

SOMALIA: ALTERNATIVE SCENARIOS FOR POLITICAL RECONSTRUCTION

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ABSTRACT

Somalia, which for most of the 1990s lacked most of the institutions of a central state, is gradually being recomposed. However, there is no consensus on how it is to be rebuilt. A new provisional government in Mogadishu seems to aim for the restoration of a centralized state. In other parts of the former country, such as in Puntland and Somaliland, there are other views of reconstruction. The views of the main international actors will be crucial in deciding the outcomes of these various initiatives.

FOR OVER A YEAR, SOMALIA HAS AGAIN HAD A PROVISIONAL GOVERNMENT and parliament and by virtue of that possibly the renewed beginnings of a central state — but not everyone is equally pleased with it. In August 2000, almost ten years after the fall of the Syad Barre regime and the ‘stateless’ period which followed the complete collapse and fragmentation of the erstwhile Somali state system, a new interim president, Abdiqassim Salad Hassan, was installed in Mogadishu, followed in October by the appointment of an interim premier, Ali Khalif Galaydh, who was charged with the formation of a transitional cabinet of national reconciliation. Galaydh’s 84-member cabinet was to last only 13 months, however, as it was toppled in a vote of no confidence in the interim parliament on 28 October 2001. Following this, President Abdiqassim began with the formation of a new government, trying to include factions that had hitherto remained unrepresented.

During its first year in office, the transitional government manifested itself publicly mainly through calls for national unity and reconciliation, to be achieved either through ‘dialogue’ or ‘by force’. At the same time it was reported to have been receiving substantial gifts and loans from Saudi Arabia — which other reports say landed largely in the wrong ministerial hands¹ — and to have been actively engaged in the purchase of arms, especially from Ukraine. Meanwhile, internal conflicts continued and even increased in gravity during 2001. Among other things, various rounds of skirmishes within and outside the parliament have been noted. The issue is that neither the provisional government nor the parliament has been recognized by a number of important political groups and stakeholders.

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1. Integrated Regional Information Networks (IRIN), 29 June 2001. UN Office for the Coordination of Humanitarian Affairs, news releases.

These notable new departures in the Somali context (at least the renewed installation of a 'national' government) followed a Somali peace conference which from May 2000 had taken place over a three-month period in Arta in neighbouring Djibouti, at the initiative of that country's president. Reportedly, over 2,000 delegates took part in this peace conference, electing a 245-member Transitional National Assembly (after some initial dispute, finally on a clan basis), which in turn nominated the new 'transitional' president. The process of the peace conference as well as the subsequent efforts to form a government were closely followed, and supported, by the United Nations and the international donor community, and monitored with equal interest, though for different reasons, by the Arab League and various neighbouring states. Internationally, 'Arta', which had at first seemed an unlikely initiative to succeed, soon appeared to be gaining recognition as the new preferred policy line for the 'normalization' of relations within the war-torn region. It was reconfirmed on several occasions, most recently in Presidential Statement S/PRST/2001/30, adopted by the United Nations Security Council in a 12-minute meeting on 1 November 2001.

Whether these developments will actually lead to the emergence of a *viable* political structure in Somalia still remains open to question, however. Whether they are actually *desirable* is another, in fact even a primary, question to be answered. Regarding the question of viability, it should first be noted that by no means all Somali regions and clans were represented at the Arta conference. Instead, its proceedings were in fact being watched with considerable concern from various regions which took no part in the deliberations. Henceforth, quite fundamental objections to the course adopted there were vented from Somaliland, Puntland and a number of other regions of the former Somali state framework. In October 2000, for example, the new government was urged by several of these regions to refrain from using force in its strivings towards re-unification. Conversely, these voices were dismissed by the Arta camp as 'dissident' and originating from 'faction leaders' who in due course would be brought back into the national fold. The Arta group appeared to take the line that the national reconciliation conference out of which the new government had originated, had been organized without the involvement of the warlords and thus could speak on behalf of the Somali population as a whole. From the regions which did not take part in the conference, however, it was argued that the Arta camp itself represented little more than a faction, and one moreover which was being encouraged by Islamist forces within the Arab world and which appeared to include a relatively large membership that had made itself rather unpopular during the repressive regime of Syad Barre. Various members of the transitional government, including President Abdiqassim Hassan, had served under Syad Barre, and one way of looking at the Arta process would be to see it as a re-manifestation and

re-assertion of the groups that had been dominant within the state framework of that time.

