

https://dspace.org/

South Sudan's secession in contemporary Africa

Nicholson, Marietjie Johanna

2013-10-22
http://hdl.handle.net/10539/13262

Downloaded from a DSpace repository. https://dspace.org/

SOUTH SUDAN'S SECESSION IN CONTEMPORARY AFRICA

Mariétjie Johanna Nicholson

A research report submitted to the Faculty of Management, University of the Witwatersrand, in 33% fulfilment of the requirements for the degree of Master of Management (in the field of Security).

February, 2013

SOUTH SUDAN'S SECESSION IN CONTEMPORARY AFRICA

TABLE OF CONTENTS **PAGE**

Abstract i

Declaration ii

Dedication iii

Acknowledgements iv

Acronyms and Abbreviations v

CHAPTER 1: BACKGROUND AND RESEARCH QUESTIONS

1.1 Introduction 1

1.2 Background 3

1.3 Problem statement 7

1.4 Purpose statement 8

1.5 Research questions 8

CHAPTER 2: LITERATURE REVIEW AND CONCEPT CLARIFICATION

2.1 Introduction 10

2.2 Literature review 10

2.3 Concept clarification 12

CHAPTER 3: METHODOLOGICAL APPROACH

3.1 Introduction 14

3.2 Research methodology 14

3.2.1 Research approach 14

3.2.2 Research design 16

3.2.3 Data collection 16

3.2.3.1 Primary data 17

3.2.3.2 Secondary data 17

3.2.3.3 Sampling 17

3.2.3.4 Data analysis 18

3.2.3.5 Validity 18

3.2.3.6 Reliability 19

3.3 Significance of the study 19
3.4 Limitations 19
3.5 Ethics 20
3.6 Time management 20
3.7 Report structure 21

CHAPTER 4: FINDINGS AND ANALYSIS

4.1 Introduction 23
4.2 The African socio-political background 24
4.2.1 Cooperative structures 25
4.2.2 African Demands to Secede 29
4.3 Causes to revert to secession as means of self-determination 34
4.4 Politics in Sudan and South Sudan 1953-2011 36
4.5 Legal perspectives 40
4.6 Processes followed to initialise self-determination 46
4.7 Dynamics in South Sudan's call for secession 48
4.8 Implications of secession 51
4.9 Alternatives to secession 56
4.10 South Sudan, a blueprint for more African secessions? 57

CHAPTER 5: CONCLUSION AND RECOMMENDATIONS

5.1 Introduction 64
5.2 Main findings of study 64
5.3 Recommendations for states considering secession in future 68
5.4 Recommendations for future research 70
5.5 Final observations 70

BIBLIOGRAPHY

APPENDICES

Appendix A: Research Questions A-1

Appendix B: Map: Sudan (Pre-session) B-1

Appendix C: Map: South Sudan C-1

Appendix D: Map: Sudan/South Sudan Border, Disputed Border Areas D-1

Abstract

The Republic of South Sudan's independence on 9 July 2011 revived the possibility of secession as means of self-determination. The purpose of this exploratory study was to analyse and assess the implication of secession on the African environment, with reference to South Sudan. The qualitative research approach enabled the researcher to draw parallels between literature and opinions of experts involved in South Sudan's secession. Driving the secessionist approach are ideologies and greed of elites and peoples in power, religious differences and the unequal distribution of wealth and resources that exacerbate tensions between the fortunate peoples enjoying opportunities to develop and the excluded, utterly poor peoples just surviving. National and international attitudes sanction or veto the possibility to secede. Although secession could terminate continued disarray, it should only be considered if both states, as parties to the secession, could ensure the delivery of statehood responsibilities to their citizens and neighbouring communities. (150 words).

Declaration

I declare that this report is is my own, unaided work. It is submitted in partial fulfilment of the requirements of the degree of Master of Management (in the field of Security) at the University of the Witwatersrand, Johannesburg. It has not been submitted before any degree or examination in any other university.

Mariétjie Johanna Nicholson

Date: …….

Dedication

For my loving husband, Pierre, and my son, Samuel, with sincere appreciation. Thank you for your continuous patience and support.

Acknowledgements

I am grateful to my supervisor, Professor Gavin Cawthra for his assistance throughout this research endeavour.

Ambassador Paul C. Malok, Embassy of the Republic of South Sudan, Pretoria for your personal experience shared.

Professor Pierre Englebert, International Relations Program Coordinator, Pomona College Claremont, CA 91711 (USA) for your personal contributions and allowing me to use information yet to be published during 2013!

Professor Shadrack B.O. Gutto and Doctor Jo-Ansie van Wyk both lecturers at the University of South Africa (UNISA) as well as Colonel Stefan Oosthuizen and Lieutenant Colonel Max Bezuidenhoudt from the South African National Defence Force (SANDF). Without your assistance, this report would not have been possible.

Mister Gai Thurbil, a researcher with South Sudan Media Alliance and a junior lecturer in Communication Studies at the University of Leeds, UK. Thank you for your telephone calls and personal encouragements.

Richard Cornwell, thank you for your support and valuable guidance.

Acronyms and Abbreviations

ALF	African Leadership Forum
APRM	African Peer Review Mechanism
AU	African Union
AUHIP	African Union High-Level Implementation Panel
CPA	Comprehensive Peace Agreement
FLEC	Front for the Liberation of the Enclave of Cabinda
ICC	International Criminal Court
ICCPR	International Covenant on Civil and Political Rights
ICESCR	International Covenant on Economic, Social and Cultural Rights
ICU	Islamic Courts Union
IGAD	Intergovernmental Authority on Development
NEPAD	New Partnership for Africa's Development
NIF	National Islamic Front
OAU	Organisation of African Unity
OECD	Organisation for Economic Cooperation and Development
SPLA/M	Sudan People's Liberation Army (SPLA), and a political wing, the Sudan People's Liberation Movement (SPLM)
UN	United Nations
UNDP	United Nations Development Programme
UNHCR	United Nations High Commissioner for Refugees
UNSC	United Nations Security Council

SOUTH SUDAN'S SECESSION IN CONTEMPORARY AFRICA

CHAPTER 1: BACKGROUND AND RESEARCH QUESTIONS

1.1 INTRODUCTION

During the Berlin Conference of 1884, European powers, without any African representation, influenced the demarcation of borders throughout Africa.[1] This resulted in the creation of the African geo-political landscape shaped and governed by western powers, also referred to as 'colonial masters'. Despite the fact that some African states gained independence from these colonial powers since the 1950's, the Organisation of African Unity (OAU) was established in 1963 to, *inter alia,* promote African unity, determined that borders as indicated through the influence of the Berlin Conference, should be maintained to prevent inter-state wars over border issues. This decision has been endorsed by the OAU Charter: *"…all Member States pledge themselves to respect the borders existing on their achievement of national independence"* (OAU, 1963, Art III).[2] However, since then, the continent has been burdened by political, socio-economic, environmental and demographic factors that have manifested themselves in several intra-state conflicts, fuelled by ethnical, religious and economic disparities and exclusions. This was partly the result of states based on colonial boundaries where ethnic groups were split between different states with substantial minorities present in these states. In practice, ethnic groups excluded from mainstream politics, economics, self-determination opportunities and social development, usually tend to unite due to similarities in beliefs, religion, values, norms and feelings of independence that result in nationalism. African revolutionary actions demonstrate that the influencing of the populace against the ruling authorities enables unification of oppressed peoples, such as was evident during the

[1] The Berlin Conference on the Partition of Africa also referred to as 'the scramble for Africa' was conducted by American and European powers, between 15 November 1884 and 26 February 1885. (Boateng, 2010). Freedom of trade and navigation of Africa's waterways influenced by Christianity (religion), civilisation (development) and commerce (trade and wealth), were determining factors in dividing African land amongst European powers. (Page, 2003, p. 139).

[2] The historical foundations of the African Union (AU) originated from the Union of African States, an early confederation established by Mr. Kwame Nkrumah (Ghanaian President 1960-1966, who envisioned a Pan-African dream entailing a 'one-nation' concept), as well as subsequent attempts to unite Africa, including the Organisation of African Unity (OAU) established on 25 May 1963 (AU, 2012).

civil war in Sierra Leone (ended in 2002), the conflict in Liberia (ended 2003), an armed rebellion in Côte d'Ivoire during 2002 and the 'liberation' of Libya from Colonel Muammar Gadaffi on 20 October 2011. The unification of the 'perceived' oppressed or marginalised could result in civil disobedience that leads to armed rebellion and demarcation of autonomous areas, such as in the ongoing case of Mali's northern Tuareg areas.

Internal political instability and so-called failed states add to the feeling of desertion from the international arena and encourage the consideration of secession as a solution.[3] Although research has been conducted on the legality of secession as a means of self-determination, the identification of causes and problems which lead to calls for secession in the African political context has since South Sudan's successful secession renewed interest in this topic (Dersso, 2012). Aggrieved peoples in *inter alia* Eritrea, Mali, Niger, Nigeria, Namibia, Angola, the Democratic Republic of the Congo (DRC), Zambia and Somalia have since the post-colonial era expressed calls for secession. The Republic of Eritrea initiated the first successful secession in Africa after the decolonisation of the continent when it gained independence from the Republic of Ethiopia on 24 May 1993. Despite compliance with legal aspects and acceptance by the international community, this secession did not result in an immediate peace solution, as international intervention was required to create inter-state dialogue and specifically to negotiate border demarcation (International Crisis Group, 2008). Eighteen years later the second demand for secession in Africa has been granted by Sudan and resulted in the formation of the sovereign state of South Sudan.

On 9 July 2011, the Republic of South Sudan (hereafter South Sudan) became the 54th sovereign state on the African continent after 27 years of civil war and the signing of a peace agreement, the Comprehensive Peace Agreement (CPA), in 2005. International recognition allowed South Sudan to become the 193rd member of the United Nations (UN) on 14 July 2011.

[3] For the purpose of this study the concept of a failed state as defined by Crises State will be used: *"A failed state is marked by the collapse of central government authority to impose order, resulting in loss of physical control over territory and/or the monopoly over the legitimate use of force. Crucially it can no longer produce conditions for its own existence"* (Crises State, 2007, as cited by GSDRC, 2012).

The Sudanese civil war erupted due to the Khartoum governing structures' exclusion of Sudanese citizens residing in the southern part of the country. The outcome of the civil war allowed South Sudan to conduct a referendum for self-determination and exercise their will to secede from the Republic of the Sudan (hereafter Sudan). (Insight on Conflict, 2012).

South Sudan's secession could encourage other oppressed and excluded African ethnic groups and nations to pursue self-determination. Secession is but one of the methods that could be employed and in this way pose a threat to continental stability and unity, such as the Biafra effort that resulted into the Nigerian civil war during 1967-1970. This research focuses on South Sudan's secession's implications for conflict in Africa and the influence thereof on the African political environment.

The understanding of and ability to identify causes and contributing factors to secession will assist to identify conflict drivers in affected areas, as well as informed decisions to either encourage or discourage secession in Africa.

1.2 BACKGROUND

Sudanese citizens experienced gross inequity, even prior to independence from British/Egyptian control in 1956. People residing in the southern geographical areas of the country, mostly Christians and Nilotes, experienced exclusion from political, economical and general developmental opportunities and structures, which were mainly driven by institutions and people who were mostly Arabs, practicing the Islam religion, originating from the northern geographical areas of Sudan. This culminated into an unofficial division between the northern and southern populations of the country. The first civil war between the northern and southern peoples of Sudan commenced in 1955 and was officially ended in 1972 after the signing of a peace agreement whereby the South was vindicated to exercise partial self-governance. This peace lasted approximately 10 years where after tensions in the South led to the establishment of an opposition movement, namely the Sudanese People's Liberation Army/Movement (SPLA/M). (Dersso, 2012).

Sudan's second civil war broke out in 1983. Although reconciliation efforts such as the Machakos Protocol, a peace agreement signed in 2002, settled

the 19 years of civil war, sporadic human rights violations continued (ISS, 2012). Neglected groups acted against government structures and retaliation actions impacted directly on the ever-in-the-middle civilians. The 2002 peace agreement prompted South Sudan's right to self-determination and was followed by the signing of the CPA in 2005. (This agreement is also referred to as the Naivasha Agreement as it was signed in Naivasha, a town in the Rift Valley Province in Kenya). The CPA anticipated a permanent ceasefire agreement and consensus on wealth and power sharing. An interim period of six years was agreed upon to implement affirmative actions in order to persuade the South to unite *with*, rather than to secede *from*, the North. Despite these initiatives, southern citizens participated in a referendum on 9 January 2011, whereby, according to the British Broadcasting Corporation (BBC), more than 99 percent indicated their preference to secede. People in the South voted in favour of full independence from the North and on 9 July 2011 South Sudan gained independence (BBC, 2011).

Covenants adopted by UN member states in December 1966 and implemented during 1967, namely the International Covenant on Civil and Political Rights (ICCPR) and the International Covenant on Economic, Social and Cultural Rights (ICESCR), uphold the right to express self-determination through secession if inhumane treatment occurs (UN, 2004). International recognition of deprived peoples' rights is supported by the Declaration on Population and Development, signed during a UN International Conference of Parliamentarians on Population and Development in Cairo, Egypt in September 1994. This Declaration stated: *"… leaders and peoples of the world should help bring about universal harmony and cooperation. We believe that the population issue should be seen not in isolation, but within the larger context of sustainable development of the planet for the betterment of humankind: economic activity that increases the quality of life for all people through curbing excessive consumption and generating productive growth; alleviating poverty; achieving sustainable agricultural and industrial production, energy and natural resources in harmony with the environment; and improving health care and the quality of, and access to, education"* (Cairo Declaration, 1994). The Cairo Declaration could be a valuable

mechanism for aggrieved populations alienated by appointed authoritative structures, to opt for international empathy and support to enforce negotiations, inclusion or secession.

The Heads of State and Government of the member states of the OAU, including the President of the Republic of Sudan, adopted the Constitutive Act of the African Union (AU) during the 36th Ordinary Session of the Assembly of Heads of State and Government in Done at Lomé, Togo, on 11 July 2000.[4] The Objectives and Principles in Articles III and IV of the Act promote and defend unity, solidarity, sovereignty, territorial integrity and independence of its member states.[5] The promotion and protection of democratic principles, human rights, the co-operation in all fields of human activity, the rule of law and good governance to raise the living standards of African peoples are also promulgated. The Act also addresses condemnation and rejection of impunity and political assassination (AU, 2002).

From the declarations made by the UN and the AU, it is clear that sovereignty and territorial integrity place preference on the state, its geographical location and borders, as well as the national and international acknowledgement of the territory and its governing structures as a legitimate unified entity while all other mentioned aspects address the importance of people and their needs. These objectives and principles could thus be perceived as contradicting as sovereignty takes precedence above the rights of peoples, thus, promoting state or national security above human security.[6]

Since the establishment of Sudan in 1956, racial, religious and cultural differences imposed major challenges on the unification of the Sudanese population as a nation.[7] International funding received after independence, boosted development projects and contributed positively towards Sudan's

[4] The Constitutive Act entails the integration of the OAUs political activities with the economic and developmental issues and the integration of the OAU and the African Economic Community (AEC) into one unified institution (AU, 2002).
[5] Sovereignty is the recognition of a state as a separate political entity. Thus, the allowance of a state's right to decide and act upon internal affairs without external interference.
[6] According to the Commission on Human Security Report published in May 2005, the objective of human security is 'to protect the vital core of all human lives in ways that enhance human freedoms and fulfilment.
[7] A nation is a population grouped within a specific geographical area with the same binding elements such as ethnicity, believes, values, etc. who strives towards the same objectives.

economy. However, the Sudanese Government, administered by the Northerners, ensured that the benefits of these projects were directed to the elite Arab Northerners and excluded 'inferior' population groups resided in the south of Sudan. (Ylönen, 2009).[8] The "*central government's chronic neglect of the regions outside the Arab Triangle"* contributed to peoples calls for self-governance (Natsios, 2012, p. 146).

During 1973, Sudan's Constitution authorised a self-government structure in the south to ease the isolation of the South Sudanese people. Although this governing institution managed to promote the well-being of the South Sudanese citizens, it lasted only until 1983 when the Numeiri Government's Republican Order No. 1 (1983) reduced its status to three weak and powerless administrative regions (Dersso, 2012). Considering Buzan's (1991) theory on security, free access to life essentials, including food, water and shelter (with reference to '*free from fear*') are vital while aspects such as the state's politics and political structures, security, economy, technology, development and industrialisation should be transparent and accessible to all citizens to ensure security and survivability of a nation and a state. The Sudanese Government neglected South Sudan in terms of all socio-economic, political and security aspects. South Sudanese suffered alienation by the Northerners and were left no option than to exercise self-determination through secession.

The UN and AU promote state sovereignty and territorial integrity and will rather intervene to defuse conflict situations than to promulgate self-determination by means of secession that could result in fragmentation of African states. South Sudan pressed for secession despite unresolved important contentious issues such as the demarcation of borderlines. Well-sought oil fields, minerals and other natural resources such as water wells located on the Sudan/South Sudan borderline as well as the utilisation of each other's territory for transportation of oil and minerals could prolong and intensify the Sudan/South Sudan conflict. However, this research is only

[8] Projects included Government grants to study Islam, agriculture schemes, land distribution and ownership opportunities, all in favour and to the benefit of the Government and the elite Northerners.

focussed on the accomplishment of South Sudan's secession 55 years after Sudan gained independence from colonial rule.

1.3 PROBLEM STATEMENT

South Sudan has seceded from Sudan in 2011. However, the implication of secession on the African political environment must still be determined through the identification of causes and problems, which lead to calls for secession and the implication thereof. The secession of South Sudan and the upsurge in political instability and violence in Africa, such as the Arab Spring in North Africa during January 2011, has renewed the interest in secession as a determinant of autonomy.[9]

Alarming statements by several African leaders and journalists deemed this topic critical to be studied. During the second Afro-Arab summit hosted in Sirte, Libya, in October 2010, the then Libyan leader, Colonel Muammar Gadaffi, described Sudan's then likely breakup as a *"contagious fever"* that will spread throughout Africa and also referred to it as "… *the beginning of the crack in Africa's map"* (Temin, 2010). On 25 October 2010, the Sudan Vision Daily Newspaper published the Algerian Minister of Foreign Affairs, Mr. Mourad Madlasi's concern that South Sudan's referendum will impact negatively on the continent. Minister Madlasi declared: *"This partitioning will have fatal repercussions on the African continent"* (Sudan Vision Daily Newspaper, 2010). Richard Dowden's statement with regards to the Eritrea/Ethiopia secession *"… independence will encourage secessionists in other African countries"* was published in The Independent on 25 May 1993 (Ochieng, 2010). This serves as an indication that secession could have been perceived as a threat or challenge to Africa unity since Eritrea's stance in 1993.

