) has a specific geographical perspective. Partitioning is described as "an explicit political or legal response to a social problem which is both a product of geographical circumstances, and an agent of change in the human landscape" (Murphy, 1985: 55). Four basic types of partitioning, he argues, have occurred during the twentieth century: (1) the division of a sovereign country into two separate sovereign countries (e.g., Pakistan and Bangladesh), (2) the internal political division of a country along ethnic lines to create a political structure based on ethnically defined regions (e.g., Belgium), (3) the creation of small semi-autonomous regions within a country for ethnic minorities (e.g., the Kurdish area in Iraq), and (4) the *de facto* division of a politically organised area into ethnic regions which are beyond the control of a central authority (e.g., Cyprus; Murphy, 1985: 56). These categories are qualified in that they apply to specific cases of ethnic or cultural cleavages nor to ideological examples of "divided nations". Murphy (1985: 56) proceeds to identify five fundamentally geographical factors of basic importance:

1. the relative size and territorial distribution of ethnic groups;

2. the relative size and location of the territories occupied by the various ethnic groups;

3. the degree of ethnic homogeneity within particular regions;

4. the distribution of political power among the various ethnic groups; and,

5. the relative economic status of the ethnic groups and the regions they occupy.

PARTITIONIST AGENTS

Critics of the concept of the multi-national state can cite the demise of the Soviet Union, Yugoslavia, and Czechoslovakia as evidence of its inherent weakness. The agents that divide multi-national states can be distinguished between two types of partitionists according to O'Leary (2006: 15-17)—"proceduralists" and "paternalists". Proceduralists act as consultative facilitators and tend to offer legal and technical assistance to the partition process. They are characterised by a professed claim of dispassionate and benevolent neutrality with the ultimate aim of a settlement based on consent rather than coercion. Alternatively, paternalists relate to a role being assumed in a bid to enforce peaceful resolution in judging that its prospects are otherwise unlikely. Paternalists suggest that third-party or external involvement would

be swift, lasting, and effective in reducing conflict. Wide consultation, consent, and due process are subordinated towards the premium of the pragmatic implementation of a peace. Within the constraints of potential military costs and liabilities, paternalists claim to address realities under the maxim that some justice is better than none at all. Paternalists challenge the generally received wisdom that partition is undesirable and that it contravenes political and legal norms while conceiving that it is ultimately a question of assessing legal or human costs whether to partition or not (Kaufmann, 1996: 170). When an ethnic conflict has greatly intensified, "partition is probably the most humane form of intervention" (Kumar, 1997: 23).

Arguably, Britain's partitionist role in Ireland, India and Palestine was procedural. One can question whether there is even a partition model that could be classified as specifically British. The three examples shared Britain's common recognition of a "two nation" identity, and the process had minority support as evidenced by Ulster Unionists, the Muslim League, and the Jews respectively (see O'Leary, 2006: 33). Yet, analogous grounds for partition could be seen in Burma, Sri Lanka and Malaysia, but these were ignored. There is insufficient evidence from French and Spanish colonial experiences to provide a comparative perspective and thus to isolate a typical British model of partition. Indeed, while Ireland's partition was a Unionist (Conservative) Party creed in both Britain and Ireland, it failed to extol its virtues with passion or consistency in government, while the Labour and Liberal parties could never be described as partition enthusiasts, whether in power or opposition.

THE UTILITY OF PARTITION: REALIST RATIONALISATIONS

Defenders of partition tend to stress its utility as a realistic option when compared with available alternatives. It encapsulates the impulse to separate as well as regulating and mitigating the excesses of what may be already happening with respect to expulsions, migrations, and extermination, and it may thus prevent an even worse outcome. Kaufmann (1996: 170-1) challenges the notion that ensuing population transfers of partition cause suffering. He points out that the most significant factor regarding suffering in population exchanges is the spontaneous nature of refugee movement. The immediate corollary concerns the inadequate finance, transport, or food supplies that accompany the spontaneity before relief efforts can be properly put in place. While planned population transfers are theoretically much safer, howsoever one plans, implements, or times a partition one cannot determine its exact impact. This was exemplified in India where the British were surprised by the magnitude of population movement, and were not ready to control, support, and protect the refugees. Even if transfers require a third party to operate *de facto* concentration camps for civilians of the opposing ethnic groups until transfers can be effected, this is likely to be safer than the alternatives of administration by the local ally or allowing the conflict to run its course. (Kaufmann, 1996: 171). From this perspective, rather than a device of "last resort" it is one of penultimate resort, the last resort being non-interference and letting dynamics continue unchecked despite the potential human cost. The principle may extend in some quarters to being an intrinsically appropriate and prudent strategy, and as more likely to provide a better degree of conflict resolution than the territorial status quo—hence, its utility as an active rather

