

**Local and Global Norms: Challenges to “Somaliland’s”
Unilateral Secession¹**
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Introduction

Beginning with the failed Somali republic², coupled with the unilateral declaration of secession by the Somali National Movement (SNM) on May 18, 1991, separatism in the north has taken new heights. In the last two decades, the Hargaysa administration made a concerted effort to establish a new “reality on the ground” to effectuate a separate state in what was Northern Somalia.³ After several inter-clan and intra-clan conflicts in the 1990s ended the second inter-Isaaq’s civil war “in part by awarding a greater share of parliamentary seats to members of “opposition” clans and in part through the development of an “interim constitution” which, after much negotiation and modification, served as the prototype for the current version,” “Somaliland” seems to have established a new “reality on the ground.”⁴ The surprising fall of Las Anod into Hargaysa with ease on October 15, 2007, a town that rejected secession in favor of unity, could be viewed as an effort to complete the reconstruction of a new “reality on the ground” by those seeking secession.

Nevertheless, the region still remains part of Somalia, albeit with a relatively better administration than the rest of the country. As the West re-engages the ailing Transitional Federal Government of Somalia (TFG), headed by President Abdullahi Yusuf Ahmed, to secure the capital city, Mogadishu, the prospect for any forthcoming recognition for Somaliland becomes more challenging.⁵ There is a general understanding by both unionists and secessionists alike that stable Southern Somalia may greatly hinder, if not fatally kill, the hope for recognition. And this is a source for political frustration in “Somaliland,” often leading it to mount intermittent cross-border raids against the neighboring autonomous region of Puntland. With the emerging new debate in the US Pentagon to recognize “Somaliland,” the State Department standing in the way notwithstanding,⁶ a complete change of “Somaliland’s” status quo may lead to larger scale inter-clan conflict in the region.

Themes on Secession Ideology

In some quarters, secession is generally synonymous with the concept of self-determination. Self-determination is in turn a political program, led and organized by elites claiming to represent a group of people dissatisfied in a given political arrangement. There is no clear notion whether the group seeking secession is a minority group that is oppressed, or a majority group that does the oppressing. There are situations where a politically and economically powerful minority group oppresses a majority. Such are the historical cases of the Ethiopian Amhara, the Tutsi in Rwanda, and the Sunnis in Iraq. However, in most cases a powerful and entrenched majority ethnic group [mis]rules a minority group(s), and excludes or limits political participation of the latter. A case in point is Tsarist Russia where the powerful and numerous Russians colonized and ruled many nations and nationalities for many generations.

The debate about secession was well articulated by 20th Century leftist revolutionaries. In Lenin's "Critical Remarks on National Question,"⁷ a highly influential book in the left circles until recently, one is struck by the intensity of the debate between Lenin and Rosa Luxemburg. The two communists, among others, passionately debated the issue of when a nationality is justified to secede from its host country. The most critical cases were those of Finland, Poland, and Armenia. After long spirited debates, both Lenin and Luxemburg, as well as their acolytes, came to one conclusion: that both Poland and Finland would be better off to leave the Russian Empire, while Armenia stays with the rest of the empire under a reorganized Soviet system. In addition to the geopolitics of the day, factors that helped justify, for example, the secession cases of Poland and Finland from the Russian Empire are cultural, linguistic and geographical dissimilarities with the administering power.

Then, there is the Wilsonian (Liberal) school of thought that, at the turn of the 20th Century, interjected more vigor and energy into the debate of secession and self-determination. American isolationist policy at the time notwithstanding, Woodrow Wilson⁸ quickly seized the concept of self-determination to make American foreign policy more relevant to international politics. In doing so, he drafted his 14 points position paper on international politics and self-determination in which he attempted to provide a framework for freedom to indigenous groups from colonial and feudal rules, while arguing for protecting sovereignty.⁹ In Article XIII of his 14 points, Wilson called for this: "*An independent Polish state should be erected which should include the territories inhabited by indisputably Polish populations, and whose political and economic independence and territorial integrity should be guaranteed by international covenant.*" Wilson's second concept of self-determination is one that sought the protection and safeguarding of the territorial integrity of nation states, thereby suggesting that all nations have the right to self-determination, hence equating *territorial integrity to the rights of nations* to exist in a secure and natural boundary respected by all. In Article XIV, Wilson put it this way: "*A general association of nations must be formed under specific covenants for the purpose of affording mutual guarantees of political independence and territorial integrity to great and small states alike.*" This latter article of Wilson's concept of "self determination" is now enshrined in the United Nation's Charter, and it protects the *territorial integrity* and nation states.

In short, the concept of secession as a tool to gain self-determination, both in the left as well as in the Wilsonian view, is rarely applied, for it sets higher threshold prior to implementation. Most insurgent movements or breakaway regions rarely succeed in satisfying all the intellectual, legal and international requirements that regulate this concept in its strict sense. The International community at large and the United Nations in particular would like to deal with conflicts, political as well as cultural between communities in a given country, through other means of conflict resolution short of sanctioning secession. However, the United Nation's concept of self-determination is often invoked to uphold the territorial integrity of member states which are protected by existing international instruments.

Despite the prolonged civil war (from 1991 to 2007) that has devastated the hitherto cohesive Somalia, the world community has so far upheld this concept as it applies to the statehood of Somalia. On the other hand, "Somaliland's" bid for a unilateral secession seems to have met its challenges in the prevailing interpretations of international instruments that apply to Somalia's territorial integrity.

Without exception, secession by no means is an African or a Third World political problem, but a worldwide modern political problem. Since 1955, for example, over 71 [separatist] conflicts have been recorded around the globe, 25 of which were engaged in violent conflicts as of 2004.¹⁰ From the Irish issue, which has been a thorn in Britain's modern history, to the issue of the Basque region in Spain, and to the Chechnya ethnic conflict in the former Soviet Union, Europe had its own entanglements with secessionism in most of its recent past and current history as well. Hakan Wieber documents approximately over 100 secessionist political movements in modern history, most of which ended up withering away or seeking other means of political conflict resolution to address their respective grievances.¹¹

Employing extensive empirical data, Pierre Englerbert and Rebecca Hummel identify and discuss several major variables that produce political separatism including, but not limited to, ethnic or religious conflicts (like the case in Ethiopia), conflicts over resources (Biafra and Katanga) and cultural heterogeneity (Ethiopia) in a nation state.¹² But the most serious separatist-prone cases are found in those "countries that are constituted of two or more distinct land masses."¹³ The latter case was true for Bangladesh *vis-à-vis* Pakistan. Because of Bangladesh's success of acquiring recognition, after a long protracted war, proponents of "Somaliland's" secession often invoke it for inspiration and guidance.¹⁴ However, the following two factors which have heavily weighed on the outcome of the Bangladesh war of secession are absent in the case of "Somaliland": (1) the geographic separation of Bangladesh from the rest of mainland Pakistan made the war unsustainable for Pakistan. Due to this separation, proponents for secession in this case prevailed to place the Bangladesh case under the United Nations Resolution (1541) (XV) of the General Assembly, "which indicates that prima facie evidence of that status of a territory exists if it is geographically separate and is distinct ethnically and/or culturally from the country administering it;" and (2) the geopolitics of the era, where India, with the help of the then Soviet Union, successfully armed Bengalese to their teeth, ultimately made the war almost prohibitive for Pakistan to win any time soon.