In the African context, research with regards to secession mainly focussed on the legal aspects. (Dersso, 2012). Research with regards to efforts to secede Biafra, Barotseland, Cabinda, the Caprivi, Eritrea, Katanga and Puntland have also been conducted by various continental, as well as other international researchers. Links to and including the implication on the

[9] The Arab Spring started in Tunisia during January 2011, where after it spread to various African countries such as Egypt and Libya. (Haggag, 2011).

security of people and implications on the African political environment, are not yet clearly defined and leave a knowledge gap in available literature.

Prevailing causes and factors, processes and challenges encountered and overcame by South Sudan in its quest to self-determination, could be referred to as indicators and presented as indisputable reasons or circumstances for future secession demands by perceived to be oppressed or excluded Africa peoples and manifestation of all the related actions and activities to secession. Self-determination through secession could have a detrimental effect on the African political and security environment and authorities supporting statecraft as it prompts separation of opposing peoples rather than unity. Authorities involved in African politics such as the AU and the UN Security Councils, should be sensitised with regards to indicators serving as reasons to demand secession as means of self-determination in order to propose alternatives to secession.

1.4 PURPOSE STATEMENT

The purpose of this research report is to analyse and assess the implication of secession for Africa, considering South Sudan's secession.

South Sudan's secession calls for specific aspects such as the processes followed and the stance of the international community to be investigated in order to determine the implication of secession on the African political environment. Considering the Somalia/Somaliland/Puntland, Nigeria's North *versus* South, Mali's North *versus* South, Angola/Cabinda, the DRC/Katanga, Zambia/Barotse and the Namibia/Caprivi tensions, speculation of more possible calls for self-determination by means of secession on the African continent emerges. Could these states benefit from South Sudan's experience and would it result into fragmentation of the African continent?

1.5 RESEARCH QUESTIONS

The study hypothesises that South Sudan's secession has several implications for Africa's political environment, most notably on security and stability. As indicated in par. 1.4, the objectives of this research entailed the analyses and assessment of the implication of secession for Africa, considering South Sudan's secession.

These objectives were achieved by means of answering, the primary or overarching question using South Sudan as case study, which included:

- What are the implications of secession on the African political environment?

Secondary research questions, supporting answers towards the primary question, included:

- What is the origin of the calls for secession by the people of South Sudan?
- Which domestic, regional and international diplomatic and political processes were followed by what is now known as South Sudan to initialise self-determination?
- What has been the role of the international community in the process whereby succession is requested and granted or refused?
- Could secession be regarded as a solution for intra-state conflicts and unresolved ethic ambitions, demographical challenges and territorial claims in Africa, utilising South Sudan as a blueprint?
- Could states and peoples in a relatively similar position benefit from South Sudan's experience?
- Could secession result in fragmentation of the African continent?
- What are the implications of secession for African conflicts?
- Which alternatives to secession can, or should be considered?

(See Appendix A: Research Interview Questions posed to participants).

CHAPTER 2: LITERATURE REVIEW AND CONCEPT CLARIFICATION

2.1 INTRODUCTION

As indicated in par. 1.4 of this document, the purpose of this research is to analyse and assess the implication of secession for Africa by analysing South Sudan's secession.

2.2. LITERATURE REVIEW

The research has been conducted by examining primary sources, such as initial authoritative publications e.g. acts, enabling the researcher to give an uninfluenced opinion of 'raw' data, as well as secondary literature and resources comprising of international as well as local sources which imply that specific aspects has been studied before and that these reports might include previous researchers' opinions and conclusions.

This research was conducted with the emphasis on primary research methods such as the thorough examination of acts, publications and instructions released by authoritative powers with reference to the UN and the AU. Purposeful, unstructured, in-depth communication with knowledgeable people complimented with specific questions (which were submitted and answered via electronic mail), were conducted to gain insight into the complicated processes involved with secession endeavours. Received answers and opinions clarified uncertainties and assisted to obtain the specialists' perceptions of shortfalls and recommendations of South Sudan's secession as well as their general take on the impact of this specific secession on the African political environment.

Personal liaison with people who were or are still directly involved in the Sudan/South Sudan secession as well as peace process and politics was established during various seminars hosted in Pretoria, South Africa, during 2012. Prof Shadrack Gutto from the University of South Africa (UNISA) as well as government officials from both countries i.e. the Secretary General of the Sudan People Liberation Movement-North (SPLM-N), Mr Arman, Ambassador P.C. Malok, from the Embassy of the Republic of South Sudan in Pretoria and Dr Aleu, Public Attorney in the Ministry of Justice,

Government of South Sudan, all participated and shared knowledge and opinions with regards to this research endeavour.

Questionnaires were also electronically submitted to and received from additional referred knowledgeable sources such as Professor Pierre Englebert, a lecturer of Politics at Pomona College, Claremont in the United States of America and Mister Gai Thurbil, a researcher with South Sudan Media Alliance and a junior lecturer in Communication Studies at the University of Leeds in the United Kingdom. Several local academia knowledgeable with regards to political science related subjects at various institutions based in South Africa, namely at UNISA, the University of the Witwatersrand (WITS), individuals at the British Peace Mission Training Centre (BPMTC), as well as at the Institute for Security Studies (ISS) participated in order to complete this study.

Secondary information sources such as documents compiled by national as well as international institutions, researchers and scholars, have been considered. Information obtained from news agencies, magazines, journals and bulletins assisted to analyse unfolding events prior to South Sudan's secession date. Literature with regards to successful secession endeavours in the African context is limited to Eritrea, although under different circumstances. At the time this study commenced (during 2012), only Eritrea and South Sudan were allowed to secede as new sovereign entities on the African continent since decolonisation. Documents published by African and internationally-based academia and security institutions namely, Professor Englebert, Rebecca Hummel, the Brenthurst Foundation, the ISS, the African Institute in South Africa (AISA) and the International Institute for Security Studies (IISS), have been utilised during the research endeavour. Legal aspects relevant to South Sudan's secession as published by the ISS, were also considered during the compilation of this report.

Thorough examination and cross-referencing of data assisted the researcher to obtain an in-depth understanding of secession and the demands for secession in the African political environment. The majority of considered information indicated that the quest to secede in Africa should be treated as an exception rather than the rule.

2.3 CONCEPT CLARIFICATION

In order to ensure constant clarity of terms and concepts, the relevant definitions have been indicated as footnotes throughout the document. However, the writer deemed it important to clarify the following critical concepts in order to ensure mutual understanding prior to reading the rest of the research report:

State: Osmanczyk (2003, p. 2180) describes a state as a *"sovereign independent country; a territorial unit with some degree of internal self-government within a federation or union. The state as a person in International Law should possess the following qualifications: a permanent population; a defined territory; government; and capacity to enter into relations with other States. Every sovereign state is bound to respect the independence of every other sovereign state, and the courts of one country will not sit in judgement on the acts of the government of another done within its own territory"*. Rosenberg (2011) concurs with Osmanczyk by referring to a State as *"a self-governing political entity. The term State can be used interchangeably with country"*. Thus, a state is a specific geographical area within identified borders that accommodates people (citizens) governed by legitimate structures. These authorities are accepted by its citizens as well by the international community. A sovereign state enjoys supreme authority over events within its borders as well as the right to reject external interference from the international community.

Nation and nation-state: Rosenberg (2011) defines a nation as *"a tightly-knit group of people which share a common culture and a nation-state as a nation which has the same borders as a State"*. Thus, a nation comprises of people/population who regard themselves as a 'unit' with regards to distinct cultural characteristics such as believes and religion, language and history, grouped in a particular geographical area (state) exercising some political identity.

Population: *"All inhabitants of a place"* (Collins Paperback English Dictionary, 2001, p. 635).

Nationalism: Ideology that identifies the nation as the highest political authority and centre of political identity.

Sovereign: *"Independent of outside authority; not governed by another country; a sovereign nation"* (Collins Paperback English Dictionary, 2001, p. 797).

Sovereignty: *"A government which exercises de facto administrative control over a country and is not subordinate to any other government in that country or a foreign sovereign state"* (The Arantzazu Mendi, [1939] A.C. 256, Strouds Judicial Dictionary). *"On the international level, sovereignty means independence, i.e., non-interference by external powers in the internal affairs of another state. …the sovereignty of any single state is the logical consequence of the existence of several sovereign states"* (De Bennoist, 1999). Bellamy indicates that the 1648 Peace of Westphalia Treaty has *"instituted a world order based on the rights of sovereigns"* in terms of the rights of interference and non-intervention (Bellamy, 2010, p. 362).

Secede: "*To make a formal withdrawal of membership from a political alliance, federation, or group"* (Collins Paperback English Dictionary, 2001, p. 745).

Secession: "Secession is the creation of a new state by the withdrawal of a territory and its population where that territory was previously part of an existing state" (Pavkovic, 2007, p.5). Trzcinski states that secession is regarded as the most radical form of separatism. He concurs to Pavkovic's definition while adding a political side to it: *"…secession of a territory is defined as the separation of a part of a state from the rest of its territory, and hence the political withdrawal of the given region from the system of the usually larger state unit"* (Trzcinski, 2004, p. 208).

Self-determination. "Essentially, the right to self-determination is the right of a people to determine its own destiny" (Committee of 100 for Tibet, 2012).

CHAPTER 3: METHODOLOGICAL APPROACH

3.1 INTRODUCTION

The research methodology applied in this study enabled the determination of specific findings with regards to the implication of South Sudan's successful secession on the African political environment. This research involved people, things (abstracts) such as secession as well as thoughts, ideas and dynamics considered during all the mentioned activities.

3.2 RESEARCH METHODOLOGY

The qualitative approach selected as research methodology facilitated the correct strategy and processes to ensure a high-quality research report. It enabled the researcher to achieve research goal as set in Chapter 1 of the study. Salkind (2003, p. 3) refers to research as *"a process through which new knowledge is discovered"*. He has also identified characteristics such as that research *"Is based on others' work, has the possibility of replication, is generalisable to other settings, is based on some logical rationale and tied to theory, is feasible, generates new questions or is clinical in nature, is incremental, is an apolitical activity that should be undertaken for the betterment of the society"* in order for the research/study to be declared high-quality research. Badenhorst (2010, p. 2) concurred by stating that research as part of academic writing is based and build on previous research and that evidence, i.e. the reference to publications of reputable authors, constitutes evidence and augment the researcher's findings, thus adding truth and value to the study.

3.2.1 Research Approach

The research approach to obtain the relevant required information, identified as information gaps during the literature review process, allowed for required outcomes, thus identified information gaps, to be addressed adequately and facilitated valuable findings and deductions. The research approach to determine the implication of South Sudan's secession on the African political environment transpired as an in depth exploration of a qualitative nature to understand various factors involved and present to enable secession as well as the after effects thereof. Deductive processes and analysis of relevant

information have been exploited to answer the research questions as well as to formulise findings and recommendations.

Salkind (2003, p. 208) defines qualitative research as *"social or behavioural science research without the numbers"*. This view is shared by Silverman (2004, p. 342) when he concurred with Denzin and Lincoln's statement indicating *"Both qualitative and quantitative researchers are concerned with the individual's point of view. However, qualitative investigators think they can get closer to the actor's perspective through detailed interviewing and observation… quantitative researchers are seldom able to capture their subjects' perspectives because they have to rely on more remote, inferential empirical methods and materials"*. The allowance of individuals to express their understanding of specific aspects in their personal view was used to the advantage of this qualitative research approach. It enabled the researcher to grasp the 'bigger picture' by obtaining in-depth information and to obtain critical information. Open-ended questions enhanced flexibility and prompted participants to reveal and elaborate on their personal opinions. A quantitative research approach was not deemed appropriate for this research endeavour as it usually focuses on statistical data reflected by numerical values without the opportunity to reflect or to elaborate individual viewpoints. As the purpose of this study is to analyse and to assess the implication of South Sudan's secession for Africa, the understanding of secession and involved processes as followed by South Sudan are important in order to use or abandon South Sudan's secession as blueprint for other African populations considering self-determination through secession. A quantitative research approach could thus not assist in the understanding aspect's requirement and the researcher reverted to the qualitative research approach.

Despite some shortfalls, the qualitative research approach deemed the most adequate approach to conduct this study. A possible weakness or disadvantage of qualitative research is the quantification of information. Quantification of obtained information could be deemed a challenge as the validation or quantification of individuals' opinions and assumptions by means of approved formulas, such as in the case of quantitative research, is not always possible while contradicting conclusions hinder clear decisions.

However, the researcher's level of knowledge of the specific research topic is deemed fair and information obtained through utilised sources were analysed thoroughly to ensure a reputable research report.

Therefore, the qualitative research approach was applied as *"qualitative research has a particular part to play in exploring issues of process, in explaining how outcomes are achieved – or not"* (Silverman, 2004, p. 337). South Sudan's secession required sound understanding and analysis to determine the involved aspects and impact thereof on the African political environment. Merriam's (1998) perspective of qualitative research's characteristics with regards to the goal of investigation, namely to understand, to describe, to discover, to determine the meaning and to generate a hypothesis, was applied throughout this research endeavour.

3.2.2 Research Design

Personal interest and curiosity, as well as other factors as identified by Neuman (2011, p. 171), namely *"… the state of knowledge in a field, social premiums, personal values and everyday life"* prompted the quest to determine the impact of an African state's successful secession on the continent's political environment. The research design involved text, documentary and narrative analysis. Eritrea's successful secession and the calls for secessions and self-determination of other African states all over the continent have been considered along with the South Sudan's secession research endeavour. Personal interviews with knowledgeable academia, diplomats and security sector employees have been conducted to complete data gaps and to confirm initial findings and conclusions. These interviews were followed-up by electronic mail to serve as an unwavering proof of communicated information.

3.2.3 Data Collection

Neuman (2011, p. 9) defines data as *"the forms of empirical evidence or information carefully collected according to the rules or procedures of science"*. Primary as well as secondary data have been utilised to conduct this research.

3.2.3.1 Primary data

Primary data refers to the data or information collected and interpreted by the researcher, such as the relevant acts, authoritative and legislative documents, as well as information gathered during interviews and the replies to the electronically submitted questions. Leedy (1980, p. 88) defines primary data as *"the data which lie closest to the source of the phenomenon"*. Primary data was collected during interviews and communication with knowledgeable people. Acts and authoritative documents published by global security and political organisations such as the UN, the AU, the New Partnership for Africa's Development (NEPAD) and various Human Rights organisations were thoroughly analysed during the compilation of this report.

3.2.3.2 Secondary data

Secondary data refers to the data or information previously collected and interpreted by other researchers. The Business Dictionary defines secondary data as *"primary data that was collected by someone else for a purpose other than the current one"* (The Business Dictionary.com). Neuman (2004, p. 480) refers to secondary sources as *"qualitative and quantitative data used in historical research that are reported or written by historians or others who did not directly participate in the events or setting".* The disadvantage of secondary data is that personal emotions, opinions and biasness could not always be correctly interpreted and/or determined and verified with facts as analysis has already been executed and opinions formed by the previous researcher. Written documents do also not necessarily comprise of only relevant data and time gets wasted on reading irrelevant information. However, published as well as unpublished documents addressing secession were considered. Professor Englebert permitted utilisation of and reference to his work *"Separatism in Africa"* prior to being published (Englebert, 2013).

3.2.3.3 Sampling

Neuman (2011, p. 242) states that *"... most qualitative studies use a non-probability method and non-representative strategy"* when referred to sampling. Thus, qualitative studies do not focus specifically on how many times certain aspects occur, but rather on the reason behind the occurrence.

This research mainly comprised of literature reviews complemented by purposive sampling through interviews with subject specialists. Further sampling was conducted when interviews with specialists led to more identified people not initially included in the considered list of interviewees. Time played a major role in order to determine the number of interviews and the response on electronically submitted questionnaires. Only some identified participants responded positively to the questionnaires. Furthermore, not everyone who reacted was able to answer all the questions. However, all responses were valuable and contributed effectively to the successful outcome of the study.

3.2.3.4 Data analysis

Data analysis involves all processes with regards to type of data collected, relevancy and accuracy thereof. It also informs the researcher with regards to unanswered gaps and indicates similarities and discrepancies. The relevancy of data was measured by means of the ability to answer the main research question, namely: "What are the implications of secession on the African political environment?", as well as the identified sub-questions. Answers of participants were compared, measured and evaluated against researched data and *visa versa*.

3.2.3.5 Validity

The Bloomsbury English Dictionary explains 'validity' as *"to confirm or establish the truthfulness or soundness of something*" (2004, p. 2047) and 'reliability' as *"able to be trusted to be accurate or to provide a correct result"* (2004, p. 1576). Salkind (2003, p. 115) refers to validity as *"the quality of a test doing what it is designed to do"*, thus, testing the required features. He affirms that the test's focus on the study's result and the understanding within the context of the purpose of the study, determines the validity of the specific test. The initial research questions passed the validity test as it could be applied effectively to answer the main research endeavour and thus successfully address the issue namely what are the implications of secession on the African political environment?

3.2.3.6 Reliability

Reliability deals with accuracy. Salkind (2003) considers a test reliable *"when a test measures the same thing more than once and results in the same outcomes".* Neuman (2011) concurs by stating *"other researchers can reproduce the study and will get similar results"*.

The validity and reliability of this study were embedded in findings and recommendations supported by concrete facts as far as possible. However, due to the fact that this study involved people and their personal opinions along with individual emotions, the truthful validity and reliability of all evidence could be deemed a challenge as all 'truths' (opinions *versus* facts) cannot in all circumstances be tested or validated in all cases. The researcher however endeavoured to confirm the information obtained during the research with other known facts and used only reputable sources of information that is well respected in the academic and African political fields. Participants were requested to verify and approve their contributions prior to the final submission and publication of the study.

3.3 SIGNIFICANCE OF THE RESEARCH

Secession could have a detrimental effect on the African political as well as security and stability environment and authorities supporting statecraft as it prompts separation of opposing peoples, rather than unity. However, the researcher undertook a comprehensive research endeavour in order to map all possible outcomes, whether good or bad, in an urge to make relevant findings and to provide viable recommendations. Authorities involved in African politics such as the AU and the UN Security Councils should be sensitised with regards to indicators serving as reasons to demand secession in order to propose alternatives to secession to avoid the establishment of non-viable states which inevitably developed into failed states that could foster instability/pose a security threat to a particular region.

