

SECESSION IN POST-MODERN WORLD: CASES OF SOUTH SUDAN AND SOMALILAND¹

Martin Riegl, Bohumil Doboš

*Charles University in Prague, Faculty of Social Sciences, Institute of Political Studies,
e-mail: martinriegl@email.cz, bohumil.dobos@gmail.com*

Abstract: Post-1945 period witnessed presence of dozens of unrecognized entities scattered across the world. Some unrecognized entities existed for more than two decades, however, only a few proved themselves as being able to meet the criteria of effective statehood. Even less unrecognized states reached their ultimate goal – internationally recognized independent statehood. Despite of outward and common features, the outcome of secession varies significantly. The article is a comparative analysis of decisive internal as well as external factors which determined different outcomes of secession of South Sudan and Somaliland. It is argued that despite meeting the criteria for independence in both cases, only South Sudan was given independence due to unwillingness of the central government in Mogadishu to grant Somaliland its statehood. Furthermore, authors conclude that case of Somaliland is closer to the probable future model of effective unrecognized statehood than South Sudan due to systemic changes in international politics.

Key words: South Sudan, Somaliland, Africa, secession, de facto states, international recognition, territorial integrity

1 INTRODUCTION

The end of the Cold War defrosted the political map worldwide. Many weak states lost their superpower patrons which used to provide them with political, military and economic support in the bipolar world. This enabled secessionist movements – some deeply embedded in post-colonial statehood – to challenge weakened central governments more effectively than in the era of bipolar competition. Due to the very heterogeneous internal effectiveness of newly established secessionist entities the outcomes of secessions differ significantly. Some entities were re-integrated after declaration of independence (Mozambique), some proved to be able to establish territorial control (Somaliland) and some even reached their ultimate goal – universally

¹ The text is an outcome of Project Prvok no. 17 – Vědy o společnosti, politice a médiích ve výzvách doby [Studying Societal, Political and Media Challenges in the Contemporary World], Charles University in Prague, Faculty of Social Sciences, Institute of Political Studies.

recognized statehood (Eritrea). Although the case of Eritrea had not opened the Pandora box of fragmentation of the African political map, Southern Sudanese won their independent statehood two decades later in a similar fashion. On contrary Somalilanders still remain trapped in the de facto statehood without wide international recognition. Secession with the consent of the central government in case of South Sudan and continuing struggle for independent statehood in Somaliland thus provides us two cases which can illustrate the preconditions expected by international community to agree with secession.

The aim of the article is to contribute to understanding of factors determining the diverse results of secessions in cases of South Sudan and Somaliland and to scratch the topic of viability of effective existence of unrecognized de facto states. We examine both internal (nation- and state-building or territorial integrity, internal sovereignty and, in other words, government legitimacy) and external factors (geopolitical significance, international regulative rules of recognition or external legitimacy). We embark on tradition of statehood, meeting of criteria (not) justifying secession, geopolitical significance, internal dynamics within both entities, relations with central governments of parent states, and ability to establish territorial integrity. Consequently, we turn to analysis of unrecognized entities' international position and relations with outside world, and diplomatic strategy. In the end we try to answer the question of different outcomes of both secessions and its effect on inner effectiveness.

2 TERMINOLOGICAL CONFUSION

The phenomenon of internationally unrecognized entities² is characterized by terminological confusion. There is no consensus on terminology concerning these entities. Authors label these entities as de facto state (Pegg, 1998), self-proclaimed state, unrecognized state (King, 2001; Chirikba, 2004), pseudo-state (Kolosov and O'Loughlin, 1998), outcast countries, pariah-state (Payne and Veney, 2001), insurgent state (Muir, 1997), de facto regime (Scheu, 2008), para-state, almost-state (Stanislawski, 2008; Pełczyńska-Nałęcz, Strachota and Falkowski, 2008), proto-state, nascent-state (Vad'ura and Šmíd, 2009), separatist state, self-proclaimed states (Chirikba, 2004), de facto quasi-states (Rywkin, 2006), or quasi-state (Baev, 1998; Chirikba, 2004; Rywkin, 2006; Kolstø, 2006; Stanislawski, 2008; Riegl, 2010). Particular terms describe subjects which are virtually independent on the central government of the parent state, but differ in internal characteristics.

All these entities lack the international recognition, although de facto entities not seeking international recognition may be identified. Terminology describes them as insurgent state (McCull, 1969), anti-state (Muir, 1997), black spot, state-within state (Stanislawski, 2008; Pełczyńska-Nałęcz, Strachota and Falkowski, 2008).

² A certain period of time must elapse from a declaration of independence to a broad international recognition, during which a new entity receives formal recognition and is co-opted by the international community (endorsement of UN admission). In this period it is not possible to refer to internationally unrecognized entities as unrecognized states unless the process of achieving international recognition is put in doubt.

While terms insurgent state, black spot, or anti-state describe self-governing entities under the administration of rebel groups seeking to overthrow the central government, the term state-within state describes de facto independent region which is out of the control of the central government as a result of the state break-down, but does not challenge the central government's legitimacy on other territories. While unrecognized states and failed states are often seen as opposites (in terms of internal sovereignty), we can identify terminological notions challenging this paradigm. An important term – failed almost state – merged in this respect (Pełczyńska-Nałęcz, Strachota and Falkowski, 2008) which points at the fact that many unrecognized states suffer from attributes of state failure. It is important to note that unrecognized states constitute a whole spectrum of entities stretching from stable to collapsed states. Furthermore, attempts by P. Kolstø or N. Caspersen to add some specific (time, territorial control) characteristics for terming the entity as unrecognized state seem rather artificial. These entities survived for different amounts of time (few decades as Northern Cyprus or Tamil Eelam, or few months as Anjouan) with different inner effectiveness. In our work, however, we deal with two entities which sought/seek recognition and thus use term unrecognized state.

3 POST-WESTPHALIAN SYSTEM?

Enlightening relevance of our topic, it is important to point out that since the end of the Cold War world is slowly entering a new phase of the international relations' development – the post-Westphalian system. Westphalian system is based on an existence of clearly territorially defined sovereign states. This system is anarchical, and judicially each state holds equal position, while at the same time they hold different amount of power leading to balancing and coalition creation. The only legitimate international actors are recognized states and there is no legitimate independent international action possible for neither sub-state actors nor any inter- or supranational body. In this system the international recognition is crucial for any meaningful existence of any political entity which hopes for self-governance and independent existence (Cooper, 2000; Philpott, 1999). This ideal is, however, quite far from truth. We can observe still growing number of anomalies and alternative territorial units competing with the Westphalian ideal all over the world. Many parts of the globe are thus entering qualitatively new system.

