



Cabinda & Somaliland – A Comparative Study for Statehood & Independence

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There are no serious wars afoot in Somalia and those humanitarian crises which arise from time to time are manageable. There is, however, a hidden factor known to those who have experienced it – the impact on the mind of statelessness. (Drysdale 2000: 175)

[Cabinda's politicians] cite the historical and geographical arguments for independence – but at heart, their complaints are about poverty and deprivation. (Pearce 2002: 4)

Introduction

On opposite sides of the African continent, two nations are striving to be recognized by the international community as independent states. The Cabindan enclave, a former Portuguese colony, now a geographically detached northern province belonging to Angola, has been involved in an armed struggle for secession from Angola for decades through its rebel group, FLEC. Somaliland, the north-west region of Somalia, known until 1960 as British Somaliland, declared its own independence in 1991, but is yet to be recognized by anyone other than its own citizens. This paper compares the respective claims of Cabinda and Somaliland for official independent status.

For the purposes of comparison, I will use as a starting point Somaliland's claim. It provides a solid foundation for evaluation in that its secessionist movement is well-managed, relatively peaceful and, in a sense, complete. All that is lacking is international recognition of the self-declared republic: the movement is so advanced and credible that the question to be confronted now is whether or not there actually remain any viable alternatives to Somaliland's being recognized as an independent state. Cabinda, about which much less has been written or researched, and whose movement for independence is both less well-organized and less advanced, though I would argue no less credible, will in effect constitute the focus of what follows. Its claim remains far more ambiguous.

Somaliland: a history

Today's self-declared Republic of Somaliland was first established as a territory by the British towards the end of the nineteenth century. From 1884 until 1960, it was a British protectorate in which the British took very little interest and whose administration of it could better be described as 'benign neglect' (ICG 2003, 3), showing little interest in the territory's economic development. The British system of indirect rule, which kept the number of British colonial officials to a minimum, allowed the traditional clan-based systems of authority to remain effectively unaltered. Importantly, British Somaliland was throughout this period a clearly separate entity to the Italian-administered Somaliland (Somalia) to the south (see Figure 1), except for a brief seven-month period from August 1940, when British Somaliland fell into Italian hands and was for that brief period incorporated into the Italian East African Empire (ICG 2003).



The United Nations General Assembly had set 1960 as the date for Somalia's independence, to follow a ten-year period of Italian Trusteeship, but no thought had been given to Somaliland's decolonization. It was more by accident and convenience, as well as in response to some Somali pressure, that the British came to coordinate the schedule for Somaliland's independence with that of Somalia. Thus, in 1960, on the condition that the traditional clan leaders convey their support, the British officially agreed to grant Somaliland its independence (ICG 2003).

Somaliland's sovereignty was immediately recognized by a number of foreign governments; however, its freedom as a state in its own right was short-lived. Five days after Somaliland's incarnation, Somalia received its independence also, and, "in a spirit of pan-Somali nationalism" (BBC 2001a), the two former Somali colonies merged to form the United Republic of Somalia. With one swift stroke, through a meeting of the legislatures of the two territories in a joint session in Mogadishu, Somaliland was erased from the international map (ICG 2003).

The spirit of harmony and Somali nation-building zeal, which had created the new Somalia, did not last long. The north soon became frustrated by what they perceived as a southern domination of the new government. There is no doubt that the new unification was an iniquitous one, with the rapid establishment of a core-periphery relationship between the south and the north; Mogadishu, as the capital, in the south, assumed the role of centre, consigning Somaliland to an existence as a distant northern province (BBC 2001a). The Somaliland region therefore received a disproportionately small representation in the new parliament, while the posts of President and Prime Minister and the main ministerial portfolios of Defence, Foreign Affairs, Finance and Interior were all held by southerners (ICG 2003). Thus, "the unhappy marriage of north and south... soured from the very moment of its consummation" (Bryden 1994, 36).

Here, then, we have a very clear picture of two separate entities, thrust together in an optimistic attempt to build a nation - an "imagined political community", as Benedict Anderson (1991) would articulate it. Anderson cites Gellner, who, in his *Thought and Change*, states that "nationalism is not the awakening of nations to self-consciousness: it invents nations where they do not exist" (Anderson 1991, 6). A broad Somali nation never existed prior to decolonization; the United Republic of Somalia falls directly into Anderson's 'imagined' category. Furthermore, the project of building the new nation - of consolidating the invention - did not last long before imagination, at least in the north, began to fail. By 1961, "the dream of Somali unity was already losing its sheen" (Bryden 1994, 36). In June, a national referendum on the new unitary constitution failed to gain majority support in the north, but was carried by greater numbers in the more densely-populated south (Bryden 1994). Whatever enthusiasm for unity may have existed in the north had lasted no longer than a year.