3.4 LIMITATIONS

The study was limited in various aspects. Firstly, it was geographically limited as it focuses on Sudan, South Sudan and Africa. Secondly, the study was limited methodologically. The study predominantly followed a qualitative

approach. In the third instance, the study was also limited chronologically as it focused on the period 1956 until 2012. In the fourth instance, the study was limited to sources in the English language, as the researcher is not fluent in Arabic and languages such as Nuer and Dinka, which are the prominent languages in South Sudan. Other limitations included the lack of access to the affected people and relevant geographical areas.

3.5 ETHICS

"Research ethics deals primarily with the interaction between researchers and the people they study. Professional ethics deals with additional issues such as collaborative relationships among researchers, mentoring relationships, intellectual property, fabrication of data, and plagiarism, among others" (The Family Health International Website, 2012).

The researcher applied the University of the Witwatersrand's (WITS') code of ethics and adhered to good practices with regards to biasness, anonymity and confidentiality. Confidentiality prevailed and participated specialists were not exposed without consent, as they were encouraged to allow publication of identities to grant substance to aired ideas and views. The researcher submitted the final draft prior to submission to participants in order to obtain their authorisation to publish the report indicating their personal viewpoints. Utilised sources, work and opinions of previous researchers and participants were acknowledged accordingly. Findings and conclusions were made in support of factual evidence.

3.6 TIME MANAGEMENT

In order to determine the implication of South Sudan's successful secession on the African security and political environment, various aspects and role players were considered. These included *inter alia* people and their dynamics, thoughts and ideas, as well as authoritative institutions and their approved legislation, doctrines and policies, such as the UN, the AU and on national level, the specific state's constitution and law.

Information regarding all above mentioned aspects was readily available at the various institutions' headquarters, as well as on its internet web pages. Web pages administered by the ISS, as well as other international peace

organisations such as the International Committee of the Red Cross (ICRC), the International Criminal Court (ICC) and the International Crisis Group, were also considered during this research.

Collected data was filed and tagged according to specific units, such as role players, institutions and legislations. Document research was complimented by interviews with academia and officials specialising in the field of security studies and African politics.

3.7 REPORT STRUCTURE

This research was conducted by means of a qualitative research approach with the focus on information relevant to secession. Limitations, as discussed in Chapter 3 contributed to the delimitation of events and processes followed within a demarcated geographical area in chronological sequence during a specific era.

The report has been divided into five chapters followed by appendices that clarify some of the research provided and giving the background of the research output.

Chapter 1 deals mainly with the research study's academic background and research questions. The problem statement, i.e. that the implication of secession on the African political environment must still be determined through the identification of causes and problems, which lead to calls for secession and the implication thereof, as well as the purpose statement of this study, thus, to analyse and assess the implication of secession for Africa, considering South Sudan's secession, have been discussed in Chapter 1.

Chapter 2 deals with the literature review, thus all sources, including individuals with specialist knowledge considered and consulted during the compilation of this study. This chapter also includes concept clarification to ensure common understanding of specific concepts referred to in the paper.

Chapter 3 describes the methodological approach followed by the researcher during the compilation of this report and includes aspects such as research methodology, approach and design, data collection, the significance of the study, limitations, ethical conduct and research management with regards to time management and the outlay of the report structure.

The researcher evaluated mainly primary as well as secondary data during the compilation of this report. Data analysis and source reliability were determined by means of comparing various primary and secondary source information. The validity of the research questions proved to be acceptable as the problem statement, as well as the purpose statement of this study, have been addressed.

Chapter 4 deals with findings and analysis and sheds light on the African socio-political background influenced by cooperative structures. African demands to secede, causes to revert to secession as means of self-determination, politics in Sudan and South Sudan from 1953 until 2011, along with relevant legal perspectives and the applicability thereof on South Sudan has been discussed in this chapter. Processes followed to initialise self-determination, dynamics specifically in the case of South Sudan's call for secession along with possible implications of, and alternatives to secession, has been investigated to determine if South Sudan could indeed be utilised as a blueprint for more African secessions.

Chapter 5 comprises of final observations relevant at the time of submission of this research paper which have been addressed under the headings conclusions and recommendations. Recommendations were done firstly with the focus on directing states possibly considering secession as means of self-determination and secondly with the focus on accommodating academic guidelines with regards to future research pertaining secession.

In order to allow quick reference to the research questions, these questions have been attached to this report as Appendix A. Appendices B, C and D allow for clear orientation pertaining Sudan and South Sudan's geographical areas by means of maps depicting Sudan, South Sudan and disputed areas along the Sudan/South Sudan border line.

The ever-changing African socio-political environment indeed renders challenging opportunities to academics and students interested in the field of security studies and African politics.

CHAPTER 4: FINDINGS AND ANALYSIS

4.1 INTRODUCTION

The Berlin Conference of 1884 considers the geographical significance, the people and their politics, as well as how the area relates to the national, regional and global contexts, as a framework to segregate a state. Above-mentioned factors along with the level of democracy and legal considerations directly influence the African political and security environment. Continuous political, economic, security, technological, environmental, legislative and social alignment and development are required to ensure effective and efficient state and nation building.

In his speech delivered at the International Institute for Strategic Studies on 16 September 2010, his Excellency, President Paul Kagame referred to nation building as *"… a long and challenging process, but one that leaders, together with the citizenry, must undertake with seriousness"*. He further stated that *"… for a country coming out of conflict, the first priority should be one of stabilisation and security, which requires strong internal political leadership, systems and institutions"*. Additional to these preconditions, he identified the following key aspects as vital success factors to accomplish effective nation building: the consideration of unique distinguishing core factors historically shaped; the awareness of national identity; the establishment of laws and governance regulating relationships between authoritative powers and citizens; transparent practices and participation by citizens in national elections and decision-making processes; all inclusive economic transformation and development opportunities. (Kagame, 2010). Thus, state building relates to the creation of strong centralised governance structures that include control, conquest and consolidation, while nation building refers to educated citizenships, regional cooperation by means of flexible cross border citizenships, stakeholders and the sense of common belonging while fair inclusivity of ethnicity, languages, religion, differences and diversity is exercised. Nation building requires constitutional engineering to lay down processes, ways and means to institute democratic principles fostering participation, representation, inclusivity, the allowance to negotiate differences, economic issues, growth, equity and needs. All parties with

reference to all citizens in a state should be allowed the possibility to negotiate about power sharing, rights, priorities and liabilities, thus enjoy the right to exercise democratic principles. Oversight organs instituted to impose accountability should be able to limit and act against abuse and misuse of power by organisations or individuals appointed in governing positions in order to enhance capacity building in accordance to the UN Development Programme's (UNDP) Strategic Plan of 22 May 2008 (UNDP, 2008).

Thus, successful state and nation building endeavours necessitate *inter alia* the establishment of effective and efficient representative governing structures, socio-economic infrastructure along with required training and skills development of personnel appointed to deliver assigned services. These activities are all cost intensive and newly established states do not necessarily possess adequate resources. Financial means could be considered major drivers to facilitate and ensure the establishment of a viable state comprising of the required socio-economic infrastructure to prosper. However, without international acceptance and recognition of state sovereignty, the possibility to receive any international support is very slim as international financial powers such as the World Bank and the International Monetary Fund (IMF) is reluctant to grant support if a geographical territory is not internationally declared a sovereign state.

Independence from European countries posed state building challenges to the majority of African states, considering that South Africa, Liberia and Ethiopia were by 1945 the only states not under European colonial control (Boateng, 2010).

4.2 THE AFRICAN SOCIO-POLITICAL BACKGROUND

State building challenges experienced on the African continent as a result of the Berlin Conference's colonial and border demarcations, include the geo-strategic significance, control, dignity, integrity, participation and consolidation of states and its peoples in governance and decision-making processes. Occurrences of genocide in order to cause ethnic cleansing i.e. Rwanda and continuous internal conflicts whether ethnic, religious or greed orientated are evident throughout Africa. The declaration by the OAU

Assembly of Heads of State and Government on the Establishment of a Mechanism for Conflict Prevention, Management and Resolution summit hosted in Cairo during June 1993, reveals: "*No single internal factor has contributed more to the present socio-economic problems in the Continent than the scourge of conflicts in and among our countries. They have brought about death and human suffering, engendered hate and divided nations and families. Conflicts have forced millions of our people into a drifting life as refugees and displaced persons, deprived of their means of livelihood, human dignity and hope. Conflicts have gobbled-up scarce resources, and undermined the ability of our countries to address the many compelling needs of our people"*.

It seems that should the answer be found to resolve African conflicts, many of the continent's challenges will be addressed. However, Spears' statement approximately eleven years after the OAU's Cairo Declaration revealed that personal greed and gain of authoritative African elites and powers are not necessarily aligned with the best interests of the African states and the well-being of their citizens. The possibility of relieve or near-future expectations to improve on contentious issues experienced in the African security, political and socio-economic environment is deemed far from reality considering that *"… leaders of various factions would rather engage in the process of conflict resolution (which affords them the comparative luxury of endless meetings in fancy hotels in European and African capitals) than undertake the more challenging task of government" (Spears, 2004).* This state of mind exercised by authoritative powers and their power bases promotes neither socio-economic development of states nor the general upliftment of citizens' living standards. Thus, the lack of a political will of leaderships to engage and resolve internal challenges could encourage aggrieved peoples to revert to drastic actions such as coupe d'états or calls for secession in the quest for free and fair governance as well as the possibility of developmental opportunities facilitating general upliftment.

4.2.1 Cooperative Structures

Developmental aspirations and declarations by global, continental and regional oversight organisations, also referred to as regional economic

communities such as the UN with specific reference to the UN Development Programme (UNDP), the AU, the NEPAD supported by the African Peer Review Mechanism (APRM), the Intergovernmental Authority on Development (IGAD), the African Leadership Forum (ALF) and the Panel of the Wise, shape the African socio-political environment continuously. Spears (2004) argues that states located on the African continent experience developmental challenges with regards to geographical size and incapable governments *"... Africa's governments – some which remain amongst the weakest and most incapacitated in the world, are expected to manage some of the world's largest, most diverse and least developed countries"*. He states that one of the reasons realising this modus operandi could be attributed to African regimes implemented strategies and strategic relationships with superpowers that provided military means to initiate and enforce anti-democratic governance principles while ruling by means of dictatorships and elitism.

During the World Summit conducted in September 2005 at the UN Headquarters in New York, world leaders agreed to the responsibility of the state to protect its citizens as indicated in the Summit's Outcomes document: *"… clear and unambiguous acceptance by all governments of the collective international responsibility to protect populations from genocide, war crimes, ethnic cleansing and crimes against humanity"* (UN, 2005). This agreement authorises interstate intervention should another state fail to protect its citizens to ensure human security as well as to limit the spill over of intra-conflicts to neighbouring and regional states. The UN is striving towards global harmony and improvement while fostering national security and development by means of various development and aid programmes as well as international legislation to intervene during gross human right violations and destabilised situations as described by the UN Charter. Thus, the UN as a collective strives to establish guidelines of adherence for peace, safety and security.

The AU's objectives are aligned with those promoted by the UN. The AU also strives to uphold initial objectives instituted by the OAU. These include *inter alia* the canvassing of unity, solidarity, co-operation and socio-economic

upliftment, development and harmony within and amongst all African states. The OAU instituted initiatives and agreements relevant to this study include the African Charter on Human and People's Rights (Nairobi 1981) and the Grand Bay Declaration and Plan of Action on Human rights. Both declarations promote Africans' human and people's rights. The Human Rights Charter resulted in the institution of the African Human Rights Commission, situated in Banjul, capital of The Gambia. The Mechanism for Conflict Prevention, Management and Resolution (1993) which expresses the urge by African leaders to find solutions to conflicts, promote peace, security and stability in Africa, thus, adhering to the ideology of Africa solutions to African problems. The Cairo Agenda for Action (1995) resulted in the drafting of a programme to revive Africa's political, economic and social development. After establishment in 2002, the AU articulated the Charter on Democracy of Good Governance during January 2012 in adherence to its obligation to implement and ensure good governance structures. Norm settings have been established to prevent corruption while core values are promoted. These visions are reflected in the AU's declaration of '*2012 as the year of shared values in Africa*' (AU, 2012).

NEPAD is an important socio-economic structure for Africa as it serves as a main economic link between Africa and the then G8 countries. This partnership existed since 2001 and is based on mutual trust, respect and responsibility. Leaders of the G8 countries supported the implementation of NEPAD by means of the G8 Africa Action Plan during June 2002. This plan serves as a practical and acceptable means to rally support for development as well as provides a roadmap to G8 countries with regards to supporting commitments and implementation endeavours of NEPAD. It also stipulates the requirement of regular progress reports in order to ensure adherence to planning. During 2003 the dialogue between the G8 and NEPAD was extended to all countries of the Organisation for Economic Cooperation and Development (OECD) that contribute substantially to development assistance, thus, broadening support and aid opportunities for Africa to enhance development and general upliftment of living standards of Africans. (NEPAD, 2005).

Regional economic communities have been instituted throughout the African continent to support objectives set by the AU. IGAD is the regional institution assigned to impose unity and solidarity with regards to political, security and socio-economical aspects of states located in the Horn of Africa. Sudan has been a member state of IGAD since its inception on 21 March 1996 (IGAD, 1996). The ALF and the Panel of the Wise focus mainly on the implementation of African solutions to African problems. The ALF promotes the intellectual architecture of African-led solutions in order to pre-empt and to avoid crises, as well as to enable decision makers to formulate concepts effecting minimum conflict. Leadership and entrepreneurship in terms development is mainly promoted by means of organising workshops and seminars focussing on aspects such as corruption, democracy and human rights (The African Leadership Forum, 2012). The Panel of the Wise comprise of a five-member committee representative of various African states, who act in support of the AU Security Council and advice on matters such as the promotion and maintenance of peace, security and stability in Africa. (AU, 2007).

However, some stipulations contained in the above mentioned organisations' authoritative documents and charters, could be perceived to be in direct contrast with the strive for unity, peace and prosperity, such as the enforced acceptance/recognition of territorial borders and state sovereignty versus international political or military intervention during violation or negligence of individuals' or minority groups' human rights by the government of the day.

In October 1993, the UN Security Council's Resolution No. 872 authorised the United Nations Assistance Mission for Rwanda (UNAMIR), comprising of Belgium and Bangladeshi contingents to assist Rwandan warring parties to implement a peace agreement. UNAMIR had to monitor the implementation of the peace agreement while rendering support to the Transitional Government. However, when unrest escalated after the deaths of the main negotiators, i.e. the presidents of Rwanda and Burundi in an aviation accident during April 1994, the UN reduced UNAMIR's strength from 2 548 to 270. The withdrawal of possible deterrent forces allowed for acts of genocide to be performed by the Rwandan Armed Forces, the presidential guard and

the ruling party's youth militia. These resulted in the deaths and displacements of millions of Tutsi as well as some moderate Hutu peoples. (UNAMIR, 2012).

4.2.2 African Demands to Secede

Since the decolonisation of Africa during the 1950's/60's, various minority and perceived to be neglected, alienated or oppressed African populations across the continent have demanded secession in order to exercise self-determination. These outcries originated from peoples living across the African continent such as in the Sahel region, Mali, Niger, Nigeria, Namibia, Angola, the DRC, Zambia and Somalia.

The Sahel region is characterised by environmental challenges such as desertification and drought and stretches from west to east across northern Africa and includes Mauritania, Mali, Algeria, Niger, Libya, Chad, Sudan, Egypt and Eritrea. The Tuareg comprise of people who traditionally travelled the Sahel area in the quest to find graze for their cattle. The Tuaregs were hostile towards the French colonial rule and called for a central Saharan state during the 1950's to consolidate all Tuaregs. The Tuareg people were fragmented during the post-colonisation period when many African countries gained independence from foreign rule. Tuaregs in general were not adequately provided for by governments in the 'newly' formed states and peoples in Mali and Niger found shelter in refugee camps or migrated to Algeria and Libya where some were employed in the Libyan Armed Forces. Alienation and empty promises of upliftment programmes by Mali's and Nigeria's governments since 1980 along with unreciprocated grievances, have resulted in various Tuareg uprisings calling for a sovereign territory to exercise self-determination over resources, cultural and linguistic practices without prejudice. However, weak governments along with state disintegration, ideologies proclaiming nationalism versus Islamic extremism contributed to division amongst the Tuareg peoples as well as several Sahel countries, resulted in a definite North and South peoples divide such as in Niger, Mali and Nigeria where the North is mainly Muslim/Islamist orientated and in favour for the application of Sharia Law, while the South is more lenient towards Christians and other denominations, and against the

application of Sharia Law. (UNHCR, 2003). The fact that some Tuaregs have received military training (and equipment) while serving in the Libyan Armed Forces, could encourage aggrieved peoples to apply violent 'intervention' or rebellion. The possibility that ECOWAS or the AU will be able to counter or fight such a rebellion effectively is highly unlikely as manifested in Mali during 2012/2013. Considering the vast geographical area and limited resources available, as well as involved governments' attitudes along with international political pressure pose serious challenges to effective interventions by the AU and ECOWAS.

The Republic of Biafra, located in Nigeria's eastern region, gained independence from Nigeria on 30 May 1967. However attacks and human rights violations by Nigerian security forces supported by Nigerian civilians, the UK, the former Soviet Union and the Arab League spearheaded by Egypt, resulted in the death of over three million Biafra people and the collapse of the state three years later, during January 1970. The Biafran/Niger Delta population's call for secession has been ongoing as conflict and human rights violations are still prevailing in these areas more than forty years later.

Actions demonstrating the will to secede are also occurring from time to time in Namibia's Caprivi region. The Namibian Police has banned peaceful demonstrations planned to propagate secession by Caprivians during August 2010 as well as during April 2012. Namibian Police Inspector General, Lieutenant General Sebastian Ndeitunga, *inter alia* stated: *"Secessionist as per the Constitution of Republic of Namibia is classified as High Treason, any pro-secessionist demonstration whether peaceful or in any whatever form will be construed as supporting the secessionist ideology or the separation of Caprivi from the rest of the Republic of Namibia"* (Ya Nangoloh, 2012).

