STATE, SOVEREIGNTY AND RESPONSIBILITY

KEYNOTE ADDRESS

BY

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TO THE

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ADDRESS BY THE OAU SECRETARY GENERAL
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Mr Chairman,

Hon. THABO MBEKI, Deputy President

of the Republic of South Africa,

Distinguished Ladies and Gentlemen.

Let me at the outset, express my gratitude to the African Centre for the Constructive Resolution of Disputes ACCORD and especially its hardworking and tireless Director, Mr. Vasu Gounden, for the kind invitation, which made it possible for me to be in this beautiful city of Durban, a city that holds so much history and lessons for the triumph of the human spirit over injustice and bigotry.

I am especially delighted this time around, as always to be in the midst of so many of my old friends, colleagues and distinguished Africanists, as well as great African leaders and scholars, who have in so many ways, these past years, devoted their time, vision and energies to the shaping and advancement of our common African humanity.

This Conference on Peacemaking and Conflict Resolution, could not have been better timed - and the location could not also be more appropriate. In 1990, the OAU Assembly of Heads of States and Government, adopted the landmark Declaration on the Fundamental Changes in the World and their implications for Africa. The adoption of that Declaration was not only an important breakthrough for the OAU, but represented a more dynamic approach to concepts of sovereignty and principles of non-interference. For the first time, a new political approach and institutional dynamism was introduced into the ways Africa dealt with the scourge of conflicts on the Continent. The decision therefore, to establish in 1993, an OAU Conflict Management Mechanism, was primarily aimed at giving the 1990 Declaration an operational context.

In the course of the last two years, the OAU has focused its attention on the operationalization of the Mechanism and generally, undertaking pro-active initiatives aimed at Conflict Prevention and Resolution. In this endeavour, I am glad to acknowledge the positive contributions, support and enthusiasm of our Member States and the roles of African Institutions like ACCORD, which have distinguished themselves by contributing towards the democratization and reconciliation in our Continent. We believe that in sharing a common platform and commitment to bring about a new dispensation, what

seemed like insurmountable challenges can be overcome through our collaborative efforts. This belief has now been reinforced by the timing and theme of this Conference, as well as the serious exchange of ideas which is envisaged from the presentations and discussions during the course of the next few days.

Returning to South Africa almost <u>one year</u> after my last visit to this great country is indeed an exhilarating and rewarding experience for me. For contrary to the negative predictions of the die-hard pessimists, our faith in South Africa's ability to successfully manage the delicate transition from apartheid to a multi-racial democracy, has proved well-founded, and flourished. Indeed the holding of this Conference in South Africa is a testimony to the progress that has been made in the area of national reconciliation and forging ahead with new dispensation notwithstanding the formidable obstacles and challenges that still lie ahead.

I accepted the proposal by Accord for me to share with you my thinking on the theme **"State, Sovereignty and Responsibility"** because of the current debate and apprehension both within and outside Africa concerning the stability of the African State System. I believe that at a time when many are making much out of the

so-called failed States of Africa and the attendant media-created Afro-pessimism syndrome, we as Africans should be able to take a second look at the whole concept of the African State, sovereignty and how we have faired in terms of the responsibility of our sovereign States to the generality of our peoples.

In undertaking this task, I believe that the starting point should of necessity be the struggle of Africans to secure their liberation and sovereignty. In laying the foundations for the newly emerging States, African leaders as far back as 1958 in Accra, Ghana, proclaimed that "in the interest of peace which is so essential, we should respect the independence , sovereignty and territorial integrity of one another". This declaration was made against the backdrop of what some people have referred to as the "element of artificiality" in some of the new States of Africa, characterized by many fragile frontiers and the division by arbitrary colonial partition of many cultural communities.

Thus it was that in the 1960s, the anxieties as well as the hopes awakened by the surge to independence and the nature of political mobilization gave rise to serious challenges for the emerging States in Africa. Indeed since the colonial State

which was the percussor of the modern State in Africa, there had been an imperative need to deal with issues like self-determination and build up machineries that would assist the new States to adapt to the needs of their particular societies and pursue developmental goals, rather than serve the interests of the erstwhile metropolitan power.