Consequently, on January 12, 1972, after a protracted war that caused the death of many civilians on both sides, Bangladesh declared independence from Pakistan. Only two years after such a declaration, on February 2, 1974, Pakistan recognized Bangladesh as an independent country, soon (September 17, 1974) to be followed by a full status given to Bangladesh at the UN, which predictably precipitated full international and bilateral recognition by many nations. However, "Somaliland" is neither geographically separate, nor culturally, ethnically, nor historically different from the rest of Somalia. As such, the two Resolutions (1541) (XV) and (2649) (XXV) of the General Assembly,¹⁵ which govern and arbitrate issues of secession, hardly apply to the "impromptu" secession declared by "Somaliland."

Secession Experience in the Horn of Africa¹⁶

Ethiopia, an ancient empire in the horn of Africa region, with several major ethnic, religious and regional groupings, offers glaring and more valuable lessons in the history of secessionist movements. Secessionist movements in Ethiopia trace their origins back to the concept of lack of equality for ethnic groups, whose claim for self-determination, as a result, are measured in varied interpretations. As early as the 1970s, responding to growing secessionist sentiments, Ethiopia was gripped by debates on "the question of what is to be done nations and

nationalities.” Kifflue Taddese, in his [largely memoir] book, *The Generations*, traces back these debates to the radical students’ discourses at the then Haile Selassie University,¹⁷ which housed the country’s elite children. The question of what done with nations and nationalities in the peripheral regions, such as Eritreans, Somalis, Oromos, Afars, to just name a few, that “were less integrated into the Ethiopian political life,” was at the center of the debates.¹⁸ The undying Somali secessionist movements in the Somali region of eastern Ethiopia, with a life span of over a half century, is seemingly resilient and still grips western newspapers’ headlines to date.¹⁹ Likewise, the Oromo question was raised in the 1970s.²⁰

Most of all, though, the Eritrean question occupied the center of the debates, mainly for two reasons: One, the war for independence in the Eritrean front, first started by Muslim Eritreans and the Awaista group, was having negative social and political impacts on Addis Ababa, due to the capital’s proximity to the front line. Second, Eritreans inside Ethiopia, particularly those actively participating in the radical university students’ debates, were playing a decisive role in shaping the debates, hence positioning the Eritrean question in the center.

The Eritrean war for secession against Ethiopia’s imperial court, and later on against the autocratic rule of the Dergue, was one of the longest wars for secession in history.²¹ Unlike other African secessionist movements, the Eritrean question was born out of Ethiopia’s violent *nullification* (emphasis added) of the federation status that the former had, dismissing the free and independent national parliament of Eritrea. It was that nullification of the sprit of federalism, plus the banning of the Tigrinya language for popular use, a different language from Ethiopia’s national Amharic, that triggered the Eritrean war of independence, which started in earnest in 1962.²²

The existence of secession-inducing factors such as linguistic, cultural, and historical differences between Eritrea and Ethiopia have sustained and fed the vigor and determination of secessionist sentiments among Eritreans, irrespective of several administrative reforms introduced by subsequent Ethiopian governments all of which were intended to abate ethnic demands.²³ In 1991, a combined army of Tigrean Peoples Liberation Front (TPLF) and Eritrean Peoples Liberation Front (EPLF) successfully defeated the Dergue army and quickly put the whole country under their joint control. Even with over thirty years of war under their belt, and a *de facto* independence from Ethiopia due to a military victory over the powerful Dergue army, Eritrean leaders, unlike those of the SNM in “Somaliland,” did not declare a unilateral secession. On the contrary, they waited for three long years and eventually accepted Ethiopia’s proposals for a settled solution - a referendum prior to official secession. On September 15, 1994, a jointly administered referendum was held to vote on whether to secede from the rest of Ethiopia, or stay in a federally reorganized Ethiopia.

The yes vote for independence of that plebiscite affirmed and legitimized the secession of Eritrea both in the eyes of the sitting Ethiopian government and in the rest of the world community. Without such a negotiated settlement, the case of the Eritrean secession could have stalled, and the hands of the AU and UN in particular to apply Resolutions (1541)

(XV) and (2649) (XXV) of the General Assembly may have been tied up to do anything other than maintain the status quo. It is the agreed referendum at which the two sides arrived that

made the Eritrean case an amicably settled divorce. Likewise, in the case of Somalia, international instruments would stipulate that “Somaliland” must first seek its objectives within the framework of the “parent” state.²⁴ Mogadishu’s say so in this case is a key to any future “negotiated settlement.”

Matt Bryden, one of the more vocal advocates for “Somaliland’s” secession and a key figure until recently at the influential International Crisis Group (ICG), underscores the problematic issue of getting recognition for Somaliland’s unilateral secession.²⁵ In a brief typology of “negotiated settlements” for conflicts in the Horn of Africa, Bryden concludes that both the Eritrean experience (a successfully negotiated secession) and the Southern Sudan peace model (a potentially autonomous region) would pose serious challenges for “Somaliland.” In both cases, the aggrieved regions are obligated to negotiate with their respective national governments. The course that Eritrea traveled in its pursuit for secession is what Mat Bryden calls the “Eritrean model,” a model not seemingly viable in “Somaliland” due to what he calls an ill-advised “**impromptu**” secessionist move by SNM.

Until the Buroa Convention of May 18, 1991, when the SNM declared a unilateral secession and in doing so unexpectedly undermining a “Draft Proposal for A Transitional Government”²⁶ proposed by Ahmed Silanyo, former chairman of the front, the SNM advocated federalism.²⁷ According to Bryden’s assessment, secession can only succeed if “Somaliland” first reverses its unilateral action and starts afresh negotiations with the South to either mutually nullify the “Act of Union” of 1961 between ex-British “Somaliland” Protectorate and ex-Italian Somali territory, or seek some other [federal] arrangement. This proposal is plausible and could be the only way to resolve the current stalemate characterizing the Northern question. The brief period M. Farah Aydiid ruled Mogadishu (1991-1994) represents a missed opportunity too for proponents of secession. Because Aid was so desperate to consolidate his rule that secessionists could possibly have reached a quid pro quo deal where Mogadishu could have let Hargaysa go. But a democratically negotiated settlement in the north, observed and preferably supervised by a third party, with a prominent role reserved for the Transitional Federal Government of Somalia, could have led to broaden both the ranks of participants and the scope of the negotiation; voices that were not adequately heard in the previous Buroa Convention (May 18, 1991) could under this scenario prominently play a unionist role, and that might not have augured well for full-blown secession.