The Front for the Liberation of the Enclave of Cabinda (FLEC) and splinter groups thereof battled since Angola's independence from Portugal in 1975, to separate the Cabinda enclave from the mainland. Aspects such as the physical location of the Cabinda enclave, colonial rule, unique identity, history, culture, alienation and violations of human rights of the Cabindans by the Angolan security forces have been declared as reasons to secede from

Angola. FLEC's request for a referendum, in which only Cabindans should vote to effect secession, has been vetoed by the Angolan government. Angolan authorities argued that ethno-cultural differences do not feature as a basis for self-determination and that if a referendum would take place, all Angolans should vote to determine the outcome of such a national matter. Considering revenue lost by oil produced in the Cabinda enclave, the likeliness of a pro-Cabinda's secession national referendum is non-realistic.

The DRC gained independence from Belgium on 30 June 1960. The dissatisfaction of the Lunda and Tshokwe tribes, who resided in the south eastern part of the country, referred to as the Katanga Province, was evident soon after independence. Katanga, rich in several minerals and specifically copper, was dominated by the northern part of the country. Within two weeks after the DRC's independence, Mr. Moise Tshombe, a Lunda who was disregarded as a member of the first post-independent government, initiated and succeeded the Katanga Province's secession from the DRC. Katanga, although never internationally recognised as a sovereign entity, survived as a separate state until January 1963 when it was defeated by a UN peacekeeping force. Mr. Tshombe fled the Congo in June 1963 where after he was charged with treason by General Mobuto Sese Seko, who forcefully implemented central control. General Mobuto Sese Seko became the new leader of the DRC after staging a successful coup d'état in November 1965 (Cultural and Environmental Education, 2010). Actions by pro-Katanga separatist groups such as the Union of Forces for the Liberation of Katanga (UFLKA) and the Revolutionary Movement for the Liberation of Katanga (MRLK) have been reported in specifically the Lubumbashi area until December 2011. Arrests of members of the Movement for the Independence of Katanga during 2005 included *inter alia* the Chief of the Military Police, as well as several members of the Presidential Guard stationed in Lubumbashi.

The Bulozi (Barotse) Kingdom located in post-colonial Zambia, was founded in 1838 (Muimui, 2012). The Barotseland Agreement formed part of Zambia's independence from Britain during October 1964. The Barotseland Agreement was signed by *inter alia*, the Prime Minister of Northern Rhodesia, K.D. Kaunda, who after independence became the President of Zambia,

M. Lwanika III, Litunga of Barotseland and a representative of the Commonwealth States, R.H.D. Sandys. The Agreement granted the Litunga of Barotseland, that reigned over the Lozi, also referred to as the Luyana tribe in northern Rhodesia (that later became Zambia), the right to self-determination with regards to customary law, governance and general administration of Barotseland, including land and land distribution matters.[10] The Agreement obligated Zambia to provide in financial support for administration and economical developmental aspects of Barotseland (The Barotseland Agreement, 1964). The existence of the Barotse Freedom Movement and calls made by the Barotse National Council during March 2012 are evident of a continued strive of the Barotse peoples to secede from Zambia.

Somalia's disintegration resulted in the lack of proper statehood which left the majority of citizens without access to basic necessities such as security, shelter, food, education and health care. Insecurity and violence cannot be addressed effectively by the 'fragmented governance' as applied by several clans and elites in in Somalia. Therefore, Somalia has been branded by the international community as a failed state, resulting in Somaliland and Puntland populations instituting territorial governance structures and demanding secession for self-determination.

The lack of resources along with the reluctance of the ruling government, supported by the international community, who lacked the political will to support and recognise the act to secede, vetoed or discouraged almost all the above mentioned endeavours. The complexity of people and politics contributes to the lack of a simple set of procedures to be used as blueprint in order to exercise self-determination through secession.

However, despite the uniqueness of each case, specific legal and political procedures satisfying instruments and practices instituted by the involved state as well as the international community should be adhered too prior to the call to secede. According to Koné (1998), the authorisation to exercise self-determination *"does not subside within any one singular body or entity.*

[10] The Litunga refers to the Chief of Barotseland and the sole supreme ruler of the Lozi (Luyana) Nation (Muimui, 2012).

…Through action as well as inaction, the world community can act as de-facto grantor of a people's right to secede or not to secede". Thus, without consent of the international community, international economic support will be limited to interest groups in minerals and future beneficial relations. Civil unrest will escalate and evolve into an unresolved civil war that will disconnect the community from the government and actions to peacefully resolve the discontent and calls for secession. Thus, the international community will become polarised in the calls to support or not to support secession resulting in further ineffectiveness of continental unity and international cohesion.

The quest to secede requires consideration of democratic principles such as accountability and transparency along with the adherence to regulations of relevant organisations and instituted laws guiding the intentions and rights of the aggrieved. Democracy enhances accountability, thus enforcing responsibility to keep peoples and citizens properly informed. Democracy allows for the peoples' voices to be adhered to by means of voting to appoint perceived to be competent members in governance structures or as leaders and decision makers. If transparent processes are followed, the majority votes rule and appointed leaders and individuals enjoy a sense of legitimacy and public trust and support. This could contribute to ensure security as all peoples are perceived and managed equally and with dignity and that they are heard through participation.

Despite the creation and institutionalising of institutions promoting principles of democracy and Africa-led solutions, the success thereof is not always evident as power, resources and punitive actions are not persistent enough for African states to abide by. Structures of constrain that the AU faces such as the Arab League, are far more powerful than the AU. The IGAD can neither control member states' support to the Islamic sect in Somalia, Al Shabaab nor this organisation's acts of terror executed in other IGAD member states such as Kenya or Somalia which contribute to the socio-economic and security problems evident in the Horn of Africa. Al Shabaab originated from the Islamic Courts Union (ICU) that controlled most of central and southern Somalia in 2006. The organisation is waging an ideological

and religious war, referred to a '*Jihad'* against 'enemies of Islam' and strives to *inter alia* instil Sharia Law while executing deeds of terror across borders to enforce the organisation's vision. (Aljazeera, 2011). African leaders' quests to remain in power for long periods contribute to the non-successful implementation of democratic principles as individual power bases tends to self-enrichment and the creation and empowerment of personal powerbases and support structures only benefitting a few selected 'elites'. Self-enrichment of African elites usually involves trade agreements with reference to Africa's mineral resources such as oil, gold and diamonds to name a few. (Fig, n.d.). Economic development is crucial to effectuate development, however, in the African context only a few 'elites' are benefitting from the continent's wealth generated through the international extraction and use of mineral resources.

International and regional organisations' and governments' inconsistent comprehension and application of laws and rules governing secession, contribute to the hurdles facing a people with the aspiration and legal claim for self-determination. Englebert (2013) states that the AU has to approve the intention and deed of secession and has to recognise African states as prerequisite prior to international conformity *"… the position of the US* [is] *that it will not recognise Somaliland until the AU first does so"*.

4.3 CAUSES TO REVERT TO SECESSION AS MEANS OF SELF-DETERMINATION

The responsibility of the state to protect its citizens and territory are sometimes eroded by inability to provide services and exacerbating factors such as corruption, nepotism and inability to govern. The focus of security shifted from exclusively state focussed to communities and citizens as the main referent point (Seegers, 2010, p. 279). With the paradigm shift focussing on individual or human security, oppressed groupings are more likely to receive international empathy especially when state structures fail the implementation and execution of democratic governance principles.

Research by Englebert and Hummel (2005) revealed three types of variables in the African context usually related to calls of separatism originating from

this continent. These include structural aspects such as the state's age, geographical and demographical factors, economical aspects with regards to the availability and distribution of natural resources, commodities and wealth and the aspect of political systems and dynamics instituted and exercised by governing structures and the population. (Englebert & Hummel, 2005).

Large geographical territories with evident lack of basic infrastructure, governed by inefficient governance institutions from a central hub with centralised authority and decision-making powers, are doomed to be classified as weak states due to the fact that these governing elites do not necessarily contemplate the well-being and prosperity of its citizens.[11] As Collins states: *"The weak-state insecurity dilemma is primarily an internal condition based on the contradiction between societal and state power"* (Collins, 2010, p.191). States in Africa are relatively young, considering independence status received since the late 1950's. The departure of colonialists from Africa left unfunded and unskilled states with the responsibility to maintain basic infrastructure erected during their reign. However, these structures were more often than not rather destroyed or left to deteriorate as time passed by. Access to and the availability of basic commodities and services such as potable water, electricity, transport infrastructure, medical assistance, etc. are even during this modern century not available in most African country's rural populations. Considering the 'youth' of most African states and the way borders were demarcated, it is no surprise that internal conflicts continuously emerge as societal integration has not been successfully completed yet (Englebert and Hummel, 2005).

Governance structures and elites exercising self-enrichment or favouritism of certain population groups while negating others, contribute to Africa's unstable political, security and socio-economic environment. Perceived to be excluded and disadvantaged population groups, whether on economical and impoverishment, security, cultural, demographical or religious aspects, tend

[11] For the purpose of this study the concept of a weak state as defined by the Government and Social Development Resource Centre, will be utilised: *"Weak states are poor states suffering from significant 'gaps' in security, performance and legitimacy"* (Government and Social Development Resource Centre, 2012 as cited from Brookings Institution).

to establish governing structures apart from the state-institutionalised structured in order to ensure 'survival' by means of self-determination.

Especially religious beliefs and cultural habits can impose various challenges. Religions such as Islam practicing Sharia Law are in direct contrast with the International Humanitarian Law as it disregards the rights of woman and children. Various kingdoms such as the Ashanti Kingdom in Ghana and chiefdoms especially in rural areas of various African states exercising cultural governance values and beliefs still exist. Followers are in most cases expected to pay taxes to their kings and warlords as well as to the international recognised government, thus, doubling their tax burden.

4.4 POLITICS IN SUDAN AND SOUTH SUDAN 1953-2011

Although Sudan gained independence in 1956, the British has already authorised self-governance powers to Sudan during 1953. The Parliament remained in Khartoum from where Sudan was ruled by a centralised government. (See Appendix B: Map: Sudan [Pre-session]). The collaboration of the Sudanese Government and some Arab countries (Egypt, Libya, Saudi Arabia, etc) united an effort to Islamise, Arabicise and colonise the non-Arab Sudanese residing in Sudan. These actions denied non-Islamists/Arabic Sudanese peoples residing in southern Sudan their fundamental human rights of freedom of choice, identity, association, culture and religion. Examples include the Faisal Islamic Bank which was founded in Sudan, mainly with capital invested by the some Gulf countries. Investments by Saudi Arabia enabled the establishment of an additional Islamic bank, i.e. the Bank al-Tadamon with branches throughout Sudan. Socio-economic marginalisation and plundering of resources from southern Sudan without development and prosperity opportunities granted to the south continued. The unilateral decision by Sudan to construct the Jonglei Canal to drain water of the Sudan region in South Sudan deemed to be a recipe for desertification. South Sudanese and other African tribes were denied any political rights and none of them has ever led a government since independence in 1956. Perpetual enslavement of South Sudanese occurred since time immemorial to date (P.C. Malok, personal communication, November 13, 2012).

However, the Khartoum Government's refusal to grant Sudanese residing in the south authority to be governed by an own-initialised federal system resulted in Sudan's first civil war which was fought from 1955 to 1972. Although the southerners fought against the Khartoum governance structures, division occurred as some favoured a federal system, while others called for complete secession from the north. (Thus, these calls could be viewed as the commencement of the secession South Sudan in 2011). The peace lasted until 1983 when President Gaafar Muhammed El-Nimeiri has re-included the south in the central government after strong support for an Islamic state and the discovery of oil in the south. This resulted in Sudan being declared as an Islamic state ruled by the National Islamic Front (NIF) instituting the Sharia Law as national law. This legislation was not acceptable to the population groups residing in the southern parts of the country. The most prominent ethnic groups in southern Sudan comprise of the Dinka and Nuer groups while the Equotarians represents the smaller ethnic groupings. These groups practice Christianity or animist beliefs and mainly speak English or African dialect.

Aggrieved southern Sudanese groups, under the leadership of Colonel (Dr) John Garang de Mabior, a nationalist who envisioned unity, founded the Sudanese People's Liberation Movement and Army (SPLA/M) and commenced with the second civil war from 1985 to 2005 (Anyanya 2 War). The SPLA/M fought for dignity and respect. Since 1993 IGAD and the international community comprising of representatives from Norway, Greece and the USA, have tried to mediate and negotiate the end of the Anyanya 2 war. *"In 1993, the UN, the Vatican, the EU and USA, called upon the Sudan Government and the SPLA/M mainstream, to stop fighting and negotiate a peaceful settlement of their conflict in order to relieve the civil population caught up in the fighting"* (Madut-Arop, 2006, p. 369). A CPA negotiated since 2002 and signed in January 2005 concluded the war. Key provisions included a power-sharing relationship between the north and the south which resulted in Colonel Garang's appointment as vice-president in the Khartoum Government as well as authorised southern Sudanese citizens to conduct a referendum six years after signing the agreement to decide if they want to

secede from or unite with central and northern Sudan. Colonel Garang was sworn in as first vice president on 9 July 2005. He was succeeded by Mr Salva Kiir after his death in a helicopter crash on 30 July 2005.

Oil discovered in southern Sudan became a new conflict driver as European peacekeepers' priorities created scepticism amongst the oppressed that intervention will indeed solve disparities in Sudan. The exploitation of Africa's mineral resources to the detriment of its populace continued when foreign peacekeeping regulators were more interested in self-enrichment by the oil than in solving the prevailing security challenges in Sudan. *"Frustrated by apparent deadlock in the IGAD peace process, the European partners, particularly Germany, France and Britain, which had been effective players right from the start, were, between 1995 and 2000, becoming increasingly more interested in oil exploitation than assisting to bring the war to an end. Rather they began to do business with the NIF regime on the so-called peaceful engagement with Islam"* (Arop-Madut, 2006, p.396).

Environmental factors affecting Sudan's security, agricultural and socio-economic situation include the characteristics of the geographical terrain, climate and weather patterns. Sudan comprises in general of flat terrain with mountains in the northeast, south and west while desert landscapes dominate the northern parts of the country. Weather and temperature conditions in southern Sudan are characterised by a tropical climate while arid desert conditions prevail in the north. Floods and heavy rains occur during the rainy seasons which stretch from April until November, where after droughts are common during the dry seasons (Climate Zone, 2012). Food insecurity and grazing force nomadic groups to travel across Sudan during dry seasons causing conflict between the nomads and population groups permanently residing within specific geographical areas. Deforestation and urbanisation contribute to environmental degradation challenges experienced in Sudan. Mineral resources such as petroleum, natural gas, gold, silver, chromite, asbestos, manganese, gypsum, mica, zinc, iron, lead, uranium, copper, kaolin, cobalt, granite, nickel and tin exist in Sudan (Sudan.net, 2012).

Individual powers exercising personal strives and ideology exacerbated the socio-political situation in Sudan. President Omar Hassan Ahmad al-Bashir declined AU and UN advice and involvement to support socio-economic upliftment in South Sudan. He prohibited democracy as he excluded 'non-elites' from governance structures and decision making organisations. The Khartoum government neglected its political responsibility in terms of the responsibility to protect all Sudanese citizens by means of imposed Arabic and Islamist driven values and sentiments, e.g. Sharia Law and Arabic as the only national language to the detriment of English and African speaking Christians and other religion groups. No integrated political framework existed between northern and southern Sudan and therefore Sudanese citizens could not live in harmony. Sudan and especially southern Sudan suffered from the absence of a nationally accepted leadership. Personalisation and centralisation of power and resources in a state covering such vast geographical territory resulted into enhanced fragmentation of the state and exacerbated the insecure conditions prevailed in the country. Economic integration has been poorly instituted as only the northern parts of the country benefitted from economic initiatives. Instability fuelled by radicalism and Islamism in specifically South Sudan and Darfur rendered Sudan a weak state.

Other international involvement and interventions to the Sudan/South Sudan challenge include the European Union (EU) Election Observer Missions, who were employed during South Sudan's referendum processes and financial support rendered by the IGAD Partners Forum comprising of the US, the United Kingdom, Italy and Norway towards the CPA process which stretches from 2002 until 2005. South Africa's previous President, Mr. Mbeki who requested President al-Bashir to create institutions of belonging and to clarify genocide issues in order to promote the African solutions for African problems ideology. The Hague International Criminal Court (ICC) charged President al-Bashir to stand trial for perceived atrocities committed against suppressed Sudanese peoples. (Khabure, 2011).

South Sudan utilised various endeavours, including legal processes to establish its right and legality for international confirmation to secede that

resulted in the state being internationally acknowledged as a sovereign entity. Apart from the EU's involvement to ensure the application of democratic principles during the referendum processes, the IGAD Partners Forum comprising of the USA, the United Kingdom, Italy and Norway rendered financial support towards the CPA process which granted the South an opportunity to secede should the North fail to satisfy expectations (Khabure, 2011). The CPA could be regarded as an important legal means utilised as stepping stone to justify South Sudan's call for secession as means of self-determination.

4.5 LEGAL PERSPECTIVES

The UN has been instituted after World War II to facilitate and establish global peace and security. Although the AU regulates Africa's 'domestic issues' the AU Charter has been aligned to achieve continental objectives in support of the UN Charter. It is thus of importance to consider the UN stance on secession as means of self-determination.

The French's Declaration of the Rights of Man and the Citizen of 1789, Resolution 1514 (XV), effected the UN General Assembly's adoption of the Declaration on the Granting of Independence to Colonial Countries and Peoples on 14 December 1960. (UN Codification Division Office of Legal Affairs, 2008). This declaration has been incorporated in the General Assembly's mandate under Article 13, paragraph 1 (a), of the Charter of the UN and stipulates the following:

Article 1: *"… the subjection of peoples to alien subjugation, domination and exploitation constitutes a denial of fundamental human rights"*.

Contravention of this Article is evident throughout Sudan's history. Turkiya followed by Egyptian rule in northern Sudan instituted Arabic culture and Islamism while principles of Christianity were promoted by the British colonial masters mainly vested in the south. Suliman confirms that *"Islamisation and the concomitant Arabisation set in motion a process of gradual decline for Christianity in the northern Sudan, culminating in the overthrow of the Christian kingdoms in 1504 by an alliance of Arabs and the Muslim kingdom of Funj. Islam and Arabisation in northern Sudan were later reinforced by*

every successive regime … until Sudanese independence in 1956" (Suliman, 2011, p. 153).

