Reflections on Somaliland & Africa's Territorial Order

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This article examines the arguments for and against reforming the African state system in order to create more viable and peaceful states. It argues that while such a process has the potential to be enormously disruptive, selective recognition of some 'states-within-states', such as Somaliland, does offer promising approaches to more effective governance and more viable and coherent states.

Introduction
On 31 May 2001, the self-declared Republic of Somaliland conducted a referendum on its future. In what has generally been regarded as an accurate reflection of public sentiment, Somalilanders voted heavily in favour of independence from Somalia proper (Initiative and Referendum Institute, 2001). The results were perhaps not surprising. Since the early 1990s, Somaliland has essentially been a 'state-within-a-state'; a political entity which had emerged out of a previously recognised territorial third world state but which lacked formal recognition from the international community. Indeed, Somaliland had already acquired many tangible features of statehood: government

countries but to serve their own European interests. The subsequent commitment to colonial borders was articulated in the Charter of the Organization of African Unity (OAU) which repeatedly makes reference to the importance of maintaining Africa's 'territorial integrity'.[1] In a recent editorial, however, one African scholar Makau Matua, contends that, if democracy is to be realised in countries such as Rwanda and Burundi, partition is necessary. This is because the dominant minority in each case, the Tutsi, will not allow its interests to be jeopardised by the implementation of majority rule. 'Just like Kosovar Albanians and Serbs', Makau Matua argues, 'the Tutsi and the Hutu cannot live together or tolerate each other.' He adds:

A real solution to the Hutu-Tutsi conflict … would be for a United Nations panel to redraw the maps of Burundi and Rwanda to create two wholly new states: one for the Hutu, the other for the Tutsi (Matua, 2000).[2]

Other scholars have echoed these sentiments and called for action to find ways to reduce conflict and reverse Africa's political misery. Michael Chege has argued that, 'Where a people's allegiance to their own ethnic group supersedes that given to the state, it may be time to let them secede or fuse with another state. For what does a country benefit if it secures its boundaries yet suffers perennial bloodshed among its own people?' (1992:153). While some commentators envision a redrawing of borders, others remain open-minded about the forms of political reorganisation that might take place. Chege obviously sees secession as an option which must be considered but, in addition, he proposes federalism as a means of defusing autocratic power. Jeffrey Herbst also declares that alternatives to Africa's existing state system must be considered, and proposes initiating this process by 'publicly declaring that the international community is not blindly wedded to the current state system' (Herbst, 1996/7:133). Indeed, Somaliland's late President Mohamed Haji Ibrahim Egal expressed his own desire to achieve an 'interim status', short of recognition, from the international community so that it could, at least for

a slice of a finite pie, critics of restructuring say, formalised division and redivision of states in an effort to reduce conflict may, in the end, be an exercise that merely perpetuates it.

Other practical problems associated with national self-determination and economic viability would also have to be considered in any formal territorial restructuring. Who would decide which states are deserving and which deserving states would be viable? Is a community which has been oppressed by its own government and which might be judged economically unviable less worthy of statehood than a similarly oppressed group which has a thriving industrial base? Would the possibility that most African states appear to be even less viable than other developing regions not invite accusations of a racist double standard? Would there not be an enormous reluctance by the international community to continually recognise new ever-more fragile and dependent states? As A.M. Rosenthal (1993) put it:

The plain truth, never said out loud at the UN, is that countries have been admitted to membership that cannot or will not take on the minimum responsibilities that they owe to the international community and to their own people. The very act of independence can make countries dependents of the world.

He adds that:

the UN could save the world a great deal of grief if it used its rights of accreditation to create a flexible waiting period between application for membership and acceptance. If a test is required to drive a car, why not one to drive a nation?