than a reactive strategy. However, as a rejoinder to Kaufmann's thesis it may be naïve and unrealistic to expect that certain parties may desist from initiating excesses, as establishing a *fait accompli* serves their interests. Questions are also raised as to the sometimes unilateral exercise of power by a third party without reference to legal account or authority. In addition, any procedure or commissions they instigate may be questioned regarding their structure and terms of reference as well as resource and time constraints.

Kaufmann (1996: 173-4) defends the contention that partition reduces violence and the likelihood of recurrence of conflict, and argues that the homogeneous product states are stable and democratic. This assumes that partition is the only strategy to reduce conflict. To critics who assert that partition does not resolve ethnic hatreds, one may respond that it is not entirely clear that it is in anyone's power to resolve ethnic hatreds. Separation may help reduce inter-ethnic antagonism and moderate trenchant nationalist appeals, but as long as either side fears that it will be attacked by the other, past atrocities and old hatreds can easily be revived. Partition thus goes some way towards addressing the zero-sum security dilemma.

Partition's detractors, disregarding intent, would emphasise the reality of partition in merely converting internal security dilemmas into new external state ones. Partition, which is allegedly credible because it redraws national boundaries to resolve the minority's security dilemma, is as vulnerable to the credibility argument as any other solution, since only robust external security guarantees can credibly prevent predatory predecessor states from renewing hostilities with successor states. Partition can also be incomplete and defective as has been exemplified over the years by the episodic renewal of hostilities in Palestine/Israel (1956, 1967, and 1973) and India (1948, 1965, and 1971). Partition alone does not achieve homogenisation (see O'Leary, 2006: 27). Post-partition India and Pakistan are still heterogeneous as there are as many Muslims in India as in Pakistan, and even Pakistan contains a variety of linguistic identities. Many Palestinians remained in the newly created Israel as sections of the Jewish diaspora converged. Partition's success relies heavily on how the new territories are reconstituted demographically and on the absence of militarily significant minorities. Ethnic groups may not be satisfied with a slender dominance but seek to reinforce this in a predatory manner (Sambanis, 2000: 441). However, as Horowitz (1985: 589) declares, "the only thing secession and partition are unlikely to produce is ethnically homogeneous or harmonious states."

Many of the "beneficial" effects attributed to the partition process are in fact a consequence of corollary actions to eliminate, expel, and/or assimilate. Partition is but one tactic deployed in pursuit of the goal of homogeneity. The case of India was archetypal of an incomplete partition; the Kashmir question continues to linger and the conversion of East Pakistan into Bangladesh highlighted the perils of a fragmented state with its sections split not only by considerable distance but also an antagonistic state. Partition actually can adversely engender violence and trigger a further repartition with the upheaval which that would also entail. India's partition was accompanied by between 200,000 and 500,000 deaths and 15 million refugees. Kashmir is a clear manifestation that partition has only proved to be a partial remedy. In Palestine, the death toll was 6,000 Jews and 10,000 Arabs, with 750,000 Palestinian

refugees and 500,000 Jews expelled from Arab states. In Cyprus, there were about 6,000 Greeks deaths, 2,000 missing, and 1,500 Turks and Turk Cypriots killed, while 170,000 Greeks left the Turkish Republic of Northern Cyprus (TRNC). In Ireland estimates have ranged from 544 to 232 deaths (figures cited in O'Leary, 2006: 25).[1] Nevertheless, bare figures are, in themselves questionable, and do little justice to other variables that are difficult to quantify.

