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*The Secession of South Sudan: A Case Study in
African Sovereignty and International
Recognition*

An Honors Thesis

College of St. Benedict/St. John's University

In Partial Fulfillment

of the Requirements for All College Honors

and Distinction

in the Department of Political Science

by

Christian Knox

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ABSTRACT:

This thesis focuses on the recent secession of South Sudan. The primary research questions include an examination of whether or not South Sudan's 2011 secession signaled a break from the O.A.U.'s traditional doctrines of African stability and noninterference. Additionally, this thesis asks: why did the United States and the international community at large confer recognition to South Sudan immediately upon its independence? Theoretical models are used to examine the independent variables of African stability, ethnic secessionism, and geopolitics on the dependent variables of international recognition and the Comprehensive Peace Agreement. The history of Sudan's peace process is explored, as well as the international forces that helped to bring about the Comprehensive Peace Agreement of 2005. The factors leading to this unique case of African secession are identified, as is the role that the international community played in establishing South Sudan as its newest state member.

Introduction:

In July 2011, the nation of South Sudan formally declared its independence. After voting overwhelmingly in a January 2011 referendum to establish their own sovereign nation, the people of South Sudan finally exercised their autonomy and freedom from the regime in Khartoum. Although independence is recent for South Sudan, the movement to establish an independent state stretches back for decades. There

have been continual movements for a South Sudanese secession throughout much of the 20th century.

Africa has seen a dramatic lack of successful secessionist movements throughout its history. In fact, African borders largely remain as they were at the end of the colonial era. The case of South Sudan remains an outlier in a continent that has seen remarkable stability in its borders. The Organization of African Unity (O.A.U.) established doctrines of African stability during the period of decolonization in the early 1960s, and this influenced the lack of secessionist movements throughout the continent.

The primary inquiry of this thesis is: did the 2011 secession of South Sudan signal a break from traditional O.A.U. doctrines of stability throughout Africa and noninterference in the affairs of sovereign African nations? The other component to this study asks: why did international recognition come so swiftly for the South Sudanese, especially in light of the numerous entities throughout the world that lack formal recognition of statehood? The primary independent variables in this study include African stability, international perceptions of ethnic secessionism, as well as geopolitical influence. Recognition and the Comprehensive Peace Agreement become the dependent variables, and the influence of each independent variable on South Sudan's swift recognition is examined.

International law evidently plays a major role in the conception of state sovereignty. The process of conferring sovereignty on a state through recognition gives that nation distinct rights and advantages in the international community. What exactly goes into the legal recognition of a state, and what powers does this legal recognition have within a state to maintain order? South Sudan was given this recognition

immediately, while several candidates for statehood around the world still struggle to gain international acceptance.

The question of why African borders have persisted for so long is largely a question of stability. Historical accounts of Africa note that the European colonists haphazardly drew borders and boundaries in Africa with little regard for ethnic, religious, or cultural identity. However, these colonial-era borders persist long after colonization ended. With the exception of Ethiopia, the map of Africa remains largely unchanged from the time the colonists left the continent for good. This thesis will pinpoint the role that organizations such as the O.A.U. played in ensuring a relative amount of stability for African borders in order to preserve interstate harmony.

Also important to this puzzle is the notion of ethnic secessionism, and the willingness of the international community to confer recognition onto a secessionist movement based purely off of ethnicity. Differing conceptions of ethnic identity certainly exist in Sudan, but were they the tipping point that led the international community to support secession for the South? The question of whether or not countries such as the United States viewed the struggle of the South Sudanese as primarily one of ethnicity pertains to this study. The simultaneous occurrences of the CPA signing and the Darfur crisis may provide an answer to these inquiries.

Geopolitics will be the final independent variable examined in this study. The role that countries such as the United States, as well as other African nations, played in the peace process is identified. Also, it is shown what these countries had at stake in the peace process. Why did the CPA call for a referendum, and why was the international community willing to support the insertion of this referendum? Did the United States

strongly favor South Sudanese secession, or did they feel they were “locked in” through their participation in the CPA process? Since international recognition is a key component of the overall puzzle, it seems likely that geopolitics will play a role in the recognition of South Sudan.

Preview

This thesis will begin with a literature review on the notions of sovereignty, African stability as established by the O.A.U. and the A.U., recognition of ethnic secessionism, and geopolitics. Next comes a brief examination of Sudan’s history, including the various peace processes throughout the 20th century. Following this, there is an explanation on the creation of the CPA and the role that it played in making secession inevitable. Finally, the independent variables are tested in order to identify which ones had the strongest influence on the secession referendum in the CPA. Ultimately, a conclusion will be reached over whether or not the secession of South Sudan signaled a break from the O.A.U.’s traditional doctrines of African stability, as well as the question of why recognition was conferred so quickly on this new state.

Background-Importance of Sovereignty

Before proceeding with an analysis of African stability and international recognition, it is necessary to develop a definition of “sovereignty”. This thesis will examine how the concept of sovereignty has interacted with the perpetuation of African states since their decolonization. The question of why African borders remained relatively stable throughout the twentieth century is primarily a question of sovereignty.

Why have African states, despite political turmoil and violence, been able to, for the most part, remain intact?

In his study of the changing nature of sovereignty in the modern, globalized era, Stephen D. Krasner identifies four operational definitions of sovereignty. The definitions for sovereignty include:

Domestic sovereignty, referring to the organization of public authority within a state and to the level of effective control exercised by those holding authority; interdependence sovereignty, referring to the ability of public authorities to control transborder movements; international legal sovereignty, referring to the mutual recognition of states or other entities; and Westphalian sovereignty, referring to the exclusion of external actors from domestic authority configurations. (1999, 9)

All of these definitions could explain why African nations have prized border stability over the promotion of secessionist movements. The protection and maintenance of these types of sovereignty help to ensure a stable continent overall. However, since the focus of this thesis is on international recognition instead of secessionist movements, only one of Krasner's definitions pertains to the study.

International legal sovereignty, then, is more important to the discussion of how certain entities are recognized while others are not. Krasner argues that the precise guidelines for conferring sovereignty have not been uniformly applied throughout history. He notes that outside states have historically refused to recognize governments that nominally hold control over their territories, while organizations that could not legitimately be termed as "governments" *have* been given recognition. For example, he notes the ambiguities of U.N. recognition of both India and the Philippines even before they became independent states. International institutions such as the World Trade Organization give status to entities such as Hong Kong, even though they do not possess the legal status of a sovereign state (1999, 15-16). It is apparent, then, that clear "rules"

for conferring sovereignty or authority onto various entities have not been applied in an equitable manner.

What is the appeal of obtaining international legal sovereignty? In short, recognition by the international community provides a government with “both material and normative resources” (Krasner 1999, 16). These benefits include entry into economic and trade agreements to security pacts, from legal rights in other nations to a voice in the arena of international decision-making. Clearly, international legal sovereignty remains imperative in order for a state to become an active and thriving participant in the world community. On the domestic front, this type of sovereignty gives a certain authority to rulers that they may not have previously enjoyed. Especially of concern to African nations and their often heterogeneous populations is the fact that “a ruler attempting to strengthen his own position by creating or reinforcing a particular national identity is more likely to be successful if his state or his government enjoys international recognition” (Krasner 1999, 17-18). In a sense, recognition can serve to legitimize rulers who may be ripe for internal criticism by bestowing the benefits of being a member of the international community on a nation. The appeal of becoming a full-fledged member of the United Nations, for example, can lead to economic and security benefits within a state (Krasner 1999, 18).

What is important to keep in mind is the inconsistent manner in which international legal sovereignty is often conferred. States that may not meet all the traditional criteria of being sovereign may be given recognition. Likewise, entities that act largely as sovereign nations may be denied recognition by the global community. Krasner terms international legal sovereignty as having “clear logics of appropriateness,

but these logics are sometimes inconsistent with a logic of consequences. Given the absence of authoritative institutions and power asymmetries, rulers can follow a logic of consequences and reject a logic of appropriateness. Principles have been enduring but violated” (1999, 40). A state does not necessarily need full control over its territory in order to be classified as “sovereign” by the international community. The question of why a nation such as South Sudan, with its demonstrably fragile existence, follows from an analysis of domestic and international legal sovereignty.

Literature Review- O.A.U./A.U and Sovereignty as Stability

Now that a basic understanding of international legal sovereignty has been achieved, examining the case of African states and the inflexibility of their borders is appropriate. To shed some light on these issues, the documents related to the Organization of African Unity (O.A.U.) are detailed, as well as this body’s attempts to help African states navigate through the often-precarious period of decolonization.