Separatism versus Unity in Somalia’s Clan-based Society

Beginning with the 1930s, owing to the clan segmentary system, before there was a Somali republic, traces of separatism were feasible among Isaaq elites. But the surge of Somali nationalism in the 1940s, the unification of the ex-British and ex-Italian Somaliland regions on July 1, 1960, and the unconditional adoption of the “Act of Union” on January 1961, by sanctioning the creation of the Somali Republic seem to have created insurmountable challenges to the current secessionist sentiment.

With Somali nationalism taking full shape by the end of World War II, there emerged dual, yet contradictory, political views among the elite in the North vis-à-vis Somali nationalism (one separatist and the other unionist). The genesis of these contending views is found in the

political environment surrounding the anti-colonial struggle mounted by the Somali nationalist leader, Sayyid Mohamed Abdulla Hassan who challenged British rule at the turn of the last century. The arming of 3,000 “tribal levies” by the British colonial administration to fight and pursue Sayyid Mohamed Abdulla Hassan and his Derwish army defined the battles of the two sides to the Somali question.²⁸ Following suit and in the aftermath of the defeat of Sayyid Muhammad, the Isaaq Association in East Africa in the 1930s through the 1940s, most of whom were elements from the ranks of the so-called “tribal levies,” resisted any effort to forge an inclusive, all-Somali oriented movement to collectively pressure the British colonial government for a non-native status; the association rather emphasized the separateness and what a British colonial officer and an observer of the Somali question referred to as “chauvinistic”²⁹ values. Parallel to this was, however, another strand of elites that espoused Somali national unity beyond parochial sectarian goals. A case in point is Hajji Farah Omar. Educated in India and an admirer of Gandhi-style nationalism, Hajji Farah, among other things, was a factor in the transformation of the nativist movement (first started in East Africa as a movement to demand identity certificate for its constituents, and later on, expanded to the territories) into a movement for national independence and Somali unity.³⁰

As the following excerpts from a long report written by the Nairobi colonial office on June 21, 1941 explains, the sectarian Association’s outlook both in East Africa and in the home front suddenly collapsed in 1941 in the face of a growing and expanding Somali nationalist movement:

However, the development of mass Somali nationalism in the post-Second World War period challenged the traditional goals of the Isaaq...: one group, initially consisting mostly of members of the younger generation, joined the nationalist movement; while a minority remained faithful to the Isaaq Association, which continued to exist under a new name, and to its old ideals. Yet, Isaaq clan superiority had..... proved to be a heavy liability in the 1950s greatly diminishing the appeal of the Association and providing an example of the tribal chauvinists. Its membership declined drastically and its political influence disappeared, the more energetic and popular nationalist movement which attracted the support of the great mass of the Isaaq themselves precisely because it seemed to offer a real chance of improved status.

It is evident from this report that, with the exception of a small number of the elite, the masses of the Isaaq have been patriotic and they were then in sync with the same ideals the rest of the Somali community adhered to, i.e., in search of its independence and reunification goals. The report goes on to state that “there was a considerable difference between Isaaq tribal chauvinism and post Second World War Somali nationalism.”³²

Separatists' bid for a unilateral secession since reunification has been an on-again-off-again phenomenon, albeit always less thought-out and clan-driven. Right after the establishment of the Somali Republic, in December, 1961 (only a year and six months after unification), separatist sentiments within the ranks of the elites surfaced.³³ Generally called the Hassan Kayd mutiny, a number of young and inexperienced junior officers in the unified national army took up arms and attempted an aborted mutiny. There are conflicting views on what exactly caused the mutiny, some claiming it to be a secessionist attempt while others suggesting that it was trade-based grievances. Nonetheless, the mutiny, with narrow appeal, was quickly put down by the unified government, although it has since then become a cause célèbre for secessionists. However, between 1961 and 1977, separatism in the north, although close to the hearts of an insignificant small minority, has been waning and had "increasingly muted as northerners in general, and Isaaqs in particular, gained more and more economic and political power."³⁴

Owing to multiple external and internal factors (e.g., the war with Ethiopia in 1977/78, the 1974/75 drought that had inadvertent impacts on the North and the suffocating political climate under the autocratic regime of Said Bare), the "muted" separatism re-emerged once again, leading this time to the formation of an armed separatist group, most importantly the SNM. Unlike other movements in the Horn of Africa region, the SNM movement was *inclusive of all* Isaaq sub clans, but *exclusive* of other clans who shared the region as cohabitants with the Isaaq clan. Why the SNM opted for an exclusive clan-based resistance is a matter of significant debate among Somalis of all persuasions. Nonetheless, the clan factor in the struggle waged by the SNM arguably served as a two-edge-sword. First, the lineage-based segmentary clan system in the Somali society is so powerful that founders and leaders of the SNM quickly seized on it to mobilize their clan members [only] to fight against Siyad Barre and his clan members. But, equally important is the refusal of other clans in the region to cooperate with the Isaaq, thus reducing the entire SNM, rightly or wrongly, to a single clan fighting against the government of Siyad Barre.³⁵ Daniel Compagnon, who traveled with the SNM soldiers as they freely moved in Isaaq dominated villages in the north, succinctly and more poignantly captures this single-clan image of the SNM, where, in turn, clan and segmentary lineage system were deliberately utilized as a modern political resource:³⁶

The SNM voluntarily confined war operations to the Isaaq territory and the surrounding areas, a deliberate strategy more than a result of limited military abilities. SNM officials usually justify it in saying that their guerrillas would not benefit from the same support from people of the other clans [17]. It is way to admit that the "national liberation struggle" is in fact superseded by an affiliation....that secession of the North is the 'hidden agenda' of this movement.

In 1989, with the hope to articulate a non-clan based national front, Ali Jima'ale of the Hawiya-based United Somali Congress (USC) proposed to form a united front between his USC and Somali National Movement (SNM) forces against the Barre regime. But the SNM leadership, which by this time found a level of strength within its Isaaq clan members, turned down the offer.³⁷ During the same period, writes Compagnon, the SNM was exhibiting a high level of animosity against non-Isaaqs, a position consciously promoted by the front's leaders. Clan is seemingly utilized as a political resource in the same way that Robert Jackson and Carl Rosenberg described it in their book, *Personal Rule in Black Africa*³⁸ when seeking political power. In other words, clan is a potent resource, just like Islamic fundamentalism, often used to achieve political objectives by a given interest group. Before we tackle the issue of whether secession is justified or not, a brief discussion on the time-line of the reunification of the two territories is due here.

Reunification of the Somali Territories: Myth vs. Reality

Technically speaking, prior to the advent of European colonialism at the turn of the 19th century, the term "Somaliland" applied to all Somali speaking regions in the Horn of Africa. The British carved out British Somaliland Protectorate, and since its independence in 1960, was confined to the Northern region. The former British Somaliland Protectorate, with a total area of 137,600 sq. km. and a coastline of 850 km. is bordered by Djibouti (ex-French Somaliland) and the Gulf of Aden to the north, Ethiopian occupied territories to the west and ex-Italian Somaliland to the east and south.³⁹ The region is home to about 2.5⁴⁰ million inhabitants comprising several major clans, notably the Isaaq, Daarood (Dhulbahante and Walsangali), Gadabursi, Issa, Gaboye, and a host of smaller clans. In the later parts of the 19th century, Her Majesty Queen Victoria of Great Britain signed individual and separate treaties with major clans in the region, excepting the Dhulbahante.⁴¹ Such treaties were signed in the latter half of the 19th century, and later on posed challenges to the nationalist sentiments of Sayyid Muhammad Abdullah Hasan and his Dervish movements. The British in turn used its treaties with separate clan leaders as the basis for their claim to provide protectorate status. Exception to this rule was, however, the Dhulbahante clan who never ratified an Anglo-Dhulbahante treaty. As such, territorial administrations were merely clan-based, and fiercely independent from each other, as if a prescriptive Lord Lugard's "Indirect Rule" was implemented with precision.

