

# THE ILLUSORY “SOMALILAND”: SETTING THE RECORD STRAIGHT



**SOMALIA: ONE PEOPLE; ONE COUNTRY**

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# THE ILLUSORY “SOMALILAND”: SETTING THE RECORD STRAIGHT

## Executive Summary

Somalia never had a secessionist movement throughout the thirty-year period prior to the downfall of the dictatorial regime of Siad Barre in 1991. There were movements fighting that regime but none of them – not even the Somali National Movement (SNM) – was secessionist. This is a significant fact because it shows that the unity of the country was never challenged or even questioned. However, one of the unfortunate by-products of the civil war and the collapse of the state in Somalia is the emergence of a divisive, clan-based opportunistic group who spared no effort in the last fifteen years to turn the clock back and to rewrite the history of our country so as to hoodwink the international community into believing in a mirage of a state which they call “Somaliland”. In pursuing that mirage and in vain attempts to turn it into reality the secessionists have used every stratagem, including distortions of historical facts and the propagation of outright lies, in order to create a favorable climate of opinion for their discredited agenda of splitting Somalia into two separate, independent and sovereign republics based on the erstwhile colonial divisions. In furtherance of their unholy cause the secessionists have recruited the support of foreign sympathizers who are either ill-informed about the state of affairs in Somalia and the nature of Somali society or are, simply, in the game for their own mercenary interests.

The secessionists and their foreign collaborators have certainly been making use of one of Gobbles’ principles of propaganda, namely: *that a lie continually repeated over and over again for a long period will ultimately establish itself as a truth*. The aim of this brief information document is to set the record straight so that the long- established fabrications and distortions of the secessionists will not by default finally pass as the truth.

Some of the blatant lies the secessionists and their foreign collaborators have been propagating are:

- (a) That there was an independent sovereign state called ‘The Republic of Somaliland’ recognized by 34 countries and admitted into the United Nations as a member;
- (b) That the clans in the North of Somalia have agreed on their own free will to ‘reclaim’ the independence of their erstwhile ‘state’ and thereby secede from the rest of Somalia;
- (c) That the secessionists control and administer the entire territory of what used to be the North or Somaliland Protectorate;
- (d) That there are democratic institutions set up to include a bicameral legislature and an independent judiciary.

These claims have no basis in fact. In the first place, there is no, and never was, a country called “Somaliland” which is independent, sovereign and recognized. British protection of the clans in what used to be “Somaliland Protectorate” was withdrawn on 26 June 1960 at the request of the clans each of whom had signed a separate treaty with Britain. There was a transitional period of only four days, consumed by the inevitable euphoria, pending the merger with the former U.N. Trust Territory of Somalia. *There was no Somaliland flag, no Somaliland national anthem, no Somaliland emblem, no Somaliland constitution, no Somaliland Head of State and no Somaliland Cabinet. All these paraphernalia belonged to the Somali Republic, which was born out of the merger. And when the Union Jack (U.K flag) was lowered in Hargeisa (the capital of British Somaliland) it was the five star, sky blue flag of the Somali Republic, which was hoisted.* The question may then be asked: which 34 countries sent recognition letters to a country that had no President, no Ministry of Foreign Affairs, and even no national flag? The secessionists will never answer, for they know that the truth is not on their side. As for the membership of the United Nations one has simply to check the records of this world body to see that there never was a member-state called “Somaliland”. Recognition for an interim entity was a non-issue for Somalis and thus none was granted.

Clearly, the secessionists have been building their case on a pack of trumped-up stories; for they also make the claim that the clans of the North (the defunct Somaliland) came together and agreed on their own volition to break away from the rest of Somalia, and that in a subsequent ‘constitutional referendum’ 97% of the voters approved the secession. The so-called

referendum was a sham: it was organized, conducted and supervised by none other than the secessionists themselves; it was preceded by a heavy propaganda campaign for secession while those who were in favor of unity were put behind bars and condemned as ‘traitors’ if they dared voice their opinions in public. There was no voting at all in a large number of areas particularly those inhabited by the northern Daarood clans (the Dhulbahante and Warsengeli); yet it was reported that almost all the voters in those areas voted for the secession – a stark-naked lie. Those are areas which are closed to the secessionists. It is not true therefore that the so-called Somaliland covers the entire area of what used to be Somaliland Protectorate. The secession is spearheaded by opportunistic elements from the Isaaq clan but the other clans consider the secession to be a blatant and shameless betrayal of the original inter-clan agreement on uniting with the rest of the country – Somalia.

The democratic institutions, which the secessionists brag about, exist only in form but not in substance. Behind the façade of institutions, there is an oppressive regime, which is accountable to no one. Many events have lent support to this observation: first, the so-called President summarily dismissed the last ‘Chief Justice’ for his own personal reasons and without observing a procedure of any kind because the latter serves in a very literal sense, at the pleasure of the former. Secondly, the legislature was about to impeach the President for all sorts of violations and improprieties but the ‘President’ just closed the legislature and did not allow it to meet until he managed to bribe or twist the arms of the majority of the members, and the legislature was not reopened until the motion was dropped. What else did anyone expect from a man who was the head of Siad Barre’s dreaded National Security Service (NSS) in Berbera and stands accused of crimes against humanity?

One of the chief complaints of the secessionists is that the union between the North and the South of Somalia was ‘disastrous’. But they fail to give a clear-cut analysis of the costs and benefits of the Union. Truth be told, the facts show that their complaint has no substance whatever. On the contrary, the fact is that the secessionists’ stronghold received an undue share of the development projects in the northern regions.

In light of this refutation of their claims, we feel that any recognition of this rebellious enclave in the northwest of Somalia will set a dangerous precedent, not only in Africa but also in the rest of the world. Such a step will complicate national reconciliation in Somalia and will definitely export the civil war currently ebbing in the South of the country to the relatively peaceful and quiet regions in the North East and North West.

There is actually no valid reason to separate since the federal structure calls for genuine devolution of powers to the regions. The trend in the current national reconciliation in Somalia is for a weak central government and strong regional governments. Such arrangement should take the wind out of the sails of separatism. It is prudent therefore to observe the U.N. Security Council's resolutions, which have repeatedly called for the unity, sovereignty, political independence and territorial integrity of Somalia. Rewarding secession will have far-reaching implications for Africa and will throw our country – Somalia - further into the abyss of anarchy and mayhem. It is imperative therefore, as the British Minister for Overseas Development, Mr. Hillary Benn, said in Nairobi on May 16, 2006, to strengthen the Transitional Federal Government as the promoter of peace and the catalyst of the nation's healing process.

## **1. Introduction**

Ever since the unfortunate collapse of the Somali state in 1991 a group of misguided, opportunistic and clannish secessionists, based in the Northwest of the country, have been launching a series of campaigns to gain international recognition for their secessionist entity they call ‘Somaliland’. They have, to this end, deployed all efforts far and wide, and have been propagating all kinds of distortions of historical facts in order to deceive the international community at large and to achieve their aim of establishing clan hegemony in what was “Somaliland Protectorate” nearly half a century ago. To distort the historical record and to conceal the facts on the ground they have even hired foreigners posing as objective and unbiased observers to speak for them and concoct some basis of legitimacy for a “Somaliland” which was swept away by the heavy tide of nationalism in 1960.

The purpose of this information document is therefore to bring to light the historical and current facts, which will help the international community to realize that the various claims of the secessionists are false and have no basis in fact.

## **2. Historical Background**

To understand the problem fully it is necessary to look at it from the historical perspective. The present can be seen and understood in the light of the past. The Somali people, in what became British Somaliland Protectorate in late 19<sup>th</sup> century were traditionally uncentralized and divided into clans – as they still are – each clan being separate from and independent of the other clans. The evidence for this lies in the undisputable fact that the British signed different and distinct treaties of protection with each individual clan (see Appendices B-G). The only exception were the Dhulbahante who never signed a treaty of protection with Britain. Since then and until Independence in 1960 each clan was dealing with the British government separately as the treaties recognized that each clan area was a separate ‘Territory’.

The Royal Proclamation Terminating Her Majesty’s Protection (23 June, 1960) begins with the words:

“Whereas the Territories in Africa known as the Somaliland Protectorate are ....”<sup>1</sup>.

The word ‘territories’ is employed throughout the text of the proclamation. There were nevertheless pre-existing common bonds of blood, language, culture, religion, and pastoral life – bonds that they shared with other Somalis in all Somali areas in the Horn of Africa including the then-Italian-administered Somalia to the East and South of the Protectorate (Fig. 1).

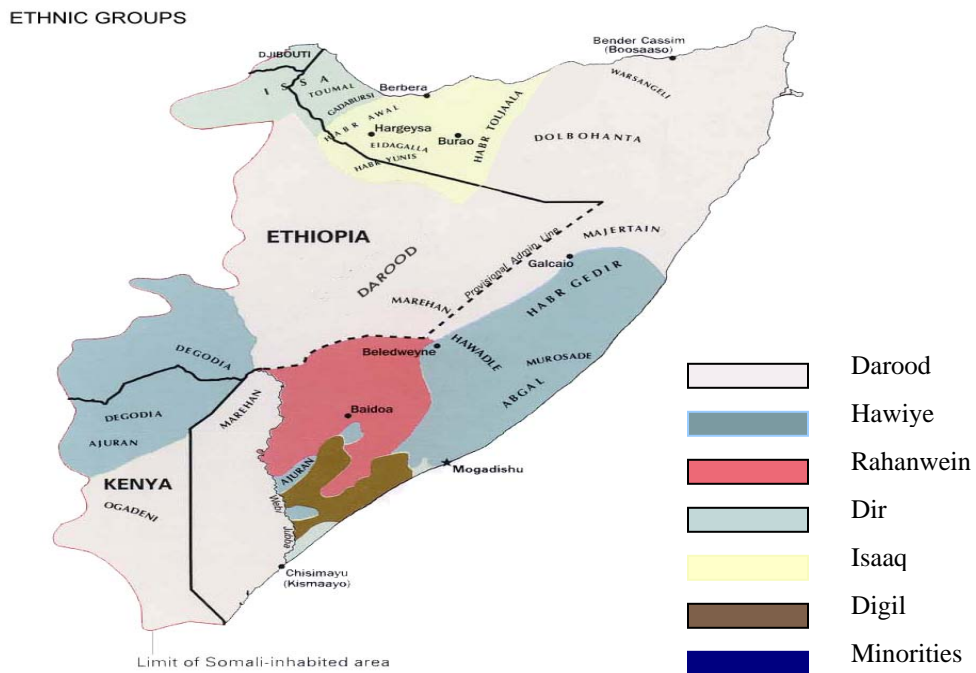


Fig 1

**Source:** A 2002 CIA map, which shows the distribution of Somali clan populations.

Somaliland Protectorate lagged far behind other British-ruled territories in Africa in the fields of education and economic development – factors that would have brought the clans together and facilitated their integration. The colonial government, however, followed a deliberate policy of divide-and-rule and did not want to do anything likely to unite the clans and thereby awaken their national consciousness. Owing to this neglect Somaliland was widely dubbed as the “Cinderella of the British Empire”. However, the Somali people were badly shaken when their territory of “Haud and Reserved Area” was effectively transferred to Ethiopian hands in 1955. It was precisely that cataclysmic historical event which triggered off the nationalist movement in

the Protectorate – a movement that quickly gathered momentum and was so intensified that independence and immediate union with Somalia (as the UN Trust territory to the East and South was then called) were inevitable.

Consequently, the Protectorate became independent on 26 June 1960 and, in accordance with prior consensus and agreement among the northern clans, merged with Somalia on 1<sup>st</sup> July 1960, thus forming the unitary Somali Republic. However, there was one crucially important fact which the separatists deliberately ignore because it destroys the basis of their unholy cause. The first is that the whole purpose of seeking independence from Britain was precisely to unite with the rest of the country, and it was that burning desire for unity that formed a common ground for the clans to agree on and end their treaties of protection with Britain. Somali unity was in fact the rallying point of the clans, and without that common feeling of Somaliness we Somalis are no more than a group of independent clans with their respective territories and their respective clan organizations.

Secession is therefore a betrayal of that consensus and agreement which the clans had reached in 1960. Independence was never sought on the basis of Somaliland standing alone, and that is the reason why the clans cannot go along with the desire of the secessionists who belong predominantly to only one clan namely, the Isaaq.

