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*Review*

# Secession and border disputes in Africa: The case of Sudan and South Sudan border

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**Conflicts in Africa are increasingly becoming violent and endemic. Many of these conflicts are related to crises of identities, struggles for resources and power contestations. A few of these conflicts escalate to self-determination, separatist movements, and secession. These conflicts mostly transcend national borders and trigger the alteration and redesigning of national borders, which itself becomes a source of continued violent conflicts across borders. For instance, the attainment of independence by South-Sudan in 2013 has raised hope in achieving peace and stability after one of the prolonged civil wars in Africa. Nevertheless, the new state of South Sudan has turned to a devil's domain. The internal conflicts in South Sudan have further aggravated the tensions in the region; in addition to the border disputes with Sudan. After the three years of political independence from Sudan, there is still no agreement over the 2,010-km border that divides the two nations. This paper thus examines the nature of border disputes between Sudan and South Sudan and the extent to which the border conflict influences the dynamics of internal conflicts in South Sudan and the implications for peace and stability in the region.**

**Key words:** Independence, border, conflict, violence.

## INTRODUCTION

*Separation took place while a host of major problems remained unresolved (Ottaway and El-Sadany, 2010: 3).* The origins of the conflict are complex, and partly dated back to the colonial era: Sudan's former British rulers gave Khartoum dominance over the unified country, laying the groundwork for the southern independence movement. Feeling of alienation in the south led to the first Sudanese civil war, a conflict that dragged on for nearly two decades and killed at least half a million people. It ended in 1972 with the so-called Addis Ababa Agreement, which granted autonomy to Southern Sudan (Kumsa, 2017). The conflicts in Sudan and South Sudan are among the most challenging and longest-running crises in the world today. These conflicts have been seriously connected to borders and environmental conditions in the region (Mohammed, 2019: 665).

The ending of the Cold War in 1991 prompted new secessionist movements and reinvigorated dormant separatist claims all over the world (Crocker, 2004). Borders, boundaries, frontiers, and borderlands are human creations that are grounded in various ethical traditions. The conflicts among neighborhoods on boundary issues have a very long history around the world, for instance, Spain-Morocco, France-Mauritius,

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Australia-Indonesia, Lebanon-Syria, Iran-UAE, Pakistan-India, etc. In Africa, it remained as one of the most vicious and interminable disputes between many communities in the continent. Border disputes are a common feature of African politics (Kornprobst, 2002). For instance, on July 9th, 2011 South Sudan became an independent state. Two years after independence it has experienced degrees of difficulties as a sovereign state. Though, not only South Sudan witnessed the escalation of violence, but also for Sudan, its northern neighbor. The two countries have for long struggled with border insurgencies, political crisis and strained economies linked to a cluster of unresolved issues between them. Most of these issues area are reflection of conflicts and relations that existed before South Sudan secession (Jumbert and Rolandsen, 2013).

Independence of South-Sudan has raised hope in achieving peace and tranquility after one of the prolong civil wars in Africa. Nevertheless, the new state of South Sudan has turned to a devil's domain. The internal conflicts in the South Sudan have further aggravated the tension in the region; in addition to the border disputes with the Sudan. After three years of political independence from Sudan, there is still no agreement over the, 2,010-km border that divides the two nations. Sub-regions in the continent for long have adopted different strategies in managing boundary disputes. Much of the border lies between the ninth and tenth parallels, just below the dunes and stabilized sand sheets of the *goz* (Craze, 2013: 15). The border region between Sudan and South Sudan contains some of the two states most fertile land.

The referendum that approved the secession of the South Sudan did not address several important territorial issues: unclear and un-demarcated border tracts; the question of whether Abyei should stay within the north or become a part of the Sudan; and the status of South Kordofan and Blue Nile states, regions that were clearly recognized as part of the north, but expected to be given some form of special status under the provisions of the Comprehensive Peace Agreement (CPA) because of their ties to the south. These territorial problems involved complex issues of nationalism in both north and south, deep-seated local grievances, and competition for water and grazing land among local tribes (El-Sadany, 2012). Thus, the paper examined the nature of border disputes between Sudan and South Sudan, the extent to which the border conflict influences the dynamics of internal conflicts in South Sudan and the implications for peace and stability in the region particularly as the two countries are locked in a perpetual struggle for control of disputed oil fields in border areas. Oil was the elephant in the room on Independence of the South Sudan. Without oil, the world's newest nation would probably not exist. The income derived from South Sudan's estimated production of 375,000 barrels a day (b/d) will enable the nation to rebuild after 50 years of brutal civil conflict and deliberate under-development (Gonzalez, 2010: 60).

