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Somaliland - From Non-being to Special Arrangement

An examination of the International Politics of Recognition

Acronyms

AU	African Union
AMISOM	African Union Mission in Somalia
DK	Denmark
EU	European Union
FGS	Federal Government of Somalia
ICG	International Crisis Group
IGAD	Inter Governmental Authority on Development
MDG	Millennium Development Goals
MP	Member of Parliament
OAU	Organisation of African Unity
PSG	Peace and Statebuilding Goals
SC	Somali Compact
SSA	Somaliland Special Arrangement
SNM	Somali National Movement
UK	United Kingdom
UN	United Nations
UNPOS	United Nations Political Office for Somalia
US	United States

Abstract

This thesis thematises one of the most constitutive and contentious issues social scientists deal with: the question on how *political order* is constituted and through what processes this order is attributed meaning and recognition. Sovereignty's presumed precedence as the fundamental rule or structure of authority in the international society is challenged in the case of Somaliland, where one state's sovereignty (Somalia) is at stake if another's (Somaliland) is recognised. Through an analysis of how recognition of statehood is attained in the case of Somaliland, which received international endorsement of its claim to autonomy in 2013, the thesis shows that recognition of state sovereignty as a distinct political order rests on historically contingent political processes of opinion formations. This means that the current political order rests on a paradox, that no natural principles exist behind the granting of sovereignty, which further means that sovereignty is inherently coupled to a constraint, namely that self-determination is not an ultimate principle.

The thesis's research question, *How has the international community managed dilemmas in regards to Somaliland's claim of recognition as a sovereign state?*, investigates how this paradox is handled. The study shows how the international community applied various storylines in the discursive struggles that gradually constituted and reconstituted what Somaliland's identity was about and how it fitted in the discursive production of the current international system. It was on the foundation of several previous articulations and selections, which had depicted Somaliland as a responsible agent, that the international community came to constitute Somaliland as a self-governing part of the federal Somalia in 2013.

By showing how Somaliland is assured and given content through the practise of recognition, the analysis displays the political and constitutional nature of recognition. In this way, the international community's management opens the conditions for recognition up for investigation, which uncovers the current conditions for authority in the international system. The analysis shows that the relation between state and society is particularly central for the way Somaliland's authority is constituted. In this sense, the thesis's contribution goes beyond a concrete case of recognition of statehood, as we are also offered an opportunity to study the current qualifications of becoming a state in the international system.

Table of Content

1. Introduction: Setting The Stage	4
1.1 Contested States in World Politics	5
1.2 The entities in question... ..	7
1.3 Framing the Political Concepts of Statehood and Sovereignty: An Overview	9
1.3.1 Towards an Understanding of Statehood	9
1.3.2 Sovereignty	13
1.4 Reading Strategy	16
2. Analytical Strategy	17
2.1 The Scientific Gaze and Analytical Strategy	17
2.2 Theoretical Framework	20
2.2.1 The Practise of Recognition in the Current International System.....	21
2.3 Conditioning the Gaze.....	22
2.4 Diachronic and Synchronic Analysis	24
2.4.1 Discourse of stateness and Discourses of Sovereignty	25
2.4.2 Reading Strategy & Text Selection.....	29
2.6 Critical Reflections.....	31
3. Analysis I – From Object of Non-being to Object of Recognition	33
3.1 Somaliland as an Object of Discursive Formation.....	34
3.1.1 Setting the Stage – The emergence of Somaliland.....	34
3.2 Somaliland as an object of non-being: from Northwest Somalia to ‘Somaliland’	36
3.2.1 The Northwest of Somalia	37
3.2.2 The Subjectivity of the Sovereign State: the Constitution of Responsibility.....	39
3.3 Somaliland as an Object of Non-recognition	42
3.3.1 To be or not to be? The AU’s Fact-Finding Mission	43
3.3.2 International Consciousness.....	45
3.4 Somaliland from an Object of Non-Recognition to an Object of Recognition.....	47
3.4.1 Somaliland as a ‘Relative’	48
3.4.2 The Issue of International Security	49
3.4.3 “A Local Area of Stability”	50
3.4.4 The Republic of Somaliland Recognised as a Self-governing Entity	53
3.4.5 Somaliland as a Special Arrangement.....	54
3.5 Conclusion: Constitution of an Object of Recognised Political Entity.....	55
4. Analyse II - The Somaliland Special Arrangement	58
4.1 Framing the Somaliland Special Arrangement	58
4.2 Technology of ‘Contractualisation’	60
4.3 The Modes of Subjectification: Between a Rock and a Hard Place.....	61
4.4 Conclusion: How the international community currently manages Somaliland?	63
5. Conclusion.....	66
5.1 Wider Reflections.....	69
6. Bibliography.....	72
7. Appendix	82

1. Introduction: Setting The Stage

“We live, we are told, in a world of states, which coexist in an international system of states. States in a state system, they insist, are what exist in the world... Moreover, the system of states is coextensive with the world... The trouble with this set of stories is that it rests on a contestable claim to scholarship. States do not simply exist in the world and the modern states system is not coextensive with the world” (R.B.J. Walker, 2004)

This thesis thematises one of the most constitutive and contentious issues social scientists have dealt with: the question on how *political order* is constituted and through what processes this order is attributed meaning and recognition. As argued by Jens Bartelson, our basic concept of political order is conditioned by our experience of statehood (Bartelson, 2001). In other words the sovereign state is the most fundamental idea of the modern political order. Through an historical analysis of how Somaliland came to be recognised as a federal entity in 2013, the thesis shows that recognition of state sovereignty as a distinct political order rests on historically contingent political processes of opinion formations. As a result, state sovereignty cannot be reduced to simply natural, legal, moral or realistic perspectives.

In modern political terms, sovereignty signifies the supremacy and inviolability of a state’s institutions: it is unbounded both internally and externally (Adler-Nissen and Gammeltoft-Hansen, 2008:3). In this sense, contemporary discourses on sovereignty rest on two forms of recognised authority. The first pertains to internal or domestic sovereignty founded on the premise that sovereign states have the authority to rule within a delimited territorial state. The second is bound to external or international legal sovereignty and is the right of the sovereign government to be free from unwanted external involvement in their internal affairs, hence non-intervention (Armstrong and Farrell, 2006:5). Hence, an assumed (and naturalised) link between political space and political authority (Dunn, 2009:435).

When Somaliland was granted federal autonomy by the international community in the Somali Compact¹ in 2013, Somalia’s unbounded sovereignty was at the same time removed from Somalia. The Somali Compact granted Somaliland self-determination, which meant the ability to ‘collect’ and for the time being ‘epitomise’ the people of Somaliland’s sovereignty within the territory of the Somali State. What follows is, then, that the “rights of sovereignty is regarded as distinguishable from the exercise of authority” (Wilks, 1975:191). In

¹ The Somali Compact is an internationally endorsed action plan that sets out Somalia’s political development

this regard, the current political order rests on a paradox; that sovereignty is inherently linked to a constraint of authority, and the principles of self-determination and territorial integrity are not ultimate, but highly political and contingent principles.

The recognition of Somaliland as a self-governing entity appeared rather uncontroversial. The empirical question, then, becomes how was this paradox handled? How could the recognition of mutually exclusive claims to sovereignty at one and the same time be concealed and revealed, and not appear as a contradiction?² In this sense, the thesis' contribution goes beyond a concrete case of recognition of statehood. It also presents a contribution to one of the central thematisations in the field of international relations, namely how political order is constituted and attributed meaning through the discursive processes of sovereignty. The rest of the chapter will be allocated to position the study's basic figure of problematisation, the concept of state sovereignty, in a conceptual and analytical framework.

1.1 Contested States in World Politics

Is there anything more traumatic than to be rendered invisible? (Unknown)

Non-recognised 'states' are a long-standing phenomenon in world politics. The 20th century witnessed several unsuccessful attempts of creating internationally recognised states: Croatia (in 1940), Rhodesia (1965-1980), Biafra (1967-1970), South Africa's four homeland states, Transkei, Bophuthatswana, Ciskei and Vanda (1970s-1994) and East Timor (1975)³ (Geldenhuis, 2009:2). At the beginning of the 21st century the world map reveals a handful of self-declared political entities⁴, which have existed and claimed recognition for several years

² The two questions are borrowed from Helle Malmvig's examination of sovereignty and intervention/non-intervention in her book: *State Sovereignty and Intervention. A discourse analysis of interventionary and non-interventionary practices in Kosovo and Algeria* (Malmvig, 2006:139)

³ Croatia was recognised in 1992 and East Timor received full international recognition in 2002, 27 years after its brief period of self declared independence (Geldenhuis, 2009:2).