The core of the problem is that insofar as the Arta process signifies a renewed effort towards state formation, or could in principle be regarded as such, it clashes with ongoing though differently premised processes of state formation which have been taking place within the former Somali political framework. These arose in several regions after the failure of repeated efforts, over a seven- to eight-year interval, to re-establish a central authority — most of them undertaken with by no means impartial mediation by one or other of the neighbouring states. Gradually this incapacity had led to the conclusion in a number of quarters that it might make more sense to first put one's own house in order (that is, within the region concerned), and subsequently to consider how relations with the other regions might best be given shape, canton by canton, as in Switzerland or the United Arab Emirates. This alternative course of action had already been developing its own dynamic, leading to the creation of a 'regional' state, with its own constitution and government, in Puntland in the north-east, and to far-reaching aspirations to obtain an equivalent status in at least two other regions, namely, the Rahanwein and Hiiraan regions. A third initiative, in the central Benadir region, failed as it turned out to have been initiated in too much of a 'top-down' fashion.²

These new forms of self-government are characterized by a substantial measure of autonomy and at least in theory are conceived as being constructed 'from below'. However, in Puntland, the first region to embark upon this route and which, relatively speaking, has made most progress with the initiation of new structures of its own signature, there has been a clear aim to give shape to a 'regional' state within a broader Somali framework, federal or otherwise, yet to be formed.³ The United Nations mission for Somalia, operating from Nairobi, had in recent years been cautiously encouraging these developments.

Aside from this, Somaliland, the former British protectorate, which, formally speaking, in 1960 (after enjoying a few days of independence) had voluntarily opted for a union with the Italian-administered UN-Trusteeship Somalia, already indicated in 1991 at the time of the fragmentation of the Somali state system that it was no longer prepared to return to any joint-state framework. Somaliland is a special category. It has now functioned since 1991 as a self-standing state and has repeatedly received positive attention in the international media for the way it has embarked upon post-conflict reconstruction. From about 1993 onwards it has been noted as an

2. *IRIN* news releases, October–December 2000.

3. Martin Doornbos, 'When is a state a state? Exploring Puntland', in Piet Konings, Wim van Binsbergen and Gerti Hesselting (eds), *Trajectoires de libération en Afrique contemporaine* (Karthala, Paris, 2000), pp. 125–39.

island of tranquillity within the Horn of Africa as a whole. In terms of international law Somaliland holds some very strong cards — stronger than, for example, Bosnia some years ago — qualifying it as an independent state,⁴ but it has repeatedly but vainly called upon the UN to grant it recognition. In a number of respects Somaliland's ex-colonial status is comparable to that of Eritrea,⁵ though the international receptions given to the two cases have contrasted markedly. Increasingly, the key question has become no longer on what grounds Somaliland should be internationally recognized, but why it is *not* being recognized and what interests play a role in this regard. In May 2001 a referendum in Somaliland on a new constitution, and by implication on the question of independence, showed an overwhelming majority to be in favour of continued separation from Somalia. The outcome of the referendum, considered by a group of foreign observers to have been conducted in conformity with international standards, in fact ties the hands of the Somaliland government, which is thus no longer at liberty to negotiate re-unification with Somalia.⁶

All in all, it appeared until relatively recently that the Somali map might be gradually transformed into a patchwork quilt of small autonomous states, which at some point in the future might engage in some federal or confederal arrangement, again with the United Arab Emirates or Switzerland as a possible role model. Ample time and flexibility would constitute basic preconditions for the success of such a process, as has been emphasized from various sides.⁷ Such arrangements would have come to look quite unconventional and without precedent, at least in the African context, but then one should not forget that historically and politically the Somali context itself has also been rather unconventional and may well be calling for non-orthodox solutions.⁸

The installation of a new 'national', though theoretically 'transitional', government, which has been appealing to 'dissident' elements to abandon their self-isolation and join the new national strategy, tends to undercut these processes of political reconstruction 'from below' which had begun within the former Somalia. The public statements that have been issued

4. cf. Maria Brons, *Somaliland: Zwei Jahre nach der Unabhängigkeitserklärung* (Institute für Afrikakunde, Hamburg, 1993); Anthony J. Carroll and B. Rajagopal, 'The case for the independent statehood of Somaliland', *American University Journal of International Law and Politics* 8 (1993), p. 653.