The argument that partition causes the proliferation of secession, and encourages wider destabilisation and the splintering of states, has elicited Kaufmann's (1996: 170) response that government use of force to suppress them makes almost all secession attempts extremely costly. This, in addition to uncertainty, would discourage the initiation of partition movements unless such movements are made inevitable by domestic political factors and only groups that see no viable alternative make the attempt. Indeed, an expectation that the international community will never intervene may encourage repression of minorities. When there is a prospect of inter-communal slaughter, separation is the only realistic alternative, with Kaufmann (1996: 172) boldly adding that "the record of twentieth-century ethnic partitions is fairly good." Yet, while the partition of Ireland has produced no interstate violence, intercommunal violence has been persistent throughout the past four decades within Northern Ireland.

CRITIQUES AND CONSEQUENCES OF PARTITION

Among the prominent critics of partition are nationalists. Citing the principles of national self-determination and democratic majorities, they see partition as constituting the antithesis or denial of national unity. However, one can demonstrate that nationalists adopt selective and subjective references to history to buttress their claims. Conflicting identities or "counter-nationalists" are often dismissed as illegitimate ciphers by asserting that either there was not more than one nation in the pre-partitioned entity entitled to national self-determination or deny national self-determination altogether (O'Leary, 2006: 20).

Even if one acknowledges that two nations exist, partition need not be axiomatic as ethnic co-operation is possible without partition, and partition need not occur at inter-state level. To federate may prove more satisfactory than to partition. Federalism seeks to secure an overarching sovereignty, and thus partition represents a failure to contain ethnic cleavages. Partition represents one extreme end of a spectrum, with a centralised unitary state on the other. The relative balance between centrifugal and centripetal forces is reflected in the structure of the state. (Waterman, 1987: 158). Hence, the federal form of countries such as the United States and Nigeria allows a degree of autonomy that addresses the demands generated by regional differences. If negotiation is a viable option, it may be possible to reach an internationally or regionally brokered agreement that attempts to deal with the conflict's under-

lying causes. Lebanon and Northern Ireland offer hope that partition can be subverted via alternative consociational approaches (O'Leary, 2006: 27).

Partition can be seen to damage state building and stunt the growth of democratisation. The degree of dislocation following a partition may involve considerable political and economic upheaval with the adjustment or overhaul of infrastructure that were formerly oriented to the pre-partition state. The partition settlement may allow for channels for co-operation either bilaterally on matters of direct mutual interest or via supra-national structures. State building may also be compromised by the physical shape of the state. The notion that rump states are not viable is countered by the contention that third party guarantors have "substantial influence over economic outcomes in that they can determine partition lines, guarantee trade access and, if necessary, provide significant aid in relation to the economic sizes of likely candidates" (Kaufmann, 1996: 172-3). From a military perspective again, reliance is placed on third party assurances to draw boundaries with a view to maximum stability and defensibility. From a more abstract viewpoint, the physical shape of a state has implications on aesthetics and national ideals as to what the national territory constitutes. Kumar (1997: 33) relates how ethnic partition can impede the development of post-war economies. Although economic cooperation could improve South Asia's economies substantially, the ongoing conflict between India and Pakistan over Kashmir has impeded attempts to build it. The Dayton agreement's hope that economic interests in Bosnia will militate against ethnic boundaries was also voiced in Ireland and Palestine. Irish nationalists and United Nations mediators in Palestine both hoped that "mutual dependence, geographic proximity, and the benefits of shared infrastructure would gradually dissipate the aftermath of ethnic partition." (Kumar, 1997: 33) One may also add the oft-cited "peace dividend" in aiding economic resurgence.