⁴ Deon Geldenhuis (2009), one of the few scholars that have studied the phenomenon of contested states, identified in 2009 ten contested states lacking conventional international recognition: South Ossetia & Abkhazia, Transdniestria, Nagorno Karabagh, Kosovo, Somaliland, Palestine, Northern Cyprus, Western Sahara and Taiwan (Geldenhuis, 2009:2). Geldenhuis' criteria was that the concerned entities should have existed for at least three years as purportedly independent, which excludes several entities from this group, such as the Kurds in Iraq and Turkey, the Aceh region in Indonesia, and the Ogaden in Ethiopia (Geldenhuis, 2009:2). As of 2012 Palestine's status changed to UN observer status, where the U.N. General Assembly approved the de facto recognition of the

(some for decades) and comprises about 33 million people (Geldenhuis, 2009:2). This number seems minor when compared with the total of 193 internationally recognised states seated in the United Nations General Assembly representing roughly 7 billion people⁵. The mere number does not, however, reveal the full story of failed requests for internationally recognised statehood. The unsettled political status of the unilateral attempts at state formation often creates regional and international instability, typical in form of armed conflict between the central state and the breakaway region. The free exercise of people's human rights and freedoms are further complicated within these entities, highlighted by a recent release from the UN Office of the High Commissioner for Human Rights⁶. Hence, tensions and conflict often surround these aspirant states' genesis, continuing existence and ultimate their political designations (Geldenhuis, 2009:2).

Given that these contested states' situation cannot be dealt with by the international system, their ultimate political destination is surrounded by controversy. As such the label 'contested states' highlights the entities defining feature, namely the internationally contested nature of their asserted statehood (Geldenhuis, 2009:3). This deficit in international recognition means that these contested states' original states and the broader international community challenges both their "*right to exist as sovereign states and their actual existence as such*" (Geldenhuis, 2009:7).

Contested states are additionally emblematic of an international issue that presents a particular predicament to the international community and its foundation of sovereign states, namely "*the potential dismemberment of an existing state and the formation of a new one*" (Crisis Group Africa, 2006:1). This further directs attention to the contradictory concepts of self-determination and territorial integrity found in the U.N. General Assembly's Declaration (Eggers, 2007:217; UN, 1995). The section notes that member states will "*continue to reaffirm the right of self-determination of all people*". However, recognition of the "*inalienable right of self determination . . . shall not be construed as authorizing or encouraging any action that would dismember or impair . . . the territorial integrity or political unity of sovereign and independent States...*" (UN, 1995). However, as the world today is parcelled out by sovereign

sovereign state of Palestine, while European Union (EU) and most EU countries, have yet to give official recognition (Reuters, 2012, 2014). In October 2014 Sweden, as the first long time member of European Union, has officially recognise Palestine (Reuters, 2014).

⁵ www.un.org/en/members/growth.shtml, 2014.

⁶ UN Office of the High Commissioner for Human Rights. *Human Rights Do Not Have Any Borders: Pillay*. News Release, February 14, 2013.

states no territory is left without ownership, which leaves contested states and their right of self-determination in an infeasible battle with sovereign states and their right to territorial integrity. This emphasises the bind contested states find themselves in. As a result, contested states have a peripheral existence outside the boundaries of international legitimacy and are “*condemned to a twilight existence at the fringes of the international community of ‘confirmed’ states*” (Geldenhuis, 2010).

1.2 The entities in question...

There have been few cases, where the act of secession has been successful in achieving widespread recognition against the wishes of the central authority in the origin state⁷. The bias against secessions can for example be seen in the consensus among international actors, including United Nations and European Union, that Cyprus, which has been partitioned for over thirty years between the Turkish-dominated area in northern Cyprus and the original veto state, the Republic of Cyprus (under Greek Cypriot rule), be put together as a single state (McGarry, 2004:x; Geldenhuis, 2009:170).

Somaliland, another present example, declared its independence from Somalia shortly after General Siad Barre’s regime was overthrown in January 1991⁸, thereby presenting the international community with the question of whether to recognise it as a state. Somaliland achieved independence on June 26 1960 from Great Britain, and united five days later with Somalia, the former Italian colony, to form the Somali Republic. It is from this union Somaliland seeks to withdraw by claiming re-installment of its former status as independent state. Several scholars have argued that Somaliland has a strong historical and legal claim to full statehood (Bryden, 2004; Pham, 2011, Geldenhuis, 2009). The international community has consistently evaded answering this claim and Somaliland’s secessionist origin has condemned it to more than two decades as contested statehood (Farley, 2010:777).

The mutually exclusive claims of authorities in Mogadishu (Capital) and Hageysa (Somaliland Capital) was momentarily set in 2013, when the international community and

⁷ Of the more recent case we have Kosovo that declared independence in early 2008 and has been recognised by 108 of the 193 UN member states.

⁸ Said Barre was overthrown after a three year long civil war had been fought between the government forces and the Somali National Movement (SNM), a Northwest (currently Somaliland) lead offensive.

Somalia endorsed the Somali Compact (SC), a roadmap on ‘*the priorities of*’ Somalia’s political process and development between 2014-2016 (EU, 2013). The Compact nominated “*a new beginning for a sovereign, secure, democratic, united and federal Somalia at peace with itself and the world, and for the benefit of its people*” (SC, 2013:3). In regards to Somaliland’s recognition aspirations, the SC more crucially settled Somaliland’s political destination in a section entitled the *Somaliland Special Arrangement* (SSA), which acknowledged Somaliland’s development efforts and sets out in “*institutionalising on-going Somaliland processes and initiatives within an overarching and equal partnership between the Somaliland government, its people and the international community*” (SC, 2013:20).

Somaliland’s current status as a special arrangement raises the obvious central question of how Somaliland has moved from non-existent to an object of recognition in the international discourse. Somaliland’s discursive formation also ties to the question of political order and through which processes this order is ascribed meaning and recognised. This thesis will approach these questions by taking as my overall research question:

How has the international community managed dilemmas in regards to Somaliland’s claim of recognition as a sovereign state?

This research question ties on to a range of theoretical debates and perspectives, which will be discussed in the following section.

1.3 Framing the Political Concepts of Statehood and Sovereignty: An Overview

This section presents an overview on the theoretical perspectives in regards to the political concepts of statehood, recognition and sovereignty, which acts context for the study.

1.3.1 Towards an Understanding of Statehood

States have been the fundamental unit of the international system for nearly four hundred years⁹, and yet no generally accepted definition of statehood exists (Farley, 2010:790). In the beginning of the twenty-first century there was almost two hundred of these entities around the world. The most broadly accepted definition of statehood, a somewhat “classical” criteria of statehood, is enumerated in the Montevideo Convention on the Rights and Duties of States of 1933. The convention’s article one provides certain principles that define statehood under international law; “[t]he State as a person of international law should possess the following qualifications: (a) a permanent population; (b) a defined territory; (c) government; and (d) capacity to enter into relations with other States.”¹⁰. Hence, in addition to the subjectivity criteria a-c, the political existence of the state is independent of recognition by other states, as stated in article 16 of the Montevideo Convention. The Badinter Commission echoed the Montevideo criteria in its opinions concerning the dissolution of Yugoslavia: “[A] State [is] a community which consists of a territory and a population subject to an organized political authority [and] is characterized by sovereignty” (Farley, 2010:790). However, the standards conveyed in the convention is silent on the actual content of the domestic state conduct as well as the designation of how states are created, maintained in practise, and how they should relate to each other. As such, no cogent standards exist either in law or in practise, which means that no legislature sets authoritative rules for how sovereignty should be enacted and no court or umpire settles competing claims (Krasner, 2009:2). Hence, in international law there is no international constitution, which dominates the states. The starting point remains the

⁹ The modern international system is usually described as being born with the Peace of Westphalia of 1648 (Krasner, 2009).

¹⁰ Montevideo Convention on the Rights and Duties of States, article 1, (1933).

sovereignty of the state, which highlights the sovereignty's basic political status¹¹. This implies that *although a sovereign state* is today seen to be “*fundamentally composed of a territory, people, and a government, this statement is a partial description, not a definition*” (Fowler & Bunck, 1995:36). In this regard contested states can be seen as a transgression or violation of sovereignty, while their contested nature of non-recognised states is “*defined on the basis of a prior albeit often hidden conceptualization and assumption of sovereignty*” (Malmvig, 2006:xx)¹².

The absence of a common accepted practise in regards to these contested states leave these essential questions as subjects of academic discussion and theoretical dissertations. Much of the literature dedicated to the question of statehood focuses on the legal effect of recognition. According to Hersch Lauterpacht there is probably no other subject in the field of international law in which law and politics are more closely interwoven (Lauterpacht, 1947:V). However, that does not mean that recognition, in the sense of expressing an opinion on the legal status of an entity or authority, is purely a political act that is within the discretion of the recognising State.

