

Between inside and outside, the Double Standard of the U.S. on Counter-Secessionism

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Secessionism (precisely secessionism against state) not only seriously threatens the territorial and sovereign integrity of the relevant countries, but also severely impacts contemporary international order consisting of nation states as main actors and the United Nations as its hub. Moreover, secessionism is prone to trigger regional turmoil and interstate conflict. Nowadays, there are more than 50 countries encountered with varied degrees of separatist threats. Since 1990, at least 25 new independent countries recognized by the international community have been founded, most of which proceeded along with enormous disputes and conflicts. Over the years, international community has come to reach some consensus on opposing secession from existing state as well as safeguarding territorial and sovereign integrity. At the same time, the United States has been frequently exploiting human rights as an excuse to distort the separatist issues in other countries and even to obstruct and undermine other states' anti-secession actions.

For many years, the United States has provided support to the separatist forces in Taiwan, Tibet, Xinjiang, and Hong Kong. Under the banner of so-called human rights, religion, ethnicity, democracy, and freedom, the United States strives to promote the internationalization of Xinjiang secessionism, obstructing and undermining China's anti-secession struggle. Since 2017, for recent instance, the US executive and legislative authorities have enacted the "Taipei Act" (the full name is "Taiwan Allies International Protection and Enhancement Initiative (TAIPEI) Act of 2019"), "Hong Kong Autonomy Act", "Hong Kong Human Rights and Democracy Act of 2019", "Equal Entry into Tibet Act", "Uyghur Human Rights Policy Act of 2020", and many other domestic bills involving Taiwan, Hong Kong, Xizang, and Xinjiang in collusion with different oversea separatists. Continued US interference in these separatist issues and its support for oversea separatist forces is completely misleading; it has in fact nothing to do with ethnicity, religion, freedom, human rights or issues. Its purpose behind the façade is to take every opportunity to obstruct and undermine China's anti-secessionism struggle and contain China's peaceful development. Literally, territorial and sovereign integrity is where China's core interests lie. The US support for "Taiwan independence", "Hong Kong independence", "Tibet independence", "East Turkistan movement" and other separatist forces is considered explicitly serious violation of China's core interests.

Throughout history, the United States was also threatened by secessionism and once fought a four-year civil war in order to maintain the integrity of the Federation. Regrettably, the US authority lacks empathy when it comes to the anti-secessionism of other countries. By contrast, it displays intense opportunism and pragmatism attitude towards separatism in other countries. Whether or not to support separatist forces in other countries depends entirely on the consideration of its own interests. The so-called issues of ethnicity, religion, human rights, democracy, and freedom are nothing more than tools used by the United States to interfere in the internal affairs of other countries. Over the years, we have seen that in order to maintain its global hegemony, the United States has continued to point fingers at the anti-secessionism struggles of many countries around the world in the name of “protecting human rights”. It even strives to brutally intervene or militarily interfere in the issue for that.

Facts speak louder than words. The following sections will examine the history and reality of anti-secessionism struggles by relevant countries, the United States included. It is essential to see how the United States pursues double standards upon anti-secessionism issues so that its own interest is achieved at other states’ cost.

1. The American Civil War: National unification takes precedence over human rights protection

The US government advertises itself as “human rights guardian” as well as “know-all” teacher concerning human rights. It frequently wields the big stick at other countries for human rights “problem”. However, by no means can the human rights record of the United States in history be regarded as glorious. For quite a long time, the basic human rights of women, African Americans, and aborigines in the US had not been effectively protected. For instance, millions of African Americans who are minorities lived as slaves for years. Since they were not equally recognized as “human” and part of the US society then, to what extent were their human rights protected? The slavery system in the United States aroused opposition from some progressive civilians. While the call for abolition of this criminal system was substantially promoted, the advocacy further aroused opposition from the white slave owners in the South, ultimately triggering intense political confrontation between the North and the South. The Southern slave owners did not hesitate to launch an armed rebellion to secede from the Federation, resulting in the American Civil War. Above all, the self-esteem of “human rights guardian” is apparently hypocritical when the US took its national unity prior to human rights protection for the African Americans in history.