Figure 1 describes a theoretical continuum adapted and formulated by Waterman in which partition constitutes a significant and refined portion. Although it appears one-way and prescriptive it is more useful to conceive it in terms of a sliding scale along a spectrum. Partition and unification may be two sides of a dialectic in which the ideology and perception of the actors tend to determine what is partition and what is unity.
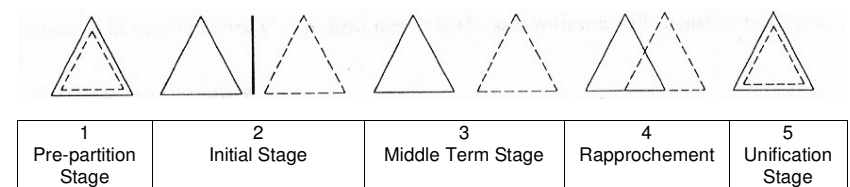

1 Pre-partition Stage	2 Initial Stage	3 Middle Term Stage	4 Rapprochement	5 Unification Stage

Figure 1: Five stages in the relations between partitioned states

Source: Waterman, 1987: 162

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[1] The death toll associated with the Northern Ireland "troubles" up to December 1997 totalled 3,585 since 1969 (Bloomfield 1998: 11).

Indeed, partition to one party may be national self-determination to another and hence unification (Johnston, 1973: 163). The distinction is sometimes not clear between the nation-state that claims to have resulted from partition and the nation-state that claims to have been a product of unification. Johnston outlines that some level of cultural homogeneity and value consensus must be attained and accompanied by a high degree of "social communication". Added to this, a dimension of economic interdependence between agrarian and urban people must be achieved by the development of a "common market place" or "national market place for distribution." (Johnston, 1973: 163).

IRISH APPLICATIONS?

Murphy (1985: 53-4) cites Ireland when he outlines his definition of the partition process, whereby:

> a piece of territory associated with a single political system and set of laws is divided into two or more areas associated with political systems and/or laws which differ, at least to a degree, from one another. In its most dramatic form partitioning involves the division of one sovereign political unit into two separate sovereign political units (e.g., the separation of Ireland from the United Kingdom).

According to Pounds (1964: 162), "[i]n Ireland 'partition' means the division of the geographical unit of Ireland into two separate political units". The partition of Ireland had been mooted in the nineteenth century but it became a live political issue only from 1912 onwards—but even then not in an inter-state context. Irish home rule was a devolutionary concept and not the recognition of independence. The powers of the proposed Irish parliament were limited and Irish members would continue to be separately returned to the Westminster parliament. There had been a pervasive initial assumption that partition was unworkable on two main counts. The first was that the economic implications of partition would wreck home rule entirely; and secondly, it was argued that the principle of partition ran contrary to the claim that Ireland was a single and united nation, which was associated with a geographical framework that was clearly delineated—the island of Ireland. Also, despite union with Great Britain in 1801, Ireland was administered by a single executive with its own viceroy, judiciary, and ministry within an overarching British governmental structure. Thus there was certainly no real precedent in principle, location, or function within Ireland for partition. To Irish nationalists, the perception and imperative was one of restoring independence to a discreet territorial entity that had been under perennial alien subjugation. However, the concept of natural boundaries is inherently problematic, as historical experience has illustrated that cultural regions rarely conform to physical units.

A discourse concerning the mutual delimitation of unionists and nationalists gathered momentum when a simple parliamentary amendment to the 1912 Home Rule Bill was proposed to exclude the four predominantly Protestant counties of Ulster (Antrim, Armagh, Down, and Londonderry) from the territorial scope of an Irish home rule parliament. Aggregating counties appeared to be a crude and simplistic method of delimitation but the Irish county had acquired wide currency in terms of

local territorial identity. It is important to stress that, as such, this partition would institute a first-order *internal* boundary. However, as this abortive four-county "statutory Ulster" proposal was the first significant discussion of subjecting Ireland to different administrations, the aggregation of contiguous counties was to constitute a constant and dominant theme in the boundary of partition, regardless of the status of the entities it was distinguishing. Nonetheless, partition at this stage did not amass many enthusiastic advocates, apart from Unionists exploiting its tactical merits in wrecking the entire home rule undertaking.