In coming together to form the Organization of African Unity in may, 1963, the twin issues of sovereignty and Statehood exercised the minds of those who drafted the OAU Charter, and most definitely the minds of the Founding Fathers of the OAU. Against the backdrop of the balkanization of the Continent, Africa needed to come out with a formula that would secure and protect their newly won freedoms from external and internal manipulations, thus safeguarding their independence. It was therefore hardly surprising, when at the 1964 Cairo OAU Summit, African leaders asserted an affirmative obligation on OAU Member States to defend the sovereignty and territorial integrity of all African States. This assertion confirmed in no uncertain terms, the provision in the OAU Charter for an Organization of sovereign and juridically equal States.

Without any doubt whatsoever, the building of the

African Nation State has been a major achievement, in spite of the claims by some that the newly independent States were superficial States, long on flags and national anthems and short on almost all the critical elements which would normally characterize Nation-States emerging from long spells of oppression and exploitation. Such arguments completely ignore the prevailing reality at the time, that the newly emerging States had no democratic traditions to fall back on. It is a well known fact that one of the legacies of colonialism was the emphasis that the institutions of State placed on law and order.

The political systems that were created after independence therefore, tended to be strong centralized States dominated either by single parties or personalized rule backed by the military. The serious task of Nation building thus fell on the shoulders of these elites, some of whom failed to develop appropriate paradigms for the development of their new States and consequently, promoted a dependency syndrome, as well as preserved in tact the colonial, political, military, economic and cultural institutions as well as the ethos and traditions underlying them.

This situation was not helped by the State-centred

notion of over centralized planning in post-independence Africa, which assumed that the State knew what the people wanted and the resultant distortions of the process of State formation, which provided the context within which tensions and conflicts were generated. In justifying the need to preserve national unity, some of the new States of Africa allowed the preservation of ethnic hegemony rather than national pre-eminence.

While it may be true that a few States in Africa remain inchoate, weak and under-developed, there is really no justification for the treatment of Africa - as if it was one homogeneous entity. Indeed, the reality is that each African State has had a different experience directly relevant to its history and leadership, even if the problem of creating effective national institutions for unity and development continues to be a major source of friction in all of our countries.

In acknowledging that some countries have been more successful than others in undertaking political and institutional reforms and therefore discharging their developmental functions, it is also true than often, some African States have been an arena for social conflict because of the lack of national

consensus on the goals and purposes of development, as well as the lack of democratic institutions, which allow for full participation and through which such a consensus can be reached. Most of these States I am referring to, had become centralized systems which limited representation and effective participation in national policies and alienated the people from their leaders. In many of the new States that emerged on the Continent after independence in the 1960s, there was a lack of accountability which encouraged corruption and nepotism, which in turn bred resentments and political grievances without any proper means of redress.

I think it will be stating the obvious by saying that some post-colonial African States tended to be authoritarian and prone to political excesses, rigidities and violations of human rights which in a few cases reached gross proportions. In such cases, these flaws have been a recipe for political agitation against governments and precipitated political conflicts.

In assessing the responsibility of the African State it is important to measure success or the lack of it against a universally accepted set of criteria such as: the creation of a political climate that

tolerates the right of dissent, accountability to the public, transparency of government activities, independent and honest judiciary, enforcement of rules and regulations, provision of social and economic services, democratization, press freedom, curbing militarism and improving accountability and control in areas such as public employment and private as well as public finance.

In spite of the fact that the historical and political problems which I had referred to earlier had been compounded by economic problems which have hit many African States particularly in the late seventies and the decade of the eighties, many of our States had recorded a satisfactory economic performance. There is no doubt at all that Africa recorded positive development two decades after the attainment of independence in the nineteen sixties, with impressive improvement in social services such as an infant mortality, life expectancy, high literacy and educational improvement, specially between 1960 and 1980.

Unfortunately, economic problems began to impact negatively on the progress made by the States of Africa, especially after 1980 when most of our countries were adversely affected by the world

recession which in Africa became an economic crisis.

Indeed as far back as 1991, the human development report indicated that our regions specially sub-Saharan Africa, recorded negative growth throughout the 1980s when GNP per capita was falling by an average of 2.2% per year. About the same time also, real wages fell by 30%, while food production decreased due to a combination of factors including inappropriate food production strategies, periodic droughts as well as distribution and storage problems.