### **3. Declaration of Secession**

Upon the collapse of Siad Barre's government in Mogadishu and the disintegration of the army there the commanders and soldiers in the Northwest region simply abandoned their stations and returned to their native areas. The Somali National Movement (SNM) which, as everyone agrees, was purely an Isaaq insurgency organization moved in to fill the void, and having taken over the entire national military arsenal in the North of the country became a formidable force.

Prof. I.M. Lewis states:

“The SNM was thus, from the beginning, a typical reactive Somali clan-based organization responding to hostile external pressures and seeking to protect and forward clan interests.”<sup>2</sup>

Gerard Prunier also states:

“In a way the SNM does not exist: It is simply the Isaaq people up in arms”<sup>3</sup> and ‘It is not “Isaaq dominated”’; it is Isaaq, it is an armed expression of the Isaaq family of clans’<sup>4</sup>.

The point is clear and the Isaacs themselves do not deny that the SNM was their clan organization. It was not formed therefore as a northern movement whose aim was to unite and ‘free’ the northern regions and lead them to independence. It is interesting to note that the SNM (Somali National Movement) was both decidedly ‘Somali’ (not “Somalilander”) and ‘national’ (not regional).

But, the SNM had never sought or advocated secession. That was not the reason why it was fighting the Siad Barre regime. It was fighting to help in the overthrow of the regime and to negotiate later on from a point of strength in order to secure home rule for their area. In fact, SNM’s own official statement of October 1981 reveals the organization’s pro-unity stance for it was said in that statement:

“The challenge at present confronting aspiring Somali political leaders is to find a lasting solution to the question of clanism without, in the process, destroying Somali society as we know it”<sup>5</sup> and it (the SNM) sought to combine “the advantages of Somali democracy and egalitarianism with the benefits of modern national government.”<sup>6</sup>

Surprisingly, the statement envisaged a unitary, not federal, system of government that divided the country into four or five administrative regions each region having an elected governor, an elected regional assembly and its own regional administration.<sup>7</sup> In other words, the SNM wanted a genuine devolution, which was only one step short of federation. Prunier who lived with and accompanied the SNM fighters quotes them as saying:

“Nobody but Isaacs will ever rule us here” and he says further: “They want a strongly decentralized form of administration, with devolution of power to the *clans*”<sup>8</sup> (Italics ours). They were in effect advocating that sub-national divisions be based on clan settlements.

But, the SNM was now faced with a new situation – the collapse of the State and the ensuing chaos in the South - which it had never anticipated. It decided consequently to convene a conference in Burao to which all the northern clans (that is the clans of former Somaliland

Protectorate) were invited. While the conference was in progress, however, the SNM military wing, having decided to exploit an anarchic situation, put the participants under siege, drew their guns and coerced them into making a unilateral declaration of independence: “Somaliland’s UDI”. The political leaders of the SNM were, however, still opposed to secession and openly said so but their voices were drowned by the clamor of the fighters and their Isaaq supporters. General Jama Mohammed Ghalib\* says in comments he made on an article by a supporter of the secessionists (Appendix A, pp. 37) that

“The secession has been the brainchild of the Isaaq (to whom I belong)”.

The non-Isaaq delegations feared for their lives in view of the fact that the conference was emotionally charged and that they were in an Isaaq territory. The unilateral declaration of the “restitution” of the independence of Somaliland was then issued on May 18, 1991 – barely five months after the fall of the central government. UDI invokes memories of Ian Smith’s Rhodesia, and Biafra as well when one tribe – the Ibos – tried unsuccessfully in 1967-1970 to secede from Nigeria at a great human and material cost.

#### **4. Was Secession an Expression of the Popular Will?**

It is important to note that even at the height of nationalism in 1960 divisions along clan lines were very pronounced in Somaliland Protectorate. It was not by coincidence that the non-Isaaq clans (the Samaroon, Issa, Dhulbahante and Warsangeli) met in Las Anod towards the end of 1959 and formed the United Somali Party (U.S.P) as a countervailing force to the two Isaaq parties: the Somali National League (S.N.L) and the National United Front (N.U.F.). It does not stand to reason therefore, that those clans would join hands with the Isaaq when Somali nationalism is at its lowest ebb. It is also revealing that the Isaaq brand any of their clansmen who opposes secession as a “traitor” while they call the unionists from the other northern clans as “Isaaq-haters”.

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\* General Jama Mohammed Ghalib- better known to many Somalis as 'Jama Yare' - is a highly regarded northern luminary. He had built up a long and successful career in the national police service culminating in his becoming its overall commander. He has also served as Minister of Interior. Gen. Jama was close to and has lived through the events which are discussed in this Research Document. He is therefore specially qualified to comment on them

Furthermore, institutions, fora, and community organizations, which bear the name of ‘Somaliland’ in the Diaspora, are almost exclusively Isaaq. Many well-placed Isaacs brag openly that secession is their own SNM-led movement; it is they who fought for it; and it is they who own it lock, stock and barrel. According to them, the other northern clans should simply acquiesce.

But of course they have to show a different face to the world in order to conceal their clan motivation for secession. To this end, they cite two events in support of their argument that the people of the North as a whole (the erstwhile Somaliland) have themselves chosen ‘on their own free will’ to secede. The first is the Burao Conference of April/May 1991, and the second is the so-called constitutional referendum of May 31, 2001. These are the two pillars on which their argument about the choice of the people rests. But, they are pillars, as we shall see from the following facts, which themselves rest on a shaky ground:

- (a) What happened in Burao cannot by any stretch of the imagination (as explained above) be described as a meeting of the minds since the participants were literally coerced into accepting the position of the military wing of the SNM;
- (b) As for the presumed constitutional referendum it is very clear that the exercise was full of holes like a Swiss cheese from the very start. For one thing, it was said that the constitutional referendum was at the same time a referendum on the secession and that the approval of the constitution also meant the approval of secession.

For another a referendum on a momentous decision concerning the destiny of a whole people cannot be made subservient to a voting on a choice of a constitution. It was prejudicial to write a constitution and submit it for approval even before the people have spoken on the question of secession. It was also prejudicial to have established a secessionist administration prior to a plebiscite on the secession itself. Moreover, there can be no credibility in the slightest for a ‘referendum’ organized and conducted in the most dubious circumstances entirely by the secessionists themselves - and at a time when the country was unsettled. There was no prior agreement as to whether it should be conducted at all as was the case in Eritrea, no international presence whatsoever, no prior and free public debates,

and even no clear and credible explanation of the provisions of the constitution to a population, which is largely illiterate and nomadic. In fact those who voiced their opposition to the secession were ridiculed, branded as traitors and imprisoned by the secessionist administration in Hargeisa; only those who were in favor were allowed to campaign and address the public.

Despite all this, the secessionists thought they would fool the world by announcing that *all* the regions and districts of the North voted heavily, and ‘approved’ by a landslide of 97% both the secession and the constitution. No announcement could be farther from the truth; for there was no voting at all in Sool, Cayn and Sanaag regions, which together constitute approximately 40% of the landmass of the former Somaliland Protectorate. These are the areas of the Warsangeli and Dhulbahante, who together with the Majeerteen and others form the Harti clan and are therefore firmly within the Administration of neighboring Puntland (Fig. 2). Indeed, the only time the Somali people in the former Somaliland Protectorate expressed their wish as to their future was in 1960 when they opted on their own free will for a fusion (not only union) with Somalia claiming their own independence only as a stepping-stone to that fusion.



Fig. 2

Source: BBC World Service

[http://news.bbc.co.uk/1/hi/world/africa/country\\_profiles/4276288.stm](http://news.bbc.co.uk/1/hi/world/africa/country_profiles/4276288.stm)

## 5. Was “Somaliland” Ever Truly an Independent Country?

The secessionists claim that Somaliland was an independent, sovereign country which entered into a union with another independent country and that it has now simply withdrawn from that union and reclaimed its independence. Again the cold and objective facts are as follows:

- (a) When the Union Jack was lowered in Hargeisa on the stroke of the midnight hour on 26 June 1960 it was the flag of Somalia, which was hoisted to the roaring, singing and jubilant celebrations of the multitudes punctuated by the continuous ululation of the womenfolk. *There was no Somaliland flag, no Somaliland President, no Somaliland national anthem and no Somaliland Ministry of Foreign Affairs, and even no Somaliland cabinet except for four caretaker ministers appointed by the British.* Somaliland never had any of the symbols that are commonly associated with an independent state – not even a Constitution. On the day after the Somali flag was hoisted the Legislative Council sitting in Hargeisa passed the Act of Union in which it stated:

“Whereas it is the will of the people of Somaliland and Somalia that their states shall unite and shall *forever* be united in the Somali Republic” (Italics ours). Professors Abdi Ismail Samatar and Ahmed Ismail Samatar state: “The Union Act reads exactly as the Somaliland legislature wrote it.”<sup>9</sup>

- (b) It is most astonishing that the so-called foreign minister of “Somaliland”, Ms. Edna Adan Ismail, went on record to say that “Somaliland” was recognized upon independence by 34 countries and that it was admitted into the UN. The question may be asked then: What 34 countries have sent recognition letters to a country which had no flag, no President and no Ministry of Foreign Affairs? There were actually three days of celebrations in which the focus was solely on unity with Somalia and on the fourth day the entire Legislative Council and the four ministers left for Mogadishu; on the fifth day (July 1<sup>st</sup>) Somaliland was subsumed in the new Somali Republic and was no more. That is why the former Somaliland Protectorate did not apply, and could not under the circumstances have applied and received admittance into the U.N. within a space of a mere three days. After all, why would a country which was preparing for and was excited about an impending merger with another apply for

U.N. membership?

In the event, it was a united Somali Republic that became a member of the UN in September 1960, and if one consults the list of countries that were admitted that year, or any subsequent year, one will not find a country called “Somaliland” on it. Ms. Edna Adan has debased herself by building her case – if indeed she has a case- on such glaring inaccuracies and outright fabrications, naively thinking that deception would somehow bring recognition.

## **6. Was the Union ‘Disastrous’ as claimed by the secessionists?**

### **(a) Pre-Union Level of Development.**

The separatists invariably employ hyperbolic superlatives of the most negative kind when describing the union between the North and the South of the Somali Republic. They sometimes describe the Union as ‘a marriage that did not work’. But, if it was a marriage – which lasted thirty years – it should have been natural for the other party to have a say in the divorce. However, was the Union truly a failed and bitter experiment out of which the North came out impoverished and destroyed as claimed by the secessionists? Let us see what the facts and figures tell us: At independence British Somaliland’s capital, Hargeisa, had no running water and hardly any paved roads. The public purchased their water from the drawers who made a living by digging the dry river bed which divided the city, putting the water in large tins, and then loading them on the back of donkeys as a means of conveyance to their customers.

There were no bridges in Hargeisa, and when the floods came and the dry river was in full spate no one could cross, even by car, truck or lorry from one side of the city to the other. As a matter of fact the floods swept away so many people each rainy season to their perdition. Somaliland had no ports save for a small jetty in Berbera.

Somaliland clan territories were divided into six administrative districts, which were not connected by paved roads. There were no industries, no significant employment opportunities and agriculture barely existed. In the field of education there were few elementary schools, fewer intermediate schools and only one secondary school which was first established in Amoud and later moved to Sheikh on completion of the physical facilities there. The hospitals were also few – one in each district. But Hargeisa had two hospitals – a T.B. hospital which was old and dilapidated, and an almost new general hospital which was named “The Group Hospital”.

Such was the level of development in Somaliland at independence when it entered into union with Somalia. It goes without saying that if the Union was disastrous for Somaliland, as the secessionists allege, then the region should have been worse off when the State collapsed in January 1991. But, how much worse could it be? Under the Union the North (ex-British Somaliland) did not deteriorate and did not even stagnate: as we shall see below it has in fact progressed. The record cannot be denied as its physical evidence is still there today.