The central question of the study is thus: how did the prolong violent rebellion of the south influenced its secession and protracted border disputes with the Sudan? The paper therefore examined the implications of the violent secession of the movement of South Sudan on both internal stability of the country and the protracted border dispute with the state of Sudan. This is particularly against the backdrop of the two countries a locked in a perpetual conflict over the control of some disputed territories.

The literature on self-determination and secession seems to suggest that recognition of people's agitations for a new state guarantees peace and security. The case of Sudan and South Sudan contradicts this assumption. Instead of achieving peace and stability, the secession of South Sudan provoked both internal crisis and protracted border dispute with the state of Sudan.

## APPROACHES TO SECESSION AND BORDER CONFLICT

There are two approaches that categorized the analysis of the post-colonial state in Africa. The first one stresses the territorial integrity of the post-colonial state, with inherited colonial borders being viewed as sacrosanct and state-centered rights being given primacy. The other questions, the sacrosanctity of colonial borders and seeks to promote the primacy of people-centered rights. The increasing frequency in recent years of quest for self-determination and secession in Africa poses an existential challenge to the post-colonial state on that continent (Bereketeab, 2015).

Thus, secession, after a long period of neglect, political philosophers have turned their attentions to the concept. A rising number of positions on the explanation for, and scope of, the right to secede are being staked out. So far there has been no systematic account of the types of normative theories of secession (Buchanan, 1997). All theories of the right to secede either understand the right as a remedial right only or also recognize a primary right to secede. According to Remedial Right Only Theories, a group has a general right to secede if and only it has suffered certain injustices for which secession is the appropriate remedy or last resort. In line with this group, the right to secede is an important respect similar to the right to revolution (Locke, 1980: 100-124). Like the case of Darfur, Niger Delta (Biafra), the Blue Nile among others.

In case of Primary Right Theories that certain groups can have a right to secede in the absence of any injustice. In this category, there is no limitation on the legitimate secession to being a means of remedying an injustice, but has provided series of conditions for a group to call for secession from a perfectly just state (Gonzalez, 2010: 62). For instance, in its *Reference re Secession of*

*Quebec*, the Supreme Court of Canada held that, in order for a secession from a constitutional liberal democratic state to be legal, it is necessary that it should be carried out within the constitutional framework of the present state (Pavkovic, 2003). According to Beran (1998), the right of secession, as a variant of the right of self-determination, is vested in a 'territorial community' which is defined as a social group that has a common habitat, consists of numerous families … capable of self-perpetuation through time as a distinct entity.

In this context, Philphott (1995: 358-359) argues that, the right to secession is based on the right to political participation. Autonomous individuals have the right to shape their own destiny through participating in political decision-making and, therefore, the right to choose their own democratic institutions and the 'political context' in which they participate. Thus, self-determination centers on the free will of people who are legally as well as politically entitled to decide their destiny. This free will could express itself in constituting an independent state; joining and other state (union); or autonomy within a state (cultural independence). Secession is generally interpreted as splitting from an existing state. It involves separation of a part of that state from the rest of its territory, leading to political withdrawal of a region from the original state. While self-determination is seen in positive terms, secession is frequently perceived negatively (Bereketeab, 2012:4). The concepts have been used interchangeable in different literature regarding the struggle for independence in many African states. For example, secession can be attributed to the liberation movement of the people of Southern Sudan. While the movement for colonial independence can be referred to as self-determination.