The Charter of the O.A.U. explicitly states the goals of the organization: “to promote the unity and solidarity; to co-ordinate and intensify their collaboration and efforts to achieve a better life for the peoples of Africa,” and most importantly, “to defend their sovereignty, their territorial integrity and independence” (Brownlie 1971, 3). From the outset of independence, these new African states established that they would work together for the mutual benefit of all. This Charter proclaims idealistic sentiments of international action trumping ethnic and religious differences. It seems apparent that this was an attempt to resist further influence by former colonial powers on these nations. Thus, this document was written “to safeguard and consolidate the hard-won

independence as well as the sovereignty and territorial integrity of [African] States, and to resist neo-colonialism in all its forms” (Brownlie 1971, 2). The Charter made apparent the appeal of establishing explicit guarantees of sovereignty.

The question of the boundaries demarcating one African state from another faced the O.A.U. at its outset. As Ian Brownlie notes in his compendium of O.A.U. documents, “the European expansion in Africa produced a territorial division which bore little or no relation to the character and distribution of the populations of the colonies and protectorates. Tribes . . . had their lands intersected by arbitrary political boundaries based on historical accident and the bargains of external interests” (1971, 360). Despite the apparent problems colonial borders could cause, the O.A.U. acted quickly to establish African borders as fixed after independence. Internal peace and unity within Africa was valued over historic or ethnic grievances that could potentially cause problems within states. The O.A.U.’s 1964 “Resolution on Border Disputes” decreed:

Considering that the border problems constitute a grave and permanent factor of dissension; Conscious of the existence of extra-African manoeuvres aiming at dividing the African States; Considering further that the borders of African States, on the day of their independence constitute a tangible reality . . . Recognizing the imperious necessity of settling, by peaceful means and within a strictly African framework, all disputes between African States . . . [the O.A.U.] Solemnly declares that all Member States pledge themselves to respect the frontiers existing on their achievement of national independence. (Brownlie 1971, 360-361)

The O.A.U., a newly established international organization, effectively conferred stasis on all the borders of these newly independent African nations with the passing of a resolution. It appears the new African leaders who were hesitant about their legitimacy in the international community viewed this action as necessary. Nevertheless, this established a precedent that would remain virtually unchallenged throughout the twentieth century: the fixing of African borders in their colonial-era positions. This

desired stability, then, comprises one of the independent variables of this thesis. Stability was of preeminent concern to these African leaders, and thus they advocated for policies of noninterference and dismissed secessionist calls in order to present a united African front to the world.

In 1975, more than ten years after the implementation of these O.A.U. documents, Scott W. Thompson and William Zartman undertook an analysis of the O.A.U.'s decisions in the years after decolonization. The ultimate purpose of the O.A.U., they concluded, was to show internal strength to the rest of the world. "By advertising their presence to the rest of the world," they wrote, "African states were consciously trying to appear more organized and powerful than they actually were, thus eliminating the cause of some national insecurities" (El-Ayouty 1976, 3). Thompson and Zartman also uncover the specific reasons as to why the O.A.U. established the fixity of African colonial-era borders. The boundaries of Somalia, Ethiopia, and Kenya in particular were discussed at the conferences leading up to the formation of these O.A.U. doctrines.

Thompson and Zartman point to a debate between Somalia and Kenya occurring during the first meetings of the O.A.U.: "Somalia claimed that the legitimate referent was the nation, in whose name the nationalist movement had struggled for independence. Kenya, on the other hand, claimed that the legitimate referent was the state—the sovereign, independent, territorial unit" (El-Ayouty 1976, 5-6). Thompson and Zartman reprint a 1964 debate entitled the "Sanctity of Boundaries as a Norm," in which O.A.U. representatives from both Somalia and Kenya debate matters of sovereignty and borders. The Somali representative notes how there are 300,000 Somalis living under the jurisdiction of Kenya, whose borders were drawn by the British government. This

representative states Somalia's "desire to reunite the Somali people as one nation-state on the principle of the right to self-determination—a principle firmly entrenched in the Charters of the Organization of African Unity and of the United Nations" (El-Ayouty 1976, 31-32). The Kenyan representative, on the other hand, appeals to the argument of Kenya's sovereignty to address the issue of Somalis living under Kenyan rule. This representative retorts: "The principle of self-determination which the Somali government adopts cannot be applied to free people living in an independent sovereign country. Kenya is a mixed society of which Somali and NFD are a part the Somalis in the NFD [Northern Federated District] have of their own accord thrown in their lot with the Kenya government by taking part in the elections in which six candidates have already been returned unopposed" (El-Ayouty 1976, 33-34). Thus, Kenya makes the argument that, due to their participation in the political affairs of the state, these Somalis are firmly Kenyan citizens. As is evident from the O.A.U. documents, favor was ultimately granted to Kenya's argument, since it more closely aligned with the purpose of the O.A.U. Thompson and Zartman identify norms such as a nonintervention in internal affairs, the fixed nature of boundaries, and the desire for national independence and African unity as being the guiding principles of these meetings (El-Ayouty 1976, 4-5). African states as independent political units were favored over the divisions that colonial-era borders often created between various ethnic groups.

Scholars have examined the effects these notions of stability have had on the perpetuation of colonial era borders. Robert H. Jackson and Carl G. Rosberg noted in an influential 1982 article that "No [African] country has disintegrated into smaller jurisdictions or been absorbed into a larger one against the wishes of its legitimate

government and as a result of violence or the threat of violence No African state has been divided as a result of internal warfare” (1982, 1). They distinguish between an “empirical state,” one that has effective and legitimate control over its territory and a “juridical state,” one that is essentially given legitimacy by the international community. It appears that what may be termed a “government” can possess some empirical attributes (an example could be the authority Fatah holds in the West Bank), and yet still not be considered a state since it lacks the juridical decree of sovereignty. The benefits of this juridical status is that “international society provides legal protection for member states from any powers, internal and external, that seek to intervene in, invade, encroach upon, or otherwise assault their sovereignty” (Jackson & Rosberg 1982, 13). Furthermore, the international system imbues the sovereign state with what could be termed certain “natural rights,” such as autonomy over its own territory and the ability to enter into foreign relations. Yet, the question still remains as to why African states persisted despite all the internal challenges they face from within.

Jackson and Rosberg identify factors that helped to maintain stability throughout Africa. They point to: “the ideology of Pan-Africanism; the vulnerability of all states in the region and the insecurity of statesmen; the support of the larger international society, including particularly its institutions and associations; and the reluctance, to date, of non-African powers to intervene in the affairs of African states without having been invited to do so by their governments” (1982, 17). The ideology of Pan-Africanism was one of the motivating factors behind the formation of the O.A.U. The common experience of colonialism united these African states and legitimized their newly independent status. Furthermore, the weakness of many states in Africa historically prevented cross-border

conflicts since each state was fearful of other nations usurping their authority within their territories. African independence also accompanied a period in which international organizations were rapidly multiplying. It became imperative for these African states to fully enter into the international community in order to achieve all of the benefits of statehood. Finally, outside actors in the 20th century usually remained reluctant to interfere in internal struggles within sovereign nations. Very rarely did outside powers overtly intervene in African countries. Plus, the international community wished to respect the rules of harmony between African states that the O.A.U. had established. For instance, the Soviet Union abandoned its longtime ally, Somalia, in 1977 when the Somali government invaded Ethiopian territory. Thus, all of these factors combined to perpetuate “stability” in Africa throughout the 20th century (Jackson & Rosberg 1982, 17-20).

Pierre Englebert offers further answers as to why stability was so prized throughout Africa in the 20th century. Writing in 2009, he still sees rigidity in the borders of African states. In addition, many states, with the exception of Sudan and a few others, have lacked any type of separatist movement within their borders. He examines why Africa’s leaders refrain from any type of reorganization of these colonial borders. Englebert claims that “even when their financial resources dry up, states can still generate allegiance because their institutions and offices, widely distributed across their territories, continue to be the repositories of sovereignty. Domestically, state sovereignty manifests itself through legal command, that is, the monopolistic capacity of the state to order people around through the law” (2009, 57). Thus, it seems almost a “hierarchy” of power is established throughout African states. Local rulers throughout an African nation grab

onto various offices and positions associated with the national governments. They do this in order to, as Englebert characterizes it, “extract their own resources locally or to exert local domination” (2009, 57). This construction of power plays into the international dimension of sovereignty as well. Many African states have predicated their survival upon the recognition of their international sovereignty. They have become dependent on the economic and security benefits that go along with international recognition, such as entry into organizations such as the United Nations and the ability to form treaties and seek redress for acts committed against them in international forums. Were they to forego this, the existing power structures within these states would likely collapse. And because, as Englebert demonstrates, power remains so widely diffused throughout the African state, few leaders would propose a move such as secession (2009, 95). Consequently, borders remain static and ethnic and religious tensions are allowed to simmer within these arbitrary yet established borders.