This newly emerging system in many ways resembles system which already passed – the medieval system. We can find similarities in many characteristics – growing power of non-state actors be it new ones like transnational organizations (Rothkopf, 2012), extremist groups, or regional organizations, or reappearing traditional actors, regions, or cities (Cerny, 1998; Friedrichs, 2001; Williams, 2008, 2010); existence of overlapping identities and territorial claims on different functional levels (Bull, 2002; Cerny, 1998); appearance of universalistic claims of political (e.g. the EU (Zielonka, 2007)) and economic (market) power resembling medieval Christendom and Empire (Friedrichs, 2001); and proliferation of cheap low-

level violence (Grygiel, 2013; Williams, 2008). These effects are, furthermore, reinforced by some (post-)modern factors. These are mainly political and economic globalization; technological unification of the world and its cybernatization; growing mobility of actors; and the effects of regionalism (Bull, 2002; Cerny, 1998; Friedrichs, 2001; Korbin, 1998). These effects consequently deteriorate the ability of some states to provide basic goods and services to their population. This short-coming is in better case supplemented by other actors (e.g. NGOs, tribes and clans, gangs, or terrorist organizations³), in worse these goods are not delivered at all. In the well established states this deterioration might not lead to fatal consequences as the services' deliverance could be transferred to the non-state units and state can focus only on basic functions like social services and security. On the other hand in places where the state structure never settled this diminishing of state can occur rapidly and no supplementary actor might overtake responsibility for provision of, at minimum, security as a basic good connected to the existence of state (Cerny, 1998; Williams, 2008). This second scenario consequently leads to introduction of Hobbesian anarchy (Williams, 2008).

The consequences of introduction of the post-Westphalian setting might differ in various context but some effects are very similar. First, the importance of territoriality is lowered. Increase in mobility, appearance of universalistic non-territorial economy, de facto disappearance of borders, or existence of cyberspace, these all processes diminish states' claim on territorial exclusiveness. Larger bias towards mobility is only a direct consequence of such change. Then there is the issue of possible existence of many overlapping actors on different positions of the social hierarchy. We can see clan, state, and regional organization acting on the same territory disregarding the borders of one another. This process is supplemented by growth of the number of failed states and uncontrolled territories which enable alternative actors to exist and become important territorial holders despite their inability to gain international recognition (Cerny, 1998; Friedrichs, 2001; Williams, 2008, 2010).

These changes put international community before unenviable dilemma. In order to remain relevant it needs to preserve the illusion of Westphalian global order while on the other hand the irregularities in the system makes all actions taken less relevant. What is the most important outcome in relation to the topic researched in this paper, these changes enable many non-state actors to control significant portions of territory, or at least deny state forces access to some places for a significant amount of time⁴. In some cases this leads to the pressure for cooperation with such actors as they are de facto holders of internal sovereignty over the territory or are the closest institution to a sovereign. Communication and cooperation with these actors is thus major precondition in attempt to decrease violence and insecurity in areas without effective state power. Some of these actors consequently go as far as to apply for international recognition which is quagmire for the international community.

³ First is the case of countries like Bangladesh (Kaplan, 2010), second can be observed in places like Paschtun areas, or southern Somalia (Bruton, 2010; Bennett Jones, 2009), gangs supplement some of the state functions for example in Jamaica (Rapley, 2006), and terrorist organizations provide some functions in places like Pakistan, or Gaza Strip (Bennett Jones, 2009).

⁴ North-West Pakistan, large areas in Congo, Colombian mountains to name few.

These applications, when relevant, are very problematic for Westphalian system as they expose the flaws of the presumably orderly divided world. Furthermore, granting international recognition to any unit applying would not be solution due to the possible crumble of the political map which would leave the unit of state once again irrelevant. This unwillingness of international community to grant recognition in combination with the flaws in deteriorating Westphalian system is firmly embodied in the two studied cases – both are major flaws which long fought, or still fight, for right of recognition.

4 TRADITION OF STATEHOOD

Political elites of all unrecognized states do not justify their claims through theory of secession, but as D. Lynch (2004) argues derive their demands for international recognition from:

- 1) *alleged internal effectiveness*,
- 2) *territorial and governmental legitimacy*,
- 3) *historical tradition of statehood*,
- 4) *right of self-determination*⁵.

South Sudan

Modern South Sudan as single territorial unit emerged during the reign of the Anglo-Egyptian Condominium. After the defeat of the Mahdist army in 1898 during the battle of Omdurman, North Sudanese accepted the rule of the new Anglo-Egyptian regime. However, South Sudanese rejected the regime and continued to fight for their independence. British colonial administration disproportionately favoured the northern Sudanese almost in all sectors – administration, education, health case etc. During the transition to independence in 1955, political power was concentrated within a small conservative Arab ethnic minority and the South was discriminated mostly on a racial and religious principle as backward as the British attempt to give South larger autonomy – known as “Southern Policy” – was abandoned in 1947 (Idris, 2013). Struggle for liberation continued for several years, even after Sudan obtained independence in 1956. Early post-colonial period was defined by the domination of northern part controlled by Arabic elites which led to de facto neo-colonialism of southern Sudan. D. Horowitz gives few examples: “*Inhabitants of south Sudan who comprised 25% of the total population of Sudan were allocated 800 posts in administration, 3 out of 43 seats in Constitutional assembly, 3% of army officers and 4% of police officers*” (Horowitz, 2000, p. 239).

Common history of independent Sudan was burdened with the 38-years long civil war between the central government and southern rebels who demanded regional autonomy and independence later on. The first civil war burst out in 1955 and lasted till 1972 when Addis Ababa Agreement granting regional autonomy to south-

⁵ However the latter is irrelevant with respect to the fact that South Sudan and Somaliland seceded outside the context of decolonization where the unilateral application principle of self-determination (without the consent of the central government of the parent state) is condemned by the international community.

ern Sudan was signed. The conflict between the central government and the Sudan People's Liberation Movement/Army (SPLM/A) re-emerged in 1983⁶ and lasted till 2005 when the Comprehensive Peace Agreement (CPA) was negotiated and signed. SPLM/A did not develop any real state institutions in southern Sudan during these conflicts. Under the CPA of 2005, South Sudan was given six years interim period before conducting referendum on independence. The initial support for federation was championed by John Garang. However, his death in 2005 begun shift to more pro-independence position as propagated by new SPLM/A leader Salva Kiir (Idris, 2013, p. 116-7). South Sudanese overwhelmingly voted in favour of independence in January 2011 and South Sudan was declared a sovereign state on 9 July 2011 and fully internationally recognized.

