

# **SECESSION AND CAUSES FOR EXTERNAL STATE RECOGNITION**

**EXPLORING THE CASES OF SOUTH SUDAN AND SOMALILAND**

**THESIS**

**Submitted in Fulfilment of the Requirements for the Degree of Master of Political  
Science and International Relations in the Social Sciences Faculty of Leiden  
University, the Netherlands**

**By**

**Mr. Jean Q. P. Newbery**

**s1163604**

**\*\*\*\*\***

**Leiden University  
11 June, 2012**



**Universiteit Leiden**

Readers

Dr. Adam W. Chalmers

Dr. Lee J. M. Seymour

Word Count

19,867

## CONTENTS

Abbreviations	...4
Abstract	...5
Introduction	...6
<u>CHAPTER ONE: Secession Theory and Hypotheses Construction</u>	...10
(1) External Recognition	...10
1.2 International Legal Sovereignty	...11
(2) Secession Theory	...13
(3) Hybrid Secession Theory	...20
(4) Hypotheses	...21
4.1 External Hypotheses	...22
4.2 Internal Hypotheses	...23
<u>CHAPTER TWO: Research Design</u>	...25
(1) Case Selection	...25
(2) Data Collection and Methods	...26
<u>CHAPTER THREE: External Secession Theory Application</u>	...27
<u>Hypothesis 1</u> – External Security	...27
<i>Somaliland</i>	...27
<i>South Sudan</i>	...30
Findings of External Security	...32
<u>Hypothesis 2</u> – Domestic Relations	...34
<i>Somaliland</i>	...34
<i>South Sudan</i>	...36
Findings of Domestic Relations	...37
<u>CHAPTER FOUR: Internal Secession Theory Application</u>	...39
<u>Hypothesis 3</u> – Internal Security	...39
<i>Somaliland</i>	...40
<i>South Sudan</i>	...42
Findings of Internal Security	...44

<u>Hypothesis 4</u> – Home-State	...47
<i>Somaliland</i>	...47
<i>South Sudan</i>	...48
Findings of Home-State	...49
<u>Hypothesis 5</u> – Institutions and Economy	...52
5.1 Institutions	
<i>Somaliland</i>	...52
<i>South Sudan</i>	...55
5.2 Economy	
<i>Somaliland</i>	...57
<i>South Sudan</i>	...59
Findings of Institutions and Economy	...60
<u>CHAPTER FIVE</u> : Conclusion	...63
(1) Hybrid Theory Findings	...63
(2) Limitations	...67
<u>Annex</u>	...68
Figures – Somaliland	...68
Figures – South Sudan	...69
<u>Bibliography</u>	...70

## Abbreviations

AMISOM – African Union Mission in Somalia  
AU – African Union  
CPA – Comprehensive Peace Agreement  
DDR – Disarmament, Demobilisation and Reintegration  
DfID – Department for International Development  
DV – Dependent Variable  
EU – European Union  
EUR – Euro  
GoSS – Government of South Sudan  
ICC – International Criminal Court  
IGAD – Intergovernmental Authority for Development  
IO – International Organisation  
NIS – National Intelligence Service  
RoSS – Republic of South Sudan  
SALW – Small Arms and Light Weapons  
SNM – Somali National Movement  
SPLA – Southern Peoples Liberation Army  
SPLM – Southern Peoples Liberation Movement  
SSC – Sool, Sanaag and Cayn  
TFG – Transitional Federal Government  
TNG – Transitional National Government  
UIC – United Islamic Courts  
UK – United Kingdom  
UN – United Nations  
UNDP – United Nations Development Programme  
UNGA – United Nations General Assembly  
UNMISS – United Nations Mission in South Sudan  
UNSC – United Nations Security Council  
UNSG – United Nations Secretary General  
US – United States  
USAID – US Agency for International Development  
USD – United States Dollar

## **Abstract**

The purpose of this research is to analyse the forces behind how secession<sup>1</sup> states come to be externally recognised and gain international legal sovereignty. This paper addresses the overtly one-dimensional approach of current secession theories pertaining to external recognition. I posit to fill a gap in the existing literature by creating a new theory derived from the two existing sets of secession literature; external and internal. This will be a hybrid theory that incorporates both existing theoretical lenses to give a more complete picture of the forces at work behind external recognition. I then apply this theory to the case studies of Somaliland and South Sudan. The research aims to identify and isolate factors that influence and explain the external recognition of South Sudan and the non-recognition of Somaliland. South Sudan's external recognition is found to be explained solely by levels of external involvement while Somaliland is found to have more influential internal factors than external. This leads to the conclusion that within the hybrid theory, external factors prove the most significant in external recognition. However, only through a hybrid theory can well-rounded and comprehensive research be conducted. The paper contributes to the academic field within Political Science of secessionist movements and state creation.

---

<sup>1</sup> A secessionist movement is defined as a 'nationalist groups attempting to separate from one state in order to create a newly independent state for its people.' Coggins, 'Friends in High Places, 454.

## INTRODUCTION

May 18, 1991 Somaliland SNM officials declare the North-Western territory free from their Southern counter-part and begin consolidating power in the region along the old British Protectorate lines. July 9, 2011 South Sudanese citizens pour out onto the streets to celebrate the formal creation of their new state. Shots of the new flag clutched by a jubilant society ring out all over the world and hope appears high that the years of turmoil will finally come to an end. These are two examples of secession. One has been externally recognised and has gained international legal sovereignty while the other remains in a grey area, detached and functioning separately from Somalia but with no recognition from external states.

Nonetheless, Somaliland possesses all the features of a fully functioning state including a police force, army, centralised government, own currency, flag and vehicle registration plates. It can also issue visas, ministers can travel to several states on Somaliland passports and it has successfully carried out democratic district, presidential and parliamentary elections. Nonetheless it remains, according to Bradbury, stranded in a 'diplomatic no man's land.'<sup>2</sup> It has been noted that this *de facto* state has achieved a level of authority and security provision not often seen in the Horn of Africa's delicate history, even having been deemed a 'democratic oases.'<sup>3</sup> However, often to outsiders who have heard of Somaliland it is simply associated as one of many 'tribal factions' in Somalia's chaos.<sup>4</sup> Furthermore, the non-recognition of Somaliland is in fact holding back further development, significantly limiting economic and diplomatic avenues.<sup>5</sup>

South Sudan had long considered itself to be distinct from the North. Southerners possessed similar modes of production, livelihood, culture and religious traditions. But most of all, they shared the overwhelming sentiment of not being from the North of Sudan.<sup>6</sup> Before the January 2011 referendum, civil war had raged in the country for all but

---

<sup>2</sup> Bradbury, *Becoming Somaliland*, 5.

<sup>3</sup> Caspersen, *Unrecognized States*, 99.

<sup>4</sup> Coggins 'Secession, Recognition and the International Politics of Statehood', 46.

<sup>5</sup> Sturman, 'New Norms, Old Boundaries', in Pavkovic & Radan, *On the Way to Statehood*, 82.

<sup>6</sup> Jok, 'Diversity, Unity', 7.

eleven years since 1955. Periods of intense violence and policies of startling brutality by the Khartoum-based Northern government against the South had characterised Sudan since it was decolonised. Only after two civil wars that cost between 2.2 to 3 million human deaths and displaced four million more since 1956,<sup>7</sup> could the South separate from its Arab and Islamic counter-part and gain its own (mostly) defined territory. This is a territory that was and continues to be dominated ‘by internal conflict and marred by underdevelopment’ with a legacy of mass-insecurity left by the civil wars.<sup>8</sup> Yet after the 2003 ceasefire agreement, signing the CPA in 2005 and the January 2011 Southern referendum, the overwhelming results of which were eventually accepted by Khartoum, international recognition to the rudimentary state was granted leading to the creation of the 194<sup>th</sup> internationally recognised state.

These two cases are not exceptions, rather it has been noted that the number of ongoing global secession projects in search of external recognition has not dipped below fifty since World War II.<sup>9</sup> What forces lead to some of them being externally recognised while others are not? This question has received surprisingly little attention from political analysts considering the implications affect the basis of the international system that so much of their work is carried out around.

Indeed, state secession forces us to re-evaluate the very international order that we are accustomed to, one built along neatly divided and clearly identifiable lines that form entities. Secession will involve the breakaway of a specific section of territory, claiming *de facto* rule over it and its inhabitants and effectively becoming an unrecognised state.<sup>10</sup> Secession does not ‘fit’ into the tidy model of ‘recognised’ and demarcated states and is more often than not treated as undermining the territorial integrity of sovereign states and the established international order. These claims force us to address the wider issue of modern perceptions towards the formation of states. Secession movements want to engage with the international system as it is here that they wish to gain membership. However, the historically state-centric international system often views such movements through the

---

<sup>7</sup> A displacement figure not seen since World War II. Jok, ‘Diversity, Unity’, 9. Belloni, ‘The Birth of South Sudan’, 412.

<sup>8</sup> Lacher, ‘South Sudan’, 5.

<sup>9</sup> Coggins, ‘Friends in High Places’, 437.

<sup>10</sup> With no international legal sovereignty.

prism security threats and foreign-policy challenges to the global political environment we live in.<sup>11</sup> Due to an inability to imagine the international order not based on sovereignty, disorder is consequently assumed in its absence.<sup>12</sup>

This study intends to address the issue. An analysis and comparison of the case studies which possess ‘a remarkable number of similarities that mean they will make for fascinating case studies,’<sup>13</sup> in relation to external recognition of secession will make for original research. Existing comparisons are slight and only address the perceived precedence of South Sudan as opposed to testable reasons for external recognition or non-recognition. Indeed, ‘drawing a regional parallel with (...) South Sudan (...) might offer a good basis [to assess Somaliland’s secession claim].’<sup>14</sup>

The research is a piece in a puzzle, attempting to highlight reasons behind what I term ‘selective recognition’. This refers to lack of clearly augmented rules concerning external recognition of secession. Although this research only addresses two cases of which just one is still a secession claim, divergences in external reactions to the cases are apparent. For the fact remains that South Sudan has gained external recognition while Somaliland has not despite possessing all the attributes of a working state.<sup>15</sup> One has advanced from being an unrecognised entity while the other remains in a limbo. This thesis asks the following central research question: what factors serve to explain external recognition of state secession leading to international legal sovereignty in South Sudan and not in Somaliland?

I argue that to answer the question and to really understand external recognition of secession, research must take into account all the forces at play. Therefore, I create an original hybrid theory that uses elements from both external and internal secession theory and is able to provide a broader picture. By testing the new theory against two case studies, I offer comparative research that will advance the central question.

---

<sup>11</sup> Caspersen, & Stansfield, *Unrecognized States in the International System*, 3.

<sup>12</sup> Caspersen, *Unrecognized States*, 23.

<sup>13</sup> Jones, ‘Somaliland and South Sudan – the Challenging Road Ahead’.

<sup>14</sup> Walls & Kibble, ‘Beyond Polarity’, 51.

<sup>15</sup> *Ibid*, 33.

The central finding of the research is that both internal and external explanations provide insight into why South Sudan is externally recognised and Somaliland is not. I find that South Sudan's recognition was influenced solely by external factors and that Somaliland meets much of the internal secession theory criteria but less of the external. Therefore, I conclude that external factors, namely external state motives and interests, are most significant in explaining external recognition of South Sudan and not Somaliland. This research concurs with the work of Coggins, but maintains that only a hybrid theory can provide for extensive research.

## CHAPTER ONE

### **External Recognition, Secession Theory and Hypotheses Construction**

Section (1) of this Chapter identifies what is meant by external recognition. I also introduce international legal sovereignty which is gained from external state recognition. Theorised by Krasner, international legal sovereignty is the mutual recognition between two juridical states.<sup>16</sup> With this clarified, Section (2) reviews existing secession theories. The purpose is to address existing explanations behind the Dependent Variable (DV) of the paper; external recognition following secession, leading to international legal sovereignty. It outlines and synthesises the main arguments of the two academic secession theories, external and internal explanations for recognition. Due to the illustrative nature of this research, the Section will use Somaliland's non-recognition and South Sudan's external recognition to demonstrate the two theories.

Following on, in Section (3) I make my case for a hybrid secession theory used in this paper which combines internal and external secession theories. I argue that both sets must be tested if we are to fully understand the driving forces behind external recognition from a state. Finally, in Section (4) I apply my theory through the formulation of five hypotheses. I demonstrate how a hybrid theory will allow for well-rounded and comprehensive research.

#### **(1) External Recognition**

To clarify, when referring to 'external recognition' this study means individual external states. This does not exclude the home-state of the secession. External recognition is the process of an external state publicly declaring they recognise the secession as an entity which should be allowed to operate under its own accord. Clearly, in this research external recognition can only come after secession. I agree with Coggins (and use her turn

---

<sup>16</sup> These are independent territorial entities.

of phrase) that ‘Great Power’ states are the most influential in the global arena. These states possess the most material power and are depicted as extending this power through wielding influence over other states to externally recognise or not recognise secession. Their actions are able to set a precedent they may not be aware of themselves.<sup>17</sup> Therefore, the study will concentrate on these regional or global gatekeepers of recognition but through the term ‘external states’.

However, one external state recognising secession does not constitute full recognition in the way required to be a member of the international community and sit in the UNGA. Rather a critical mass of external states must extend recognition. While this research concentrates on single states, it remains significant as ‘each individual state’s recognition increases the chances that the actor will become a state,’<sup>18</sup> especially when that state is a ‘Great Power’.

For clarity, throughout the study the act of ‘external recognition’ will always be accompanied with ‘international legal sovereignty’ (below), I argue the two are not separable. ‘Domestic authority’ will refer to internal state features and ‘external’ and ‘outside’ both in terms of a state and forces mean the same.

## **1.2 International Legal Sovereignty**

It is difficult to separate an unrecognised secession state from the concept of sovereignty. After all, it is ultimately external recognition by an outside state that secession desires. This recognition must be based on some sort of process or concept. The notion of sovereignty continues to dominate state proceedings and is intertwined with the introduction of new states.

Unrecognised secession movements tackle the statement that ‘there are states and there is little else,’ head-on.<sup>19</sup> The international community has had to adapt and address a number of breakaway entities within which large variety exist. Solutions have ranged from autonomous territories, mini-states, failed states, states which exercise diminished or

---

<sup>17</sup> Coggins, ‘Secession, Recognition and the International Politics of Statehood’, 13.

<sup>18</sup> Coggins, ‘Friends in High Places’, 452.

<sup>19</sup> Caspersen, *Unrecognized States*, 3.

residual sovereignty, 'incremental secession' and even a state with 'supervised independence'.<sup>20</sup> Recognised states then are not always as clearly delineated as might be imagined. Furthermore, the distinction between recognised and unrecognised states tends to be exaggerated. The only meaningful difference and distinguishing feature is their achievement of external recognition or not.<sup>21</sup>

Traditional and constitutive views of sovereignty prescribe that without external recognition, a secession state cannot technically exist. None have put this as straightforward as Miller who notes that 'just as we know a camel or a chair when we see one, so we know a sovereign state.'<sup>22</sup> Therefore, a secession state may exercise a high-level of domestic authority but without external recognition this amounts to nothing. To be recognised the secession must be the final authority and free from foreign sources.