Jeffrey Herbst also studies the strong desire for stability throughout Africa. In his estimation, most African leaders were extremely reluctant to change the colonial-era borders. Once they had seized power in the cities, they were largely unwilling to upset precarious balances of power by disturbing the established, sovereign borders of their states. Maintaining the borders gave these new African leaders a maximum amount of leniency to gain control over their new nations (Herbst 2000, 97).

Herbst also notes how rapidly the process of decolonization occurred. He argues that the speed with which the colonial powers surrendered political authority to African leaders left little time for these new leaders to develop entirely new borders throughout the continent. Thus, these new African nations acquiesced to the existing international

political norms. The prevailing tides of international law issuing from Western institutions such as the United Nations, the World Bank, and the International Monetary Fund recognized only those nation-states that would have stable, “sovereign” borders. These institutions would not assist or provide aid to new African states if their borders proved to be unstable and mutable. This combination of internal and external factors prevented African leaders from developing novel models of sovereignty for their newly independent nations in the early 1960’s (Herbst 2000, 103-106).

Once again, the doctrines of the O.A.U. intervened to promote stability throughout the region. Herbst argues: “O.A.U. principles were designed to promote the rights of states rather than individuals” (2000, 106). Therefore, the supremacy of the state and the maintenance of political order were upheld over individual political freedoms and rights. Herbst suggests that little regard was shown for the delicate tensions that existed between various ethnic groups within these new nation-states. All these matters were cast aside in order to create a political model of Africa that was based off of Western notions of state sovereignty and independence. Herbst even goes so far as to term this process an “elimination of the right to self-determination” (2000, 107). The process of crafting these new states did not necessarily include guarantees of minority rights. Rather, power needed to be consolidated by these independent African leaders before their states could enjoy all of the benefits of being part of the international community. It seems that the realities of the international system simply made it impossible for these leaders to consider new definitions of sovereignty in the wake of independence.

Obviously, the O.A.U. norms of noninterference would not always be strictly enforced. As will be shown in Sudan, outside nations often intervened—if merely covertly—in order to maintain stability. Crucial to the role that the international community would later play in the Sudanese peace process is the formation of the African Union (A.U.) in 2002. This organization became, in a sense, a revamped version of the O.A.U. One of the key differences in the two institutions, however, came in the A.U.’s focus on African stability, even if preserving this stability meant encroaching on the stability of sovereign states. Unlike the O.A.U.’s charter, the A.U. “explicitly recognizes the right to intervene in a member state on humanitarian and human rights grounds” (Hanson 2009). Indeed, the A.U. has authorized several peacekeeping operations in nations such as Somalia, as well as in the Darfur region of Sudan (Hanson 2009). Perhaps the A.U.’s recognition of limits to state sovereignty leads the way to an acceptance of South Sudanese secession.

Literature Review- Recognition of Ethnic Secessionist Movements

The role that international perceptions of ethnic divisions play comprises another theoretical dimension of this paper. Obviously, ethnic divisions are sharp within Sudan. Through an appraisal of the concept of ethnicity, insights are gleaned on the unique situation existing in the South Sudan. In particular, it was the imposition of an Arab, Islamic identity by the government in Khartoum that caused decades of alienation among many Sudanese living in the South who primarily thought of themselves as African and either Christian or belonging to traditional African religions. International perceptions of ethnicity perhaps explain why secession was ultimately the inevitable result of the

tensions in Sudan, but it should be questioned whether or not ethnic dimensions played a role in South Sudan's recognition by the international community.

Barbara Harff and Ted Robert Gurr provide a comprehensive theoretical background for the concept of ethnicity and ethnic conflict. They characterize ethnic conflicts as “a manifestation of the enduring tension between states that want to consolidate and expand their power and ethnic groups that want to defend and promote their collective identity and interests” (2004, 17). They see a tension between the legal recognition of a state by the international community (which confers upon a state almost the status of personhood) and the various ethnic minorities that comprise the populations of these states. Furthermore, the international legal recognition for ethnic groups often pales in comparison to that afforded to states. Harff and Gurr characterize this as “groups, thus, have no legally recognized independent status apart from individuals or states” (2004, 179).

Raymond C. Taras and Rajat Ganguly also study the theoretical frameworks of ethnic identity and ethnic conflict. Particularly relevant to this discussion is their framing of the issue of ethnosecessionist movements. They argue that, in the past, the international community rarely heeded arguments for secession by various ethnic groups, but that these calls are being listened to with a greater frequency today. In particular, they demonstrate that a secessionist movement, in the eyes of others becomes “more worthy of international support the most at-risk a minority is, the more serious its grievances are, and the more realistic, flexible, and accommodating its demands have been over time” (Taras & Ganguly 2002, 54). However, these standards are hardly universalized across different ethnic groups struggling against governments that they

deem as either intolerable or not representative of their culture and heritage. Often, the grievances of an ethnic group coalesce around an important political right—the right of self-determination. Calls for self-representation by ethnic groups are extremely common in the international community (Taras & Ganguly 2002, 54).

Taras and Ganguly suggest that there may be a list of criteria the international community uses when deciding whether or not to recognize an entity. They engage the work of a political philosopher, Allen Buchanan, who identifies which cases of ethnic secessionism may be more likely to receive international attention (Taras & Ganguly 2002, 58). Basing their arguments off of Buchanan's theories of recognition, Taras and Ganguly identify twelve "cases" in which secession might be deemed permissible by the international community:

the defense of liberty; the promotion of diversity; in order to safeguard liberalism, it is in the interest of a liberal state to permit illiberal groups to secede; when the original goals for setting up a political union have become obsolete or irrelevant; when the right of secession is included in a constitution in order to attract new members, and at some later date a member reconsiders its entry decision; escaping discriminatory redistribution at the hands of the existing state; the principle of Pareto optimality (if one person benefits and no one else loses anything, then it is justified); notion that every people is entitled to have its own state; preservation of a culture; self-defense; rectification of past injustices; and the disappearance of the fair play of the liberal system (2002, 59-63).

This is an extensive list of circumstances, and it is certain that not every scholar of ethnic conflict and separatism would necessarily agree with them. However, it provides a holistic framework for judging why the international community judges some secessionist movements as legitimate while others are merely stuck in a holding pattern, waiting for international recognition. These criteria are tempting to apply to the situation of South Sudan, but do they really provide the linchpin for the international community's support of recognition?

Literature Review- Geopolitics

Finally, the role that the independent variable of geopolitics plays is examined to determine the interests the international community had in preserving peace throughout Sudan and Africa at large. Since countries such as the United States had an integral role in preparing and negotiating the CPA, it is likely they were interested in seeing a peaceful Sudan. This section explains historical geopolitical attitudes toward intervention in Africa. Using this section and the case study of Sudan, it will be determined just how the international community came to see South Sudanese secession as inevitable to a stable Africa.

Herbst notes how African nations faced international pressure to preserve their borders. For example, superpowers such as the United States pledged that they would not lend support to secessionist groups within Africa (2000, 108). It was a cornerstone of U.S. foreign policy to maintain the status quo in Africa in order to prevent chaos and disunity throughout the region. Neither the U.S. nor the U.S.S.R. involved themselves in any conflicts over disputed borders in Africa. African stability would become even further codified through decisions of the International Court of Justice, which declared in a border dispute between Mali and Burkina Faso that “because African states had decided to retain the colonial boundaries, the practices of the region must be respected despite the apparent conflict with the principle of the right to self-determination” (Herbst 2000, 109).