By the 1940s, with the winds of change for independence sweeping the entire Somali-inhabited regions, clans established separate political parties along clan lines. The most globalist and inclusive party at the time was the pan-Somali Youth League (SYL); other smaller but equally nationalist yet clan-based parties included the Somali National League (SNL), National United Front (NUF), and later on the United Somali Party (USP). Although Political reintegration among clans was achieved only at or after the reunification of the two ex-colonies, the political objective for reunification of the two colonies originated in earnest with the rise of Somali nationalism at the end of WWII, during which time "the question of the ex-Italian Somaliland and its future was raised at the Paris Peace Conference in 1946, at which point the British Foreign Secretary put forward proposals for the creation of a "Greater Somaliland "by the fusion of British Somaliland, Italian Somaliland and the Ogaden into a single administration under British trusteeship. This scheme found a wide measure of support among enlightened

Somalis, who felt that it faced up to the economic, ethnical and geographical realities of the situation.”⁴²

By 1956, Britain could no longer avoid, agreeing to a gradual introduction of a representative government and an eventual independence for its protectorate.⁴³ As the independence of the Italian Somaliland approached, the British authorities facilitated and proceeded with speed for its Protectorate’s independence and reunification with the ex-Italian territory, thus prompting “The British government... in principle to end its rule in time for British Somaliland to reunite it with the Italian trust territory on the July independence date that had already been decided by the UN”.⁴⁴ The reunification of ex-British and ex-Italian Somalilands, therefore, was not an overnight love affair, in which one side won at the expense of the other, but an evolving political consciousness of a people “in search of a nation,” thus hitting a high note with the British colonial Secretary (Mr. Alan Lennox-Boyd) stating in February 1959 that his government would facilitate the voluntary and unstoppable reunion of the two territories. In February 1960, Mohamed H. Ibrahim Egal, was elected a Premier, for 4 days,⁴⁵ by a wide unionist vote in the constitutional election. With the sponsorship and facilitation by the United Nation, Egal led a delegation to Mogadishu and met Southern counterparts at the convention that took place between April 16 and 22, 1960; the two sides agreed to reunify their territories without conditions in a unitary state under a single president who will be elected as head of state by a unified National Assembly with 123 seats.⁴⁶ Thus, the creation of a unitary Republic of Somalia on 1st July, 1960, was indeed the “icing on the cake” of a long struggle.

But such reunification would have been difficult to attain without the endorsement of the clan elders in the two protectorates. The role of clan elders in decision-making and their endorsement of reunification underscore the separateness of clans in the absence of unified government, as well as their “centripetal” role for the greater good, i.e., creating a unified Somalia.⁴⁷ Both colonial administrators and most Somali leaders, including Egal, strongly supported the reunification for the apparent need to engender a sense of governance out of the “humpty-dumpty” disparate clans, with each one clinging to its treaty with Her Majesty. In fact, the former British protectorate, a more clan-based society at the time with no known experience in self-administration, was keener in the reunification of the two; As such, it promptly put forth a text of a draft proposed “Act of Union” prior to the date of independence, which read as follows:⁴⁸

Section 1(a) stated that “The State of Somaliland and the State of Somalia do hereby unite and shall forever remain united in a new independent, democratic, unitary republic the name whereof shall be the SOMALI REPUBLIC.

As this text was only a draft proposed by the northern leaders, it served as the basis for future deliberation and modifications of the language on the reunification of the two territories. The ultimate union of the two was indeed a win-win situation for all, but mainly for the ex-British protectorate in that it had helped unite the Daarood with the Isaaq, with the Gadabursi, with the Issa, with Gaboye, who hitherto had a history of conflict and competition over scarce resources.⁴⁹ The current declared “impromptu” and unilateral breakup of that unification could

run the risk of easily plunging these clans into an unmanageable disunity, at best, and into an intra-clan conflict at worst.

Is “Somaliland’s” “Impromptu” Secession Justified?

The simple question of what legitimizes “Somaliland’s” unilateral secession from the rest of the country is more complex than meets the eye. Despite the devastating confrontation with the merciless autocratic regime of Barre, coupled with “Somaliland” leaders’ impressive diplomatic work, there is seemingly a marked resistance by the international community to guarantee recognition to the unilateral declaration of secession by the SNM. At first, especially before the 9/11, 2001 terrorist bombings of the twin towers in New York, the strategy to convince the outside world on the merits of “Somaliland’s” recognition hung on what some viewed as “democracy dividends” (Shine, 2002).⁵⁰ This strategy is intended to woo the West and other regional governments to reward “Somaliland” in kind with recognition for its commitment to multi-party liberal democracy. However, given the degree of corruption and human rights abuses and (the deportation of Mr. Jaam’a M. Qaalib, a leading unionist from his own home region, or the rape of the young Daarood girl, Zamzam Du’aale, because she was alleged/suspected of masterminding an assassination plot against “Somaliland’s” superstitious vice president (now president), and the virtual absence of dialogue on the very issue that impacts the different clans in the region (an open discussion on secession), many see the claimed “democracy dividends” as an attempt to seize on the buzz word of the moment and seek to camp with the political order of the day. After the incidents of 9/11 rearranged the West’s priorities, advocates for secession quickly shifted strategy to now emphasize the geopolitical role an independent “Somaliland” can offer the West in the “war on terrorism.” Peter Schraeder, in an unusually simplistic pronouncement, takes this to its extreme by suggesting that “Somaliland deserves recognition if the Bush administration is truly sincere about promoting democracy in the wider Middle East.”⁵¹ Others still suggested that a recognized “Somaliland” is a deterrent to a future “Somali irredentism,” hence good news for Ethiopia, an ally in “the war on terror” and a Christian-island in the Horn of Africa region. Even some wanted to woo Eritrea into the plate as expressed here: “Eritrea, which received a *de facto* independence from Ethiopia in 1991 and *de jure* independence in 1993, seemingly is a country that would be sympathetic to “Somaliland’s independence.”⁵² But, given other geopolitical priorities, neither the West, nor Ethiopia, nor Eritrea, gave credence to the solicitation. Beyond what could be called mere diplomatic solicitations, following are four arguments articulated mainly by sympathetic academics for secession.