The question of the law's influence on recognition in regards to new entities claiming to be 'states' has been the subject of what has been termed the “great debate” between the “constitutive” and “declaratory” schools of thought for over a century (Talmon, 2004:101). The *constitutive* school, developed in the 19th century, contends that a State only becomes a State by virtue of recognition. Recognition, in other words, is *status-creating*. The *declaratory* school argues that a State is a State because it is a State, that is, because it meets all the international legal criteria for statehood. Hence, recognition is ‘only’ *status-confirming* meaning that statehood is independent on recognition by other states, which recognition only has a declaratory effect (Talmon, 2004:101-105; Worster, 2009:125). Thus, “*the international legal personality of a state and its concomitant rights and obligations solely depend on it being able to satisfy the criteria for statehood*”, which are the criteria expressed in the Montevideo Convention (Talmon, 2004:106).

The constitutive theory contends that a requirement for the subjects of any legal system is that they be determined with certainty. In international law that determination has to be by states individually or jointly. This position further contends that non-recognition or the non-occurrence of recognition has *status-prevention* effect. This has the implication that the

¹¹ The thesis has an anti-essential approach to the political concept, which will be covered in Chapter 2.

¹² Translated from Helle Malmvig's intervention/sovereignty distinction (Malmvig, 2006).

constitutive theory is incapable of explaining the contested states in their continuing existence, and their responsibility under international law. The declaratory theory proposes, “*the formation of a new subject of international law is a matter of fact not law. A new State can, therefore, come into existence irrespective of whether it has been recognized by existing States*” (Worster, 2009:118). Despite their different basis, both schools deal with the affirmation of status.

Although many authors state that one or the other theory is confirmed by practise, the record does not bear this statement out (Worster, 2009:118). William Worster argues that “*the competing theories of state recognition and their failings actively demonstrate that recognition of a state does not have any normative content per se, but rather, that the rules of state recognition, although legal rules, are legal vehicles for political choices*” (Worster, 2009:116). On recognition as a deeply politicised act Worster further remarks; “*we have the dilemma of concurrently wanting the right cases to result in independent states while prohibiting the wrong ones from becoming so, and so we sail between political choices, using the language of law... The predominant political choice is most frequently deliberate indeterminacy, a co-existence of mutually opposing arguments. This indeterminacy is most likely deliberate because it permits the underlying rationale for the legal actor’s policies to change and evolve to suit the situation*” (Worster, 2009:116).

The changes on the world map supports this view on sovereignty as a deeply political phenomena and since the end of the Cold War new states have emerged from the dissolutions of the Soviet Union, the former Yugoslavia and Czechoslovakia in Europe. Asia has witnessed the birth of East Timor. In Africa, Eritrea gained its de jure independence from Ethiopia in 1993, and southern Sudan gained its independence from northern Sudan in 2011. The international state system showed ability to cope with the massive increase in the number of sovereign states, which accompanied the decolonisation process. The international system has also been exposed to the reunification of the two Germanies and the two Yemens, which both (re)united in 1990. The cases show that the international system has an ability to accommodate territorial change and change in the status of its units without being thrown into crisis (Pegg, 1998:22). The way the world map looks today is therefore neither permanent nor preordained.

Over the past centuries, the territories we refer to as states have been claimed, changed, dissolved, absorbed, while these territories’ inner content has undergone intense changes. In this constructivist view the modern state system as an inherently social construct,

an artificially created political arrangement, which means that the state is a distinct historical phenomenon, not an inevitable feature of human life (Pegg, 1998:16). However, construct or not, states count as the dominant actor in the contemporary international system, and there are strong institutional and practical reasons not to expect the state system's imminent demise. Thus, regardless of whether a state is a state in the 'great' debate between the constitutive and declaratory schools of thought, or fulfils the criteria in the Montevideo Convention, the political act of recognition or non-recognition is the defining feature: "*with international recognized personality absent, unrecognized states suffer a disability in the modern international system*" (Farley, 2010:792).

Consequently, the important question to ask is not *when* a state is a state, but rather *how* a state becomes a state – and to *whom*. From this follows that a state may be a state internally but not externally: "*Though political communities . . . can without recognition continue to operate as states within the four walls of their domestic (territorial) enclave, they cannot enter into relations with any other state unless that other state expressly, or by putting up with such relations... impliedly recognize[s] that political community as a subject of international law*" (Farley, 2010:792). Consequently, recognition is more than a mere formality in the contemporary international system, and as the International Crisis Group has remarked on the case of Somaliland "*its denial places real constraints on the capacity to function as a modern state, both domestically and internationally*" (ICG, 2006:12).

Lassa Oppenheim, regarded by many as the father of the modern discipline of international law, stated on the modes of recognition: "*...International Law does not say that a State is not in existence as long as it is not recognized, but it takes no notice of it before its recognition. Through recognition only and exclusively a State becomes an International Person and a subject of International Law*" (Oppenheim, 1912:117). Oppenheim further argues that; "*History...records many cases of deferred recognition, and apart from other proof, it became thereby apparent that the granting or the denial of recognition is not a matter of International Law, but of International policy*" (Oppenheim, 1912:118). It then applies that there is no universal statute under international law governing the recognition of the independence and sovereignty of new states. Statehood recognition, in other words, is played out as a political act at the hands of the political authority in the international system¹³.

¹³ International relations studies that has shown how the criteria for recognition have varied considerably over time can be found by Bartelson, 2013:116; Weber, 1995; Krasner, 1999:26-36.

To summarise, recognition by other states is an important initial distinction between states and non-states, since this very act grants political identity in the international system. However, as shown the recognition act relies on a highly selective principle. As a result, for contested states like Somaliland *”the most severe constraints in the move from autonomy to independence... remain the regional and international political environment in which they exist”* (Kingston, 2004:11). This international political environment is characterised by the concept of sovereignty, which will be thematised next.

1.3.2 Sovereignty

The concept of sovereignty constitutes the silent companion to statehood, since the very right to presence and representation in the current international system is entailed in the denomination as sovereign. As noted by Alexander Murphy, *“in the middle ages, European territorial structures were complex and overlapping, and no one particular hierarchy of governance dominated throughout. Highly variable sense of territory and space were associated with these territorial structures”* (Murphy, 1996:84). Over time the Westphalian territorial ideal linking power and territory became the accepted norm in Europe, which meant, *“a map of individual discrete states reflected a map of effective authority”* (Dunn, 2009:434). Jackson presents a useful description of sovereignty as *“a premise or working assumption of modern political life: namely that some authorities are supreme, but others are not; that some authorities are independent, but others are not. Those, which are supreme and independent, are the leading authorities of the modern world. They are the political people who are most likely to be listened to when they speak from their positions of authority”* (Jackson, 2007:21). In other words, modern political life finds in sovereignty its constitutive principle that links space, authority and power into the territorial units called state, which can participate in the political life and enter into relations with other sovereign states (Jackson, 2007:8).

In this way, sovereignty holds both continuity and change, since it reveals itself *“as an idea that over the last 400 years has been constant over time, but at the same time subject to significant variation in its historical manifestations”* (Jackson, 2007:22-23). In this sense, the linked premises for political life have remained the same over this long period entailing that *“the land surface of the planet is partitioned into a number of separate bordered territories; that a certain determinate authority is supreme over all other authorities in each territory; and*

that those supreme authorities are independent of all foreign authorities” (Jackson, 2007:23). What is on the other hand changeable and varies are the answers that have been given to the question: Who is entitled to hold and exercise sovereignty? A question that according to Jackson reveals different doctrines or principles that prevail in different historical periods and in different places at the same time (Jackson, 2007:23). This points to the necessity of a historical approach to identify the development of important political discourses (doctrines and principles) on sovereignty and its expansion.

A poststructuralist approach that engages with the entitlement of this question is presented in the book *Simulating Sovereignty: Intervention, the State and Symbolic Exchange* by Cynthia Weber (1995). The poststructuralist investigation starts with a different focal point, namely by challenging the very concept of sovereignty and thereby sovereignty’s presumed precedence as the fundamental rule or structure of authority. Weber points to how the meaning of state sovereignty is contingent and is a site of continuous political struggles, where agents and practises constantly participates in reconstructing each other (Weber, 1995:3). A state is defined by Weber as “*an identity or agent*” and sovereignty as “*an institution or discourse*”, which both are “*mutually constitutive and constantly undergoing change and transformation*” (Biersteker and Weber, 1996:11). It is therefore not possible to talk about the sovereign state as an ontological being without engaging in the political practise of stabilising sovereignty’s meaning. Stabilisations of sovereignty can be studied through a number of political practises. Malmvig (2006) and Weber (1995) propose the practise of political intervention as one that fixes state sovereignty historically (Malmvig, 2006:18). This thesis will be based on the inferences of the work of Weber and Malmvig, but the case investigated will not be one of intervention, but of recognition. The practise of recognition and its conceptual opposite non-recognition draw the distinction between the inside and the outside, which enables the international system to recognise itself within this boundary. However, at the same time, the practise of recognition only gives meaning on the backdrop of a prior conceptualisation of sovereignty, since recognition is always in relation to something and contrary to something different – in the case of a contested state that which is not recognised, not sovereign. Sovereignty and recognition is then mutually constitutive.