Independence encouraged the international community to render financial support in accomplishment of socio-economic development in Sudan. However, ethnic, cultural and religious discrimination prevailed amongst the northern Arabic and Islam influenced 'elite' of Sudan. Southern Sudanese were still perceived and treated as inferior. Thus, socio-economic development endeavours including job opportunities were only concentrated towards and reserved for peoples residing in the northern geographical part of Sudan. National education grants offered by the Government of Sudan were subjected to conditions to study Islam, thus excluding Christian believers (Ylönen, 2009). These actions and circumstances are evident of authorities' non-compliance to the UN Charter's Article 1 and 2's directives that address the condemnation of peoples' subjection to alien subjugation and endorse the promotion of basic human rights such as freedom of association and equality.

Article 2: *"… all peoples have the right to self-determination, but that this necessarily includes the right freely to determine their political status and freely to pursue their economic, social and cultural development"*.

Dersso (2012) argues that Article 2 only refers to people under the colonial rule's right to declare 'liberation' in the form of independence of their entire state from colonial powers and oppressors. His argument is aligned with the stipulations in the 1970 UN Declaration on Principles of International Law concerning Friendly Relations and Co-operation among States. This Declaration aligned with the UN Charter, assigns the responsibility to promote and institute equal rights to all citizens to the state. It condemns discrimination of any nature and enforces states to institute democratic principles to ensure the inclusion and participation of all citizens in national political processes. However, with reference to secession as means of self-determination the Declaration states clearly that *"nothing in the foregoing paragraphs shall be construed as authorising or encouraging any action which could dismember or impair, totally or in part, the territorial integrity or political unity of sovereign and independent states conducting themselves in*

compliance with the principle of equal rights and self-determination of peoples described above and thus possessed of a government representing the whole people belonging to the territory without distinction as to race, creed or colour". Thus, these documents aim to institute unity within a state through total cooperation amongst populations rather than supporting segments of populations located within a state to obtain legal rights to launch calls for secession in an endeavour to establish an own sovereign state within another already international recognised sovereign entity.

However, Sudanese governing structures instituted after independence did not comply with conditions stipulated by this Article. Governing considerations and activities were focussed to benefit northern elites and were centred in and executed from Khartoum. Through denial of fair southern Sudanese representativeness the Sudanese Government failed its responsibility to ensure national unity. Dersso (2011) found that the Sudanisation Committee failed to establish a representative national political framework as only six (6) of the Civil Service Committee's promulgated eight hundred (800) posts and three (3) of the Constitutional Committee's forty six (46) appointments were occupied by Sudanese of Southern origin. This state of affairs denied southerners engagement in fair political, economic, social and cultural development opportunities on national level.

Article 6: *"And there is the warning, in the premonition of possible future post-decolonisation conflicts (as, at the time, in the former Belgian Congo), against any attempt aimed at the partial or total disruption of the national unity and the territorial integrity of a (post-decolonisation) country"*.

This Article could be perceived as the UN's stance of non-tolerance to allow secession by a portion of a state's citizens to establish an own separatist entity. The UNDP's Strategic Plan for 2008-2011 stipulates intensions to ensure improvement and improvement opportunities to be exploiting by all people. The plan also addresses the concept of *"human empowerment, which, in addition to income, treats access to education and health care, freedom of expression, the rule of law, respect for diversity, protection from violence, and the preservation of the environment as essential dimensions of human development and well-being"* (UNDP, 2008). The reluctance of

Sudan's governance structures to exercise the responsibility to protect and to consider all Sudanese citizens along with its abuse of power and manipulation to the benefit of specific population groupings, justified suppressed Sudanese peoples to call for secession in order to exercise self-determination and to be afforded and exploiting opportunities as alluded to in the UNDP's Strategic Plan.

The International Covenant on Civil and Political Rights (ICCPR), the International Covenant on Economic, Social and Cultural Rights (ICESCR), both compiled by the Human Rights Commission, along with the Universal Declaration of Human Rights, a document defining thirty fundamental human rights aligned with legal traditions that form the basis for a democratic society drafted by global regional representatives, constitute the "International Bill of Human Rights." The ICCPR covers aspects related to the right of life, freedom of speech, religion and voting while the ICESCR focuses on food, education, health and shelter issues. Both covenants outlaw discrimination (Human Rights, 2012).

Dersso (2012) considers the ICCPR and the ICESCR that was promulgated as international law during 1976, as the most significant development with regards to international human rights and the right to self-determination. *"… Within this framework, probably the most important development was the trend towards recognising and articulating internal self-determination by virtue of embracing a variety of institutional arrangements and entitlements regulating the relationship between states and sub-national groups. The implication of this is that a section of the population of a state, such as people inhabiting a particular territory or administrative entity sharing the same culture or language, are entitled to some form of autonomous or self-governance status to be negotiated between them and the authorities of the state in which they live".*

The CPA signed during 2005 provided the people of South Sudan with an internationally acknowledged opportunity to revert to public polls should the Sudanese Government not adheres to negotiated agreements. South Sudanese populations exercised their rights according to the International Bill of Human Rights, held a referendum according to stipulations as prescribed

in the CPA and successfully seceded from Sudan on 9 July 2011. (See Appendix C: Map: South Sudan).

International acknowledgement of South Sudan as sovereign entity also entailed political adherence to continental oversight institutions' obligations. African states have to adhere to the AU Charter of Human and People's Rights instituted in 1981 while Muslim states also consider the Cairo Declaration on Human Rights in Islam promulgated in 1990 (Human Rights, 2012).

In a quest to limit continental challenges with regards to international border demarcation the OAU (since 2002 the AU) preferred national socio-economical and political discrepancies to be negotiated by means of intrastate institutions rather than to revert to international engagement that might result in greater regional or continental political and security challenges (UN, 2008). The OAU Charter promulgated on 21 October 1986, addresses Human and Peoples' Rights. Article 20 of the OAU Charter refers to freedom and the right to self-determination of people with explicit reference to colonial masters. Thus, this Article only addresses foreign domination and could not be used to justify calls for secession by specific population segments experiencing intrastate/national suppression by authorities. Article 22 is more relevant to South Sudan's secession as it stipulates that "*all peoples shall have the right to their economic, social and cultural development with due regard to their freedom and identity and in the equal enjoyment of the common heritage of mankind. States shall have the duty, individually or collectively, to ensure the exercise of the right to development".* Chapter II of the Charter refers to individuals' obligations towards him-/herself, the family, the society, the state and the international community in order to act as a symbiotic organism to ensure socio-economic development and security while enhancing African unity (UN, 2008). Throughout history and even after the signing of the CPA in 2005, South Sudanese were denied opportunities as stipulated in the abovementioned Articles. Therefore, South Sudanese people gained international compassion and approval to continue with secession processes in their quest for self-determination and execution of

human rights. It is thus no surprise that the international community recognises South Sudan as a sovereign entity.

The Horn of Africa's sub-regional mechanism, IGAD has been established on 21 March 1996 in Nairobi, Kenya. Signatories to this agreement include the Republics of Djibouti, Somalia, Kenya, Sudan, Uganda, the State of Eritrea as well as the Federal Democratic Republic of Ethiopia. Article 6A of this Agreement stipulates *inter alia* the acknowledgement of all member states as sovereign entities and therefore prohibits interference with regards to a member state's internal affairs. Human rights aspects are aligned with the AU Charter. Article 18A deals with collective measures and actions by member states to ensure and enhance socio-economic progress and to preserve peace, security and stability within the region (IGAD, 1996).

IGAD was involved in the negotiations resulting into the signing of the Machakos Protocol which ended the North–South war in July 2002 (Khabure, 2011). Although IGAD did not play any significant role in South Sudan's secession in terms of accepting or rejecting the peoples' call to secede, IGAD publications and pacts are in support of the AU's instituted prescripts to foster unity, peace, development and prosperity amongst member countries. IGAD emphasises the importance and acknowledgement of interstate sovereignty and subscribe to non-interference in intrastate affairs as well as to diplomatic dialogue as means of conflict resolution.

The distressing state of security between Sudan and South Sudan caused the AU and IGAD to initiate post-secession negotiations in order to address critical issues such as the demarcation of the borderline to in- or exclude certain territories into South Sudan, nationalities of citizens and wealth sharing issues. (See Appendix D: Map: Sudan/South Sudan, Disputed Border Areas). Timeframes to facilitate peace and final arrangements for the completion of negotiations on all outstanding issues were proposed by the AU PSC and endorsed by the UNSC's Resolution 2046 of 2012, dated 2 May 2012. However, a roadmap does not guarantee unconditional adherence and stipulations to proposals. Although the security situation has improved in the sense that the southerners are no longer attacked by northern aircraft, insecurity prevailed. The successful succeeding of South

Sudan does not only hold benefit for the individual state but will also contribute to the welfare and prosperity of the region and African continent holistically. However, it is internationally recognised that state and national building does take time and that adequate resources are required to accomplish success. As Ping stated in his address to the IGAD Council of Ministers on 11 July 2012 in Addis Ababa: *"We must also be encouraged by the potential that a stable and peaceful region can unlock economic and social development thereby speeding up the all-important process of regional integration. But these things do not just happen. They require vision, commitment, political and economic capital and if need be, human sacrifice"* (Ping, 2012).

Prescripts as stipulated in the AU and IGAD Charters promotes a stance of non-interference and low keyed involvement in member states' internal affairs. Apart from intellectual support, no reference pertaining physical support to South Sudan's pre-secession processes were found in IGAD's publications. The processes to secede were mainly driven by UN and the EU originated financial and manpower support.

4.6 PROCESSES FOLLOWED TO INITIALISE SELF-DETERMINATION

Authoritative structures and legislation clarify the responsibility of the state, enforcing the exertion of democratic principles along with the respect and application for human rights ensuring human security. These conditions sanction oppressed and neglected peoples the right to proclaim their grievances. On tactical level grievances are usually demonstrated by means of protest actions with the susceptibility to become violent, as African trends indicate that citizens rather revert to demonstrations than to peaceful negotiations (Englebert and Hummel, 2005). Should the government not respond favourably, these actions could evolve to higher levels resulting in political demands and civil unrest. In worse case scenario's, when governance structures cannot control the tensions, political coup d'états and civil wars could erupt or in extreme circumstances, alienated aggrieved groups could call for secession.

However, secession requires specific conditions and various processes to be followed as the action is to be acknowledged, addressed, contracted and approved on national and international level prior to implementation. Reasons to secede must hold water in the domestic as well as in the international environment.

Motivations for secession recorded in the African environment reflected *inter alia* governing structures' inability to integrate and to apply fair political and socio-economical aspirations. These circumstances result into continuous instability and violence due to the oppression of minority groupings or the reluctance to consider or to include alternative ideologies. The exploitation of natural mineral resources to the detriment of those who are mining or extracting it and the unfair distribution of wealth and natural resources such as oil, land and water, exacerbates unstable security situations along with poverty conditions. Fig (n.d.) stated that: *"… removing coltan from the eastern DRC, groups of warlords were implicated. Those who control the extraction of the resource are forcing local peasants to work under conditions of near slavery..."* Fig also implicates certain Nigerian elite groups benefitting from oil revenues "…*at the expense of local and national development"*. Despite higher oil volumes produced by southern Sudan (during the pre-secession era) and the Cabinda enclave, generated oil revenues distributed to these areas were much less than those kept by the governing authorities in Khartoum and Luanda. Unfair and unequal distribution of wealth only benefitting certain portions of a state's population encourages antagonism as disadvantaged peoples feel aggrieved and not part of the state. This feeling could escalate to a call for self-governance, ultimately resulting in the secession and creation of an 'accommodating' state and statehood.

Thus, poor governance practices negating basic human rights of all peoples and adverse environmental and geographical factors enhance feelings of hostility and could be forwarded as an argument or reason to secede. However, oppressed communities or groupings do not necessarily have the knowledge, skills, ways and means to effectively launch their grievances.

The prospect to secede should be expressed through discussions and contracted on political level. Separatist movements should air their

discontent with regards to specific aspects in relation to the governance of involved geographical areas or demographic groupings on parliamentary level. It is of crucial importance to obtain the ruling government's authorisation to proceed with the calls of secession. If support from these structures could not be obtained, the entire effort could be doomed. A pre-requisite for international recognition of official secession calls requires the host state's constitution to address and authorise the possibility to secede. A national referendum should be conducted in order to reveal the people's will. Thus, voter registrations and independent election observers are required to facilitate free and fair elections.

4.7 DYNAMICS IN SOUTH SUDAN'S CALL FOR SECESSION

Inadequate ways and means to ensure fair political inclusion, the establishment of human security and the liberation of opportunities to prosper, left south Sudanese peoples with no other choice than to revert to a call for secession from the Khartoum regime in order to exercise self-determination. Civil wars between north and south that commenced in the 1950's, resulted in approximately two million deaths (Temin, 2010). This number increased with reference to internally displaced persons and refugees seeking security in other African states.

The Khartoum Government's continuous contraventions of policies with regards to human rights as set by the UN, the AU and the International Humanitarian Law, fostered empathy from the international community and empowered the aggrieved and oppressed Sudanese citizens to take a prominent stance against the regime. South Sudan has followed various domestic, regional, international and political diplomatic processes to realise self-determination through secession successfully. During 1972 an agreement between the OAU and the Union of African Churches effected regional autonomy to three provinces located in Southern Sudan, ie, Equatoria, Bahr El Ghazal and the Upper Nile. The 1973 Sudan Constitution proclaimed self-governance in southern Sudan (Dersso, 2012).

However, President El-Nimeiri recalled these rights during 1983 when he instituted Sharia Law as the national legislation. This led to the foundation of

the SPLA/M under leadership of Garang who reverted to armed conflict against the Khartoum regime in order to fight for their rights. A newly endorsed constitution promulgated during 1998, however, could not unite Sudan. The Machakos Protocol signed on 20 July 2002 under the auspices of the IGAD Peace Process, ceased the North/South war. The agreement instituted *inter alia* a six month renewable ceasefire agreement between the SPLA/M and the Khartoum Government with a period of six years been set prior to an opportunity for the south to determine their governance destiny. The Machakos Protocol proclaims the National Constitution of Sudan as the Supreme Law and included the freedom of association in terms of culture, race, ethnicity, religion and language. The agreement determined that international involvement will be during the six year interim period prior to a national referendum to determine the peoples' will to secede or to unite (IGAD, 2002). During May 2004, agreed power-sharing protocols improved the North/South relationship in Sudan. Prior to the CPA signed between Sudan (north) and the southern Sudanese in 2005, UN reports indicated gross human rights violations including acts of genocide executed by pro-government Arab militias, referred to as Janjaweed, specifically against villagers in the Darfur region who were adversaries of the Khartoum Government's *"neglect of the arid region"* (Insight on Conflict, 2012). This contributed to internally displaced persons seeking safety and security in the South.

The CPA (2002-2005) was facilitated by Kenya, Uganda, Ethiopia and Eritrea, all IGAD-member countries who supported the possibility to allow the nation to vote for self-determination through secession should the Sudan Government fail to expedite unity (Malok, 2012). Continued civil war caused by abusive alienating factors resulted in cautioned the south to rather establish their own sovereign state with newly instituted governance structures. In January 2011, an internationally monitored national referendum indicated the peoples' aspiration to be governed by a South Sudanese established government and South Sudan was declared Africa's 54th independent state on 9 July 2011.

South Sudan's northern border stretches up to the southern borders of the regions of Southern Darfur, Southern Kordofan, White Nile, Sennar and the Blue Nile provinces. (See Appendix C for the South Sudan Map that could be used for orientation purposes). Disputed areas to be included in either Sudan or South Sudan are the Kafia Kingi and the Abyei areas, of which Abyei is an oil producing province that indicated keenness in self-governance. These areas are located adjacent to the indicated northern borderline. The remainder of South Sudan's borders were maintained as initially demarcated during the 1884 Berlin Conference, shaping Sudan.

South Sudan's independence status sanctions the State to revert to war and to seek international assistance and support should any other state intrude or launch violent offensive actions against it. However, higher levels of diplomatic lines of communication are usually exploited prior to the reversion to war as evident in the case between South Sudan and Sudan directly after the separation occurred. Negotiations under the auspices of the AU High-Level Implementation Panel (AUHIP), with the support of the IGAD, continued in order to find a midway to establish peace and security along with maximum socio-economic benefits to both states, the region and the continent.[12]

Continued hostile attitudes and distrust fuelled by an unclear border demarcation, unfair oil taxes and inconsistent law applications by authoritative officials, especially with regards to national citizenship, influenced the security environment and viability of Sudan as well as South Sudan's statehood extremely negatively after South Sudan's secession.

Prior to the secession, Sudan earned revenues and reaped benefits from oil produced in southern Sudan. South Sudan lacked infrastructure to export oil and depended on Sudan for this service. Exorbitant oil taxes forced South Sudan to halt its crude oil production towards the end of 2011 and the

[12] The AUHIP has been instituted under Chairmanship of former South African President, Mr. Thabo Mbeki supported by the former presidents of Burundi, Mr. Pierre Buyoya and Nigeria's Mr. Abdulsalami Alhaji Abubaka, with the mandate to facilitate negotiations relating to oil, security, citizenship, assets and the common border between Sudan and South Sudan (Sudan Tribune, 2012).

beginning of 2012. This was a major cut of revenue resource to the detriment of its own as well as Sudan's treasury.

Uncertainty amongst both populations with regards to the borderline along with the inconsistent application of the Sudanese and South Sudanese Constitutions and nationality laws by government officials, resulted in difficulties for citizens to obtain legal travelling and residence documents for both Sudan and South Sudan. This also led to unfair practices by authoritative officials and arrests of 'innocent' citizens (Manby, 2012). Uncertainties with regards to the exact border demarcation exacerbates the situation as peoples residing in the 'yet-to-be-determined' land are pestered by groups from the north and south, resulting in some not even knowing who to turn to for statehood protection and demands!

The lack of determining the exact border demarcation along with citizens' nationality status and the contracting of oil revenue sharing between the two states prior to South Sudan's independence, contributed to continued violent actions between the two states. The ignorance or unwillingness to clarify and contracted some critical issues prior to secession could not be solved timeously by means of belated negotiations. (The situation was still unresolved by this report's published date). This state of affairs disadvantaged both states and its citizens as the lack of oil profits resulted in less funds available for governments' spending and reduced improvement and development opportunities and citizens struggling to obtain legal citizenship documentation were treated unfairly or imprisoned.

4.8 IMPLICATIONS OF SECESSION

This research indicates that in its simplest form, the principles of secession can be pulled through to everyday life, in general be referred to as separatism, autonomy, self-rule or self-governance and sovereignty. All these concepts reflect the right of choice and association, although when referring to states and especially states dishonouring good governance principles, secession could also include the right to life and survival of specific social groupings.

