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**Research Report**

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## Separatism in Africa

### The Secession of South Sudan and Its (Un-)likely Consequences

Denis M. Tull

**Some members of the international community, particularly in Africa, have mixed feelings about South Sudan's independence. Though most view the separation from Sudan as politically legitimate, they fear that the successful secession may have a signalling effect on separatist movements elsewhere in Africa. How valid is the assumption that the "precedent" of South Sudan will encourage secessionist tendencies which may change the continent's territorial map over the long run? And how should one consider Somaliland's claim for international recognition against the background of South Sudan's independence?**

Following Eritrea's independence from Ethiopia in 1993, South Sudan is only the second case of a successful secession in postcolonial Africa. Both states, Eritrea and South Sudan, gained sovereignty with the consent of their former 'motherland', though after a long and violent struggle. At present, there is no evidence to suggest that other governments in Sub-Saharan Africa, likewise confronted with demands of separatist movements, will acquiesce to the partitioning of their state in order to end an irredentist conflict. Likewise, no secessionist movement currently exists in Africa which could muster enough military power to force the central state to agree to separation.

Worries about the signalling effect coming from South Sudan's independence are based at least partly on the idea that Africa is home to numerous separatist

movements. Their number is, however, exceedingly low. Compared with other regions of the world, Africa has suffered the largest number of internal wars, but only a very small number of them involved separatist tendencies. Angola, Ethiopia, Senegal and Sudan are the only states in postcolonial Africa that were relatively continuously confronted with violent secessionist movements. Virtually none of the insurgent groups that have fought central governments in the past 20 years in countries such as Burundi, DR Congo, Liberia, and Sierra Leone claimed to fight for independence; nor did the various rebel groups in Darfur, Sudan.

Exceptions are relatively minor secessionist groups in Cabinda (Angola), Anjouan (Comoros), Caprivi (Namibia) and a host of groups in Ethiopia. Currently, active secessionist groups are present in Casa-

mance (Senegal), Ogaden and Oromia (Ethiopia) and to lesser degree in Cabinda. The separatist movement in Biafra, which fought a war with Nigeria's central government (1967–1970), has not produced a credible successor. The rebellion in Nigeria's Delta region (since 2005) claims to fight for a reform of the state – not its dissolution. Likewise, the insurgency in Ivory Coast, which started in 2002, at no point in time advanced a separatist agenda. Against this background, it seems unlikely that South Sudan's independence will stir up more separatist tendencies in Africa or reinvigorate existing ones. Some insurgents will certainly refer to South Sudan as a point of reference in order to put pressure on the governments they fight. But this is likely to be a purely tactical move.

### **An Apparent Paradox**

The relative lack of separatism in Africa seems to be counterintuitive, even paradoxical. After all, conventional wisdom has it that the socio-cultural heterogeneity of many African states, stemming from arbitrarily drawn borders, poses a formidable obstacle to nation-building. From this it is only a small step to claim that Africa's states may be particularly prone to separatism – a causal argument which has proved incorrect. Other factors have also failed to stir the flames of secessionism. The marginalisation and discrimination of minorities and regions, development failures and authoritarian rule – salient characteristics in a large number of African countries, past and present – have not increased the likelihood of secessionism.

As a matter of fact, existing African insurgent groups generally do not fight for the creation of their own independent state. Their primary goal is rather the conquest of political power within a given state. One reason for the lack of secessionist agendas may be the robustness of the international norm that protects the integrity of states. The African Union (AU) explicitly reaffirmed its adherence to this norm when it

was created in 2000. Since then, the organisation has shown little inclination to reconsider this fundamental principle. The fact that Somaliland has not been recognized to date (it applied vainly for AU membership status in 2005) is in line with a long-standing policy established by the AU's predecessor, the Organisation of African Unity.

Closely related to this may be the knowledge of insurgents that they will attain their objectives more easily as long as they pursue them within existing political entities. Such reasoning may have been bolstered by regional and international mediators and diplomats over the past 20 years. Almost without exception, they have proposed power-sharing arrangements between incumbents and rebel groups to end violent conflict, often providing insurgents with significant political and financial incentives to stop the fighting.

### **Comparing South Sudan and Somaliland**

Even if secessionist movements in Africa are exceptional, South Sudan's sovereignty raises the question of how the international community should respond to secessionist claims. From the perspective of international law, the recognition of a potentially sovereign entity is solely determined by the quality of stateness, based on the existence of a population, a defined territory and effective state authority. All other potential factors of external recognition are based on the political considerations of outside states. Concerning Africa, the explicit policy of the US and some member states of the European Union seems to be that they will consider recognition of a new state only after the AU has recognized the new entity. The viability of a new state does not appear to be a relevant criterion, much less a stumbling block to recognition. This is at least suggested by the international recognition of South Sudan, where the government cannot be expected to build effective state institutions in the foresee-

able future. Even gloomier are the prospects for democracy and rule of law. South Sudan is an exceedingly heterogeneous entity and its struggle for independence under the leadership of the Sudan People's Liberation Army (SPLA) was won against the common external enemy in Khartoum. This provided a measure of unity that may be called into question in the newly independent state. It remains to be seen whether the ruling SPLA will be prepared to let citizens decide whether the movement's legitimacy will also be determined by public goods other than independence, notably development and democracy. Doubts may be raised due to earlier experiences in Africa with anti-colonial liberation movements that sought to hold onto their political monopoly in perpetuity based on their successful struggle against foreign domination. Most of the more recent liberation movements that turned into national governments have shown similar inclinations.