Legal Arguments: In recent years, a new school of thought’s debate hinges on whether separatist movements can achieve their goal by creating a new “**reality on the ground**” has emerged. Despite international and national norms, altered “reality on the ground” makes discussions about recognition a moot subject, and simply a matter of semantics. By expanding and giving a radical interpretation to the Montevideo Convention, Alison Eggers argues that “Somaliland” has satisfied the requirements for recognition in that it has

1. established a permanent government; has
2. a defined territory;
3. a permanent population; and

4. a capacity to enter into relationship with other states are prerequisite for statehood.

Although it is plausible to argue that Somaliland has established a somewhat permanent but fragile government, it is not a government that can enter into any meaningful relationship with either bilateral governments or international bodies. Moreover, neither the population nor the territory claimed by “Somaliland” is defined. Besides, an international law presupposes that a secessionist part must do so within the framework of the “parent” state. Mogadishu’s say so in this case is all the more pivotal.

The legal argument surrounding the sovereignty of the state of Somalia vis-à-vis that of “Somaliland” rests on the nullification of the latter’s status prior to the implementation of the “Act of Union.”⁵³ Except achieving independence from Britain, there are no official records to substantiate whether “Somaliland” was a sovereign entity recognized by any member state either in the immediate region or in the rest of the world.⁵⁴ Despite David Shinn’s apparent lack of documented sources on this claim, the “Act of Union,”⁵⁵ which was promulgated by both sides on January 31, 1961 makes all prior arrangements null and void. Paolo Contini, an irrefutable authority on the technicalities of the “Act of Union,” writes: “Thus when the union was formed, its precise legal effects had not been laid down in any instrument having binding force in both parts of the State. As explained below, the matter was clarified seven months later by the adoption of a new Act of Union with retroactive effect from July 1, 1960 for the whole territory of the Republic”.⁵⁶ It goes on to say:

To dispel any uncertainties, it was thought desirable, as a first step, to enact a law applicable to the whole territory of the Republic, defining the legal effects of the union with as much precision as possible. This was done on January 31, 1961, six months after unification, when the National Assembly adopted by acclamation a new Act of Union [32], which repealed the Union of Somaliland and Somalia Law [33], and which was made retroactive as from July 1, 1960.”⁵⁷

This is one of the main challenges secessionists regularly face in the legal arena of the debate. Moreover, the north at independence had neither a separate national anthem nor a flag nor any of the insignia known to denote distinguished qualities of a nation state.⁵⁸ All that existed at the time was the all-encompassing national flag of Somalia and its national anthem. This is to say that even leaders in the North did not anticipate a separate government for the ex-British protectorate. Although there was an insignificant opposition to a united Somalia, and a brief and less publicized flirtation by Egal with the Haile Selassie of Ethiopia prior to the date of independence, the triumph of unity forces, propelling Egal to the office of prime minister (as was endorsed by USP and SNL supporters), was inevitable.

End of Somali Nationalism: A second argument in favor of secession hinges on the effects the Barre regime wrought on Somalia; the singling out and targeting of the Isaaq community for atrocities as well as “decades of experiences of oppression and civil war”⁵⁹ arguably fed and cemented the ideology of secession in the north. With a sense of apocalyptic prediction for

Somali nationalism, this outlook maintains that since Somali nationalism ran out of steam with Barre's government, "Somaliland," a region dominated by the Isaaq clan, needs to reassert its separate identity outside of Somalia.⁶⁰ This position flies in the face of existing academic literature on the affinity that existed within the Somali communities. For example, "Unlike so many other cases, Somali cultural nationalism is a centuries old phenomenon and not something which has been recently drummed up to give credence to political claims," writes Lewis.⁶¹ Moreover, Hussein Adam adds that "clan and lineage antagonisms do not preclude a will to unite or a feeling of common destiny ..."⁶² Unlike those prematurely calling for the disintegration of Somalia, it is here where one would, with a measured comfort, argue that due to the inherent lineage-based clan nature of "centripetal and centrifugal [tendencies], at once drawing the Somalis into a powerful social fabric of kinship affinity and cultural solidarity while setting them against one another,"⁶³ that today's disintegration may not be the final chapter of Somali history. Complicated by the negative exogenous factors, such as Ethiopian and Western interferences, the Somali society has in all its modern history experienced setbacks/dislocations followed by renewed nationalist surges, just like the boom and bust cycles of economic waves, where the clan factor is both a challenge and a resource.

For example, after the defeat of Sayyid M. Abdullah Hasan, the society that has sustained over 1 million casualties, more or less disintegrated to the lowest clan or sub clan organizational unit, and remained so up until the early 1940s, only to bounce back again with an un-paralleled nationalist surge during and after WWII. Again, owing to the let down by the civilian government between 1960-68 (as a result of the devastating impact of the 1964 war with Ethiopia and the runaway corruption and clan politics), social cohesion suffered greatly. With the mobilization of the entire Somali Society on a well defined purpose and national objective in the 1970s (development, literacy and self-reliance), Somalia was once again as cohesive as any nation can be.⁶⁴ But all that had evaporated with the Barre regime losing the war against Ethiopia in 1978, and then afterwards turning its guns on its own people, mainly against dissident groups. (The Isaaq and the Majeerteen clans suffered the brunt of Barre's wrath.) However, to base the unilateral "Somaliland" secession on this national misfortune, with the intent to carry out the onslaught on the Somali nation state, amounts to a mutilation of social science and the scholarship on Somali Studies in favor of promoting an activist objective. If secession advocates (and I would include Lewis in this camp) believed only twenty or so years ago the organic nature of the Somali nation, in whose argument, then, is implicit the recognition of the long trajectory of history that it took to shape this nation's socio-cultural affinity, the hastiness to view the current setback of the Somali social cohesion beyond [passing] civil war, can't pass the scrutiny of serious social science critique. This last misfortune of the society should not by any means constitute the obituary of the Somali nation state.

Somaliland-Eritrean Linkage: A third argument to buttress justification for secession is one that likens the SNM's experience with that of Eritrea. Just as much as Eritrea was able to create a cohesive national identity out of nine ethnic nationalities and three religious groupings by reason of the long protracted struggle for independence from Ethiopia, argues this school of thought, so did clans in "Somaliland" develop nationhood qualities in their war against the Barre regime. How much of what the SNM stood for and its organizational infrastructure compare to that of the EPLF? Daniel Compagnon offers an intimate account of the SNM militia in the 1980s as angry tribesmen who were often agitated by their leaders on the notion that they were

fighting imaginary Daarood forces, and “*the Isaaq crowds sometimes shouted: "Daarood Adoon. An Isaaq will be more easily mobilized while shouting 'Daarood Adoon'" instead of "Down with the dictatorship."* (This slang translates to “Daaroods are slaves.”) He raises the perplexing question of “*Is an opposition movement, however, entitled to fuel and manipulate such a feeling in order to win a broader audience?*” This depiction of the SNM is a far cry from the highly organized, ideologically disciplined Eritrean Peoples Liberation Front (EPLF), who administered liberated areas better than the Ethiopian held villages. Contrary to the SNM’s clan-orientation that ran a vendetta driven clan militia, the EPLF employed left-oriented analysis of issues and opportunities, thus accordingly developing a political program that it had carefully applied both to its constituents and to the rest of Ethiopia.