Additionally, the international community often recognized official “authority” as residing within the traditional, colonial-era capitol cities of each country. This was largely a result of the urbanized majority of the African independence movement as was previously noted, but it also stemmed out of a desire from the great powers of the world

to confer a degree of stability onto the continent by recognizing the African governments that replaced the colonial governments. Thus, as Herbst argues, ultimately the “international system allowed leaders to have full legal control of the territories that were within their borders” (2000, 135). This would have a profound effect on the concept of legal command that Englebert noted; African leaders would gradually create inertia by deriving more and more power from the international community that recognized their states as sovereign.

Review of Independent and Dependent Variables

As stated at the outset, this thesis is concerned with examining the influence of African stability, ethnic secessionism, and geopolitical forces on the recognition of South Sudan. Key to these dependent variables are the doctrines of African territorial integrity and noninterference codified by the O.A.U., the scant record of international recognition for purely ethnic secessionist movements, and foreign policies of states such as the U.S. that avoided any intrusion into African border disputes. The full history of Sudan is yet to be detailed in this study, but some preliminary assertions can be made about the role these variables might play.

First, the influence of African stability may or may not be shown in the case of South Sudan. It is apparent that inter-state stability in Africa throughout the 20th century largely meant maintaining colonial era borders. South Sudan represents a departure from this model. Pertinent to this study, however, is how radical a departure this case study actually is. Could the maintenance of inter-state stability only have come through a partitioning of Sudan? The A.U.’s evolving doctrines perhaps lend credence to this

claim. Sovereignty and traditional borders may have been expendable as long as secession would lead to greater African stability.

Next, judgment will come on whether or not international perceptions of ethnic conflict played a role in the international recognition of South Sudan. Sudan is certainly rife with ethnic conflict; this fact is not in dispute. However, did South Sudan's recognition come about because the international community wished to confer autonomy and self-determination upon the long-oppressed peoples of the South? The skeptical eye cast by Taras and Ganguly on international recognition of ethnosecessionist movements may suggest an answer to this inquiry.

Finally, the international community, in particular the United States, long opposed recognizing African secessionist conflicts. As Herbst demonstrated, these outside powers desired stability throughout Africa, and were unwilling to lend support to movements that might upset this balance. However, considering the crucial role the U.S. and other nations such as Norway played in the peace process in Sudan, as well as in countries such as Somalia, might signal a shift. Could it be that the international community supported South Sudanese secession because of the crucial role they played in the Sudanese peace process?

Hypotheses

What can be expected if these independent variables do end up playing a role in determining the CPA and international recognition of South Sudan? First of all, if the maintenance of stability in Africa plays a role, then it should be apparent that the longstanding Sudanese crisis presented a threat to the original O.A.U. mandate of African

stability. The intervention of African nations in the peace processes would be evidence of this assertion. Next, if some notion of ethnic secessionism played a role, it would be expected that the international community would recognize South Sudan on the basis of ethnic identity. Finally, if geopolitics was a factor, it will be determined that countries such as the United States gradually saw their interests intersect with the peace process in Sudan.

Sudan: Historical Background

Francis M. Deng provides an exhaustive study of the history of Sudan and how its ethnic divisions have caused conflict and strife ever since Sudan declared its independence in 1956. At the center of this conflict, as Deng writes, is that “the historical process that has separated the Arab Muslim North and the African South has its roots in the Arabization and Islamization of the North and in the resistance to those forces in the South. The assimilation processes favored the Arab religion and culture over African race, religions, and cultures, which remained prevalent in the South” (1995, 9). The strands of this Northern hegemony go back to the days of Sudan’s administration as a colony of Great Britain. The British put greater stock into the success of the North, thus leaving the South mostly to survive on its own in a premodern existence. The British merely wanted to keep order in the South; they were not interested in establishing a fully functioning political society there (Deng 1995, 11). Thus, the North was primed to assert its dominion over the South when the country finally gained its independence. And the assertion of Northern hegemony began in earnest almost immediately upon Sudan’s birth as a sovereign nation. In order to successfully implement the strategies of

Arabization and Islamization in the South, the Sudanese military began to occupy that territory in 1958. This only further inflamed tensions between the two regions of the country, which led to the commencement of a long and bloody civil war in the 1960s (Deng 1995, 12).

Southern Autonomy and Aftermath

When the government of Jaafar Muhammad Numeiri came to power in Khartoum in 1969, tensions eased between the North and the South. This led to an historic agreement in 1972 to give the south Sudan a sense of autonomy. While not fully independent, it could be said that the south Sudanese now possessed some degree of self-determination. This historic agreement established a self-governing, autonomous area in the south. Numeiri allowed Ethiopia to not only be the host of these peace talks but for its leader, Emperor Haile Selassie, to play the role of mediator. Selassie's level of clout within the continent's political system allowed him to play an active role in the talks, something that Iyob and Khadiagala note was an unprecedented move in the resolution of African political crises (2006, 85). Ethiopia had clear motives for seeing a resolution to the Sudanese crisis as "facing Eritrean secessionism, it was useful for Haile Selassie to support a peaceful resolution of the Sudan conflict within the context of unity and inherited boundaries" (2006, 85). Thus, talks of secession were unofficially deemed off the table as far as Ethiopia was concerned.

These talks eventually led to the 1972 Addis Ababa Agreement. This is the treaty that allowed the south to form the Southern Regional Government, which was the autonomous southern government. Obviously, this was not true secession, but rather the

granting of certain southern demands in order to curb demands for a breakaway state. In several crucial ways, the Southern Regional Government remained reliant on the Khartoum government for necessary resources, such as the allocation of tax revenues. The Ababa Agreement also provided for conditions such as an amnesty program for rebels who wished to join the Southern Defence Corps, an amalgamation of northern and southern troops that would preserve order throughout the south. Despite the fragile nature of this autonomy, the south did enjoy a period when it had the ability to shape some of its own affairs.

However, tensions were bound to create a conflict in the future. Peter Nyaba argues that the system implemented under the Ababa Agreement was one in which “the south became a sub-system of the Numeiri regime . . . an island of liberal democracy in an ocean of one party dictatorship and the personal rule of Numeiri . . . which lacked or was denied the economic power and resources to develop the region” (Iyob & Khadiagala 2006, 86). Additionally, political and ethnic tensions within the new southern leadership allowed Numeiri to covertly curry favor with certain elements of the resistance and ultimately diminish the “true” autonomy of the southern region. A variety of factors, prominent among them the discovery of oil in the Upper Nile region of Sudan, led Numeiri to dissolve the Southern Regional Government in 1981 and to abandon many of the tenets of the Ababa agreement (Iybo & Khadiagala 2006, 86-88). As explained previously, these are the events that led to the birth of the Sudan People’s Liberation Movement/Army (SPLM/A) in 1983.

However, Numeiri’s decision eventually came back to haunt him. Various conservative Islamic groups were not pleased with Numeiri’s apparent “partitioning” of

Sudan. Furthermore, he also deepened his own personal Islamic faith and soon became weary of the uneasy alliance between an authoritarian state in the North and a liberal democracy existing in the South's new autonomous region. Thus, Numeiri imposed reforms to slowly chip away at the South's autonomy. In particular, he strove to impose *shari'a* law throughout the country. The South responded by forming the Sudan People's Liberation Movement and the Sudan People's Liberation Army. The goal of this movement was "the creation of a new, secular, democratic, and pluralistic Sudan" (Deng 1995, 13). During the 1980's and 1990's, the war became increasingly bloody and tragic, claiming the lives of many Sudanese through violence and famine. The taking of power by General Omar Hassan Ahmed al-Bashir in 1989 only further exacerbated the tensions between the North and the South. Bashir strove to make Islam even more central to the conception of a "Sudanese identity," and thus tensions continue to this day, even with the secession of the South (Deng 1995, 11-13).

The dissolution of the southern autonomous region brought with it a continuation of the civil war that had festered in Sudan since independence. Nevertheless, the Ababa Agreement and its aftermath had established a precedence that would not be broken in Sudan: the intervention of external powers in Sudanese affairs. It is apparent that members of the international community inexorably linked themselves with the situation in Sudan:

The Addis Ababa Agreement drew regional and international actors into the conflict, helping to further rupture the walls of sovereignty that had shielded the conflict from outsiders. The roles of external actors as mediators and providers of diverse resources multiplied as geopolitical shifts in alliances affected the course of the conflict. External participation in the conflict presented numerous vistas and constraints to the Sudanese parties, at once offering resources to parties to strengthen their organizational capacity, but at [the] same time subjecting them to the vagaries of external dependence. (Iyob & Khadiagala 2006, 91)

The ascension of General Omar al-Bashir and his Islamists to power through a coup in 1989 would only serve to increase the level of international mediation in Sudan.