The researcher determined that successful secession authorises a specific group of people with similar ideologies and aspirations to exercise self-governance due to serious non-agreement of the status quo offered by the 'umbrella' organisation. Thus, secession could be beneficial to those who seceded as well as to those that did not follow the deed, considering that the two existing groups comprise of members loyal to offered objectives and aspirations. This should encourage cooperation and foster cohesion amongst the group members. Unity enables groups to develop continuously and to reach their full potential, ensuring ultimate benefits to its members. However, should the seceded group or the remaining group not be able to survive in isolation, it could be to the detriment of its members and the ideology will lose its validity and credibility as the state could be classified a failed state unable to deliver statehood duties.

Thus, prior to secession, alternatives should be investigated comprehensively to ensure that no unification and harmony are indeed possible and that secession remains the best option. The same principles are applicable to states seceding. The ultimate responsibility of the state is to protect cherished values and to ensure freedom from threats. If the state is not viable, for whatever reason, it will not be able to provide a safe and secure environment, thus fails to protect its citizens. This also implicates that although the deed or action of secession was successfully executed, on the long run, if not viable, it could be referred to as an unsuccessful secession, considering the final outcome of the deed or action.

Englebert and Hummel (2005) revealed that international acknowledgment of an independent state, even if it is defined as a weak state, justifies the specific state to request international assistance and support whether in the case of natural disasters or threatened socio-economic, security or political wise. The UN, AU and regional economic committees, along with international aid organisations, are willing to intervene when conflict or natural disasters occur and especially if it result in famine or decease outbreaks. Englebert and Hummel (2005) argue that this reason is one of the main motivations keeping states intact, as secessionist groups seceding without international recognition, are not considered for these aid contribution

opportunities. However, Somaliland has proved this argument not to be true in all circumstances. Without much international aid and support Somaliland functions far more effective than the internationally recognised 'mother'-state, Somalia which has been classified as a 'failed state'.

Other socio-economic benefits of a sovereign entity include transparent trade relationships and natural resource exploitation opportunities including the sharing of benefits created by regional structures' endeavours to promote prosperity and development opportunities. These in turn facilitate foreign investment which could be utilised for development projects and the upliftment of basic living standards.

Donor institutions interested in global development opportunities also realise financial and intellectual capital to upcoming states and communities. However, donors usually release commodities on prescribed terms and conditions to ensure the effecting of specific outcomes. When security stability is threatened, an independent state is justified to declare war against aggressor/s threatening its sovereignty. Although diplomatic channels are usually exploited prior to war engagement, time lapsed prior to agreement settlements, usually deviate socio-political and economic priorities and delays development opportunities.

However, newly seceded states have to institute regulations, processes and institutions to implement and ensure effective and efficient governance performance to render all these 'good' opportunities to residing citizens. International law requires that the determination of citizenship forms an integral part of these processes. The state and its citizens should clearly be identified to prevent statelessness. Human rights dictate that the state (government) is responsible to provide and ensure access to basic necessities of life including water, food, housing, etc. to all citizens. Governments are also responsible to keep register of all citizens in order to ensure effective service delivery to the entire population.

Thus, to be entitled to basic privileges offered by a state, such as the basic right to be issued identity and travel documents, citizens should be registered as nationals of the specific state. However, these governance obligations

seems to be a challenge in the African environment considering the national identity crises experienced in Côte d'Ivoire prior to elections in 2010. It seems that this specific challenge is also evident in Sudan as well as South Sudan, where discontent occurs in some instances resulting into jailing entire families when parents have been allocated different national identities, thus rendering the specific family stateless. Manby reflected: *"…in January 2012 the Khartoum North Court had sentenced a man and a woman with a Sudanese father and a South Sudanese mother who had sought to obtain identity cards to one month imprisonment and a fine for providing incorrect information regarding their nationality, on the grounds that they were no longer entitled to Sudanese documents since they had become South Sudanese"* (Manby, 2012, p. 37). He reiterates the responsibility of the state by stating: *"In situations of state succession, where the sovereignty over territory is transferred from one state to another, the concerned states have an obligation in international law to ensure that statelessness is prevented"* (Manby, 2012, p. 39).

According to Ambassador P.C. Malok, South Sudan's secession is representative of many of the above mentioned factors (personal communication, November 13, 2012). Nearly two years after independence, South Sudan and Sudan are still revisiting and negotiating the demarcation of the common borders, material resource creation and natural resources relocation, as well as nationality laws along with trans-human movement. Repatriation, relief, rehabilitation and settlement processes of Sudanese and South Sudanese citizens residing in neighbouring states, whether South Sudanese in Sudan or vice versa or Sudanese residing elsewhere in Africa, have not been cleared. These processes should be fair, clear, well communicated and accessible to affected people, which is currently not the case. Challenges involved in the building of a viable security apparatus for national sovereign defence and law enforcement agencies exist as the young state does not necessarily comprise of adequate infrastructure and intellectual capacity, considering that developmental and educational opportunities were mainly afforded and allocated to people from northern origin, as approved by the Khartoum regime. The forging of political alliances

in the region and/or beyond requires trust and cooperation which in turn requires time to build relationships and opportunities to proof intensions of cooperation and loyalty. International and regional financial and intellectual obligations are required to help the new state to develop state institutions, government and good governance, infrastructural development and service delivery. Being part of Africa and adhering to ex-President Mbeki's vision, South Sudan considered Africa solutions to establish sound governance structures.

The Government of South Sudan recognised the need for professional public and civil servant conduct and South Africa was identified as one of the countries to assist in training of competent governance structures. A bi-lateral memorandum of understanding between the South African and South Sudanese governments and financial contribution by Germany towards the justice and law enforcement clusters' training resulted in the training of South Sudanese public and civil servants by UNISA. The training programme scheduled over a period of four years was compiled to ensure capacity and institution building in South Sudan. Training programmes accommodated employees from various public clusters. Lectures focussed on basic and managerial training in public services and administration, finance, communication, information, judiciary and justice, legal, constitutional and inter-governmental affairs and relationships, correctional and prison services as well as on the mining, energy and petroleum sectors (Professor S.B.O. Gutto, personal communication, September 17, 2012).

The implications of secession could have a positive or negative outcome. By means of maintaining unity, wider global market opportunities could be negotiated as more natural resources including human capital, can be delivered from larger territorial vicinities, thus resulting in increased wealth and socio-economic developmental opportunities allowing all to prosper. High or adequate income accumulated by means of foreign investment enables a government to lower national taxation levels, thus result in higher incomes, thus, more money in the pockets of its citizens to be utilised towards personal development or entrepreneurships, contributing to the state's human intellect capacity. Smaller undeveloped or developing states,

accommodating fewer people able to contribute to the national socio-economic environment are dependent on higher levels of national taxes as well as foreign aid and donor contributions in order to settle expenditures, including the remuneration of government employees.

Societal benefits of secession include the allowance to split on a voluntary basis instead of forcing opposing powers and peoples to integrate. Secessionists aim to escape from exploitation or oppression by others and to accomplish trust and security amongst themselves within their own territory. Trust will promote peace. Both concepts are very important elements when international relationships are to be established, whether with trading partners or with important fiscal role players such as the World Bank and other major donor powers. The contracting of regional and international trade agreements are required in order to gain foreign income, to advance socio-economic integration and to facilitate economic development. Considering wilful integration a higher possibility for enhanced cooperation to ensure socio-economic development and prosperity might occur in the newly formed state as was the case with Somaliland, who without significant international aid, is coping much better than the international recognised Somalia. Thus, secession has the ability to promote ethnic, religious and cultural diversity by means of striving towards common ideological objectives while fostering success. The seceded state has the ultimate responsibility to become and stay a viable state in order to render statesmanship along with all its benefits to its citizens.

4.9 ALTERNATIVES TO SECESSION

The research revealed that when a call to secede is tabled, all involved implicated or delegates representing them should be entitled to suggestions to ensure inclusiveness. It is of utmost importance that agreed decisions are honoured to instil trust in the reconciliation process. All parties should clearly demonstrate their political will to strive towards a common national identity and a consolidated nation state. Diversities should be acknowledged and multi-ethnic challenges should be effectively addressed by means of the development of relative mechanisms to ensure integration and unity. Other reconciliation mechanisms should include transparent transformation

processes allowing for discussions to vindicate past rivalries in order to build on a 'new' foundation. Although the Truth and Reconciliation Committee were experienced by some South Africans as a 'witch hunt', it could be considered as a positive contribution towards the Republic of South Africa's integration efforts. It served as a method indicating the political will to 'clear the air' and to allow previously oppressed their human rights to be acknowledged and gross human rights transgressions to be investigated. National symbols and the recognition thereof could also be explored to facilitate nation building. The former President of South Africa, Mr Nelson Mandela succeeded well by creating a sense of unity amongst South Africans through the Springbok emblem during the 1995 Rugby World Cup. Although the Springbok was associated with the previously oppressing white regime and minority white Afrikaner nation, the acceptance of the emblem on the national rugby team's gear by a prominent, well-respected and loved charismatic leader such as Mandela, persuaded hearts and minds of most South African citizens to experience a sense of belonging. State building should ensure development to the benefit of all citizens and strive for cooperation in order to lessen competitors. Citizens and the state should work together to the benefit of all and avoid competition to the detriment of the other.

4.10 SOUTH SUDAN, A BLUEPRINT FOR MORE AFRICAN SECESSIONS?

What are the implications of secession on the African political environment?

Many African states still suffer from disparities posed on them by the Berlin Conference. Large territorial areas accommodating numerous population groups identified through diverse ethnical, cultural, linguistic and religious beliefs and norms are under dictatorship by governance structures striving to self-enrichment. The lack of basic infrastructure throughout Africa opens the door for global powers to exploit Africa's peoples and natural minerals. This usually results in Africans turning against each other in their quest for survival whereby African elites abuse African people to work under harshest

circumstances to deliver required goods, such as 'blood diamonds' or killing each other for access to oil which is sold on the 'black market'.

Secession could be viewed as a positive step, should the seceding state and nation as well as the pre-host state be able to sustain it selves effectively. The freedom of choice to secede fosters unity that could imply less conflict within the physical geographical borders of the new independent state. Secessionists, as well as the group that remained with the status quo could perform better on an individual basis as both groups are striving towards united goals achieving national objectives perceived to benefit all.

What is the origin of the calls for secession by the people of South Sudan?

South Sudanese people were belittled and viewed as inferior by the elite northern Sudanese inhabitants. This state of affairs originated even prior to Sudan's independence from European powers in 1956. The Arab elites did not allow the southerners to participate in any political affairs nor did they encourage any developmental opportunities and endeavours in the south. The southerners were disadvantaged in every aspect, i.e. basic education, health and employment opportunities, infrastructure development as well as general developmental and governing opportunities. Only after oil was discovered in southern Sudan, the Khartoum elite became interested in power-sharing negotiations to advance their personal benefits. Agreements were not honoured and southerners remained at the shortest end of affairs.

Which domestic, regional and international diplomatic and political processes were followed by what is now known as South Sudan to initialise self-determination?

The affected Sudanese citizens, along with the international community, referring to the UN, EU, AU, IGAD and various other organisations, were informed and involved with South Sudan's secession endeavour from the onset of the process. The right to secede was negotiated and contracted under auspices of regional alliances' mediation in the CPA initiated during 2002 and eventually signed in 2005. Despite the opportunities to the avail of the northern elites to include and involve southerners in power-sharing

initiatives, the Khartoum governance structures maintained the status quo by alienating the southern Sudanese communities.

South Sudan insisted and was allowed to secede prior to the clear demarcation of a South Sudan/Sudan border. The lack of a definite borderline resulted in major political and security challenges impacting negatively on specifically the populations of the Kafia Kingi and the Abeyei areas who became trapped amidst violent power portraying actions between Sudan and South Sudan's fighting forces.

Although the Government of South Sudan ensured that official training programmes were attended by civil servants in order to establish a professional civil and public work force, state building and competent structures and employees do not fall in place over night. It is a lengthy process that not only requires understanding and cooperation within the entire organisation, but also needs the total understanding and cooperation of the entire public. The man on the street should be adequately informed of all government related aspects. The confusion with regards to nationality documents serves as a perfect example that all processes and functions have not yet be clarified and communicated out to the public.

What has been the role of the international community in the process whereby succession is requested and granted or refused?

The international community approved South Sudan's proposal to secede due to the fact that Sudan has agreed to the possibility contracted in the 2002-2005 CPA. Financial and intellectual support were negotiated and rendered in order to effect the secession. International recognition granted South Sudan to be declared an independent entity and to register as Africa's 54th state. South Sudan is also afforded AU membership as part of international recognition of a sovereign entity. Continued international support is of utmost importance to ensure development and prosperity opportunities to the South Sudanese.

Somaliland and Puntland, although functioning as independent entities from Somalia cannot obtain independence and will not be recognised by the international community as independent states prior to the Somali

Government's authority to secede. Socio-political international relations do not allow for the recognition of an area as a sovereign entity without the authorisation of the legally instituted government as it could be viewed as a hostile action. It could be perceived as a definite action to undermine and/or destabilise such state's sovereignty, justifying a full-scale war.

Could secession be regarded as a solution for intra-state conflicts and unresolved ethic ambitions, demographical challenges and territorial claims in Africa, utilising South Sudan as a blueprint?

The concept 'secession' does not fit the African ideology promoting unity. However, if the abuse of human rights and genocides could be avoided, it is for sure the answer. Citizens of the seceded state are in general united by associated ideologies, religion, culture and the political will to be successful to the benefit of all. The responsibility of state remains an important factor to consider and if the seceding state as well as the remaining state could both continue to exist with the possibilities of development and prosperity, secession could lead to the ultimate benefit for both states. Thus a competent an adequate labour force, a strong economy, sound governance structures and adequate infrastructure should be established as soon as possible to ensure and facilitate development and prosperity to the benefit of citizens, the region and the continent.

A viable independent state, able to ensure self-sustainment by means of sound administration and trade opportunities fostering trust amongst its citizens and neighbour states will definitely serve as an aspiration for oppressed communities to consider secession themselves. Unfortunately, South Sudan does not yet serve as a perfect example of a viable independent state as it still requires time and training to implement a skilled labour force and adequate infrastructure. One should also not disregard South Sudan's historical neglect in terms of general improvements and infrastructure development opportunities which also places an increased burden on the government of the day to execute duties with the bare minimum in place.

Premature secession resulted in important issues such as wealth sharing and national identity aspects including border demarcations not clarified and straightened out between the existed and newly formed states. Sudan and South Sudan suffered the loss of oil revenues after South Sudan's independence. Although the major oil fields are located in South Sudan, the state lacks the infrastructure to utilise these fields optimally and due to boycotting Sudan's unfair oil taxation, South Sudan has stopped the production of oil to the detriment of itself as well as to Sudan. This, along with the national identity and border demarcation issues, fuelled hostile tensions between both states, leading to enhanced human insecurity along with socio-politic and economic distrust and instability.

The main differentiating factor between South Sudan and other African states and nations wanting to proclaim secession as means of self-determination is the fact that Sudan has allowed and authorised the South's intention to secede. The international community recognises South Sudan as a sovereign entity resulting in transparent assistance and trade relationships. As long as the government of the country do not agree with the proposal to secede, no group or nation will be able to obtain international recognition as an independent entity.

It is thus difficult to determine if South Sudan should be recommended as role model for secession in Africa. Two years of independence stretching from January 2011 to January 2013, is a very short time to evaluate the viability and successfulness of a state. However, the act of secession and processes followed could serve as valuable example for those who consider self-determination through secession.

An important lesson to be remembered from South Sudan's secession endeavour is that crucial issues should be clarified and contracted prior to secession as it seems that after secession has been effected, the urgency of time is no longer a vital factor if the other party or state is not directly benefitted thereby. Unresolved issues could hamper the development and prosperity of the newly established state and its citizens, and place a damper on the awaited opportunity to exercise self-governance.

Could states and peoples in a relatively similar position benefit from South Sudan's experience? Or would secession result in fragmentation of the African continent?

As long as the government of the day approves the call for secession and the group proposing secession is deemed to be viable international recognition of the prospected sovereign entity is likely to follow.

South Sudan's secession did not imply any major fragmentation on the African continent. Regional, continental and international support was evident from the onset of the negotiations in 2002. Socio-political and economic international relations and trade are still continuing as per status quo prior to the secession. However, the interruption of oil production did have an influence of Africa's oil exports, thus, effected foreign revenue negatively.

What are the implications of secession for African conflicts?

Intrastate conflicts could be lessen and resolved by means of secession should the separating as well as the remaining state be able to survive and deliver statehood responsibilities to its citizens. The long term viability of seceding states could enhance development and prosperity opportunities for their citizens and for the continent as citizens are united through common ideologies and goals.

The majority of African states are characterised by factors prevalent in weak or failing states', i.e. poor governing, legislation and judiciary structures and the lack of service delivery. Throughout Africa, elites and dictators calling the odds, ensure that they remain in power by means of establishing a strong power support base. Should the oppressed be able to ensure that they can establish a viable state and convince the government of the day to authorise self-determination through secession, separatism could be considered. International support could enhance the viability of seceded states.

Which alternatives to secession can, or should be considered?

Should a state not deemed viable to exist after secession, the only alternative remains negotiations and reconciliation. These processes usually require international involvement to curb bullying and biasness. The oppressing

authority structures should be brought to book and injustice experienced should be aired and investigated to minimise distrust of governing authorities. A credible government without corruption and nepotism should be established by allowing representation of all population groups. Power sharing possibilities should be created and complimented by the application of democratic principles. Equal opportunities and equal division of wealth should be promoted to ensure benefits and prosperity to all. The inclusion of all and adherence to all population groups' needs should be considered and addressed by governing authorities. The establishment of sound legitimate judiciary and prison services complimenting security structures should form the backbone of governing infrastructure to ensure safety, security, development and prosperity opportunities to a state and its citizens.

Secession should not be regarded as a possibility for a non-viable state as citizens will not be able to experience protection, safety and security under the benefaction of statehood.

CHAPTER 5: CONCLUSION AND RECOMMENDATIONS

5.1 INTRODUCTION

Limitations that were mentioned in Chapter 3 narrowed the focus of this study down towards specific timelines, sequencing, processes and geographical borders. However, information collected and analysed during the research study, enabled the researcher to make various findings and recommendations pertaining the implications of secession on the African socio-political as well as security and stability environment.

5.2 MAIN FINDINGS OF STUDY

The African socio-political and security environment has been continuously influenced and shaped by historical decisions such as made during the Berlin Conference of 1884. International greed and the quest for power, along with ignorance to consult populations and indigenous groups residing on the African continent and seemingly thoughtless demarcation of African borders by colonial powers occupying territories in Africa has led to various instances of socio-political division along ethnical and class boundaries.