5. Hussein Adam, 'Formation and recognition of new states: Somaliland in contrast to Eritrea', *Review of African Political Economy* 21, 59 (1994), pp. 21–38.

6. Matt Bryden, 'Reviving the Somali peace process: perspectives and prospects in the post-Arta period'. Paper presented to the Eighth Congress of the Somali Studies International Association, Hargeysa, July 2001.

7. E.g. Gérard Prunier, 'Réconstruction de la Somalie', *Manière de Voir 55: Atlas 2001 des Conflits* (January–February 2001) pp. 78–81; Bryden, 'Reviving the Somali peace process'.

8. Martin Doornbos and John Markakis, 'Society and state in crisis: What went wrong in Somalia?', in M. A. Mohamed Salih and Lennart Wohlgemuth (eds), *Crisis Management and the Politics of Reconciliation in Somalia* (Nordiska Afrikainstitutet, Uppsala, 1994), pp. 12–19.

back and forth from the new 'central' government, on the one hand, and those of Somaliland and Puntland in particular on the other, seem to point to a rapid hardening of adopted positions with respect to mutual relationships and the question of sovereignty, and these positions can perhaps no longer be abandoned without loss of face. Interim president Abdiqassim Salad Hassan has indicated that he would like to talk to Somaliland and Puntland and in early 2001 received support for this from a few Italian diplomats who — unsuccessfully — were making efforts to facilitate such talks. President Ibrahim Egal of Somaliland, however, stated that he would be prepared to engage in any dialogue only after receiving prior recognition of Somaliland's separation from Mogadishu, while the then president of Puntland state, Abdullahi Yusuf Ahmed, took the line that he would be prepared to take part in a broader discussion between the Arta group and the others only if the possibilities of a future federation could be explored.

In this connection Puntland President Abdullahi lodged a complaint with the UN Security Council in January 2001 about the involvement of the UN in efforts to secure international recognition for the new interim government in Mogadishu, and instead asked for support from the UN in finding a 'fair and practical' solution to the Somali conflict.⁹ In similar vein the Somaliland parliament on 20 January 2001 declared the UN Secretary General's special representative for Somalia, David Stephen, *persona non grata* in Somaliland, on the ground that in his reporting he had been offering a distorted picture of the situation. In response, a UN spokesperson then stated that '[the] commitment to the unity and territorial integrity of Somalia was reaffirmed by the Security Council in its Presidential Statement dated 11 January'.¹⁰ Recently, Secretary-General Kofi Annan has gone one step further. Prior to a full day's special debate in the Security Council on 19 October 2001, Annan proposed the setting up of a Committee of Friends of Somalia, in other words of concerned states and organizations which would assist in the resurrection of the Somali state structures and the establishment of lasting peace. Within this framework, however, it remains to be seen whether there will be any room left for departures other than those which originate from Mogadishu.

During the course of 2001 there was some heightened diplomatic activity and nervousness concerning the future contours of the Somali political context, prompted by news items about arms purchases by the new government in Mogadishu (allegedly with the support of Islamist groups in the Arab world). Partly in the light of the more than routine interest with which the neighbouring states are following the development of relations within Somalia and with Somaliland, a possible escalation leading to renewed

9. *IRIN*, 10 January 2001.

10. *IRIN*, 22 January 2001.