Somaliland

The political history of Somaliland contains pre-colonial entities, protectorate period during colonialism, short-term independence, voluntary merger, oppression during the Barre's dictatorship and, finally, contemporary de facto statehood. Unlike South Sudan, Somaliland was a distinct entity between 1884 and 1960, when Great Britain until 1898 ruled the territory as the British Somaliland Protectorate and administered it from British India colony. After this period, Somaliland was until 1905 administered by the Foreign Office and afterwards by the Colonial Office. On June 26, 1960 Great Britain granted Somaliland independence in its existing colonial borders. On July 1st, 1960 Somaliland (already recognized by thirty-five UN members and UN itself) voluntary merged through international treaty⁷ with the UN Trust Territory of Somalia (Italian Somalia) to create Somalia. Roethke, however, argues that bilateral treaties unifying the two Somali states were invalid or terminated. If true, Somaliland's claims to independence would not violate the territorial integrity of united Somalia, since that union is de iure non-existent. In such scenario, Somaliland could possibly justify its secession as a valid exercise of self-determination under the decolonization framework of the Declaration 1514 (Roethke, 2011). Furthermore as pointed by H. Srebrnik: "*At a Grand Conference of the Northern Peoples' gathering in Burao, they formally repealed the 1 July 1960 Act of Union, and declared the Republic of Somaliland sovereign*" (Srebrnik, 2004, p. 214).

In reaction to the state institutions' failure in Somalia after the dispose of S. Barre in 1991 the Somali National Movement – SNM⁸ – unilaterally declared independence of the north-western region⁹ of Somalia comprising the territory of a former British protectorate as the independent Somaliland in 1991 – act which was reaffirmed in the 2001 referendum. Unlike the South Sudanese case where the refe-

⁶ The conflict erupted in reaction to the discovery of oil reserves near the administrative border between North and South Sudan and Nimeiri's intention to impose Sharia law throughout Sudan.

⁷ The two states drafted separate treaties. Somaliland crafted a draft treaty, legislatively approved it, and sent it to the authorities in Mogadishu, the southern capital. The authorities in Mogadishu never approved the draft. Instead, the southern legislature wrote a significantly different treaty, the Act of Union, which the national legislature made retroactively binding in 1961. A subsequent national referendum on the proposed constitution approved the newly drafted vision but it must be noted that 53% of the inhabitants of the former British Protectorate voted against the constitution (Roethke, 2011, p. 36).

⁸ Founded in April 1981

⁹ Within the territory of 5 out of 18 Somali provinces

rendum was negotiated with the central government and approved by the international community, Somaliland's unilateral action did not lead to the international recognition of the newly created entity.

5 STATE-BUILDING AND NATION-BUILDING

Both central governments in Khartoum and Mogadishu lacked considerable institutional strength at the time their respective secession movements came into functioning which eased secessionist attempts to reach their ultimate goals. Both entities managed to build a common political identity of its population which was affirmed by independence referenda held in Somaliland in 2001 and in South Sudan in 2011. Simultaneously both demonstrated inability to establish full control over its territory and population within their jurisdiction.

South Sudan

Ethnically, the population of South Sudan is diverse being composed of Dinka 35.8%, Nuer 15.6%, Shilluk, Azande, Bari, Kakwa, Kuku, Murle, Mandari, Didinga, Ndogo, Bviri, Lndi, Anuak, Bongo, Lango, Dungotona, and Acholi population. Predominant religions are animism and Christianity. Secessionist movement in South Sudan emerged as a consequence of the attempt of relatively weak Sudanese central government to oppress Southern Sudanese through exclusive language policy, preventing non-Arabic population from reaching important political positions, or imposition of Sharia law throughout the Sudan. Sudan People's Liberation Movement (SPLM) fought for regional autonomy and for secession for over fifty years. Although SPLM was militarily weak and suffered from internal division the central government failed to suppress it. On the other hand the SPLM failed to build stable institutional capacity in southern Sudan, although it virtually controlled most of the territory it laid claim to by the end of the Cold War. Inability to establish functioning state based on working institutions or to deliver basic services in controlled territories continued throughout 1990's and 2000's. Inability to enforce taxation system went hand in hand with poor economic performance and weakened governmental legitimacy of SPLM among Southern Sudanese. The lack of institutional capacity undermined secessionists as a movement and forced them to rely on international financial aid. The end of the Cold War allowed the United States to assume role of South Sudan's most prominent benefactor, "*since the mid 1990s, about 80 percent of US aid to Sudan has gone to southern, rebel controlled areas... Despite virtually no contributions from the Diaspora, the South Sudanese movement survived with invaluable support from key members of the international community*" (Forti, 2001, p. 20). US financial support to southern part of Sudan went hand in hand with deteriorating relations between Washington and Khartoum¹⁰.

¹⁰ Khartoum provided safe haven to Libyan terrorists in 1980s, Carlos the Jackal and Osama bin Laden in subsequent years. Official US development aid was suspended in 1989 when Omar Bashir overthrew the elected government. Further one Sudan supported Iraq in its attempt to annex Kuwait. In October 1997, the USA imposed comprehensive economic, trade, and financial sanctions against the Sudan. In August 1998, the US Army bombed territory of Sudan.

As the case of South Sudan indicates, the international recognition does not ensure stability. Full territorial control of new state remains uncompleted due to territorial disputes with the former parent states and de facto state failure is another issue inherited from post-colonial struggle for independence¹¹. Main focus of the South Sudanese state-building lies in relations between Khartoum and Juba. The town of Heglig (and surrounding oil-fields) is internationally recognized as Sudanese territory but it is also claimed by South Sudan (dispute resulted in open armed conflict in 2012), similar situation is in Abyei which is administered by Sudan, but also claimed by South Sudan (referendum is supposed to be held in future), while Kafia Kingi is administered by South Sudan, but claimed by Sudan. Relations are furthermore deteriorated by the issue of oil transit. In September 2012, Sudan and South Sudan agreed a deal on border security and oil production in order to allow oil exports from South Sudan through Sudan to continue. Next, both countries accuse the other of supporting rebels on their territory, as part of the internal conflicts in both countries – mainly politically motivated civil war in South Sudan and ethnically and religiously based fighting in Darfur. Violence had broken out in South Sudan soon after 2011 independence referendum and conflict soon spilled over from disputed Abyei region to neighbouring areas. In May 2013, Sudanese President Omar al-Bashir threatened again to block oil transits via Sudan if South Sudan continued to support insurgents in South Kordofan and Darfur. On the other side of the border situation further deteriorated in 2013 after president S. Kiir dismissed Vice President R. Machar¹² and his cabinet. Subsequent events resulted in open conflict which spread in four out of ten South Sudanese federative units.

Somaliland

Ethnically, the inhabitants of Somaliland are Somali (and of Muslim denomination), the majority of population of Somaliland belongs to the Isaaq clan, which makes it distinct from former Italian Somalia dominated by the Hawiye clan. The Somali National Movement (SNM) unilaterally declared the independence of Somaliland at a conference held in Burao in May 1991 without the consent of virtually non-existing central government. National referendum confirmed Somaliland's seek for independent statehood in 2001. During twenty two years of de facto statehood Somaliland succeeded in establishing, at least to relevant extent, stable institutions which are able to deliver basic functions like security, law and order. Political elites managed to create a common sense of political identity which is partially a result of the generational change¹³. Unlike the South Sudan, Somaliland did not face significant threat (neither attempt) of violent reunification into unitary state which is a common strategy of central governments facing secession movements challenging their territorial integrity. This strategy is, however, unfeasible in a Somalian reality

¹¹ South Sudan ended fourth in the annual Failed States Index both in 2012 and 2013 and was on a top of the chart in 2014.