In respect to border disputes, many theories have been established to explain the phenomenal reasons why people engaged in violent conflicts or a particular disagreement in societies on particular issues. For instance, John Burton advocates for the Human Needs Theory, as a reliable basis for explaining the cause of the conflict within and among nations in one of his sensational book titled "Deviance Terrorism and War: The Process of Solving Unsolved Social and Political Problems" (Eldens, 2006). Human needs theory (means of sustenance, security and rights) emphasizes that, violence arose as a result of people's demands and struggle on certain issues that are associated with their lives. According to the proponents of the theory, violence is always used in pursuit of the needs or raise awareness about the needs. The human needs theory is quite applicable to the Democratic Republic of Congo, Darfur and Sierra Leone conflicts (Mbugua, 2013). A part from this theory, there are lots of existing models that attempts to provide necessary explanations why conflicts occurred. For instance, traditional cultures see conflict as communal concern; the group has ownership of the conflict and context and resolution processes are culturally prescribed (Jal, 2014). Also, modernization and economic-interest conceive conflict as a struggle for limited resources. Most of the literatures on conflicts have tried to explain the genesis on this ground particularly in Africa. It has generally conceded that, reasonable numbers of conflicts in Africa happened on struggle to fight injustice and to secure the limited resources.

## SECESSIONS AND BORDER ISSUES IN AFRICA

There is a region-wide consensus in Africa on decolonization as a primary norm. This consensus is a reaction to centuries of oppression and exploitation by foreign powers and precedes the independence of African states. The declaration was made in 1945 at the Manchester Congress Declaration of the Colonial Peoples of the World. The specific objective was to give the right to all colonial peoples to control their destiny which amongst others guaranteed that, the struggle against colonialism constitutes an exception and that the use of force was permissible as a last resort to achieve independence (Kornprobst, 2002: 374). For instance, it was explicitly stated that: where…the colonialists power shows no sign of willingness to recognize the right of the people concerned to self-determination and independence, the committee will use all means at its disposal to help the oppressed people to achieve speedy and effective independence (Kornprobst, 2002: 374).

The declaration and other United Nations Treaties have established substantial grounds as regards the struggle for secessions, particularly in Africa. Immediately after the Second World War, different countries under colonial powers have formulated strategies of making their states free from foreign imperialist control. The struggles for independence across the world have witnessed divergent techniques ranging from violent and non-violent approaches. For instance, many countries amongst the third world nations achieved independence on the platter of gold, others experienced violent struggles amidst civil wars. Nigeria's independence was widely assumed to be attained on the platter of gold. However, countries like Sudan, Eretria and the Democratic Republic of Congo passed through violent ways to be self-dependent.

Thus, secessions and self-determination movements have generated a lot of debates and discourse in Africa. Africa has seen a dramatic lack of successful secessionist movement throughout its history. If there were an imminent threat to the integrity of African states, it would be the possibility of a group or region breaking away (Bamfo, 2012). Ironically, secession is one threat that few African governments want to acknowledge exist because it implies giving tacit recognition to the most reprehensible behavior any group or a region can perpetrate against the state (Bamfo, 2012: 1). In Africa, different communities in different states have attempted to secede, though many of them were unsuccessful or

still struggling to achieve the self-determination, but seceding once have equally established a new page in African politics.

African borders largely remain as they were at the end of the colonial era. The case of South Sudan remains an outlier in a continent that has seen remarkable stability in its borders. The organization of African Unity (OAU) established doctrines of Africa stability during the period of decolonization in the early 1960s, and this influenced the lack of secessionist movement throughout the continent (Knox, 2012: 4). Border disputes are a common feature of African politics (Kornprobts, 2002: 369). African states obtained their independence with artificial and poorly demarcated borders of which many countries were considered the most potent source of conflict and political instability. This raised a lot of questions and heated debates on whether to revise or maintain the colonial borders (Ikome, Africa's International Borders as Potential Sources of Conflict and Future Threats to Peace and Security, 2012). Conflicts, those related to the borders, have continued to be among the major challenges facing the continent and stand out as the most serious obstacle to the attainment of the continent's liberation dreams of economic, social and political wellbeing for all of Africa's people (Ikome, 2012: 2). The existence of the porous borders and disputed boundaries has increased the volumes of crimes in Africa. The proliferation of small arms and light weapons usually used in settlement of border-related disputes has transcended to internal conflicts in part of many states in Africa. The growing cases of banditry and insurgency, for instance, in Nigeria, Chad, Cameroon, Niger, and the Central African Republic among others have all ascribed to the border conflicts.