violent confrontations seemed by no means inconceivable. However, following 11 September 2001, an unexpected dimension was added to the conjuncture. For some time already US intelligence had been suspecting Osama bin Laden of cultivating links with Somalia, and possibly of wanting to use it at some point as a safe haven in lieu of Afghanistan. No doubt it would be rather difficult to demand the surrender and handing over of any suspect from a government that itself enjoys only a nominal existence, irrespective of the fact that the Somali terrain and context would not exactly provide an ideal refuge. Meanwhile, some of the 'opposition regions' were accusing the transitional government of maintaining links with and receiving monies from the Al-Qaeda network, claims which Somali interim Prime Minister Galaydh dismissed as 'baseless'. On 19 October 2001, Galaydh had a chance to reverse the charges. In his address to the UN Security Council he pledged his government's firm stand in the war against terrorism, but stressed the need for the international community to provide assistance for it to be successful in its fight against terrorists.¹¹ The amalgam of opposed regions (apart from Somaliland), which have joined forces in the Somali Reconciliation and Reconstruction Council (RRC), henceforth seemed to run the risk of being branded as 'terrorist'. However, following the demise of Galaydh's cabinet only a week later, on 28 October 2001, interim President Abdiqassim re-initiated overtures towards members of the RRC, aided this time by Kenyan President Arap Moi who invited all the parties concerned to a National Reconciliation Conference in Nairobi, preparations for which were to begin on 1 November 2001.

These various issues are currently being added to, and may seem to eclipse, basic questions concerning possible preferences for a 'centralist' approach over regionally based processes of political reconstruction which have been in play for some time. These questions remain unanswered and carry major implications for future state-building strategies in the Somali context. Put differently, would a development based on processes of political reconstruction emanating from the regions and in a sense 'from below' constitute a preferable option over reconstruction with a central authority as the point of departure, and if so, why? Meanwhile, at another, though related, level, the key question is not so much what is preferable but what may prove to be stronger: which forces in favour or against either option are playing a role in the context of the Horn and outside of it, and with what kind of effect? And lastly, one further question is: to what extent does it seem prudent now for the United Nations and the European Union to put their weight behind an — as yet less than perfect — 'centralist' option?

11. SomaliNet news release, 20 October 2001.

The Somali context

For a better understanding of these questions it may be useful to consider the specificities of the Somali context somewhat more closely. In the light of their shared Somali identity — in terms of language, culture and religion and to a large extent also of socio-economic activities and organization, largely oriented towards pastoralism — the Somali have often been referred to by Somali as well as non-Somali authors as one people, a nation even, supposedly more homogeneous than would be true of the populations of most other countries in Africa. In this vein, David Laitin and Said S. Samatar, for example, could entitle their 1987 volume *Somalia: Nation in search of a state*.¹² However, in this respect Somalia and the Somali may be taken to represent a notable paradox. Without denying or wanting to underestimate their common characteristics and mutual relationships, it appears equally plausible to regard Somalia in its broadest sense *not* so much as a nation, which in due course might evolve into a nation-state, but rather as a kind of political arena. Not unlike in the international arena, in which all players theoretically enjoy equal status, here, too, actors in pursuit of their specific interests will continuously keep an eye on the strategies of their opponents. Where opportune, coalitions of convenience with (frequently changing) partners so as to achieve particular objectives, or to prevent opponents' strategies from materializing, will be the logical instrument. Historically this has been the case especially with regard to relationships among pastoralist groups, but in recent times this playing for power has increasingly involved rival militias as well. A common language, culture and modes of organization facilitate such interactions, negotiations and even the particular ways of pursuing conflict entailed by engagement in the struggles in the arena, thus helping to close the paradox. A Clausewitzian imagery of the interchange between political processes and warfare is quite compatible with such patterns.¹³

The main actors in the Somali political process, at least according to one dominant school of analysis, include clans and sub-clans.¹⁴ Although this interpretation has leant too strongly on 'tradition' or 'primordialism' as seen from another perspective, there is no denying that the past few decades of mutual strife have given an impetus to a drastic re-grouping of the population on the basis of clan affiliation within the Somali arena. In fact, under the threat of massive violence a semi-voluntary ethnic resettlement has taken place in a number of Somali regions.

12. David Laitin and Said S. Samatar, *Somalia: Nation in search of a state* (Westview Press, Boulder, CO, 1987).

13. Isabelle Duyvesteyn, 'Clausewitz: een herwaardering — Afrikaanse burgeroorlogen belicht', *Internationale Spectator* 55, 1 (2001), pp. 30–4.

14. I. M. Lewis, *A Pastoral Democracy* (Oxford University Press, London, 1961); I. M. Lewis, *A Modern History of Somalia* (Longman Group, London, 1980).