However as revealed, differences between recognised states are already numerous. Why then should secessions be treated in such a one-track and limited manner? Krasner addresses this. He views the system of sovereign states as highly flexible with a long history of accommodating entities that do not conform to traditional views of sovereignty. While he, like this study, also concerns himself with external recognition, he does so through the notion of international legal sovereignty. This is one of his four sovereignty elements and is the most relevant for this research.<sup>23</sup> It entails that a 'mutual recognition' of authority takes place between two territorial entities that both have formal juridical independence.<sup>24</sup> Once this external recognition has taken place by a critical mass of external states, *de jure* status and international membership will be achieved.

By an external state entering into recognition agreement with the unrecognised secession, it confers a new level of legitimacy not previously possessed. This has been almost universally desired by all states, Somaliland and South Sudan being no different. The benefits derived from recognition as a juridical equal can then be accessed, including the

---

<sup>20</sup> For more on these examples, see *Ibid*, 3-7.

<sup>21</sup> Coggins, 'Friends in High Places', 447.

<sup>22</sup> Caspersen, *Unrecognized States*, 13.

<sup>23</sup> The others being Westphalian sovereignty, domestic sovereignty and interdependence sovereignty. It does not pose a problem to this research to only use one, Krasner himself recognises that with one form of sovereignty, another may be diminished. This means that the four do not constitute one rounded theory.

<sup>24</sup> Krasner, *Organised Hypocrisy*, 15.

ability to freely decide which agreements and treaties to enter<sup>25</sup> or perhaps create. Thus, international legal sovereignty allows a previously unrecognised state to diplomatically represent itself and benefit from international forces.

Further benefits of external recognition include security agreements with new allies and the right to non-intervention, diplomatic immunity, increased foreign capital investment by outside enterprises, the opportunity to enter international financial institutions and official legal authority including the recognition of its binding internal laws.<sup>26</sup> It has also been noted as boosting the state's international standings as a viable political regime, increasing a regimes security with norms of non-intervention being applicable and finally as legitimising any struggle endured to get to where they are.<sup>27</sup>

This notion of sovereignty will be adopted throughout the research and is seen as the endgame for unrecognised states. However the question remains, what forces explain whether an external state chooses to recognise a secession claim or not? The next Section addresses the two main theories attempting to provide an explanation.

## **(2) Secession Theory**

### ***External Secession Theory***

External secession theory asserts that for secession to be recognised by an external state, be it regional or international, that state must have a strategic interest for doing so. External theory believes too much emphasis is placed on internal factors which do not provide a full picture of the international forces at work concerning secession recognition. Coggins asserts that the international community is inherently social, building on Horowitz's hunch that 'whether a secession movement [succeeds] [...] is determined by the balance of forces and interests that extend beyond the state.'<sup>28</sup> Coggins maintains that ignoring the influences and particularly interests of external actors who convene in a surprisingly communal political environment is theoretically and she proves empirically,

---

<sup>25</sup> And can then also leave.

<sup>26</sup> Krasner, *Organised Hypocrisy*, 17. Coggins, 'Friends in High Places', 448.

<sup>27</sup> Caspersen, *Unrecognized States*, 8 & 120.

<sup>28</sup> Horowitz, *Ethnic Groups in Conflict*, 230.

narrow-minded. In her research, it is shown that secessions with a friend in a high place (a Great Power) are more likely to gain the external recognition needed and acquire international legal sovereignty.

After all, it is external powers who ultimately decide what status a secession movement is branded, 'recognised' or 'unrecognised'. This makes internal factors and the associated level of effective authority limited as it does not account for external state motives and interests. Rather, if an external power is intent on recognising secession, they will do so anyway.

Coggins does not suggest that the Westphalian model of statehood is under threat or indeed in need of change. Rather external secession theory recognises the modern and influential role of the international community, in particular those actors within it who wield the most influence. Recognition therefore, is taken beyond simple acknowledgement of any internal criteria and is based on external actors' own agenda and interests.

A factor highlighted as influencing external recognition is concerns for external security. The core of this external influence is based on determinants of strategy and alliance based upon considerations of the international security environment and where the secession fits into this. Theory anticipates that external states will recognise secession if it increases their own security and regional advantages. Throughout this study, security is taken to mean a wide agenda of issues outside of only war. These can include economic, political and societal sources of security relevant to the case studies. Although it is not possible to measure exact levels of security, I will operationalise the concept and provide indicators of how advances in security levels should appear.

External theory believes that it would not be in the best interests of an external state to recognise secession if by doing so would reduce their own security interests in the secession, home-state or region. For example, if conflict was foreseen to be sparked or to spread causing instability, or if a strong ally or military interest would be diminished. When turned on the case studies, Somaliland cannot rule out the possibility of a spill-over effect from Somalia's persistent violence, external recognition perhaps serving to spur

this on.<sup>29</sup> There are insurgent groups who oppose the possibility of a Somalia break-up or ‘balkanisation’ and other Northern secessions that oppose Somaliland recognition. If it is likely that external recognition would plunge Somaliland and possibly surrounding areas of high Somali population into unrest, the likelihood of external recognition is reduced.<sup>30</sup> Further unrest would act against external state’s motive to install central authority in Somalia. One of the motives for external recognition of South Sudan was to attempt to re-stabilise a highly volatile area.

Furthermore, external states may fear a domino-effect in secession movements and new, potentially unstable breakaway states that could also destabilise regional order. There existed among international and particularly regional actors a fear that recognising South Sudan would pave the way for an onslaught in follow-on movements. The Libyan leader Col. Gaddafi in 2010 warned that ‘what is happening in Sudan could become a contagious disease that affects the whole of Africa.’<sup>31</sup> It was noted that the precedent could even open up the question of the continuing validity of inherited colonial borders.<sup>32</sup>

However, the case demonstrates that there is likely to be a long and practical series of stages and criteria to be followed and met for secession to be recognised.<sup>33</sup> The large-scale involvement was itself partly justified by the unlikely chances of an increase in secession movements due to the specific circumstances of South Sudan, namely the decades of intense violence. The likelihood of opening the sovereignty floodgate, so to speak, was not seen to be a credible reason for non-recognition, on the contrary there was an influx of external involvement. The fear that by granting Somaliland recognition a blueprint to external recognition would be produced has also been portrayed as imaginary and counterproductive.<sup>34</sup> Even the AU who treat inherited borders as inviolable through

---

<sup>29</sup> Marchal, ‘A Tentative Assessment’, 389.

<sup>30</sup> Harmony Project, ‘Al-Qaeda’s (mis)adventures’, 60.

<sup>31</sup> AFP, ‘Sudan’s Partition to be a “Contagious Disease”’. Leaders of Algeria and Chad have made similar statements.

<sup>32</sup> Jok, ‘Diversity, Unity’.

<sup>33</sup> Belloni, ‘The Birth of South Sudan’.

<sup>34</sup> Eggers, ‘When is a State a State?’, 212.

the principle of *uti possidetis*,<sup>35</sup> noted at the end of a 2005 fact-finding mission that the case should not be linked to the notion of ‘opening a Pandora’s box.’<sup>36</sup>

Tied to this, external secession theory views home-state relations to be influential in recognition or non-recognition. Strategically, if a state has a shared interest in the home-state or is motivated to open or create a forum, Coggins does not believe that it would be in that state’s interest to recognise any secession able to disrupt this. It would not seem logical to want to weaken a local ally or ‘friend’. Whereas Sudan under al-Bashir’s presidency, had been given external states a headache for over a decade by supporting terrorist cells and committing atrocities, many states now have a stake in Somalia. The TFG was created and is maintained with large outside assistance both in personnel and finances. Recognising Somaliland could undermine external efforts to finally create some form of stability in Somalia.

### ***Internal Secession Theory***

Internal secession theory disagrees. Simply put, it is a bottom-up approach that claims internal factors are most significant in deciding recognition.<sup>37</sup> Internal secession scholars maintain that effective internal features such as governance institutions, economy, internal security and home-state relations should influence external recognition. These factors amount to levels of effective domestic authority.<sup>38</sup> It is this umbrella indicator that determines which secession is externally recognised. The higher the empirically demonstrable level of domestic authority, the more likely secession will be externally recognised.

---

<sup>35</sup> ‘As you possess’. Parties should retain possession of that which they have acquired. In African context: borders that a country had at the time of decolonisation must be preserved. Poore, ‘Somaliland: shackled to a failed state’, 131.

<sup>36</sup> Eggers, ‘When is a State a State?’, 220. Walls & Kibble, ‘Beyond Polarity’, 47.

<sup>37</sup> Cunningham, ‘Divide and Conquer’.

<sup>38</sup> Defined as the organization of political authority within the state and the ability of public authorities to exercise effective control within the borders of their own polity. Krasner, *Organized Hypocrisy*, 4.

While an ambiguity in international law exists, which seems to neither prohibits nor encourage secessionist movements,<sup>39</sup> theory has been cemented into a number of almost checklist type requirements, of which the 1933 Montevideo Convention on the Rights and Duties of States is one of the most cited. This establishes fundamental qualities that a state-to-be should have. These are; a permanent population, a defined territory, a government and the capacity to enter into relations with other states.<sup>40</sup> Clearly internal make-up is emphasised, even the last external looking qualification is enabled only by internal diplomatic capacities.

Indeed, Rotberg argues that based on internal factors and capacity one can determine the strength of a state, ranging from strong to failed.<sup>41</sup> Internal secession theory views the internal abundance with governance norms and practices as the best way of securing recognition, as the international community is more likely to accept a state that will not upset the existing order. This inter-state order was built around the autonomous assertion of societal-binding authority within a state's own borders and these borders remaining clearly defined. In the case of both states used in this paper, settled borders remain a contentious issue.

While some authors aim to give as broad analysis as possible of internal features,<sup>42</sup> within internal secession theory there are also more specific strands of internal state factors which are thought to be most significant. The anthropological make-up of civilians has been given consideration. Bunce asserts that external recognition is more likely if the secession is ethnically distinctive, for this gives the secession claim a level of cohesiveness.<sup>43</sup> This is relevant to Somaliland, the main Isaaq clan accounting for approximately seventy percent of the population. It struggles to find ground with South Sudan though, inhabitants comprising of over two hundred ethnic groups.<sup>44</sup>

---

<sup>39</sup> Eggers, 'When is a State a State?', 216.

<sup>40</sup> Organisation of American States, 1933, Art. 1.

<sup>41</sup> Rotberg, *When States Fail*.

<sup>42</sup> See Caspersen, *Unrecognized States*, who argues in favour of a wide-spectrum of internal features.

<sup>43</sup> Bunce, *Subversive Institutions*.

<sup>44</sup> Emmanuel, 'South Sudan', 94.

Similarly, Mancini believes that secession is more likely to be successful when it secures minority rights.<sup>45</sup> South Sudan may be illustrative of this, the majority Christian and African population by no means constitute a uniform society with considerable ethnic and linguistic diversity, nonetheless made up a minority compared to the Arab and Muslim North.

Dersso theorises that external recognition is more likely when it is a means of redressing serious violations of human rights that were related to the systematic discrimination of a population section.<sup>46</sup> Applied to the case studies, almost since original de-colonised independence North Sudan had treated the South like second-class citizens, imposing a regime of 'Arabisation' and *Shari* 'a law,<sup>47</sup> whilst also leaving it severely underdeveloped.<sup>48</sup> Whole villages were forcibly displaced by aerial bombardments and scorched earth tactics to make way for foreign oil investors. These series of tragic events, as well as more atrocities in the Darfur region of West Sudan meant external recognition of the South was seen as possibly the only way to end the relentless violence.

Others claim that internal institutional empowerment of a particular group or groups is paramount in gaining external recognition. Roeder observes that recognition is more likely if elites have at their disposal an institutionalised mechanism of political influence that helps them to establish political-identity hegemony.<sup>49</sup> Scholars such as Licklider put forward that a powerful secession movement is more likely to gain recognition, particularly if a decisive military victory is gained over an adversary, usually the home-state.<sup>50</sup> In both case studies, no decisive military victory was gained. The SPLA in South Sudan had gained the upper-hand on occasions, but complete defeat of one side seemed unlikely. Somaliland has not had to militarily engage with Somalia due mainly to its virtual non-existence for over two decades, but Somaliland's standing army would certainly hold the upper-hand.

---

<sup>45</sup> Mancini, 'Rethinking the Boundaries'.

<sup>46</sup> Dersso, 'International Law and the Self-Determination of South Sudan'.

<sup>47</sup> Natsios, *Sudan, South Sudan and Darfur*, 160.

<sup>48</sup> It received almost nothing of the revenue derived from its oil fields of which South Sudan has the third-largest proven oil reserves in Africa. Lacher, 'South Sudan', 7.

<sup>49</sup> Roeder, *Where Nation-States Come From*.

<sup>50</sup> Licklider, 'The Consequences of Negotiated Settlements'.

Once a struggle has been internally settled in terms of outbreaks of violence and at least the reduced chance of conflict re-emergence, there would appear little reason not to recognise secession.<sup>51</sup> This is related to the provision of internal security by the secession. Although Somaliland has experienced spouts of violence in the Eastern territories and patches of civil war in the early 1990s, its ability to keep clear of the wider Somalia conflict is impressive. The conflict between North and South Sudan however, does not appear to be settling with conflict along the border consistently imminent.

Another internal feature referred to is institution and economic capability. Issues including underdevelopment, the ability to provide essential services, economic functioning and diversity, and institutional reach can amount to a level of domestic authority. Higher-levels are associated with sustainability and increased chances of external recognition.<sup>52</sup> Analysts highlight the lack of infrastructure and economic diversity and Somaliland's heavy reliance on its diaspora and remittances as areas that must be addressed. However, as outlined in Section (1.2), once a state is recognised it can begin to benefit from greater monetary services. There exists an unfortunate paradox with this internal factor. Without external recognition, international investment and monetary flows are limited stunting development, but such development to tackle poverty and increase access to basic services is itself seen as necessary by internal theorists and external states for recognition.

As well as economic, others features that currently hinder the development of Somaliland and South Sudan include the high-levels of un-employment,<sup>53</sup> the lack of media channels, particularly those able to reach the rural population,<sup>54</sup> and the almost complete lack of participation of women in politics as well as their repression within society.<sup>55</sup>

Finally, internal theory indicates the importance of relations between secession and its home-state. If a peaceful agreement can be made internally which addresses any contentious issues there is less reason to doubt the viability of the new state as often the most historically controversial and explosive issues are between home-states and

---

<sup>51</sup> Toft, *Securing the Peace*.

<sup>52</sup> Euban, 'Peace-building without External Assistance', 13.

<sup>53</sup> Walls, 'The Emergence of a Somali State', 386.

<sup>54</sup> Hansen & Bradbury, 'Somaliland: A New Democracy', 469.

<sup>55</sup> Walls & Kibble, 'Beyond Polarity', 41.

secessions. Therefore, strong home-state relations are seen as a viable show of domestic authority and should be accompanied by stability.

In South Sudan, relations with the Khartoum government had been dire for decades. It was only after huge international involvement and pressure that the North finally accepted Southern separation was inevitable. The absence of a functioning central government in Somalia complicates Somaliland's position. Furthermore, Somaliland's aspiration for external recognition and its unwillingness to attend Somali unification conferences has been a stumbling block to international efforts in establishing central governance.<sup>56</sup> The poor relations are mostly built around differences in outlook though, as opposed to chances of militarised exchanges.