If the international community is to reconsider its approach to the African state architecture, it must be seen as a means to a tangible and realisable end: either to reduce the likelihood of violent conflict or to generate states which are more compatible with democratisation and

Somalis in the neighbouring Ogaden region of Ethiopia, in Djioubti and in the Northern Frontier District of Kenya were left out of the new state. The failure to achieve the larger more ambitious objective of uniting all Somalis led some Somalilanders recently to embrace a more parochial national identity. According to one prominent Somalilander:

the dream was that every Somali had to seek to bring the five parts together politically. And our union with the south was the first step in that direction. It was not a desired union per se. It was a means to an end. If you take away the end, why should the means be pushed together again. The international community has taken away the end.[5]

The reluctance of the great powers to accept Somalia's irredentist ambitions was most evident during the 1970s when the army of Mohamed Siad Barre invaded eastern Ethiopia and was thwarted in its effort to incorporate Ogadeni regions into the existing Somali state. The Soviet Union rescued the Ethiopian regime in November 1977 and the United States warned against a feared subsequent Ethiopian invasion of Somali territory. An unstated message, however, was that, while extra-state ambitions would have to be set aside, Addis Ababa and Mogadishu were free to crush secessionist movements in Eritrea and Somaliland respectively. The willingness of Washington to underwrite the actions of an increasingly besieged and brutal Siad Barre regime then became an embarrassment in 1989 when a report by the United States General Accounting Office (1989) observed that small amounts of military aid were being supplied to Mogadishu at the very moment that Hargeisa was being bombed by government aircraft. The brutality with which the Siad Barre regime attacked centres in Somaliland has been well documented (Africa Watch, 1990).

More recently, scholars and politicians have re-emphasised the historical roots which distinguish Somaliland from the south. Some scholars have decried the fact that so little attention has been paid to a more varied developmental experience among Somalis. As M.J. Fox has recently

Certainly, Somalis speak proudly of their more recent accomplishments in coping with their own internal conflicts during peace conferences in Berbera and Burao in 1991 and in Borama in 1993 at which time relative stability was established in the north. But while Somalilanders have achieved a measure of internal peace, this solidarity was also a product of war.

War & the Creation of States-within-States

Scholars have long emphasised the importance of violent conflict in European state formation (Herbst, 1990; Tilly, 1985). War forced states to become more efficient in carrying out key tasks such as resource extraction and in creating more durable administrative structures. Warfare also tended to break down divisions between groups and generate domestic solidarity for the purposes of defeating another common enemy. Indeed, specific battles – ones which involved great victories or painful losses – helped forge common identities which define the sense of nation for succeeding generations (Howard, 1978:9). In this way, a war-prone environment tended to strengthen some state structures and absorb other weaker territories into larger more powerful states.

The experience of European state formation, however, is regarded as unique and not likely to be repeated in the developing world. Most new states in Africa and elsewhere were not exposed to the demands of *inter*-state warfare in ways that European states were. Indeed, prior to 1945, states with such weak administrative structures and divided populations would likely have been swallowed up by much stronger powers. Lacking the empirical qualities that were previously associated with statehood, these *quasi*-states were sustained during the cold war through a combination of foreign aid, the provision of military hardware, and a benign international environment which was respectful of the norm of juridical sovereignty.[6]

preserved as a tangible reminder of atrocities committed by southerners against Somalilanders. As one prominent Somalilander stated:

It's very important that we at least go and see those graves and feel sorry that this kind of thing can happen to human beings. … The only crime they were guilty of was just being human beings who wanted to decide on their own destiny; who called themselves Somalilanders and wanted to live where they had always lived, Somaliland, and not be part of any other kind of administration. Because the union with our brothers in Somalia just ended up in aerial bombings, killings and atrocities.[10]

Since so much of the Somaliland sense of self appears to be derived as a result of the war with the south any serious effort to reintegrate the north and south becomes extremely problematic. The contradiction now is that Somalia is perceived as a potential threat to Somaliland's fledgling independence, and at the same time as a terminally unviable state whose transitional government, created under the so-called Arta process in [**neighbouring Djibouti in August**] 2000, is unable to assert its authority in any meaningful way. [**In**] 1997, the United Nations Secretary General reported that 'member States have expressed concern about the increasingly evident effects of the lack of a functioning central government in Somalia.[**"**] Somalia [**the UN said, was**] a [**'**]"black hole" where the absence of law and order is attracting criminals and subversives' (UN, 1999: paragraph 62). [**Since the TNG's creation, it has made attempts to reconcile with other southern factions – the latest being an agreement signed in Eldoret Kenya in late October 2002].** Nonetheless, the [**removed 'current'**] composition of the Somalia government makes any future union extremely unpalatable for many Somalilanders. The Transitional National Government (TNG) President, Abdiqaasim Salad Hassan, was Minister of the Interior during the attacks on Hargeisa in the late 1980s. Although not directly responsible for the bombing, he oversaw the security services that were active in the north. Others who have been associated with TNG parliament – Generals Aden Abdillahi Nuur 'Gabiyo' and Mohamed

