

Secession might seem like the lesser of two evils. It's also the less likely.

At least it's not civil war — and other countries do it all the time — but breaking up the union would be next to impossible here.

By Stephen Marche

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When Rep. Marjorie Taylor Greene (R-Ga.) talks about a “National Divorce,” as she did again in a tweet on Wednesday, she may be advancing the cause of secession or she may just be seeking attention. Either way, she knows what she’s doing — reinforcing the idea of disunion that has taken hold in the outer reaches of the public imagination.

A survey published in September by the University of Virginia Center for Politics, for example, found that 41 percent of Biden voters and 52 percent of Trump voters at least “somewhat agree” that “the situation in America” makes them favor blue or red states “seceding from the union to form their own separate country.”

Texas has such an active — if still marginal — secession movement that Sen. Ted Cruz (R-Tex.) breezily engaged a question about it at a recent conservative event at Texas A&M University, saying that he was “not there yet” but that if Democrats “fundamentally destroy the country,” then, “I think we take NASA, take the military, take the oil.”

Secession as an actual political program “is being normalized in an unwinding and degrading country,” Richard Kreitner told Antonia Hitchens for her recent Atlantic article about the secessionist movement in Oregon that proposes to make a large rural swath of the state part of Idaho. Kreitner, whose book about secession, “Break It Up,”

was published last year, said the Oregon proposal should be taken as “a peace proposal, or a way to avoid war.”

It's not hard to see why the idea is gaining traction. Talk of secession is still mostly just talk, but wouldn't it be a civilized way to deal with the deep divisions in the country? Wouldn't it beat, say, the civil war that a restive segment of the population hungers for? “When do we get to use the guns?” a young man asked Charlie Kirk at Kirk's far-right Turning Point USA rally in Boise, Idaho, in October. “I mean, literally, where's the line? How many elections are they going to steal before we kill these people?” Secession, surely, is preferable to that alternative.

But in ways secession-curious Americans may not appreciate, it's also almost impossible.

It's not that secession can't work. The rest of the world is busily at it all the time. Separatism is a global political trend. The number of nations in the world has tripled since 1945. And there will soon be more. “Right now, there are about 60 secessionist movements worldwide. Sixty independence movements is a pretty large number by historical standards,” says Ryan Griffiths, a professor at Syracuse University who focuses on the dynamics of secession and the study of sovereignty. “In the long run, there will be another secessionist movement in the United States. It will just happen. No country is permanent. It will change. It will break apart in some way.”

And the United States might well be better off as separate countries. It might be healthier, more rational, less prone to violence. Secession would not have to be seen as a failure, given the tensions tearing the country apart.

The main difference between the American separatist movements and those in the rest of the world is that the countries that emerge from the separation could join the world quite comfortably as independent nations. If Texas were a country, it would have a GDP of \$1.59 trillion, tenth in the world, slightly below Brazil and slightly ahead of Canada. It would certainly look like a country, 47th in population, 40th in size. California is even larger. With a GDP of \$2.88 trillion, it recently passed Britain to become the fifth largest economy in the world. It would rank 36th in population, with

the world's largest technology and entertainment sectors. A separate California would have the largest national median income in the world.

But the legal process of separation is profoundly complicated, and the laws of the United States render it much more difficult to achieve than it is elsewhere. Both the Texas and California separatists have their arguments about why separation is constitutional, drawn from esoteric readings of *Texas v. White*, an 1869 Supreme Court decision about the legality of state bonds, but generally there is consensus on the point. "I cannot imagine that such a question could ever reach the Supreme Court," Justice Antonin Scalia wrote in 2006. "To begin with, the answer is clear. If there was any constitutional issue resolved by the Civil War, it is that there is no right to secede." The separatists respond with the obvious fact Scalia admits: Technically, the constitutionality of secession has never been tested in the Supreme Court.

International law also complicates the possibility of secession. It's all very well to imagine a bunch of independence-minded Texans raising their rifles in the air, shouting "Don't mess with Texas" and defying the world in the name of their freedom. That's until nobody will land an airplane at a Texas airport, or the United States government in Washington shuts down the Internet, like the Chinese government did with Xinjiang province in 2009. Romantic ideas of statehood, derived from the 18th and 19th centuries, have little purchase in the 21st.

"There's only one sovereignty game," Griffiths points out. Everybody needs to get into the same club, and that club is the United Nations, which would require the approval of whoever is still technically the government of the United States.

Without U.N. backing, a new country can't do international exchange or use international post offices. An application to the United Nations goes to a working group, and if the group thinks the application is too trivial, they reject it. If they think an application is serious enough, which they do by asking other states, then it goes to the Security Council. The Security Council is the arbiter, but the council almost always agrees when the application has proceeded that far. So the United States, if it wanted too, could easily hold up any state asking for sovereignty. It would have the Security Council seat, and it would have the home state veto.

A separate Texas wouldn't have the power of the current United States in global negotiations. It would just be another midsize country with no history and no connections. The rest of the world would give as much attention to an oppressed Texas as it gave to Xinjiang in 2009 — i.e., none.

Some nations do separate without U.N. recognition. Kosovo is not a recognized state. "You have states out there that are quasi-states, Somaliland, Nagorno-Karabakh, Northern Cyprus — they sort of endure as states," Griffiths says. "But it's difficult. They're sort of handicapped. They can't do international exchange with foreign banks. They can't have an international post address. So they're forced to use the black market. All of these things are denied them because they're not a sovereign state." If you want to go to Northern Cyprus, you have to fly to Turkey, because it's the only country that recognizes Northern Cyprus. So the planes touch down for a minute in Istanbul and then reroute to Ercan.

Undoubtedly a national separation is a bureaucratic nightmare. Uncertainty over small questions of daily life like pensions and passports is a major reason Scotland and Quebec are not independent nations today. How will the national debt be divided? Will double citizenship be permitted? What amendments to the Constitution would be necessary to make secession possible? How would a state decide which country to belong to? What would the terms of new confederations look like? What would happen to the military?

Yes, there are good reasons for breaking up the United States, beyond the nationalist aspirations of the secessionists. Barack Obama's powerful 2004 speech at the Democratic National Convention notwithstanding, there is a red America and a blue America. The political parties don't merely reflect different ideologies, they also reflect different fundamental values, different ways of life. Important social differences correspond to which states voted Democratic and which states voted Republican in the 2016 election (even if this is geographically complicated by the fact that there are blue urban pockets in red rural states).

That political divide further corresponds to which states were free states and which states were slave states before the Civil War. But the biggest reason to separate is the most glaring and the most frightful to contemplate: The citizens of the United States are losing faith in the validity of their institutions and their founding myths. In the

place of solidarity, a vast and powerful anger is building, a rage that increasingly expresses itself directly in violence like the riots we witnessed a year ago at the U.S. Capitol.

Secession may be a painful option to confront; it is far less painful than the alternative suggested by those who favor disunion. Given the hurdles, it also may be far less possible.

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