### **(3) Hybrid Secession Theory**

While I recognise the gap in existing literature that Coggin's external secession theory provides, I do not believe that bypassing internal factors altogether is in itself, wise. I therefore argue for a hybrid theory that will use elements from both external and internal secession theory. By doing so, my research will be able to account for a wide range of reasons for external recognition or non-recognition. I believe that elements highlighted as instrumental for external recognition by internal theory, are likely to be influenced or constrained by factors pointed to by external theory, and vice versa.

In this research I intend to apply and extend both sets of secession theory. Application to Somaliland and South Sudan and extension by recognising the reciprocal value of the two theories. This more rounded and complimentary approach will allow me to highlight the most important factors that help to explain the external recognition of South Sudan but not Somaliland, advancing the research question.

Although it is logical that each secession case should differ in some way, secession literature appears to be more interested in providing general rules. Such rules are useful for historical patterns and sweeping conclusions, but are less valuable for explaining specific examples of external recognition or non-recognition. I intend to depart from this

---

<sup>56</sup> Bruton, 'Somalia, A New Approach', 17.

by testing hypotheses derived from an inclusive hybrid theory to two case studies. Each hypothesis expects to illustrate a link between theory and external recognition of secession, hoping to isolate factors that should influence external recognition of secession. This allows me to advance the research question in two ways. Firstly, which factors brought to light by testing the hybrid theory derived hypotheses best explain the external recognition of South Sudan but not Somaliland? And secondly, do these factors support Coggins' re-assessment and shifted iteration to an external explanation, or internal secession theory? Comments can also be made on the seemingly selective nature of external recognition of secession.

#### **(4) Hypotheses**

This research is thus ultimately interested in what factors make an external state be more or less likely to recognise secession. The hybrid nature of the research means I have derived the hypotheses from external and internal secession theory. Simply put, external explanations are: (1) External Security and (2) Domestic Relations. Internal explanations follow: (3) Internal Security, (4) Home-State Relations and (5) Institutions and Economy. Throughout the study, my DV remains external recognition, leading to international legal sovereignty. Therefore, each hypothesis expects to provide explanatory factors that illustrate reasons for recognised secession in South Sudan but non-recognition in Somaliland.<sup>57</sup>

The hypotheses have not been formed in specific relation to the two case studies. Rather, as outlined, they are derived from the two-sided nature of existing secession literature. Therefore from the outset when applied to the case studies, I do not necessarily foresee that positive causation will be achieved across the board and accept this to be the nature of the study. Abiding by prominent areas of theory in the formulation of the hypotheses will aid me to establish continuities and divergences between theory and empirics.

---

<sup>57</sup> With South Sudan, the hypotheses will address features and events up to date of recognition in July, 2011. Please note that despite the use of past tense, the issue may be ongoing.

#### **(4.1) External Hypotheses**

The two hypotheses championing external factors view motive of an external state as being the most significant in recognising (or not recognising) secession. This is due, argues Coggins, to the interests of the outside actor in advancing their own strategic positions and aims either within the secession state or in the region, making secession recognition part of their state strategy.

Hypothesis (1) addresses the external security aspect of external secession theory. As outlined, security gains weaken the external state's enemies and thus advances their own security position. This can also involve enhanced regional security if this is seen as securing external state interests. Therefore, any potential granting of external recognition should reflect an external state's own security situation and considerations.<sup>58</sup>

Therefore, hypothesis (1) will be,

H1. the more recognition *increases* an external states own security, the *more* likely it is for that state to recognise the secession.

Hypothesis (2) is drawn from the home-state relations facet of external secession theory. This notes that if recognition by an external state were to diminish relations with the home-state be it politically, economically or militarily, recognition would be less likely. It would not be in the interests of an external state to recognise secession if it would only serve to reduce their own interests or capabilities.

I hypothesise that,

H2. the more likely recognition of secession by an external state would *decrease* relations with the home-state of that secession, the *less* likely that external state will extend recognition.

---

<sup>58</sup> Coggins, 'Friends in High Places', 449

#### ***(4.2) Internal Hypotheses***

The hypotheses derived from internal secession theory expect to highlight that internal features are the most important for the external recognition (or non-recognition) of secession. They point to the creation of an environment from which it is logically derived that an external state should look upon the secession more favourably and be more willing to recognise it. As noted, internal secession theory believes that the secession state's level of domestic authority is the driving force behind external recognition.

Hypothesis (3) addresses the importance of internal security. This is a traditional notion of domestic authority, Max Weber famously deeming the monopoly of force as the driving factor behind internal control.<sup>59</sup> Internal theory indicates that settled borders and centralised security provision able to reach all citizens should contribute to limited chances of (recurring) conflict and should increase chances of external recognition. Likewise, if such issues are seen or anticipated to be a problem, it would not be a difficult step to predict this would act against the likelihood of external recognition.

The hypothesis follows as,

H3. the *higher* the level of internal security provision, the *more* likely an external state will recognise the secession.

Hypothesis (4) draws from internal secession theory this time, the importance of home-state relations. If relations are peaceful, internal secession theory believes that a prominent area where conflict could breakout is eliminated. This serves to boost internal security as desired in hypothesis (3) and should amount to a verifiable level of domestic authority. Thus peaceful home-state relations should provide internal stability which should serve to increase chances of external recognition, stability being desired by the international community.

I hypothesis that,

---

<sup>59</sup> Weber, *The Vocation Lectures*.

H4. the *more* peaceful secession relations are with their home-state, the *more* likely an external state will recognise the secession.

Finally, hypothesis (5) takes into account the internal make-up and capabilities of the secession state, serving as an indicator of domestic authority. The higher the capabilities, and thus domestic authority, the more likely secession will be externally recognised. As shown, internal secession theory has highlighted numerous features that if present and functioning, should work in the secession state's favour. This research has condensed the features, leaving two tests of state capabilities,

- (1) The extent and strength of the state's devolved and decentralised institutions,
- (2) Economic make-up: income and reliance.

Accordingly the hypothesis will be,

H5. the *stronger* the secession's internal institutions and economy, the *more* likely it is to be externally recognised and international legal sovereignty acquired.

## CHAPTER TWO

### Research Design

#### **(1) Case Selection**

To assess why some secessions are externally recognised while others are not, I will read the hybrid theory through two contemporary examples of secession; the unrecognised Somaliland and South Sudan, the world's newest state. Reasons for selecting these two cases are numerous; both are located in the Horn of Africa, both are organised around ethnic groups and contain a sizeable majority of citizens who are rurally based and largely live-stock herders.

The two cases have also experienced prolonged periods of brutal violence. In Somaliland, SNM fighters were engaged in a struggle against Siad Barré's dictatorship. The instability caused by the fighting led to the regime's collapse in 1991 with SNM officials taking the opportunity to declare *de facto* status from Somalia. It has since established a surprising level of stability and governance including a series of democratic elections, yet remains unrecognised by any external state. South Sudan resistance fighters (SPLA/M) struggled against Northern repression and fought amongst themselves for influence during a war that lasted for decades. A ceasefire was agreed in 2005 which contained a clause for a Southern referendum concerning independence six years later. In January 2011 the referendum took place, resulting in a landslide in favour of independence which external states queued-up to recognise.

Why then, if the two cases feature such similar elements, has one been recognised while the other has not? I attempt to provide an answer by applying the hybrid series of hypotheses. This should serve to isolate factors that influence external recognition, while also providing insight into the effectiveness of each theory when compared to empirical realities.

## **(2) Data Collection and Methods**

This thesis will use existing data as the opportunity to collect original data was unfortunately unrealistic. The specific availability of numerical data for both cases is limited. South Sudan has been an officially recognised state for less than a year and Somaliland is not externally recognised meaning many prominent research bodies and think-tanks continue to incorporate the state into overall Somalia data. This inclusion is not useful to the study as no indication of regional differences would be available. Data collection is also notoriously difficult in the states, both having been plagued by decades of warfare and lack basic infrastructure in the hinterlands. Instead, I use state policy reports and UN and EU official documents. These serve to measure levels of importance connected to factors examined in the research, for example security.

## CHAPTER THREE

### **External Secession Theory Application**

It has been hypothesised and tested by Coggins that external states, namely 'Great Powers', hold the key to a secession claims external recognition. It is these powers that control if secession is granted international legal sovereignty through recognition or not, judging the claim based on their own motives and strategic interests. This may entail that a secession state is recognised even though its internal capabilities are weak. Contrarily, a secession state may function effectively but provides little strategic interest for external states making recognition elusive. Accordingly, contrasts in the level of self-motivated involvement by external states are thought to influence external recognition or non-recognition. This is thought to provide the most significant explanation for isolating factors that advance the research question and explains South Sudan's external recognition and not Somaliland's.

#### ***Hypothesis 1 – External Security***

External secession theory highlights the role of security as a motive for external recognition. Advancing security interests should influence an external state's decision to recognise secession or not. When reversed, it can be assumed that if external recognition would not advance an external state's security interests, they would be less willing to grant external recognition. Thus, my hypothesis,

H1: the more recognition increases an external states own security, the more likely it is for that state is to recognise the secession.

#### **Somaliland**

The main sources of security concern for external powers are twofold. Firstly, the domestic and regional threat posed by two Islamic extremist cells, the *Harakat al-*

*Shabaab al Mujahidin* ('the youth') and *Hizbul Islam*, the former having attracted the most attention and concern. Secondly, the prospect of a spill-over affect from Somalia not only into Somaliland, but also areas of high Somali inhabitants in Kenya and Ethiopia. This could cause further mass-instability to the region.

International engagement with Somaliland has aimed to bolster its security force's abilities to deal with the fluid nature of threat posed by *al-Shabaab*. The cell was officially formed in Somaliland and continues to have a geographical unit covering Puntland<sup>60</sup> and Somaliland. It maintains a strong and active recruitment drive in the North,<sup>61</sup> particularly appealing to underrepresented sub-clans and unemployed youths. Its goal is ultimately to wage global jihad and to create a strict regime in line with their interpretation of the *Quran*.<sup>62</sup> More immediately, the cell seeks the reunification of a 'Greater Somalia'<sup>63</sup> as an Islamic Emirate.

The group has outlined its disdain of Somaliland both in its existence as a secession state and towards its government, the established democratic system having been deemed as blasphemous by their leader.<sup>64</sup> In the 2010 elections, the Islamist group threatened that Somalilanders would 'face the consequences' of casting their ballots, branding anyone who did so as 'unbelievers.'<sup>65</sup> These threats were not to be taken lightly, the group had already demonstrated their ability to cause unrest in Somaliland through a series of suicide-attacks in Hargeisa, 2008 and various assassinations mainly of foreign aid workers, as well as the and devastating 2010 Kampala World Cup explosion in Uganda. Fortunately this time, these threats did not materialise.

Somali-bred terrorism has long been on the security agenda of Western governments. It was thought that *al-Qaeda* affiliated terrorists and explosive material had passed through Somalia on their way to the 1998 US embassy attacks in Tanzania and Kenya, likely

---

<sup>60</sup> Also a *de facto* state situated in the North-East of Somalia. It claimed independence in 1998, but not with the intention of being internationally recognised, rather authorities desire the reunification of 'Greater Somalia' under a federal system.

<sup>61</sup> Before training them in the central grey-regions. Shinn, 'Al-Shabaab's Foreign Threat', ICG, 'Somalia: To Move Beyond', UNSG Report, 234.

<sup>62</sup> Holzer, 'Political Islam in Somalia', 25.

<sup>63</sup> Including the Ogaden region of Ethiopia, parts of Kenya, Djibouti and Puntland as well as Somaliland.

<sup>64</sup> Zenn, 'Al-Shabaab's Unavoidable Clash', 1.

<sup>65</sup> *Ibid*, 2. Hohne, 'Counter-terrorism', 8.

finding a safe-haven in parts of Mogadishu after the attacks. *Al-Shabaab* has attracted more attention this year by formally pledging through a released web-video its allegiance to *al-Qaeda*. Previously, esteemed leaders including Osama bin-Laden had recognised the Somali unit, referring to them as the ‘lions of Islam in Somalia.’<sup>66</sup>

The threat of a trans-national terrorist attack plotted and perhaps even trained for in the parts of North Somalia where central authority is slight (see h3) is treated as a reality. By demonstrating their capacity and ambitions to attack outside of North and South Somalia, and aligning themselves with a group whose actions eleven years ago continue to influence foreign-policy, *al-Shabaab* have placed themselves firmly on external actors’ security radars. The UN recognised the threat in a report that produced evidence linking terrorism to the disintegration of the Somali state.<sup>67</sup>

External states have interacted with Somaliland officials to address these security issues. Ethiopia’s history with Somaliland is long, having harboured SNM bases during the pre-1991 civil war. It now views Somaliland as a regional ally, against the possibility of future attacks, the presence of mutual threat<sup>68</sup> has led to increased co-operation in the field of security. Ethiopia is also concerned that violence will filter into already unsettled border regions where high numbers of Somali nationals reside.

US military instructors based in Ethiopia have also been actively involved in training Somaliland National Intelligence Service (NIS) officers with cooperation starting as early as 2003.<sup>69</sup> The nature and connection of the threat in Somaliland makes it a priority for the US which is keen to find allies for its ‘War on Terror.’ As noted, ‘Somalia’s porous borders and undefended coastline make it a prime concern for US policy-makers.’<sup>70</sup> Similarly, the UK has also provided special counter-terrorism training to Somaliland’s Criminal Investigation Department.<sup>71</sup> The increased cooperation and training has brought some success with NIS security forces thwarting at least three plots in 2010, two in the

---

<sup>66</sup> Zenn, ‘Al-Shabaab’s Unavoidable Clash’, 1.

<sup>67</sup> Poore, ‘Somaliland: shackled to a failed state’, 120.

<sup>68</sup> One of the 2008 attacks in Hargeisa was against the Ethiopian consular mission.

<sup>69</sup> ICG, ‘Counter-Terrorism in Somalia’, 9.

<sup>70</sup> Poore, ‘Somaliland: shackled to a failed state’, 120.

<sup>71</sup> Zenn, ‘Al-Shabaab’s Unavoidable Clash’, 2.

month before the June presidential election.<sup>72</sup> The US has even transferred former Guantanamo detainees into the custody of Somaliland's government,<sup>73</sup> and the Seychelles reached an agreement where convicted pirates would be transferred to Somaliland prisons, clear nods to Somaliland security capacities and to the importance of their well-functioning.

External secession theory states that if an external state has a strategic interest or a stake in the secession or region, they are more likely to recognise it. Somaliland is strategically well placed. The port of Berbera (see figure 1) provides an outlet for the Gulf of Aden which leads into Red Sea and harbours lucrative trading opportunities. It peers across the straight to Yemen which has been a source of both military challenges and cooperation during the 'War on Terror'. Somaliland shares a short border with Djibouti and its longest one with Ethiopia, a regional partner for many Western states and undoubtedly the regional hegemon. Recent reports of natural resource deposits and moderate levels of *Shari'a* law implementation, certainly when compared to the United Islamic Courts (UIC) that controlled large parts of Somalia from 2005, the regime provides some tempting strategic prospects.