1.1 American Civil War and Anti-Secession Struggle

For quite a long time, the reason why the American Civil War was fought has been misunderstood. Although the American Civil War was indeed triggered by the political antagonism between the North and the South over slavery system, the

primary goal of the federal government to wage the civil war was not to protect the human rights of the blacks, but to preserve the unity of the state. Many historical materials reveal that the primary goal of the Lincoln administration in the Civil War was to combat secessionism and maintain national unity, while the abolition of slavery and the protection of human rights of the blacks were but indirect consequences of the War. In other words, although the slavery may lead to the civil war, its abolition was not the fundamental goal of the American government during the wartime.

In November 1860, Lincoln won the 16th presidential election of the United States, which also signified complete intensification of the North-South political antagonism centered on slavery. South Carolina first announced its withdrawal from the Federation in December of the year, followed by Florida, Georgia, Alabama, Mississippi, Louisiana and Texas. In February 1861, the southern seceding states convened in Montgomery, announcing the establishment of the “Alliance of American States”, electing Jefferson Davis as interim president, and promulgating the “Alliance Constitution”. By May, four more states including Virginia, Arkansas, Tennessee, and North Carolina joined the Southern League. The United States was actually divided into two regimes, two presidents, two constitutions, two armed forces, and two capitals by then.

Under this situation, the core issue for the Lincoln government during the Civil War was to fight against secessionism, and maintain the unification of the U.S.. In several speeches before and after the Civil War, Lincoln highlighted and interpreted the principles on the national sovereignty's authority and indivisibility. On the 4th of August, 1861, Lincoln pointed out in his first inaugural address that: “I hold that in contemplation of universal law and of the Constitution the Union of these States is perpetual. Perpetuity is implied, if not expressed, in the fundamental law of all national governments. It is safe to assert that no government proper ever had a provision in its organic law for its own termination. Continue to execute all the express provisions of our National Constitution, and the Union will endure forever, it being impossible to destroy it except by some action not provided for in the instrument itself.” “It follows from these views that no State upon its own mere motion can lawfully get out of the Union; that resolves and ordinances to that effect are legally void, and that acts of violence within any State or States against the authority of the United States are insurrectionary or revolutionary, according to circumstances. ... I therefore consider that in view of the Constitution and the laws the Union is unbroken, and to the extent of my ability, I shall take care, as the Constitution itself expressly enjoins upon me, that the laws of the Union be faithfully executed in all the States.”

Simultaneously, after the American Civil War eruption, there were severe divergences inside the northern part regarding the reservation or abolition of slavery. While the radicals argued that the “war should be intended to abolish slavery,” the conservatives proposed to compromise with the southern part and emphasized the strict execution of the Fugitive Slave Act, with which all the fugitive slaves should be repatriated to southern America. In this debate, General John C. Fremont was dismissed by Lincoln in the October of 1861 over his emancipation edict in the war. In 1862, with military needs, congress began to give the partial emancipation of slaves through acts. In June of the year, Lincoln made it clear that It’s time to solve the problem of slavery, it makes me feel that slavery must die so that the country can survive.

Apparently, on the relations between counter-secessionism and the abolition of slavery, the choice from the Lincoln government was heavily influenced by utilitarianism. In this choice, the maintenance of the unification of the U.S. came first, and the human right of black people was served to support this unification. All these arguments can be supported by the statements made by Lincoln during the first half of the Civil War. Lincoln said, “Apprehension seems to exist among the people of the Southern States that by the accession of a Republican Administration their property and their peace and personal security are to be endangered. There has never been any reasonable cause for such apprehension.I have no purpose, directly or indirectly, to interfere with the institution of slavery in the States where it exists. I believe I have no lawful right to do so, and I have no inclination to do so.”

When the “radicalists” published the famous “Prayer” to President Lincoln in 1862 in New York, Lincoln responded in his open letter: “I would save the Union. I would save it the shortest way under the Constitution. The sooner the national authority can be restored; the nearer the Union will be ‘the Union as it was.’ If there be those who would not save the Union, unless they could at the same time save slavery, I do not agree with them. If there be those who would not save the Union unless they could at the same time destroy slavery, I do not agree with them. My paramount object in this struggle is to save the Union, and is not either to save or to destroy slavery. If I could save the Union without freeing any slave I would do it, and if I could save it by freeing all the slaves I would do it; and if I could save it by freeing some and leaving others alone I would also do that. What I do about slavery, and the colored race, I do because I believe it helps to save the Union; and what I forbear, I forbear because I do not believe it would help to save the Union.”