Proclaimed borders determined access to natural resources such as water and land within established states. This had a direct socio-political and security influence on the African continent in that colonial rule was exercised without acknowledgement and respect for Africans' ethnical diversity and thus nurturing instability. This instability has been augmented by aggrieved feelings amongst Africans as families and homogenous populations are to date still divided across borders and certain religious beliefs and cultural behaviours have been oppressed such as the enforcement of the Tuareg, a nomadic nation that lives in Northern Africa, to reside within the borders of a single designated state.

The exploitation of natural resources on the African continent such as gas, oil, gold, diamonds and other precious and semi-precious stones and minerals aggravate human insecurity as locals are abused in the process to enrich elite groups and influential foreigners.

The lack of basic infrastructure, knowledge and adequate financial resources give rise to corruption, abuse of power and exploitation exacerbated by large

geographical territories governed by biased central structures instituted after the withdrawal of colonial rule. Despite large geographical areas available on the African continent, the African and international socio-economic focus is concentrated towards mineral exploitation and wealth.

Calls to secede recur during alienation of populations with specific reference to socio-economic and political exclusion, as well as due to the urge for ethnic unification. Calls to secede on the African continent were made from as early as the 1950's with the start of the decolonising era through independence granted by colonial powers. This can be depicted through examples such as the Tuaregs who demanded a central Saharan state from the French colonial rulers, Biafra that gained independence from Nigeria during 1967 and southern Sudan's demands for self-governance prior to Sudan's independence that resulted in a civil war, all linked to homogenous groups determined to exercise their own destiny free from interference and oppression. South Sudan's secession was prompted by ethnic and religious oppression as well as economic and developmental exclusion aggravated by the absence of effective governance structures. Peoples residing in the Cabinda enclave and Katanga, as well as the Barotse, are calling for secession as means of self-determination on similar grounds. Revolting actions by those perceived to be marginalisation and alienated, exacerbate the political and security instability situation and negatively influence the socio-political and economic development along with human security.

Cooperative structures on global, continental and regional levels have been implemented to ensure that human security and socio-political development are prioritised to diffuse contributing factors to secession by means of promoting unity and inclusive governance and processes. However, as cooperative structures could neither implement nor guarantee equality for the southern Sudanese citizens, South Sudan could not be persuaded to consider implementing alternatives to secession as governance options. Secession as a possible outcome included in the Sudan CPA drafted since 2002 and ratified in 2005 fixed the actions of South Sudanese to negate reconciliatory options while instigated stronger unification ties amongst southerners, encouraging them in their quest for self-determination through

secession, especially after the death of Dr. Garang. The inclusion of secession in the CPA, harsh socio-economic, security and political conditions along with humanitarian exploitation and the lack of political will by the Khartoum Government to acknowledge and include southerners, contributed to an overwhelming vote by the South Sudanese to secede as well as the international community's acceptance and support towards the endeavour. The inclusion of secession as an option in the CPA and the acceptance of the outcome of the referendum on secession by all parties involved legalised the formation of South Sudan as a sovereign territory according to international agreements and stipulations. However, this did not guarantee that all outstanding aspects have been addressed and resolved satisfactorily resulting in continued discontent between the states.

Building on the Berlin Conference of 1884 the Charters of the UN and more specifically in the case of Africa, the AU, established legal grounds to promote and ensure that states remained unified rather than divided. This makes it difficult to secede and guide the international community in their decision to veto or accept secession as a means of self-determination. Humanitarian aspects along with the ruling government's acceptance influence rules applied to guide the ratification of secession and has precedence over Chartered prescripts set by cooperative structures. However, compliance with legal prescripts does not guarantee a peaceful solution as evident in the Ethiopia – Eritrea secession and immediate post-secession effects experienced by Sudan and South Sudan. Processes followed during South Sudan's secession were acknowledged, authorised and respected on all global, international and national levels. Participation of South Sudanese indicating their overwhelming desire to secede was a decisive factor for South Sudan to be acknowledged as sovereign entity. However, outstanding aspects to finalise South Sudan's secession process, such as border demarcation, infrastructure, revenue and taxes along with national identity and population registration contributed to tension and insecurity that fuels socio-political and economic instability with a negative impact on human security.

The deliction by the state and its inability to ensure human security give rise to calls for self-determination of which independence, self-rule and secession constitute the bulk of these calls on the African continent. Most of these actions/calls are constituted due to the perceived lack of governments to provide in basic human needs of all citizens.

Causes to revert to secession as means of self-determination can be attributed to discontent in peoples and their perceptions with regards to marginalisation denying them access to and benefits of basic human rights and developmental opportunities. This leads to disgruntlement due to poverty, religious, cultural, political and/or ethnical alienation. Although secession separates warring parties through demarcation of border lines and the formation of separate sovereign territories, it does not necessarily remove the initial causes resulting in the conflict as was evident in South Sudan's secession.

The marginalisation of Sudanese citizens that resided in the southern part of the state occurred even prior to Sudan's independence declaration in 1956. This state of discontent gave rise to a civil war that started in 1955 and ended without an amicable solution in 1972. The marginalisation created stronger feelings, intensified by cultural, ethnical and religious beliefs, to create a national identity and self-governance structures amongst the southern Sudanese.

Secession is not an instant solution that can be applied to address human insecurity and inequality. South Sudan's secession process followed after extensive negotiations over a period of nine years since the 2002 initial negotiations. The secession did not effect immediate peace between Sudan and South Sudan. The total neglect of the South by the Khartoum Government resulted in a lack of infrastructure development and effective structures to implement and execute state duties creating the environment for efficient human security. Exposure, training and experience of appointed officials will influence competency in instituted structures and the credibility thereof amongst the population. If acceptable, inclusive and effective governance practices could not be performed it will be to the detriment of the

state and its citizens and could escalate to worse socio-economic, political and security situations as prior to the secession.

The option to secede could be considered a viable solution to deal with alienation and internal conflict as long as inclusive governance practices are not instituted. The inherent threats of secession through continuous calls by aggrieved citizens fostering fragmentation could have a definite influence on the African political environment striving towards African unity.

5.3 RECOMMENDATIONS FOR STATES CONSIDERING SECESSION IN FUTURE

With reference to the main findings of the study in par. 5.2, the following recommendations were found to be applicable:

Firstly, South Sudan's secession contains elements of a blueprint to be adhered to in future secessions. However, caution should be taken not to repeat the same shortfalls such as the continuation with secession prior to resolving contentious issues between the involved states. Thus, when secession is considered as a viable option to exercise self-determination to create intrastate peace, all outstanding processes and aspects such as border demarcation, national identification, population development plans, division of income and infrastructure utilisation should be addressed, negotiated and ratified by both parties directly involved in the secession endeavour prior to the execution of secession.

Secondly, strong guidance for inclusive governance and clear unambiguous regulations to solve discontent should be periodically revised and implemented by international and national cooperative structures to ensure that calls for secession do not have a definite influence on the African political environment striving towards African unity preventing the piecemeal division of Africa.

Thirdly, ethnical groups should be afforded equal rights and opportunities for development and participation through inclusive governance structures implementing cooperative plans that abolish ethical division to lessen peoples' desire for self-determination and marginalisation that threatens intrastate security.

Fourthly, discontent has to be addressed continuously through effective governing structures, oversight by cooperative structures through participation in peer reviews and participative decision making. Ignoring discontent could result in actions and calls to secede on the African continent. Weak governments should be empowered through training to employ good governance practices thereby ensure the existence of inequity, poverty and an uneducated population together with marginalisation do not threaten the socio-political and security environment.

Fifthly, natural resources should be properly managed by developing regional and continental trade opportunities to enhance African unity and development. This regional approach should rather be exploited than to allow the drainage of African resources to the rest of the world for the benefit of a few elites and to the detriment of the majority of African peoples. Production of resources and wealth sharing should be allowed with the main focus to ensure fair development and prosperity to increase cash reserves for capital projects that will stimulate growth. Governments should endeavour to ensure that income generated through international sales of commodities and resources should be utilised to the benefit of all population groups, specifically marginalised groups in the areas of dispute.

Sixthly, although Africa produces many natural resources and minerals, the continent's potential should rather be exploited through regional development strategies in terms of food production and industrial development. The focus of development should be to uplift living standards and human security by creating work and income for the peoples.

Seventhly, the lack of infrastructure should be addressed by national and international structures while, simultaneously, a culture of innovation, ownership and accountability should be nurtured amongst appointees in governance structures as well as amongst the populace in order to encourage and create an environment conducive to development and the enhancement of human security along with improved living standards.

Eighthly, an agreement for democracy should be considered prior to an agreement for separation, especially if viability of the (to be) newly

established state is doubted. However, although secession is not always the most viable option to defuse conflict in a state, it can be considered especially in non-homogenised populations that make it difficult to create a nation-state.

Lastly, all alternative avenues should be ultimately exploited prior to the consideration and authorisation of secession by cooperative structures in order to prevent calls to secede becoming a norm.

5.4 RECOMMENDATIONS FOR FUTURE RESEARCH

Considering the limitations of this particular study as indicated in Chapter 3, the researcher recommended the following aspects for future research in order to close the knowledge gap pertaining secession and its effects.

Firstly, a study should be instituted to identify indicators that will determine the success of secession. Secession did not effect a peaceful socio-political and secure environment conducive to development and prosperity for Eritrea or South Sudan. Could these seceding endeavours be referred to as successful deeds of secession through the formation of sovereign states, but not necessarily successful in the formation of nation-states?

Secondly, determine the results of secession in a state subjugated by secession. What is the aftermath of secession? Could secession be deemed to the detriment or to the benefit of the state subjugated to the deed?

Thirdly, in regional context, identify and analyse efforts to strengthen regional and/or cooperative organisations in assisting newly created states as a result of secession. Are these cooperative structures effective in supporting endeavours? Identify the gaps and how these gaps could be addressed to ensure progress and development within newly formed states.

5.5 FINAL OBSERVATIONS

By the submission date of this paper, state building activities within South Sudan have not yet reached full potential and along with the pressure of unresolved issues between South Sudan and Sudan, progress and

development of socio-political, economic and security spheres are still yet to be experienced.

Considering the intention of South Sudan's Constitution which addresses *inter alia* the state's determination to nurture a culture of inclusiveness by means of laying a foundation based on justice, equality, respect for human rights and the rule of law to ensure a united, peaceful and prosperous society, the possibility to exercise human dignity, equal rights and the general upliftment of living standards, is attainable. (UNHCR, 2012). However, the timeframe for the effective implementation of aspirations will determine the future outcomes of the South Sudanese Government and the state's citizens.

BIBLIOGRAPHY

Abubakar, A.A. (1992). *The Nigerian Civil War, Causes, Strategies, and Lessons Learnt.* Retrieved May 18, 2012, from http://www.africamasterweb.com/ BiafranWarCauses.html.

ALF (African Leadership Forum). (2012). *The African Leadership Forum. Promoting leadership, entrepreneurship and development in Africa.* Retrieved on November 1, 2012, from http://www.africaleadership.org/about_us.htm.

AU (African Union). (1963). *The Charter of the Organisation of the African Union.* Retrieved May 20, 2012, from http://www.au.int/en/sites/default/files/ OAU_Charter_1963_0.pdf.

-. (1981). *The Charter on Human and Peoples' Rights*.

-. (1993). *Declarations and resolutions adopted by the twenty-ninth ordinary session of the assembly of Heads of state and government. Declaration of the Assembly of Heads of State and Government on the Establishment within the OAU of a Mechanism for Conflict Prevention, Management and Resolution.* AU. AHG/DECL.3 (XXIX).

-. (2007). *African Union. Modalities for the functioning of the Panel of the Wise as adopted by the Peace and Security Council at its 100th meeting held on 12 November 2007.* Retrieved on November 1, 2012, from http://www.africa-union.org/root/au/publications/PSC/ Panel%20of%20the% 20wise.pdf.

-. (2002). *Background on the conference on security, stability, development and cooperation in Africa (CSSDCA)*. Retrieved May 5, 2012, from http://www.au2002.gov.za/docs/ background/cssdca.htm.

-. (2012). The African Union in a nutshell. Retrieved on November 1, 2012, from http://www.africa-union.org/about_au/ au_in_a_nutshell.htm.

Aljazeera. (2011). *Who are Al-Shabab?* Retrieved on December 2, 2012 from http://www.aljazeera.com/news/africa/2009/08/20098432032479714. html.

Arman, Y. (2012). *The Sudan question. A failure of nation-building and the way forward.* Presentation by Yasir Arman, Secretary General.

Badenhorst, C. (2010). *Research Writing Breaking the Barriers.* Pretoria: Van Schaik Publishers.

BBC (British Broadcasting Corporation). (2011). *South Sudan Referendum: 99% Vote for Independence. 30 January 2011.* Retrieved May 5, 2012, from http://www.bbc/co/uknews/world-africa-12317927.

Bellamy, A.J. (2010). Humanitarian Intervention. In A. Collins (Ed.), *Contemporary security studies* (2nd ed., pp. 359-377). New York: Oxford University Press.

Bloomsbury English Dictionary. (2004). *Bloomsbury English Dictionary New Edition* (2nd ed.). London: Bloomsbury Publishing Plc.

Boateng, O. (2010, February). Carving up Africa. 125 years of the Berlin Conference. *New African Magazine, No 492*, 10-31.

Buzan, B. (1991). *New Patterns of Global Security in the Twenty-First Century" International Affairs*. (pp. 432-433).

Climate Zone. (2012). Climate zone Sudan. Retrieved November, 15 2012, from http://www.climate-zone.com/climate/sudan.

Collins Paperback English Dictionary. (2001). Glasgow, Great Britain: Omnia Books Limited.

Committee of 100 for Tibet. (2012). *Tibetan Self-Determination.* Retrieved May 20, 2012, from http://www.c100tibet.org/Self-Determination.html.

Cultural and Environmental Education (PDST). (2010). *The secession of Katanga 1960-1965. Case study: Exploring causation with students, October 2010*. Retrieved on November 1, 2012 from http://www.hist.ie.

De Bennoist, A. (1999). What is Sovereignty? Retrieved May 20, 2012, from http://www.alaindebenoist.com/pdf/what_is_sovereignty.pdf.

Dersso, S. (2012). *International Law and the Self-Determination of South Sudan.* Institute for Security Studies (ISS). Paper 231, February 2012. Pretoria: Institute for Security Studies (ISS).

e-activism.blogspot.com. (2012). *African map*. Retrieved November 12, 2012, from e-activism.blogspot.com.

Ebiem, O. (2012). Biafra: *Secession and Self-Determination.* Retrieved May 20, 2012, from http://ositaebiem.hubpages.com/hub/biafra-secession-and-self-determination.

Ekanem, W. (2011) *Will Sudan's Referendum Stoke Secessionist Struggles in Africa?* Business World, 17 January 2011. Retrieved May 5, 2012, from http://businessworldng.com/web/articles/1806/1/Will-Sudans-Referendum-Stoke-Secessionist-Struggles-in-Africa/Page1.html.

Englebert, P. (2013). Separatism in Africa. *African security handbook.* (J.J. Hentz, Ed.). Forthcoming with Routledge Press.

Englebert, P & Hummel, R. (2005). Let's stick together: Understanding Africa's secession deficit. In *African Affairs, 104(106),* 399-427.

Family Health International Website. (2012). *Qualitative Research Methods: A Data Collector's Field Guide.* Retrieved May 5, 2012, from. http://www.fhi360.org/NR/rdonlyres/etl7vogszehu5s4stpzb3tyqlpp7rojv4waq37elpbyei3tgmc4ty6dunbccfzxtaj2rvbaubzmz4f/overview1.pdf.

Fig, D. (n.d.). *Natural resource extraction and human rights-based abuses in Africa. Opinions, problems and perspectives. Southern Africa Resource Watch Issue 4.* Retrieved December 1, 2012, from http://www.sarwatch.org/ sarwadocs/viewspersp_issue04_Final.pdf.

GSDRC (Governance and Social Development Resource Centre). (2012). Chapter 1 – Understanding fragile states (as cited from Crises States, 2007). Retrieved November 1, 2012 from http://www.gsdrc.org/go/fragile-states/chapter-1--understanding-fragile-states/definitions-and-typologies-of-fragile-states.

Haggag, A. (2011). *A challenge the Arab spring in North Africa and it's ramification on the continent*. Retrieved December 2, 2012 from http://www.wilsoncenter.org/sites/default/files/A%20Challenge%20-%20The%20Arab%20Spring%20Discussion%20Paper.pdf.

Human Rights. (2012). The universal declaration of human rights. Retrieved November 1, 2012 from http://www.humanrights.com/what-are-human-rights/universal-declaration-of-human-rights.html.

IGAD (Intergovernmental Authority on Development). (1996). Agreement establishing the intergovernmental authority on development (IGAD), 21 March 1996, Nairobi. Retrieved on November 10, 2012 from http://igad.int/etc/ agreement_establishing_igad.pdf.

-. (2002). *Secretariat on Peace in the Sudan: Machakos Protocol 20 July 2002*. Retrieved on April 24, 2012, from http://www.iss.co.za/Af/RegOrg/unity_to_union/pdfs/igad/MachakosProt.pdf.

Insight on Conflict. (2012). Sudan: Conflict timeline insight on conflict. Retrieved April 24, 2012, from http://www.insightonconflict.org/conflicts/sudan/conflictprofile/timeline/?gclid=CPu186PwzK8CFYMLfAodqyhtrA.

International Crisis Group (2008). *Beyond the Fragile Peace between Ethiopia and Eritrea: Averting New War. Africa Report No. 141*. Retrieved on November 1, 2012, from http://www.crisisgroup.org/en/regions/africa/horn-of-africa/ethiopia-eritrea/141-beyond-the-fragile-peace-between-ethiopia-and-eritrea-averting-new-war.aspx.

Jackson, R. (2010). Regime security. In A. Collins (Ed.), *Contemporary security studies* (2nd ed., pp. 185-201). New York: Oxford University Press.

Kagame, P. (2010). The challenges of nation building in Africa: The case of Rwanda. September 16, 2010. Retrieved on November 2, 2012, from http://www.iiss.org/EasySiteWeb/getresource.axd?AssetID=47110&.

Khabure, L. (2011). *Post-referendum security scenarios for South Sudan. Situation report.* Pretoria: The Institute for Security Studies.