The political implications of the economic and social stagnation was far reaching. In many countries, economic malaise and social dislocations, generated social tensions and political discontent against governments, thereby aggravating political conflicts. This combination of economic difficulties, social unrest and political violence had implications which extended outside the borders of many African States and led many to question the sovereignty and statehood of many of our countries.

If the period of the sixties and seventies was the golden era of asserting statehood, sovereignty and independence, the eighties and beyond marked the period of the deepest socio-economic crisis in the

history of the Continent, as the effects of wrong policies, mal-administration, mismanagement, corruption and nepotism as well as an unfavourable global economic condition, began to take hold.

In the international market place, it became obvious that while the price of imported goods were increasing by leaps and bounds, the demand for African primary products had been shrinking with their prices on the international market declining. Factories began to operate at extremely low capacity utilization, due to the inability of African States to import the necessary spare parts and other inputs, resulting in the local manufacture of goods reaching a trickle. Agriculture was not spared either, as output declined in absolute terms and relative to the rate of population growth. The severe contraction that African States had been experiencing over such an extended period, is having its most deleterious effects on the most important segment of the Continent's population - the youth, whose enthusiasm and creative aspirations, is gradually being replaced by hopelessness, apathy and despair.

Coupled with this, is the external debt burden, which today represents a massive hemorrhage affecting Africa's economic health and sovereignty. To compound

the situation, the creditor nations and the international financial institutions have insisted that African States rigorously implement Structural Adjustment Programmes, which entail cutting back on public sector expenditure, eliminating subsidies on essential commodities and reducing the number of government employees among other conditionalities.

In most African States, the implementation of these conditionalities have brought about disastrous social unrest and upheavals often culminating in conflicts and violent change of government. It is therefore hardly surprising that many African States and their institutions have been in the decline, with a few being unable to implement their regulations effectively throughout the territory under their control. In some cases, some States became less capable of exerting a top down, hegemonic control over the societies they are supposed to govern, because State efforts to increase economic opportunity coupled with structural adjustment programmes widened disparities.

Despite the weakness and vulnerability of many African States, African boundaries had acquired international protective security by the end of the

third decade of independence with elements of
stability being sufficiently institutionalized in all
but a few. I do not therefore subscribe to the notion
that the sovereignty of many African States is either
decaying or fairly shaky for even though national
sovereignty in some respects is still unravelling and
the nature of sovereignty and autonomy in the
international arena is changing, most African States
have remained the legally sovereign entities that they
were at independence and therefore sovereignty
continues to reside purely or centrally with our
national States.

Of course, it is fairly accurate to state that
sovereignty in the 1990s is becoming looser and more
complex than at any time in the past. It is also true
that questions have been raised on the level of State
power over the economy, as States especially those in
Africa, turn their attention to the search for
national economic well-being in an increasingly
volatile economic system, to the extent that their
preoccupation with the tradition of territorial
integrity is almost accorded a secondary status. The
resultant effect of this development is the emergence
of competing and multiple sovereignties, at the macro
and micro levels of sovereignty, as evidenced in the
macro regional discussions in the African Economic

Community and micro-regionalism in the sub-regional economic groupings.

There is, therefore, a sense in which the concept of sovereignty in Africa will continue to reflect the dynamic and changing processes that are taking place in the Continent. Clearly, the politics of the 1990s will demand more collaboration between African States to deal with trans-boundary problems that, for example arise from conflicts, social and environmental problems that have fundamentally changed the way that States related to each other. Additionally, today, collaborative management of the Continent's economy is needed because of the greater interdependence of our different economies. This need to co-operate will most definitely change in some ways, the nature of sovereignty in Africa, for whereas States will continue to remain the principal actors in Africa, they will not now be the only actors. National economies are under much less political control than they were in the past, following the complicating effects of non-State actors and the role of new problems - economic, conflict and the environment. Our Continent today, is characterized by a juxtaposition of opposites - the desire for order on the one hand and the desire for change on the other.