In the early 1990's, old alliances of both the Sudanese government and the SPLM/A began to shift and break down. Bashir sought to move his government toward a more anti-American standpoint by strengthening relations with nations such as Libya and Iran. This consequently led to Bashir losing support among fellow Arab states such as Saudi Arabia, Kuwait, Egypt, and the United Arab Emirates. Political change in Ethiopia also led to the cessation of Ethiopian assistance to the rebel forces. The Bashir government took advantage of these weaknesses in the SPLM/A in order to reverse many of the military gains the rebel force had gained in the past decade. A turning point came with Bashir's turning to Nigeria's president, Ibrahim Babangida, who was then the chairman of the O.A.U., to help Sudan resume peace talks with the SPLM/A (Iyob & Khadiagala 2006, 94).

Both sides saw something to gain in these talks, which came to be known as the Abuja peace talks of 1992 and 1993. Bashir's government saw Nigeria as an effective African power that would help to counterbalance any type of external meddling in Sudanese affairs, whereas the SPLM/A viewed this as a potential chance to galvanize African support for their cause and against the Bashir government. Additionally, the Nigerians' experience with their own civil war gave them some clout in negotiating an ending to a seemingly intractable political conflict. Although the talks led to commitments by both sides to respect the diverse nature of Sudanese society, issues of great substance were largely ignored. Nigeria would try once more to get the two sides together, even going so far as to involve Kenya and Uganda, but saw its efforts become

largely fruitless as the Bashir government consolidated its power through reversals of previous SPLM/A victories. As the humanitarian crisis worsened throughout the south, the United States sought to once again pressure the Bashir government to accept certain limitations on sovereignty in order to save lives of southern civilians. Although Sudan acceded to the continuation of aid to these civilians, they dismissed the creation of United Nations-monitored “safe zones” for citizens to live in and find shelter from the fighting between the Sudanese government and the rebel forces (Iyob & Khadiagala 2006, 94-96).

These conditions would cause Sudan and the international community to engage in talks that would eventually lead to the CPA. However, this period had clearly established a precedent for external action taken inside of a sovereign African nation. O.A.U. notions of nonintervention were challenged as “most of the post-independence [African] governments invoked the norms of sovereignty in keeping outsiders from these debates, but since national questions remained open and violently contested, regional and international actors found intervention opportunities” (Iyob & Khadiagala 2006, 97). Additionally, forces in both the north and the south became increasingly dependent on the benefits conferred upon them by external actors. All of this slowly led to the situation that existed in the early-1990’s: many members of the international community had a clear stake in seeing the conflict in Sudan resolved. The negotiations surrounding the formation of the CPA would further entrench the international community in a debate over the secession of the south.

Creation of CPA

After years of violent struggle, hope came for the Sudanese in the form of the Comprehensive Peace Agreement. A series of documents that were signed between 2002

and 2005, the CPA laid the groundwork for the secession of the South in 2011. The issue of a peace settlement was especially pertinent at this time because of the ongoing humanitarian crisis in the Darfur region of Sudan. Crucially, the CPA included an agreement for a cease-fire between the Sudanese military and the SPLM/A. The conditions of the agreements were that “both the North and South were to maintain separate armed forces, the 91,000 northern troops in the South were to be withdrawn within two and a half years, and the SPLA was to retire its forces from the North within the next eight months” (Collins 2008, 269). Wealth sharing of oil revenues was also addressed in these agreements by splitting the profits between the Northern and Southern governments (Collins 2008, 268-269).

However, the most important components of the CPA for this discussion are the power-sharing deals that were implemented. The CPA declared: “during a six-year interim period southern Sudan would be governed by the autonomous Government of South Sudan (GoSS), at the end of which time a referendum would be held, in 2011, supervised by international monitors. In it the southern Sudanese would decide either to remain an autonomous province in a unified Sudan or to become an independent republic” (Collins 2008, 269). Finally, to settle the issue of *shari’a* law, it was decreed that non-Muslims would not be held liable for the statutes unique to Islamic law (Collins 2008, 269).

To understand how Sudan and the international community arrived at the CPA, it is necessary to detail the peace process leading to the agreements contained within it. The early 1990’s were a period of growing international isolation for the Bashir government. In 1993, the United States urged the implementation of sanctions against

Sudan for its flagrant abuses of human rights and its connections to radical Islam and terrorism. These last two points were especially relevant in light of the 1993 World Trade Center bombings, of which Sudan, it was argued, was complicit in. I.M.F. expulsion and Arab League pressure on the Sudanese government followed United States distancing from Bashir's regime. It soon became clear that "mounting external pressure compounded an economy reeling under the strain of war, decreased agricultural production, soaring inflation, and high unemployment" (Iyob & Khadiagala 2006, 103). It was clear to Bashir that the current trajectory for Sudan was unsustainable, and thus some kind of mediation was needed to reduce the crippling effects of Sudan's international isolation.

This led Bashir to seek the aid of the Intergovernmental Authority on Development (IGAD), a body of several African states. Bashir saw IGAD intervention as preferable to intervention by external powers such as the United States. IGAD accepted the task because it viewed the Sudanese civil war as a threat to stability in Africa, especially since problems such as refugees were beginning to affect neighboring countries in profound ways. September 1993 brought the Addis Ababa summit, which was the first round of these peace talks. This meeting established "a four-nation mediation committee composed of Kenyan president Daniel arap Moi, Eritrean president Issaias Afewerki, Ethiopian president Meles Zenawi, and Uganda's Yoweri Museveni. A ministerial committee from the four nations was later designated to lead the mediation under Moi's chairmanship" (Iyob & Khadiagala 2006, 104). Simultaneously, U.S. mediators successfully reconciled the SPLA with other rebel divisions throughout the south in order to give the south Sudanese a more coherent voice in any potential

negotiations. This union was consolidated in the Washington Declaration of October 1993, which united southern factions in opposition against northern hegemony (Iyob & Khadiagala 2006, 101-104).

Bashir would return to IGAD negotiations in July 1997, but the United States swiftly implemented a series of increasingly coercive sanctions against Sudan. This was due in part to the fact that the U.S. did not believe the IGAD talks would result in any tangible solutions. Containing Sudan remained the principle objective of the U.S. and its African allies of Eritrea, Ethiopia, and Uganda. Some relief would come to Bashir's government, however, when in October 1997, Egypt began a process of reconciliation with Sudan. In part, Egypt undertook this initiative due to its concern over instability on its southern border. After uniting with Libya, Egypt essentially tried to impose a counter-IGAD peace process. Instead of isolating Egypt's efforts, IGAD agreed to open a new round of negotiations in May 1998 with several other representatives of countries and Kofi Annan present. However, as in the past, these talks led to little tangible solutions (Iyob & Khadiagala 2006, 110-112).

U.S. relations with Sudan would reach a new low in August 1998 when the U.S. struck a pharmaceutical plant in Sudan due to suspected Sudanese involvement in the production of chemical weapons as well as the government's potential ties to Osama bin Laden. In response, the U.S. was called upon to increase its commitment to the peace process; instead of bombing Sudanese government assets, the Clinton administration was persuaded that working with IGAD and the Sudanese government would foster a more stable situation in Sudan. However, this coincided with an increased Sudanese relationship with the Egyptian and Libyan governments, and Bashir favored working

through their initiatives rather than trying to go through IGAD and the United States.

Naturally, the United States was not supportive of Libya's involvement in the peace process, so peace talks would be stalled yet again (Iyob & Khadiagala 2006, 112-115).

In response to these tensions, IGAD aggressively sought to bolster its credibility in the negotiating process by undergoing a professionalization of its position in the Sudanese negotiations. The United States and the SPLA began to warm to the Egyptian-Libyan plan as well, essentially seeing no other way around Bashir's intransigence but to try to accommodate the two different sets of peace negotiations. John Garang, the leader of the SPLA noted in a 2000 visit to Cairo: "the SPLM believes these two initiatives must be coordinated or merged in order to achieve a solution that can neither be accused of being predominantly African (IGAD) nor principally Arab (the Egyptian-Libyan proposals)" (Iyob & Khadiagala 2006, 117). He essentially urged a merging of the two different peace plans being offered. However, a true merger would not come swiftly, as Egypt resisted calls of any kind of self-determination for south Sudan. As a result, IGAD's peace plan was in danger while the Egyptian plan was only bolstered (Iyob & Khadiagala 2006, 116-119).