¹² Although Machar and Kiir are both members of the SPLM, they originate from different tribes with a history of conflict. Kiir is an ethnic Dinka, while Machar is an ethnic Nuer. They also represent different factions inside SPLM.

¹³ it must be noted that majority of Somaliland's population was born after its declaration of independence and have no feeling of territorial legitimacy of unitary Somalia

as the state is virtually non-existent and lacks capacities to oppose the Somaliland's de facto statehood. This is a critical and unique feature of Somaliland's secession enabling it to focus its attention and resources on state-building process.

Although Somaliland performs much better than a number of established recognized African countries even outside the Horn of Africa¹⁴ it is still dependent on Diaspora community remittances for financing Somaliland state-like institutions. *Somaliland economy is based on livestock farming and export, the government plans to increase budget above 200 USD millions in 2014 (this is enabled due to increased taxes). The cabinet of President Ahmed Mahmud Silanyo approved the budget worth \$220 mil. which is the largest in the history of Somaliland...The 2013 annual budget was worth \$185,714,033* (Hasan Yusuf, 2012).

Despite the obvious achievements in Somaliland's state-building process, full control of territory was challenged. Somaliland administration, however, managed to reassert almost full control over the territory of the previously British Somaliland from which it had emerged despite the territorial dispute with Puntland over the Sool region and dispute over the Awdal region between Somaliland and Awdalland¹⁵ which does not recognize Somaliland's claim of sovereignty over its territory.

To sum up, both South Sudan and Somaliland have managed to protect its territorial integrity within the most of the territory (which is clearly demarcated in both cases) they lay claim to. In both cases the substantial institutional weakness of parent states strongly contributed to de facto successful secession. South Sudan institutional weakness and instable society persists from the period of liberation struggle which was heavily supported by the USA and does not fully respect the diversity of the country's population. Though it does not seem that international recognition contributed to internal stability, it guarantees South Sudan's survival in the international community. On the other hand Somaliland proved to be able to build effective institutions and stable society despite the complete lack of international recognition. Its capability of territorial control over parts of its territory (Sool and Awdal region) is, however, still tentative and challenged.

6 JUSTIFICATION FOR SECESSION

From a historical perspective, three different historical-political situations, which lead to the unilateral declaration of the entity, may be defined. They are the following types of secession:

- 1) *in compliance with the right to self-determination (entities which declared independence during the decolonization process),*
- 2) *in conflict with the right to self-determination (entities forming on a dependent territory which did not undergo the decolonization process and whose emergence was in conflict with the principle of a nation's right to self-determination),*

¹⁴ per capita GDP in 2012 was estimated at 347 USD, in Burundi it is 251, in DRC 272, in Malawi 268

¹⁵ Formed in 2009 as an autonomous region within a federal Somalia

3) *outside the context of decolonization (a fairly large group of entities emerging after formal decolonization of dependent territories and the establishment of internationally recognized sovereign states, on whose territories there were post-independence attempts to unilaterally declare independence for parts of such territories).*

It is obvious that South Sudan and Somaliland are examples of the secession outside the context of decolonization. Position of the parent state and international community may completely differ if the secession is perceived as the result of wide-scale breach of human rights.

In 1984, A. Birch and H. Beran discussed conditions under which secession is (not) justifiable^{16 17}. Most scholars (e.g. J. Crawford) argue that territorial integrity prohibits secession because secession fragments the territory of the state. Many scholars assert that the right of self-determination entitles people subjected to extreme oppression from the side of central government to secede.

South Sudan

Despite the fact that South Sudan was not integrated in the state by force, subsequent development provides arguments justifying secession. The territory itself was, after incorporation into a common political unit with North, never given proper chance to determine its future. During the colonial period the state was dominated by Arab population and South was mostly dealt with as insignificant ahistorical and backward territory incapable of self-governance. This policy was, due to the abuses of North against the Southern population, changed and in 1921 British adopted so-called “Southern Policy” which established South as a tribal society and attempted introduction of self-government for the territory. This policy was, however, abandoned as soon as 1947 and since then the whole southern territory remained an object of discrimination and inner colonization from the North. South Sudan can thus justify its right to secede on the ground of political misrepresentation (Idris, 2013).

Second important reason giving South Sudan right to secede is based on the presence of large scale violence throughout the existence of post-colonial Sudanese state. First civil war lasted from 1955 to 1972 and, following the calm-down, 1980s were marked by another increase of tensions with new civil war sparking up which

¹⁶ It must be noted that the idea of secession is not limited to liberal democracies only.

¹⁷ Beran forbids secession in cases that the entity: (1) is too small to assume the basic responsibilities of an independent state; (2) is not prepared to permit sub-groups within itself to secede although such secession is morally and practically possible; (3) seeks to exploit or oppress a sub-group within itself that can not secede in turn because of territorial dispersal or other reasons; (4) occupies an area fully enclosed by the borders of the existing state; (5) occupies an area that is culturally, economically, or militarily essential to the existing state; (6) occupies an area that has a disproportionately high share of the economic resources of the existing states (Beran, 1984, p. 30). South Sudan's as well as Somaliland's attempt to secede would not be permitted under the conditions five and six. It can be argued, however, that “forbidding a group from having the government of its choice for economic reasons smacks of exploitation.” (McGee, R. W., 1994, p. 14). Conditions justifying secession as defined by A. Birch will not clarify the issue no more. Despite the fact that neither entity was included in the state by force, both entities meet the criteria defined under conditions two, three and four “(The national government has failed in a serious way to protect the basic rights and security of the citizens of the region, The democratic system has failed to safeguard the legitimate political and economic interests of the region and the national government has ignored or rejected an explicit or implicit bargain between sections that was entered into as a way of preserving the essential interests of a section that might find itself outvoted by a national majority)” (Birch, 1984, p. 599-600).

was finally ended in 2005 by signing of CPA. Both of these periods were marked by large-scale atrocities. Finally there is a third cause which made the two above-mentioned factors more relevant than in case of Somaliland – large global media attention. Large initiative was started, making the appeal of Southern Sudanese visible thanks to the support of such public figures such as Don Cheadle or, arguably as most visible advocate of South Sudanese independence, George Clooney. This is an important point in relation to secession of Somaliland as the coverage of Somaliland's case is much less visible and it lacks its own high-profile patron.