Somaliland presents a sharp contrast to South Sudan. A north-western region of Somalia, it became de facto independent after the Somali state collapsed in 1991. Today, it is widely perceived as the most promising and credible candidate for international recognition in Africa. This is based first on the legal argument, advanced by the government of Somaliland, that the area was a British colony in its own right, separately administered from the rest of Somalia.

The second argument in support of Somaliland's international recognition is a political one. Since 1991 the country's successive governments have succeeded in building relatively viable state institutions without substantive external support. In addition, Somaliland is able to showcase a fairly successful democratisation process, one that is certainly exceptional in the Horn of Africa. Among other things, several democratic elections have taken place, one of which (in 2010) was won by an opposition candidate against the incumbent head of state – a rare event in Africa.

While important factors speak in favour of Somaliland's international recognition, the resistance of Somalia's central government has frustrated this aspiration thus far. This is another paradox. Not only is Somaliland a far more "successful" state than the rest of Somalia; the latter's Transitional Federal Government (TFG) could not survive without external assistance. Even with the help of an AU peacekeeping mission, the government has little control over its capital Mogadishu, much less the rest of Somalia. Yet, the TFG is widely recognized as the legitimate representative of Somalia and thus holds a veto over the possible international recognition of Somaliland.

### **Incremental Change is on its Way...**

For the time being, it seems utopian to expect an effective Somali central state to emerge in the coming years. Partly for this reason, the debate about the merits of Somaliland's international recognition will continue. Tacit signs of pragmatic thinking are emerging. Some African and Western governments already maintain informal relations with the de facto state. In late 2010, the US announced enhanced cooperation with Somaliland. This was a pragmatic detour from previous policy, which made closer relations with Somaliland dependent on problems in central Somalia being solved. However, this policy shift does not seem to signal US intentions to recognize Somaliland any time soon. It is driven rather by the hope that working with Somaliland may also help to stabilize central Somalia and the TFG.

The results of this gradual policy change notwithstanding, it does not make political sense to hold closer cooperation with effective and functional de facto states like Somaliland hostage to the question of international recognition. A key objective of German and European policy towards Africa is the construction or consolidation of functioning states, which are a prerequisite for peace, stability as well as democracy and rule of law. Working with entities that

have already achieved these objectives, even more so in a crisis-ridden region like the Horn of Africa, is consistent with the interests *and* values of German and EU foreign policy.

Somalia is no doubt an extreme example of the wide discrepancy between absent or ineffective stateness on one hand, and guaranteed judicial statehood (and international recognition) on the other. Maintaining the latter by disregarding empirical stateness helps to perpetuate structural weaknesses and conflicts, because states – and the governments that claim to rule them – derive resources from sovereignty (e.g. loans, development assistance etc.). As a number of academic writers have long pointed out, this diplomatic and economic life insurance reduces the incentives for ruling elites to undertake structural reform. Taking this analysis to its logical conclusion, a pragmatic policy would recognize functioning entities in order to reward them for effective stateness. As long as the AU is hesitant to recognize such entities, Western governments should conceive alternatives that would indicate at least factual recognition of these non-judicial states. This would provide a measure of security for potential foreign investors and trading partners, in turn improving the ability of non-recognized entities to get access to international credit. It would also offer them new commercial opportunities in support of their economic development.

### **Conclusion**

The ultimate aim of South Sudan's independence was (and remains) an end to the civil war between the north and the south. It does not follow that territorial partition is a silver bullet to end internal war, neither in Sudan nor in other countries, lest one forgets the recurrent and brutal wars that Eritrea and Ethiopia fought against each other in the aftermath of Eritrea's independence. At any rate, the internationally recognized secession of states in the wake

of civil wars is a relatively rare phenomenon in international politics, with less than half a dozen cases since 1945. As a result, there is a lack of robust empirical evidence to argue either in favour of or against secession. Given the limited number of (small) secessionist groups in Africa, this question is unlikely to acquire political significance in the foreseeable future. It is therefore extremely doubtful that South Sudan will set in motion a domino effect that will change Africa's political map.

However, the international recognition of secessionist entities should be considered when it converges with European and German interest in seeing the emergence of viable and effective states. International law does not present an obstacle to doing so, as long as effective stateness is in place. Furthermore, international law permits governments to use normative criteria (e.g. respect for human rights, democracy) when contemplating the recognition of a new state – in Africa as elsewhere. If state weakness represents the main source of conflict in countries such as Somalia, then it makes good political sense to recognize those entities that provide effective institutions and political governance – if all else fails below the threshold of international recognition. As indicated by past experience, establishing official relations as well as development and economic cooperation does not depend on international recognition. The fact that in present-day Africa, Somaliland stands alone in meeting the test of effective stateness (as well as normative criteria like democracy) should make the decision even easier.

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