### **(b) Post-Union Economic Development.**

Immediately after the merger a water system was installed in Hargeisa; a full-fledged sea port was built in Berbera; a modern solid bridge was built over the dry riverbed so that motorists and pedestrians could cross from one side of the city to the other and seasonal floods were no longer a hindrance; a modern airport and a cement factory were built in Berbera; in Burao a technical institute and a tannery were built and in nearby Sheikh a new T.B. hospital was provided. A huge agricultural project – mainly for the production of wheat – was launched in Tugwajaale but did not, unfortunately, materialize because it was supposed to be rain-fed and the rains failed repeatedly. Schools multiplied; scholarships were provided for higher studies abroad and many of those who are leading the secession today, like the academics in the universities of Amoud, Hargeisa and Burao, were educated by successive Somali governments and in fact held senior positions in them. Fish canning factory was built in Las Koreh and the road connecting Las Koreh and Badhan was constructed through difficult terrain though it is not paved; and the tarmac roads connect the major towns of the Northwest

region with the highway that goes through Burao and Las Anod to Mogadishu were built by the last regime.

We must not forget also that many northerners owned farms in the fertile agricultural areas of the South; many northern businessmen also benefited from the wider market, which was the natural attendant of the Union; and the larger economy inherent in the merger increased job opportunities tremendously. *But the irony of it all is that all of these development projects in the former British Somaliland Protectorate, with the exception of the fish canning factory and the Las Koreh-Badhan dirt road, were realized in the area, which is the stronghold of the secessionists. Those northerners who oppose the secession were actually the ones who were starved of development projects.*

As for the allocation of posts following the merger Gen. Ghalib bears witness to an equitable distribution as between North and South; for he states:

“Half of the eight early ambassadorships appointed in 1961 were assigned to northerners in London, Paris, Moscow and Addis Ababa and their Southern counterparts were assigned to Cairo, Rome, Washington and the UN, *although the northern population strength was about one third and the parliamentary representation about one-fourth.* In the formation of the second Somali government in 1964 under the premiership of Mr. Abdirazak Haji Hussen, northerners were appointed to most key portfolios of that cabinet including Foreign Affairs, Finance, Defence, Agriculture and Planning. Likewise, almost half of senior civil service posts were assigned to northerners. About 36% of development projects during the nine-year civilian rule were allocated to the north.”  
(emphasis ours) - see Appendix A, pp. 36

### **(c) Participation in National Politics**

Let us now turn to the end results of the political merger. The secessionists have earnestly tried to convince the world that the South ‘swallowed up’ the North and that southern leaders, who according to them monopolized the power to dispense and dispose, have been selfish and grossly unfair to the northerners. They have actually gone far beyond that, for

they have said, and continue to say, that the South had ‘destroyed’ the North. Nothing could be more insulting to northern leaders than the accusation that they were impotent in the face of the destruction of their own region: were they just a bunch of sheep?

The Somali Republic was a unitary, not a federal state; and regional distinctions were rendered nebulous by clan considerations and loyalties, which blurred their boundaries. Political integration immediately followed the merger and the three northern parties (The Somali National League, the United Somali Party and the National United Front) disappeared into the melting pot of national politics. Some southern parties – such as The Greater Somalia League – also disappeared.

Alliances were formed between individual southern and northern politicians. New national parties such as The Somali Democratic Union and the Somali National Congress were formed as a result of those alliances, which cut across regional boundaries. But, unfortunately, clanism reasserted itself and clan – not regional – balance was observed in the allocation of ministerial portfolios and other political positions. It would have been absurd and dangerous to do otherwise in a society in which the real divisions were along the lines of clan affiliations. That reality necessitated a formula for clan balance: the President of the Republic was from the Hawiye, the Prime Minister from the Daarood, the Speaker of the National Assembly from Isaaq, and the Minister of Finance from Digil and Mirifle. But there was a Deputy Prime Minister from Gadabuursi – a northern clan. In 1967 the formula changed as a result of the election of Dr. Abdurashid Ali Sharmarke – a Daarood – as President. Mr. Mohammed Ibrahim Egal – an Isaaq – became Prime Minister, Sheikh Mukhtar of Digle and Mirifle became Speaker of the National Assembly, and Haji Farah Ali Omer – a Hawiye – was appointed Minister of Finance. Mr. Egal was envisaged to succeed Dr. Sharmarke as President were it not for the assassination of the latter and the subsequent coup d’ etat of Siad Barre and his accomplices.

Mr. Egal had thrown his lot in 1961 with Skeikh Ali Jim’aleh. A southerner who commanded respect and wielded considerable influence, Sheikh Ali ran for President and lost to the incumbent, Mr. Adan Abdulle Osman, in that same year. Had he won, Mr. Egal – an Isaaq and northerner – would have become Prime Minister as early as 1961 and the formula of clan balance

would have changed with a Hawiye as President, an Isaaq as Prime Minister and, possibly, a Daarood as Speaker of the National Assembly.

Furthermore, the Isaacs have (not at the same time, of course) occupied all the senior ministerial positions including Foreign, Interior and Finance and were twice appointed during and immediately after Siad Barre's regime to the position of Prime Minister. They also served in the most visible positions in the public services: they were career diplomats as Ambassadors, Counselors, etc.; they were Directors and Directors-General (Permanent Secretaries); and were Generals in the military and police – occupying twice the position of 'Commandant of Police'. Yet, it is from the ranks of the Isaaq clan-family that the separatists have emerged. The real reason why they want to separate is due to their belief that in a 'Somaliland' their presumed numerical majority will ensure their hegemony over the other northern clans. The problem is that this scheme of theirs is just too transparent and the other northern clans will not collaborate in the destruction of Somali unity so as to 'enjoy' the domination of their Isaaq brothers and sisters.

The secessionists, while claiming to have suffered at the hands of southern Somalis, brag all the time about "achievements" which they have made in the last fifteen years but can never enumerate them. On the contrary, they have undone all that was done for their area by successive Somali governments: roads have not been maintained, services barely exist and cannot cope with the physical expansion of cities, the State House is in a sorry and inhabitable state, the Hargeisa City Council is so starved of funds that it cannot even collect the garbage from the streets, and the "Presidential Palace" is merely a renovated and extended building which Siad Barre's last military governor, General Mohamed Said Hersi, (widely known as 'General Morgan') had built as his residence.

However, one should not blame the secessionists for the underachievement or deterioration given the acute paucity of resources, as they cannot do much with a meager annual budget of about \$25m which is - even then - inflated and much of which is consumed by salaries and other recurrent expenditure. But, public pronouncements about achievements that do not exist are foolish and do not lead to diplomatic gains because people can see for themselves.

## 7. Two 1961 Events Which the Secessionists Consider Important to their Case

The secessionists argue that the people of the North sought to separate and annul the Union twice in 1961, first by overwhelmingly rejecting the draft Constitution in the referendum of June and then by attempting a coup in December. We will show that this claim is utterly false.

### (a) The Constitutional Referendum

The secessionists contend that the people in *all* the districts of the North *overwhelmingly* rejected the Union in the constitutional referendum of 24 June 1961. In a joint statement to the AU mission that visited Hargeisa in May 2005 the three parties of the so-called Somaliland (UDUB, KULMIYE, & UCID) stated *inter alia*:

“It is also important to note that the people of Somaliland rejected the obligatory Act of Union, when it was later presented to them in a constitutional referendum”<sup>10</sup>.

This is a naked lie – pure and simple. First, the Act of Union was never a part of that referendum. Secondly, the referendum was held in the entire country (not only in the North) and was not *at all* a mechanism to ascertain the opinion of northerners about the Union: it was simply a referendum on the draft Constitution. Thirdly, it is a white lie that all the districts in the North rejected the Constitution by a landslide. On the contrary, the results (shown below) indicate how the people of the North were deeply divided along clan lines – even at the height of the nationalist fervor.

Name of District	Votes in favor	Votes against
Hargeisa*	10,449	27,087
Berbera*	2,220	5,231
Borama^	14,380	522
Burao*	6,427	12,868
Las Anod^	12,090	2,553
Erigavo**	3,950	6,019
Total:	49,516	54,270

\*Isaq districts    \*\* mixed districts    ^ non-Isaq districts

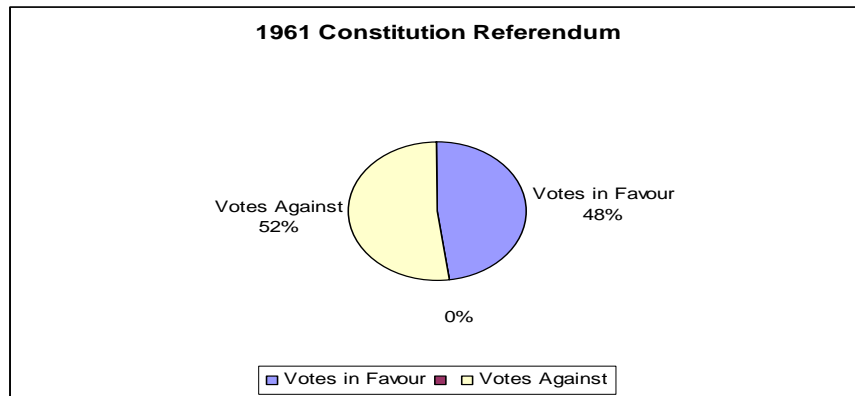


Fig. 3

Two facts are clearly established by these figures: first, the northern people did not overwhelmingly vote against the Constitution. In percentage terms 47.7% approved the Constitution and 53.3% rejected it – a mere difference of 4.6% (Fig. 3). Secondly, the Isaaqs overwhelmingly voted against the Constitution and the reason for this had nothing to do with any disenchantment with the Union. If the Constitution was rejected nationwide the government of Dr. Shermarke would have, in consequence, tendered its resignation and that was what the opposing alliance of Mr. Egal and Sheikh Ali Jim’aleh of Hiiraan had been campaigning for. It was not by coincidence therefore that Hiiraan (Sheikh Ali Jim’aleh’s own region) also voted against the Constitution by a wide margin, the count being 14,296 for and 23,553 against.

Another fact that emerged from the results of the 1961 Constitutional referendum is that the Borama District, currently known as the Awdal region and home to the Samaroon and Isse clans, voted overwhelmingly (96%) for the constitution (Fig. 4). This region is at present under a de facto occupation of the SNM-created secessionist administration in Hargeisa. Although the current ‘Somaliland President’ hails from that region he is perceived by many of his people as a puppet in the hands of the secessionists, who conveniently use him as a Trojan horse to mislead the world community that ‘Somaliland’ is not one-clan (Isaaq) project.

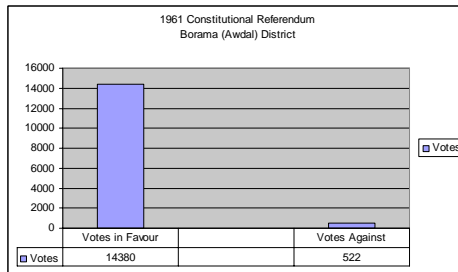


Fig. 4

After the collapse of the central government in Mogadishu and the return of the SNM militia from Ethiopia, the Awdal region, more than the eastern regions of Sool, Sanaag and Cayn, received the brunt of SNM’s aggression owing to its physical proximity to Hargeisa, (the secessionist’s stronghold). The horrors committed included summary execution of Elders and Intellectuals, razing of villages to the ground, and other heinous human rights violations. These incidents have been properly documented by the Awdal intelligentsia who now live in the Diaspora.<sup>11</sup>

### **(b) The Attempted Coup d’ Etat in Hargeisa**

A group of young northern military officers most of whom had just returned from short military training in the U.K. and were on leave in Hargeisa were influenced by two disgruntled lieutenants who had graduated from the Royal Military Academy at Sandhurst in the U.K. and together they attempted a coup on 10 December, 1961 with the object of reviving and ruling that moribund “Somaliland”. They resented and were unable to tolerate the fact that they were commanded by Southern military officers who were much more senior to them in age and rank but appeared lacking advanced formal military training.

They locked up their commanding officers in a bungalow and kept them under the guard of two of their own fellow plotters. However, they told the Non-Commissioned Officers (NCOs) that there was a military takeover in the national capital and that their superiors were in a secret meeting communicating with the supreme command in Mogadishu.

However, within few hours the NCOs discovered the truth and freed the commanders. The leader of the attempted coup was caught wounded, a lieutenant was killed in the processes of foiling the coup and all the other conspirators were captured.

Two conclusions can be drawn from this incident: first, the NCOs, who were *all* northerners, did not support secession; secondly, there was no public support whatsoever for the attempted coup and secession. Portrayal of this incident as a rejection of the Union by the *people* of the North is therefore false. Even the people of Hargeisa and Burao where the attempt was made did not show any sign of supporting the attempted coup and the rest of the North did not even know about it. Evidently, the attempt did not at all bear the hallmark of a popular uprising. The plotters were all arrested (except for the one who died) and sent to Mogadishu where they were imprisoned. They were put on trial, released on legal technicalities and were upon release even given civilian jobs in government. The Nation was in a relaxed mood and the plotters did not, fortunately, face a firing squad.