Somaliland

Despite the fact that Somaliland voluntarily merged with Somalia, subsequent development provides arguments justifying secession. Mohamed S. Barre took power in a coup in 1969. In response to political oppression of former British Somaliland, Isaaq militants formed a rebel group in 1981 – the Somali National Movement (SNM), – to oppose the regime. In response, the Barre regime sent regular army troops as well as Ogadeni militias to suppress the SNM. Central government also bombed Somaliland cities of Burao and Hargeisa resulting in an estimated 50 000 victims and half a million internally displaced persons. The Barre's regime fell in January 1991 and since this time onwards Somalia failed to establish effective government. Thus Somalia lacks even the basic institutional capacity to deliver basic services to its inhabitants. Inability of central government to protect the basic rights and security of its citizens and failure of the democratic system has caused cessation of the legitimate political and economic interests of Somaliland in union with south (Birch, 1984, p. 596-602).

7 DEMOCRACY?

Another argument used by unrecognized states' political elites in their claims for international recognition is alleged democratic nature: "*Rhetorical commitment to democracy is found in a majority of the cases, but popular legitimacy has traditionally been demonstrated through independence referenda, other than through actual democratic elections...*" (Caspersen, 2012, p. 85), "*they are also claiming to be more democratic than their parent states and they frequently describe themselves as islands of democracy in otherwise authoritarian waters*" (Caspersen, 2012, p. 71). Democracy is widely considered the only legitimate form of the government so the unrecognized entities often use the democratic instruments to demonstrate popular support and justify demands for independent statehood.

In case of referenda in South Sudan and Somaliland, popular support for independent statehood reached 99.62% (turnout 97,58%) and 97,1% (turnout was approximately two-thirds of eligible voters). Lowest turnout was Las Anod District of Sool Region in Somaliland (only 31 percent) (Shin, 2002). However, this does not mean that secessionist entities (in general) are more democratic than parent states. For example democratic procedures in South Sudan and Somaliland did not meet standards of free and fair elections, e.g. elections are conducted without the presence

of independent electoral observers (however elections in Somaliland are monitored by International Republican Institute and South Africa has had observation teams present at all four elections in Somaliland). Available data (from Freedom House) offer clear picture: rate of civil liberties and political rights in South Sudan was 5 and 6 (Sudan scored 7) respectively, Somaliland scored 5 and 4 respectively while Somalia scored 7. In case of South Sudan and Somaliland both entities are more democratic than their parent states, while at the same time South Sudan is classified as not free and Somaliland as partly free.

8 INTERNATIONAL POSITION

The end of the Cold War deprived fragile states of their superpower patrons (the USA and the USSR namely) which provided them with military, economic, or financial assistance enabling central governments of even collapsed states to maintain territorial integrity. It is not, however, possible to generally reduce all the conflicts on historical and geopolitical struggle and circumstances which would solemnly determine the outcome of an effort to gain independence. Internal political processes also matter. *“In most cases ethno-nationalism provided an important driving force, state break-down was often an important factor, and external assistance was crucial”* (Caspersen, 2012, p. 26-27).

From the geopolitical perspective the position of unrecognized states historically ranges from wide recognition (SADR), over engagement (Somaliland), to outcast status (Rhodesia). Not being able to gain international recognition, particular entities either rely on their own resources (e. g. Somaliland) or an external patron state (e. g. South Ossetia). The first strategy is prospective in case of strategically situated entities. Somaliland’s situation is eased by the lack of effective opposition from Somaliland’s parent state, Somalia, which is the decisive factor enabling Somaliland to maintain its de facto independence.

On the other hand the international position of South Sudan is more complicated. Historically, Sudan was able to effectively oppose the secessionist movement in South and so the entity was unable to gain de facto independence as is the case of Somaliland. On the other hand South Sudan was able to gain support from international community as a result of strong medial campaign and support from strong patron – the United States. This made its international position more favourable than that of Somaliland in relation to future international recognition.

9 DIPLOMATIC STRATEGY

The absence of international recognition severely impacts all de facto states which suffer from being perceived as internationally illegitimate entities trapped in geopolitically hostile environment characterized by external threats which does not allow them to enjoy benefits of

- 1) *political globalization (embassies, membership in international organizations, international agreements, participation in UN etc.),*
- 2) *economic globalization (export, import, foreign investments, development aid etc.)*¹⁸

in order to reduce security risks.

It is obvious that systemic forces of political and military power, economic forces of globalization and international rules contributes to emergence of entities with qualitatively different level of statehood. Cooper or Sørensen speak about pre-modern, modern and post-modern state. Each category faces different security dilemma in relation to pressures presented by globalization. While political and economic globalization reduces the importance of military power in post-modern world (as result of economic and political cooperation), unrecognized states are located in the modern or pre-modern world where national boundaries, anarchic international environment or traditional security dilemma still matter. Lack of recognition results in flourishing shadow economic, which is often reaction to trade blockades imposed by parent state (e.g. Bougainville)¹⁹. The most extreme case is Transnistria where the gap between “state” and Sheriff’s company private interest was virtually closed. “*On the other side in the context of non-recognition it is often difficult to distinguish illegal trade driven by criminal element from illegal trade driven by the need for survival.*” (Caspersen, 2012, p. 22). While emergence of the unrecognized state is determined by internal factors, its result is determined by external factors. The unrecognized state can survive without significant recognition and economically prosper in the era of globalization. The most obvious example is Taiwan, Somaliland, TRNC or Bougainville²⁰. Prospects and restrains of economic performance depend on interests and approach of the parent state, patron state and international community. “*The economic tool has also been praised as potentially positive by the international community, which hopes that unrecognized states will be encouraged to compromise by the promise of eventual assistance for reconstruction and reform,*” (Lynch, 2004, p. 63). Lack of recognition leads unrecognized states to pursue their own alternative strategies in order to secure their vital interests for survival and consequently possible independent statehood.

South Sudan

Before recognition, South Sudan was able to successfully pursue some of its security needs as it was able to prevent its parent state from military activity on parts of its territory. On the other hand, its political and economic development was deteriorated by its *de iure* connection to Sudan. Arab elites appropriated most of the revenues from oil fields located in the southern part of the country and was prevented from any gains from political cooperation of Sudan as limited as they might have been. International recognition, however, did not solve all of the issues. As the ef-

¹⁸ Here important exception in case of Republic of China on Taiwan exists. Taiwan is able to maintain many of advantages of both economic and political globalization without being internationally recognized due to the put-sovereignty-aside policy.

¹⁹ “Pal Kolsto argues that virtually all unrecognized states have a large shadow economy, often with intimate links to top state leaders.” (Caspersen, 2012, p. 22).

²⁰ This might be seen as one of the proofs of the emergence of post-Westphalian system.

fects of the political globalization are to relevant extend shared by South Sudanese, the gains of economic globalization are still limited. This is given by the fact that whole oil infrastructure is oriented towards transportation through territory of Sudan and the former parent state thus still, to significant extent, controls the oil flow and economic power of its southern neighbour. As internationally recognized state, South Sudan holds standard diplomatic relations with other sovereign states and is member of number of international organizations.