The U.S. became the modernized nation-state with unified sovereignty through the Civil War. It maintained the unification of the country through armed force and thereby settled down the superiority of the Union. However, the choice between the Civil War and the abolition of slavery reflects the utilitarianism of the bourgeoisie of

the U.S.. During the movement of establishing the U.S., even though with the fact that economic prosperity in the first periods of the independence was largely benefited from slavery, freedom was labeled as the core value of the U.S.. Given that slavery was abolished during the Civil War, there was no complete emancipation for black people in political and economic areas until the 1960s, which was almost 100 years after the Civil War. Up to now, the request for entire equities of the colored races in the U.S. is still on the way.

1.2 Coosolidating the legal footing of the U.S.'s counter-secessionism

Even though the American Civil War ended up with the victory of the northern part and the maintenance of the unification of the country, the war led to the serious casualties and economic loss. According to the statistics, more than one million people lost their lives in the Civil War. In order to avoid the re-emergence of secessions, the U.S. government needed to nip it in the bud by completing the laws on counter-secessionism.

In 1869, after the end of the civil war, there was the famous *Texas v. White* case, which was a classic case of the Supreme Court of the United States discussing the issue of secession. *Texas v. White* definitely interpreted the constitutional boundaries of national level secession, establishing that secession is unavailable within the U.S. constitutional order, unless the remaining states all consent. The Constitution, in all its provisions, looks to an indestructible Union, composed of indestructible States. When, therefore, Texas became one of the United States, she entered into an indissoluble relation. All the obligations of perpetual union, and all the guaranties of republican government in the Union, attached at once to the State. The act which consummated her admission into the Union was something more than a compact; it was the incorporation of a new member into the political body. And it was final. The union between Texas and other States was as complete, as perpetual, and as indissoluble as the union between the original States. There was no place for reconsideration, or revocation, except through revolution, or through consent of the States. Secession from the Union is clearly unconstitutional. The US Constitution maintains the unity of the country from the highest level.

In the early 2000s, a small but sincere secession movement arose in Alaska, where the Alaskan Independence Party secured one hundred signatures in support of a ballot referendum proposing Alaskan secession from the United States. The ballot initiative was rejected by the elections authority and ultimately the courts, on grounds that a ballot initiative cannot be certified for extraconstitutional purposes. As the Supreme Court of Alaska ultimately concluded in 2010, "secession from the Union is clearly unconstitutional." In that decision, the Alaska justices quoted the memorable words of the U.S. Supreme Court in *Texas v. White*.

2. Inside and outside the State: Maintaining the integrity of its territory while supporting the secessions on other states' territories

Through the initiation of civil war, the U.S. frustrated the attempt of separating the country and thereby maintained the integrity of territory finally. Until then, the idea of unshakable unification of the United States, which was served as the basic rules of American politics, was established and confirmed to a further step through the legal precedent of the Supreme Court of the United States. Simultaneously, the U.S. continued its annexation of neighboring states' territories by inciting secessionisms in these states and conducting wars with these states thereafter. Maintaining its territory's integrity while conducting the annexation of other states' territories, the double-standard of the U.S. was thoroughly exposed under this strategy. Many neighboring countries from Central and South America, such as Mexico and Columbia, bore the brunt of this strategy's influence.

Sharply after its independence, under the propaganda of Manifest Destiny, the U.S. entered into an era of expansion. Since 1800, the U.S. government gradually waged economic and political permeations to Mexican Texas in various ways. In March of 1836, Texas declared its independence from Mexico and established the Lone Star Republic. General Samuel Houston, the former governor of Tennessee and friend of the U.S. president Andrew Jackson, was appointed to lead the army to fight against the Mexican government. In March of 1837, the U.S. recognized the independence of the Lone Star Republic. Yet its integration process with the republic was postponed because of the troublesome slavery issue between the Northern and Southern U.S.. In the year 1844, the annexation of Texas was the core issue for the presidential election. The expansionists steadily supported Texas's proposed annexation, which would be the new place for arranging the slavery issue under the increasingly frail background of the southern area. This would, in turn, preserve the safety and interest of the Northern U.S.. James K. Polk, the Democratic Party candidate, won the election with the manifesto on proposed Texas's annexation and the conquer of Oregon. In 1845, the outgoing president John Tyler conducted a unified resolution on Texas's annexation with the combination of the Senate and the House of Representatives to avoid the Senate's possible veto. Since then, Texas became the 28th state of the U.S., and 390,000 square miles of Mexican territories were thereby under the rules of the U.S..