### **South Sudan**

Like Somaliland, external security concerns regarding South Sudan related to terrorism and the destabilising effect of conflict. Sudan itself had been on policy-makers agenda as a potential threat since the bloodless coup of 1989 which instigated Omar Hassan al-Bashir as President. The new regime saw themselves as promoters of political Islam and began veering towards policies of radicalisation with calls for a global Islamist revolution. The President and his close advisors invited members of *al-Qaeda* including their leader Osama bin Laden,<sup>74</sup> and numerous other Islamist groups to live, work and re-locate their headquarters and training camps to Sudan.

---

<sup>72</sup> Zenn, 'Al-Shabaab's Unavoidable Clash', 2.

<sup>73</sup> Brickley, 'Gitmo Detainees'.

<sup>74</sup> Who was related by marriage to al-Turabi, a pivotal figure and supporter of al-Bashir's coup until 1997. Bin Laden was eventually expelled from Sudan in 1996. Natsios & Abramowitz, 'Sudan's Secession Crisis', 23.

As well as the Middle-East, the US had grave foreign-policy concerns that Sudan may emerge as the new Lebanon from where terrorist groups could launch attacks and plan operations.<sup>75</sup> A US policy-maker deemed the regime 'a viper's nest of terrorism' and it was promptly placed on the list of states that sponsor terrorism, meaning it could receive no US assistance or investment.<sup>76</sup>

This, as well as Khartoum's support for Saddam Hussein during the 1991 Gulf War served to cement Sudan's international isolation. However, the reactionary affect pushed Sudan further towards sympathetic regimes, namely the Islamic Republic of Iran and Libya. This sent shockwaves across the Arab world which feared an expansion of political Islam to Egypt and the wider-Horn, and was alarmed by the possibility of military action by the West.

To counter al-Bashir, the US under President Clinton started to support allies in region by providing a surplus of military equipment to Uganda, Eritrea and Ethiopia.<sup>77</sup> More recently, it appears the possibility of the Khartoum regime harbouring terrorists has not been removed from US defence policy, its involvement in South Sudan having led to fears of Northern reprisals. When Obama took office, one of his three strategies towards Sudan was the continued insurance that a safe-haven for terrorists was not able to be created.<sup>78</sup>

A further question raised by the North government's ever-unpredictable level of cooperation is the use of Nile waters. The importance of the issue is such, that it could bring Egypt and Ethiopia into conflict with North Sudan, another issue harbouring potential for regional instability. Volatile issues leave Middle-Eastern and Asian investors with little confidence and insurance of protection.<sup>79</sup>

Another area of external security was the detrimental spill-over effect that a return to wide-scale conflict in Sudan could have on regional security. The possibility of violence can spark reactionary policies such as arms imports and cause a continuing threat to the

---

<sup>75</sup> Medani, 'The Horn of Africa in the shadow of the cold war', 9 & 10.

<sup>76</sup> Dagne, 'The Republic of South Sudan', 8 & 9.

<sup>77</sup> *Ibid*, 9.

<sup>78</sup> *Ibid*, 9.

<sup>79</sup> Fazal & Griffiths, 'Membership has its Privileges', 21.

region.<sup>80</sup> The kilometres upon kilometres of unguarded boundaries, of which South Sudan shares six, could allow rebel militia, tribal conflict and humanitarian crises to cross-borders with relative ease. Escalation can also be fuelled by increased strain placed on border states from refugees through migration or involuntary displacement.

### **Findings of External Security**

In the case of Somaliland, the motive for increased security directly and regionally should increase the likelihood of external recognition by an external state, and so follows the basic tenets of external secession theory. As the empirics show, Somaliland harbours strategic importance for the advancement of an external state's own security against the threat of terrorism and regional instability, its significance demonstrated already by the present and increasing level of external security orientated involvement. Although collaboration in the field of security cannot rule out the chances of spill-over violence, Somaliland security forces having already shown their preventative abilities are improving. If this fear was a genuine concern then external states could provide more cooperation, intelligence sharing and training in the lead-up to recognition, quelling the potential for spill-over. The gains of a strong regional ally that would enhance an external state's security appear to outweigh the risk of spill-over violence and, in light of the crisis dominated Somalia, should not amount to a significant enough reason for non-recognition.

The hypothesis has shown an aspect of what external theory expects; a link between security motivated policy of external actors and an increase in levels of external security involvement with the secession. What it cannot account for is the non-realisation of the study's DV as Somaliland remains unrecognised. The problem for Somaliland is the reciprocal nature of external security provisions which mean external states can advance their own interests without any concrete guarantees of recognition.

External state security motives did play a role in the recognition of South Sudan, thus bearing out the assumptions of external secession theory. Empirically, security factors usually detrimental to external recognition, namely the foreseen spill-over effect of

---

<sup>80</sup> Medani, 'The Horn of Africa in the shadow of the cold war', 17.

instability, had long passed. This was demonstrated by the devastating conflict in Darfur, the poorly guarded and lucid borders from minimal controls meant disruptive militias and government forces could take shelter in neighbouring states. The hypothesis must be adapted in this case, instead of preventing the spread of conflict in the first place, external recognition should be a means to halt further spill-over violence as a result of Sudan's civil war. The cessation of violence was seen as enhancing their security interests in the region. The threat of terrorism stemming from North Sudan also continued to be an external security concern, highlighted for example by Obama's Sudan strategies.

## ***Hypothesis 2 – Domestic Relations***

Having established that advancements in domestic or regional security concerns of an external state can provide motive for secession recognition, I will now assess how the chances of external recognition of secession is affected by varying levels of home-state relations. As outlined, external secession theory believes that if recognition of secession by an external state were to decrease relations with the home-state, reducing any strategic interests along the way, that external state's motive to recognise secession should be diminished. Why, asks Coggins, would an external state recognise secession if it is detrimental to their own home-state interests? I hypothesise therefore,

H2: the more likely recognition of secession by an external state would decrease relations with the home-state of that secession, the less likely that external state will extend recognition.

## **Somaliland**

I will first assess how the TFG of Somalia is closely associated with external involvement, followed by an assessment of further external involvement in the form of an AU peacekeeping force. The importance of home-state relations was outlined by the EU, which considers 'the territorial integrity of Somalia an issue to be resolved first and foremost among Somalis themselves.'<sup>81</sup>

The TFG was created in 2004 at a conference in Nairobi and since Ethiopian forces dispersed the UIC between 2005 and 2007, sits as the official government of Somalia. It has since been attempting to gradually assert central authority outside of Mogadishu and other larger towns. Somalia's government has received a huge amount of external aid and assistance. It is of little surprise therefore, that the TFG, propped up by AMISOM, is heavily backed by the US and a withdrawn Ethiopia. This, according to Sturman, has served to elevate the TFG's status above the self-proclaimed representatives of Somaliland who built a state largely from rubble with very little external assistance.<sup>82</sup>

---

<sup>81</sup> Somalia Joint Strategy Paper for the Period 2008 – 2013, 11.

<sup>82</sup> Sturman, 'New Norms, Old Boundaries', in Pavkovic & Radan, *On the Way to Statehood*, 77.

Paradoxically, the TFG could not survive without external assistance but is granted full diplomatic recognition as a member of the international community.<sup>83</sup>

External actors in Somalia are unlikely to want to undermine their own operations and the ally of Somalia that they have created. Issues such as piracy are high on the international agenda and a strong Somalia is needed to deal with them. As seen, the potential for further violence as a result of Somaliland recognition cannot be ruled out as it effectively ends any dream of a 'Greater Somalia'. This vision reaches beyond the Somali border into areas of Kenya and Ethiopia. The last thing external states want is clan-based mobilisation centred on Somaliland recognition, this could provide mass-instability. Even though Somaliland has provided a quite exceptional level of stability within its borders, while secession is viewed through the lens of a security threat, recognition by those involved in the creation and maintenance of the TFG is unlikely. Furthermore, the US and UK are fearful that the lack of Arab state<sup>84</sup> and Arab League support for Somaliland's cause could damage their ties with the Middle East.

That is not to say that external 'functional relations' have not been built with Somaliland. The US 'continue[s] to regularly engage with Somaliland as a regional administration,'<sup>85</sup> having even invited top Kulmiye party ministers to Washington in 2010.<sup>86</sup> It has hosted delegations from Pakistan, Djibouti, Denmark and Kuwait and has received continental support from South Africa, Rwanda and Zambia.<sup>87</sup>

Ethiopia's military show of strength to repel the UIC was replaced with the world's most expensive peace-keeping force, AMISOM.<sup>88</sup> This force continues to engage with rebel groups and regional strongmen with no interest in being brought under the TFG, as well as *al-Shabaab* fighters (see above) who remain ideologically opposed to the Western puppet-government that sides with their religious enemy, Ethiopia.

---

<sup>83</sup> Tull, 'Separatism in Africa', 3.

<sup>84</sup> Particularly from Egypt, Yemen and Saudi Arabia.

<sup>85</sup> Farley, 'Calling a State a State', 809.

<sup>86</sup> Caspersen & Stansfield, *Unrecognized States in the International System*, 140&141.

<sup>87</sup> Farley, 'Calling a State a State', 808 & 789, Hansen & Bradbury, 'Somaliland: A New Democracy', 463.

<sup>88</sup> Mandate of 12,000 troops, although at the time of writing the deployed figure is more like 8,000.

## South Sudan

As shown in h1, external state's relations with North Sudan had not been positive. Harrowing reports came to light as to the scale of atrocities committed by the regime of al-Bashir, now indicted by the ICC on homicide charges, against the South. As early as November 1993 the US House of Representatives had recognised the right of South Sudanese secession<sup>89</sup> and since then had remained committed to 'bringing stability to Sudan.'<sup>90</sup>

Although relations with the North after the end of the Cold War were poor, it did not stop the US under Bush Jrn. elevating Sudan near the top of his foreign-policy agenda. Joined later by the UK and Norway (referred to collectively as 'the Troika'), they attempted to engage with the regime in a constructive and realistic manner. The mediating states, for example, did not insist that hostilities ceased before arbitrating talks between the two combatants. While this may seem like folly when placed alongside the scale of violence, it was a compromise that made sure Khartoum was not pushed too hard, the possibility of an increase in violence remaining very real. The US also made sure that recognition issues remained fixed on South Sudan and not extended to include Darfur.<sup>91</sup> During periods of intense deadlock, President Bush rang al-Bashir personally on twelve occasions to maintain pressure.<sup>92</sup>

The US conveyed to the North that if they cooperated peacefully with the South's transition, sanctions may be lifted and full diplomatic recognition restored.<sup>93</sup> The North desperately wanted to end its pariah status and divert attention away from Darfur. Al-Bashir also feared US military power, having been previously demonstrated in Sudan when the Clinton administration bombed a pharmaceutical plant in Khartoum and more recently by the invasions of Afghanistan then Iraq.<sup>94</sup>

---

<sup>89</sup> November, 1993, U.S. House of Representatives: H.Con.Res. 131.

<sup>90</sup> President Bush Jrn. in Dagne, 'The Republic of South Sudan', 9

<sup>91</sup> The motive for which can be argued as either US disinterest for numerous secessions or compromise to Khartoum so they did not lose further territory.

<sup>92</sup> Natsios, *Sudan, South Sudan and Darfur*, 169.

<sup>93</sup> Due to the atrocities in Darfur and later in the Nuba Mountains and South Kordofan 2011, the sanctions remained.

<sup>94</sup> Natsios, *Sudan, South Sudan and Darfur*, 165.

Eventually, sustained Troika pressure alongside waning citizen support for a war that was sapping Northern revenue and dominating expenditure, led to al-Bashir and SPLM leader John Garang signing the CPA. The scale of the conflict was undoubtedly a key factor in what was considered a foreign-policy triumph for the Christian leader. Bush had seen it as his Christian duty<sup>95</sup> to aid the peoples of South Sudan who had been religiously persecuted for centuries, a regime of ‘Arabisation’ being forced upon them. Importantly for Bush, the CPA held that *Shari* ‘a law only applied to Muslims and that English was restored as the South’s national language.

### **Findings of Domestic Relations**

In the case of Somaliland, it appears the relations between external states and the Somalia home-state under the TFG provides direct support for the hypothesis. Somaliland’s unrecognised status is exactly what external secession theory expects the empirical reality to be. External theory does not expect recognition to act against the interests of the external state. In this case, it is clearly not in the interests of external states, after having poured time and resources into creating then installing the TFG in Mogadishu in the hope it can drag Somalia out of a twenty-one year black hole, to then recognise a secession that breaks-up Somalia. As shown in h1, partition may be associated with security threats which are also likely to act against external state interests.

Despite this representing the fourteenth attempt at establishing a Somali central authority, the level of international cooperation and diplomatic exertion between states and IGOs, the huge financial sums in creating and maintaining the TFG and ANISOM as well as the regional military effort to disband the UIC, accumulate for the TFG to be seen as presenting a departure and real hope for at least a basic level of nation-wide stability.

Therefore, by recognising Somaliland, a secession that the TFG and every form of Somali authority since 1991 opposes, external states perceive their own chances of finally accomplishing Somali stability and creating a regional ally able to eliminate external security threats, to be diminished. Equally, by recognising Somaliland current

---

<sup>95</sup> With the backing of Evangelical, Catholic and African-American churches. *Ibid*, 166.

peacekeeping forces are likely to become even more stretched to pre-empt any potential violence. This could lead to further unrest in the South with local strongmen ceasing their chance. Thus, external recognition may lead to a situation where external states do not reap the benefits of their own efforts.

Relations with South Sudan's home-state on the other-hand do not appear to have played a linking role in external recognition of the South. As outlined, al-Bashir had diplomatically out-cast himself and was firmly held responsible for numerous counts of human suffering. The international community was more interested in maintaining constant pressure to make sure the Northern government held its part of the bargain and allowed the January 2011 referendum to take place. Indeed, in September 2010 at the UN in New York virtually every state-representative lined up behind the South to insist the referendum was held on time.<sup>96</sup>

In this instance, external secession theory used to construct the hypothesis cannot attribute domestic relations between external states and North Sudan as a causal factor related to the external recognition of South Sudan, or at least not in the way it expected. The theory has initially failed because empirical home-state relations were poor, meaning the motive for external recognition was unhindered.

However, when the hypothesis is reversed a causal explanation for external recognition can be observed. Thus as opposed to strong relations decreasing the chances of recognition as shown in Somalia, North Sudan suggests that poor relations with the home-state should serve to eliminate an obstacle to external recognition, paving the way for unhindered action. External states did not affiliate North Sudan as a friend or ally. Instead, cooperation was maintained out of necessity and seen as a way of accommodating an end to hostilities. This may not mean that secession chances of external recognition are automatically increased *per se*, rather a sizable obstacle should have been removed. This is in line with external theory as the external state can act as it wishes. Unfortunately, testing this is outside the remits of the paper.

---

<sup>96</sup> Natsios & Abramowitz, 'Sudan's Secession Crisis', 21

## CHAPTER FOUR

### **Internal Secession Theory Application**

As outlined, the second theory pertaining to external recognition of secession emphasises the significance of internal factors in explaining whether secession is externally recognised or not. Theoretically, the presence of certain internal features should increase chances of external recognition. As in the previous Chapter, a series of hypotheses derived from prominent features of theory will be applied to the case studies in an attempt to advance the study's research question of what factors explain South Sudan's external recognition and not Somaliland's.