Somaliland

Somaliland's status as an unrecognized state is the most important issue which prevents it from successful political and economic development, building relations at regional and global level, or receiving international loans or development aid. Despite the complete lack of recognition, Somaliland made a significant progress in its international networking. Somaliland has established offices in the USA, Canada, the UK, Sweden, France, Norway, Belgium (Brussels), Ethiopia, Djibouti, Ghana, Kenya, South Sudan, South Africa and Yemen, and the Somaliland passport is accepted by South Africa, Kenya, Djibouti and Ethiopia²¹. N. Caspersen points at the fact that "*Somaliland's independence is supported by Rwanda, South Africa, and Zambia*" (Caspersen, 2012, p. 43).

Landlocked Ethiopia has close trade ties with Somaliland as its port at Berbera is the second-most important harbour, after Djibouti, for imports to and exports from Ethiopia and Ethiopian Airways has regular scheduled flights to Berbera. In May 2012 governments of Somaliland and Djibouti signed agreements enhancing their diplomatic, economic, and security relationship. Authorities of other countries paid a visit to Somaliland at various levels, including France, Great Britain, Switzerland, or the USA. German naval ships operate from the port of Berbera, trade between Somaliland and Sweden is increasing, the EU Commissioner for Development, Andris Piebalgs, announced additional funds to support economic development, education and governance in Somaliland²².

Political representation focuses also on sub-regional, regional, and global integration. Somaliland formally applied to join the African Union in 2005 and the application is still pending, it also seeks observer's status in the Commonwealth, East African Community or Organisation of the Islamic Conference.

10 GEOPOLITICAL SIGNIFICANCE

South Sudan

South Sudan's significance is based both in its location and natural resources. It is located in largely instable area of central Africa on border between Arab and sub-Saharan Africa and in area with mixed Islam, Christian and Animist population. Furthermore it borders instable Sudan, Central African Republic, or Ethiopia. It can thus be overtaken by spillover effects and regional instability – which is more probable

²¹ <http://somalilandgov.com/>

²² See <http://recognition.somalilandgov.com/worldwide>

scenario as manifested by the political struggle accompanied by ethnic cleansing from the end of 2013 and beginning of 2014 – or, if state-building succeeds, can be an example of successful multiethnic African state and a starting point of stabilization for the troubled region of the central Africa. Second important significance is the presence of oil reserves on South's and contested territory. If exploited responsibly, oil reserves might bring enough investments to lift up the economic and social situation of the country. There are, however, two issues connected to this geopolitical factor. First is in so-called resource curse – fact that flow of easily obtainable money from resource exploitation in many cases leads to irresponsible governance. Second issue is connected to the oil infrastructure. All the pipelines lead through the Sudan's territory, a fact giving former parent state many blackmailing opportunities. All other alternatives are, however, problematic as well. South Sudan might possibly lead it pipelines west – through instable CAR and problematic Cameroon – or east through Ethiopia and anarchical Somalia or unrecognized Somaliland.

Somaliland

While fifteen attempts of international community to create a functioning central government in Mogadishu did not meet expectations, Somaliland is indispensable partner for international community in fighting piracy, people trafficking, financial crime, terrorism in one of the most unstable regions of the world. In this sense, government institutions contribute to the regional stability. From the geopolitical point of view, beside its stabilization effect for the neighbourhood, its essential importance lies in its location on shore near the arguably most important sea route – so-called Royal route between East Asia and Europe. Its position near this path in context of its position in instable Horn of Africa presents an opportunity to use Somaliland as basis for countering piracy in the region, a process which might aid Somaliland's claims for independence. Its presence on seashore is additionally important for bordering landlocked Ethiopia.

11 PARENT STATE

Unrecognized states are often characterized as the opposite to failed or collapsed states. This became kind of widely accepted conventional wisdom and authorities of secessionist entities tend to adhere to an empirical definition of statehood and sovereignty along the lines of the 1933 Montevideo Convention. With a deeper knowledge of situation within particular entities, such statements become apparently at least controversial. It might be even argued that the opposite is true. Generally, unrecognized and failed or collapsed states are not unrelated and might be even perceived as two sides of the same coin. Both South Sudan (during secessionist conflict) and Somaliland evinced some characteristics of inability of the central government to exercise full control over the territory it lays claim to. But looking at their parent states, the situation does not change much.

South Sudan

State of Sudan is for a long time regarded as a failing state. Its position in Failed States Index is in a long term “top ten” and it faces many insurgencies connected to the inability and unwillingness of the central government to acknowledge the importance and political rights for non-Arab minorities. Not only that Sudan faced sustained rebellion from South but it had to deal with another secessionist movement from Darfur. Attempt to suppress the Darfur rebellion brought Omar Bashar invitation to the International Criminal Court for grave violations of human rights, genocide, and war crimes²³. Sudan is additionally unable to provide basic functions for its population which started social unrest during 2013. Claim of South Sudan against stability and effectiveness of Sudanese state would thus be justified²⁴.

Somaliland

Somalia is clearly a failed state²⁵. It is unable to sustain any effective and meaningful central government and its territory is dominated by the clan-based society mixed with claims of different other non-state actors²⁶. Provision of any goods to the population from the side of *de iure* central government is non-existent and the whole state is hollow. In this respect, the Somaliland’s claim for larger effectiveness in comparison to Somalia is well justified.

12 CONCLUSION

It is sometimes argued that secession might open the Pandora box leading to uncontrolled political fragmentation and destabilization of not only the given region but world-wide. While South Sudan reached secession with the previous consent of the central government in Khartoum, the case of Somaliland is the example of secession without the consent of the central government. For Somaliland authorities the sovereignty issue is a zero sum game as Somalia is unwilling to agree to partition in Sudanese fashion. On the other side any attempt of the central government of Mogadishu to restore territorial integrity under the central government’s rule would probably foster the dynamics of the civil war throughout the territory as Somaliland is the most stable part of Somali territory.

Somaliland’s right for independent statehood can be argued on three levels. As Roethke argues from the perspective of international law, the Law of Union between Somaliland and Somalia has legally never entered in force. “*International law may legitimize the secession of Somaliland in the context of decolonization if the union of the British and Italian colonies were invalid.*” (Roethke, 2011, p. 35). Secondly, even if we accept the validity of the Law of Union, post-1945 shows evidences that entities (sovereign states) voluntary merging keep the right to restore its independence (Mali Federation, Senegambia, United Arab Republic are all now dissolved),

²³ http://www.icc-cpi.int/en_menus/icc/situations%20and%20cases/situations/situation%20icc%200205/related%20cases/icc02050109/Pages/icc02050109.aspx

²⁴ Here we do not deal with the alternative in South Sudan which is a failing state itself.

²⁵ J. Gros calls it anarchical state (Gros, 1996).

²⁶ As al-Shabaab, warlords, business groups, etc. See (Bruton, 2010).

which is the case of Somaliland. De facto secession of Somaliland also respects the principle of *uti possidetis* because Somaliland was a British protectorate prior to the merger with Italian Somalia in 1960. Thus it would only restore its independence.