Within such a context, re-establishing central power and maintaining control over it is by definition a delicate and risky matter. The most painful Somali trauma in this connection still concerns the memory of the Syad Barre regime up to 1991, during which the monopolization of the means of state violence by one of the actors so as to gain a strategic advantage in the struggle with competitors was pushed to extremes. This trauma and the internal rifts it gave rise to continue to play an important role.¹⁵ It explains why many attempts to reconstruct the Somali state system (though having mostly been based on external initiatives) tended to fail out of fear that one or other party might gain undue advantages, as also why each time there are nonetheless renewed interests in making a bid for power. It also makes understandable why, in recent years in regions which were able to claim a certain stability, preference tended to be given to an alternative route which first sought to put one's own house in order.

When weighing the pros and cons of the 'centralist' option as opposed to 'regionalized' solutions, it is as well to remember that the socio-political conditions and structures which made a trauma like that of the Barre era possible, still exist in principle; within the Somali socio-political context there are hardly any countervailing structures or institutions capable of preventing the repetition of a monopolistic appropriation of power. Instead, it can be argued that it is the lack of congruence between the structures of society and of the (centralized) state which in the Somali case led to the crisis and complete fragmentation of the state system.¹⁶ In the rapid process of decolonization and state formation with regard to Somalia in the early 1960s, it appears that one has too hastily adopted a single standard model, paying insufficient attention to the need to search for fitting alternatives. The repetition of such a process, however, now appears to be in the making with the collaboration of the UN and other international actors.

Puntland

For a better understanding of the alternative scenario, of allowing space for state formation processes 'from below', it seems useful to consider briefly the developments which in recent years have been taking place in Puntland.¹⁷ Against the background of the lingering stalemate concerning any possible reconstitution of the former Somali state framework during the 1990s, the idea had begun to gain ground in a few regions that developing political institutions on a regional basis might be a meaningful alternative. In the north-east, this position was prompted by a number of considerations.

15. Cf. Terrence Lyons and Ahmed I. Samatar, *Somalia: State collapse, multilateral intervention and strategies for political reconstruction* (The Brookings Institution, Washington, DC, 1995).

16. Doornbos and Markakis, 'Society and state in crisis'.

17. The following is derived from Doornbos, 'When is a state a state?'

The three administrative regions that make up the north-east, Bari, Nugal and North Mudug, had shared relative political tranquillity since 1991, although Mudug for a spell in 1993 had been the scene of a revival of fierce clashes between rival clan forces vying for dominant power within the region and its main town, Galkaayo. Demographically, the area as a whole is fairly homogeneous, as, except for the Warsengeli sub-clans which straddle the borders with Somaliland, most of the population belong to the Majeerteen, the dominant Daarood sub-clan within the three regions. Many Majeerteen who used to live in Mogadishu had fled to the north-east during the serious strife of the early 1990s, thus causing an unprecedented population increase in places like Boosaaso and other towns. Economically, also, there is a basic complementarity among the three regions, with the predominant economic activity consisting of livestock trade, focused on the port of Boosaaso for export to the Gulf countries, followed by the production and export of frankincense and fisheries. Incidentally, the fact that a majority of the population is engaged in pastoralist activities has in the past had important implications — and limitations — for the role and reach of governance structures, and may do so again in the future: if government structures were to be created in which pastoralist communities have only a marginal role, the resulting state institutions are unlikely to become very viable.

Finally, it was felt and argued that the three regions of Bari, Nugal and North Mudug had gained some (positive) experience in working together since 1991, generally under the unofficial political patronage of the Somali Salvation Democratic Front (SSDF), the main militia force within the north-east. The SSDF, though itself divided into two major political wings, had come to play a unifying role, especially after 1992, when its forces ousted a radical Islamist group which made a short-lived attempt to assert its control over the strategic port of Boosaaso and to gain power over the wider region. Since that time the SSDF has provided an unofficial political umbrella for various collaborative contacts between the three north-eastern regions. Basically, the conclusion to emerge from this was that the north-east by 1998 had fulfilled the main preconditions for making an effort to create its own state framework. A name for it, carrying appropriate historical antecedents, was readily conceived: Puntland.¹⁸