Each hypothesis expects to show that if a verifiably high-level of domestic authority is present chances of external recognition and the acquisition of international legal sovereignty should be positively influenced. Internal secession theory depicts non-recognition to stem from weak-levels of domestic authority.

#### ***Hypothesis 3 – Internal Security***

Internal security should be linked to more effective domestic authority which influences external recognition. Contrarily, if a secessionist claim is not able to secure its borders or cannot provide security to its citizens, this show of weak internal security should reduce the likelihood of external recognition. It is these two features; borders and security provision, which this hypothesis will use to test internal security and thus domestic authority.

I hypothesise,

H3: the higher the level of internal security provision, the more likely an external state will recognise the secession.

It will be shown that settling official borders<sup>97</sup> with neighbouring states provides tensions in each case, while in South Sudan the level of security provision was particularly hampered by the availability of small arms and light weapons (SALW).

## **Somaliland**

Somaliland broke-away from Somalia along the same borders as when it originally gained independence from the British Empire in 1960. Despite these relatively clear claimed borders, there lies a contested region between Somaliland and Puntland that has caused numerous tensions and occasions of conflict between the two breakaway states. These tensions and brief clashes have resulted in shifting control over Sool Sanaag and Cayn (also known as ‘Ayn’, SSC) regions.<sup>98</sup> Any limited authority in territories of self-declared control can undermine the territorial authority of Somaliland and also its political integrity, as the subjects of these hinterlands cannot be forced under their control.<sup>99</sup>

The disputed areas have experienced intermittent clashes, with tensions reaching boiling-point and igniting into military confrontation on several occasions. Most noteworthy were the collisions at the end of 2003 and in 2004 over settlement control between Somaliland and Puntland troops. In October 2007 Somaliland’s troops seized back the town of Las Anod in Sool (see figure 2 in Annex).<sup>100</sup> Escalation appears consistently possible in the militarised zones, with further violence flaring up in 2009 following a senior Somaliland military official’s death after a road-side bomb. More recently in late 2010 and early 2011 there were clashes in the Buuhoodle border area between SSC militia backed by Puntland and Somaliland troops. The clashes reflect historically rooted claims over the territories

---

<sup>97</sup> The importance of ‘defined territory’ is often quoted as a term for statehood (Montevideo, 1933)

<sup>98</sup> Also known as Khaatumo.

<sup>99</sup> Even if doing so finds popular consensus. It was observed that the October 2007 taking of the city of Las Anod was popular among Somalilanders as the area was controlled by Puntland whose former ruler was the current President of Somalia and disliked. Freedom House, 2008 report.

<sup>100</sup> It was taken by Puntland forces when they attacked President Riyale’s convoy on a visit to Las Anod, extending their administration to the Sool Region and parts of Ayn.

and the inhabitants' clan-affiliations and have reportedly sparked a further increase in military spending.<sup>101</sup>

Conflict is spurred on by competition for water resources between local clans and for natural gas reserves between the two secession states. Tensions also accelerated into violence in August 2011 despite a tentative cease-fire since March 2011 and a June 2011 reconciliation conference.<sup>102</sup> There have been positive developments within the conflict which reflect the region's history for dispute resolution. For example the 2011 peace accord involved exchanging prisoners of war.

It seems that only when an official and settled border is fully accepted by all parties can a cessation in tensions be realised. Resolution though, will not be simple and may require international mediation, but while no external recognition has been extended to Somaliland, these prospects are not available. Any ongoing violence or potential for border related conflict is, according to the hypothesis, likely to cement external hesitance. The fact the UNSG highlights the clashes in his regional security reports, is an example of the negative impact and extensive coverage that border violence attracts, even if full-scale war is unlikely.

While Somaliland has managed to veer clear of wider Somalia conflicts and upheaval, internal security concerns have stemmed mainly from the terrorist cell *al-Shabaab*. As shown, the group has vocally and violently stressed their objection to any secession state within Somalia. The democratic institutions of Somaliland (see h5.1) are portrayed to be imitations of Christian and Jewish 'Western ways', able to provide very little for Islamic Somalilanders. The cell has highlighted the continuingly high unemployment rates and poor infrastructure of Somaliland as evidence of this.<sup>103</sup> Even President Silyano holds 'no doubt that we will [remain] a target for terrorists.'<sup>104</sup>

However, Somaliland has been able to attract attention for its efforts in countering security threats, UN investigators reporting that Somaliland security forces were able to

---

<sup>101</sup> Bradbury, *Becoming Somaliland*, 201.

<sup>102</sup> UNSG Report 447, 277, 549.

<sup>103</sup> Zenn, 'Al-Shabaab's Unavoidable Clash', 1.

<sup>104</sup> The Economist, 'Somaliland: Another Country in Waiting'.

maintain order throughout most of Somaliland's territory.<sup>105</sup> The NIS has made significant strides in preventing attacks and identifying adversaries while a 15,000 strong standing army is well-trained.<sup>106</sup> Continuing such strides, notes Zenn, is an ongoing opportunity to show Somaliland's developed domestic authority capabilities which should deflect further attacks in itself and attract further international security cooperation.<sup>107</sup>

## **South Sudan**

The one hundred and twenty-five page CPA document of 2005 promoted reconciliation and was full of promise. However, implementation would be challenging considering the precarious state of South Sudan's borders. Of the South's six borders, it was undoubtedly the border shared with North Sudan that remained the most contentious.

The proposed 7,000km border that would separate the North from the South was described as now the most combustible fault line in Africa.<sup>108</sup> Although it was to become an international border, full demarcation was not completed by the eve of independence with only eighty percent having been officially settled.<sup>109</sup> Rather it was suspected that Khartoum had been reluctant to settle the borders as ambiguity and associated agitation allowed for greater influence over border oil fields.<sup>110</sup> The provision of security was also exacerbated by the continuingly loose border controls which allowed for relatively free movement of militias and as a result, instability.

As well as borders, the ability of South Sudan's forces to provide security to its citizens was seriously hindered by the proliferation and continued availability of SALW. The possibility of tensions boiling over and violence reemerging was continuingly made all the more possible by the estimated 720,000 SALW possessed by the South Sudanese civilian

---

<sup>105</sup> Reflected by the security situation being downgraded to Security Phase Three in September 2010, UNSG Report 675. UNSC, 'Report of the Monitoring Group', Res 1811.

<sup>106</sup> The Military Balance 2012, 452.

<sup>107</sup> Zenn, 'Al-Shabaab's Unavoidable Clash', 3.

<sup>108</sup> The New York Times (2012) *Times Topic: Sudan*.

<sup>109</sup> Belloni, 'The birth of South Sudan', 419.

<sup>110</sup> ICG, 'South Sudan: Compounding Instability', 21.

population.<sup>111</sup> South Sudanese security forces in the same period were estimated to have held 200,000 small arms, leaving them firmly outgunned.<sup>112</sup>

The militarisation of entire communities<sup>113</sup> during the civil wars caused mass-insecurities, sparked rivalries and meant the possibility of escalatory reprisal over inter-community and seasonal resources competition was persistent.<sup>114</sup> The scale of the problem truly emerged when one considers the population of South Sudan to have been approximately 8.3 million<sup>115</sup> at the time of the January 2011 referendum, of which 4.35 million were eligible to vote.<sup>116</sup> This suggests that one out of every twelve of the overall population and one out six of those eligible to vote, not only possessed a SALW at the time of external recognition, but also the option to re-ignite conflict and destabilise authority.

South Sudan's government efforts to disarm after the CPA were almost always viewed as an attempt to punish or control a certain ethnic group, meaning efforts served only to cause a further escalation of tensions and push internal security further afield. Disarmament was also rarely replaced with the guarantee of civilian safety and security through intervention in case of violence. The South's security force and army, the SPLA, were slow to set out due to a lack of organisation and infrastructure. It could barely mobilise to more than two locations and usually lacked sufficient and timely information about the incident. Nor was it a monopolistic force, the military elite remained deeply divided which led to further inefficiencies and breakaway militias.

When it did react, its heavy-handed responses won them little respect and could generate more sympathy for renegade militias.<sup>117</sup> Remote communities' security therefore, remained ensured by their own means.<sup>118</sup> This had an escalatory effect which further

---

<sup>111</sup> In 2009, estimate by Small Arms Survey in Lacher, 'South Sudan', 10.

<sup>112</sup> Lacher, 'South Sudan', 10. Danish Demining Group, Pact & Saferworld, 'Disarmament Déjà-vu', 4.

<sup>113</sup> Danish Demining Group, Pact & Saferworld, 'Disarmament Déjà-vu', 4.

<sup>114</sup> In the form of cattle raiding, child abduction, land-grabbing, summary executions, rape and armed theft. Olowu, 'South Sudan beyond Self-Determination', 298. Danish Demining Group, Pact & Saferworld, 'Disarmament Déjà-vu', 1.

<sup>115</sup> According to a population census in 2008. Christopher, 'Secession and South Sudan', 128.

<sup>116</sup> 4.35 million is a mean of 4.8 (Belloni 2011) and 3.9 (Christopher 2011) million estimates of voter eligibility number. Eligible to vote implying they are within age range to join militias (excludes possibility of child soldiers).

<sup>117</sup> ICG, 'South Sudan: Compounding Instability', 14.

<sup>118</sup> Danish Demining, Group Pact & Saferworld, 'Disarmament Déjà-vu', 1.

decreased internal security, as other groups or *bomas* (villages) in the area were incentivised to take up or keep their arms to be able to deter attacks and protect their communities from looting and hostilities.

The CPA Ceasefire Agreement was meant to address this through a ‘Disarmament, Demobilisation and Reintegration’ (DDR) programme for militias and security forces. Eventually starting in 2009, it prohibited ‘the replenishment of ammunition, weapons and other lethal or military equipment’ within the agreed ceasefire zone. This zone ambitiously included the heavily contested town of Abyei and the Southern Kordofan and Blue Nile regions (see figure 5).<sup>119</sup> However, due to the high stakes in these areas, namely being part of the North or South of Sudan, an arms race was reportedly sparked with the GoSS having actively boosted its arms acquisitions on the international market in blatant violation of UNSC arms embargos and the aims of the CPA.<sup>120</sup> State diversions of financial and physical resources also served to decrease internal security.

Both government and treaty failures allowed heavily-armed militias to prop-up regional strongmen and roam the countryside virtually unchecked. At least seven rebel militias had officially declared their opposition to Juba,<sup>121</sup> the possession of SALW and the failures of state security provision meant they could make demands, usually for inclusion in the decision-making process or for a cut of natural resources, through threats of destabilisation.

### **Findings of Internal Security**

This hypothesis expected there to exist a link between internal security and external recognition. To test internal security, two key areas were assessed. These served to operationalise the concept of security which, if proven to be at a high-level, should lead to increased chances of external recognition. I find that the two cases provide divergent

---

<sup>119</sup> Small Arms Survey & Human Security Baseline Assessment, ‘Supply and Demand’, 2.

<sup>120</sup> The demand for small arms has in fact grown since 2005: between 2006 – 2010 South Sudan imported the seventh most SALW in sub-Saharan Africa. Whereas between 1996 – 2005 they were not in the top 10 importers. *Ibid*, 1. Wezeman, Wezeman, & Beraud-Sudreau, ‘Arms Flows to Sub-Saharan Africa’, 7.

<sup>121</sup> Some reports have claimed that these groups can reach 8,000 men strong, The New York Times (2012) *Times Topic: South Sudan*. ICG, ‘South Sudan: Compounding Instability’, 10.

results but that both disprove the hypothesis as little evidence can be found of a causal link between internal security and external recognition. In sum, the level of security provision in Somaliland is high yet it remains unrecognised, while the level of internal security in South Sudan was dire between signing the CPA and time of recognition in 2011 but this provided no hindrance.

In Somaliland, the central territorial grey-areas in dispute provide moments of tension and conflict, but large-scale mobilisation of troops sufficient for all-out warfare has not occurred and does not seem likely to do so. The last thing Somaliland wants is to enter the public-eye for the wrong reasons, namely warfare, especially as any conflict is likely to be associated with Somalia's own conflict; a well-known example of state failure and instability.

The theory derived hypothesis should be in its element in the case of Somaliland, a secession state which is able to provide levels of internal security that even some recognised surrounding states cannot. The outcome of continued non-recognition is unexpected when internal secession theory is put against empirical realities, Somaliland's internal security should have influenced the realisation of external recognition. While this is not the case, internal security provision has not gone without notice and the hypothesis should not be discarded. The level of stability has allowed for increased external involvement from states with external security concerns, as the findings of h1 have shown. While there is no obligation for involvement to be accompanied with external recognition, these concerns are very much related to those of Somaliland officials and should serve to further increase internal security.

The post-CPA period in South Sudan demonstrates that unsettled borders and weak security provision had both resulted in tensions and increased chances of reoccurring conflict, especially considering the value still placed in SALW as a means of ensuring survival. South Sudan provides an empirical divergence from Somaliland's high internal security, as it could only muster low-levels of internal security yet proceeded to acquire external recognition. It seems the security provision facet of internal secession theory cannot explain the realisation of the DV, external recognition. If theory was followed, it

would have prescribed that the poor internal security situation should have causally affected non-recognition of South Sudan.

In reality, the CPA had provided a series of measures to counter internal security. Implementation would be slow and trust both among and between Southern ethnic tribes as well as with North Sudan would take time. Nonetheless, for all their flaws the disarmament, border measures and UNMISS peace-keeping force established a building block which external states could only hope would develop. Thus, non-recognition over internal security provision remained unlikely.

#### ***Hypothesis 4 – Home-State***

Continuing from the first internal hypothesis addressing levels of internal security, hypothesis (4) is often entwined with secession conflict, that is, secession relations with their home-state. As set out in Chapter One, it is theorised that if secession – home-state relations are peaceful or at least stable, this should increase the likelihood of external recognition. This is due to the elimination of a likely source of conflict, serving to increase stability; a confirmed sign of domestic authority. To test this facet of internal secession theory against the case studies, the following hypothesis has been drawn,

H4: the more peaceful secession relations are with their home-state, the more likely an external state will recognise the secession.

#### **Somaliland**

Somaliland makes no attempt to hide that its ultimate goal is external recognition. In current President Silanyo's words, 'I make no secret of the fact that my Government's ultimate goal is full international recognition of Somaliland's independence as a sovereign state.'<sup>122</sup> Nonetheless, relations with the home-state of Somalia have been, and will continue to be, rocky at best. Many Somalilanders can still recall the disproportionate suffering they endured under Siad Barre's military regime, intensive bombardments leaving 55,000 dead in the Hargeisa capital alone.<sup>123</sup>

The Somali home-state however, has long yearned for the reunification of 'Greater Somalia' making any in-house breakaway contrary to its historic goal. Both the TNG and the TFG have asserted claims over Somaliland,<sup>124</sup> the Federal Charter of the TFG even stating that Somalia's borders are 'inviolable and indivisible,'<sup>125</sup> asserting its position of non-cooperation with secession quite clearly. Recently, the TFG proposed that it should

---

<sup>122</sup> Silanyo, 'Somaliland's Prospects (transcript)', 5.