## **8. The Claim of the Secessionist Enclave to Peace and Democracy**

For nearly fifteen years now the secessionist enclave that calls itself “Somaliland” has been trying to revive an entity that was tossed forty-six years ago into the dustbin of colonial history.

It has been making extravagant claims to peace and democracy as a ploy to receive recognition as an independent sovereign state. However, for fourteen of the fifteen years it faked a bicameral legislature which was entirely *unelected*; its presidents were also *unelected* until 2003; the so-called upper house ( the Guurti) has never been elected and has just extended its own term for another four years on the proposal of the president of the enclave. The Judiciary was never, and is not, independent as evidenced by the fact that the former president of the ‘Supreme Court’ was summarily dismissed together with all other judges by the ‘President’ of the enclave with a single stroke of the pen. Journalists are often put behind bars if they are too critical of the government; those who oppose secession are not free to air their views; on the contrary, they are harassed, ridiculed and condemned as ‘traitors’. And the prisons are overflowing and the living

conditions within their walls have been reported to be horrid and unsanitary. These are the elements of the democracy on which the secessionists pride themselves and others give them a lot of credit for.

Furthermore, a 16 year-old girl from Puntland found her way to Hargeisa in 2004 but was arrested, and savagely raped and beaten repeatedly, and made to languish under the filthy conditions of Hargeisa's Central Prison. She had been accused of spying and plotting to assassinate the Vice-President – a 16 year-old girl? - Her real crime was that she was from a clan belonging to Puntland. Her case unavoidably generated a huge outcry from human rights organizations worldwide as well as from local individuals whose consciences were touched.<sup>12</sup>

Gen. Ghalib, citing human rights groups, says:

“The child was, according to Human Rights groups, incapable of committing such crime because of her age of childhood. Spying is an art that required special training and experience both of which could not have been accomplished during childhood.”

(Appendix A, pp. 35).

But she was sentenced to five years imprisonment but was released few months later under external pressure on ‘Presidential’ pardon. Her lawyers had been sentenced to three years imprisonment while the ‘trial’ was in progress. What a travesty of justice!

In late 2004, a majority of the unelected ‘House of Deputies’ tabled a motion to impeach the President for a number of horrendous violations and for the lack of probity. The House was closed in consequence and was not allowed to meet. The Speaker who was a Dhulbahante was threatened to be killed if he dared reopen it; a Warsengeli deputy was also slapped, humiliated and threatened in public. Behind the façade of democratic institutions there exists a clan society and a regime which is, manipulative, unaccountable to anyone and repressive of individual rights and freedoms. To quote Gen. Ghalib again:

“Some semblances of most ingredients of governance also exist there. However, these are not without dictatorial bents and bullying where the rule of law is flawed. Of all parts of present Somalia, only in the administration of the north are centers of the power to be remnants of the former dreaded security apparatus of the defunct regime of Siad Barre.

Despite the existence of nominal houses of parliament, stifling of dissent by the authorities is widespread and there exists no mandatory habeas corpus to safeguard the liberty of the individual for the ends of justice.” (Appendix A, pp. 35)

There was a ‘Presidential’ election in 2003 and a ‘legislative election’ in 2005. Foreign observers pronounced them free and fair. But those observers were guided by government agents and did not go – in fact could not have gone – to those large territories in the East which the separatist administration in Hargeisa claims but does not control. But there were certainly complaints of massive fraud in other areas where the foreign observers did not go. The belated elections were actually held because it was believed that holding them would open the floodgates of international recognition, not because there was genuine commitment to democracy: as they say in the U.K. ‘one swallow does not make a summer’. The international community cannot of course be fooled by a one-time election held only in a remote corner of the country and proffered as proof of democracy. To lay genuine claim to democracy credible electoral processes have to recur regularly over many years and establish themselves as an integral part of the political tradition. But there are also other elements of democracy such as rights and freedoms which, as explained, barely exist in the enclave.

As for peace in the enclave there is, admittedly, relative peace. But there have been fitful outbursts of clashes between Isaaq sub-clans in Hargeisa itself and there is a simmering conflict between northern Harti (Darood) sub-clans and the Isaaq over the latter’s expansionist claims on Harti areas. Peace has to be encouraged, but recognition of the enclave will only embroil the whole area in armed conflict.

## **9. More Campaigns for Elusive Recognition**

We should first ask ourselves whether there is a state called “Somaliland”. There is no doubt a separatist enclave in Somalia, which calls itself “Somaliland”, and which falsely claims that it occupies an area coterminous with the historically defunct Somaliland Protectorate, is claiming to be independent. This enclave has been aware all along that the people of Sanaag, Sool, and

Cayn regions who occupy 40% of the territory do not wish to be a part of this fake “Somaliland”. *The enclave’s so-called Foreign Minister is on record for saying that if the people of those regions do not want to be a part of “Somaliland” they should leave “our country” and go to Puntland.* This is a provocative statement which has not passed unnoticed. It smacks of clan chauvinism with proclivity towards clan cleansing and is seen as an invitation to war. Most recently she said in Abuja, Nigeria:

*“We all know that ‘defined territory’ does not mean that boundaries are undisputed. Many States in Africa or elsewhere have un-demarcated or disputed frontiers with their neighbors. Somaliland’s boundary dispute with northern Somalia neither invalidates the treaties that defined our colonial borders, nor detracts from Somaliland’s claim to a defined territory. In the case of Somalia, their claim over areas inside Somaliland is purely clan-based while the borders of Somaliland are entirely colonial borders that were demarcated according to international treaties.”<sup>13</sup>*

*Your Excellencies, we all know that every country in Africa, including Somaliland, has ethnic settlements across one side of the border or the other. If the border between Somaliland and Somalia is allowed to become chanced for this reason, then every border in Africa would be invalid and would have to move according to ethnic settlements, thus defeating the Charters of the Organizations of African Unity and that of the African Union”.*

Somalia, including the secessionist enclave, is a society of clans each clan occupying its own territory. But there are also shared areas. In 1991 the Isaaqs, under the leadership of their SNM, launched concerted attacks on Awdal, Sanaag, Sool and Cayn - regions inhabited by *other* northern clans. The atrocities committed by the SNM are still fresh in the minds of the citizens who inhabit those areas. All these acts of unprovoked violence happened even before Puntland was formed. We have a verifiable list of hundreds of people including women and children who were killed in those attacks. In fact some of the perpetrators of those acts are highly acclaimed ‘heroes’ who are still called “Mujahideen” and rewarded with political posts in the secessionist administration.

As for the question of keeping colonial boundaries the resolution of the Organization of African Unity on that matter was adopted in Cairo in 1964, but at that time Ms Ismail's erstwhile 'Somaliland' was part and parcel of Somalia, having joined the latter in a Union in 1960. Consequently that resolution did NOT obviously apply to it. Now, however, the secessionists are actually claiming under the same resolution the *restitution (not the keeping)* of colonial boundaries.

Ms. Edna Adan Ismail should ask herself why the people of Sool, Sanaag and Cayn should willingly go back to an artificial colonial boundary (by her own admission) which was lifted forty-six years ago. Her statement is in fact a plea for international support to an illusory 'state' for the looting someone else's land. It is an act of desperation as well since time is running out on the secessionists, and it scares them to face the reality of the Somali Nation – their nation - coming together and healing its wounds. The breakaway regime has been banking for the last fifteen years on the international community giving up on Somalia and recognizing their enclave as a separate country out of despair with the rest of Somalia. As the so-called Somaliland has no intrinsic merit to recommend it to the international community it tries to make a political capital out of the human tragedies occurring in the South; and at a time when their nation is at its greatest hour of need the secessionists choose to stab it in the back. The likes of Ms. Edna Adan Ismail have said and written many times that "Somalilanders" have nothing in common with Somalia, not even the language. Well, the international community is not amused.

## **10. The Position of the U.N**

The position of the United Nations is as clear as broad daylight. It is honorable, admirable and straightforward. The Security Council has reaffirmed in plain and unequivocal terms in all its resolutions on Somalia the country's sovereignty, unity, political independence and territorial integrity. Sadly, however, the secessionists are taking no heed of them.

In his latest statement on Somalia, the President of the Security Council for the Month of March 2006, Mr César Mayoral (Argentina), states:

*“The Security Council reaffirms all its previous statements and resolutions concerning the situation in Somalia, in particular the statement by its President of 14 July 2005 (S/PRST/2005/32) and 9 November 2005 (S/PRST/2005/54).*

*The Security Council welcomes the report of the Secretary-General of 21 February 2006 (S/2006/122), and reaffirms its commitment to a comprehensive and lasting settlement of the situation in Somalia and its respect for the sovereignty, territorial integrity, political independence and unity of Somalia, consistent with the purposes and principles of the Charter of the United Nations.”<sup>14</sup>*

## **11. The Position of the A.U.**

The African Union (A.U) has come lately under pressure from the separatist administration of Hargeisa and from foreign individuals – academics and journalists – who know nothing about the country and its people but help sustain the illusion of an independent state called “Somaliland”. But, the A.U is an international organization, not a sovereign state, and as such does not recognize or refuse recognition to any real or imaginary state. The so-called Somaliland can apply for membership - and only if the majority of the 53 member-states (half plus one) recognize it first – see Article 29 of the A.U. Charter. However, not even a single member-state has recognized it or is willing to recognize it. The Sahrawi Arab ‘Republic’ was admitted into the OAU only AFTER more than half of the member-states recognized it.

The fact is that no one in his right frame of mind will recognize a mirage as a state. Last year the A.U. sent “a fact finding mission” to the enclave after the incessant entreaties of the separatists. But the visit of the mission was confined only to the stronghold of the secessionists: they did not visit anywhere else. Not surprisingly, the Mission seems to have succumbed to the blandishments and manipulations of the secessionist administration; for their report has been frequently quoted left and right by the secessionists and the foreign mercenaries who are in their pay.

The Chairman of the A.U Commission had taken upon himself the illegal step of sending the mission to Hargeisa without any mandate at all from the Council and in repudiation of the U.N. Security Council resolutions. It is astonishing beyond belief that the Chairman of the Commission should choose to invade the backyard of a sovereign member-state of the Union. In so doing he did not only exceed his authority but he has shamelessly set a dangerous precedent which militates against the sovereignty and territorial integrity of a member-state. He has in fact stabbed in the back a founding member-state of the A.U and its precursor, the O.A.U. As they cannot enter the A.U. through the front door the separatists are desperately trying - sadly with the complicity of the Chairman - to enter it through the back door. Such ignoble behavior of the Chairman towards a sovereign member of the Union is indeed something which calls for his censure.

As the Transitional Federal Government (TFG) gains strength, stability and recognition within and outside Somalia the panic of the separatists' increases considerably. They have launched of late a huge publicity campaign whose dual purpose is to paint a gloomy picture of the prospects of the TFG and, by contrast, a rosy picture of what obtains in their enclave. Last February 19, for instance, a wave of extremely pro-secessionist articles appeared in Kenya's "The Sunday Standard" to win friends for the secession and promote a sympathetic climate of opinion which would lead to international recognition, pre-empt the Transitional Federal Government (TFG) and seal the fate of the unionist population of Sanaag, Sool, Cayn and Awdal regions.

The external agents of the secessionists attempt in their writings, presentations, and/or lectures to convince international – mainly African – opinion to accept the separation of the Northwest region of Somalia from the rest of the country by arguing that precedents of countries that have united and then separated abound. But they ignore the peculiar circumstances which led those territories to unite on their own volition and then dissolve their union by mutual agreement. In providing the example of Ethiopia and Eritrea they argue that Ethiopia saw the wisdom of discontinuing a war which lasted thirty years and, in the interest of peace, allowed Eritrea to secede. This is too simplistic an explanation and sheer distortion of history. First, Eritrea was federated with Ethiopia by the U.N. in 1952 on three conditions: (a) that Eritrea should have its own flag; (b) it should elect its own legislature; and (c) it should elect its own governor. The

Emperor rejected the first condition and accepted the remaining two, and on that basis the two countries were federated.<sup>13</sup> Secondly, the Emperor violated the two conditions he had accepted and turned the country into a province of Ethiopia when he abolished the federation in 1961. Thirdly, the separation of Eritrea was part and parcel of a deal between comrades in arms even before the overthrow of Mengistu Haile-Mariam and was effected, even then, through an internationally-supervised plebiscite. The separation was therefore by mutual consent, not by unilateral decision of the Eritrea or Ethiopia.