In 1969, General Mohamed Siyaad Barre, with the aid of the military, staged a coup d'état and seized power. Initial optimism that a military takeover would improve what was an ailing and corrupt civilian administration, was soon replaced by public disillusionment of the increasingly brutal nature of the regime (ICG 2003). It was in the former British Somaliland that this disaffection was most keenly felt - in its peripheral location (both geographically and politically), the region was economically neglected under Barre (as it was under British administration). The ICG (2003) suggests that the



discriminatory economic policies might have been aimed at restricting the influence of the wealthy Isaaq (clan) trading community.

In the early 1980s, opposition to Siyaad Barre's military regime began to emerge, with the formation of the Somali National Movement (SNM) in the north. The SNM was a guerilla group consisting of members of the Isaaq clan whose aim was to fight southern rule generally and Barre's exclusionary rule in particular. Government forces responded brutally to offensives launched by SNM in the late 1980s, in an attempt to crush the separatist rebel movement – the northern cities of Hargeisa and Burco were bombarded and virtually razed to the ground. Schools were targeted and essential services rendered inaccessible. 50,000 died as a result of the attempted suppression of the SNM and more than half a million northerners were forced to flee across the border into Ethiopia (BBC 2001a).

In 1989, the SNM gained allies with the formation of southern Somali factions opposed to the Barre regime. Their advances in and around Mogadishu in early 1991 forced Barre to flee the capital, enabling the SNM to stage a successful offensive in the northwest that reclaimed Hargeisa, brought an end to the regime and provided the opportunity and momentum for the northwest to break away from Somalia (ICG 2003).

In order to chart a course for the future, the SNM met in Burco in April of 1991, it having been already agreed by elders from clans across the northwest that the 1960 unification with the south should come under review. Radio reports broadcast during the meeting, however, suggested that the SNM were prepared to attempt reconciliation with southern leaders. Upon hearing these reports, crowds of civilians and soldiers surrounded the congress hall where the SNM meeting was being held to demand secession. Thus it was that on May 18th 1991 the northwest assembly unanimously passed a declaration of independence, reclaiming the sovereignty it had held so briefly then surrendered over thirty years before (Bryden 1994).

In the years that followed its self-declaration of independence, Somaliland overcame an initial period of internal clan-based violence to reach power-sharing treaties between rival clan members. In 1993, Mohammed Ibrahim Egal was elected president by a council of elders (BBC 2001a). Since Egal's election, and following his endorsement of a liberal economic regime, Somaliland has managed to achieve a level of stability not seen in the rest of Somalia. John Drysdale, a former adviser to the UN operation in Somalia in 1992-93, claimed in 1995 that Somaliland "is the only country in this region [the Horn of Africa] that really works" (The Economist 1995), and Hargeisa is said to be one of the safest cities on the continent (BBC 2001c). Yet for all its democratic and economic progress, and despite a well-run independence referendum in 2001, in which Somaliland voters overwhelmingly supported secession from Somalia (BBC 2001b), the international community still refuses to recognize Somaliland's independent status. The Somali government was strongly opposed to the referendum, while the African Union and UN have thrown their support behind Somalia's new administration, even though its control spreads barely beyond a few areas of the capital Mogadishu (BBC 2001c). It is becoming increasingly apparent, however, that Somaliland is worth doing business with and that its considerable economic and political progress as a 'new state' is being held back by its lack of official status and its attachment to the conflict-torn and economic



shell of a state that is Somalia in the south, which has been without a functioning central government since the downfall of Barre's regime in 1991 (WSP 2001).