The case of Somaliland offers a particularly sharp lens from which to observe the productive relationship between sovereignty/(non)recognition. When the international community recognised Somaliland as a special arrangement, Somalia’s self-determination and

territorial integrity were violated. In this way, the recent acknowledgement of Somaliland discloses the paradox between the principles of self-determination and territorial integrity in regards to the constraints that exist on the exercise of sovereignty. The recent recognition further places Somaliland's existence in a dubiously mist. Indeed, what materialises in this provisional attempt to manage Somaliland?

As put forth by Bartelson, the most basic ideological function of the concept of sovereignty is “*not to legitimize particular claims to power by specific agents, but rather to legitimize the very political order within which those claims can be made and understood as meaningful by the agents involved*” (Bartelson, 2008:44). From this contention it applies that when a “non-state” entity claims statehood, as in the case of Somaliland, it interrupts the domestic and international order founded on mutual recognition of the sovereign identity, and displays how sovereignty is a deeply political concept that can only be dealt with is through management by the claimed authorities of the international community. In this context, the international community' is the subjectification that hegemonises the political right to judge formal sovereignty, as international law can not deal with the sovereignty issue. In this regard, the case of Somaliland can be used to examine the circular and productive relationship between the actors within the international system observed through the practise of recognition.

This first chapter has argued for why the thesis's overall research question: *How has the international community managed dilemmas in regards to Somaliland's claim of recognition as a sovereign state?* should be approached from a poststructuralist framework. The research question will be answered through two specific sub-questions:

The first sub-question will be unfolded as a diachronic constitution analysis investigating: *Through which historical processes did Somaliland appear as something that can be thematised?*

The second sub-question will be based on the first analysis of historical constitutions, be unfolded as a synchronic actualisation analysis and investigate: *How do the international community currently manages Somaliland?*

1.4 Reading Strategy

This chapter has positioned the study and its research question within the theoretical perspectives and debates on statehood, sovereignty and recognition. The next chapter will present the thesis's analytical strategy, which will structure the analysis and present the specific analytical delineations made and the case study. Chapter three and four consist of the diachronic and synchronic analysis, respectively. The diachronic analysis will examine the historical thematisation processes by investigating how the international community discursified¹⁴ Somaliland from 1991-2013. The diachronic analysis will set the condition for the synchronic analysis of the Somaliland Special arrangement (SSA), which displays the current international management of Somaliland. In this sense, the synchronic analysis will contribute with an actualisation of current sovereignty practises, whereas the diachronic analysis will act as the historical and essential analysis in answering the research question in the final concluding chapter.

¹⁴ 'Discoursivation' refers to the transformation of central actors' utterances into available and binding discursive facts. This will be covered in depth in chapter 2.

2. Analytical Strategy

This chapter will outline the analytical strategy upon which my research is premised. An analytical strategy emphasise that the way in which the objects or field of investigation are studied is an analytical choice made by the analyst (Åkerstrøm Andersen, 2003:XIII). In other words, the selected theory and analytical framework have consequences, which will decide what will be studied and how the social reality will emerge, and further determine what the analyst will be able to state and conclude (Esmark et al. 2005:7-11). As a result, this chapter will open the analysis up for critique by being explicit of the specific analytical delineations made, for instance, the claim that state sovereignty is a phenomena of contested and changing meaning that have real implications for the political order and the formation of political identity, and is thereby best understood as a discursive practise.

Below, I will address each constituent of my analytical strategy. First, the scientific gaze that informs the thesis's analytical strategy will be presented; secondly, an introduction of the thesis's theory will follow; Thirdly, a presentation of the analytical elements that condition and structure the thesis's analytical framework and empirical data will be presented. The chapter will further reflect on the analytical framework's implication for the thesis's enunciation, aim, and scope.

2.1 The Scientific Gaze and Analytical Strategy

This section will present poststructuralism's scientific gaze will clarify why social phenomena such as state sovereignty should be studied as a "*discursive practice, rather than an objective reality; as a question of how it is spoken of, rather than what it is*" (Malmvig, 2006:1). Poststructuralism's ontological assumptions entail a series of epistemological choices¹⁵, which

¹⁵ Ontology can simply be formulated as the study of what is. A theory's ontology is the position's foundational assumption on how the social reality is constituted, hence the nature of the social phenomena under investigation; its being, becoming, existence, or reality, and the relations between the different units of social reality (Hofweber, 2004). Epistemology addresses how this assumed reality (the theory of science's ontology) can be known, and how knowledge and beliefs can be assessed.

structures the observational perspective and have implications for how the study is conducted. They can schematically be formulated in three core assumptions¹⁶:

Firstly, reality is constituted discursively. This assumption is based on two sub premises: firstly, meaning develops solely by means of language, which means that no meaning exist outside of language; secondly, what is *real* is discursively constructed or *mediated*, which means that everything that emerges for us is always already discursive. As a result, in order for 'something' to be reasonable it must refer to already existing horizons of meaning or actions. This does not mean that the world does not exist separately of language and thought, but rather that *“the reality cannot be assessed, understood or rendered meaningful in the absence of speech and interpretation and reality therefore always constitute an already given empirical referent which knowledge and truths must correspond and refer to”* (Malmvig, 2006:2). In this regard, phenomena like state and sovereignty are not already givens in the world, but social phenomena that have to be consistently produced in order to exist (Stormhøj, 2003:33).

Secondly, discourses vary historically and as such history forms the background for our realisation. This means that discourses represent the conditions for opportunities: It is not possible to recognise anything except through particular (historically specific) discourses (Stormhøj, 2013:33-34).

Finally, any representation or description of reality is a limited description based on a combination of definition and exclusion processes. In order to establish a relatively unambiguous meaning, to stabilise reality in other words, other possibilities have to be shut out. Exclusions are therefore a fundamental part of discourses. The constructed *reality* and the restrictions that help to create reality are most often understood as a question of exercising power or struggles over interests and values. The struggle is incessant as it takes place in a plurality of discourses, which are in competition to define reality, or a specific segment of reality by omitting other possible definitions (Stormhøj, 2013:34). In this regard, *reality* is always essentially contested and provisional, which means that the thesis is an empirically informed interpretation of a specific segment dependent on time and place (Del Sarto, 2006:41).

¹⁶ These three core assumptions has been freely translated from Stormhøj, 2013:33-34.

Poststructuralism's core assumptions imply that language is ontologically significant, which means that the social reality does not exist independently of language, as it cannot be separated from the realisation of it (the meaning attached to it). From this contention, *sovereignty is nothing in itself before speech (words or ideas) and without the actions and practices that enact these ideas*" (Dunn, 2003:10; See also Malmvig, 2006:2). Hence, sovereignty as any "*social reality is only intelligible inside discourse and its representation practices*" (Dunn, 2009:426), and can therefore only become intelligible through discourse.

A discourse is in this thesis defined as "*an ensemble of ideas, concepts, and categories through which meaning is given to social and physical phenomena, and which is produced and reproduced through an identifiable set of practices*" (Hajer, 1995:44). In this way, discourses "*enable actors to 'know' the object in a certain way and to act upon what they 'know'*" (Dunn, 2009:427). As such, a discourse is an orderly practise that determines who can say what, where and when. This is what we call the *discursive order* in which discourse and discoursing subjects are regulated (Hajer, 1995:44). This is the constituent dimension of the discursive practise, which makes certain subject and object positions available.

Discourse analysis is a method to analyse what language does and by employing this analysis method, the poststructuralist perspective will be complemented with a theory that strongly emphasises the importance of social actors and social actions. Furthermore, by exploring the object of investigation through discourses we remain on the level of epistemology, which for this thesis means that Somaliland, like any given phenomena is approached as an ontological effect of practises, which is constituted and reconstituted, and not a pre-given subject (Weber, 1998:78). This approach will shift the focus from an essentialist question of being to a constructivist question of becoming (Malmvig, 2006:1). It then follows that the thesis's observational perspectives (poststruturalism and discursive analysis) creates state sovereignty as the study's object, through the historically contingent (re)constitution of state sovereignty. These two positions will be introduced further below, where the theoretical and analytical framework will be presented.

2.2 Theoretical Framework

The thesis's theoretical framework is consequently informed by poststructuralist scholarship on the notion of sovereignty, whose readings of sovereignty performs as an observing bearing concept to examine the workings of the international politics of recognition.

As covered in the introduction, *“the modern discourses on sovereignty rest on the assumed (and naturalised) link between political space (discrete territorial entities) and political authority (claims to be the final and legitimate authority on most if not all political, social and economic matters)”* (Dunn, 2009:436). According to Weber, this political-territorial establishment of modern sovereignty naturalise the state by rendering it prediscursive (Weber, 1998:92). The poststructuralism contends that neither state nor sovereignty is prediscursive concepts and sovereignty should instead be understood as *“a discursive means by which a ‘natural state’ is produced and established as prediscursive”* (Weber, 1998:92). In this way, it is not possible to talk about the state as an ontological being without engaging in the political practise of constituting the sovereign (Weber, 1995). Following this, sovereignty marks not the location of a foundational entity, but a site of political struggle (Weber, 1995:3). This struggle is according to Weber *“the struggle to fix the meaning of sovereignty in such a way as to constitute a particular state – to write the state – with particular boundaries, competencies and legitimacies available to it”* (Weber, 1995:3). As a consequence sovereignty is best thought of as a discourse object, which becomes constituted through various discursive battles and practises, rather than a contingent and fixed entity.