At the same time, there was a massive influx of American immigrants into Mexican California since 1841. In 1846, Mexico fought against the U.S. around the issue of invasion and counter-invasion of California. In 1848, the Treaty of Guadalupe Hidalgo was signed between the U.S. and Mexico. With this treaty, the U.S. government obtained the nowadays California, Nevada, and Utah, which contained 530,000 square miles at an extraordinarily low cost of 150 million dollars from

Mexico. According to figures, the U.S. seized about 950,000 square miles from Mexico through annexation, cession under the unequal treaties, low-price exchange, etc. in the first half of the 19th century. In the Mexican-American War, Mexico lost about 55% of its territory, and the American expansionist even attempted to take action further to conquer entire Mexico, which was later called the “All Mexico Movement.”

Another case is Panama, which was initially served as a province of the Columbia Republic. In 1903, after defeating the U.K. and France militarily, Washington signed an agreement with the Columbian government on constructing the Panama Canal and the subsequent lease issue. However, the congress of Columbia refused to approve the agreement. On the 3rd of November, 1903, the U.S. army landed on Panama, which rendered support to the independence of Panama from Columbia and the establishment of the Panama Republic. On the 18th of November, the U.S. government gained the perpetual monopoly of the construction and maintenance of the Panama Canal from the newly formed Panama government and obtained the perpetual rights of use, occupation, and control of the Canal later on. Thereby, the Canal and the area surrounding the Canal was under the full power of the U.S., which made this area a state within the state. The Panama government regained the sovereignty of the Canal until 1999, which almost a century later.

Even though the U.S. labeled its independence as a revolt against Europe's colonialism imperial, a series of subsequent invasions to Mexico, Columbia, and Panama, which were modern countries with independent sovereignties, made the U.S. back to the track of imperialism expansion as its previous colonial powers. In this way, in order to maintain its interests as a hegemon, Washington even supported secessionisms in other states through triggering secessions or invasions to these states. In the face of expansionism and egoism, there is a sharp comparison between maintaining the coherence of the territory of the U.S. and seizing regions of Mexico, Columbia, and Panama under the political cover of supporting secessionisms of these states. This comparison exposes the double standard of the U.S. on the independence issue to a further step.

3. Inside and outside the allies: the double standard on sovereignty and human rights

Even though it is not uncommon, secessionism is still relatively unusual in the international community. To what extent it will succeed, and especially to what extent it can be recognized by other international actors are overwhelmingly connected to the attitude of superpowers. With this in mind, secessionism will be unlikely to succeed if it collides with the interests of superpowers. Without the back of superpowers or under the lack of potent rules, the separated entity can barely be recognized in a

collective sense. Hence, superpowers can either be the deterrent or the catalyst to secessions.

In general, to Washington, secessionism in other states is merely a tool of maintaining and achieving its strategic and geopolitical interests. To allies, with the standing point of protecting the political relations with the allies, the U.S. government usually supports the territorial integrity and the unification of the country and opposes its secessionism. In contrast to the allies, when confronting the secessionism of its rival or adversary, the U.S. often utilizes the covers of ethnicity, religion, human rights, and freedom to back up the secession movement. In some cases, Washington even initiated militarized intervention directly to contain its rival or adversary.