Somaliland: an increasingly credible claim for international recognition

The African Union's opposition to Somaliland's independence is founded on the belief that the unity and territorial integrity of its member states is sacrosanct, in accordance with the 1963 charter of the Organization for African Unity - Article II, 1c (African Union 2003). The unity and territorial integrity of the unified Somali Republic, however, is "an increasingly abstract notion" (ICG 2003, i). When the world speaks of the 'Somalia Crisis', it refers to the inability of Somalia to form a government acceptable to the international community (Drysdale 2000). This can not be said of Somaliland. Drysdale cites an independent observer quoted in *The Economist* who claims that "the country [Somaliland] has an administration that is certainly no worse than that of many African countries" (2000, 163). It has a president, a vice-president, a bicameral parliament and constitution, ministries, a structured and functioning civil service, a judiciary separate from the executive, hard currency and no chronic balance-of-payment problems. The real measure of a country's suitability for recognition, however, appears to be whether or not it is able to satisfy the world community that the state's official representatives truly represent the will of their constituents (Drysdale 2000). While Somaliland's democratization process is not yet complete, significant progress has been made, and there is more to come. Between December 2002 and April 2003, the people voted in local elections and again in a presidential poll, both of which were widely described as open and transparent. Legislative elections are scheduled to take place by early 2005, where opposition parties will be able to contest parliamentary seats. It is this phase of Somaliland's democratization that may prove to be most critical (ICG 2003).

As far as John Drysdale is concerned "it is not fair nor reasonable that a decision on Somaliland's relations with the world community should be deferred indefinitely until Somalia has put its own house in order" (2000, 183). While the international community has been waiting in vain for Somalia to meet its obligation to form a government that is acceptable to the UN and with which Somaliland could reasonably enter into negotiations, he argues, Somaliland has been penalized for far too long. Drysdale is in a position to know. In the latter half of the 1990s, following his stint as an adviser to the UN in Somalia, he had considerable influence with Somaliland's president, Mohammed Ibrahim Egal. Drysdale split with the UN as a result of its inability to understand the political, clan-based complexities of Somalia (*The Economist* 1995).

The ways in which Somaliland has been penalized through its lack of status are many and varied. They range from its citizens being unable to obtain travel documents (such as passports), to the acute anguish of statelessness – the feeling of rejection which erodes national self-esteem and challenges national consciousness (Drysdale 2000). In 1998, Somaliland endured a 16-month ban on the import of its livestock by Saudi Arabia, its chief market. The ban was imposed because Somaliland's vet certificates, giving animals a clean bill of health, are not internationally recognized (*The Economist* 1999). The export of livestock forms the backbone of the Somaliland economy, providing about 90% of its export earnings – nearly US\$175 million per year (ICG 2003); however,



Somaliland was in no position to argue with its biggest importer, given that Saudi Arabia is firm friends with the transitional government in Somalia (The Economist 2001), which of course opposes official recognition of Somaliland's independence.

Somaliland is unable to attract foreign investment without recognition, and so its rich seams of coal (and, in all likelihood, the vast reserves of oil beneath its desert) can not be brought to the surface. The nation is largely reliant on the goodwill of neighbours and of aid donors who provide it with money unofficially, bypassing the usual host-donor government contracts (The Economist 2001). Somaliland is therefore a nation with very little control over its own destiny and well-being, susceptible to sudden debilitating collapses in government revenue and consequent widespread poverty.

With administrative and democratic structures in place that, although not perfect, appear to justify Somaliland's being granted sovereign independence, perhaps the last remaining obstacle is its cross-border security issue, security being of prime concern to the donor community (Drysdale 2000). Both Puntland, the northeast region of Somalia, and Djibouti to the west, have in recent times made claims to bordering regions of Somaliland. But as Drysdale (2000) explains, neither claim has historical justification – both reflect the joint opposition by Puntland and Djibouti to diplomatic recognition of Somaliland. In a sense, this is the price Somaliland is paying for its success. If Somaliland were to become a sovereign independent state, its port of Berbera on the Gulf of Aden, which is in competition with Djibouti and Puntland's Bosaso (see Figure 1), would become progressively more competitive. It is therefore not in the interest of either Djibouti or Puntland to make Somaliland's transition into full statehood a smooth one (Drysdale 2003). While Djibouti's reassertion of political interest in the western region of Awdal was hardly direct, the transgression in 1999 of armed police from Puntland into Sanaag, an eastern region of Somaliland that Puntland had laid claim to in the past (Drysdale 2000), is a reassertion that should be taken more seriously. The International Crisis Group's July 2003 Report, "Somaliland: Democratisation and its Discontents", identifies the problem of how to deal with the Sool and eastern Sanaag regions (see Figure 1) as the last serious stumbling block beyond successful parliamentary multi-party elections. Overall, however, the report recommends that the international community must "develop pragmatic responses to Somaliland's demand for self-determination or continue to focus exclusively on the unity of the Somali Republic – a course of action almost certain to open a new chapter in the Somali civil war" (IRIN 2003).