Bartelson demonstrates in his book *Genealogy of Sovereignty* how sovereignty historically has been deeply contested and has been granted on very different grounds ranging from the principle of self-determination and territorial control, to increasingly over the last couple of decades modern standards of human rights and democracy (Bartelson, 1995; Bartelson, 2013:116). Another poststructuralist scholar, R.B.J. Walker, has showed how sovereignty is a powerful modern resolution to questions of political identity that effectively answers who we are and where we are (Walker, 1993; Malmvig, 2006:10). Hence, the crucial issue regarding interpretations and explanations of the sovereign state becomes its historical constitution and reconstitution as the primary mode of subjectivity in world politics when both concepts have historically been deeply contested (Devetak, 2005:172).

2.2.1 The Practise of Recognition in the Current International System

Since the Peace of Westphalia in 1648, the dominating discourse of sovereignty designates the state with supreme authority over a polity and the right of non-external interference in internal matters. For the power holders in a given 'state', recognition of sovereignty is thus an indispensable attribute, since it is the enabling condition for existence in a political order inhabited by states. As Bartelson writes, "*To be sovereign is, in essence, to be representative*" (Bartelson, 1995:153). In this regard, recognition of sovereignty becomes the foundation from which all international relations dialogue begins, as recognition is the social status that enables states to be participants within a community of mutual recognition of one another's right and to exercise exclusive political authority within territorial limits. In this sense, recognition functions as a form of 'social closure' that empowers and helps stabilise interaction among states, while disempowering non-state actors. This means that recognition of statehood not only constitutes a particular kind of state – the "sovereign" state – but also constitutes a particular form of community of relational identities. It therefore applies that "*there is no sovereignty without an other*" (Wendt, 1999:96). Recognition's centrality for state sovereignty is highlighted by Bartelson, who notes: "*Sovereignty is not only what we make of it, but equally that which constitutes the identity of its maker by virtue of being at stake in their recognition games*" (Bartelson, 2008:41). Bartelson here points to how sovereignty is an on-going process of claims about superiority and autonomy (Adler-Nissen, 2009:9).

The contemporary discourse on sovereignty excludes that more states can rule simultaneously over the same territory. This means that when a non-state entity like Somaliland claims recognition, the territorial property right of the sovereign origin state, Somalia, is not only challenged. Somaliland's claim and practise of statehood also challenges the very political order the international community is founded on. Namely, that the modern institution of sovereignty exists only in virtue of certain inter-subjective understandings and expectations; one of them being the mutual recognition of the collective sovereign identity.

The recognition practise as one of the practises that participate in the production of the international system will be used as analytical observation perspective in this paper. However, as pointed out by David Strang, the practise of recognition and the 'sovereign' community it constitutes will coincide, reinforce, and legitimise each other, which means that the 'recognition' practise or game is hard to observe (Strang, 1996:23). According to Strang

“opportunities for analysis expand in messier contexts, where understandings of appropriate form (what should a state look like?) and relations (how should states behave towards each other?) are contested” (Strang, 1996:23). The case of Somaliland presents such a messy context and an analytical opportunity to examine constitutions of state sovereignty through the international community’s political management of Somaliland, which eventually developed into recognition. Hence, the practise of recognition will be investigated by following their discursive management of Somaliland.

2.3 Conditioning the Gaze

The previous sections established the thesis’s special gaze and object of investigation that will approach Somaliland as an immobile case of ‘how the meaning of sovereignty is outplayed via political recognition’, which will be explored through a discourse analysis. The relationship between the discursive practise of (non)recognition that gradually constitutes Somaliland as a political entity can be illustrated as:



The relationship between the discursive practise of recognition and the discursive object of Somaliland that participates in the discourse production of sovereignty will be explored by examining the international community’s articulations of Somaliland over time and in space through a diachronic and a synchronic analysis. However, before a presentation of how the historical reconstruction of Somaliland will be examined, a delineation of the subjects from which Somaliland is observed is in order.

The process of 'writing the state' involves many actors and practises, and the construction of the international community as a subject position that participates in the historical discursive production of the object Somaliland, is an analytical choice, which allows a position to observe from. In this paper, the international community is constituted of sovereign states and supranational organisations, such as African Union (AU), United Nations (UN), European Union (EU), which are based on cedes of sovereignty from the member states. This displays how the international system is constituted by more positions than the obvious individual sovereign states, which further opens the international system up for empirical investigation. This is, however, beyond the scope of this paper.

An important distinction to make is that the international community is explicitly treated as a construction in this thesis that informs the thesis with an analytical device. The international community is, further, a structure that itself is at stake in the recognition practise and discourses examined in this thesis, but what effects this practise and discourses have on the international community will not be object of investigation. The focus will solely be on how Somaliland is granted meaning by the community it seeks recognition of. Reflections will be made over this choice in the concluding chapter's section 5.1.

As Somaliland is the object through which the practise of recognition/non-recognition is observed, Somaliland will only appear when communicated about by the international community and not granted a position from where to speak. Somalia, from which Somaliland has spawned, is equally not considered. Secessionist claims are often assigned to the origin state, however in the concrete case Somalia's sovereignty and statehood is equally at stake. The empirical data used further supports and documents that the question of Somaliland's status is an internationally managed process. Hence, as we shall see, the international actors when communicating about Somaliland's recognition claims continuously refers the question to the AU or/and the international community, hence Somalia is not rendered an authority in the Somaliland matter¹⁷.

The choice of excluding both Somaliland and Somalia as producers of the practise of recognition is a delimitation of the study. The choice of only establishing the international community as observation bearing position creates an analytical bound focused narrative, which answers the research question. This question has been formed on the basis of the thesis's theoretical assumption that states in the current sovereign system must obtain recognition from

¹⁷ This claim is further supported by Geldenhuys (2009:144) and the EU (2013).

other states in order to become states, which means that the authority to label something official lies with the international community. If Somaliland and/or Somalia had been included it would have meant another research question. The implications of this choice will be treated in the later section, 2.6 Critical Reflections and further in the concluding last chapter.

2.4 Diachronic and Synchronic Analysis

The first analysis will be a diachronic analysis, which allows an historical reconstruction of Somaliland's recognition. A diachronic analysis is “*concerned with the constitution of a specific event, showing the contingency of the discursive process of selections and mutations*” (Malmvig, 2006:30). In other words, this analysis starts by problematising the present by asking how we arrived at the present situation? This question forms and justifies the thesis’s critical perspective, since by asking this question we do not assume that the present expresses a necessity.

As we diachronically study a specific process of constitution, the question of how change is possible must be addressed. The international community has been constituted as the active subject that participates in the production, reproduction and transformation of Somaliland over time. However, in order to study this production of discursive formation, we need to identify and structure the set of rules behind the statements that ordered the international community’s thematisation of Somaliland.

First and foremost we need to establish what constitutes a statement? When can a statement claim validity in regards to the central phenomena? (Bjerg and Villadsen, 2008:97). Foucault sets up three criteria that a statement has to fulfil in order to be a statement in the discourse analysis: An object has to be created, a subject position has to be established and the statement should be part of a network of concepts (Bjerg and Villadsen, 2008:97). These criteria will be applied in the study, which means that I will ask question to my empirics in regards to Somaliland’s position in it. An object position will be judged when Somaliland is articulated in regards to concepts, however passively. A subject position will be judged when the conceptual repertoire and a space for ‘Somaliland’ to take up a position in the structure of rights that are made available by those using the repertoire, which depend on the actor who articulates and the network of concepts applied. Hence, a subject position is identified in the

statements when Somaliland is allocated with a specific meaning that constitutes and reconstitutes Somaliland's (social) identity.

Maarten Hajer's analytical framework and discourse tools of storylines and discourse coalition will furthermore be utilised as analytical leading concepts to analyse the production of change.

The concept of storyline is defined as "*a generative sort of narrative that allows actors to draw upon various discursive categories to give meaning to specific physical or social phenomena*" (Hajer, 1995:56). Storylines work metaphorically as reductive discursive devices as they refer to broad and complex debates through simplified narratives, which actors can apply in their political struggles or "argumentative games" (e.g., recognition politics) to achieve dominance or hegemony in that discursive space. When "*a group of actors that, in the context of an identifiable set of practices, shares the usage of a particular set of storylines over a particular period of time*" (Hajer, 2010), a discourse coalition have been created, which is the other concept that will be applied in the analysis. A discourse coalition is accomplished when the conditions of *discourse structuration* (when actors use a discourse to conceptualise the world and depend upon the usage of this particular discourse for their credibility) and *discourse institutionalisation* (when discourse is reflected into institutional and organisational arrangements such as policy documents) have been met (Bingham, 2010:5). In this regard, storylines create a common frame of reference, the discursive cement, which go through different degrees of segmentation (structuration and institutionalisation) that gathers different actors in a discourse coalition (Hajer, 1995: 65).