The “Somaliland”-Eritrean comparison does not hold water either, and, when critically examined, could show serious theoretical deficiencies. Only considering the surface differences, Eritrea is more dissimilar than it is similar to “Somaliland”. The former is inhabited by nine different nationalities with distinct languages, culture, religions, race, and historical background. Second, Eritrea is ethnically and culturally different from Ethiopia, the country it wanted to secede from, which houses as many as more than 400 ethnic groups. Third, Eritrea federated with Ethiopia under international supervision, and when Ethiopia unilaterally nullified the terms of federation, Eritrea quickly sought to reassert its statehood. Eritrea thus qualified, under United Nations rules, as “peoples,” deserving independence. On the contrary, “Somaliland,” with its mere four or so inter-married clan families, neither exhibits any of the above mentioned characteristics nor had a relationship with its sister ex-Italian Somaliland akin to the Ethio-Eritrean complex relationship.

Social Inequality: It is difficult, if not impossible, to justify and explain secession on the basis of social inequality which the Isaaq clan has suffered at the hands of southern clans. There are about four major clans (Daarood, Isaaq, Hawiye and the Maay groupings). Most of all, the Isaaq community has never been oppressed in a particular way, and did not suffer any visible discrimination or domination based on race, cultural or ethnic differences. Nor were they the victims of linguistic oppression as may be the cause with the Somali Bantu minorities in the south. Donald Horowitz suggests that the location of an ethnic group’s home territory often provided a head start. Groups located near colonial capitals, near a rail-line or port, or near some center of colonial commerce were well situated to take up opportunities as they arose. Hence, he argues “the Hawiye and Isaaq in Somalia are some of the groups that found themselves fortuitously situated near centers of colonial activity.”⁶⁵ In other words, communities in Hargaysa, Berbera (Isaaq inhabited centers) and Mogadishu (Hawiye inhabited and the capital of the nation) stood during the 100 or so years of colonial rule in Somalia to benefit more compared to other clans in the interior districts of the country.

He further suggests that the Daaroods were the single largest group in both the Italian and British “Somaliland’s” armies, which, in time, fueled Daarood’s nationalism and their potential for making up Somalia’s political power base. Outside the Madigan experience, who are treated as a cast, ethnic oppression is not so much pronounced, or is even non-existent, but ethnic opportunities were in the hands of the three major tribes in Somalia. These major tribes or clans are by and large of equal muscles, politically, socially and economically, that some sort of détente exists. Since 1960, when the two regions signed the reunification act, only 4 days after

the north got its independence from Great Britain, which coincided with the day of Independence, July 1, 1960, power has been fairly and equitably shared among these groups. A more lucid fact to dispel the alleged oppression of the Isaaq clan is that in the Barre's government, which was a most dictatorial regime, the Isaacs had a vice president (Ali Abokor) and six or seven ministers out of 21 cabinet positions.

Concluding Remarks: Averting Renewed Civil War in "Somaliland."

If the "Somaliland" secession case has no coherent theory to stand on, there are three major wrinkles of global and local nature that had impeded the coming of recognition from either neighboring countries or from the rest of the world community. First is the "impromptu" nature of this secession case; declared only few days after Mr. Ahmed Silanyo's distribution of a draft "Proposal for Establishing a Transitional Government" of unity, potentially federal government reflecting the original political belief of the front, the Buroa Convention in May, 1992, poses challenge and makes this action unacceptable in the eyes of the world community. If the annulment of a marriage between a man and a woman would require intervention and a negotiated settlement, one would rightfully think that annulling the unity of a country would be much harder. The nonchalant annulment of the union by the SNM is hardly a shrewd political move. A second factor relates to existing international instruments pertaining and regulating national self-determination and the territorial integrity of member states. As things stand, "the greatest hurdle to 'Somaliland's' ambitions for independence, however, is that Somalia refuses to grant a divorce."⁶⁶

Other more relevant instruments, including Resolutions (1541) (XV) and (2649) (XXV) of the United Nations General Assembly, the AU's article 3 of its principles and the Arab League charter in particular, also do not endorse such a unilateral action. The third and perhaps the most consequential problem is the clan factor. Those clans who oppose the "impromptu" secession perceive Somaliland as a project sponsored by one clan (Isaaq) without any open, frank, and fair debate on the future and political choices of each clan in the region. Of the four major clans that make up the communities in the region, only the Isaaq clan is known to be diehard supporter of secession from the rest of the country. Adamantly and with equal zeal opposed to such move are mainly the Daarood clans (the Dhulbahante and Walsangale) who openly defied this proposal from the beginning. Because of their fierce opposition to any move on breaking up Somalia into north and south, the Daarood clans in the eastern half of the region are not administered by Hargaysa, but by Puntland, an autonomous region that opted for a federal system of government.⁶⁷

"Somaliland" has so far been walking on a fragile thin-razor robe that could easily be broken by the slightest clan conflict, especially if triggered by changing the status quo. In October/November, 2005, when the incident of a young Daarood girl, who was raped, tortured and imprisoned by the body guard of the vice president (now president) of "Somaliland," eclipsed all other aspects of life in the regions of both Puntland and Somaliland, an all-out war between the clans became almost inevitable. In the following weeks, in Hargaysa, "for several nights Isaaq neighbors threw stones at houses of a Dhulbahante member of the House of representative of Somaliland, who lived with his family in the city for year." These developments led to a limited degree of population shifts and internal displacement, often

Daaroods fleeing Isaaq dominated towns. Two recent forays by “Somaliland” into Daarood districts (in 2003 and 2007), often attempting to respond to outside events related to the search for recognition, produced low-intensity but potentially far-reaching conflicts; this must serve us as a cautionary note. Highlighting the potential danger awaiting the people in the region, in the event that exogenous forces attempt to compromise on the territorial integrity of Somalia by way of recognizing secession without public and open discourse on the issue by all clans concerned, the Northern Somalis for Peace and Unity’s (NSPU) position paper entitled “Illusory ‘Somaliland’: Setting the Record Straight” gives a stern warning, “Recognition will most certainly lead to war since the secessionist will be tempted to try again to overrun Cayn, Sole and Sanag, thus provoking war with Puntland, which even involve the national government.” To avoid such potential inter-clan conflict, one is forced to turn to Markus Hoehne’s soberly cautious recommendation to maintain the status quo, “further endeavors to set up a fully effective state (be it Somaliland or Puntland/Somalia) recognized under international law may produce large-scale armed conflict.”⁶⁸

¹ “Somaliland” would be in quotation throughout the paper to denote that it is not an official country, yet. Also, clan names are used only for clarity purposes and for historical references. I am most indebted to my friend Said M. M. Shire (Said Suggan) of Somali Studies Association who provided me with valuable references and doubly guided me to the right materials on the subject matter, including advising that I use the term “reunification” to denote the important fact that Somalis were of one people prior to the advent of colonialism. Said’s command of modern history of Northern Somalia and his ownership of valuable [original] collections as well as rare secondary materials in this field makes him an emerging authority in this area.