3.1 Supporting the counter-secession actions of its allies

Secessionisms are often seen in the UK, Spain, France, and Canada, etc. When dealing with these secessions, the U.S. offers steady support to allies' counter-secessionism actions or mediation proposals to assist the allies in solving the crises. In the secession issue of Northern Ireland, as there is a large proportion of Irish people in the population, the U.S. public always revealed their moral support and sympathy to the people in the conflicting area of Northern Ireland. However, the attitude of the U.S. government to the Northern Ireland independence issue was systematically shaped by the potential impacts of the Irish people in the presidential election, the relations between the U.S. and the U.K., and the strategic interests of the U.S. in Europe, etc.

In 1977, President Jimmy Carter stated that if disputants could be back and sit on the bargaining table, Washington would like to offer necessary support to Northern Ireland. This attitude was settled as the tone of the U.S. on this issue all along the way after Carter. After the Cold War, the government of George W. Bush rendered more support to the Blair government to maintain the relations between the U.S. and the U.K.. Washington prohibited the entries of the Irish Republican Army (IRA) officers and thereby forced secessionism in Northern Ireland to give up fighting against London. Moreover, the U.S. government issued a rigorous censorship procedure to the funds collected by Sinn Fein in the U.S., and it also clearly supported the U.K. government's claim that the IRA should be entirely disarmed. Washington's policies gradually weakened the IRA's standpoint in international morality, and the IRA thereby lost material support in the long run. All these components contributed to the signing of the Good Friday Agreement between the U.K. and Ireland.

Concerning the increasingly prevalent secession movement in Quebec of Canada during the mid-1990s, the U.S. government adopted a non-interference strategy that highlighted its nonintervention into Canadian internal affairs and the support to the unification of Canada. On formal and official occasions, Washington avoided making

a public declaration on the independence issue of Quebec. However, when turned to the private or semi-official occasions, warnings were issued from the U.S. to Quebec. A good example is President Clinton's statement in 1995 that Quebec cannot be a member of NAFTA if it gained independence. He emphasized the importance of relations between the U.S. and a unified Canada. This statement served as a latent factor that substantively influenced the Quebec referendum on the independence of that year. In fact, the U.S. evaluation of its interests in the secessionism of Quebec was thoroughly exposed during the congressional hearing before the 1996's G-7 summit. The participants believed that the U.S. economy would be destroyed ultimately if Quebec gained its independence successfully. Apparently, the U.S. did not expect its largest trade partner and supplier of raw materials, a unified Canada came into divisions.

Another case of the U.S. double standard is Spain. On the 27th of October, 2017, Catalonia declared its independence with a referendum of 70 votes in favor of independence, ten votes against independence, and two abstentions at the local parliament. To this issue, Heather Nauert, the Speaker of the U.S. Department of State, said that since there were a great friendship and an enduring partnership between the U.S. and its ally of NATO, Spain, and as Catalonia was a part of Spain, the U.S. would help to keep a powerful and unified Spain through its support to the integrity of Spanish constitution. After the one-sided referendum of Catalonia, the Spanish government temporarily canceled Catalonia's autonomous status and controlled the local demonstrations. The U.S. kept salience to these actions. Washington was unwilling to suffer its economic interests from the potential independence of Catalonia, especially its military deployment in Spain under the name of NATO. In addition to this, the U.S. did not want to see the domino effect of the Catalanian referendum spread to Scotland and other areas of its allies under the risk of secessionism.

3.2 Utilizing and intervening in the secessions of non-allies to contain their developments

When secessionism occurred in its rival or adversary and adversary's allies, the U.S., in turn, attempts to intervene in the issue and try to contain the opponent's development through the internationalization of the problem. The secessionisms in Russia, the former Yugoslavia, Iraq, China, and Iran receive supports from the U.S. to a greater or lesser degree.

Prior to the collapse of the Soviet Union, Washington rendered its support to the secessions of three Baltic republics positively. After the collapse of the Soviet Union, the U.S., to a further step, backed up the secessions within the federation to a greater degree. One of the most typical cases is the U.S.'s support to the secessionism in Chechnya. In 1999, Moscow conducted the Second Chechnya War, which left

critiques to Western countries. The U.S. and other western countries reacted dramatically to this counter-secessionism war. They criticized Russia intensively and even met with leaders of Chechnya rebels to show the support to the Chechnya secessions. With all these ways, the western group led by Washington intended to internationalize the Chechnya issue. During the Second Chechnya War, the U.S. continued its conventional strategy to sensationalize the secessionism of Chechnya. It made a clear difference between the counter-terrorism and the Chechnya issue, which thereby entitled itself with the excuse to criticize that the Russian government destroyed human rights in Chechnya and violated the international humanitarian laws heavily, which included massacre, torture, abuse of force, limitations of people's freedom of expression and mobility, etc.