The concept of storyline becomes Hajer's solution to discourse theories' general lack of explanation in regards to the active subject and an explanation in regards to permanence and change. The value of this concept will together with the concept of discourse coalition become clear when used to identify and analyse the discursive order appearing in the Somaliland case in which discourses, and discursive objects/subjects are related.

2.4.1 Discourse of stateness and Discourses of Sovereignty

Kevin Dunn has investigated how the state is discursively produced in the context of African National Parks. Dunn identifies two dimensions, which he argues are central in the discursive

production of the state in the current international system. The two dimensions that participate in the discursive production of the state in a significant way are “*discourses about the state’s identity vis-à-vis other states and ‘international’ society (discourses of sovereignty) and discourses about the state vis-à-vis bounded ‘domestic’ society (discourses of stateness)*” (Dunn, 2009:427). The distinction presented by Dunn is made as a mostly heuristic device, since the two discourses are interrelated. Furthermore, these two dimensions are far from the only dimensions participating in the state’s discursive production, as “*identities or agents like the state are never the product of any one institution or discourse*” (Biersteker & Weber, 1996:13). However, according to Dunn, these are the most significant in relation to the production of the *current* international state system (Dunn, 2009:427). From Dunn’s deduction it applies that “any discussion of ‘state capacity’ is really a discussion on the ability to meet the claims of the discourses of stateness” (Dunn, 2009:429). While the discourse on sovereignty holds it all together, since it is from here stateness gets constituted linking authority, territory, population, and recognition within an international community as well as within domestic political communities (Dunn, 2009:428). In practise, however, different actors within the international community produce different discourses of stateness and sovereignty.

As the actors of the international community create alliances and formulate new versions and strategies for community development, Dunn’s two discourses represent the international actors with the means by which they can define and redefine social reality. In this way, Dunn’s two discourses are expected to appear as strategies through which the international community negotiates Somaliland. This does not mean that the study grants these discourses prior meaning, but rather that an analytical choice has been made on investigating the case of Somaliland from two discursive practises that is argued to be the temporal discourses that sustains the current state's discursive production. Hence, it will be examined in which way these two discourses appear and are applied in the concrete case of recognition.

Hajer’s concepts of storyline and discourse structuration will be used as a analytical tool to identify and structure the set of discursive rules, which ordered the international community’s statements of Somaliland and Dunn’s identified discourses of stateness and discourses of sovereignty will be applied as leading analytical concepts that is expected to be the discourses Somaliland that is applied by the international community to manage Somaliland.

By applying these leading analytical concepts, I have identified three stages, which Somaliland went through from 1991-2003 constitution it as an object of non-being to an object of non-recognition ending with an object of recognition, where the strategies (discourse of stateness and discourse of sovereignty) participated in the discursive formation that gradually, but not inevitably established Somaliland as recognised. These three stages suggest a process of discursive selection, but they are analytical constructs not to be understood as ontological titles. The stages have been constructed by careful reading of the empirical material and are applied to structure the rather detailed description of the case, and show the reader how articulations on Somaliland shifted and narrowed between 1991-2013. The three headings emphasises that the diachronic analysis is focuses on how Somaliland was constituted as object of international discursive practises by focusing on how international actors observed, responded to and addressed Somaliland. The diachronic analysis of historical constitution will act as the central analysis for answering the thesis's research question and further set the condition for the synchronic analysis.

Having showed how we arrived at the events in 2013, which rendered Somaliland as a special arrangement, the diachronic analysis is used as a basis for the synchronic analysis, which will study how the recognition of Somaliland produces meaning to sovereignty. The synchronic analysis thereby focuses on actuality by analysing how something is discursively structured within a specific time. Hence, the synchronic analysis presents a static perspective and departs from the present (Malmvig, 2006:35).

The synchronic analysis starts with the international community's current political management of Somaliland by focusing on the specific event *The New Deal for Somalia* conference held in Brussels September 16th 2013 and its Special Arrangement for Somaliland (SSA), which is the special section in the Somali Compact (SC) that presents the development priorities for Somaliland under the New Deal partnership (SC, 2013:21). This analysis's starting point is, in other words, the study's selected contingent end. However, in order for us to understand this current event, where the discursivity on Somaliland can be argued to have raised a critical mass resulting in the constitution of Somaliland as a recognised political entity, we need to have examined the historical constitutions leading up to Somaliland's establishment as a special arrangement in 2013. This highlights that this is an anti-essential analysis, which means that the 2013-event is historically contingent, resting on processes of constitution as

showed in the diachronic analysis. Settling with the synchronic analysis alone would have consequences for this study's enunciations, since I would only have articulations and statements made in regards to the conference, which would render the conference prediscursive and not how this conference is an expression of something new. What the conference is an expression of will only be possible to examine on the basis of the historical perspective covered in the diachronic analysis. In other words, the diachronic analysis will show the evolution of the recognition game, how the storylines interact and how their changes, while the synchronic analysis focuses more directly on how the pieces interact to reveal the rules of the game.

As a discourse coalition is argued to have happened with the SSA, the synchronic analysis will apply Dunn's two discourses. To analyse how Somaliland is discursively structured as a recognised entity in this specific time, the concept of storyline will be applied to follow in which ways Somaliland is constituted as an object or subject position. An object position will like the diachronic analyse be deemed when Somaliland appear in the discourse as passive. While a subject position will be judged when Somaliland is ascribed agency that is able to perform in the statements.

The strategies the international community is presumed to apply in their articulations Somaliland, discourses of stateness and discourse of sovereignty, will also be applied as observational concepts to analyse the statements being made by the international community will be analysed. Furthermore, scholarly contributions on international politics of recognition and the current conduct of sovereignty will be utilized to reflect on and discuss the analytical findings. A concept that will be central is the concept of *contractualisation*, which is presented by Helle Malmvig in the context of European democracy and reform in the Arab World (Malmvig, 2014). Malmvig has examined how liberal governmentality is applied as a management tool of control in EU's democratic initiatives in the Arab world. The concept of 'governmentality', was introduced by Michel Foucault in 1978, understood as a "*distinct liberal mode of power that seeks to regulate and steer the actions of specific target groups toward certain goals, yet does so through ideas of responsible and consenting subjectivities*" (Malmvig, 2014:295). The concepts of governmentality and contractualisation offers distinct analytical perspectives on the questions of power and governance that Malmvig argues are at stake in modern western democratic promotions towards to developing world¹⁸. The two

¹⁸ See also Zaum (2007) and Ringmar (2010) for similar analytical observations.

concepts will be used to analyse which kind of strategies that are applied by the international community in their management of Somaliland in the SSA. Another analytical perspective presented by Malmvig is the concept of *self-regulation*, which is also part of Foucault’s concept of governmentality, which as the word imply practises installed to govern the subject through mentality. This concept will be used to examine how Somaliland self-governance is framed in SSA.

An illustration of the diachronic and synchronic analysis of Somaliland observed from the international community can be seen below:

Object of non-being	Object of Non-recognised	Object of Recognised
Diachronic analysis →		Synchronic analysis ↓
1991-2004	2005-2009	2010-2013

2.4.2 Reading Strategy & Text Selection

The discourse analysis insists on analysing discourses as social practise, and since social and political practise often leave texts as the most important empirical foundation, texts will be this thesis’s primary object of analysis. The discourse analysis sees texts and speech as independent (co-constituting) parts of the social practise. Texts and speech are regarded as production of meaning (Jensen, 2009). The various texts chosen as authorised reading on the international community’s position to Somaliland has been chosen on a range of criteria, which will be presented in the following. As a result, not everything that was articulated in relation to Somaliland is included.

The analysis will remain on the level of discourse; investigating those, sometimes minor, processes of articulations and selections, which conditions Somaliland for the time being and further showing how these enunciations produce meaning to recognition (Somaliland) and the international system of sovereign states. In other words, articulations are understood as those practises that partially fixate relational identities, thereby constituting

meaning. Articulations related to Somaliland will be analysed at their manifest level, which implies foremost that statements are not seen as expressions of something else, but as a specific mode of representation (Bartelson, 1995:7).

The analysis draws on the highest-level official public statements and documents of the selected actors - predominantly statements from public instances: national governments, the European Union (EU), the United Nations (UN) and the African (AU)¹⁹. However, other well-established sources, such as Reuters, the International Crisis Group (ICG), and large newspapers, have also been used. When a statement has been used, a cross reference has always been found from other media sources.