²For a discussion on failed states, see D. W. Brinkerhoff, "Rebuilding Governance in Failed States and Post-Conflict Societies: Core Concepts and Cross-Cutting Themes," *Public Administration and Development* 25 (2005), pp. 3-14.

³ Alison K. Eggers, “When is A State a State? The Case for Recognition of Somaliland” *Boston College International Law Review*, 2007, Vol. 30, Pp 211-222

⁴ Suliman Baldo, Africa program Director at the International Crisis Group (ICG), June 30, 2006.

⁵ James Swan, Assistant Undersecretary for African Affairs, speaks about seed seed money the US government provided for humanitarian assistance (\$64 million in 2006-2007) and for law and order (\$1.7 million), CISS: Sept. 15, 2007.

⁶Ann Scott Tyson, U.S. Debating Shift of Support in Somali Conflict, *Washington Post*, December 4, 2007.

⁷ See “Critical Remarks on the National Question” in “V. I. Lenin, *Collected Works*, 4th English Edition, (Progress Publishers, Moscow, 1964,) Vol. 20, pp 17-51. Pre-Soviet Russia was known by leftists as the “prison of nations” for it encompassed in its geography many non-Russian oppressed ethnic groups and nationalities. In a limited sense, some Ethiopian leftists also referred to Ethiopia as a “prison of nations.” Feudalism reigned in both Russia and Ethiopia where serfdom thrived until revolutions with Marxist orientations reformed both societies.

⁸ Phifer, Gregg «Woodrow Wilson's Swing around the Circle in Defense of His League», in *Florida State University Studies*, Tallahassee, Fla., Florida State University, 1956, No. 23, pp. 65-102.

⁹ Wilson’s 14 points were the basis for establishing the League of Nations at the turn of the 20th Century, a period when Europe was going through significant territorial restructuring.

¹⁰ Lee J. M. Seymour, "The Surprising Success of "Separatist" Groups: The Empirical and Juridical in Self Determination," Paper for the International Studies Association Annual Convention, San Diego, March, 2006.

¹¹ Hakan Wieber, "Self-Determination as an International Issue," in I.M. Lewis, *National & Self Determination*, Ithaca Press, London, 1983, pp. 43-65.

¹² Pierre Englerbert and Rebecca Hummel: "Let's Stick Together, Understanding Africa's Secession Deficit," *Africa Affairs*, 2005, 104/416, pp. 299-342. Their discussion is important in establishing threshold to assess and best estimate those cases that could succeed for being reproduced as new states with recognition. They also maintain that many secession cases die out in time.

¹³ Englerber and Hummel, 2005, pp. 299-342.

¹⁴ Iqbal Jhazbahy, "Somaliland: Africa's Best-Kept Secret: A Challenge to International Community?" in Matt Bryden, *Rebuilding Somaliland: Issues and Possibilities* (*African Affairs Journal*, London 2007) pp. 106-165.

¹⁵ Resolution (1541) (XV) of the General Assembly is applied to colonies or territories administered by a colonizing country with distinct national characteristics, while Resolution (264) (XXV) in Article 1"affirms the legitimacy of peoples under colonial and alien domination, and, as Hakan suggested, has been applied to Rhodesia, Apartheid South Africa, Palestine. A similar opinion is expressed by John Chipman. In "Managing the Politics of Parochialism." He states: "...neither in the instruments of the United Nations, nor in customary international law as a whole, does there exist any legal right to independence, by means of the right of self-determination for any non-colonial people or for a minority within an existing state" ("Ethnic Conflict and International Security," ed. Michael E.Brown, 1995, p.242). This post WWII thinking of managing internal conflicts support more the upholding of Somalia's territorial integrity than sanctioning the "impromptu" secession of the breakaway "Somaliland" region.

¹⁶ In the western half of the continent, the Biafran attempt to secede (1967) from Africa's largest democracy and most populous nation, Nigeria, has ended as being a historical footnote in secessionist and protest history.

¹⁷ Kiflu Tadasse. *The Generations*, (The Red Sea Press, 1993) pp. 123-165. Tadesse, a member of the radical underground party, Ethiopian People Liberation Party, documents the story of 40 years of intellectual debate on the Ethiopian polity and the centrality of the "national question." These debates at minimum are guide to understand how these debates created an inter-ethnic and multi-cultural political consciousness among the elites.

¹⁸ Edmond Keller, *Revolutionary Ethiopia: From Empire to People's Republic* (Indian University Press, 1988) pp.2 and 44.

¹⁹ There have recently been numerous lead articles in both the *New York Times* (July, 23, 2007) and the *Chicago Tribune* (July 21,2007) of the accounts of human disaster raging in the region and the resilience of the secession sentiments among the residents, despite the claim of the Ethiopian government that the region is autonomous and has self- rule.

²⁰ Owing to its religious affinity with Somalis, Eastern Oromia, including parts of Harar and Bale, has a much earlier national consciousness and history of resistance to the central authority in Addis Ababa than the rest of Oromo regions.

²¹ Bereket Habte Selassie, *Conflict in the Horn of Africa* (Red Sea Press, 1980)

pp 60-65. ²² Habte Selassie, *ibid.* 1980, p. 63. ²³ The Dergi regime in Ethiopia instituted reformist legislations, between 1975

1985, that gave "Ras Gas," (limited regional autonomy) to a number of

ethnic regions including Eritrea, Afars and Somalis.²⁴ Alison Eggers, *ibid*, 2007, Vol. 30, Pp. 211-222.²⁵ Matt Bryden, "Somalia and "Somaliland": "Envisioning a Dialogue on the

Question of Somali unity," *African Security Review*, 2004 13/2.

²⁶ Faisal Roble, "Somalia, A Nation without an Elite-based Movement: Challenges and Opportunities" <http://Wardheernews.com>, February _2006.html. In "A Proposal for Establishing a Transitional Government," which Silanyo drafted and sheepishly dropped off in a matter of days and joined company with those advocating for secession at the convention in Burao city (May, 18, 1991), denoting the "impromptu" nature of the unilateral secession of Northern Somalia.

²⁷ I.M. Lewis, *Blood and Bone: The Call to Kinship*; (The Red Sea Press, Lawrenceville, N.J.) p.180, 1994; Gerard Prunier, "A Candid View of the Somali National Movement," (*Horn of Africa Journal*, 13-14, January-June, 1990-91, pp. 107-120.

²⁸ Cedric Barnes, *U Dhashay-Ku Dhashay: "Genealogical and Territorial discourse in Somali History,"* *Social Identity*, Vol. 12, 4: pp. 487-498; See Ali Hersi, unpublished Doctoral Thesis, "The Arab Factor in Somali History, UCLA, 1978

²⁹ [http://www.wardheernews.com/Article_02/feb_02/Egalas letter.pdf](http://www.wardheernews.com/Article_02/feb_02/Egalas%20letter.pdf)³⁰
[http://www.wardheernews.com/Article_02/feb_02/Egalas letter.pdf](http://www.wardheernews.com/Article_02/feb_02/Egalas%20letter.pdf)³¹ <http://www.wardheernews.com>, *ibid*, 2006.³² I.M. Lewis, *Blood and Bone*, 1994, pp. 178-219.³³ Hussein M. Adam, "Formation and Recognition of New States: Somaliland in

Contrast to Eritrea." *Review of Africa Political Economy*, 1994, 59 pp. 2138.

