

Are international relations governed by laws or by 'Realpolitik'?

Carrie Yang

International law offers the scaffolding of a rules-based order through normative ideals, but in the construction of global politics, it is realpolitik¹, shaped by power, strategy, and self-interest that ultimately prevails. This contradiction is not incidental but systematic and is sharply illustrated by the international response towards Biafra's bid for statehood during the Nigerian Civil War.

"For two years, we have withstood his assaults with nothing other than our stout hearts and bare hands."² With these words on June 1st, 1969, Chukwuemeka Odumegwu Ojukwu, President of the Republic of Biafra, captured the spirit of resistance in the Ahiara Declaration. Ojukwu's Declaration was issued in the final year of the Nigerian Civil War, which was not a direct proxy war between the United States and the Soviet Union, but rather a civil conflict between the Nigerian Federal Government and the Republic of Biafra, a state declared by the Igbo people.³ Biafra's determination to survive amid overwhelming military pressure and a humanitarian crisis was the resonating message throughout the Declaration. Although Biafra met the core requirements for statehood, its bid for international recognition failed.⁴ This choice was

¹ Realpolitik is a German term meaning "realistic politics". It refers to a system of politics or principles based on practical and material considerations rather than moral or legal ideas.

² Emeka Ojukwu, "The Ahiara Declaration: The Principles of the Biafran Revolution" (speech, Government of Biafra, Ahiara Village, Imo State, Biafra, June 1, 1969).

³ Femi Omotoso and Michael Kehinde, eds., *Democratic Governance and Political Participation in Nigeria 1999–2014* (Spears Media Press, 2016); J. N. C. Hill, *Nigeria since Independence: Forever Fragile?* (Hounds mills, Basingstoke: Palgrave Macmillan, 2012).

⁴ The Montevideo Convention, adopted in 1933, established the standard criteria for statehood international law. It defines a state as possessing a permanent population, a defined territory, a government, and the capacity to enter into relations with other states. These criteria are widely recognized and used in international law to determine whether an entity qualifies as a state. See: *Convention on Rights and Duties of States* (Montevideo Convention), signed December 26, 1933, art. 1, accessed May 22, 2025, <https://www.ilsa.org/Jessup/Jessup15/Montevideo%20Convention.pdf>.

dictated by the strategic interests of global powers through Cold War alliances, oil interests, and legal norms favoring territorial integrity and geopolitical stability, a trend of the dominance of realpolitik in global affairs, which continues to affect unrecognized states like Somaliland.

Cold War rivals, particularly the USSR and the UK, shaped the international response to the statehood of Biafra, as these major powers found themselves both prioritizing realpolitik interests over Biafra's self-determination. In the 1960s, Cold War tensions turned Africa into a strategic playing field. Long-standing ethnic rivalries exacerbated by Britain's colonial amalgamation, the 1966 counter-coups and anti-Igbo massacres, and the struggle over who would control the newly discovered Nigerian oil revenues all contributed to the drive for Biafran independence. After secession, major international actors intervened in the conflict to pursue their own strategic goals.⁵ Britain supported the government of Nigeria in securing its interests in oil and territorial unity, while the Soviet Union supported Nigeria in spreading its influence in Western Africa. Pakistani freelance journalist Mustafa Zubeida describes this dynamic in her article, *The Nigerian Dilemma*: “[t]he Soviet Union has again declared, as it did in the past, that it acted on the view that attempts to dismember the Federal Republic of Nigeria run counter to the Nigerian people's national interests and the interests of peace.”⁶ The USSR typically supported anti-colonial movements, stemming from the USSR's ideology of proletarian internationalism and its opposition to imperialism and capitalism. The Soviet Union could have utilized Biafra to expand its influence; however, it chose stability and to align with Nigeria's federal government instead, a reflection of realpolitik demonstrating how Cold War alliances strayed from

⁵ “1966 Anti-Igbo Pogrom.” *Language and Conflict in Political History*, accessed May 22, 2025, <https://www.languageconflict.org/event/1966-anti-igbo-pogrom/>.