The Machakos Protocol signaled the way toward unity between the two regions of Sudan. Unlike previous agreements, the Machakos Protocol brought the two sides into agreement on two key tenets:

First, the SPLA agreed that sharia would remain the source of legislation in the North, while the south would be governed by a secular administration. Second, Khartoum accepted an internationally monitored referendum that would be held after a transition period of six and a half years, in which the south would decide whether to secede or continue to exist within a united federal Sudan. (Iyob & Khadiagala 2006, 121-122)

This was only the first step toward a wide-ranging peace initiative, even in the midst of renewed hostilities between the north and south. Key to this agreement was the provision on the internationally monitored referendum, which was insisted upon by the SPLM/A as a condition for them signing the Machakos Protocol. October 2002 brought with it a Memorandum of Understanding on Cessation of Hostilities, which called for an end to fighting in all areas of Sudan. This agreement also created a multi-national Verification and Monitoring Team that would report on the progress of the cessation of hostilities. Further talks were had on security and economic issues, as well as what the political composition of a future united Sudan might look like. The United States urged the creation of a special Security Council session to be held in Nairobi in order to finalize the peace agreements between the north and the south. The IGAD peace process was considered to be complete when, in January 2005, these agreements were united into one document and both sides signed the Comprehensive Peace Agreement.

However, it seems that, at least by 2010, international actors and the Sudanese themselves viewed secession as inevitable. Important to keep in mind is that, through the referendum contained within, the CPA essentially made secession inevitable. As the CPA failed to be implemented, countries such as the United States came to view secession as the only option to securing any semblance of peace. Johnnie Carson, the U.S. Assistant Secretary of State for African Affairs, noted in a March 2011 talk: “a delay in the referendum would have seriously jeopardized the entire CPA and potentially have condemned Sudan to more conflict and instability . . . a referendum that lacked credibility and international recognition would have greatly eroded the willingness of all parties to abide by the terms of the CPA (Carson 2011, 2). If South Sudan and Sudan do not

initiate hostilities against one another, it is likely that it could be said that “peace” has been achieved, at least between two different factions. However, if a war is started, perhaps the costs of South Sudan’s secession will be made clear.

Independent Variable: Stability

The intervention of IGAD in the early 1990s is demonstrative of the fact that African nations prized stability in the Sudan, even if it meant encroaching on Sudan’s sovereignty. The 1993 Addis Ababa summit, with its quartet of African leaders at the helm established the type of precedent that would eventually lead to the mandate of the A.U., which still viewed stability as of preeminent concern in Africa. As detailed previously Eritrea, Ethiopia, and Uganda all played integral roles along with the U.S. in trying to negotiate a settlement to the longstanding Sudanese civil war. Egypt’s desire to offer a counter-peace plan does not refute the argument that other African nations desired stability throughout Africa.

African intervention in Sudan was certainly not unique to the peace process either. A.U. peacekeepers had been sent into the Darfur region of Sudan to monitor a ceasefire in 2004. However, it was quickly deemed that this A.U. peacekeeping force was too meager and ineffective to effectively monitor a ceasefire, especially after an A.U. peacekeeper was killed. Thus, the level of African commitment to stability is open to question (Cockett 2010, 212-213). Perhaps African nations will commit to declarations of peace but are more reluctant to sign onto operations that require the utilization of military resources in order to achieve stability. This may be proven by the fact that the

A.U. soon began calling for U.N. peacekeepers to intervene in Darfur after A.U. casualties were reported there (Cockett 2010, 212-213).

Independent Variable: Ethnic Secessionism

Taras and Ganguly open up the possibility that ethnosecessionist movements may become more accepted in the modern era. In particular, they cite the work of a scholar, Buchheit, who argued in the 1970's that international law was developing in a direction that would favor secessionist movements. He arrived at the following conclusion regarding the viability of a secessionist movement on the world stage:

Where the disruption factor is high, the claimant must make out an extraordinarily good case for its entitlement to self-determination. In other words, the higher the disruption factor, the more will be required by way of demonstrating selfness and future viability. Where little disruption is liable to ensue from the secession, or where the amount of current disruption outweighs the future risk, the community can afford to be less strict in its requirements for selfhood It may therefore accommodate to a greater extent the self-governing wishes of a particular people who cannot offer overwhelming proof of their racial, historical, or linguistic distinctness. (Taras & Ganguly 2002, 55-56)

Buchheit's theory is appealing, and Taras and Ganguly do not entirely discount it.

However, they also argue that outside actors are often hesitant to intervene in secessionist crises and that these actors tend to overestimate the amount of damage a successful secession could potentially inflict on the global community.

Still, scholars have been quick to try to place regulations on when the international community should impose and try to aid a secessionist movement. According to Amitai Etzioni, it is "only when secessionist movements seek to break out of empires—and only when those empires refuse to democratize—does self-determination deserve our support. Otherwise, democratic government and community building, not fragmentation, should be accorded the highest standing" (Taras & Ganguly

2002, 57-58). Thus, it is not always in the national interests of superpowers such as the United States, European Union, or even the United Nations to recognize separatist movements as legitimate. In the eyes of these powerful members of the world community, sometimes all that is needed is an increased level of democratization in these nations. Perhaps then, the international community remains willing only to support secessionist movements that work against the most despotic and authoritarian of regimes.

Toensing and Ufheil-Somers argue that, because of certain aspects of the CPA, southern secession was inevitable. Even though the CPA brought about provisions for the southern government to be brought into the federal government of Khartoum, this did not assuage the people of the south, who resorted to violent protest against symbols of the Khartoum government, especially after the death of Garang. Additionally, the Sudanese government would soon find itself facing international castigation once again after the CPA was signed. The Darfur crisis only served to further delegitimize the Bashir government in the eyes of the international community and, crucially, the southern Sudanese. This led to further pressure on countries such as the United States to pursue punitive measures against the Sudanese government. Activists for the Sudanese people within the United States called for, among other things “targeted sanctions against officials of Bashir's regime, an arms embargo on the government, a suspension of debt relief, arming the SPLM and other measures to support the south more boldly” (Toensing & Ufheil-Somers 2010, 13). Tremendous pressure existed within the U.S. for the government to rush to the side of the people of south Sudan.

Darfur proved to be a decisive turning point in the U.S.'s support for the southern rebels. As domestic pressure grew in the United States for some international remedy for

the genocide, the Bush administration canceled any concessions it was willing to make to Bashir's government in the peace process. This shift in U.S. sympathies away from Bashir's regime left many in Khartoum cynical toward the entire peace process. Richard Cockett notes: "The Sudanese virtually broke off any reasonable co-operation with the West over the south, Darfur, or anywhere else. Instead, they cultivated a sense of betrayal and suspicion" (Cockett 2010, 242). The Darfur crisis made it virtually impossible for the United States to play the role of an impartial broker and monitor of the peace process.

Independent Variable: Geopolitics

To begin to understand the successful secession and recognition of South Sudan, it is essential to identify the role of countries such as the United States in crafting the CPA. Specifically, determining the level of participation by the international community is crucial in order to arrive at a satisfactory conclusion as to why recognition was conferred upon South Sudan so swiftly. What were the stakes that countries such as the United States and African Union members invested in ending the decades-long civil war in Sudan? The international community played a crucial role in bringing the civil war in Sudan to a close, and thus bringing about the secession of South Sudan.

First the role that the world played in negotiating a truce in Sudan before the CPA was negotiated and finalized requires identification. Under examination is the fact that, despite the explicated notions of sovereignty identified earlier in this paper, the international community was often willing to bypass the rules established by the United Nations and the O.A.U. in the case of Sudan. Ruth Iyob and Gilbert Khadiagala in

particular identify how Sudan's African neighbors began to play a crucial role in the conflict. For example, the newly formed political movement, the South Sudan Liberation Movement (SSLM), was given explicit regional support in the late 1960's and 1970's in its struggle against the government in Khartoum. The Numeiri government in particular sowed discontent among several regional actors and led many of them to support the rebel movement (Iyob & Khadiagala 2006, 84-85).

The conclusion of a civil war in the Congo brought a fresh supply of arms to the Sudanese rebels. Additionally, the ascent of Idi Amin in Uganda brought with it further good fortune for the SSLM. Amin was supportive of the rebels in Sudan and thus allowed the SSLM to "transit supplies through Uganda and to conduct their activities from the Ugandan border areas" (Iyob & Khadiagala 2006, 84). Ironically, the Sudanese government had been a major supporter of secessionist elements throughout Eritrea. Accordingly, Ethiopia was willing to provide the SSLM with tangible military benefits to check the influence of the Sudanese government.