The other analogies, which the foreign agents of the enclave use in order to bolster their argument, are similarly wrong and misleading. The case of The Gambia and Senegal is another instance of how these agents twist historical facts. The two countries forged together a *loose* confederation – not a federation – which lasted for only seven years from 1982 to 1989 and was terminated by Senegal because The Gambia was reluctant to move towards union, it being smaller and surrounded almost completely by Senegal. But the two most salient features of that loose confederation which are important here are: (a) there was no union at all; and (b) neither country gave up its independence and sovereignty as a result of the confederal arrangement. These cases therefore have no relevance in the slightest to the Somali situation.

Though unpalatable to the secessionists and their proxies the truth is that where there is mutual agreement of the parties concerned separation is achieved peacefully, and there are many recent examples of this. One of the many glaring examples is the break-up of the Republic of Czechoslovakia into the Czech Republic and Slovakia – the so-called “velvet divorce”. Conversely, when separation is declared by only one party it is a prescription for civil war and an excellent example is found in the history of the United States. But, more recent examples are Katanga and Biafra on the African continent. Nearer home we have a lesson to draw from the internecine conflict which arose from the attempt of South Yemen to secede from its union with North Yemen despite the fact that the former had been, unlike ex-Somaliland, independent, sovereign and a member of the United Nations and the Arab League for decades.

The breakaway enclave has stated (and their parrots have repeated) that it would defend its independence and borders – the borders of the erstwhile Somaliland. But, what borders will it

defend? The large territories of Sanaag, Sool, and Cayn have never been within its reach and are firmly in the hands of the State of Puntland of which they are founding members. Empty threats which are made to beguile foreign observers or policy makers will ring hollow and achieve nothing.

## **12. The Consequences of Recognition**

It is evidently clear from the foregoing that the secessionists have built their case on a pack of distortions of historical facts and false claims calculated to deceive the international community: apparently, they cannot use the truth, for it is clearly fatal to their manufactured cause - a cause which is so patently devoid of any merit whatever that not a single state, international or intergovernmental organization has fallen for the fabrications of its undistinguished and solitary champions. The breakaway administration and its foreign hirelings who are paid to endeavor day and night to sell it to the international community continue to pin their hopes on creating a perception – albeit false – that the TFG is hopeless. They have been trying for the last decade and half to move heaven and earth in order to turn the tide against the Union. Is it not time that they should stop squandering their minuscule and badly needed resources on maintaining false ‘embassies’ abroad and hiring foreign journalists at exorbitant rates in the pursuit of a mirage? Some rationality is indeed called for!

It would be unwise to recognize the so-called Somaliland, not only because it does not merit recognition but also because it will throw into confusion the whole process of national reconciliation at a time of great hope – a process in which all northern communities, including the Isaaqs, have been participating. All the clans of the North are represented both in the federal Parliament and in the federal Government. The Government is moving cautiously because reconciliation is a delicate matter which requires a slow and deliberate process.

The problem of “Somaliland” is internal to Somalia and is capable of being resolved in the context of the continuing national reconciliation. The President has pledged to resolve it peacefully by negotiation, never through the barrel of the gun. The secessionists, however, are intensifying their campaign for recognition as well as their vilification of the President so as to

pre-empt negotiation. Sadly, they have been engaged in self-delusion for the last fifteen years and their foreign mercenary elements who are engaged in sustaining the illusion they call “Somaliland” are inflicting damage on our national reconciliation and are trying to drive the wedge further between a vast majority which is committed to unity and a small minority perched in a remote corner of the country and not knowing where they are going.

Recognition will most certainly lead to war since the secessionists will be tempted to try again to overrun Sanaag, Sool and Cayn, thus provoking a war with Puntland which may even involve the national government. In other words, recognition would just mean another way of exporting the dying hostilities in the South to the North. That is exactly what Mr. Chris Mullen, Minister for Africa at the Foreign Office in London, meant when he told the secessionists in Hargeisa in October 2004 that if the U.K recognized them there would be war and they would consequently lose both the peace they were enjoying and the external aid they were receiving. His words seem to have fallen on deaf ears.

### **13. Prognosis**

In its thirty years of independence prior to the collapse of the State our country, Somalia, did not have any secessionist movement at all. Even those movements that fought the Siad Barre regime never espoused secession – not even the SNM as explained in these pages. Such would not have been the case had there been compelling reasons, such as deep rooted and longstanding grievances, for separation as these latter-day separatists claim. We believe that the problem of secession in our country will be solved peacefully, but more easily if there is no external meddling. The bankruptcy of secession became apparent to people of good sense years ago and they have since espoused federalism as the most reasonable way of ensuring self-governance without rocking the ship of State. They saw in their wisdom that, instead, they should make a contribution to the rebuilding of their nation. Prominent among these – and all are Isaaq – was the first president of the separatist enclave, the late Mr. Abdirahman Ahmed Ali (Abdirahman Tuur). But the long list includes, General Jama Mohammed Ghalib, Mr. Ismail Buba, Dr. Mohamoud Jama (Sifir), Mr. Osman Jama and many others. But we also know that some of the

leading figures in the breakaway camp express their misgivings about the secession privately, but lack the courage of their convictions. One would think that since the secessionists were complaining about excessive centralization and have been clamoring – indeed fighting – for home-rule they would be satisfied with the federal structure within which their wishes can be accommodated and their demands met.

The federal system adopted by the Transitional Federal Institutions provides for a weak central government and strong state governments – a true and tried antidote to secession. The federal government is in fact accepted in many parts of the North - and by many Isaaqs who have come to realize that reverting to artificial colonial constructs is as impractical as it is detrimental to the interests of the Somali people, who are, after all, their kith and kin. But the door for negotiation and reconciliation will always be open, for Somalia cannot afford to be engaged in perpetual fratricidal conflict.

## Notes:

1. a) *London Gazette*, 24 June 1960  
b) Supplement No. 1 to the *Somaliland Protectorate Gazette*, Vol. XX. No.30, dated on 25th June, 1960
2. I.M. Lewis, *Blood and Bone*, The Red Sea Press, Lawrenceville, N. J, p.180;
3. Gerard Prunier, "A Candid View of the Somali National Movement": Horn of Africa Journal, April - June 1991, 109;
4. Ibid, p.115;
5. I.M Lewis, op. cit., p.199
6. Ibid,
7. Ibid
8. Prunier, op. cit., p.118
9. Professors Abdi Ismail Samatar and Ahmed Ismail Samatar, International Crisis Group Report on Somaliland: An Alternative Somali Response, August 13, 2003 [www.somalivilsociety.org/downloads/somalireponsetoICEREport.pdf](http://www.somalivilsociety.org/downloads/somalireponsetoICEREport.pdf)
10. [Somaliland.org](http://www.somaliland.org), 3 May 2005. SNM in balance: The need for a Truth and Reconciliation Committee in Somaliland
11. <http://www.awdalnews.com/wmview.php?ArtID=5150>
12. SOMALILAND: Amnesty International concerned about 16-year old girl's trial and Rape allegations, and summary imprisonment of her Defense Lawyers, Public Statement, November 30, 2004
13. QaranNews.com, March 23,2006 <http://web.amnesty.org/library/Index/ENGAFR520042004?open&of=ENG-SOM>
14. Security Council Re-affirms Commitment to Comprehensive Somalia Settlement <http://www.un.org/News/Press/docs/2006/sc8662.doc.htm>
15. An authoritative source on the full story of Eritrea in the immediate post-WW11 period is Mr. Kennedy (later Sir Kennedy) Trevaskis, *Eritrea: A Colony in Transition*, Oxford University Press, 1960

## APPENDIX 'A'

### Comments on Somali Unity by Jama Mohamed Ghalib

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This article is in response to an article published in many Somali and non-Somali website in March 2006, by Bashir Goth entitled "Will the Arabs dare to listen to Somaliland?"

I agree with Mr. Bashir about the great suffering meted out to the Somali people of the north during the twenty-one year totalitarian military rule. And although many other groups of southern Somalis were also equally meted out to similar maltreatment in the hands of that regime, nonetheless, some northern communities, especially the Isaaq, were collectively subjected to discriminatory atrocities to the culmination of mass extra-judicial executions. I also agree with Mr. Bashir about the relative peace that exists in many parts of the north in contrast to the south. But the common Somali people bear no responsibilities for these heinous crimes. However thereafter, I do not only differ with Mr. Bashir, but also totally disagree with all his other assertions on the issue, which I endeavour to address under the following headings:

#### A: THE CURRENT SITUATION

The prevalent situation in the north of the Somali Republic that now styles itself as 'Somaliland' has been the best of an overall bad scene since the collapse of the Somali nation state in early 1991. As already mentioned here above, there has been a relative peace in many parts of the north very much unlike most areas of the south. Some semblances of most ingredients of governance also exist there. However, these are not without dictatorial bents and bullying where the rule of law is flawed. Of all parts of present Somalia, only in the administration of the north are the centres of the power to be remnants of the former dreaded security apparatus of the defunct regime of Siad Barre. Despite the existence of nominal houses of parliament, stifling of dissent by the authorities is widespread and there exists no mandatory habeas corpus to safeguard the liberty of the individual for the ends of justice. Just to cite a few examples, during early 2005 or so, four defense lawyers were arbitrarily and simultaneously convicted in Hargeisa in connection with a legal argument with the public prosecutor inside a court room. It was highly improbable that all four lawyers should have together misbehaved. Even so, in legal ethics, an independent court would be expected to only require them to apologize to the court and failing that could have suspended their legal practices as the last resort. The treatment meted out by the court to the four lawyers was outrageous and was characterized by the mockery of the former military regime's legal system.

The simultaneous conviction of all the four defense lawyers very much prejudiced the defense of a female child who was paradoxically accused and convicted of the serious crime of spying. The child was, according to Human Rights groups, incapable of committing such crime because of her age of childhood. Spying is an art that required special training and experience both of which could not have been accomplished during childhood.

A standoff controversy has arisen between Riyale's administration and the recently elected parliament over the annual budget. The parliament made some variations of funds allocations in favour of the social services before approving the overall budget. After receiving the parliament's approval, the administration circumvented the budget implementation by ignoring the variations made by the parliament and working

on its earlier Draft Budget. The standoff is yet unresolved.

Again, only very recently an NGO, Care International, was about to hire the wife of a leader of a political opposition party, after she had emerged as the right candidate through the process of interviews, etc. The authorities then intervened and aborted her employment opportunity, simply because her husband happened to be an opponent of the authorities.

## B: THE HISTORY

It had long been the cherished goal of all Somalis to reunite all the Somali territories that had been arbitrarily grabbed by foreign powers and divided among themselves and bring them under one flag. Nonetheless, the timing of the 1960 north-south reunion was prematurely imposed upon the south by the people of the north, who not only demanded an immediate reunion without any preconditions, but also even denied their representatives mandate for any bargaining initiative during negotiations with the south for the reunion. While the southern politicians could not even delay the popular demand of the northern people, much less to reject it, despite the immaturity of its timing, they were, nonetheless, appalled when their northern counterparts said at the negotiating table that they had no preconditions whatsoever. The northerners accepted with alacrity the proposals presented by the south including a southern capital and southern constitution. The southern politicians doubted the seriousness of their northern counterparts, but there was no turning point and the reunification was eventually proclaimed. Because of being over zealous about the reunion the northerners made further concessions by accepting a total southern leadership such as the presidency of the republic, the premiership, key ministerial portfolios and the Commandants of the armed forces during the formation of the first unified national government. However, the Somali leaders were conscious of these regional imbalances and always endeavoured and continued to make the necessary amends. Half of the eight early ambassadorships appointed in 1961 were assigned to northerners in London, Paris Moscow and Addis Ababa and their southern counterparts were assigned to Cairo, Rome, Washington and the UN, although the northern population strength was about one-third and the parliamentary representation about one-fourth.

In the formation of the second Somali government in 1964 under the premiership of Mr. Abdirazak Hagi Hussen, northerners were appointed to most key portfolios of that cabinet including Foreign Affairs, Finance, Defence, Agriculture and Planning. Likewise, almost half of senior civil service posts were assigned to northerners.