⁶ Zubeida Mustafa, “THE NIGERIAN DILEMMA,” *Pakistan Horizon* 22, no. 2 (1969): 148, JSTOR; Zubeida Mustafa, *Zubeida-Mustafa.com*, accessed May 18, 2025, <https://www.zubeida-mustafa.com/>. She became one of the first women to work in the country's mainstream media when she joined the *Dawn* newspaper in 1975.

ideological lines but instead followed their strategic interests, such as maintaining influence in resource-rich regions and countering Western power. Nigeria had not only been a British colony before 1970 but also relied heavily on British economic and military aid in the post-independence years. By opposing Biafra's proclamation, the Soviet Union strengthened the Nigerian Federal government by providing arms shipments, training, and political legitimacy on the international stage. This tug-of-war over Nigeria's unity underscores how Biafra's claim for recognition was thwarted not by its lack of qualifications but by strategic oil interests and the priorities of superpower alliances.

Legal principles such as *uti possidetis juris* reinforced colonial borders, providing convenient justification for the denial of recognition of states like Biafra.⁷ This was a tactic used by political leaders out of convenience, as they failed to engage meaningfully. Professor Freddy D. Mnyongani's journal article, "Between a Rock and Hard Place: The Right to Self-determination versus *Uti Possidetis* in Africa," emphasizes how the principle of *uti possidetis* has been instrumental in preserving the territorial integrity of newly independent African states by maintaining colonial borders. He writes: "[t]his principle is often used to deny claims of secession and self-determination."⁸ Mnyongani's observation highlights the tension between legal-political stability and the ethical imperative of self-determination, emphasizing *uti possidetis* as a tool to maintain colonial borders. The Organization of African Unity's unchanged

⁷ Wex Legal Encyclopedia, s.v. "Uti possidetis juris," Cornell Law School Legal Information Institute, accessed May 14, 2025, https://www.law.cornell.edu/wex/uti_possidetis_juris. *Uti possidetis juris*, a Latin phrase meaning "as you possess under law," is a principle of international law that dictates how newly formed states should inherit their borders and serves as a way to ensure stability and prevent conflicts.

⁸ Freddy D. Mnyongani, "Between a Rock and a Hard Place: The Right to Self-determination versus *Uti Possidetis* in Africa," *The Comparative and International Law Journal of Southern Africa* 41, no. 3 (2008): 463, JSTOR.

attitude toward the Nigerian War similarly gave unequivocal support to the federal cause.⁹ In September 1968, they appealed to the secessionist leaders to cooperate with the Federal authorities to restore peace and unity in Nigeria.¹⁰ By “unequivocal support to the federal cause,” the OAU implicitly endorsed the existing colonial-era borders inherited at Nigeria’s independence. Despite Biafra’s compelling grievances, nationhood was outside the realm of acceptability. Mustafa argues that the OAU’s appeal to cooperate with federal authorities in order to restore peace framed Biafra’s secession as a threat to the continental border and not a remedy for injustice. The OAU disguised a pragmatic defense of state power as a legal principle, turning realpolitik into a rhetoric of borders.

There are some who would argue that the rejection of Biafra’s recognition was not an act of political self-interest but rather rooted in genuine interests in terms of postcolonial peace and stability, as endorsing separatist movements could have triggered a chain reaction of violent fragmentation across Africa. However, while these concerns do not come without merit, this reasoning falls apart when we consider the inconsistent history of international response towards the behavior of a state. The case of Kosovo has received international recognition despite similar concerns about stability. Kosovo was a breakaway region of Serbia that declared independence in 2008 after years of violent repression, ethnic cleansing, and failed negotiations.¹¹ International lawyer and academic Marc Weller’s analysis of Kosovo in his paper titled “Contested Statehood:

⁹ Monde Muyangwa and Margaret A. Vogt, *An Assessment of the OAU Mechanism for Conflict Prevention, Management, and Resolution, 1993–2000* (New York: International Peace Academy, November 2000). The Organization of African Unity (OAU) was a regional institution formed in 1963 to promote African unity and solidarity. It aimed to eradicate colonialism and apartheid, maintain African sovereignty, and foster the peaceful resolution of conflicts.