As the home rule debate developed (see table 3), partition and home rule were no longer being countenanced as complete antitheses, but delimiting the line of partition became acutely problematic as the complex mosaic distribution of unionists and nationalists could not be discerned easily. A further complication was added in that it was unclear whether such a partition was to be a temporary or indefinite phenomenon. The overriding significance of the discussions that took place in 1914 was that not only had Unionists been prepared to concede home rule as a principle but Nationalists had conceded partition on a six-county basis. The fact that they had done so on the proviso that the partition was to be temporary was effectively rendered irrelevant. Although the 1914 initiatives failed, the six-county territorial arrangement set a searing precedent and from then on supplied the territorial framework for subsequent partition agendas regardless of the powers and status that would be conferred on the authorities on either side of the partition boundary. In 1916, the apparent optimism for a six-county settlement floundered upon ambiguities concerning its temporary or indefinite character. Home Rule with six-county exclusion had again been adopted, but a new dimension was added in that the excluded area was to be administered by its own Secretary of State.

A British cabinet committee was charged in 1919 with the task of drafting new legislation to deal with the Irish question. The timing was important in that it was opportune following the conclusion of the first world war. Hitherto, any partition proposal could be rendered an exclusively internal one. There emerged a new paradigm as the state system of Europe was reconstituted and the doctrine of national self-determination had dominated the popular political *Zeitgeist*. Allied with the formidable and burgeoning forces of nationalism, the conclusion of the war heralded the break-up of empires such as that of the Ottoman and Austro-Hungarian, and even had implications for other powers such as Britain and Russia and, in the words of Mansergh (1997: 33), had overseen the "progressive partition from within through the re-emergence of nationalities." However, the question of nationality in Ireland was effectively recognised as an internal British matter. The abstract attractions of national self-determination were mitigated in reality by the fact that it was in the gift of, and on the terms of, those who could facilitate it. Thus the argument that the national unit was represented in the late eighteenth century by an Irish Parliament, which had approved a union that was now being substantially altered was ignored in Ireland's case when it came to applying national self-determination. However, there has been a political debate concerning the question of what and how many nations there actually are in Ireland (see Whyte, 1990).

Table 3. The evolving bases of partition, 1912-25

Failed amendment to Home Rule Bill, 1912 (indefinite partition)

South	*North*
A devolved Irish parliament	Retains status quo
28 counties	4 counties
Reduced membership in Westminster	Unaltered membership in Westminster
Remains part of the United Kingdom	Remains part of the United Kingdom

Lloyd George proposals, 1916 (uncertain future status)

South	*North*
A devolved Irish parliament	Separate secretary of state
26 counties	6 counties
Reduced membership in Westminster	Unaltered membership in Westminster
Remains part of the United Kingdom	Remains part of the United Kingdom

Government of Ireland Act, 1920 (indefinite partition)

South	*North*
A devolved Irish parliament	A devolved parliament
26 counties	6 counties
Reduced membership in Westminster	Reduced membership in Westminster
Representation in Council of Ireland	Representation in Council of Ireland
Remains part of the United Kingdom	Remains part of the United Kingdom

Anglo-Irish treaty, 1921 (indefinite partition)

South	*North*
A dominion parliament	A devolved parliament
26 counties (subject to	6 counties (subject to
Boundary. Commission)	Boundary. Commission)
No membership in Westminster	Reduced membership in Westminster
Representation in Council of Ireland	Representation in Council of Ireland
Becomes part of the Commonwealth	Remains part of the United Kingdom

Tripartite agreement, 1925 (indefinite partition)

South	*North*
A dominion parliament	A devolved parliament
26 counties	6 counties
No membership in Westminster	Reduced membership in Westminster
No Council of Ireland	No Council of Ireland
Remains part of the Commonwealth	Remains part of the United Kingdom