## SECESSION TO SOUTH SUDAN INDEPENDENCE: THE INTERFACE

Sudan itself gained independence after a prolong civil war. On January 1, 1956, it attained independence from the Angola-Egyptian Condominium, the joint British and Egyptian government that administrated Sudan. At the time, the new country was 1/3 the size of the contiguous United States (US) and hosted about 600 ethnic groups speaking over 400 languages. The north was predominantly Muslim, while the southern regions are mostly Christians and Animists. From 1930 to 1953 the Anglo-Egyptian condominium governed Northern and Southern Sudan separately (Zapota, accessed on 4th February, 2018).

Thus, a history of Southern Sudan Independence addresses several audiences and a wide variety of concerns. Southern Sudan is one of the world's most ethnically diverse countries, featuring over 60 different major ethnic groups with many of the people following traditional tribal religions (Oystein and Daly, 2016). The struggle for the secession of the South Sudan led to another bloody civil war from 1983 to 2005. John Garang, as the front-runner, southerners sought independence from the north under the direction of the party's political and military wings called Sudan People Liberation Movement/Army. Garang succeeded in recruiting fighters in Sudan's most marginalized and peripheral regions, especially South Kordofan, popularly known as "Nuba" by outsiders. Twenty South Kordofan, the center of conflict between the central government and the rebels is home to some 100 distinct non-Arab tribes, each with its language and homelands, some limited to as small as an area as one rocky mountain (Gramizzi and Tubiana, 2013).

The grievances of the southerners are well documented. One of the most pressing problems was that the development of the north was proportional to the underdevelopment of the south. Since 1956, the southerners suffered harsh policies such as land-grabbing by investors in commercial farming and attempts to supplant local cultures with the Arab-African culture of the northern Nile Valley (Gramizzi and Tubiana, 2013). Despite producing a huge chunk of the country's oil, the south found its situation becoming more deplorable. The central government created paramilitary groups such as Popular Defence Forces (PDF) after 1989 to fight SPLM/A. The grumbles of the southerners with respect to the maltreatments received from the northerners lead to the formation of secessionists movements in the region (Figure 1). The General Model of Secessionists Movement explained that grievances lead to the decision to succeed, which led to the act of succession, leading to an outcome and then the aftermath (Stein, 2016: 6).

Each secession movements follows after bloody wars, the Comprehensive Peace Agreement (CPA) of 2005 resulted in the independence of South Sudan in 2011 after seceding from Sudan. Subsequent to the secession, ranges of issues that have to do with mother state and internal competition for power generate another interminable dilemma. The secession to the independence of the South Sudan has been considered as one of the few successful self-determination movements in Africa.

Thus, the recent secession of South Sudan raises a number of critical existential questions about the post-colonial state in Africa. The recognition of secession of South Sudan, however, seems to have ushered in a new era in the history of self-determination and secession (Carley, 1996:1). The independence of South Sudan represents a breach of the OAU/AU Charter, which has governed Africa's borders issues and statehood for over 50 years. Thus, once breached, the sanctity of the colonial border principle may prove difficult to patch up again (Bereketeab, Self-Determination and Secession, 2015: 4). The breach established is becoming another threat to the unity of African states. The division mostly
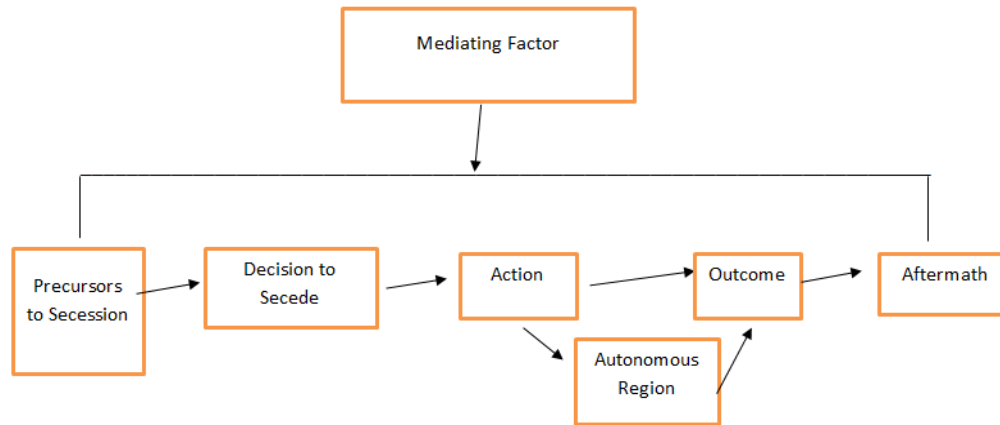
**Figure 1.** General model of secessionists movement.
Source: Carley P (1996:1). Self-Determination: Sovereignty, Territorial Intergrity, and the Right to Secession. Washington, DC 20005-1708: United States Institute of Peace.