About 36% of development projects during the nine-year civilian rule were allocated to the north.

Mr. Bashir distorts history by citing examples irrelevant to the Somali case of other individual countries that since split into becoming more different countries. And to just briefly comment on each of the examples, those separations were not opted for by either the peoples of Lebanon and Syria or Jordan and Palestine, but were engineered by colonial machinations and designs.

Egyptian-Syrian union, not unlike West and East Pakistan (present Bangladesh), among other things, became dysfunctional for lack of geographical proximity.

The Union of Gambia and Senegal lacked homogeneity among the two peoples. Likewise, the problem of

north and south Sudan stemmed from lack of homogeneity-cum religious differences,

Mr. Bashir's remarks that Djibouti's decision of separate independence in 1977 dealt a blow to the Greater Somalia endeavours is another distortion of fact and history, because Djibouti is not inhabited only by ethnic Somalis. And in appreciation of this reality the Somali Government of Mr. Abdirazak Hagi Hussen declared to the whole world in 1966 its denunciation of any Somali claim over Djibouti. Only then ethnic Afar groups came forward and joined the pro-independence movement. Continued division of the population of Djibouti over that issue could have at best unduly delayed their independence much longer. Djibouti's separate statehood was therefore foreseeable by all sensible people including the Somalis, despite Siad Barre's attempts of last minute overture. None of these cases have any parallel similarity with the Somali situation.

### C: THE SECESSION ISSUE

The population of the north is composed of five groups: of equal partners (1) the Isaaq who inhabit the central areas; (2) the Gadabursi to whom the present incumbent president Riyale also belongs and (3) the Issa live in the west of that territory; while the two other groups: (4) the Dolbahante and (5) the Warsengeli live in the east.

The secession has been the brainchild of the Isaaq (to whom I also belong) and was supported by the majority of the Gadabursi and the Issa. All these three groups are sub-sets of the Dir clan. To the contrary, the overwhelming majorities of the other two eastern non-Dir groups who belong to the Harti of the Darod clan are strongly opposed to the secession or for that matter any separate independence of the north. They, among other things, quite fairly fear of perpetual domination by the Dir groups and their fear is not without justification, because for the last more than fifteen years the two top posts of president and vice-president have been alternating among the Dir groups. The clan factor is the Achilles heel of Somali nationhood. Wisdom would therefore dictate that all decisions of such importance should always and only be reached by consensus of all the stakeholders, In this case among the five common groups inhabiting that area. Majority decision making is not the least in the lexicon of Somali traditional values and fair play. Consensus is the essence. Unilateralism vis-à-vis the secession is conflict prone and can only renew a civil war among the northern communities on the one hand and re-invite armed conflict between the authorities of Puntland and Somaliland on the other. Armed clashes already took place about a year ago or so between the two authorities concerned causing great loss of human lives and material damages. One of the main towns, a regional capital, Las-Anod, and all its hinterland, which is claimed by Somaliland has since been occupied and administered by the Puntland authorities.

The article mentions internationally observed and democratically held elections, but omits the fact that at least more than one-fourth of the population did not participate those elections because they opposed the secession.

The article also claims that a report compiled by an African Union fact-finding mission strongly recommended recognition of the secessionist entity. If this information is correct, it would only be one sided representing a partial view point and ignoring the opposite and to recommend the recognition of an entity that is not in control of more than one-fourth of the territory it claims is preposterous. And besides that, it will be a recognition that will only serve to invite another Somali civil war. The AU would be best advised to destine that report to a dust bin. In any case, the dismemberment of the country is not only a

wrong diagnosis of the Somali national ills, but also a wrong surgery, because alternative solutions are not lacking.

The article further claims that both Nigeria and South Africa indicated their readiness to recognize the secessionist entity. It is farfetched to believe that Nigeria that had the bitterest experience of fending off the Biafra secession would entertain the dismemberment of another African country. The claim looks preposterous and only wishful thinking of individual cronies of the secessionists. With regard to South Africa, however, there have been some flirtations and contacts by some officials with the secessionist entity. According to retrievals from websites some of these officials even claimed connections with higher personalities of South African officials. Nevertheless, nobody expects that South Africa will act without the greatest circumspection or would do anything that contributes to renewed civil war in the remote Somali desert with little prospects of policing such a fratricidal war.

The article also suggests an alleged Egyptian-Ethiopian rivalry over the Nile waters as a bone of power play in Somali context. This is nonsense. Somalis lack both any knowledge and proximity of the Nile waters and can contribute little to nil, in one way or the other. However, the inclusion of this assertion looks like an Ethiopian view point by proxy, as a Somali adage says: EE DHEH (say it for me). It is not a secret that Egypt always and strongly supports Somali unity and that is a paramount Somali interest; while on the contrary Ethiopia strives to dismantle that unity, which is Somali disinterest.

The article further suggests Egyptian influence over Saudi Arabia for its ban on Somali livestock export to the Kingdom. This is an insult to both Governments. Egypt does control other sovereign states. The ban was imposed during 1998 not only on 'Somaliland', but on all Somali parts when an outbreak of Rift Valley Fever was suspected. Somali livestock have since long ago been cleared free from the disease, but there has been no recognized government whose healthy certificates could be acceptable.

#### D: THE LEGALITY

Mr. Bashir joins the pro-secessionist erroneous mantra that claims the union, which I call reunion, was never ratified. What is a ratification and when does its need arise? It arises when an agency of a state enters into and signs a tentative agreement with a third party. That agency then seeks final approval from its higher institution(s). Such approval is ratification. In the case of the Somali reunion, it was an act of parliament, which was the highest institution in the land. Who else would be needed to ratify it? Furthermore, there is nothing more authentic than the historical events of the reunification and the Act(s) of Union recorded, among other things, by the United Nations chief legal adviser, Dr. Paolo Contini, seconded to the then new government of the Somali Republic at the latter's request for during 1960-64, who was also the chairman of the legal integration committee. I extract the following relevant summary from his book: 'THE SOMALI REPUBLIC: AN EXPERIMENT IN LEGAL INTEGRATION' (as per italics) here below:

"The decision to form a union was reached at conference of Northern and Southern Somali leaders held in Mogadiscio between April 16 and 22, 1960.

"On June 27, the day after its independence, Somaliland's Legislative Assembly passed 'The Union of Somaliland and Somalia Law No, 1 of 1960'.

“On June 30, the Legislative Assembly of the Trust Territory met. After prolonged debate, in the evening of June 30, the Assembly approved the Atto di Unione (Act of Union).

“At midnight of June 30, the Trusteeship Agreement ceased to be in force, and the President of the Legislative Assembly, acting in his capacity as provisional President of the Republic proclaimed the independence of the State of Somalia. During the same night he promulgated the Constitution, which came into force immediately.

“In the morning of July 1, the members of the Legislative Assemblies of Somaliland and Somalia met in joint session as the first National Assembly. The President of the Assembly proclaimed the union and the members sealed it by standing ovation. As of that moment the Constitution was deemed to apply to both parts of the Somali Republic.”

The former colonial boundary between the two Somali territories ceased to exist as from July 1, 1960, the date of the proclamation of the reunification. In spite of that, the secessionist entity still claims that former boundary as being consistent with the then OAU (now AU) resolution about the sanctity of boundaries inherited from the former colonial powers. This is wishful thinking nonsense. The then OAU resolution, which was adopted by its second Summit, held in Cairo in 1964, more than four years later since the Somali reunification and long after that boundary in question had ceased to exist, was neither retrospective nor was it designed to unravel already established institutions of its member states. Its only object was to be applied to future contingencies. That resolution would not even apply to the Union of Tanzania by the merger of the two former states of Tanganyika and Zanzibar, which had just been proclaimed only few months or few weeks before that Cairo Summit.

Conclusion of Treaties of Protection that Britain had entered into with elders representing various Somali tribes or clans during 1884-86 were the basis of the north's colonial history for the following seventy-six years. A lone, but important, non-signatory of those treaties of protection was the Dolbahante. The subsequent de facto association of this group and their homeland within the British Somaliland Protectorate administration was only by default and mutual expediency, but never a de jure. However, since the essence of the north's independence in 1960 was only perceived as a transitory process to the reunification with the south, it was non-controversial. If otherwise, however, the then new State of Somaliland could not have inherited the Dolbahante homeland without the latter's consent, and would not even now, had that issue not already been resolved by the reunification process. Because that independence would only be for the signatories of those treaties of protection, but the Dolbahante that was not a party to those treat could only join it by own consent.

Faithfully,

Jama Mohamed Ghalib

## APPENDIX 'B'

### **AGREEMENT BETWEEN GREAT BRITAIN AND NATIVE CHIEFS OF THE GADABURSI (NON-CESSION OF TERRITORY EXCEPT TO THE BRITISH GOVERNMENT COMMERCE, SLAVE TRADE, &C.,) ZAILA, 11 DECEMBER 1884. (117)**

WE, the undersigned, Elders of the Gadabursi tribe, are desirous of entering into an Agreement with the British government for the maintenance of our independence, the preservation of order, and other good sufficient reasons.

Now, it is hereby agreed and covenanted as follows: --

**ART. I.** The Gadabursi tribe do hereby declare that they are pledged and bound never to cede, sell, mortgage, or otherwise give for occupation, save to the British Government, any portion of the territory presently inhabited by them, or being under their control.

**II.** All vessels under the British flag shall have free, permission to trade at all ports and places within the territories of the Gadabursi tribe.

**III.** All British subjects residing in or visiting the territories of the Gadabursi tribe shall enjoy perfect safety and protection, and shall be entitled to travel all over the said limits under the safe-conduct of the Elders of the tribe.

**IV.** The traffic in slaves throughout the territories of the Gadabursi tribe shall cease forever, and the Commander of any of Her Majesty's vessels, or any other British officer duty authorized, shall have the power requiring the surrender of any slave, and of supporting the demand by force of arms by land and sea.

**V.** The British Government shall have the power to appoint an agent or agents to reside in the territories of the Gadabursi tribe, and every such agent shall be treated with respect and consideration, and be entitled to have his protection such guard as the British Government deem sufficient.

The above-written Treaty shall come into force and have effect from the date of signing this agreement. In token of the conclusion of this lawful and honorable bond, Jama Roblay, Mahomed Ali Balol, Hmee Warfah (Ughazson), Rogay Khairi, Waberi Idtay, Roblay Warfah, Doaly Dilbad, Amir Egal, Gailay Shirwah, Warfah Roblay, Yunus Bob, and Major Frederick M. Hunter, the former for themselves their heirs and successors, and the latter on behalf of the British Government, do each and all in the presence of witnesses, affix their signatures, make, or seals, at Zaila, on the 11<sup>th</sup> day of December, 1884, corresponding with the 25<sup>th</sup> Safar.

F.M. HUNTER

(The marks of Elders named.)

Signed in the presence of: PERCY DOWNES, 1<sup>st</sup> Grade Officer, I.M.

**APPENDIX ‘C’**  
**AGREEMENT BETWEEN GREAT BRITAIN AND NATIVE CHIEFS OF THE ESSA SOMALI (NON-CESSION OF TERRITORY EXCEPT TO THE BRITISH GOVERNMENT, COMMERCE, SLAVE TRADE, & C.)—**  
**ZEYLA, 31 DECEMBER 1884. (119)**

WE, the undersigned Elders of the Eesa tribe, are desirous of entering into an Agreement with the British Government for the maintenance of our independence, the preservation of order, and other good and sufficient reasons.

Now it is hereby agreed and covenanted as follows:

**ART. I.** The Essa Somali tribe do hereby declare that they are pledged and bound never to cede, sell, mortgage, or otherwise give for occupation, save to the British Government, any portion of the territory presently inhabited by them, or being under their control.

**ART. II.** All vessels under the British flag shall have free, permission to trade at all ports and places within the territories of the Essa Somali tribe.

**ART. III.** All British subjects residing in or visiting the territories of the Essa Somali tribe shall enjoy perfect safety and protection, and shall be entitled to travel all over the said limits under the safe-conduct of the Elders of the tribe.

**ART. IV.** The traffic in slaves throughout the territories of the Essa Somali tribe shall cease forever, and the Commander of any of Her Majesty’s vessels, or any other British officer duty authorized, shall have the power of requiring the surrender of any slave, and of supporting the demand by force of arms by land and sea.