The Socialist Federal Republic of Yugoslavia was dissolved during the early 1990s, and Serbia and Montenegro formed the Federal Republic of Yugoslavia. The republic maintained good relations with Russia, which became the pain to the U.S. naturally. In the face of the secessions of Kosovo in the Federal Republic of Yugoslavia, Washington and its NATO allies not only offered verbal support to the Kosovo secessions but also moved a step further to conduct a 78-day long bombing in Yugoslavia (actually in Serbia only) after their request of military deployment in Kosovo area was rejected. This bombing forced the retreat of the Yugoslavian army. After that, the Kosovo secession movement grew quickly, which accelerated the collapse of the Federal Republic of Yugoslavia. In 2006, Montenegro and Serbia were separated. On the 17th of February, 2008, Kosovo made a one-sided claim on its separation from Serbia. The U.S. government recognized the independence of Kosovo the day after. Under the propaganda of the U.S. and other western states, Kosovo has now gained diplomatic recognition as a sovereign state by almost 100 states.

Labelling China as the "strategic rival", the U.S. is adopting a substantive containment strategy to China. Since 2019, the U.S. government passed a series of bills on Taiwan, Hongkong, Xinjiang, Tibet, and other issues which concerned on core interests of China. Moreover, Washington conducts several provocative actions and even sanctions on China, which contributes to a complete intervention on the unification issue of China. The bills mentioned above, plus the stigmatizations, sanctions on relevant topics, as well as the public support to the secessions within China, do not only paralyze the consensus between the U.S. and China but also greatly challenge and undermine the core interests of China on maintaining the unification of the country.

4. Conclusion

Since the signing of the Treaty of Westphalia in 1648, the integrities of both territory and sovereignty are the inherent attributes of a state. Moreover, these conditions are the basis for the contemporary order of international relations. The

procedure of the establishment of the nation-state with the prerequisites of exact territory and sovereignty identifications is also served as the confirmation on the counter-secessionism issue, which clarifies the fact that the territory and sovereignty of a state cannot be split. Over the years, the countries around the world have gradually gained consensus on the maintenance of the integrity of the territory and the unification of the state through theories, institutions, constitutions, and international laws. This consensus is also treated as the legal and moral basis for the state's actions on counter-secessionism. In other words, it is a fundamental factor in maintaining the international order where the international community should support any activity of a recognized state with sovereignty on counter-secessionism.

Indeed, the gamble around secessionism and counter-secessionism shapes the territory of a state and the situation of world politics, on the one hand; it puts direct threats to the domestic stability and the existing international order on the other hand. As a unique superpower around the world, the U.S. government relies heavily on its double standard strategy. It applies forces as well as the law to its counter-secessionism policy when faces with domestic secession issues. Meanwhile, in sharp contrast, Washington utilizes secession in its opponent as a tool to maintain its global hegemony. The U.S. gets tough with the secessions of its own or its allies but applies a conniving or even supportive strategy to its opponents' secessionisms. Sometimes, it even tries to hamper or paralyze its opponents' endeavors on counter-secessionism. What is more hypocritical is the U.S. government's tactic to use human rights as the political cover, which intentionally confuses borders of the ethnic, religious, and human rights issues, to damage the sovereignties of other states and connive the secessions which happened in states who are deemed as rivals by the U.S.. In this situation, Washington chooses to be indifferent to the negative impacts of the organized terrorist actions on the state's division and the ruined human rights of the people who suffered from these actions.

If we have to put the logic on the U.S.'s attitude to secessionism, it should be that the national interest of the U.S. is endowed with priority to any issue we mentioned above. The agree or disagree with secessionism is overwhelmingly decided by the consideration of the U.S.'s interest. The U.S. has been the biggest destroyer instead of a contributor to the contemporary international order, which is based on the charter of the United Nations. The U.S. will ultimately suffer from its opportunism and egoism on the secession issues.