A remarkable aspect of the eventual 1920 Government of Ireland Act was not only the fact that a six-county partition was finally decided upon at a very late juncture (the government having seriously considered a nine-county partition delimiting the entire province of Ulster), but also the political irony it encapsulated. The Act facilitated the devolution of powers to two parliaments administered by geographically imprecise "Northern" and "Southern" governments. Northern unionists acquiesced in being converted into "home rulers" and southern nationalists ignored what previously would have satisfied earlier political demands. In institutional and administrative terms, Northern and Southern Ireland were to closely resemble, if not replicate, each other. However, much of the apparent symmetry was illusory. Both devolved administrations were to possess the same powers (including bicameral chambers and reduced representation at Westminster) but partition represented a cut into two uneven parts rather than a cut into approximately equal halves. In terms of population and territorial size, the new Northern Ireland was dwarfed by Southern Ireland, but in proportional terms, the balance of industry over agriculture, and of urban over rural areas, was skewed towards the North. However, the political balance was perhaps the most salient. The "South" was 9:1 nationalist while the "North" was 2:1 unionist. In anticipation of charges that partition would serve as a decisive and permanent instrument, the Government of Ireland Act established a channel for future reunion between the two administrations through the Council of Ireland (to comprise equal numbers of Northern and Southern members), which although only initially endowed with control over railways, fisheries, and animal regulations could be augmented with further power by mutual consent. Fraser (1994: 182-3) has argued that the prospect of future unity was consistently on the agenda at this stage—the Council of Ireland being indicative of the intent to foster it, or at the very least of ensuring that channels were in place to facilitate it.

The measure was passed with no Irish Unionist or Nationalist votes cast in its favour. Following the 1918 general election, Sinn Féin MPs refused to take their seats, the few Nationalist MPs voted against it, while Ulster Unionists abstained although they had been consulted in its formulation. Their acquiescence was necessary if the measure was to have any degree of credibility. However, fully conscious that it would be consigning fellow Unionists in predominantly Catholic counties of Cavan, Donegal, and Monaghan to the South, they did not formally reister any substantial opposition or approval. No nationalist approval was sought or expected and so the Government of Ireland Act was only ever implemented in the North. Even the machinery put in place for the elections to be held was rendered irrelevant in the South by the unopposed return of every Sinn Féin candidate. The disparity and staggered character of the partition was demonstrated as the new Northern administration began to function, while the South experienced the War of Independence, and was still nominally governed from London. Sinn Féin's Northern policy was largely neglected as it was preoccupied with its ideal of an independent republic, while the reality of partition had rapidly become a *fait accompli*.

The upshot of the eventual agreement as codified in the Anglo-Irish Treaty of December 1921 that was signed by the British government and Sinn Féin representatives was an anomalous tripartite relationship. The degree of independence achieved for the newly styled Irish Free State was achieved at the price of a

degree of partition. The South was to become a Dominion within the British Commonwealth, while the North was to be maintained within the United Kingdom. An option was provided for the existing Northern Ireland to opt out of the Irish Free State, which it duly exercised. As had been the majority British cabinet view, partition was a temporary expedient rather than a lasting division, it being expressly recorded that the unity of Ireland was the long-term aim. This did not appear consistent with a concept of two nations, but rather of just one that was temporarily divided. The definition of the Irish Free State as initially coterminous with the whole of Ireland in the Anglo-Irish Treaty could be cited as evidence of this. The boundary of Northern Ireland had been originally determined in accordance with the wishes of the minority before any reference to a boundary commission. By contrast, in India, boundary commissions had made decisions with respect to the "national" allegiance of the inhabitants by district, and not by province as desired by the minority (Mansergh, 1997: 60). The *prima facie* objection to the location of Northern Ireland's boundary was to be addressed by the operation of a Boundary Commission, with the prevailing thesis, strongly maintained by nationalists, that it would reduce the Northern area to unviable rump.

Yet this view was seriously flawed. For example, a two-and-a-half county Northern administration could be theoretically supported just as six counties nominally were. Northern Ireland was not a state but part of the United Kingdom. Nevertheless, with regard to the vague terms of reference in Article 12 of the 1921 treaty, which directed the Boundary Commission to consider economic and geographical conditions in addition to the wishes of the inhabitants, this was a very moot point. Physical size, economics, or political considerations are interdependent as well as subjective tests of the viability of an entity. In Ireland and India, the entire settlement was "in principal part, or wholly, on a dominion basis with the added distinction that in the former, acceptance was obtained under threat of renewal of military action and in the latter by free volition of the parties concerned" (Mansergh, 1997: 60).