The Numeiri government also antagonized Israel in its support of both Libya and Egypt, which led to supplies of Israeli arms being delivered to the rebels. Iyob and Khadiagala identify that "by the time Numeiri signed agreements with Idi Amin and Haile Selassie in 1972 to reduce Ugandan and Ethiopian support for Anyanya [the Anyanya High Council, which was the governing instrument of the SSLM], and Western countries had started to draw closer to Numeiri after his break with the communists, Anyanya had built a credible military and political organization that made a difference in the bargaining with the north" (2006, 84-85). Thus, in the forthcoming peace talks with

the north, the south had tremendous leverage with its newly formed legitimacy as a potentially autonomous governing unit.

From an international dimension, perhaps the most crucial development during this time period was the establishment of ties between the Sudanese and United States governments. Ethiopia had undergone a revolution in 1974 that brought the Marxist Mengistu Haile Mariam to power. Therefore, the United States realized that “Sudan had become the major regional counterweight to Soviet encroachment in the Horn of Africa” (Iyob & Khadiagala 2006, 87). U.S. military and economic aid was endowed to the Numeiri government under the Reagan administration in the early 1980’s in order to bolster this counterweight to Soviet expansionism. In turn, Ethiopia looked to southern rebel leaders as potential allies on the continent against Numeiri’s government. The dissolution of the Addis Ababa Agreement can in part be attributed to the activities of certain rebel elements that were given free reign to carry out their activities in Ethiopia (Iyob & Khadiagala 2006, 87-88).

In particular, humanitarian concerns brought actors such as the United States back to the forefront of negotiating an agreement between Bashir’s government and the SPLM/A. Both the government and the SPLM/A supported United Nations initiatives such as Operation Lifeline Sudan in order to bring much-needed supplies into southern areas affected by famine. The U.S. played perhaps its most active role yet in the conflict when it sent Jimmy Carter in 1989 to negotiate a peaceful solution to the civil war. Talks were held in Nairobi, Kenya, but they failed to produce anything tangible, as solutions could not be reached on “the government’s insistence on exemption of the south from some, but not all, Islamic laws in a federal system and the SPLM/A insistence on a

secular and broad-based national unity government” (Iyob & Khadiagala 2006, 92).

However, this did not dissuade the United States from asserting its newfound role as a prominent negotiator in the Sudanese conflict.

Despite Bashir’s agreement to utilize IGAD as a means for preventing encroachment on Sudanese sovereignty by non-African nations, Western nations established a new group in 1994 called the Friends of IGAD (also referred to as the IGAD Partners Forum). This brought the United States and various European nations in close contact with the negotiations currently being mediated by IGAD. Talks would break down in September 1994, which only served to further isolate Khartoum. Consequently, the United States would play its most active role yet in the conflict, as “the Clinton administration led . . . the Frontline States strategy, which entailed expanding economic and diplomatic sanctions against Sudan and strengthening the military capability of regional states to meet the escalation of the civil war” (Iyob & Khadiagala 2006, 107). States such as Eritrea, Ethiopia, and Uganda signed on to this initiative and were rewarded with aid from the United States. In January 1996, the United Nations Security Council passed Resolution 1044, which essentially called Sudan a threat to stability in Africa. The resolution implored Sudan to abide by O.A.U. guidelines on supporting and harboring terroristic elements within its borders, something that Sudan had long been alleged of doing (U.N.S.C. Res. 1044).

In 2001, the U.S. position toward Khartoum softened a bit, and the disparate elements throughout south Sudan sought greater unity among themselves. At this point, oil revenues had bolstered Khartoum’s power, and thus a military defeat of the SPLA was deemed imminent. There were calls on the United States, Norway, and Britain in

particular to step up their involvement in the Sudanese peace process. After the attacks of September 11th, 2001, Bashir sought to distance himself from terrorist elements so as not to draw further rancor from Washington. Thus, the Bush administration signaled that it was ready to improve its relations with the Sudanese government. This was symbolized by the appointing of special envoy John Danforth to Sudan. Danforth brought several proposals for peace in Sudan, and a group of international actors persuaded both sides to sign the Machakos Protocol in July 2002, which followed his renewed efforts at peace (Iyob & Khadiagala 2006, 120-122).

The negotiation of the Comprehensive Peace Agreement had included an intense level of participation of outside actors, including the United States. The international community and even its own Congress put the U.S. in the position of mediator for a possible peace agreement. After 9/11 Bashir tried to normalize relations with the United States, fearing that the U.S. would take punitive measures against his regime (Carney 2007, 5). This even went so far as Bashir's government in cooperating with U.S. personnel to capture suspected al-Qaeda suspects in Sudan (Schumann 2010, 104-105). However, pressure was already building for the U.S. to support the rebels in the south. The United States Congress passed the Sudan Peace Act of 2002, which "required the president to certify in six months that both the Government of Sudan and the SPLM/A were negotiating for peace in good faith. If he could not do so, the United States had to seek UN and financial institutions' sanctions and limited access to oil reserves" (Carney 2007, 5). Timothy Carney argues that this law was viewed as threatening to the Bashir regime, and it may have set the tone of negotiations as they started in 2002 (Carney 2007, 5).

This largely concluded the negotiations themselves between the two sides as far as a formal peace agreement. What the end of the CPA process had demonstrated was the integral role that outside actors, some of them non-African, had played in the process. The various nations and international organizations that had participated in the peace process had often worked at cross-purposes to defend their own interests in the African region. Nor did the CPA necessarily settle questions of whether the level of external influence was appropriate to solve this seemingly intractable conflict. Peter Woodward worried that “perhaps the whole process was one imposed on Sudan by the international community, and especially the USA. The danger might lie in the parties feeling a lack of ownership of the agreement, and with the international community turned away, one or other of the signatories might seek to disown aspects of it and pursue a different course of action” (Iyob & Khadiagala 2006, 125). Thus, the role of external actors in African affairs was not yet definitively established. The conclusion of the CPA in and of itself did not necessarily symbolize a new paradigm in outside states successfully intervening in sovereign African nations.

Assessments

Going back to the principles of African stability and nonintervention laid out by the O.A.U., it seems that the initial peace processes, especially those in the 1970’s, tried to respect those principles. The reason the Sudanese government turned to brokers such as fellow African countries was to avoid incursion by outside powers such as the United States. The African-peace processes in particular seem to be sacrifices by Sudan of some of its territorial integrity to other African nations in exchange for noninterference by

other states. It seems that initiatives such as the southern autonomous region of the early 1970s were designed to preserve the inherent “order” of the African continent. They were attempts to mediate between maintaining the legitimacy of African territorial integrity and addressing the unavoidable grievances of a population. The goals of the A.U. do differ a bit from the O.A.U.’s goals in that they do allow incursions on the sovereignty of African nations, but this is still done in the name of border stability throughout the continent.

The CPA, however, perhaps goes beyond what the A.U. envisioned as its mandate. While the A.U. is not hesitant to utilize peacekeeping missions to ensure stability throughout Africa, and did so in Darfur, the CPA demonstrates an acceptance of intervention on the part of the A.U. that goes beyond mere peacekeeping operations. The embrace of secessionism in the CPA signals an A.U. that will go beyond the specifics of its mandate in order to achieve stability throughout the continent.

Perceptions of ethnic secessionism, it turns out, perhaps did play a subtle and nuanced role in obtaining international recognition for South Sudan. First of all, while ethnic divisions certainly play an integral role in Sudanese politics and may have been a factor toward South Sudan’s secession, they aren’t in and of themselves a determinative factor as to why recognition occurred. This can be seen by the fact that ethnic divisions and calls for secession exist all around the world, yet ethnicity alone is rarely enough to grant an entity recognition by the international community. Consider the case of the Kurds or the Palestinians. These could be said to be homogeneous ethnic communities, yet they do not have nations of their own.