Raises issues particularly on lining the new borders between the seceded state and main state.

## SUDAN AND SOUTH SUDAN CRISIS

The ecstasy of independence of South Sudan has been short-lived for many. South Sudan has some of the worst levels of human development index (Cooke, 2015). The assumption behind the right to self-determination and secession is that it will lead to peace, security and development, or at least it will not disseminate conflicts and wars (Bereketeab, 2014: 5). Thus, the South Sudan independence in 2013 from Sudan, after a prolonged civil war in the world history of conflict was deemed to be the ultimate solution to the crisis between the two countries (Knox, 2014: 3). The country endowed with significant deposits of natural resources (Mutanda, 2015). Given its possession of commercial quantities of oil and natural gas, gold, diamonds, iron ore, copper, among other minerals, South Sudan is undoubtedly among the richest nations in terms of mineral wealth (Kamileu and Mugisha, 2015). Though, immediately after the independence of South Sudan, observers expressed fears about what the political situation of the new state will be. Some observers considered it a failed state in waiting that will be marred by political instability, border disputes and ethnic tension (Bereketeab, 2014: 5).

The postulation was emphatically made on the basis that, South Sudan is a historically marginalized and ignored region, a mainly rural area the size of Afghanistan or France that saw little or no development throughout its history, with no roads or electricity, paltry few functional schools, even fewer health facilities, and essentially no formal system of self-governance until 2005 (Kamileu and Mugisha, 2015). Thus, the country was born with no political rights in large part due to the terrible civil wars endured in its struggle to gain independence. Before South Sudan's independence, the central government of Sudan was located in the north and comprised almost of people whose ethnoreligious identity was distinctly different from those in the south. Thus, the current crisis in South Sudan is multifaceted. The border disputes between Sudan and South Sudan has remained one of the contentious issues between the two states. Equally, internal conflicts aggravated over the competition of the country's natural resources have further compounded the misery.

## SEPARATION OF BORDERS AND CONTROL OF NATURAL RESOURCES

Immediately after the separation of the two states, border control and demarcation have continued to be trickiest issues among the two nations. Large part of the border areas remained contested. The positions that are being disputed include areas around the city of Heglig, the Blue Nile region, Kafia Kingi and the Abyei region. Each region has a separate reason for a conflict. For instance, Abyei conflict stems from the mismanagement of pastoralist grazing patterns. While, the Heglig region experiences border disputes over oil fields (Baker, 2015). Since July 2011 and South Sudan's formal declaration of independence, the border has been marked by clashes, as both the Sudan People's Liberation Movement (SPLM) and the National Congress Party (NCP) have attempted to gain territorial advantages on the battlefield that can later be translated into gains at the negotiating table (Craze, 2013: 7).