As a prelude to state formation processes specific to Puntland, deliberations on priorities for reconstruction and development had been taking place for some time in different parts of the north-east on the initiative of the Life and Peace Institute (Uppsala) and the UNRISD War-torn Societies Project (Geneva). The aim of these projects had been to assist community representatives to identify policy priorities for social, economic and political reconstruction and rehabilitation. The lively discussions this entailed

18. Cf. K. Kitchen, 'The Land of Punt', in T. Shaw, P. Sinclair, B. Andah and A. Okpoko (eds), *The Archaeology of Africa: Food, metals and towns* (Routledge, London, 1993), pp. 587–608.

were significant in a quite fundamental respect. In the situation of statelessness in which the various regions found themselves, questions of a 'what-first' order naturally commanded great attention. When starting from scratch, where does one begin? With basic security first, to establish a framework for social and economic development, or with key developmental activities first, from which security might emanate indirectly? And how should security itself be understood: as human security in terms of personal and collective well-being and reciprocal care, as one of the few women representatives at the meetings tried to put forward? Or alternatively as physical security, to be given concrete expression through the recruitment of police forces capable of handling issues of law and order? But how can security be established and maintained if there is not first an agreed legal framework and a body of legal instruments to work from? And, last but not least, while proper security forces and other administrative cadres will need to be paid from a local tax base, how can such taxation capacity be installed without having instruments of law and order in place? These and other related questions are, of course, of profound theoretical and philosophical import, though they usually remain confined to the virtual realities of textbook discussion. It is extremely rare to find them debated in concrete non-state situations. It is even more striking to witness this happening with the keen sense of awareness of their implications for the uncertainties and choices people are facing, as was the case in north-east Somalia around 1997–98.¹⁹

In 1998, meanwhile, one important factor enhancing interest in the deliberations taking place in what was to become Puntland, emanated from significant changes occurring within the wider political context of the north-east. As already mentioned, local outlooks on political rebuilding strategies had begun to shift away from the idea that national reconciliation should be attained first and should in turn determine the shape of subsidiary institutional arrangements. Instead, following the frustrations with the proceedings of the Sodere peace process hosted by Ethiopia from late 1996 to late 1997, the Egyptian-led reconciliation strategy in Cairo which succeeded this Sodere phase and lasted from late 1997 until early 1998, and similar efforts previously, the conviction had grown that the north-east should first put its own house in order.

Thus, in July 1998, following almost three months of deliberations, a community conference of the three regions of north-east Somalia, together with some representatives from the neighbouring areas of Sanaag and Sool, declared the formation of a Puntland state as a sub-unit of a future (con-)federal Somalia. A constitution was adopted and a president and prime minister appointed, though not without some hurdles as to who should be appointed to which post. From that moment, Puntland was a fact.

19. Martin Doornbos and Matt Bryden, *War-Torn Societies Project in Somalia* (UNRISD/WSP, Geneva, 1998).

Despite strong initial popular support, the new government of President Adullahi Yusuf has been facing some internal opposition (and indeed was toppled in June-July 2001, allegedly with support from the transitional government in Mogadishu), while the legitimacy of its claims in Sanaag and Sool is disputed by neighbouring Somaliland. The Puntland leadership has not helped its case by claiming that parts of neighbouring Somaliland's territory — the districts of Sanaag and Sool inhabited by the Dulbahante and Warsangeli sub-clans, which are related to the Majerteen — should be integrated with their own. The clash here is one between recognizing clan as a basis for state formation, which has been the Puntland government's position, and taking the ex-colonial boundaries as the point of departure, which has been Somaliland's line. While the candidature of both for recognition as a state — in Puntland's case 'internal' and for Somaliland 'external' — remains a delicate issue, it will not be easy to find a receptive ear internationally for Puntland's position regarding the criteria for state boundaries. However, in the new situation that has arisen following the installation of a transitional government in Mogadishu and the threat this entails to both of them, Puntland and Somaliland appeared inclined to put their mutual differences over Sanaag and Sool on ice. It is as yet uncertain whether Puntland's recent change of leadership will affect its particular state-building strategies.