This homogeneity does not necessarily apply to the South Sudanese. While the north's policy of Arabization and pushing of sharia law certainly alienated many Sudanese against the Khartoum government, South Sudan can hardly be characterized as an ethnically homogeneous entity. Additionally, as noted previously, the CPA agreement was signed between the Sudanese government and only one faction of a rebel movement. This can hardly be shown to constitute the Sudanese nation in its cultural entirety. Thus, it's hard to conclude that the secession of South Sudan was a case of ethnic separatism. Ethnicity played a role, especially through the alienation of black Africans from the Arab, Islamic rulers in the north, but it was not the determinative factor in giving international recognition to South Sudan. However, the history of ethnic conflict in Sudan and the Darfur genocide may have swayed U.S. sympathies toward the rebels in the South.

Darfur is where ethnic secessionism truly played a role in international recognition. Although Darfur lies in the Western region of the country, it was this type of ethnic conflict that drew countries such as the U.S. away from supporting the Bashir regime. This is perhaps why the referendum was placed in the CPA in the first place; the international community realized that Bashir could not necessarily be trusted and the perception of ethnic persecution likely tipped sympathies toward the southern rebels. Thus, ethnicity played a nuanced role in international recognition. While the ethnic identity of the southern rebels mattered little, Darfur and Bashir's reputation for ethnic persecution gave them international support.

Can the U.S. involvement in the Sudanese peace process be connected to Herbst's assertion that the U.S., throughout the twentieth century, declined to support secessionist movements throughout Africa? It should be recalled that Herbst argued that the United

States wanted to maintain the status quo throughout the continent and prevent chaos and disunity. The United States certainly took an interest in Sudan in the 1970's as a counterweight to potential Soviet incursion in Africa. Additionally, the United States had legitimate interests in Sudan as the Islamic fundamentalist terrorist movement grew. Perhaps supporting the secessionist movement in South Sudan and conferring recognition upon the new nation became the only way the U.S. could ensure stability in Africa. Additionally, since the United States was one of the key brokers of the CPA, it almost had to support the southern referendum as the provisions of the CPA gradually went unimplemented.

Ultimately, it seems that many actors had a great stake in what happened in Sudan. It is hard to arrive at overwhelming and swift recognition of South Sudan without the interaction of geopolitics into the peace process. Coupled with the unreliability and the abuses of the Bashir government, the international community essentially was ready to confer recognition to South Sudan as soon as the referendum occurred. Perhaps with the potential of further violence in Sudan, this was the only means of preserving some benefit from the Comprehensive Peace Agreement in the midst of the chaos that continued in Sudan after its signing. African nations and other states have no interest in a chaotic Sudan, and a breakaway southern state without international recognition would likely only further perpetuate the crisis. At least with recognition comes the benefits typically conferred upon states, such as the ability to enter into foreign relations, have access to international organs such as the U.N., and obtain foreign aid. South Sudan as an independent state perhaps maintains order in the international system better than a turbulent Sudan, even if independence for the South leads to a war with its former state.

Thus, it seems that these factors of the perception of ethnic secessionism and the geopolitical interests in a peace plan played the largest part in South Sudan's successful secession. The A.U. likely viewed secession as the key to maintaining stability, but the real drivers of international recognition were countries such as the United States. The perceptions of ethnic secession decisively turned the United States against the Bashir regime, and the crafting of the CPA itself by multiple international actors led to the inclusion of a secession referendum in its language. Secession must have been a foreseeable consequence, and so the international community essentially sanctioned it when allowing it to be included in the CPA.

Seceding, although it may prove to have its downsides, was probably the most likely option for stability in Sudan as the referendum deadline dawned. Actors such as the U.S. likely saw this too, and were unwilling to abandon a peace process they had shepherded by not recognizing the South. The CPA, then, turns out to be the crucial factor leading to southern secession. It was a document that called for unity and stability but instead led to mistrust and secession. The question remains as to whether or not secession will lead to the original intent of the CPA: peace.

Conclusion

After the signing of the CPA, it soon became apparent that secession was likely. This further demonstrates that secession must have been endorsed by countries such as the U.S. through its inclusion in the CPA. In 2008, Antwi-Boateng and O'Mahnoy published a study on the effectiveness of the CPA's implementation. They note difficulties that Sudan faced after the signing of the CPA in 2005, such as the death in a

plane crash of John Garang, the leader of the SPLM/A. Furthermore, the CPA provided a resolution to the grievances of only two actors in the whole conflict: the Bashir government and the SPLM/A. Antwi-Boateng and O'Mahnoy argue:

the prospects of Southern independence emanating from a future referendum can serve as a double-edged sword. While the prospects of Southern independence assuage SPLM/A concerns, it could set a dangerous precedent for other regions of Sudan with grievances against either the NCP-led government in Khartoum or Southern tribes—such as the Nuer and the Equatorian tribes that have traditionally complained about the dominance of the Dinka in the SPLM/A. A feeling of insecurity about a Dinka-led independent government in the South could fuel more conflict amid calls for secession. (2008, 136)

The CPA may not address the concerns of all the disparate ethnic and religious groups in Sudan, since no region of the country is truly homogeneous in its ethnic composition. Additionally, the CPA does not necessarily address what happens when leadership changes. With the death of Garang came the ascension to power of Salva Kiir to the leadership position of the SPLM/A. Kiir remained loyal to southern independence rather than unity, instead of Garang's commitment to reconciliation with the Sudanese government (Antwi-Boateng & O'Mahony 2008, 132-140).

Even in 2010, when Toensing and Ufheil-Somers published their analysis, the United States was actively preparing for the emergence of South Sudan as a new nation. The U.S.'s 2011 budget had a provision allocating \$42 million to USAID to "continue to build and transform the Sudan People's Liberation Army in Southern Sudan from a guerilla army to a professional military force" (Toensing & Ufheil-Somers 2010, 13). This was accompanied by a State Department request for private companies to begin training forces in south Sudan in order to become an effective military force. The U.S. further acceded to the likely scenario of secession when it offered the Sudanese government a relaxation of sanctions if it allowed the referendum to go forward and an

imposition of harsher sanctions if it didn't. Additionally, in the year before the referendum happened, both the Bashir government and the SPLM were building up stockpiles of arms to be ready for a potential war that was seen as likely if the south seceded (Toensing & Ufheil-Somers 2010, 13).

The secession of South Sudan is a unique case in African history in many respects. Contained within this case study is a glimpse into different factors that may lead the international community to confer recognition on certain secessionist movements. Perhaps this analysis can provide justifications as to why South Sudan quickly became the world's newest country, while an entity such as Somaliland does not receive recognition. The combination of perceptions of ethnic secessionism and geopolitics provided an entity that, in the eyes of the global community, was ready for recognition. The high level of international participation in the crafting of the Comprehensive Peace Agreement, which led to the eventual secession, meant that the global community was willing to recognize the new nation as soon as it declared independence. Numerous actors had a stake in a peaceful resolution in Sudan. So, an intrusion of nations and transnational organizations occurred despite the earlier O.A.U. doctrines of noninterference. Various states have become involved in internal conflicts throughout Africa (witness the recent NATO-led intervention in Libya), but these incursions have not led to the formation of new states.

Due to the longstanding and intractable nature of the Sudanese conflict, it is likely that nations were willing to bypass questions of whether or not South Sudan could survive as an autonomous state in an attempt to stop the bloodletting. Especially with the Darfur conflict, international trust in the Bashir government simply collapsed. Just this

year, on April 6th, 2012, rebels of the Tuareg ethnicity in Mali triumphantly announced that they had formed a new nation called Azawad, yet the international community did not confer recognition on this state, nor did fellow African nations. “Independence” was largely able to be claimed by the Tuareg, claims William G. Moseley, because of the unstable political climate in Mali at the time. Furthermore, this independence was achieved through military dominion of several cities rather than a referendum. Thus, the international community had no direct involvement in this independence movement and likely feels no pressure to recognize it, unlike they felt with the South Sudanese (Moseley 2012).

It remains to be seen whether or not South Sudan will survive as a viable and effective member of the international community. A question such as that surely exists beyond the scope of this thesis. The recent resumption of hostilities between Sudan and South Sudan, however, is not encouraging. Clearly, the peace that the international community thought it was getting with secession was tenuous at best. It is unclear the toll that will be taken with the current fighting between Sudan and its former territory. Issues of oil and disputed borders remain to potentially cause another lengthy period of mass casualties. Yet, at least with independence comes self-determination for the people of South Sudan. Although Bashir’s regime is still a threat, it no longer exists as an internal menace to the south Sudanese. Hopefully the people of South Sudan will someday be able to enjoy a new era of autonomy and peace promised to them through the birth of their nation.

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