

THE HOPES AND WORRIES OF A NEWBORN STATE

Does the independence of South Sudan herald a new era in which people's rights assume priority over the territorial integrity of the state? The newborn nation could serve as a litmus test for future aspirations to self-determination on the African continent.

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On 9 July 2011, South Sudan made history by becoming the first nation state to secede from an existing state. The birth of the new nation state came at the end of a long and painful historical chapter. Unlike Eritrea, South Sudan was not a colonial creation in the classical sense, thus no decoloni-

sation process took place. Instead, it had to go through a bloody civil war in order to achieve the right to self-determination. South Sudan thus became the first nation to benefit from the principle of the right to self-determination in violation of the sanctity of colonial borders.

THE ORGANISATION OF African Unity (OAU) had declared the colonial borders of the emerging nation states in Africa to be sacrosanct. This meant that borders inherited from colonialism were converted into international borders that should not be changed, and certainly not by force. The territorial integrity of states was given supreme priority over people's rights. Secessionist movements such as in Katanga in the Democratic Republic of Congo, Biafra in Nigeria, Anyanya I in southern Sudan were condemned because they were seen as violating the integrity of an OAU member state. International law and the UN Charter also upheld the inviolability of the postcolonial states of Africa, thereby endorsing the sacrosanctity of colonial boundaries.

Recently, other factors such as people's and human rights are playing an increasingly significant role in the exercise of self-determination. Geostrategic security and political, economic and energy interests also weigh heavily in decisions to accord or withhold international recogni-

A father carrying his young daughter in the town of Pibor, South Sudan.



PHOTO: SVENN TORFINN/PANOS

tion of secessionist movements. The case of Somaliland serves as a clear indication of how geostrategic considerations affect the fate of self-determination. While South Sudan achieved its independence in clear violation of sacrosanct colonial borders, Somaliland, which should have stood to gain from the principle of sacrosanctity of colonial borders, has been unable to secure recognition of its statehood. Does the independence of South Sudan herald a new era in which people's rights assume priority over the territorial integrity of the state?

THE MAIN ARGUMENT for denying the right to exercise self-determination in postcolonial Africa has been that it will lead to chaos, war and disintegration. Indeed, it was feared that allowing any movement seeking self-determination to secede would have a domino effect that could plunge the entire continent into endless wars. The commonly held view was that the multi-ethnic, multi-religious and multilingual state in Africa could not withstand secessionism. Thus, if peace, security, stability and development were to be ensured, the inviolability of the postcolonial state had to be sustained.

It is now presumed that successful self-determination in South Sudan will bring peace, security and stability to the infant state and beyond, to the region as well as the continent. In this sense, the independence of South Sudan could serve as a litmus test for any future aspirations to self-determination.

The counter-argument is that if secession does not lead to peace, security, stability and develop-

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ment, it is not a course worth pursuing. There is a general apprehension that embedded within every secessionist movement are other secessionist movements that sooner or later may emerge as serious challenges to the emerging secessionist state and more widely. This may unleash yet more quests for secession, further complicating the search for peace, security and stability in Africa.

THE PEOPLE OF the Republic of South Sudan deserve to be congratulated on achieving independence. Nevertheless, well-wishers need to remind them that with independence also comes responsibility. South Sudanese have the responsibility to ensure peace, security, stability, dignity and development not only for themselves, but also for the region and the continent as well. The new nation state faces immense challenges, but it also has huge potential. The latter can be realised if the new nation state takes its responsibilities seriously. These include how it formulates its policies towards its neighbours, the region and the world. The most important will be its relations with Sudan, and how it develops foreign policies that are balanced. South Sudan shoulders a huge responsibility in contributing to peace, security and stability in a region hard-hit by war, conflict, drought and famine.



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South Sudan

The independence of South Sudan was the result of a referendum in January 2011 in which the people of southern Sudan voted overwhelmingly in favour of secession. The referendum was part of the comprehensive peace agreement signed between the ruling National Congress Party and the Sudan People's Liberation Movement on 9 July 2005.

Somaliland

The government of Somaliland claims sovereignty, but these claims are not internationally recognised. The territory was known as the protectorate of British Somaliland until 1960, when it united with the Republic of Somalia. Somaliland has its own president, ministers, parliament, passport, currency and national football team.