Given all the constraints and dilemma which confront the contemporary sovereign African States, questions are bound to be asked and have indeed been asked, as to the nature of the responsibility of the African State to its people. It is my firm conviction and contention that the large majority of our countries have been engaging in internally generated and unique changes to improve the lot of the peoples of Africa. For this endeavour to succeed, it is crucially important that as Africans and as friends of Africa, the bonafides of these changes be not only acknowledged, but supported.

It is important to continue to support and lend legitimacy to the development of responsive nation States in Africa, for not only do such States encourage ethnic intermediaries to frame their demands in moderate terms, but they facilitate action before reformist possibilities have been eclipsed by the emergence of intransigent opposition and conflict. I believe that State responsiveness lends an indispensable aura of legitimacy to the political system, creating the time and space within which potential adversaries can develop new perceptions about one another and in the process, open up new possibilities for co-operative behaviour.

In this connection, I wish to acknowledge the increasing acceptance of member States of the OAU to ensure popular participation and responsive governance on the Continent, at a time when the tasks of balancing political liberties and maintaining law and order, as well as the integrity of the State are proving difficult. Increasingly, factors of religion, ethnicity, race, regionalism and even clanism are emerging alongside political liberation.

The challenge now is how to maintain the balance between upholding these factors of identity of individuals and people, and safeguarding peace and unity within the States. This determination is increasingly, also assuming critical importance, as the emerging African democracies have to cope with the engaging tasks of economic reform alongside political liberalization.

It is a well known fact that economic reforms which entail cuts in public spending have brought much social strain as governments have had to pay less attention to such key sectors as education and health in terms of funding. This state retreat from the social sector which has taken place in tandem with job

cuts, has polarized society, and at times, tested to the limit, the States' ability to maintain law and order.

Clearly, African States in dealing with the changing nature of the international environment, as well as the realities and the challenges confronting the Continent had opted for a home grown democratization process which was not necessarily the result of external pressures, but the conscious decision of the people in fulfilment of their legitimate aspirations. This process had further resulted in new State responsibilities, including the need to nurture a culture of tolerance. Safeguard human rights, ensure peace, stability and economic development.

There is also an increasing awareness that economic development cannot take place in an environment of conflicts. Good governance must imply that the responsive State should facilitate conflict management by giving national, ethnic and regional intermediaries an increased opportunity to pull back from inflexible positions which could lead to a destruction of the State.

In general terms therefore it could be stated that the State which makes the survival of its own people unbearable or violates the human rights of its citizens including especially, women and children, cannot be described as a responsible one. Similarly, the State which provokes through its actions of omission or commission, the large exodus of its own people, the internal displacement or the outflow of refugees into neighbouring countries has not only lost its responsibility to the people, but violated and abused the sovereignty of the receiving States and neighbours.

In conclusion, it is fair to point out the fact that even if the issue of sovereignty was for many years a very sensitive subject and almost a no-go area at the OAU, recent developments, particularly the adoption of the Mechanism on Conflict Prevention, Management and Resolution, has opened the way for an increasing flexibility on the part of Member States. I believe that Africa is undergoing a fundamental and dynamic process of change. In dealing with issues such as popular participation, responsive governance, non-interference, sovereignty, and how to safeguard independence and Statehood, what was considered to be impossible only a few years ago is now manifesting itself throughout the Continent.

The process of democratization is gaining momentum and it is my firm belief that this process is irreversible. New and dynamic leaders are emerging on the Continent and challenging the old order, politics of rigidity is giving way to flexibility and even if economic problems have tended to compound and have inhibitive effects in the democratic process, change is about the only permanent feature on the Continent. Our experience in the last one year, has given us reasons to be hopeful about the future of Africa. I believe that as more and more of our member States seek OAU's mediation in resolving their internal problems, as well as the Organization's involvement in elections monitoring and other activities, we shall be able to work around the question of sovereignty and non-interference. My final prognosis therefore, is that the future of our Continent looks bright not withstanding the few dark spots which have been a serious indictment of how we have discharged our responsibilities to our people.

Finally, having travelled through the length and breadth of this great Continent and witnessed at first hand the resourcefulness of our people, it is my firm conviction that given the preference for popular participation in development, the democratization of our societies, the abandoning of monolithic models of

developments and the reform of the State, an enabling environment will be created for the flourishing of the sovereign African State, in which the African will have the power to plan and make choices about his or her economic well-being and those of succeeding African generations.