The question of whether Puntland could or can be called a 'state' is not without theoretical interest.²⁰ In the case of Somaliland there should no longer be any doubt about this. In either case, it is significant that the constitutive processes were able to build on a relatively strong element of participation 'from below', that is, of critical engagement from amongst fairly broad categories within the population which are actively thinking and debating about appropriate constitutional formulas and which if necessary do not hesitate to criticize their leaders. It is this process, with this kind of orientation, which runs the risk of becoming frustrated as a result of the centralized option for Somali state reconstruction which is now being propagated. Only if all the actors involved (and their advisers) are prepared, preferably jointly, to search for a formula which would do justice to Somaliland's rightful claim for recognition as an independent state (with which Somalia might then wish to engage in special collaborative relationships), and if within Somalia proper sufficient space can be created to allow the establishment of autonomous constitutional units like that of Puntland, will there be a chance of a future Somali political framework providing an adequate solution for its specific socio-political context. If such an initiative were to succeed, it could also come to signify an important model function for creative constitutional thinking in other parts of Africa. For a 'central'

20. Cf. Doornbos, 'When is a state a state?'

Somali government, such an arrangement would call for a somewhat unorthodox and inventive role: co-ordinating and mobilizing without, in the first instance, aspiring to power and its exercise. On that score as well, a model function could have its advantages and benefits for the region as a whole. However, whether there will be a chance of such a thing happening remains increasingly uncertain. There is no evidence that the importance of such a strongly decentralized approach would be recognized by Mogadishu. Instead, the new transitional government there is increasingly receiving political and material encouragement from outside to pursue a centralizing line.

The context of the Horn

Assessing the priorities for political reconstruction in Somalia in terms of desirability and viability may come to clash with the prevailing realities. The formation and role of a future Somali political framework are inevitably subjected also to the complex angling for power which determines politics within the region of the Horn. In the present context it is only possible to give a brief summary sketch of this. However, the relatively empty space and role of Somalia within the wider regional field seem to have the same attractiveness for neighbouring parties as a fallow piece of urban land tends to have for property developers.

Among the various contradictions which have a bearing within the Horn and an impact on the future role of Somalia, are those between Ethiopia and Eritrea, between Egypt and Ethiopia, and between the Arab and non-Arab states within the region of the Nile and the Red Sea. Perhaps the most immediately visible implications for Somalia and Somaliland emanate from the opposing interests of Ethiopia and Eritrea. As a dominant power factor within the region as a whole, and still with fresh memories of violent confrontations with Somalia during the time of Syad Barre, Ethiopia has an interest in tranquillity along its Somali borders, and in not having a strong neighbouring state. Thus Ethiopia was recently said to have concerns about fundamentalist-Islamist inroads from the Somali town of Luug, which it countered and pursued well into Somali territory. Another reading of the same confrontations, however, is that Ethiopia was itself trying to prevent alignments between 'external' Somalis and the Somalis within the Ethiopian-administered region of the Ogaden. The bottom line for Ethiopia is that it is prepared to facilitate reconciliation among Somali factions as long as they remain unlikely to constitute a common front. By implication, Ethiopia is, unintentionally perhaps, a potential support for a decentralized, possibly federal or confederal Somali state framework. None of this, however, stops the Ethiopian government from maintaining a more than firm control over the Somali territories within Ethiopia itself, which in the

course of time has accumulated into a deplorable record of human rights abuses.²¹ Meanwhile, of all the states within the region, Ethiopia has gone furthest in its (non-official) recognition of Somaliland, and in entering into agreements with it for co-operation in various fields, such as aviation.

What is 'bad' for Ethiopia is 'good' for Eritrea, and vice versa. Eritrea, itself a unitary state *par excellence*, is naturally supportive of a strong centralized authority in Somalia, which it would welcome as an additional support vis-à-vis Ethiopia. Moreover, it now enjoys substantial material support from the Arab world and hence finds itself on roughly the same line as the new government in Mogadishu. Eritrea is now also re-cultivating friendly relations with Djibouti, which had earlier broken off all relationships with Eritrea when the Eritrean-Ethiopian war broke out in 1998. Djibouti had brokered the new Somali deal and is increasingly adopting a more independent stance from Ethiopia, apparently in search of a more autonomous role for itself in the politics of the Horn.