**ART V.** The British Government shall have the power to appoint an agent or agents to reside in the territories of the Essa Somali tribe, and every such agent shall be treated with respect and consideration, and be entitled to have for his protection such guard as the British Government deem sufficient.

The above-written Treaty shall come into force and have effect from the date of signing this agreement. In token of the conclusion of this lawful and honorable bond, Ali Geridone, Waberi Adan, Warsama Idlay, Fadhl Mahamed, Boh Molla, Ali Shirdone, Nahaya Bidar, Well Mohomed, Yunus Fihia, Girhi Egalm, Mahomed Bergel, Burray Awadh, Ali Karrat, Khairulla Magan, Boh Hirsee, Abd~tlla6Ali, Ali Idris, Shirdone Samaduder, Hogay Rayat, and Major Frederick Mercer Hunter, Assistant Political Resident at Aden, the former for themselves, their heirs and successors, and the latter on behalf of the British Government, do each and all, in the presence of witnesses, affix their signatures, marks, and Seals, at Zeyla, on the 31st of December, 1884, corresponding with the Rabi-al-Awal, 1302

F.MUSTER, Major.

W.M. Edwards, Captain, I.M.,  
Commanding I.M. Amberwitch

[Here follow the signatures, seals, or marks of the Elders above mentioned.]

Witness: Ali Jaffer.

The Viceroy and Governor-General of India in Council, at Simla, ratified this treaty on the 20<sup>th</sup> day of May 1885.

H.M. Durand, Secretary, to the Government of India, Foreign Department.

**APPENDIX 'D'**  
**AGREEMENT BETWEEN GREAT BRITAIN AND NATIVE CHIEFS OF THE  
HABR TOLJAALA (NON-CESSION OF TERRITORY EXCEPT TO THE BRITISH  
GOVERNMENT, COMMERCE, WRECKS, SLAVE TRADE&C.).**  
**ADEN, 26 DECEMBER 1884. (118)**

WE, the undersigned Elders of the Habr Tolijaala tribe, are desirous of entering into an Agreement with the British Government for the maintenance of our independence, the preservation of order, and other good and sufficient reasons.

Now, it is hereby agreed and covenanted as follows: --

**ART. I.** The Habr Tolijaala declare that they are pledged and bound never to cede, sell, mortgage, or otherwise give for occupation, save to the British Government, any portion of their territory presently inhabited by them, or being under their control.

**ART II.** All vessels under the British flag shall have free permission to trade at all ports and places within the territories of the Habr Toljaala, and the tribe is bound to render assistance to any vessel, whether British or belonging to any other nation, that may be wrecked on the above-mentioned shores, and to protect the crew, the passengers, and cargo of such vessels, giving speedy intimation to the Resident at Aden of the circumstances, for which act of friendship and good-will a suitable reward will be given by the British Government.

**ART III.** All British subjects residing in or visiting the territories of the Habar Toljala tribe shall enjoy perfect safety and protection, and shall be entitled to travel all over the said limits under the safe-conduct of the Elders of the tribe.

**ART IV.** The traffic in slaves throughout the territories of the Habar Tolijala tribe shall cease forever, and the Commander of any of Her Majesty's vessels, or any other British officer duty authorized, shall have the power of requiring the surrender of any slaves, and of supporting that demand by force of arms by land and sea.

**ART. V.** The British Government shall have the power to appoint an agent or agents to reside in the territories of the Habar Tolijala tribe, and every such agent shall be treated with respect and consideration, and be entitled to have for his protection such guard as the British Government deem sufficient.

The above-written Treaty shall come into force and have effect from the date of signing this agreement. In token of the conclusion of this lawful and honorable bond, Dirr Sheikh Don, Farah Nalaya, Hirsi Bailey, Khamed Jama, Ali Awadh, Awadh Gaidee, Ashoor Garaya, Gluday Awadh, Adan Warsama, all of the Yussuf Bailey, tribe; Abdulla Mahomed, Adan Mohamed, Adan Mahomed, Adan Awadh, Farah Osman, Yussuf Adan, Adan Yussuf, Hassen Husain Abdy, Eesa Abdy, Hassan Abdy, Hawadlay Mahomed, all of the sambur sub-tribe; Mahomed Ali, Jibril Mahomed, Ahmed Hussain, Shermarki Ali, Mahomed Ismail, Ismail Mahomed, Mahomed Ali, Hassan Mahomed, heir and successors, and the latter on behalf of the British Government, do each and all, in the presence of witnesses, affix their signatures, marks, or seals, at Aden, on the 26<sup>th</sup> day of December. 1884, corresponding with the 9<sup>th</sup> of Rabi-al-Awal, 1302.

**APPENDIX 'E'**  
**AGREEMENT BETWEEN GREAT BRITAIN AND NATIVE CHIEFS OF THE  
HABR GERHAJIS (NON-CESSION OF TERRITORY EXCEPT TO THE BRITISH  
GOVERNMENT, COMMERCE, WRECKS, SLAVE TRADE, & C.).**  
**ADEN, 13 JANUARY 1885. (120)**

WE, the undersigned Elders of the Habr Gerhajis tribe, are desirous of entering into an Agreement with the British Government for the maintenance of our independence, the preservation of order, and other good and sufficient reasons.

Now, it is hereby agreed and covenanted as follows: --

**ART. I.** The Habr Gerhajis do hereby declare that they are pledged and bound never to cede, sell, mortgage, or otherwise give for occupation, save to the British Government, any portion of the territory presently inhabited by them, or being under their control.

**ART. II.** All vessels under the British flag shall have free permission to trade at all ports and places within the territories of the Habr Gerhajis, and the tribe is bound to render assistance to any vessel, whether British or belonging to any other nation, that may be wrecked on the above-mentioned shores, and to protect the crew, the passengers, and cargo of such vessels, giving speedy intimation to the Resident at Aden of the circumstances, for which act of friendship and good-will a suitable reward will be given by the British Government.

**ART. III.** All British subjects residing in or visiting the territories of the Habr Gerhajis shall enjoy perfect safety and protection, and shall be entitled to travel all over the said limits under the safe-conduct of the Elders of the tribe.

**ART. IV.** The traffic in slaves throughout the territories of the Habr Gerhajis tribe shall cease forever, and the Commander of any of Her Majesty's vessels, or any other British officer duly authorized, shall have the power of requiring the surrender of any slave, and of supporting the demand by force of arms by land and sea.

**ART. V.** The British Government shall have the power to appoint an agent or agents to reside in the territories of the Habr Gerhajis tribe, and every such agent shall be treated with respect and consideration, and be entitled to have for his protection such guard as the British Government deem sufficient.

The above-written Treaty shall come into force and have effect from the date of signing this agreement. In token of the conclusion of this lawful and honorable bond, Ahmed Ali, Hassan Yussuf, said Mahomed, Mahomed Jees, Abdy Hassan, Mahomed Ahmed, Ali Nur, Nur Hirsee (all of the Jibril Adam, residing at Mait and Ras Katib). Doaly Ahmed (of the Mahomed Adan. Residing at Mait). Hassan Abdallah (of the Ali said, residing at Mait and Mait and Ras Katib), Ahmed Saled, Hager Araly, Husain Saleh. Ali Ismail. Said Ahmed. Ali Aman (all of the Yunus Ismail. Residing at Hashow). Ismail Ali. Eesa Hassan. Mussa Abdallah (all of Mahomed Adan. Residing at Shallo). And Major F.M. Hunter. Assistant Political Resident at Aden, the former for themselves, their heirs and successors, and the latter on behalf of the British Government, do each and all, in the presence of witnesses, affix their signatures, marks, and Seals, at Aden, on the 13<sup>th</sup> of January, 1885, corresponding with the 28<sup>th</sup> Rabi-al-Awal, 1302

F.M. Hunter (Signatures of Elders)  
Witnesses: Ed. Cranfield. Ali Jaffer

**APPENDIX ‘F’**  
**AGREEMENT BETWEEN GREAT BRITAIN AND NATIVE CHIEFS OF THE HABR-  
AWAL (NON-CESSION OF TERRITORY EXCEPT TO THE BRITISH  
GOVERNMENT, BRITISH VESSELS ALLOWED TO TRADE AT BERBERA,  
BULHAR, &C., SLAVE TRADE).**  
**14 JULY 1884. (115)**

Whereas the Garrisons of his Highness the Khedive are about to be withdrawn from Berbera and Bulhar, and the Somali Coast generally, we, the undersigned Elders of the Habr-Awal tribe, are desirous of entering into an Agreement with the British Government for the maintenance of our independence, the preservation of order, and other good and sufficient reasons:

Now it is hereby agreed and covenanted as follows: --

**ART. I.** The Habr-Awal do hereby declare that they are pledged and bound never to cede, sell, mortgage, or otherwise give or occupation, save to the British Government, any portion of the territory presently inhabited by them or being under their control.

**ART. II.** All vessels under the British flag shall have free permission to trade at the ports of Berbera, Bulhar, and other places in the territories of the Habr-Awal.

**ART. III.** All British subjects residing in or visiting the territories of the Habr-Awal shall enjoy perfect safety and protection, and shall be entitled to travel all over the said limits under the safe-conduct of the Elders of the tribe.

**ART. IV.** The traffic in slaves throughout the territories of the Habr-Awal shall cease forever, and the commander of ally of Ilor Majesty's vessels or ally other British officer duly authorized, shall have the power of requiring the surrender of any slave, and of supporting the demand by force of arms by land and sea.

**ART. V.** The British Government shall have the power to appoint an Agent or Agents to reside at Berbera or elsewhere in the territories of the Habr-Awal and every such Agent shall be treated with respect and consideration, and be entitled to have his protection such guard as the British Government deem sufficient.

The above-written Treaty shall come into force and have effect from the date on which the Egyptian troops shall embark at Berbera; but the Agreement shall be considered provisional and subject to revocation or modification, unless confirmed by competent authority.

In token of the conclusion of this lawful and honorable bond Abdallah Liban and Jamah Yunus (both Ayal Ahmed Be-aila), Sand Gulaid and Awadh Ali (both Bhandera), Ubsiyeh Jamah and Awadh Liban (both Baho), Ilmi Farah, Yaseen Umar (both Ba Eysa Musa), Ahmed Liban and Farah Samanter (both Aysl Shirdone). Hirsi Mahomed, Said Ahmed, Husain Ali, Abokr Ahmed, Ismail Dosly, Adan Ismail, and Yunlls Deriah (all Ayal Gedid), Jamah Farah (Ayal Hosh), Warfah Adowa (Mohahomed Yunus), Hirsi Buraid, Ali Mohamed, Husain Gaillay, Magon Said, Mohamed Kabillay, and Wais Yusuf (all of the Eysa Muse), Roblay Doblai and Musa Farah (Mikhail), Nur Awadh and Ismail Forah (both of the Ayal Hamed) and Major Frederick Mercer Hunter, the officiating Political Resident of Aden, the former for themselves, their heirs and successors, and th latter on behalf of the British Government do each and all, in the presence of witnesses affix their signatures, marks or seals at Berbera, on this 21<sup>st</sup> day Ramdhan, 1301, corresponding with the 14<sup>th</sup> July, 1884.

F.M. HUNTER, Major, Officiating Political Resident, Aden.

*Witness:*

W.J. PEYTON, Lieutenant, Bombay Staff Corps.

(Here follow the signatures, marks or seals of the aforesaid Elders)

*Witness:*

M.S. JAFFER, Assistant Interpreter.

MOHAMED ABDUL REHMAN

True Copy:

W.J. PEYTON, Lieutenant, Bombay Staff Corps

## APPENDIX 'G'

*Note: The Agreement entered between Britain and the Warsangali is unique in its reference to the Warsangali inhabited areas as 'Country' rather than 'Territories' as in other Agreements previously entered with other Somali clans.*

### **AGREEMENT BETWEEN GREAT BRITAIN AND NATIVE CHIEFS OF THE WARSANGALI (BRITISH PROTECTION, SLAVE TRADE, WRECKS, & C.). ADEN, 27 JANUARY 1886. (121)**

THE British Government and the Elders of the Warsangali tribe who have signed this Agreement being desirous of maintaining and strengthening the relations of peace and friendship existing between them:

The British Government have named and appointed Major Frederick Mercer Hunter, C.S.I., Political Agent and consul for the Somali Coast, to conclude a Treaty for this purpose.