¹⁰ Mustafa, "THE NIGERIAN," 145.

¹¹ U.S. Department of State, *U.S. Relations with Kosovo*, last modified July 31, 2013, <https://2009-2017.state.gov/p/eur/ci/kv/c24701.htm>.

Kosovo's Struggle for Independence" demonstrates that international powers prioritized political context over consistency, noting that Kosovo's independence "became internationally acceptable" due to Serbia's "inflexibility" and atrocities show how human rights violations only justified recognition when it aligned with Western interests such as weakening Serbia, a Russian ally.¹² This contrasts with Biafra, where the suffering of the Igbo people was ignored, showing how major powers cherry-pick crises to justify their choices to intervene or refrain based on realpolitik, not legal norms. Furthermore, Weller explains that while questions of applicability rose regarding Kosovo's independence, "states supporting Kosovo argued that it was a *sui generis* case and not a precedent for action in the future".¹³ This supposed "unique case" is hypocritical, as those who backed Kosovo insisted it was "not a precedent", while Biafra's identical claims were dismissed, proving the *sui generis*¹⁴ label as a tool to mask double standards. This duality proves how recognition hinges on power, as Kosovo's independence served a vantage point for Western aims to weaken Serbia, while Biafra's independence threatened Cold War alliances and Nigerian oil. Here, international law becomes malleable under the pressure of realpolitik.

Although Biafra fulfilled many of the Montevideo Convention's criteria for statehood, international powers willfully ignored these fulfillments, demonstrating how realpolitik, not law, ultimately determined recognition of a state. Legal standards were weaponized to justify their support for Nigeria's territorial integrity. Kissinger's memorandum described how Biafra practiced effective control over territory, maintained a government, and sustained a military, all

¹² Gezim Visoka, Marc Weller, and James Ker-Lindsay, *St Antony's International Review* 6, no. 1 (2010): 194–97, <http://www.jstor.org/stable/26227079>.

¹³ Ibid.

¹⁴ "Sui generis" is a Latin phrase that translates to "of its own kind." It describes something that is unique, singular, or of its own special class, not easily categorized within existing systems or classifications.

elements that meet the Montevideo Convention's conditions for statehood.¹⁵ Despite this de facto status, major global powers still refused recognition, revealing how the Montevideo Conventions were not applied consistently. American urbanist and public-policy scholar Gary Gappert states in his article written in 1969, "Washington Notes on Africa," that "[t]he State Department...is still infatuated with the illusion of a dynamic Nigeria which perforce must be tightly integrated."¹⁶ This reveals how the U.S. clung to an idealized version of Nigerian unity, using it to justify the refusal of Biafra's recognition. While the Soviet Union supported Nigeria in maintaining regional influence and stability in West Africa, and the UK prioritized preserving its oil interests, humanitarian concerns were secondary to legal consistency and geopolitical strategy in the U.S. All three powers, though distinct, converged in their refusal to recognize Biafra. While smaller African nations such as Tanzania and Zambia extended recognition on moral and legal grounds, the U.S and U.K. rejected Biafran statehood strategically in order to prevent a "ripple effect" of secessionist movements across the continent.

Biafra's diplomatic failure was a result of an international strategy that valued geopolitical stability and maintaining colonial borders over recognition of new states, despite those borders no longer existing. Mustafa argues that the US described Nigeria as a British 'sphere of influence', showing how postcolonial Africa remained within former colonial and superpower interests.¹⁷ The U.S was not willing to disrupt Britain's regional authority, portraying how superpowers respected each other's zones of influence beyond international legal norms. Even as the Biafran humanitarian crisis escalated, the US remained restrained. Furthermore, the

¹⁵ White House, *Status Report*, 3.