Thus, the availability of natural resources along the border is playing a protuberant role in escalating the existing tension amid the two states. Specifically, the borders in African states have had a consistently poor reputation. Like the African state itself, African borders have been described variously as 'arbitrary and 'artificial'
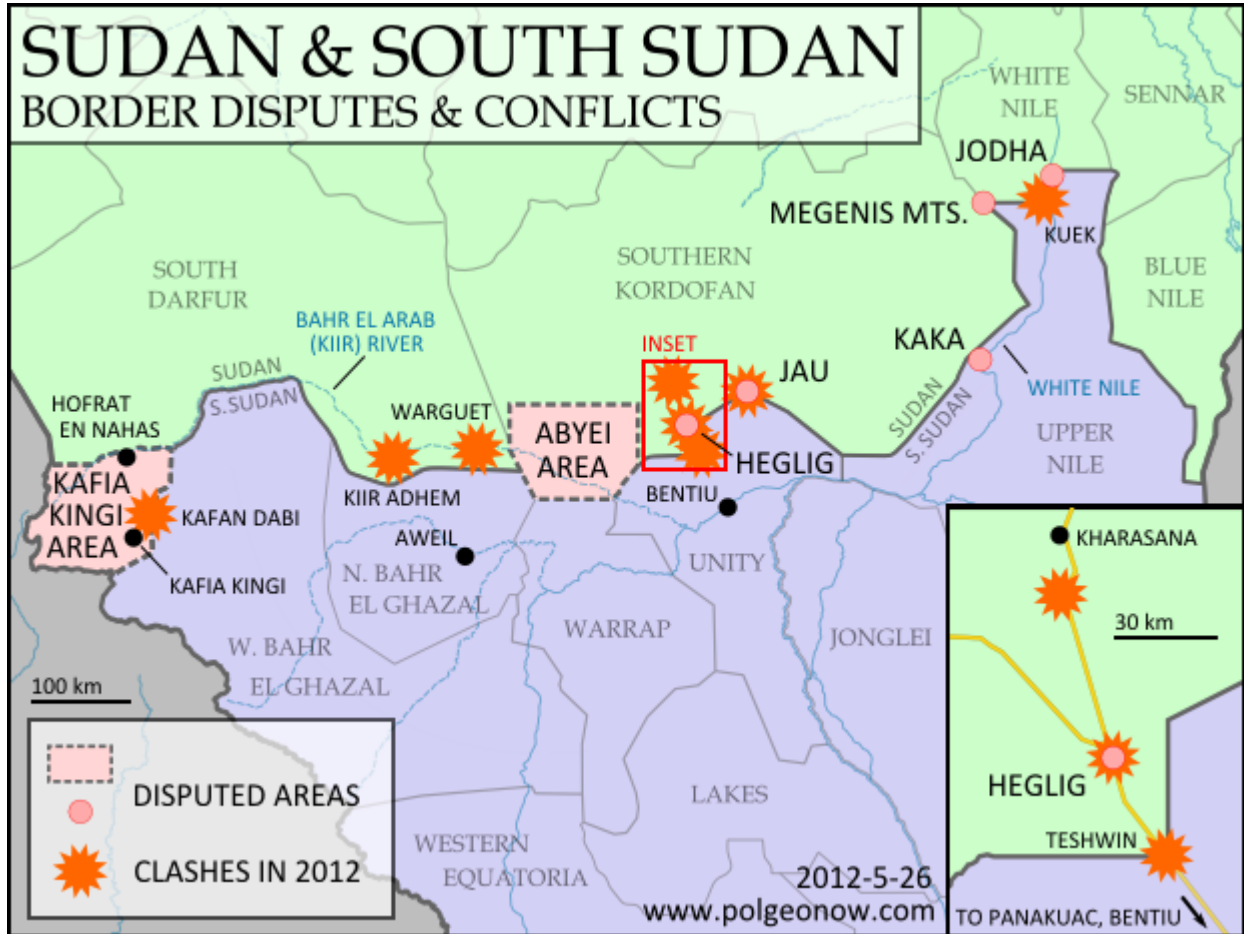
**Figure 2.** Sudan and South Sudan border disputes and conflicts.
Source: Sudan and South Sudan Disputed Border Line: Showing Conflicting Areas in the Border: Adopted from; http//:
www.polgeonow.com/2012/05/feature-sudan-south-sudan-border_26.html. Accessed on the 25th June, 2018.

colonial constructs, imposed on unwilling and unparticipating African peoples who have either suffered dearly from their impact or simply ignored them (Ikome, 2012: 2). Sudan and South Sudan borders are not exempted. The fragile nature of South Sudan has provided a conducive atmosphere for the violence along the borderlines.