The second group of arguments for secession has a support in political theory of secession. Political development of unitary Somalia witnessed targeted oppression of Somalilanders during the Barre regime and current state of anarchy in the territory of Somalia which became a synonym for the extreme state collapse and provides arguments for secession. Somaliland is thus trapped in the situation where it virtually lacks the parent state. Central government in Mogadishu has not only violated the rights of Somalilanders in the past, but it is also unable to guarantee the rights of Somalilanders in future, which is the condition under which the international law allows the secession.

Third, there is no relevant Pandora's Box argument taking place in case of Somaliland's recognition. We did not observe any of such crumbling after South Sudan's independence. There is, however, another scenario possible – one that can be called a British model. In this scenario Somalia and Somaliland would form two autonomous parts of one internationally recognized entity of Union of Somalia and Somaliland. It is thus clear that the main difference between the two cases is in approach from the parent state and that the international recognition is closely linked to approval from the original recognised entity.

The unwillingness of the international community to grant recognition to Somaliland without approval of the parent state – as was case of South Sudan or Eritrea – puts us before another question. Given the nature of the post-Westphalian system, is de facto statehood a viable long-term option? The world is now witnessing existence of many entities with partial (e.g. Taiwan, Palestine) or no (e.g. Transdniestria) recognition. These entities are on a different level of institutional development, inner stability and prosperity. We can find fully functioning entity in case of Taiwan, partially working entities such as Somaliland or TRNC, or clearly failed actors as Transdniestria. This leaves our options open. Clearly, if the unrecognised entity finds itself in favourable geopolitical location and environment it can exist as at least partially functional de facto independent entity. This is clearly the case of Somaliland – it is successfully autonomous on weak central government, is located on the seashore, and is not challenged by its neighbours or international community. Tactics of putting sovereignty aside can thus lead to positive results.

It is hardly perceivable that the international community will give Somaliland its recognition without consent of the parent state. In this context it is quite unfortunate for Somalilanders that they lack a prominent supporter of their independence as was the case of South Sudan. Lack of media attention than arguably leaves the whole situation frozen as the central government is not pressed to acknowledge de facto independence of its northern part and to allow binding independence referendum. On the other hand Somaliland is not in a situation of civil war with its parent state and can thus quite effectively prosper even as unrecognized entity. Due to the nature of international community in the post-Westphalian world the Somaliland case, not South Sudan, might be seen as a future of the world geopolitics.

Acknowledgement

The text is an outcome of Project Prvouk no. 17 – Vědy o společnosti, politice a médiích ve výzvách doby [Studying Societal, Political and Media Challenges in the Contemporary World], Charles University in Prague, Faculty of Social Sciences, Institute of Political Studies.

Bibliography

- BAEV, P. K. 1998. *Russia's Policies in Secessionist Conflicts in Europe in the 1990s*. Oslo: Norwegian Atlantic Committee, Security Policy Library no. 11.
- BENNETT JONES, O. 2009. *Pakistan: Eye of the Storm*. Bodmin: Yale University Press.
- BERAN, H. 1984. A Liberal Theory of Secession. *Political Studies*, 32/1, p. 21-31.
- BIRCH, A. H. 1984. Another Liberal Theory of Secession. *Political Studies*, 32/3, p. 596-602.
- BRUTON, B. E. 2010. *Somalia: A New Approach*. New York: Council on Foreign Relations.
- BULL, H. 2002. *The Anarchical Society: A study of order in world politics*. Basingstoke: Palgrave.
- CASPERSEN, N. 2012. *Unrecognized States: The Struggle for Sovereignty in the Modern International System*. Malden: Polity Press.
- CERNY, P. 1998. Neomedievalism, Civil War and the New Security Dilemma: Globalization as Durable Disorder. *Civil Wars*, 1/1, p. 36-64.
- CHIRIKBA, V. 2004. Geopolitical Aspects of the Abkhazian Statehood: Some Results and Perspectives. *Iran and the Caucasus*, 8/2, pp. 341-349.
- COOPER, R. 2000. *The postmodern state and the world order*. [online] [cit. 2013-01-19]. Available at: <<http://www.demos.co.uk/files/postmodernstate.pdf>>
- FORTI, D. 2001. *Somaliland: An Examination of State Failure and Secession Movements*. Undergraduate Honors Thesis. Sanford School of Public Policy, Duke University, Durham, NC.
- FRIEDRICHS, J. 2001. The Meaning of New Medievalism. *European Journal of International Relations*, 7/4, p. 475-502.
- GRYGIEL, J. 2013. The Primacy of Premodern History. *Security Studies*, 22/1, p. 13-56.
- GROS, J. G. 1996. Towards a taxonomy of failed states in the New World Order: decaying Somalia, Liberia, Rwanda and Haiti. *Third World Quarterly*, 17/3, p. 455-472.
- HASAN YUSUF, M. 2012. *Somaliland: Parliament Expenditure 2013 Budget Approval*. [online] [cit. 2014-10-01]. Available at: <<http://somalilandsun.com/index.php/politics/government/2036-somaliland-legislators-grill-finance-minister-on-2013-budget>>
- HOROWITZ, D. L. 2000. *Ethnic Groups in Conflict*. Berkeley, Los Angeles: University of California Press.
- IDRIS, A. 2013. *Identity, Citizenship, and Violence in Two Sudans*. New York: Palgrave.
- KAPLAN, R. D. 2010. *Monsoon: The Indian Ocean and the Future of American Power*. New York: Rando House, Inc.
- KING, C. 2001. The Benefits of Ethnic War: Understanding Eurasia's unrecognized states. *World Politics*, 53/4, pp. 524-552.
- KOLOSOV, V., O'LOUGHLIN, J. 1998. Pseudo-States as Harbingers of a New Geopolitics: The Example of the Trans-Dniester Moldovan Republic (TMR). *Geopolitics*, 3/1, pp. 151-176.
- KOLSTØ, P. 2006. The Sustainability and Future of Unrecognized Quasi-States. *Journal of Peace Research*, 43/6, p. 723-740.
- KORBIN, S. J. 1998. Back to the Future: Neomedievalism and the Postmodern Digital World Economy. *Journal of International Affairs*, p. 361-386.
- LYNCH, D. 2004. *Engaging Eurasia's Separatist States: Unresolved Conflicts and De Facto States*. Washington: United States Institute of Peace Press.