An ignored people

Preventing the continuation of a thirty-year long war is at the core of a series of recommendations to emerge from an unprecedented conference on 'A Common Vision for Cabinda', organized by the Open Society Foundation from 8th-9th July, 2003, in Cabinda, in which over 1500 people took part. Cabinda is the northernmost province of Angola, separated by a tiny slither of the DRC where it meets the South Atlantic coastline (see Figure 2).

Cabinda's claim for independence is based upon the 1885 Treaty of Simulambaco, which first linked Cabinda to Angola while recognizing Cabinda's special status. The treaty between the Portuguese and local Cabindan chiefs was an attempt by



Portugal to resist encroachment upon its African empire by the French, Belgian, and British, during the ‘Scramble for Africa’, and was a bid by the Cabindans to resist demands for forced labour by King Leopold’s Belgian Congo. It was ratified by the Portuguese Parliament and the Berlin Conference in 1885 (where the terms upon which present-day Africa’s borders were drawn were established), thus recognizing Cabinda as a separate and Portuguese protectorate (Maier 1996).

It was not until 1956 that Portugal joined the administration of its protectorate of Cabinda to that of its colony of Angola – no treaty was negotiated with Cabinda in doing so. The Front for the Liberation of the Cabindan Enclave (FLEC) was created in 1963 by a merger of the main three independence movements in Cabinda, born of the frustration felt by Cabindans that they were being increasingly incorporated into the very distinct colony of Angola (CAARC 2003). Then, in 1974, the collapse of the fascist government in Portugal paved the way for negotiations between the new communist colonial authorities and the independence movements in their colonies. Talks were held in the southern Portuguese town of Alvor, leading eventually to the independence of Angola. FLEC, however, was not allowed to participate in these talks, the Portuguese believing that FLEC’s interests were represented by the three independence movement groups from Angola in attendance (the MPLA, UNITA, and the FNLA). Thus it was that Article Three of the Alvor Accords effectively annexed Cabinda to Angola – a decision made without the involvement of one Cabindan citizen (Washington Post)

In 1977, FLEC announced the establishment of a provisional government of the Republic of Cabinda, with Henriques Tiago Nzita declared president of what FLEC claimed was a liberated zone (Henderson 1979). Needless to say, the Republic of Cabinda has never been recognized as an independent state, and as current affairs stand, it does not appear likely that it will be granted sovereignty any time soon. The case for an independent Cabinda, however, is a legitimate one. Further to their separate pre-colonial histories, most telling is the fact that Angola and Cabinda were designated two separate numbers of affiliation and membership of the Organization for African Unity (OAU) in 1964 – Angola, 35, and Cabinda, 39 (CAARC 2003).

The fact that Angola and Cabinda were granted separate schedules for decolonization by the OAU, however, does not enhance their chances of gaining a proper independence. At the heart of the matter is oil –

The discovery of petroleum in coastal waters by Gulf Oil in 1966 changed Cabindan history for ever and meant that first the Portuguese and then the independent Angolan government could never let go of the enclave. (Maier 1996, 62)

Angola is the sixth largest source of US crude oil imports, thanks largely to Cabinda, where Chevron Corp is the operator (Benedict 1994) – Cabindan crude provides Angola with more than half of its foreign exchange earnings (Maier 1996). Taxes and royalties on Cabinda’s production provide Angola with approximately US\$3 billion per year (Benedict 1994). Cabinda has been described as ‘the African Kuwait’, producing close to one million barrels a day (CAARC 2003). It is very little wonder, then, that the Angolan government will neither cut the country’s ties with Cabinda nor even relax its grip on the enclave’s oil – it can not afford to.