Koné, E.M.J. (1998). *The right of self-detremination in the Angolan Enclave of Cabinda.* Retrieved on November 1, 2012 from http://www.africa.upenn.edu/Workshop/kone98.html.

Leedy, P.D. (1980). *Practical Research Planning and Design* (3rd ed.). New York: Macmillan Publishing Company.

Madut-Arop, A. (2006). *Sudan's painful road to peace. A full story of the founding and development of the SPLM/SPLA.* BookSurge, LLC.

Manby, B. (2012). *South Sudan: A commentary on the impact of the new laws.* Retrieved on November 25, 2012, from http://www.afrimap.org/english/images/report/OSIEA-AfriMAP-Nationality-Sudans-full-EN.pdf.

Maps of World. (2012). *South Sudan map political*. Retrieved on November 12, 2012 from http://www.mapsofworld.com/south-sudan/images/south-sudan-map-political.jpg.

Merriam, S.B. (1998). *Qualitative research in practice: Examples for study and discussion.* San Francisco: Jossey-Bass Publishers.

Muimui, L. (2012). *The Litunga*. Retrieved on November 1, 2012 from http://www.barotseland.info/Litunga.htm.

Nastios, A.S. (2012). Sudan, South Sudan & Darfur. What everyone needs to know. New York: Oxford University Press.

NEPAD (New Partnership for Africa's Development). (2005). *Partnership is key element in NEPAD implementation.* Retrieved on November 1, 2012, from www.nepad.org/2005/files/aprm.php.

Neuman, W.L. (2011). *Social research methods qualitative and quantitative approaches 7th Ed.* Boston: Pearson Education Inc.

Ochieng, Z. (2010). *Will an independent South trigger more secession?"* Retrieved May 5, 2012, from http://www.africoarticles.com/ articledashboard/article. php?id=213951&act =print.

Osmanczyk, E.J. (2003). Encyclopedia of the United Nations and international agreements in Mango, A. (Ed). *Nation. State* (3rd ed.). *Vol 3: N to S.* New York: Routledge.

Page, M.E. (Ed.). (2003). Colonialism. An international social, cultural, and political encyclopedia. (p. 139). California: ABC-CLIO, Inc.

Pavkovic, A & Radan, P. (2007). *Creating new states: theory and practice of secession.* USA: Burlington: Ashgate Publishing Company.

Ping, J. (2012). *Statement by Dr. Jean Ping, Chairperson of the African Union Commission. 45th Ordinary Session of the IGAD Council of Ministers, 11 July 2012.* Addis Ababa: AU (African Union).

Polgeonow.com. (2012). *Sudan/South Sudan disputed border areas map*. Retrieved May 26, 2012 from www.polgeonow.com.

Ramba, J.A. (2010). South Sudan Triumphs in Spite of Conspiracies. *South Sudan's News Agency dd 15 October 2010.* Retrieved May 5, 2012, from http://southsudannewsagency.com/opinion/artiicles/south-sudan-triumps-in-spite-of-conspiracies.

Rosenberg, M. (2011). *Country, State, and Nation. Definining an Independent Country*. Retrieved May 20, 2012, from http://geography.about.com/cs/politicalgeog/a/statenation.htm.

Salkind, N.J. (2003). *Exploring Research. 5th Ed.* New Jersey: University of Kansas.

Seegers, A. (2010). The new security in democratic South Africa: A cautionary tale. In *Conflict security and development.* 10:2, 263-285. Routledge.

Silverman, D. (Ed). (2004). *Qualitative Research Theory, Method and Practice* (2nd ed.). London: Sage Publications.

Spears, I.S. (2004). Debating secession and the recognition of new states in Africa. In *African Security Review*. 13(2), 2004. Retrieved November 7, 2012 from http://www.iss.co.za/pubs/asr/13no2/F3.htm.

Sudan.net (2012). About Sudan. Retrieved November 24, 2012 from http://www.sudan.net/about.php.

Sudan Tribune. (2012). *African Union High-Level Implementation Panel on Sudan. (AUHIP).* Retrieved November 25, 2012 from http://www.sudantribune.com/+-African-Union-High-Implementation, 505-+.

Sudan Vision Daily Newspaper. (2010). Kuwait News Agency-KNA 25 October 2010. *Algeria: South Sudan secession could have serious impact on African Continent.* Retrieved May 5, 2012, from http://sudanvisiondaily.com/modules.php?name=News&file=article& id=62227.

Suliman, O. (2011). *The Darfur conflict. Geography or institutions?* New York: Routledge.

Temin, J. (2010). Secession and precedent in Sudan and Africa. *Peacebrief 68, 17 November 2010*. Retrieved on August 26, 2012 from United States Institute of Peace database.

The Barotse Agreement. (1964). *The Barotse Agreement 1964*. Retrieved on November 24, 2012 from http://www.zambianwatchdog.com/ ?p=9737.

The Business Dictionary.com. (2012). *Secondary Data*. Retrieved May 19, 2012, from http://www.businessdictionary.com/definition/secondary-data.html.

The Commission on Human Security. (2006). *The Commission on Human Security Report dd May 2005.* Retrieved on May 5, 2012, from http://hdr.undp.org/en/media/ NHDR_Human_Security_GN.pdf.

Trialpremium. (2012). *Sudan map*. Retrieved November 12, 2012, from www.trialpremium.oxfordreference.com.

Trzinski, K. (2004). *The significance of geographic location for the success of territorial secession. African example.* WARSZAWA 2004(11), 207-216.

UN (United Nations). (1960). Declaration on the granting of independence to colonial countries and peoples, New York, 14 December 1960. Retrieved on November 1, 2012, from http://untreaty.un.org/cod/avl/ha/dicc/dicc.html

-. (1970). *UN declaration on principles of international law concerning friendly relations and co-operation among states in accordance with the charter of the UN.* Retrieved on September 1, 2012, from http://www.un-documents.net/a25r2625.htm.

-. (1994). *Cairo Declaration on Population & Development, ICPPD 94-09-04.* Population Information Network (POPIN) of the United Nations Population Division in collaboration with the United Nations Development Programme. New York.

-. (2005). *2005 World summit outcome*. Retrieved on November 1, 2012 from http://www.un.org/summit2005/presskit/fact_sheet.pdf.

-. (2012). *The universal declaration of human rights.* Retrieved on November 1, 2012, from http://www.un.org/en/documents/udhr/index.shtml.

UNAMIR (United Nations Assistance Mission for Rwanda). (2012). *Rwanda, UNIMAR background.* Retrieved on November 1, 2012, from http://www.un.org/en/peacekeeping/missions/past/unamirS.htm.

UN (United Nations) Codification Division Office of Legal Affairs. (2008). *UN declaration on the granting of independence to colonial countries*. Retrieved on 10 Nov 2012 from http://untreaty.un.org/cod/avl/ha/dicc/dicc.html.

UNDP (United Nations Development Programme). (2008). *UNDP strategic plan, 2008-2011. Annual session 2008. 16 to 27 June 2008, Item 9 of the provisional agenda. Accelerating global progress on human development.* DP/2007/43/Rev.1. Geneva: UNDP.

UNHCR (United Nations High Commissioner for Refugees). (2003, December). *Assessment for Tuareg in Niger*. Retrieved August 26, 2012, from http://www.prevention.gc.ca/en/library/publications/fact_sheets/cpsd/F.Sheet-CPSD-Eng.final.pdf.

-. (2012). The transitional constitution of the Republic of South Sudan, 2011. Retrieved August 28, 2012, from http://www.unhcr.org/refworld/pdfid/4e269a3e2.pdf.

Ya Nangoloh, P. (2012). Namibian Police suppresses Caprivian freedoms. Retrieved on November 1, 2012, from www.nshr.na/index.php?module=News&func=display&sid=1796.

Ylönen, A. (2009). *Marginalisation and Violence Considering Origins of Insurgency and Peace Implementation in the Nuba Mountains of Sudan.* Institute for Security Studies (ISS). Paper 201, October 2009. Pretoria: Institute for Security Studies (ISS).

APPENDIX A: RESEARCH QUESTIONS

In order to address the problem and purpose statements of this study as discussed in Chapter 1, unstructured interviews and electronically submitted questionnaires comprised of the following specific questions.

- What are the implications of secession on the African political environment?

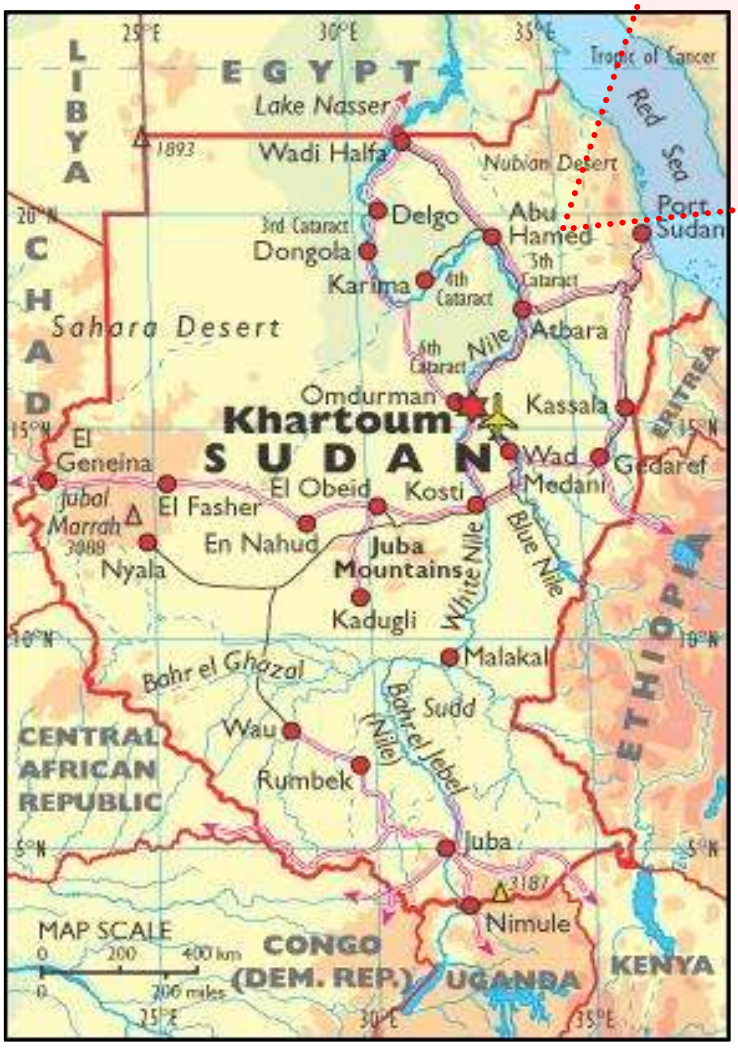
Secondary research questions, supporting answers towards the primary question, included:

- What is the origin of the calls for secession by the people of South Sudan?
- Which domestic, regional and international diplomatic and political processes were followed by what is now known as South Sudan to initialise self-determination?
- What has been the role of the international community in the process whereby succession is requested and granted or refused?
- Could secession be regarded as a solution for intra-state conflicts and unresolved ethic ambitions, demographical challenges and territorial claims in Africa, utilising South Sudan as a blueprint?
- Could states and peoples in a relatively similar position benefit from South Sudan's experience?
- Could secession result in fragmentation of the African continent?
- What are the implications of secession for African conflicts?
- Which alternatives to secession can, or should be considered?

APPENDIX B: MAP: SUDAN (PRE-SESSION)

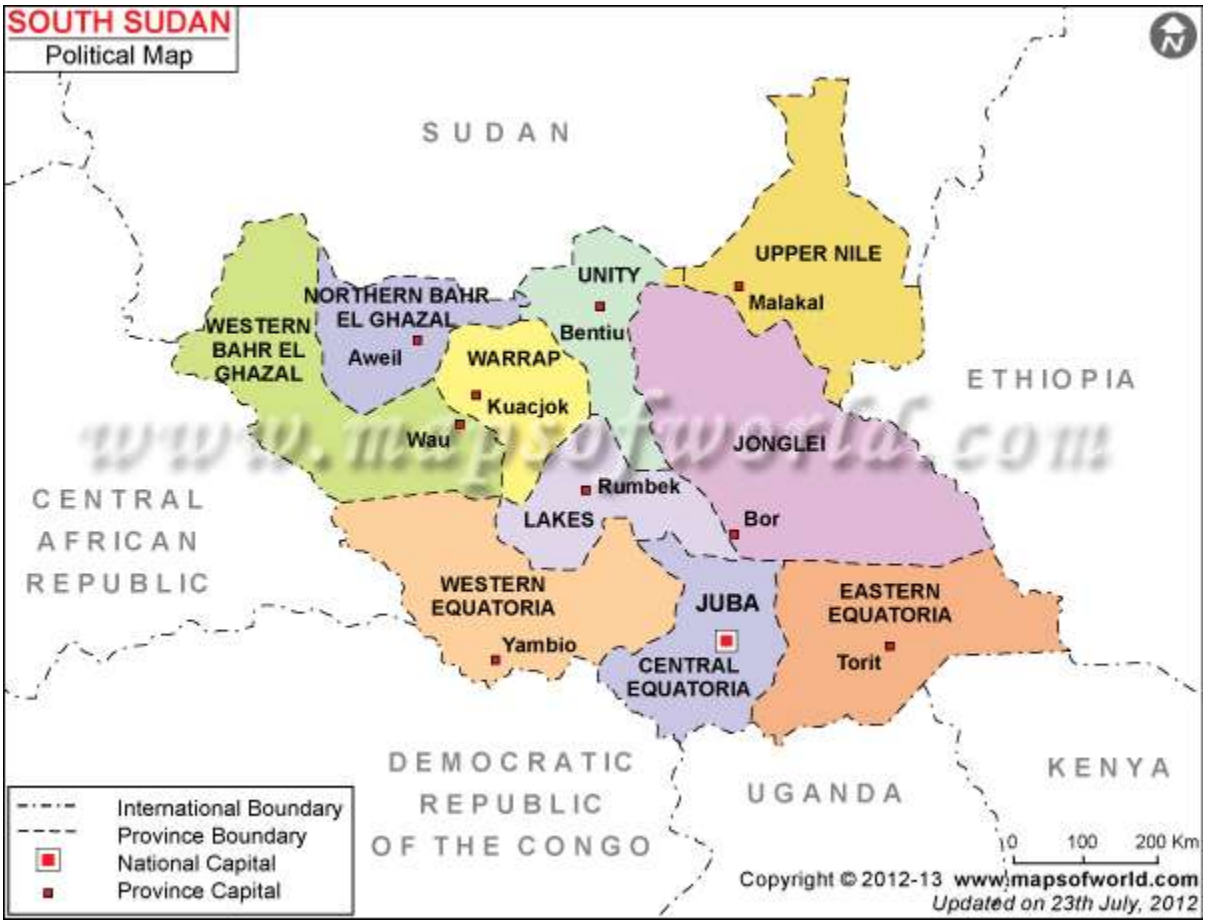


Source: e-activism.blogspot.com



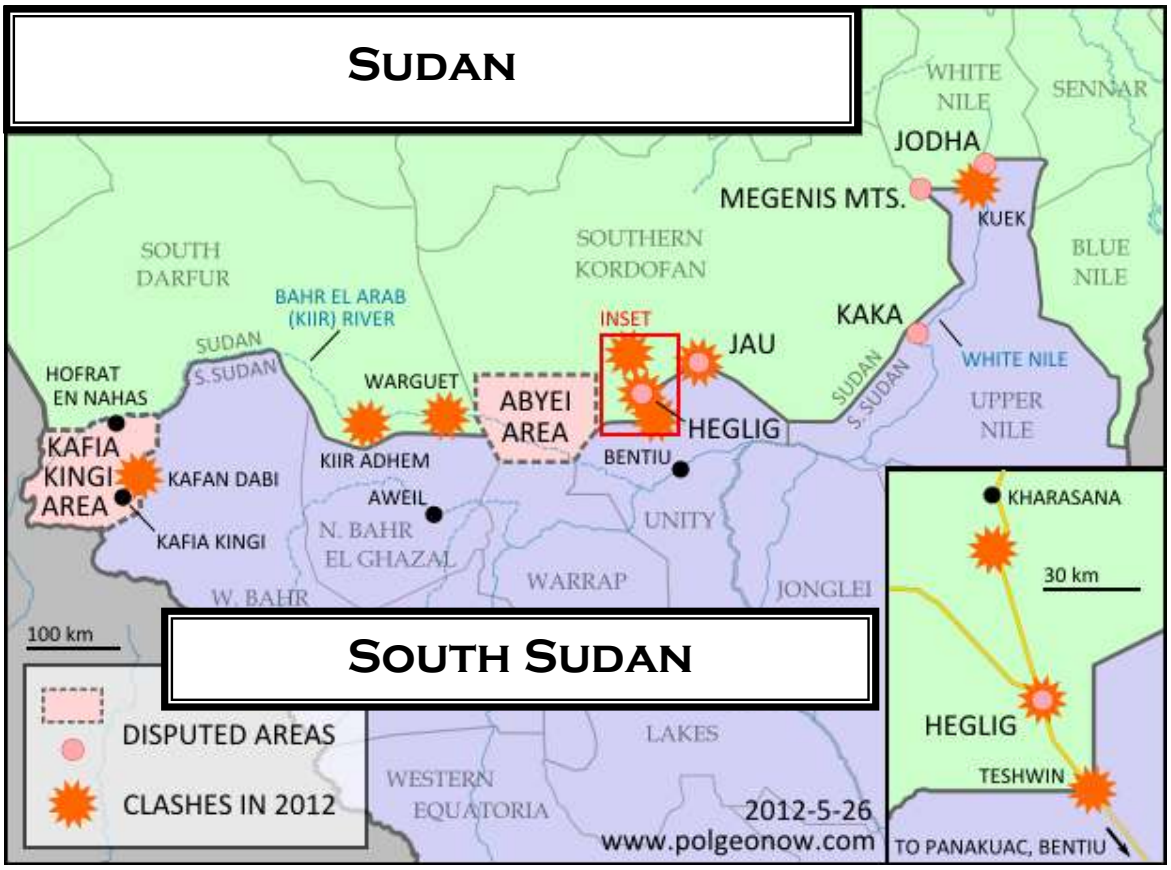
Source: www.trialpremium.oxfordreference.com

APPENDIX C: MAP: SOUTH SUDAN



Source: www.mapsofworld.com

APPENDIX D: MAP: SUDAN/SOUTH SUDAN BORDER, DISPUTED BORDER AREAS



Source: www.polgeonow.com