The disputed border areas have equally helped in the creation of civil war in South Sudan (Figure 2). Since the beginning of the conflict in South Sudan in December 2013, the border zone has become the site where two civil wars intersect. The Sudan People's Liberation Army in Opposition (SPLA-IO), the principal rebel movement in South Sudan, has used militia members recruited from northern pastoralist groups and has received support from the Sudanese government. This is a resumption of the conflict dynamics of the second civil war in which the Sudanese government destabilized the Sudan People's Liberation Movement/Army (SPLM/A) by creating division among the rebels and then denied its involvement in subsequent clashes. The Justice and Equality Movement

(JEM) has fought alongside the Sudan People's Liberation Army (SPLA) in clashes with the SPLA-IO in South Sudan, despite the rebel group's frequent claims to the contrary. JEM is part of the Sudan Revolutionary Front (SRF), an umbrella organization for the military factions fighting against the Sudan Armed Forces (SAF) in Sudan's civil war. These alliances indicate the extent to which the current rebellions in Sudan and South Sudan are part of a complicated set of dynamics in the border zone that only contingently occupy the framework of state politics (Craze, 2013:6).

The border zone is populated by a bewildering number of pastoralist groups that travel between the two countries along flexible grazing routes that bear little relationship to national borders (even if they were clearly defined). Since 2011, both Sudan and South Sudan have faced the extremely difficult task of creating a border sufficiently fixed to absolutely delimit the territory of the two states and sufficiently flexible to allow migratory groups to maintain their way of life. After decades of war an agreement on the North-South border is not simply

about the territorial extent of the two countries, but about what type of relationship they will have in the future, a question of great importance to the peoples of the border zone. These peoples, whom the Sudanese state used for decades as part of paramilitary forces, now fear that their erstwhile benefactor will abandon them (Craze, 2013: 6).

The conflicts between the two states border have affected the internal security of both. The crisis led to a severe food and water crisis in South Sudan. The country was not economically secure or fully developed even before the fighting. International supports and efforts to address the situation are on regularly basis sabotage. Aid agencies in the country repeatedly have their caravans and shipments raided or stolen by rebel forces who steal the aid to control the masses or make a profit outside of the regular market. This has made it difficult for those who require aid to receive it. Also, farmers are often prevented from returning to their farms due to the conflict. Equally, it has assisted in the displacement of a number of civilians' populations to neighboring countries. For instance, in the first month of fighting in South Sudan alone over 413,000 civilians were displaced from their homes, creating a massive humanitarian and refugee crisis in an economically weak country. More than 12 Million people live below the poverty line, while the country's Gross Domestic Product (GDP) as of 2014 was a paltry $13.07 billion (Kamileu and Mugisha, 2015). The political disagreements between President Kiir and former Vice President Machar split the army in half along mostly ethnic lines and encouraged militias and other non-government armed groups to rise up (Kamileu and Mugisha, 2015).

Thus, the conflicts have also affected the security of the region. The internal conflicts in South Sudan have further aggravated the tensions in the region. After the three years of political independence from Sudan, there is still no agreement over the 2,010-km border that divides the two nations to date. International communities are making efforts to provide substantial peace agreement between the two countries to address the long border disputes.

## CONCLUSION

Africa's interstate boundaries have remained the major source of conflict and instability in the continent, largely because of the history of their formation and struggle to control natural resources along the borderlines. The borders attained explicitly after secession are tent to be more contested and volatile. The case self-determination of South Sudan from the north has been a recent case of border conflict in the continent. The independence celebration ended immediately, as a result of violence and political instability that hit the country. Thus, international organizations like the United Nations and other developed countries around the world are making significant efforts in South Sudan to ensure the continuity

of what is generally considered as a failed state.

The management of border disputes varies from sub-region to sub-region. South Sudan border dispute are amongst the most complicated in Africa. The causes of the disputes remained contentious. Generally, the creation of artificial borderlines by the colonialists is the common factor invigorating border conflicts in the continent. Thus, addressing border disputes must be placed along the line of the agreement reached to secede.

## CONFLICT OF INTERESTS

The authors have not declared any conflict of interests.

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