<sup>123</sup> Caspersen, *Unrecognized States*, 33.

<sup>124</sup> Somaliland was not present and has not participated in any Somali peace talks since 1991, including the conference that led to the formation of the TFG. Farley, 'Calling a State a State', 811 & 812.

<sup>125</sup> Bradbury, *Becoming Somaliland*, 250.

control Somaliland's reconstruction aid from the UNDP, a clearly unappealing prospect for secession ministers.<sup>126</sup>

Indeed, Somalia appears to hold a political veto over Somaliland aspirations. The secession state has been described by the International Crisis Group as 'hostage to events over which it has very little control,'<sup>127</sup> referring to Mogadishu's seemingly unfringeable position. The problem for Somaliland is the influence a home-state can wield, especially one that has attracted so much foreign intervention over a series of two decades, as shown in h2. This means Somaliland governmental achievements, particularly since since the overwhelming 2001 referendum that constitutionally supported secession from Somalia, go unheeded. The rickety TFG seems intent that Somaliland will remain part of Somalia 'forever', to quote President Yusuf.<sup>128</sup> Any chance of recognition is also tied to Somali suspicions of Ethiopia's involvement with Somaliland, fearful of a satellite state being established by their historic rivals.

## **South Sudan**

Relations with Khartoum after the signing of 2005 CPA continued to be thwarted by inflammatory policies, mistrust and fear from both sides. Tensions with the North had continued to be spurred on by allegations that the North was creating proxies by arming leaders and rebels in the South whose loyalty remained to the North, with the blatant intentions of destabilising the South and stalling border demarcation.<sup>129</sup> Equally, the North accused the GoSS of supporting border rebels and Darfur insurgency groups. Although neither side was looking for a full-scale return to conflict, there existed a very real possibility that the explosive nature of pocketed border disputes and high running emotions could lead to the South being dragged back into full scale conflict involuntarily.

---

<sup>126</sup> Bradbury, *Becoming Somaliland*, 252.

<sup>127</sup> ICG, 'Time for AU Leadership', 17.

<sup>128</sup> *Ibid*, 13 & 16.

<sup>129</sup> There may be truth in this: arms belonging to Murle-clan fighters captured in 2007 appeared to match those captured from Southern Security forces. Chinese arms imported into the North have also been seen in the hands of Southern border rebel groups. Danish Demining Group, Pact & Saferworld, 'Disarmament Déjà-vu', 5. Small Arms Survey & Human Security Baseline Assessment, 'Fighting for Spoils', 8.

The North, just months before independence was to be declared in the South, occupied the highly contentious border-town of Abyei, forcing 100,000 citizens to flee. Tensions were reaching boiling-point to the extent that the UNSC demanded the withdrawal of forces.<sup>130</sup> Khartoum also rejected the Abyei Boundary Commission, designed to finally resolve the issue.

Although in February 2011, President al-Bashir officially accepted the referendum results with substantial external pressure, the regime saw the actual implementation of the CPA as threat to its interests and employed blatant stalling tactics. In June 2011 for example, a Framework Agreement on various areas was signed and then rejected a few days later by President al-Bashir.

Outside of territory, other issues to be solved and that continued to fuel tensions were the transit fees for the South's oil exports which went through the North, the citizenship of those living outside of their native state and the rights to cross-border movement. The South's vulnerability, drawn from its heavy reliance on imports from the North, was shown when Khartoum blocked most trade to Northern regions of the South in May 2011. This caused an economic shock, and the choked supply-lines created a food-shortage and a sharp increase in prices of existing food stocks.<sup>131</sup> The mentality of many Northern Arab elites also hinders relations with the term *a'bid* still used to refer to Southerners, meaning low-caste black slave.<sup>132</sup>

### **Findings of Home-State**

In the case of Somaliland, the results from the hypothesis are multi-faceted. Relations between Somaliland and Somalia if taken at face value are peaceful. While it is evident that Somaliland's relations with Mogadishu are politically poor, neither recognising the other's established authority, the two are living side-by-side in relative peace with neither state foreseeing any definable advantage in carrying out military action against the

---

<sup>130</sup> Through Resolution 1990 (2011).

<sup>131</sup> Lacher, 'South Sudan', 12. ICG, 'South Sudan: Compounding Instability', 11.

<sup>132</sup> Natsios & Abramowitz, 'Sudan's Secession Crisis', 20

other.<sup>133</sup> Indeed, there has been no military confrontation since Somalia collapsed and Somaliland simultaneously declared independence in 1991. Somaliland officials realise that if military engagement were to take place, it would involve one of the key holders to recognition; the AU through its ANISOM task-force. This should serve to disprove the hypothesis as although a link exists, the result has not been external recognition.

But the hypothesis puts forward that the *more* peaceful the relations, the higher the chances of external recognition. So although no state of deadly brinkmanship or mobilised troops exists, the empirics show that the level of peace is low. Therefore, in this instance the hypothesis can account for Somaliland non-recognition as although peace exists, the level of it is poor and constantly undermined by political differences. And while relations may be externally peaceful but the political undercurrents remain stern, internal secession theory foresees that security concerns may arise which could reduce the levels of domestic authority. So the fact the hypothesis can account for the peaceful yet poor scenario, internal secession theory holds true and prescribes Somaliland's status to be correct. Only when relations are improved will external recognition become more likely.

With South Sudan, peaceful home-state relations were non-existent. Any inkling of genuine ceasefire instigated by the CPA was almost always undone by border mobilisation and escalatory policies. According to internal secession theory these dismal relations should have served to stunt the recognition of South Sudan.

The empirical realities are the undoing of this internal explanation. When the CPA six year interim period between 2005 and 2011 ended without 'making unity attractive' to the South,<sup>134</sup> the external pressure placed on Khartoum to stick to its promise of a referendum was immense. When the referendum results were equally immense, Khartoum for all its stalling tactics had no choice but to recognise the Juba government. On top of this, the years of intense violence and persecution as well scores of unsettled issues had caused such a rift between the territories that chances of peaceful relations would have continued to be extremely unlikely. So internal cannot provide a link between dire home-state relations and Southern external recognition. A possible explanation for the regardless

---

<sup>133</sup> Likely to be enhanced by Somalia's virtually non-existent national army.

<sup>134</sup> Natsios, *Sudan, South Sudan and Darfur*, 164.

recognition of South Sudan was the creation of the CPA which was thought, or rather hoped, to have had been enough to ensure peace.

### ***Hypothesis 5 – Institutions and Economy***

So far this internal explanations Chapter has examined internal security provision and peaceful home-state relations. My final hypothesis seeks to build on these by taking into account internal makeup of the secession through assessing institutions and economy. These connect to the DV of external recognition for it is expected that the more advanced a state's internal make-up, the more able it should be to provide effective authority. Accordingly, the more willing external states should be in extending recognition and international legal sovereignty. Therefore, I hypothesise,

H5. the stronger the secession's internal institutions and economy, the more likely it is to be externally recognised.

The hypothesis will be divided according to the two factors that serve to assess the extent of domestic authority in the two states:

(5.1) The extent and strength of the state's devolved and decentralised institutions,

(5.2) Economy: income and reliance.

## **Somaliland**

### ***5.1 Institutions***

The June 2010 democratically voted Presidential transition was decided by a mere margin of eighty votes (0.01%). It was deemed by observers as being free and fair and resulted in no bloodshed, an impressive feat for most parts of Africa and a real show of institutional strength that 'should not be taken for granted.'<sup>135</sup> It also demonstrated a political cohabitation as the opposition candidate Mr. Silyano won the election with the Kulmiye party.<sup>136</sup> This is not the first time Somaliland has been highlighted for its elections, in 2003 they were deemed some of the freest and most transparent ever held in the Horn of

---

<sup>135</sup> 'Andris Piebalgs European Commissioner for Development Address to House of Representatives.

<sup>136</sup> The political veteran was previously the longest running leader of the SNM between 1984 and 1990.

Africa.<sup>137</sup> It seems that Somaliland has constructed a functioning government from the bottom up, on its own and with little outside assistance.<sup>138</sup>

The disputed Central regions discussed in h4 are also institutionally and politically the weakest. Four districts of Sool and Eastern Sanaag (see figure 2) did not vote in 2002, meaning elected councils were established in only nineteen of the twenty-three Somaliland districts. This was significant as no local authority respected the government in Hargeisa. It also meant that the areas did not see a lot of Somaliland's international aid and government expenditure, even though they are often the worst hit by drought.<sup>139</sup> Similarly in 2003, presidential elections did not take place in two districts of Eastern Sanaag and three of Sool.<sup>140</sup> By 2005, Hargeisa authorities asserted that a Somaliland civil administration existed across eighty percent of their declared territory,<sup>141</sup> the other twenty percent representing these grey areas. Residents in these areas have highlighted their concern with the dominance of the Isaaq clan in Somaliland governance, leaving some Harti feeling marginalised and underrepresented.<sup>142</sup>

Apart from these areas, Somaliland's institutions reach throughout its territory and have had no attachment to Somalia since *de facto* status was declared in 1991, being devolved and detached from Mogadishu. The institutional make-up consists of an eighty-two seat lower house for which members are directly elected for five-year terms (first election was held in 2005) and an eighty-two seat upper house (*Guurti*) in which members are indirectly elected by local communities for six-year terms. The powers in Somaliland are separate, with the complete independence of the judiciary. This remained despite the application of (Sunni) *Shari* 'a law announced in 2006, although this has been modest in

---

<sup>137</sup> Caspersen, *Unrecognized States*, 86.

<sup>138</sup> *Ibid*, 105.

<sup>139</sup> Such as in 2004. Bradbury, *Becoming Somaliland*, 199 & 201.

<sup>140</sup> More recent elections also showed a poor turnout in these areas. The nomadic life is far more prominent in these Eastern areas than in the West. Although voting efforts are being made to incorporate rural populations, a lack of infrastructure such as roads greatly hinders this. Hansen & Bradbury, 'Somaliland: A New Democracy', 469.

<sup>141</sup> Bradbury, *Becoming Somaliland*, 232.

<sup>142</sup> Isaaq makes seventy percent of population. Indeed, among some of the Gadabursi, Harti and 'Iise sub-clans, attachment to Somaliland is much weaker, some expressing it as an Isaaq project from which they feel politically and economically excluded. *Ibid*, 251.

implementation as Somaliland does not want to attract UIC sympathisers and deter Ethiopian support. Somaliland has also signed Universal Declaration of Human Rights.

Somaliland's institutional make-up has been portrayed as desirable<sup>143</sup> for it has involved the formation of a hybrid regime. On the one hand there exists a constitutionally based democracy, while on the other there continues a traditional clan-based social structure. It has been termed as a struggle of compromise between the Westphalian state concept and a pastoral system.<sup>144</sup> This innovative endeavour has been an internal and indigenous process and has so far, produced a durable system of governance.

However, it has not yet been substantially placed under strain, meaning it could be insufficient to deal with problems of an international scale.<sup>145</sup> Concerns have arisen about the series of electoral delays. President Riyale, elected in 2003, had postponed elections to the Upper House and extended his term by four years in 2006, delaying calls for elections in 2008 and 2009 due to security reasons. Although the 2010 Presidential election 'reflected the will of the people', legislative elections were again delayed in both houses afterwards.<sup>146</sup>

It has also been noted that the constitutionally written three party system was supposed to encourage multi-clan alliances, but that at the local and rural-level people continue to vote along clan lines.<sup>147</sup> There remains then, a real potential for Somaliland's infant and home-grown democratic system to house clan aligned influences and provide temptations to elites not to follow the rules, especially when they have a clan-aligned following which offers support regardless of exploits. There have also been reports of restricted freedom of expression in Somaliland, overly-critical journalists and activists arrested, newspapers and television channels temporarily shut-down and public demonstrations having been banned in 2009, although this is now easing up.

---

<sup>143</sup> Bereketeab, 'Rethinking State-Building', 377.

<sup>144</sup> Walls & Kibble, 'Beyond Polarity', 32.

<sup>145</sup> *Ibid*, 32.

<sup>146</sup> Freedom House, Somaliland 2011 Report.

<sup>147</sup> Hansen & Bradbury, 'Somaliland: A New Democracy', 470.

## South Sudan

Institutional reach to rural inhabitants, many of whom had become accustomed to armed struggle or threat of conflict, as a means with which to negotiate pockets of power-sharing and local structures,<sup>148</sup> continued to be exceptionally challenging for South Sudanese representatives to instigate. Local structures tended to involve politicisation along ethnic lines and clan sentiments, invoking more a sense of citizenship for tribe than country. This system had existed for centuries without any substantial governance of borders. The integration between towns and hinterlands was also virtually non-existent which made for centre vs. periphery problems, an issue that had contributed to South Sudan's discrimination for decades. Finally, the absence of accountable local governance institutions and structure contributed to escalatory tensions. The absence of territorial control meant that identifiable and consistent legal institutions were not present throughout the South at the time of external recognition.

The CPA had turned the SPLM into South Sudan's ruling party with its own semi-autonomous government, and the SPLA into its official and independent standing army.<sup>149</sup> The two had been plagued by a multitude of historically rival factions though, becoming hierarchical and rank-centric. State resources and institutions were used to build clientelist structures based on clan lines, becoming patronage and largely exclusionary instruments.<sup>150</sup> Governmental and administrative structures were nonetheless set-up at the general level in ten states, but the local level remained neglected as 'traditional authorities' continued representing the principal source of authority in *bomas*.<sup>151</sup> The CPA thus created an asymmetrical federation. The South was now represented in the Government of National Unity, gaining twenty-eight percent of seats and the vice-Presidency through Salva Kiir. Despite a temporary withdrawal from the power-sharing

---

<sup>148</sup> Lacher, 'South Sudan', 10.

<sup>149</sup> GoSS initially stated this was 300,000 strong, presumably as an intimidation tactic against Northern military action. The actual figure is more like 30 – 40,000 active troops and 80 – 90,000 reserve. It is also being turned into the 'South Sudan Armed Forces'. The Military Balance 2012, 415. ICG, 'South Sudan: Compounding Instability', 11.

<sup>150</sup> Lacher, 'South Sudan', 5 & 6.

<sup>151</sup> *Ibid*, 9.

agreement in 2007 by the South followed by a deadly round of military brinkmanship, later in the year ministers submitted by the vice-President were sworn into office.<sup>152</sup>

In 2010 the first multi-party national election in over twenty-four years were held throughout both Sudan's (albeit one year after initially scheduled), electing presidential, parliamentary and regional representatives. They were carried out among numerous instances of vote rigging and intimidation and in the lead-up the South rejected the census figures produced by the North,<sup>153</sup> but in a show of relative institutional capacity the results were accepted by both states. In the South, President Kiir reaffirmed his majority and President al-Bashir held on in the North. Although there appeared to have been little sign of opposition parties based on actual political programmes, rather narrow-based interest groups, after the election President Kiir promised the post-independence government would include all political forces and attempts were made to provide posts for the losers.<sup>154</sup>

Integration provided a test of institutional capacities. Former South Sudanese members of the National Assembly in Khartoum were appointed as members of the National Legislative Assembly in Juba, swelling membership by half. The SPLA absorbed 14,000 fighters into their ranks and payroll, having been previously paid by the North.<sup>155</sup> Citizen returnees after 2005 also posed a consideration challenge with more than 340,000 returning to the South since October 2010 alone, posing real questions over the sustainability of resources and social structures.<sup>156</sup> According to the UN, 1.5 – 2 million Southerners continue to be displaced in the North, reluctant to return due to fears of uncertainty and the risk of losing investments.<sup>157</sup> These must be addressed and rights of displaced citizens clarified, despite the strain re-integration will place on the new state.