The general timeframe for the analysis is an analytical choice, since, as argued by Malmvig, “*history does not tell us where it begins and ends, beginnings and endings are always discursive constructions*” (Malmvig, 2006:34). As a result, it is the analytical questions posed in this thesis that decide the ending and beginning. The selected ‘end point’: the conference in 2013 raises the central question: *How has Somaliland become the object for articulations in this way (a special arrangement), when Somaliland previously has been non-existent on the international agenda?* This question allowed for an analytical ‘starting point’: Somaliland claimed unilateral independence on May 18th 1991, which gives us a timeframe between 1991-2013. The discursive process of when and how Somalia became a constitutive political entity will be examined in this timespan. In other words, how did Somaliland develop from its non-presence in the international discourse to a special arrangement?

The synchronic analysis will analyse the Somali Compact (SC) and its Somaliland Special Arrangement (SSA), which along with statements from the New Deal Conference and the international actors attending the Conference will be incorporated to the degree Somaliland is addressed. I treat the SC document as autonomous, and as something locally prior to the objects with which it deals and the authors which it implicates. In this regard, the SC document explains the world rather than presenting a *ration scripta*, thus the meaning in it being the meaning and truth of the world of which it speak (Bartelson, 1995:9). As a result, texts are both statements in themselves as well as containers of statements, which will be identified with the analytical and discourse tool mentioned above.

¹⁹ The statements identified and used have all been downloaded from official governmental and institutional webpages in the period 1991-2013.

2.6 Critical Reflections

This chapter has presented the choices and assumptions that will guide the empirical analysis. These choices have consequences for what the thesis can and cannot answer, and hence what might be disregarded.

The aim of this thesis is to establish a lens through which the practise of recognition can be observed, thereby empirically examining one of those practises that upholds the institution of sovereignty and thereby the internal community and essentially the international political order. The intention is, then, to investigate current sovereignty practises, thus providing a snapshot of social reality constructed through the use of certain observing concepts. In this regard, this study can be considered an inventory, though only a very partial one, of some of the representational and constitutive practises that have enabled the international community to uphold the political order.

The chosen scientific framework, poststructuralism, is about undermining the natural and obvious, showing that social reality is socially constructed (Esmark et al. 2005a: 24). Hence, it applies that everything could have been different, which also concerns this study. This means that I will not confirm or refute a hypothesis, because my thesis is a construction of reality based on certain chosen observing concepts. Thus, the conclusion will be a recapitulation of the constructions made with the presented analytical concepts. As a result, no causal determinant explanations of permanence and universality will be derived, and therefore it will neither be attempted to establish nor make plausible theories of this nature. Instead, the thesis will try to give a characterisation of the meaningfulness that is observed, through the analytical concepts, as formative for the object of investigation. This being said, a range of choices has been made causing delimitation of the research, which will be presented in the following.

Firstly, Somaliland's history of constitution is solely constructed from the observations of the international community, and leaves accounts from both Somaliland and Somalia out. This has two important implications for the study's enunciation.

By counting both Somaliland and Somalia out as constitutive actors (subject positions) the study has to some extent constructed a rigid international–domestic binary and reduced the domestic realm entirely. For our case this means that Somaliland's own management in regards to constituting its stateness will only be significant when mentioned by

the international community in their articulations or practise. By omitting Somaliland as a subject position in its own right, the study disregards Somaliland as a co-producing constituent. Besides being an analytical choice that might have consequences for the thesis's explanatory force, this is further a general critique directed towards discourse analyses, which have a tendency to discharge the social phenomena they examine as only existing to the extent that they are talked about in the discourse, thereby counting the object of investigation out in its own constituting effect.

Additionally, Somaliland's formation and current predicaments are undeniably interlinked to the development and events in Somalia, which by the larger international community has been considered to lack a functioning government and has existed in anarchy since 1991²⁰. The very fact that the international community can "*determine the priorities of Somalia for the next three years*" as stated on the first page of the SC indicates that the international community currently has precedent in regards to the conduct of the Somalia state (SC, 2013:1). The SC is the international community's attempt to shape the development path for Somalia and in this regard I will also argue that the recognition of Somaliland in 2013 as a federal entity with special arrangements was a decision carried out predominantly by the international community. However, that is not to say that Somalia's sovereign status and lack of government as well as the international community's management of this have not had implications for Somaliland. How and in which way is, however, an empirical question that will not be dealt with in this study.

²⁰ In 2012 UK's Foreign Secretary William Hague called Somalia for "*the world's worst failed state, one that is staggering back onto its feet*" (Hauge, 2012).

3. Analysis I – From Object of Non-being to Object of Recognition

This thesis was initiated with a postulate put forward by Rob B. J. Walker, who contended that “*States do not simply exist in the world and the modern states system is not coextensive with the world*” (Walker, 2004:xi). The questions asked by the poststructuralist perspective turn theories and concepts into discursive practises rather than neutral representations or explanations of an already given reality (Hansen 2006: 2ff). In this regard, states are not pre-given entities in the world, but is granted meaning and continuously enacted and re-enacted through practises such as recognition. As a result, sovereignty is turned into an object of investigation of how sovereignty is spoken of, known, and practised. Sovereignty is approached as a political construction, which sanctions certain inter-state relations, while blocking others. In this regard, sovereignty guarantees someone - those who are sovereign - a freedom. However, when a non-state actor claims authority of a territory, which belongs to an already recognised state, sovereignty is not only violated, two mutually exclusive claims also exists on the same territory. As covered no natural principle or exists behind the recognition of sovereignty, sovereignty is an inherently paradoxical concept that cannot be solved but has to be managed.

This chapter begins with such a management, namely the international community’s recognition of Somaliland as a *special arrangement* and equal partner to the international community in the SC, which is an action plan for the political development of Somalia between 2014-2017. The denomination as an equal partner was a radical break with Somaliland's hitherto designation in the international discourse, where Somaliland for many years had been non-existing in the international debate, both in regards to international action plans on Somalia and in regards to Somaliland’s unilateral claim of independence. The international community’s nomination of Somaliland, as a self-governing entity, was neither a given fact nor an evident outcome of a linear process. These crucial fixations were an outcome of discursive battles, which gradually constituted and re-constituted what Somaliland was about, and how the international community should manage it. By departing from the question of how this discursive fixation came into being, the purpose of this analysis is to trace how this gradual movement happened. How did Somaliland come to emerge as a self-governing entity

(an equal development partner) in the international discourse?

3.1 Somaliland as an Object of Discursive Formation

We know the last chapter that has been writing thus far in the story of Somaliland: the New Deal for Somalia conference granted Somaliland a degree of autonomy that it had not previously been assigned. On the contrary, from Somaliland's secession in 1991 (the chosen constitutive event) to the New Deal 2013 (the arbitrary ending), when the international community could no longer ignore Somaliland, Somaliland moved from an object that was not thematised to an object of recognition in its own right, as a self-governing political entity.

This 22-year long history of discursive formation will be examined by identifying the storylines and discourse coalitions in the international community's articulations on Somaliland between 1991-2013 that made this constitution possible. Before we begin the analysis, a short historical context of what went before Somaliland's claimed unilateral independence is in order.

3.1.1 Setting the Stage – The emergence of Somaliland

The plight of Somaliland can be argued to be largely a product of contemporary history, and our narrative will begin shortly before the advent of colonial rule (Lewis, 2008). During the pre-colonial period, Somali society was predominantly nomadic, and organized on the basis of kinship, with social and political relations structured around clans, sub-clans and families. Ad hoc assemblies of elders managed the internal and external affairs of the respective groups, drawing on customary law (xeer) as well as the Islamic Sharia. The British signed various protection treaties with clan elders in the northwest, establishing the Protectorate of British Somaliland in 1887. Somalia, the southern part, came under Italian colonisation.

Somaliland enjoyed a brief existence as an internationally recognised sovereign state in 1960 between the exit of its British protectorate and its union with the ex-Italian colony of southern Somalia (Bryden, 2004: 342). Of the eighteen African countries that became independent in 1960, Somaliland was the fourth. It was welcomed by thirty-five nations

including five permanent members in the United Nations Security Council.

During a brief period of parliamentary civilian rule (1960-69), the new country experimented with western democracy, which according to Fadal et. al proved poorly adapted to the stateless, clan-based nature of Somali politics (1999:15). The post-independence period was characterized by a flourishing of clan-based political parties, heavy reliance on budgetary support from other countries, growing public discontent particularly in the northwest (present-day Somaliland), visible corruption and over-centralisation of power in the southern capital, Mogadishu (Ibrahim and Terlinden, 2007:69).