Table 3 charts the development of both the geographical and functional basis for the partition of Ireland but from 1925 onwards, the geographical basis for partition was never substantially addressed again. The functional and constitutional dimensions became the lenses through which partition would be subsequently considered. There was not only an anomalous tripartite relationship but also an anomalous partition, in that it deviated from more conventional partition norms. The two entities did not possess full independence or the same status at the same level. There was little in the way of direct channels of communication between North and South but this had been conditioned by the tripolar structure between the two and Britain. The Irish Free State could conceive Britain as both direct rival and arbiter in its dealings with the North. When compared with the tripolar relationship in India's partition, the difference was illustrated by the fact that, whereas Sinn Féin leader Eamon de Valera thought of an Anglo-Irish settlement as something to be negotiated overall between Britain and Ireland, Gandhi believed that the British should first quit India, leaving it to the Congress, the League, the Princes and other minority representatives to achieve a settlement (Mansergh, 1997: 55).

Short-term political considerations ensured that the key elements of the Boundary Commission and Council of Ireland were removed from Ireland's partition equation in 1925. However, an often overlooked and unexpected aspect of this period of Ireland's partition was the imposition of a customs barrier by the Irish Free State in 1923. It was extremely curious that that what would be regarded as one of the most entrenching functions that can be applied to a boundary was enforced when its ultimate location was subject to doubt and final ratification. Three reasons may be generally raised to support the logic of the action. First, there is the fact that setting a customs barrier was an overt and definite assertion of sovereignty. Second, as an economic act, it served to raise revenue for a depleted exchequer. Third, there was a belief that the imposition of tariffs would apply crippling economic pressures against those at whom they are applied (this latter point was entirely misconceived as such pressures were in reality being applied on the United Kingdom economy rather than that of Northern Ireland).

The Irish constitution, enacted in 1937, was a direct declaration of legitimacy and the aspiration to the national territory of the island of Ireland but the declaration of the republic was not to follow until 1949. This elicited a British response, the Ireland Act, which enshrined a right of veto in the Northern Ireland parliament with regard to any prospect of unifying with the Republic. The constitutional rather than territorial framework of partition was subject to greater scrutiny following the outbreak of the "troubles" in 1969. Although the British government countenanced the concept of a repartition to redraw the boundary in the early 1970s, this did not garner any substantial support. The constitutional framework between the United Kingdom and the Republic of Ireland was already being altered with both states entering the European Economic Community in 1973. With regard to Northern Ireland the concept of consent of Northern Ireland's population towards Irish unity was enshrined in consequent agreements such the abortive Sunningdale Agreement (1974), the Anglo-Irish Agreement (1985), and the 1998 Belfast (or Good Friday) Agreement. The latter bilateral arrangement buttressed the multi-lateral European context and it remains to be seen whether it proves to be more enduring than the 1920 Government of Ireland Act's Council of Ireland (a concept again fleetingly revived by the Sunningdale Agreement) and common membership of the Commonwealth.

The Irish example of partition appears to have followed the observation that partitions accompany democratic reform. The extension of the franchise was a prerequisite not only for the political polarisation of local government and subsequently in parliamentary representation, but also for the splintering of parties and interest such as Irish Nationalists, Ulster Unionists, Ulster Nationalists, and Irish Unionists. Mansergh (1997: 36) has drawn a parallel between the Irish and Indian national movements in that they were both faced with the choice of seeking to conciliate the minority via safeguards or attempting to insist on their rights as a majority. Faced with the problem of recalcitrant minorities, the majority nationalist parties in Ireland and India sought, as part of their campaign for self-government, to organise and demonstrate their overall electoral strength. In India, as earlier in Ireland, overwhelming electoral victory significantly reinforced claims for autonomy or independence. But in terms of unity the exact opposite was the case as both national projects fused culture and nationality and thus contributed significantly to the consolidation of anti-

home rule sentiment in Ulster and to the Muslims' resolve to mobilise. The leaders of the minority dramatised the threat, which was buttressed by deep-seated religious antagonisms. Kumar (1997: 25-6) has described the relatively recent Bosnia example as following the templates of Ireland, India, and Cyprus in that each involved ethnically mixed and dispersed populations and "each was held to be a pragmatic and external recognition of irreconcilable ethnic identities."