---

<sup>152</sup> Belloni, 'The Birth of South Sudan', 414.

<sup>153</sup> Lacher, 'South Sudan', 18.

<sup>154</sup> *Ibid*, 19 & 20.

<sup>155</sup> *Ibid*, 21.

<sup>156</sup> ICG, 'South Sudan: Compounding Instability', 25.

<sup>157</sup> Belloni, 'The Birth of South Sudan', 421.

## 5.2 Economy

### Somaliland

Somaliland has made impressive strides in developing its economic capacity, but remains cripplingly underdeveloped. At the time of self-declared separation in 1991 Hargeisa had barely ten percent of its structures intact<sup>158</sup> with ‘all public utilities and services’ destroyed.<sup>159</sup> Unemployment continues to hover at around eighty percent and only twenty-two percent of adults are literate.<sup>160</sup> Further investment is desperately needed for Somaliland to economically diversify and be less dependent on remittances from diaspora communities. This still constitute the largest source of national revenue by far the reliance, argues Bradbury, serves only to create a false-economy, hide high unemployment levels, discourage efforts at local production and can potentially create internal divisions from unbalanced benefits among clans.<sup>161</sup>

Outside of remittances, Somaliland’s economy is also reliant on cattle and camel livestock trade and on *qaat* consumption and import.<sup>162</sup> A limited economic outlet makes Somaliland prone to shocks in the market, worryingly demonstrated when Saudi Arabia for nine years and Egypt permanently, stopped importing livestock. Somaliland’s government revenues collapsed from USD 45 to 27 million in 1998 as a direct result.<sup>163</sup>

However, Somaliland acts in a restricted sphere. It is prohibited from joining the World Bank and the International Monetary Fund and from gaining direct budgetary support.<sup>164</sup> Beyond IOs, regional or international investment is also discouraged due to the uncertainty caused by a lack of insurance and the unreliability of financial institutions serving to constrain trading practices. It seems the business community is less willing to

---

<sup>158</sup> Eubank, ‘Peace-Building without External Assistance’, 4.

<sup>159</sup> Bradbury, *Becoming Somaliland*, 3.

<sup>160</sup> Poore, ‘Somaliland: shackled to a failed state’, 129.

<sup>161</sup> Bradbury, *Becoming Somaliland*, 178 & 150.

<sup>162</sup> A chewable plant which acts as a stimulant and is thought to be consumed by up to ninety percent of adult males in Somaliland. Poore, ‘Somaliland: shackled to a failed state’, 131.

<sup>163</sup> The health certificates issued were not internationally recognized. Coggins, ‘Secession, Recognition and the International Politics of Statehood’, 45.

<sup>164</sup> Although alarm-bells have been raised that accountability structures must accompany such loans if Somaliland is to not replicate the mistakes of other developing states.

invest while it remains legally joined to Somalia due to the perceived vulnerability drawn from its counter-part's persistent instability.

The lack of bilateral technical assistance and loan options makes the cost of living higher as local companies cannot always import goods directly.<sup>165</sup> Therefore, Somaliland cannot borrow, attract substantial outside investors and is denied access to significant multilateral development aid all of which, according to Poore, disables it from playing a politically constructive role in the political affairs of North-East Africa.<sup>166</sup> Access to funds would free up resources that can otherwise be used for state-building.<sup>167</sup>

However, Somaliland is trying to redress this by tempting foreign investors with the prospect of paying no tax for the first three years and afterwards only having to pay ten percent on profits, which can also be freely repatriated as well as full compensation for any expropriations.<sup>168</sup>

There is little doubt that the 'absence of recognition of Somaliland's status [...] hinder[s] its economic development.'<sup>169</sup> However, while loans and other forms of fiscal assistance from IOs are not available, Somaliland's government must concentrate on pressing issues. It currently diverts approximately eighty percent of its budget on administrative and security costs, of which fifty percent pays for military and police salaries alone and only ten percent of the budget is spent on social spending, leaving very little left over for re-investment.<sup>170</sup>

In 2009, Somaliland is estimated to have received USD 79 million in aid. When compared to the estimated USD 200 million the same year in remittances, it is a tiny figure. Furthermore, because aid cannot be transferred directly to government bodies due to non-

---

<sup>165</sup> Caspersen, *Unrecognized States*, 111.

<sup>166</sup> Poore, 'Somaliland: shackled to a failed state', 130.

<sup>167</sup> Caspersen, *Unrecognized States*, 65.

<sup>168</sup> Tran, 'Somaliland: Open for Business'.

<sup>169</sup> Letter from Somaliland President Dahir Riyale Kahin to Nigerian President Olusegun Obasanjo, chairperson of the African Union (13 December 2005) in Jhazbhay, 'Somaliland Quo Vadis', 1.

<sup>170</sup> Menkhaus, 'Governance without Government in Somalia', 91.

recognition, it must go through agencies with money seemingly lost along the way, Somaliland's foreign minister claiming that only one fifth of aid is actually received.<sup>171</sup>

It seems though, that external economic involvement with Somaliland is consistently increasing. The US opened a dual-track economic policy to both Mogadishu and Hargeisa allowing for an increase in direct aid and cooperation. In June 2011 USAID launched a multimillion-dollar initiative, *Partnership for Economic Growth* in Hargeisa intended on spurring business investments and economic growth throughout the region.<sup>172</sup> The UK has earmarked forty percent of its recently tripled Somalia budget specifically for projects in Somaliland, whose stability, democracy and general progress attracts a 'peace dividend.'<sup>173</sup> An Anglo-Somaliland Chamber of Commerce has also been established.

Ethiopia has also entered various trade agreements with Somaliland, establishing a trade office in Hargeisa, setting up customs offices along the Somaliland-Ethiopia border and signing bilateral agreements over the land-locked state's access to the Red Sea through the port of Berbera. Development of the port is essential if the Red Sea cargo trade is to be infiltrated., Ethiopia envisioning that up to twenty percent of its foreign trade would eventually flow through the port. Ethiopian airlines have also begun to charter flights to Egal International Airport, another important facet of development for the Hargeisa government.

## **South Sudan**

'Economically, the South faces perhaps one of the most difficult challenges ever undertaken'<sup>174</sup> upon recognition. The combination of budgetary over-stretch and economic reliance on oil will remain a challenge for Southern policy-makers. Administrative and military salaries accounted for forty percent of the yearly Juba budget between 2006 – 2011, while the proposed 2011 budget had only set aside twenty-one percent for essential services and development projects. Much of this slim spending

---

<sup>171</sup> Shire, in Tran, 'Somaliland: Open for Business'.

<sup>172</sup> Forti, 'A Pocket of Stability', 23.

<sup>173</sup> EUR 735,000 was put towards the successful parliamentary elections in Somaliland, 2005. Somalia Joint Strategy Paper for the Period 2008 – 2013, Annex 6, 8.

<sup>174</sup> Belloni, 'The Birth of South Sudan', 426.

concentrates on short-term humanitarian provision rather than establishing public services for the long-term,<sup>175</sup> making government expenditure reactionary rather than preventative. This means a huge amount is spent on salaries and security, while not enough on investment in light of state growth and economic expansion.

Seventy-five percent of Sudan's oil reserves are in the South. Oil revenue itself accounted for ninety-eight percent of the South's total income between 2009 and 2011. This huge figure makes their economy extremely vulnerable to price fluctuations and crashes in value.<sup>176</sup> The low-level of urbanisation with livestock herders accounting for fifty to sixty percent of the population and seasonally migrating, means more conventional forms of income like tax on markets and transactions are not present and difficult to establish.<sup>177</sup> Until the CPA, the South had placed virtually no investment in infrastructure, pouring their efforts into the war.<sup>178</sup> The repercussions of this will be felt for a while, with most of the Southern states having to rely on Juba transfers for the bulk of their budget because their tax base and administration is inadequate.

The CPA prescribed that two percent of all oil revenue would remain in areas where crude oil is extracted, while the rest is equally divided between North and South. But data on South oil production is scarce making division difficult and the guaranteed revenue does not always materialise, allegations of corruption remaining rife.<sup>179</sup> From 2005 – 2010 Sudan as a whole was the third-largest recipient of US aid, a large proportion being sent to the South and the new government will not face any sanctions or restrictions with US business being allowed, unlike North Sudan. The EU had allocated EUR 260 million in development aid for the 2011 – 2013 period.<sup>180</sup>

### **Findings of Institutions and Economy**

Internal secession theory prescribes that strong levels of institutional and economic state features should influence external recognition. The two indicators provide for an

---

<sup>175</sup> Lacher, 'South Sudan', 20 & 29.

<sup>176</sup> *Ibid*, 8.

<sup>177</sup> *Ibid*, 7.

<sup>178</sup> *Ibid*, 27.

<sup>179</sup> ICG, 'South Sudan: Compounding Instability', 5. Belloni, 'The Birth of South Sudan', 414.

<sup>180</sup> Lacher, 'South Sudan', 5.

observable level of domestic authority, the central indicator for internal theory that if well-functioning should tip external states in favour of recognising secession. In the case of Somaliland, the hypothesis falls short of explaining its continued status of non-recognised. No direct link can be established between Somaliland's levels of institutional and economic composition, and external recognition. Somaliland has been able to amass impressive levels of governance with very little outside assistance. It has formed institutions that should appease democratic states while also accounting for the traditional domestic clan authorities. Economically it is not without problems, limited income and over-reliance are ongoing issues, but nonetheless it has advanced under a series of restraints.

Empirically, both factors should have causally led to external recognition of Somaliland. While this is not the case, the advancement and development of the two indicators has not been in vain. Somaliland has been able to attract considerable external assistance due (at least in part) to its sustained levels of stability, which internal secession theory would likely argue does not completely disprove their argument. This assistance can be depicted as demonstrating an interest in developing Somaliland's domestic authority to an extent where recognition can be granted. The link between state make-up and external recognition could well be entrenched by the increasing external assistance. The thorn in this argument remains of course, the lack of formalised procedure for external recognition.

However, external secession theory would interject. Such assistance would be portrayed as an example of external motive-driven action to advance own interests. External states want a stable ally to counter issues laid out in h1. Therefore, providing assistance is a means to achieve this. The US is a good example, it hopes that development aid will stabilise the region, but is keen to add it continues to 'ha[ve] nothing to do with the issue of recognition.'<sup>181</sup>

South Sudan upon independence in July 2011 had been functioning as an independent state for almost six years, identifiable central government having been established in Juba by the CPA. Upon signing the CPA and cease-fire agreement with the North, the secession state could finally begin to address the formidable work ahead of it. The level of

---

<sup>181</sup> Former US Ambassador Yamamoto in Farley, 'Calling a State a State', 812.

institutional capacity and economic options on the eve of independence continued to pose serious problems if sustainable domestic authority was to be achieved.

As denoted, internal secession theory expects strong internal make-up to causally effect external recognition. South Sudan does not fall in line with this hypothesis. Empirically, the South's rudimentary level of institutional capacity was only truly established in the larger cities. In rural areas there existed no guarantee from governance structures of any legal security and often the only physical signs of central control arrived in the form of trigger-happy security forces. The overwhelming economic output of oil was a topic of consistent contention, especially in light of the South's extreme dependency on the natural resource.

Neither indicator then would suggest strong levels of domestic authority, especially when coupled with the struggles to provide security provision dealt with in h3. Institutional and economic make-up struggles to explain the South's external recognition, rather theoretically South Sudan's internal make-up be associated with non-recognition.

## CHAPTER FIVE

### Conclusion

#### (1) Hybrid Theory Findings

This thesis has extensively tested two existing models that provide an explanation for external recognition of secession amounting to international legal sovereignty. Instead of aligning myself only with external or internal secession theory, I opted to use an original hybrid theory which allowed for a well-rounded analysis of the forces at play behind external recognition. The results indicate this to hold true and so validate, as expected, a more complete approach. Both external and internal hypotheses have illustrated links relating to external recognition. If only one side of secession theory had provided results, the need for a hybrid theory would be less evident. The table shows the results of whether the hypothesis when applied, should result in external recognition or not. In all but one instance (h4), each hypothesis was able to show an influential link against one of the cases.

<i>Hypothesis no.</i>	<i>Somaliland</i>	<i>South Sudan</i>
h1. External Security	Should	Should
h2. External home-state	Should not	Should
h3. Internal security	Should	Should not
h4. Internal home-state	Should not	Should not
h5. Internal inst. & economy	Should	Should not

### ***External or Internal?***

Each hypothesis expected to provide an explanation for the dependent variable of external recognition. While a hybrid theory offers a more complete picture, the results favour external secession theory. That is, external state motives and interests to recognise secession, formulated by Coggins. External theory is able to provide influential factors in three of four instances while internal theory was only influential in the case of Somaliland. This does not mean the theory should be discarded for it remains and has been shown that domestic authority can serve to create an environment in which external involvement is more likely.

### ***Why Not Somaliland?***

This study set out to isolate factors that explain external recognition leading to international legal sovereignty in South Sudan and not in Somaliland. The case of Somaliland went against the studies main finding of external explanations and found internal factors to be more influential. The only external feature found to be significant enough to influence Somaliland recognition was external security (h1). The secessions strategic location and level of stability should make the advancement of external security gains possible and desirable. Yet this has not resulted in the external recognition of Somaliland. I believe the mutually beneficial and interlinked nature of security accounts for non-recognition. Internal levels of security can be increased by external involvement which serves to increase domestic authority for Somaliland and also external security gains for states. This mutually beneficial security exchange against related threats means external states have no reason to extend external recognition if their security interests can be increased without welcoming a new state to the international community.

Internal security provision (h3) and institutional and economic make-up (h5) were found to show high levels of domestic authority within Somaliland. The findings of both hypotheses is expected by internal theory to be influential enough to cause external recognition. Coupled, the show of domestic authority is surely enough for external recognition.

However, two features remain. Both address home-state relations and collectively, provide the largest obstacle against external recognition of Somaliland. I find the poor home-state relations (h4) between Somaliland and Somalia and the strong level of external state – Somalia relations (h2) to reinforce each other and to diminish the significance of internal factors amounting to domestic authority (h3 and h5).

External states do not wish to undermine their efforts to restore stability and counter international threats of terrorism and piracy in Somalia. This serves to reinforce Somalia's stern stance of non-secession as little incentive is provided to change their position. As shown, although relations are peaceful, politically they are non-existent. Mogadishu officials have no reason to open political avenues with Somaliland if they do not need to and if this could, in theory (h4), serve to enhance Somaliland's secession claim. This leaves Somaliland in precarious position. It either needs the TFG to become stable enough external states to withdrawal, or for the TFG to accept secession and a breakup of Somalia. Both remain unlikely for the foreseeable future and supports the notion that the TFG holds a veto over Somaliland aspirations.