- McCOLL, R. W. 1969. The Insurgent States: Territorial Bases of Revolution. *Annals of the Association of American Geographers*, 59/4, p. 61-63.
- McGEE, R. W. 1994. Secession Reconsidered. *Journal of Libertarian Studies*, pp. 11-33.
- MUIR, R. 1997. *Political Geography*. Houndmills, Basingstoke, Hampshire and New York: Palgrave Macmillan.
- PAYNE, R. J., VENEY, C. R. 2001. Taiwan and Africa: Taipei's Continuing Search for International Recognition. *Journal of Asian and African Studies*, 36/4, p. 437-450.
- PEGG, S. 1998. *De Facto States in the International System*. Institute of International Relations, University of British Columbia, Working Paper no. 21.
- PEŁCZYŃSKA-NAŁĘCZ, K., STRACHOTA, K., FALKOWSKI, M. 2008. Para-States in the Post-Soviet Area from 1991 to 2007. In Stanislawski, B. H., ed. Para States, Quasi-states, and Black Spots: Perhaps Not States, But Not "Ungoverned Territories", Either. *International Studies Review*, 10/2, p. 366-396.
- PHILPOTT, D. 1999. Westphalia, Authority, and International Society. *Political Studies*, 47/3, p. 566-589.
- RAPLEY, J. 2006. The New Middle Ages. *Foreign Affairs*, May/June 2006, p. 95-103.
- RIEGL, M. 2010. Terminologie kvazistátů. *Acta Politologica*, 2/1, p. 57-71.
- ROETHKE, P. 2011. The Right to Secede Under International Law: The Case of Somaliland. *Journal of International Service*, 20, 2, Fall 2011, pp. 35-48.
- ROTHKOPF, D. 2012. Command and Control. *Time*, 30 January, p. 44-46.
- RYWKIN, M. 2006. The Phenomenon of Quasi-States. *Diogenes*, 53/2, p. 23-29.
- SCHEU, H. C. 2008. Vznik nového státu a jeho uznání v mezinárodním právu. *Mezinárodní politika*, 32/4, p. 4-6.
- SHIN, D. H. 2002. Somaliland: The Little Country that Could. *Africa Notes*, 9, nov. [online] [cit. 2014-10-01]. Available at: <http://csis.org/files/media/isis/pubs/anotes_0211.pdf>
- SREBRNIK, H. 2004. Can clans form nations? Somaliland in the making. In Baccheli, T., Bartmann, B., Srebrnik, H., eds. *De facto States: The Quest for Sovereignty*. London: New York.
- STANISLAWSKI, B. H. 2008. Para States, Quasi-states, and Black Spots: Perhaps Not States, But Not "Ungoverned Territories", Either. *International Studies Review*, 10/2, p. 366-396.
- VADURA, V., ŠMÍD, T. 2009. Teoretické vymezení a konceptualizace fenoménu slabých a selhávajících států. *Mezinárodní vztahy*, 44/2, p. 44-64.
- WILLIAMS, P. 2008. *From the New Middle Ages to a New Dark Age: The Decline of the State and US Strategy*. Carlisle: Strategic Studies Institute.
- WILLIAMS, P. 2010. Here Be Dragons: Dangerous Spaces and International Security. In Clunan, A., Trinkunas, H. *Ungoverned Spaces: Alternatives to State Authority in an Era of Softened Sovereignty*. Stanford: Stanford University Press, p. 34-56.
- ZIELONKA, J. 2007. *Europe as Empire: The Nature of the Enlarged European Union*. Oxford: Oxford University Press.

Secese v post-moderním světě: Příklad Jižního Súdánu a Somalilandu

Resume

Článek se zabývá komparací secese v Jižním Súdánu a Somalilandu. V první části je nejprve nastíněn terminologický problém spojený s existencí neuznaných států a jiných politicko-geografických anomálií a na základě této analýzy je popsána metodologie užívaná v článku. Druhá část se zabývá teoretickým uchopením problému. Je zde nastíněna teorie neomedievalismu, která je popsána jako logicky navazující prvek v mezinárodním systému nahrazující skomírající Vestfálský systém národních teritoriálních států. V rámci teorie jsou akcentovány problémy zvýšeného důrazu na mobilitu, nejednoznačnosti hranic, aktivizace nestátních aktérů, či vyvažování ekonomické a politické moci. Tento nový systém vede ke

vzniku anomálií v mezinárodním systému a k problémům mezinárodního společenství s jejich (ne)uznáním.

Po dvou úvodních kapitolách se text zaměřuje již na samotnou komparaci. První porovnávanou kategorií je tradice státnosti, ve které je stručně popsána historie obou entit. Jižního Súdánu jako součást nejprve britské kolonie a následně společného súdánského státu, který byl ovšem dominován Araby ze severu země a ve kterém docházelo k utlačování jihu. Somaliland je naopak příklad dobrovolného sjednocení s jižní částí po zdárném dovršení dekolonizace, avšak společný stát byl nejen napadán kvůli údajné neplatnosti jednotící smlouvy, tak i z hlediska oprese, kterou vedl režim Siada Barrého vůči severu a v neposlední řadě s ohledem na nefunkčnost současného státu Somálsko.

Druhou kategorií je úspěch budování státních institucí, kde je argumentováno, že i přes udržení teritoriální celistvosti u obou entit, je u obou možné pozorovat nejrozdílnější slabiny a taktéž funkčnost Somalilandu je oproti Jižnímu Súdánu z mnoha důvodů efektivnější. Kategorie legitimizace secese u obou entit vychází pozitivně, jelikož obě splňují kritéria nastíněná liberální teorií secese ospravedlňující tento akt. Co se týká demokratičnosti, obě entity mají závažné problémy, ovšem v porovnání se státy od kterých se chtějí odtrhnout si vedou dobře a oba případy secese byly podpořeny úspěšným referendem. V oblasti mezinárodní podpory má velkou výhodu Jižní Súdán, jelikož se na jeho stranu postavil významný aktér a to Spojené státy.

Co se týká diplomatické strategie vůči světovému společenství, Jižní Súdán v současnosti nemusí řešit problémy s uznáním a jeho diplomatické snažení je nejvíce ovlivněno spory se svým severním sousedem. Naopak Somaliland mnoha způsoby usiluje o uznání alespoň části mezinárodního společenství a jeho území se stalo významným pro obchod Etiopie se světem, nebo pro protipirátské akce mezinárodního společenství. Geopolitický význam Jižního Súdánu spočívá především v jeho poloze ve středu afrického kontinentu a v zásobách ropy, zatímco Somaliland leží u pobřeží nedaleko významné obchodní trasy mezi východní Asií a Evropou. V poslední kategorii je konstatováno, že jak Súdán, tak i Somálsko jsou jednoznačně zhroutené státy.

V závěru se článek vyjadřuje k důvodům pro rozdílný výsledek obou pokusů o secesi, který spatřuje v mezinárodní pozornosti věnované případu Jižního Súdánu v kontrastu k indiferenci vůči Somalilandu. Tento mezinárodní tlak vedl súdánskou vládu k souhlasu s referendem o nezávislosti, který byl nezbytný pro mezinárodní uznání provincie. Vláda v Mogadišu podobný souhlas odmítá. Článek je uzavřen názorem, že z důvodu neochoty mezinárodního společenství uznávat nové entity bez souhlasu státy, ze kterého se mají odtrhnout, bude geopolitika počátku 21. století dominována spíše případy podobnými Somalilandu (neuznaný, avšak relativně efektivní), než Jižnímu Súdánu (mezinárodní uznání).