What is true for Eritrea in the long run appears to be even more true for Egypt: in its almost pathetic desire to control all Nile waters, a strong Ethiopia is in Egyptian eyes a first-order life threat. This is why reconstruction of a strong state in Somalia is one of the key pillars of Egyptian strategies for the 'fallow piece of land'. With its strong influence within the Arab world it appears to be succeeding in mobilizing substantial support for its position on the other side of the Red Sea, though even here a qualification is in order: the opposing interests of Saudi Arabia and Yemen have for some time been reflected on the other side in warmer relations between Saudi Arabia and the new government of Somalia, on the one hand, and between Yemen and Somaliland, on the other.

In the wake of 11 September 2001, however, the tendency has been for all neighbouring parties concerned (apart from Ethiopia) to follow the line of Somali reunification and the resurrection of the Somali (central) state. The transitional Somali government has pledged its determination to fight terrorism and in adopting this position hopes to be able to count on major *a priori* support from international quarters vis-à-vis its internal opponents.

The international context: OAU, EU and UN

Outside the region of the Horn it appears that stereotyped views have been playing as much a role as have strict interests. To begin with, put crudely, there is the conviction that each country must have its own government, and that, if it fails in this respect, some other authority should put things back in order. From this premise to a norm is only a relatively small

21. Mohamud Khalif and Martin Doornbos, 'The Somali Region in Ethiopia: A neglected human rights tragedy', paper presented at the Symposium on Human Rights Violations in the Somali Region of Ethiopia (Ogaden), University of Toronto, 13 November 2001.

step in this particular connection.²² An extension of this view is the idea that peripheral areas in particular, such as those along the Somali coast, should not be claiming any exceptional treatment in this regard. In the ease with which these positions are adopted within as well as outside UN circles, it often appears to be forgotten that one thus collapses and confuses two quite different issues concerning the Somali situation. One is the manner of reconstruction (centralized, federal or otherwise) of a state framework where there is none, or only embryonic ones, while the other concerns the reunification of Somaliland with Somalia, thus negating Somaliland's plausible claims to recognition as a separate state. Furthermore, the positions concerned can easily be reinforced by nostalgic perspectives, or again stereotypes, most notably the idea that a special initiating role would be reserved for the ex-colonial powers, in this case Italy (and respected by the EU), to once again reintroduce a united Somalia into the official world of states. Britain's lack of voice on behalf of Somaliland, whether for fear of being drawn into another special aid relationship or otherwise, is noteworthy in this connection, and in due course may well come to be regarded as a 'second betrayal'.²³ The position of the Organization of African Unity on these matters is well known: no deviation whatsoever from the amalgam of ex-colonial boundaries and state systems in Africa is to be entertained. For Somaliland, however, the sad irony is that even its pleas for recognition on precisely these terms fall on deaf ears, owing to the OAU's scrupulous determination to maintain the *status quo*. Meanwhile, for all their various differences, the clubs of states, especially the OAU, the EU and the UN, tend to share a members only vision, from which they can see the globe only as divided up into formally independent states that are recognized as members.

There is every chance that this vision of the world may come increasingly under pressure, because the underlying realities are less and less compatible with the rigid organizational forms it prescribes. In this regard the confrontations between and around the divergent scenarios for political reconstruction within the boundaries of the former Somali state system are potentially of far-reaching significance. Will Somaliland, Puntland and other, as yet embryonic, political entities which have begun to emerge within and in lieu of the former system, succeed in setting the tone in a movement towards a more flexible and pluriform world order? Or is it more likely that 'the system' will be able to fend off such initiatives towards enhanced flexibility, upholding the prevailing model of the modern state as the only recognizable lawful unit? The question is too complex to suggest simple answers.

22. Cf. Alexandros Yannis, 'State collapse and prospects for political reconstruction and democratic governance in Somalia', *African Yearbook of International Law* 5 (Kluwer Law International, The Hague, 1997), pp. 23–47.

23. The first betrayal is described in Louis Fitzgibbon, *The Betrayal of the Somalis* (Rex Collins, London, 1982).

However, while in the longer run considerable investments will be required in creative constitutional thinking, for the moment, that is, post-11 September 2001, the initiative has evidently been regained by the forces supporting a return to the *status quo ante*. With plans for an externally driven reconstruction of the Afghan state system now well under way, anticipating responses along such lines should no longer come as a surprise.