Thus, the combination of internal and external home-state relations amount to the most important factor in explaining Somaliland's non-recognition. Herein the advantages of a hybrid theory are shown as a two-tier and inclusive explanation can be provided. It serves to show that as expected, internal and external factors are interlinked and both should be analysed for well-rounded research.

### ***Why South Sudan?***

Results pertaining to South Sudan's external recognition are different from those of Somaliland. External recognition in this instance firmly falls within external explanations. It has been proven that external security (h1) and *external state – home-state* relations (h2) were instrumental in South Sudan's external recognition and provide the most significant factors that explain its external recognition. These explanatory reasons for recognition differ from Somaliland's and serves to bolster the effectiveness of a hybrid theory.

External states had a security based interest in ending the persistent years of conflict and turmoil in Sudan. The violence had shown its ability to cause regional destabilisation through mass-displacement and spread of conflict. Unlike external involvement in Somalia, the ‘bare-minimal’ relations between external states and the Khartoum home-state represented no real alliance or friendship. External states were only concerned with ensuring that al-Bashir signed the CPA and then allowed the peace-agreements provisions to be carried out, particularly the January 2011 referendum on independence. This, along with al-Bashir’s eventual acceptance of the results, served to eliminate an obstacle to South Sudanese external recognition.

Contrarily, the insufficient level of domestic authority usually associated with non-recognition and tested through three internal hypotheses, exerted minimal influence and acted against expectations. This can be explained, to an extent, by the level and duration of violence. The consequences meant very little chance was given to develop any basis of domestic authority outside of village authorities and militias. If in reality, this would serve as grounds to non-recognition, South Sudan would likely have found itself unrecognised for a long time.

***‘You cannot have one rule for some and another rule for others.’<sup>182</sup> Selective Nature of External Recognition?***

This appears to be the case. This study has proven that external recognition is largely motive and interest driven. There does not exist a standardised rule for recognition. Therefore, although Somaliland was more successful across the board than South Sudan, it remains unrecognised. Future research should concentrate on this notion of selective state-emergence and trace whether external interests have produced sustainable states. Here in refer to the possibly of the ‘birth of a failed state’.

---

<sup>182</sup> Russian Prime Minister, President Medvedev in, Caspersen, *Unrecognized States*, 2.

## **(2) Limitations**

The central limitations that are important to note at the end of this study is that the study is ongoing. South Sudan is still in its infancy and Somaliland is still in search of external recognition. If Somaliland should one day gain external recognition it would be interesting to carry out similar research, again with South Sudan, to assess the similarities and differences of the states at the time of recognition.

## ANNEX

### Figures - Somaliland



Figure 1 ([www.somalilandlaw.com](http://www.somalilandlaw.com))

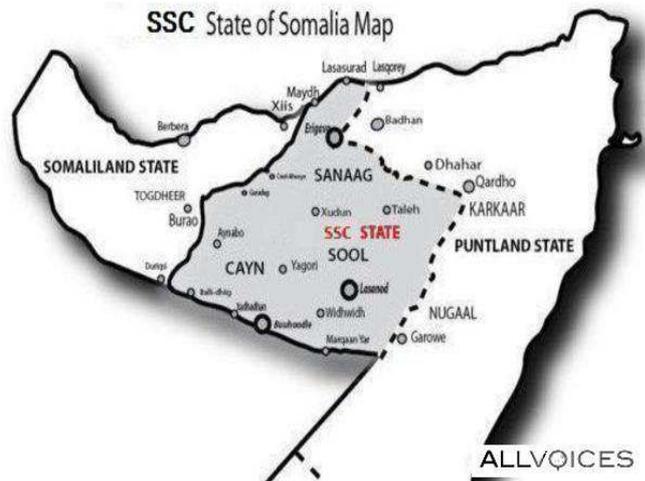


Figure 2 ([www.quljeednet.com](http://www.quljeednet.com))

Figure 3 ([www.warsintheworld.com](http://www.warsintheworld.com))





## BIBLIOGRAPHY

- AFP, (2010) 'Sudan's Partition to be a "Contagious Disease"', October 10, 2010.
- Belloni, R., (2011) 'The Birth of South Sudan and the Challenges of Statebuilding', *Ethnopolitics*, 10:3-4, 411-429.
- Bereketeab, R., (2011) 'Rethinking State-Building in the Horn of Africa: challenges of striking a balance between traditional and modern institutions', *African Studies*, 70:3, 376-392.
- Bradbury, M., (2008) *Becoming Somaliland*, (London: Progressio).
- Bruton, B. E., (2010) 'Somalia, a New Approach', *Council on Foreign Relations – centre for preventative action*, Special Council Report 52.
- Bunce, V., (1999) *Subversive Institutions: The Design and the Destruction of Socialism and the State*, (Cambridge: Cambridge University Press).
- Brickley, A., (2009) 'Gitmo Detainees Sent to Country that does not Exist', *Weekly Standard*, 21-12-2009.  
[http://www.weeklystandard.com/weblogs/TWSFP/2009/12/gitmo\\_detainees\\_sent\\_to\\_country.asp](http://www.weeklystandard.com/weblogs/TWSFP/2009/12/gitmo_detainees_sent_to_country.asp) (accessed 06-06-2012).
- Caspersen, N., (2012) *Unrecognized States* (Cambridge: Polity Press).
- Caspersen, N., & Stansfield, G., (2011) *Unrecognized States in the International System*, (Oxon: Routledge).
- Christopher, A. J., (2011) 'Secession and South Sudan: an African precedent for the future?', *South African Geographical Journal*, 93:2, 125-132.
- Coggins, B., (2011) 'Friends in High Places: International Politics and the Emergence of States from Secessionism', *International Organization*, 65, 433-467.
- Coggins, B., (2006) 'Secession, Recognition and the International Politics of Statehood'. Ph.D. Dissertation.

Cunningham, K. G., (2011) 'Divide and Conquer or Divide and Concede: How do States Respond to Internally Divided Separatists?', *American Political Science Review*, 105:2, 275-297.

Dagne, T., (2011) 'The Republic of South Sudan: Opportunities and Challenges for Africa's Newest Country', *Congressional Research Service*, 23.

Danish Demining Group, Pact & Saferworld (2012) 'Disarmament Déjà-vu: Recommendations for Peaceful Civilian Disarmament in Jonglei', *Briefing Note*.

Dersso, S., (2012) 'International Law and the Self-Determination of South Sudan', *Institute for Security Studies Paper*, 231.

Eggers, A. K., (2007) 'When is a State a State? The Case for Recognition of Somaliland', *Boston College International and Comparative Law Review*, 30:1, 211-222.

Emmanuel, K., (2011) 'South Sudan and the Pitfalls of Power', *African Security Review*, 20:3, 91-95.

Eubank, N., (2010) 'Peace-Building without External Assistance: Lessons from Somaliland', *Centre for Global Development, Working Paper 198*.

European Union (EU) Documents:

'Andris Piebalgs European Commissioner for Development Address to House of Representatives of Somaliland Visit of Commissioner in Somaliland House of Representatives of Somaliland', (6 July 2011), SPEECH/11/499.

Somalia Joint Strategy Paper for the Period 2008 – 2013.

Farley, B. R., (2010) 'Calling a State a State: Somaliland and International Recognition', *Emory International Law Review*, 24, 777-820.

Fazal, T.M & Griffiths, R. D., 'Membership has its Privileges: The Changing Benefits of Statehood', Paper prepared for presentation at the 2011 ISA-AP Conference in Brisbane, Australia.

Forti, D. R., (2011) 'A Pocket of Stability: Understanding Somaliland', *ACCORD Occasional paper Series*, 2.

- Freedom House, 2011, 2010, 2009, 2009, 2007 Somaliland 'Reports'.
- Hansen, S. J., & Bradbury, M., (2007) 'Somaliland: A New Democracy in the Horn of Africa?', *Review of African Political Economy*, 34:113, 461-476.
- Harmony Project (2007) 'Al-Qaida's (mis)adventures in the Horn of Africa', *Combating Terrorism Centre at West Point*. Foreword by Downing, W. A.
- Hohne, M. V., (2009) 'Counter-terrorism in Somalia: How external interference helped to produce militant Islamism', *Max Planck Institute for Social Anthropology*, Halle/Salle: Germany, Unpublished paper.
- Holzer, G. S., (2008) 'Political Islam in Somalia: A Fertile Ground for Radical Islamic Groups?' *Geopolitics of the Middle East*, 1:1, 23-42.
- International Crisis Group (ICG): Africa Report (2011), 'South Sudan: Compounding Instability in Unity State', 179.
- International Crisis Group (ICG): Africa Report (2008), 'Somalia: To Move Beyond the Failed State', Policy Briefing, 147.
- International Crisis Group (ICG): Africa Report (2006), 'Somaliland: Time for AU Leadership', 110.
- International Crisis Group (ICG): Africa Report (2005), 'Counter-Terrorism in Somalia: Losing Hearts and Minds?', 95.
- Jhazbhay, I., (2009) 'Somaliland Quo Vadis: Overcoming Africa's Post-colonial Self-determination Conundrum (1991–2006)', *African Historical Review*, 41:1, 1-50.
- Jok, J. M., (2011) 'Diversity, Unity and Nation Building in South Sudan', *United States Institute of Peace: Special Report*, 287.
- Jones, M. T., (2011) 'Somaliland and South Sudan – the Challenging Road Ahead', *Somalilandpress*.
- Krasner, S. D., (1999) *Organized Hypocrisy*, (Princeton: Princeton University Press).

- Lacher, W., (2012) 'South Sudan: International State-Building and its Limits', *Stiftung Wissenschaft und Politik (SWP) (German Institute for International and Security Affairs) Research Paper*, 4.
- Licklider, R., (1995) 'The Consequences of Negotiated Settlements in Civil Wars, 1945 – 1993', *American Political Science Review*, 89:3, 681-690.
- Mancini, S., (2008) 'Rethinking the Boundaries of Democratic Secession: Liberalism, Nationalism and the Right of Minorities to Self-Determination', *International Journal of Constitutional Law*, 6:3-4.
- Marchal, R., (2009) 'A Tentative Assessment of the Somali Harakat Al-Shabaab', *Journal of Eastern African Studies*, 3:3, 381-404.
- Medani, K. M., (2011) 'The Horn of Africa in the shadow of the cold war: understanding the partition of Sudan from a regional perspective', *The Journal of North African Studies*, 1-20.
- Menkhaus, K., (2006/2007) 'Governance without Government in Somalia Spoilers, State Building, and the Politics of Coping', *International Security*, 31:3, 74-106.
- Natsios, A. S., (2012) *Sudan, South Sudan and Darfur: What Everyone Needs to Know*, (Oxford: Oxford University Press).
- Natsios, A. S., & Abramowitz, M., (2011) 'Sudan's Secession Crisis. Can the South part from the North Without War?', *Foreign Affairs*, 90:1, 19-26.
- Olowu, D., (2011) 'South Sudan beyond Self-Determination: lessons, challenges and prospects', *India Quarterly: A Journal of International Affairs*, 67:4, 291-306.
- Organisation of American States (OAS), (1933) 'Convention on Rights and Duties of States', Montevideo.
- Pavkovic, A., & Radan, (2008) *On the Way to Statehood, Secession and Globalisation*, (Hampshire: Ashgate Publishing Limited).
- Poore, B., (2009) 'Somaliland: shackled to a failed state', *Stanford Journal of International Law*, 45:1, 117-143.

Roeder, P., (2007) *Where Nation-States Come From: Institutional Change in the Age of Nationalism*, (Princeton: Princeton University Press).

Rotberg, R. I., (2001) *When States Fail: Causes and Consequences*, (Princeton: Princeton University Press).

Shinn, D., (2011) 'Al-Shabaab's Foreign Threat to Somalia', *Orbis*, Vol. 55 Issue 2, 203-215.

Silanyo, A. M. M., (2010) (President of Somaliland), 'Somaliland's Prospects (transcript)', *Chatham House*.

Small Arms Survey & Human Security Baseline Assessment (2011) 'Fighting for Spoils: Armed Insurgencies in Greater Upper Nile', *Sudan Issue Brief*, 18.

Small Arms Survey & Human Security Baseline Assessment (2009) 'Supply and Demand: Arms Flows and Holdings in Sudan', *Sudan Issue Brief*, 15.

Temin, J., (2010) 'Secession and Precedent in Sudan and Africa' (Policy Brief), *United States Institute of Peace*, 68.

The Current, 'Radio Interview for Foreign Minister of Somaliland', August 2011.  
<http://www.cbc.ca/thecurrent/interview-panel/2011/08/02/somaliland-independence/>  
(accessed 07-05-2012).

The Economist (2011) 'Somaliland: Another Country in Waiting', President Silyano Interview, January 10th 2011.

The Military Balance (2012), *International Institute for Strategic Studies*.

The New York Times (2012) *Times Topics: South Sudan*,  
<http://topics.nytimes.com/top/news/international/countriesandterritories/south-sudan/index.html?scp=1-spot&sq=south%20sudan&st=cse> (accessed 02/03/2012).

Toft, M. D., (2010) *Securing the Peace: the Durable Settlement of Civil Wars*, (Princeton: Princeton University Press).

Tran, M., (2012) 'Somaliland: Open for Business', *The Guardian*,  
<http://www.guardian.co.uk/global-development/poverty-matters/2012/mar/01/somaliland-open-for-business> (accessed 13/05/12)

Tull, D. M., (2011) 'Separatism in Africa: the secession of South Sudan and its (un)-likely consequences', *Stiftung Wissenschaft und Politik (SWP) (German Institute for International and Security Affairs) Comments*, 18.

United Nation Secretary-General (UNSG) Reports, numbers: 234 (2010), 675 (2010), 447 (2010), 277 (2011), 549 (2011).

United Nations Security Council, Report of the Monitoring Group on Somalia pursuant to Security Council Resolution 1811 (2008), 10 Dec. 2008.

United States House of Representatives H.Con.Res 131, November 1993,  
<http://www.gpo.gov/fdsys/pkg/BILLS-103hconres131rfs/pdf/BILLS-103hconres131rfs.pdf> (accessed 06-06-2012).

Walls, M., (2009) 'The Emergence of a Somali State: building peace from civil war in Somaliland', *African Affairs*, 108:432, 371-389.

Walls, M., & Kibble, S., (2010) 'Beyond Polarity: Negotiating a Hybrid State in Somaliland', *African Spectrum*, 45:1, 31-56.

Weber, M., (2004) *The Vocation lectures: Science as a Vocation, Politics as a Vocation*, (Indianapolis: Hackett).

Wezeman, P. D., Wezeman, S. T., & Beraud-Sudreau, L., (2011) 'Arms Flows to Sub-Saharan Africa', *SIPRI Policy Paper*, 30, 1-64.

Yoh, J. G. N., (2003) 'Peace Processes and Conflict Resolution in the Horn of Africa', *African Security Review*, 12:3, 83-93.

Zenn, J., (2010) 'Al-Shabaab's Unavoidable Clash with Somaliland Democracy', *Terrorism Monitor (by the Jamestown Foundation)*, 8:33, 5-6.



Universiteit Leiden