Concerns over fears of southern interference in northern affairs has arguably been a contributing factor in the maintenance of Somaliland's traditional form of inclusive 'consociational' democracy during the 1990s (Adam, 1994). While Egal lacked varying degrees of legitimacy, his government clearly did not rule through coercion or extraordinary amounts of corruption or patronage. His successor, Dahir Riyale Kahin, has also indicated that there will be no changes in policy and that he will continue Egal's efforts to achieve security and recognition. Finally, since its self-declared independence in 1991, Somaliland has become increasingly institutionalised and is currently embarking on a transition to multi-party democracy. There is evidence to suggest that, as a result, levels of human development are generally higher in northern regions where localised administrations have been able to establish themselves than in southern and central Somalia where food security, armed conflict and low household incomes have remained persistent problems (Bradbury and Menkhaus, 2001). In short, while these features of statehood may not yet amount to a political 'driver's licence', Somaliland's prospects appear more promising than Somalia's.

Nonetheless, secession by Somaliland could set an important precedent for other secessionist movements in Africa. Some of those who have called for a redrawing of Africa's borders provide little guidance on how this might be done, and almost certainly underestimate the difficulties that would result particularly when resource-rich territories are involved. As others have noted, efforts towards secessionism are more likely to lead to violence when there are many other groups within the state who might in turn take the secessionist route (Van Evera, 1994:17). Given the fluid nature of Somali clan ties and the potential axes of division, a territorial state comprised of anything but all Somali-inhabited territory is likely to be contentious. However, Somaliland does have one key advantage: the willingness of Somalilanders to settle for the previously established borders of British Somaliland – imperfect as they are – allows them to claim that they are continuing to respect the territorial integrity of Africa's colonial states and to conform to the Charter of the Organization of African Unity.

Endnotes

1. Article III of the Charter, for example, states that Member States pledge 'their respect for the sovereignty and territorial integrity of each State and for its inalienable right to independent existence.'

2. For a similar argument in the case of the former Yugoslavia, see Charles Krauthammer, 'Multi-Ethnic Folly', *Washington Post*, 17 September 1999, p. A25.

3. Alfred Cobban, *The Nation State and Self-Determination* (Crowell, 1970), pp. 64-65; cited in Crawford Young, 'Self-Determination, Territorial Integrity, and the African State System' in Francis M. Deng and I. William Zartman (eds.) (1991), *Conflict Resolution in Africa,* Washington: Brookings Institution, p. 321.

4. Most countries are multi-ethnic. In fact, according to Milton Esman, 90 per cent of the world's countries have two or more ethnic groups within its borders; Milton J. Esman (1994), *Ethnic Politics,* Ithaca: Cornell University, p. 2.

5. Abdulqadir Haji Ismail Jirdeh, interview with the author, 13 July 2001.

6. The term 'quasi-states' comes from Robert H. Jackson (1990), *Quasi-States: Sovereignty, International Relations and the Third World,* Cambridge: Cambridge University.

7. For a comparison of the Eritrean and Somaliland cases, see Hussein M. Adam, 'Formation and Recognition of New States: Somaliland in Contrast to Eritrea', *Review of African Political Economy*, 21, 59 (1994), pp. 21-38.

8. In Max Weber's classic definition, a state must, at the very least, 'successfully uphold a claim to the monopoly of the legitimate use of physical force in the enforcement of its order'; Max Weber, *The Theory of Social and Economic Organization*, Talcott Parsons (ed.) (1947), Glencoe:

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