¹⁶ American Committee on Africa and Gary Gappert, "Washington Notes on Africa, Jan. 1969" [Washington Notes on Africa], *Washington Notes on Africa*, January 1, 1969, JSTOR.

¹⁷ Mustafa, "THE NIGERIAN," 148.

American Committee on Africa exposes tensions within the US foreign policy.¹⁸ The presence of internal conflict within the department shows that while some pushed for a more responsive approach, policymakers continued to prioritize geopolitical continuity and alliance cohesion, trumping moral imperatives. Additionally, Kissinger's memorandum further reveals how relief efforts were subordinate to political decisions. He wrote, "[U.S. relief coordinator] Ferguson is quietly pursuing one outside chance—a river corridor for relief... Even if the military obstacle is cleared, there are still major problems with politics."¹⁹ Although this is not an explicit admission of deference to British interests, it illustrates how relief took a backstep as a result of larger political calculations. In the context of the Cold War, maintaining solidarity among Western allies, especially Britain, was seen as essential to countering Soviet influence and preserving regional stability.

The case of Biafra illustrates how recognition remains a political tool wielded by powerful states, a reality that continues to affect unrecognized modern states like Somaliland. Like Biafra, Somaliland has met many of the criteria for statehood but continues to be denied international recognition due to the strategic and political interests of major powers, reinforcing that international relations are governed by realpolitik rather than law. Ojukwu openly challenged this double standard in the Ahiara Declaration: "The right to self-determination was good for the Greeks... Yet it is not good for Biafrans because we are black."²⁰ Ojukwu makes an argument against racial double standards, connecting to how Somaliland is denied international recognition because its independence interferes with international interests, not for failing to meet standards under law. Professor Patrick C. R. Terry notes how international powers adhered

¹⁸ American Committee on Africa and Gappert, "Washington Notes," 3.

¹⁹ White House, *Status Report*, 3.

²⁰ Ojukwu, "The Ahiara."

to colonial borders as they feared a “domino effect” of international secessions. Terry argues that other states, such as France and Spain, are hesitant to support secessionist movements by extending recognition, as most states fear it could destabilize the international system and encourage separatism at home.²¹ Terry’s critique emphasizes how political considerations took precedence over legal recognition. France and Spain have their own separatist threats in Corsica and Catalonia, respectively, showing international willingness amongst states to stifle secessionist pursuits to ensure system stability. Biafra and Somaliland, despite differing in context and era, both show how recognition is withheld not based on principle, but out of convenience, fear, and the aim to uphold power.

The case of Biafra and its modern echo in Somaliland reveal that international law is subordinated to realpolitik, a recurring pattern in international relations. Though both Biafra and Somaliland satisfied the Montevideo Convention’s requirement for statehood, Biafra was refused independence based on Cold War alliances, oil reserves, and fear of letting loose a chain of secessions in Africa and internationally. A justification that is still used to marginalize Somaliland today. The international community’s use of *uti possidetis juris* and polarization of stability over self-determination reflects structural hypocrisy: the right to self-determination is suppressed only when powerful interests or territorial borders are threatened. This reflects a world where sovereignty is selectively conferred, perpetuating the dominance of existing major powers, relegating secessionist states to a permanent limbo of an unrealized statehood. Unless the international system can reconcile its professed commitment to self-determination with its

²¹ Patrick Terry, LL.M. (University of Kent); Ph.D. (University of Kent); Professor, Faculty of Law, University of Public Administration Kehl, “Recognition of States and Governments in International Law,” *Potchefstroom Electronic Law Journal* 18, no. 5 (2015): 1973–2000, 93.

fear of fragmentation, unrecognized states will continue to be victims of an unequal and politically driven regime of recognition.