They said Major F.M. Hunter, C.S.I., Political Agent and Consul for the Somali Coast, and the said Elders of the Warsangali have agreed upon concluding the following

Articles: -

**ART. I.** The British Government, in compliance with the wish of the undersigned Elders of the Warsangali undertakes to extend to them and to the territories under their authority and jurisdiction the gracious favor and protection of Her Majesty the Queen-Empress.

**ART. II.** The said Elders of the Warsangali agree and promise to refrain from entering into any correspondence, Agreement, or Treaty with any Foreign nation or power except with the knowledge and sanction of Her Majesty's Government.

**ART. III.** The Warsangali is bound to render assistance to any vessel, whether British or belonging nation, that may be wrecked on the shores under their jurisdiction and control, and to protect the crew, the passengers, and cargo of such vessels, giving speedy intimation to the Resident at Aden of the circumstances, for which act of friendship and goodwill a suitable reward will be given by the British Government.

**ART. IV.** The traffic in slaves throughout the territories of the Warsangali tribe shall cease forever, and the Commander of any of Her Majesty's vessels, or any other British officer duly authorized, shall have the power of requiring the surrender of any slave, and of supporting the demand by force of arms by land and sea.

**ART. V.** The British Government shall have the power to appoint an agent or agents to reside in the territories of the Warsangali tribe, and every such agent shall be treated with respect and consideration, and be entitled to have for his protection such guard as the British Government deem sufficient.

**ART. VI.** The Warsangali hereby engage to assist all British officers in the execution of such duties as may be assigned to them, and further to act upon their advice in matters relating to the administration of Justice, the development of the resources of the country, the interests of commerce, or in any other matter in relation to peace, order, and good government, and the general progress of civilization.

**ART. VII.** This Treaty shall come into operation from the 27<sup>th</sup> day of January, 1886, on which date it was signed at Bunder Gori by the under mentioned: --

F.M. HUNTER

Witness:

J.H. RAINIER, Commander R.N.

MUHAMMAD MAHMUD ALI, Gerad of all the Warsangali

JUMA MAHMUD Gerad

MAHAMMAD IBRAHIM, ditto

OMAR AHMED, ditto

MUHMUD ABDULLAH, ditto

NUR ABDULLAH,

ISA ADAN,

MUHAMMAD ALI SHIRWA,

ABDY NUR

MUHAMMAD ABDY NALAYA,

MAHMUD SAGULLAY

ABDULLAH SAGULLAY

MUHAMMAD ABDULLAH,

Witness: ALI JAFFER

DUFFERIN, Viceroy and Governor-General of India ratified this Treaty General of India in Council, at Simla, on the 15<sup>th</sup> day of May, 1886

H.M. DURAND, Secretary to the Government of India, Foreign department.

## APPENDIX 'H'

*Note: The following are Supplementary Agreements entered between Britain and the Isaaq sub-clans of Habr Toljaala, Habar Gerhajis, and Habar Awal. No Supplementary Agreements were entered with the non-Isaaq clans of Warsangheli, Gudubursi, and Easa. These agreements basically re-affirms previous Agreements where Britain “undertakes to extend to them and to the territories under their authority and jurisdiction the gracious favor and protection of Her Majesty the Queen-Empress”.*

### **I. SUPPLEMENTARY AGREEMENT BETWEEN GREAT BRITAIN AND NATIVE CHIEFS OF THE HABR TOLJAALA (BRITISH PROTECTION).**

**1 FEBRUARY 1886. (122)**

THE British Government and the Elders of the Habr Toljaala tribe who have signed this Agreement being desirous of maintaining and strengthening the relations of peace and friendship existing between them:

The British Government have named and appointed Major Frederick Mercer Hunter, C.S.I., Political Agent and consul for the Somali Coast, to conclude a Treaty for this purpose.

They said Major F.M. Hunter, C.S.I., Political Agent and Consul for the Somali Coast, and the said Elders of the Habr Toljaala have agreed upon concluding the following Articles: -

**ART. I.** The British Government, in compliance with the wish of the undersigned Elders of the Habr Toljaala undertakes to extend to them and to the territories under their authority and jurisdiction the gracious favor and protection of Her Majesty the Queen-Empress.

**ART. II.** The said Elders of the Habr Toljaala agree and promise to refrain from entering into any correspondence, Agreement, or Treaty with any Foreign nation or power except with the knowledge and sanction of Her Majesty's Government.

**ART. III.** This Treaty shall come into operation from the 1<sup>st</sup> day of February 1886.

F.M. Hunter

Abdalla Mahomed. Ali Mahomed, Sherwa Zehia,  
Gootali Nur, Abdullah Mahomed, Ashoor  
Miray, Jama Abdy, Ahmed Gulaid,  
Farah Gaja, Mohomed Ahmed, Ali Ahmed,  
Hassan Farah, Ali Nur, Ali Yussuf—occupying Ainterad, all of the Adan Madoba Tribe.  
Mohomed Abdy, Abdy Mohomed, Ilmi Ibrehim,  
Abdy Abokr, Ahmed Abokr, Husain Abokr, Omar Abokr —occupying Rakhuda, all of the Samber Triber.  
Jama Adan, Ashoor Goraiya, Farah Ahmed,  
Egal Doaly, Awadh Hadey, Husain Magan,  
Adan Warsama --occupying Karram, all of the Yussuf Tribe.  
Jibril All, Abdalla Hassan, Mahomed Omar,  
Ahmed Ali, Hassan Said, Mohamed Ismail

Ibril Mahomed, Ahmed Ali Magan--occupying Hais, all of the Abd-er Reahmin sub-tribe.  
DUFFERIN, Viceroy and Governor-General of India.  
The Viceroy and Governor-General of India in Council, at Simla, ratified this  
Treaty, on the 16<sup>th</sup> day of July, 1886  
H.M. DURAND, Secretary to the Government of India, Foreign department.

**II. SUPPLEMENTARY AGREEMENT BETWEEN GREAT BRITAIN AND NATIVE  
CHIEFS OF THE HABR GERHAJIS (BRITISH PROTECTION).  
1 FEBRUARY 1886. (123)**

The British Government and the Elders of the Habr Gerhajis tribe who have  
signed this Agreement being desirous of maintaining and strengthening the relations of peace  
and friendship existing between them:

The British Government have named and appointed Major Frederick Mercer  
Hunter, C.S.I., Political Agent and consul for the Somali Coast, to conclude a Treaty for this  
purpose.

They said Major F.M. hunter, C.S.I., Political Agent and Consul for the Somali  
Coast, and the said Elders of the Habr Gerhajis have agreed upon concluding the following  
Articles: -

**ART. I.** The British Government, in compliance with the wish of the undersigned  
Elders of the Habr Gerhajis undertakes to extend to them and to the territories under their  
authority and jurisdiction the gracious favor and protection of Her Majesty the Queen-Empress.

**ART. II.** The said Elders of the Habr Gerhajis agree and promise to refrain from  
entering into any correspondence, Agreement, or Treaty with any Foreign nation or power except  
with the knowledge and sanction of Her Majesty's Government

**ART. III.** This Treaty shall come into operation from the  
1<sup>st</sup> day of Feb 1881.

F.M. HUNTER

Hassan Yussuf, Ali Nur, Doaly Ali Mahomed Gees,  
Abdy Hassan, Mahomed Ahmed, Mahomed Hirsee, Hassan Mahomed, Ismail Mahomed,  
Mahomed Hirsee- of the Jibril Adan sub-tribe, occupying Mair and Res katib. Also  
similary residing:Doaly Ahmad, of the Mahomed Adan sub tribe; Mahomed Ali, of the  
Ali Said sub-tribe; and Adan Mahomed, of the Saad Yunus sub tribe, occupying Hashow.  
Ismail Ali, Mahomed Noj, Mahomed Abdalla, of the Musa Array tribe; and Wais Saleh  
and Ali Saleh of the Musa Bokr tribe, all occupying Shellao.

DUFFERIN, Viceroy and Governor-General of India.  
The Viceroy and Governor-General of India in Council, at Simla, ratified this  
Treaty, on the 16<sup>th</sup> day of July, 1886  
H.M. DURAND, Secretary to the Government of India, Foreign  
department.

**III. SUPPLEMENTARY AGREEMENT BETWEEN GREAT BRITAIN AND NATIVE  
CHIEFS OF THE HABR AWAL (BRITISH PROTECTION).  
1 FEBRUARY 1886. (124)**

The British Government and the Elders of the Habr Awal tribe who have signed this Agreement being desirous of maintaining and strengthening the relations of peace and friendship existing between them:

The British Government have named and appointed Major Frederick Mercer Hunter, C.S.I., Political Agent and consul for the Somali Coast, to conclude a Treaty for this purpose.

They said Major F.M. Hunter, C.S.I., Political Agent and Consul for the Somali Coast, and the said Elders of the Habr Awal have agreed upon concluding the following Articles: -

**ART. I.** The British Government, in compliance with the wish of the undersigned Elders of the Habr Awal undertakes to extend to them and to the territories under their authority and jurisdiction the gracious favor and protection of Her Majesty the Queen-Empress.

**ART. II.** The said Elders of the Habr Awal agree and promise to refrain from entering into any correspondence, Agreement, or Treaty with any Foreign nation or power except with the knowledge and sanction of Her Majesty's Government

**ART. III.** This Treaty shall come into operation from the 15th day of March 1881.

F. M. HUNTER, Major, Political Agent, Somali Coast.

1. Farah Askar, Of the Baghoba tribe (Rer Ali.), 2. Kalinleh MAttar, ditto, 3. Ali Absiyah, ditto (Rer Mahmoud), 4. OMAR ROBLEH, ditto, 5. Kalim Shirmarki, Geuis, 6. Boh Hur, ditto, 7. Ibui Adowi, Ba Habr Adan, 8. Hiri Ibui, ditto, 9. Egal Guldeed, Mahmoud Aysa-Ayser Musa, 10. Hirsi Bured, ditto, 11. Hussain Gus Ali, Adan Aysa, 12. Mahomed Kabilie Samarter Said (by his agents, Hassan Al, and Adan Mattar), 13. Hassan Ali (on their own behalf), 14. Adan Matter ditto, 15. (All Aysa Musa), 16. Ebrahim Samanter (by his agent and son, Lama Ebrajim), Makail, 17. Lama Ebrahim, ditto, 18. Elmi Ebrahim, ditto, 19. Lama Omar, Bayarai, 20. Billa Tunis, Mahomed Tubis, 21. Elmi Hundullay, of the Ba Aila, 22. Mahomed Liban, ditto, 23. Hassan Ali, ditto. Lama Tunis, ditto, 24. Absiyah Lama (by his agent, Gaila Farah), 25. Saeed Nur, Bo-ho, 26. Omar Mahomed, ditto, 27. Gaila Farah, ditto, 28. Yussuf Farah, ditto, 29. Farah Nalay, of the Bandeira. 30. Said Goolade, ditto, 31. Warsama Elmi, ditto, 32. Dohar Samanter, ditto, 33. Tassein omer, of the Ba Aysa Musa, 34. Elmi Farah, ditto, 35. Abdullah Kabilie, ditto, 36. Mohamed Hassan, ditto, 37. Elmi Dubla, ditto, 38. (All Ayal Ahmed), 39. Alim goolade, Baslick Kashid, 40. Hassan Adan, Ba Tol-Jaola, 41. Abdullah Nur, Hosh, 42. Warsama Dugal, Ba Gadabursi, 43. Farah Samanter, Bo-Ho. (all of the Ayal Tunus.), 44. Warfa Abtidone, of the Ba Arab sub-tribe, 45. Boh Alali, Ditto. 46. Shui Shirdone, of the Rer Fallol sub tribe. 47. Begsi Warsawa, Ditto. 48. Boui Khair, Ditto, 49. Samander Boh, ditto ( All the foregoing of the Jinril Aboker tribe.)

DUFFERIN, Viceroy and Governor-General of India.

The Viceroy and Governor-General of India in Council, at Simla, ratified this Treaty, on the 15<sup>th</sup> day of September, 1886  
H.M. DURAND, Secretary to the Government of India, Foreign department.



## **SOMALIA: ONE PEOPLE; ONE COUNTRY**

Prepared by the Research Unit of : **NORTHERN SOMALIS FOR PEACE & UNITY (NSPU)**  
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