³⁴ I.M. Lewis, *ibid*. 1994, p. 177.

³⁵ I. M. Lewis, *ibid*. 1994, *op.cit.* 197. But an oral account narrated to the author by the late Mohamed Farah Xasharo, founder of the Gudabursi-based Somali Democratic Alliance (SDA) differed Lewis' version. Xasharo, who was a delegate to a small group gathering of SNM leaders at a private residence in the late 1970s in Jeddah, Saudi Arabia, is that all that SNM wanted was token non-Isaaq individuals to join the front.

³⁶ Daniel Compognon, "The Somali Opposition Fronts: Some Comments and Questions," *Horn of Africa Journal*, 13-14, Nos. 1-2, January-June, 190-91, 107-20.

³⁷ Jama Mohammed Qaalib, *The Cost of Dictatorship: The Somali Experience*. Lilian Barber Press, 1995, pp. 267.

³⁸ Robert Jackson and Carl Roseburg, *Personal Rule in Black Africa* (Berkeley: University of California Press, 1982): pp. 19 - 23.

³⁹ *Somaliland Trade Directory*, Somaliland Chamber of Commerce, Industry and Agriculture (SCCIA), Hargaysa, Somaliland, 2003-2004; there is no reliable census to register inhabitants, thus anywhere from 2.5 million to Hargaysa's 3.5 million is the range used by different analysts.

⁴⁰ Asteries Hiliaras, "The Viability of Somaliland: Internal Constraints and Regional Geopolitics," (*Journal of Contemporary African Studies*, 2, 20, 2002).

⁴¹ See "The Illusory "Somaliland": Setting the Record Straight," Research Unit, 2006. For a list of the treaties signed between Great Britain and Somali clans, with the exception of the Dhulbahante clan, in the Ex-British Protectorate, see exhibits A through G showing. [http://www.wardheernews.com/Articles_06/may_06/ILLUSORY__SOMALILAND".pdf](http://www.wardheernews.com/Articles_06/may_06/ILLUSORY__SOMALILAND.pdf)

⁴² See British Somaliland, Vol. IX, No.I, (Published by The British Society for international Understanding, January, 1948) p.15

⁴³ Harold Nelson, *Somalia: A Country Study*, 1982, p. 34

⁴⁴ I.M. Lewis, *A Modern History of Somalia* (West View Press, 1988) p. 166. For a general discussion on the question of Somali Territory and its partition, the Haud and Reserved Area in particular, see John Drysdale, *The Somali Dispute*, 1968.

⁴⁵ Harold Nelson, *Somalia: A Country Study*, 1982, p. 3

⁴⁶ <http://www.hartford-hwp.com/archives/33/113.html>. IRIN, 10, July 2001

⁴⁷ David Latin and Said S. Samatar, *Somalia: A Nation in Search of a State*, West View, Colorado, 1987, p. 67.

⁴⁸ Paolo Contini, *The Somali Republic: an Experiment in Legal Integration*, The Grange Press, 1969, p. 9.

⁴⁹ The epic poems of Guba, which started in the 1930s and ran through 1950, clearly express the level of wide clan conflict along Isaaq vs. Ogaden, or Ogaden vs Dhulbahante, or Dhulbahante vs. Isaaq axis.

⁵⁰ David Shin, *Somaliland: The Little Country that Could* (CSIS, African Notes, November, No. 9, 2002).

⁵¹ Peter J. Schraeder. "Why the United States Recognize Somaliland," (<http://forums.csis.org/africa/?cat=2CSIS> Africa Policy Forum, 2006.) One of the reasoning why US policy makers should overlook the clan is in appraising the question to recognize "Somaliland" is to stick to the "1884" colonial border, insinuating that this reason would strike cord with the OAU (now AU) principles of "no change to colonial borders." His argument appears simplistic in that the protection of territorial integrity needs to be evaluated in light of the young and soft states that exist in Africa. In a recent article by the Washington Post (December 4, 2007) officials at the Pentagon, responding to its need for the use of the military facilities in Barbara, indicated their "eagerness to recognize Somaliland," although the State Department "stands in the way."

⁵² <http://www.timothygoddard.com/blog/?p=238#comment-303766>

⁵³ President Rayale has in numerous speeches and interviews invoked, often sounding half-heartedly committed to secession, this concept of "taking back" sovereignty from the south.

⁵⁴ Several political leaders of the secessionist region, including the current sitting president, Reyle Kahin, as well as some Somalia observers content that as many as 35 member states have recognized "Somaliland" on the wake of its independence from Great Britain in 1960. See David Shin, *ibid*, no. 9, 2002. But there are no records that have been cited or presented by either politicians or Shin himself, despite the later being a long time US Diplomat.

⁵⁵ Shin, *ibid*, 2002.

⁵⁶ Paola Contine, *Somalia: An experiment in Legal Integration*, London, Frank Cass, 1969, viii+92 and Pp. 10-11

⁵⁷ C. 32-Act of Union, Law No.5 of January, 1961, 33-Supra, p.9. The repeal, did not apply to Section, 11(4) of that law The Act of Union Page 12-13

⁵⁸ NSPU: *ibid*, 2006.

⁵⁹ Interview with Dr. Ahmed Issa in "Taking the initiative: Somaliland's Regional Opportunities for International Recognition," 2006, Graduate program in International Affairs (GIPA0, The New School.

⁶⁰ Hussein Adam, *From Tyranny to Anarchy: The Somali Experience*, Red Sea Press, 2007; pp. 183-213. See also "Taking Initiative, interview with Ahmed Issa, a member of SNM and KULMIYE party in Hargaysa staunchly maintains that secession is call not to be negotiated.

⁶¹Lewis, *Nationalism and Self Determination*, *ibid*, *op.cit.*, p. 9

⁶² Hussein M. Adam "Language, National Consciousness and Identity-The

Somali Experience," in I.M. Lewis, 1994, *ibid*, p. *op.cit.*, 33. ⁶³ David Latin and Said S. Samatar, *Somalia*, 1987, p. 67. ⁶⁴ Ahmed I. Samatar, *Socialist Somalia: Myth or Rhetoric*, (Boulder, Colorado,

1984), p. 45. ⁶⁵ Donald L. Horowitz, *Ethnic Groups in Conflict*. UC Press, 1998, *ibid*. pp.

151–166. ⁶⁶ International Crisis Report, June, 2006. ⁶⁷Since October,, 2007 militia loyal to "Somaliland" has violently captured Las

Anod, the main city in the Dhulbahante country, thus leading to a potential era for a renewed conflict.

⁶⁸ Markus V. Hoehne, "Political Identity, Emerging State Structures and Conflict in Northern Somalia," *Journal of Modern African Studies*, 44-3, Cambridge University Press , 2006, pp. 394-414.