President dos Santos of Angola has at various times offered to grant autonomy in an attempt to appease rebel groups (Benedict 1994; Maier 1996) and even went so far as to announce to US President Bush his support for the idea of holding a referendum on the self-determination of Cabinda. It is a token gesture, however: of Angola's population of twelve million, Cabinda constitutes only 230,000, and the referendum would never be carried. FLEC will only accept an East Timor-type referendum, supervised by the UN (Washington Post 2003). The 'Committee for Action and Aid to Cabindan Refugees' (CAARC) make the claim on their rather subjective website that Cabindans are among Angola's poorest people, with only 1% of oil revenues being spent on Cabinda (perhaps a rather skewed figure). While there is little doubt that Cabindans suffer great economic injustices at the hands of a very wealthy Angolan ruling elite and, for the most part, live in unacceptable poverty (Pearce 2002), there is considerable evidence to suggest that Cabindans are no worse off than the population of any other Angolan province. Hughes (2004) reveals recent figures that show that Cabinda received 14% of budgetary resources transferred to the 18 Angolan provinces, despite having one of the smallest populations; on a per capita basis, transfers to Cabinda in 2001 were 115 times higher than the average for all provinces. This increased level of government spending in Cabinda is quite clearly an attempt to ease separatist feelings in Cabinda.

If Cabinda were somehow to secede, the material benefits for Cabindans would be huge. Hughes (2004) calculates that the net annual earnings from oil at levels of production and prices recorded in 2000 would have been about US\$11,000 per capita. "This dazzling prospect is almost certainly a far more powerful motive for secession than any sense of ethnic identity or economic injustice," Hughes (2004, 159) asserts, adding that Cabindans are in fact related to other Bakongo peoples of north-western Angola.

A way forward

Given Angola's administrative dominance over Cabinda, a referendum on self-determination for the province looks extremely unlikely. Unlike in Somaliland, where the picture commonly given is that of a progressing, viable state being hindered in its development by a failed state clinging desperately to its peripheral, more successful regions, Cabinda is one of the poorest regions of Angola. At least this is how it looks on the surface. When you scratch beneath, the differences with Somaliland are not as pronounced. The leader of Cabinda's push for independence, Tiago Nzita, claims that generalized corruption and a lack of democracy in Angola are the reasons why Cabinda will not integrate into the same territory (Pravda 2001). Furthermore, Recommendation 1.2 emerging from the conference on 'A Common Vision for Cabinda' states that "the status of the Republic of Cabinda should be the object of negotiations only when Angola has a government that has been legitimized by its people; a government established through elections that are truly free and fair" (Open Society Foundation 2003). In this respect, Cabinda's intention to wait until Angola has its own house in order is different from Somaliland's willingness to do so for Somalia, but the perspective coming out of Cabinda forces us to review which of Angola and Cabinda is in fact reliant on the other. Indeed, if Angola were to lose Cabinda, it could well spell disaster for it economically.



If Cabinda is to have any chance of being granted an East Timor-type referendum, it is going to have to convince the international community that it has the political and administrative structures in place to achieve a fair and democratic level of governance. John Drysdale (2000) gave Somaliland his seal of approval in this respect based on the successful fulfillment of eleven criteria assessed by the London School of Economic and Political Science in a study of Somaliland – civil order, defence, fiscal policy, the judiciary, public service management, external representation, posts and telegraphs, major public works, levels of education, health, and a national constitution. Whether these structures exist, and if so, in what sort of state they are, is a matter for further examination. From what I have been able to ascertain, albeit with fairly modest research, little has been examined in this area. There is certainly an opening for an in-depth assessment.

For both Somaliland and Cabinda, what I think is clear is that the African Union's stubborn position on the inviolability of colonial borders, as enshrined in the OAU charter, requires reassessment on a case-by-case basis. The obvious danger is that any relaxation of the principle of territorial integrity could 'open the floodgates' to a proliferation of mini-states and endless border disputes (BBC 2001c). In the case of Cabinda and Somaliland, there is a very legitimate claim for exception. Somaliland was granted sovereign independence in 1960, even though it lasted only five days; Cabinda was endorsed initially by the OAU as the 39th African colony to be decolonized, and only failed to gain its independence due to an Angolan-Portuguese conspiracy, rather than any sort of unsuitability. Tony Hughes' realistic contention that Cabinda's motive for separatism is almost certainly its strategic importance as the source of more than two-thirds of Angola's current oil production, should not diminish the historical justification for its claim. Any further refusal by the AU to support the independence claims of Cabinda or Somaliland on the grounds that borders are sacrosanct, is nothing but arbitrary, requires immediate reconsideration, and if anything, in the case of Cabinda, would demand *support* for their existence as a sovereign independent state, as initially scheduled by the OAU.



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