OVERVIEW

Partition is a paradox that can facilitate and impair, and can serve either to solidify a pre-existing situation or to exacerbate a situation if ethnic realities fail to accord with political boundaries. However, one can argue that there is a natural instinct to separate and distinguish warring parties whatever the context and partition has been prominently deployed at inter-state level in seeking to achieve this. Nevertheless, one cannot refer to states being natural and so the discourse about the apparent artificiality of partition is fallacious.

The partition of Ireland eludes simple classification within the academic discourse of partition. It was initially conceived as an internal partition of the United Kingdom that then acquired a cumulative inertia that peaked in 1949. The concept of the Council of Ireland within the 1920 Government of Ireland Act served to convince that the British government was open to the concept of Irish unity, but of course only on terms they were prepared to accept and sustain. There has been a significant degree of simplistic conflation based on the assumption that Ireland was divided between North and South. Northern Ireland was not a state and the Irish Free State, although given considerable latitude as a British dominion, both domestically and on the international stage, did not remove the symbolic shackles of the British Empire until 1949 when it became a republic.

Nationalists have tended to place a premium on aesthetics and nature that is both simplistic and sentimental. Irish nationalists exhibited this in 1921 and 1922 when they conceptualised economic viability in simplistic territorial terms. They conceived the Boundary Commission as an instrument that would reduce the North and so include more nationalists in the Free State, but this would be at the counterproductive cost of further skewing a majority against them in the resultant northern entity. Indeed, one could posit the view that the smaller the North was the more entrenched partition would be. However, regardless of whether it was simply economically viable, it would have been ultimately an assessment of political viability on the part of the British government whether to justify the continuance of the Northern administration. Any claim that distance may explain how local geographical aspects have been ignored in boundary delimitations does not find much application in the Irish example. The Irish Boundary Commission certainly did have a local focus but did not accompany the initial delimitation, which in itself was dictated by political expediency.

One can apply the epithets of "divide and rule", or "divide and quit" or "divide and forced to stay" or as Mansergh (1997: 52) describes the Irish example—a case of "divide and depart". The unique feature of Ireland's partition was that the division originally effected was both partial and asymmetrical. The British ministry in Dublin did depart but a devolved Belfast one arrived. This represented a tactical decision to make a settlement with the minority before making one with the majority. In India the settlement was made with majority and minority leaders simultaneously, bestowing republics on both, and the British government had also pledged itself to withdraw. However, during the active partitioning phase, Ireland required at least three strokes of the legislative axe to make this effective with none bestowing full independence.[2] Scrutiny of the key decisions made over Ireland, India, and Palestine does little to sustain the view that partition was a device which British leaders found instinctively attractive (Fraser, 1994: 181). If the partition of Ireland was a precedent then it was not one that the British replicated as they were to significantly disengage from India and Palestine.

Partition need not necessarily involve a fresh cut but an upgrade of long-established lower order cuts (as in Ireland's case) or even a compound or range of these. The presence of the third party in partitions is not strictly applicable to Ireland as Britain was both an external and internal party in the Irish equation. The partition of Ireland could be described as an internal partition of the United Kingdom or an external one aimed at separating conflicting identities. For analytical purposes, however, rather being deemed a political act, partition is better conceptualised as a process that "is non-continuous and takes place over an historical time-scale" (Waterman, 1987: 151).

An underlying tenet observed by Waterman is "in the nature of things that most states will oppose any change in which shifts of territory are involved. The nature of the modern state is such that the maintenance of sovereignty means that the political integrity of the state is threatened by any moves which alter its geographic integrity or its sovereignty over a given territory." (Waterman, 1989: 118) Hence, political maps once altered are readily accepted by other states as *faits accomplis* that are only contested by those with a direct interest. As shown in the Irish example from 1925 onwards, especially with regard to the rejection of repartition proposals, alterations to partition regimes are more likely to be made in political rather than territorial terms. Ultimately, notwithstanding the definitions and categories of partitions that have been devised, not only is each case of partition unique but it is subject to differing interpretations. The partition of Ireland is a testament to this.

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[2] These "strokes" refer to the Government of Ireland Act, the Anglo-Irish Treaty, and the Tripartite Agreement of December 1925.

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