Following a military coup in 1969, General Siad Barre launched a path of 'scientific socialism', supported by Soviet military and development aid (Lewis, 1998). Barre's vision demanded the dismantling of the traditional clan-based social-order, economic networks and political institutions upon which the majority of Somalis still depended. Deserted by the Soviets in 1977, Somalia experienced a huge influx of Western development and humanitarian aid. Massive amounts of foreign aid were diverted and misappropriated by the regime and very little of the assistance ever reached the north. During the 1980s, it became evident that the Isaaq clan had been singled out as a target for political, economic, social and cultural oppression⁶. The dissatisfaction with the regime led to the establishment of the mainly Issaq-based Somali National Movement (SNM) in 1981. By 1982, the SNM had established bases in Ethiopia, from where it fought an armed struggle against the regimes forces in the north, initially in the form of underground cross-border incursions (Fadal et. Al, 1999:18). The government countered by redoubling its campaign of brutal repression. In 1988 the SNM launched an all-out offensive against government forces in the northern towns Hargeisa and Burco. The government replied with brutal ground and aerial bombardment. Over 50,000 people are estimated to have died, and generating massive displacement, more than 500,000 fled across the border to Ethiopia. What remained of northern towns and villages was systematically destroyed by government forces, plundered and scattered with hundreds of thousands of landmines. Other rebel movements were growing simultaneously and two years after the bombing of the northern part, Siad Barre was ousted in January 1991 and replaced by an interim government.

The SNM had originally intended to maintain the union with the south, but signs of southern domination made SNM announce that the northern regions were withdrawing from the union and reasserting their sovereign independence as the Republic of Somaliland (Ibrahim

& Terlinden, 2008:70). In the south, none of the competing factions were strong enough to take power and fill out the vacuum Somalia was left in, which evolved into chaos and gradually a form of stateless order. Somalia has been without a functioning state since 1991 (Møller, 2009:4).

Somaliland has emerged from this complex political reality and defines itself with respect to the territory, boundaries, and people of the former British Somaliland protectorate, which covers 137,600 square kilometres and today has an estimated population of 3.5 million²¹. The de jure borders of the Somali state remains to this day, and Somaliland's claims of re-installment of its former status as an independent state has not been internationally endorsed. In December 2005 Somaliland formally applied for AU, but the application has never been discussed by the African Commission (ICG, 2006). In 2013, the New Deal for Somalia Conference recognised Somaliland as a self-governing part of the federal Somalia²².

3.2 Somaliland as an object of non-being: from Northwest Somalia to 'Somaliland'

The first stage identified runs from Somaliland's claimed unilateral independence in 1991 to the early 2000s. In this period Somaliland can be seen as what I have termed an object of non-being. During what counts as more than a decade 'Somaliland' cannot be identified in the empirical material. Hence, the international community makes no mention of Somaliland or deals with its claim for independence. This first stage will be divided into two sections revolving around the theme of Somaliland's discursive movement and the production and reproduction of state sovereignty. The first section describes how Somaliland was thematised in this period, which shows a movement from an object that cannot be thematised to an object that can. The second section examines how the question on Somaliland's recognition, which begins to materialize discursively in 2004, is produced within a storyline of responsibility argued to reside with the recognised sovereign states.

²¹ <http://somalilandgov.com/country-profile/>

²² The current Federal Government of Somalia (FGS) that entered a joint compact with the international community in the 'New Deal for Somalia', was established in September 2012, at an indirect presidential election, which elected a new government and transformed Somalia into a federal state consisting of five federal entities (Somalia, Somaliland, Puntland, Galmudug, Jubaland).

3.2.1 The Northwest of Somalia

From 1991 to the early 2000s, Somaliland is non-existent, which means that Somaliland is not thematised as a category by any international actors. Or that is, Northwest Somalia, which is the territory Somaliland makes claim to, does appear in public documents, for instance, in a UNCHR report as the agency operates from this part of the country (UNCHR, 2003). However, Somaliland does not appear in the empirical material as an independent objective category until the mid-2000.

From 2003, a range of international development activities are initiated and Somaliland begins to be thematised in its own right. The European Union (EU) sends a delegation to Somaliland to '*discuss future cooperation*' in early 2003 (Globalpolicy, 2003). Without explicit recognition of Somaliland, the European Commission initiates a major development project conducted with the Ethiopian government in direct cooperation with the 'Somaliland government' (EU, 2003:7, 9, 22). The report produced for the European Commission's Delegation in Kenya recognises Somaliland's authorities and refers to procedures taken, concerning the project development, if Somaliland should be recognised internationally in the future (EU, 2003:27).

Other acts and articulations displaying the shift in Somaliland's status is the international community's equivocal management as a range of European countries sign a memorandum of understanding with the Somaliland government regarding the return of denied asylum seekers (ICG, 2006:12; UK, 2004: Column 281WH). The International Crisis Group writes "*several European countries, including the UK, Denmark, the Netherlands and Sweden have denied asylum to Somalilanders and repatriated them on the grounds that their homeland is safe and secure*" (ICG, 2006:12). What this *safe and secure homeland* refers to is not explicit and no further clarification is given when a member of the UK House of Commons at a meeting at the UK parliament in the early 2004, comments on this matter saying: "*It is one of those strange fictions that we can have a memorandum of understanding to return failed asylum seekers to a country that we do not recognise*" (UK, 2004: Column 281WH). This statement presents a discursive struggle over recognition by revealing a paradox in which Somaliland is expected to bear some of the international duties of statehood, thus Somaliland is regarded as capable of fulfilling a state's international responsibility concerning refugees, however Somaliland is not an actually recognised entity. Hence, the statement presents a

somewhat schizophrenic stance, where Somaliland on one side is given a subject position, where it is presented as a ‘country’ that can live up to international standards and hold responsibility (ascribed agency through competency) and on the other is affirmed in its non-recognition as an object with no such competencies.

Another statement placing itself within this discursive struggle on the status of Somaliland comes from the South African Department of Foreign Affairs, which in April 2003 authored a legal brief on Somaliland’s claim of sovereign status stating “[I]t is undeniable that Somaliland does indeed qualify for statehood, and it is incumbent on the international community to recognise it. Any efforts to deny or delay would not only put the international community at risk of ignoring the most stable region in the Horn, it would impose untold hardship upon the people of Somaliland due to the denial of foreign assistance that recognition entails” (Brenthurst Foundation, 2011:23). This statement affirms the international community's sovereign authority in matters of recognition, but also brings up the conception of sovereignty as responsibility. According to the South African Department of Foreign Affairs, the sovereign responsibility reside with the international community, which is incumbent to let Somaliland join the establishment of sovereign states as it qualifies for statehood. The statement engaged in a discursive struggle over what sovereignty entails and how this sovereign authority should be managed.

In a Somalia Public Administration Country Profile published by the UN in 2004 semantic movements can be seen towards acknowledging Somaliland as a political entity in its own right. “North West Somalia (formerly British Somaliland)...” is maintained in the beginning of the report, but changes to Somaliland, which appears 14 times throughout the report. Under the heading *Local Government*, the following description is made: “Somaliland seceded from Somalia in 1991 and declared itself a sovereign nation, but no other nations have recognized it as such. Over the last decade, the municipal governments in Somaliland have steadily increased their attempts to provide governance to the region. In the last five years, these governments have begun to collect revenues, again providing them with fiscal autonomy” (UN, 2004:7-8). In this statement, Somaliland is asserted as a state of fact with empirical features of statehood as well as granted a subject position in regards to western standards for governance, hence Somaliland has taken up the position in the structure of rights that are available to those who are part of the repertoire available for the international community of sovereign states. Furthermore, the UN mentions Somaliland two times in their 2004-Yearbook

of the United Nations, one in regards to refugees and another making a comment on Somaliland's "*notable exception*" as participant in the Somali peace talks, which was initiated in Kenya in 2002 and ended with the establishment of the Transitional Federal Parliament, the first governmental institution in Somalia in 14 years (UN, 2004a:110). These two examples show how Somaliland is articulated as an object in central UN reports; a country profile and a year rapport that provides the overview over the year activities undertaken by the UN. However, Somaliland does not appear anywhere else in the official UN vocabulary (Hoyle, 2000:86; Anderson, 2010:1).

3.2.2 The Subjectivity of the Sovereign State: the Constitution of Responsibility

Up through the 2000s Somaliland gradually begins to appear as an object with certain ascribed abilities, amongst these an acknowledgment of Somaliland's efforts and showed accountability towards its population and the international society. The issue around denied asylum seekers are a double attribute to Somaliland, which constitutes Somaliland both as an object and subject; Somali asylum seekers are denied refuge with the argument that their *homeland* is regarded to be safe that indicates that Somaliland is regarded as a physical entity with actual management capabilities.

The various ways Somaliland starts to be articulated both as an object and subject unfolds in a range of storylines, which can be analysed to say more about how Somaliland is constituted.

In 2004, a debate held in the UK House of Commons after the Committee on International Development's visit to Somaliland shows how Somaliland's identity is negotiated in the discursive struggles over the UK relationship with and responsibility towards Somaliland.

Member of the UK Parliament (MP) and committee member, Tony Worthington, initiates the debate: "*Our visit prompted questions in us all about British policy there and, indeed, in the whole of Somalia—questions about the Government's aid policy and about international recognition, which deeply affects the assistance that we give to Somaliland. Our foreign service hang-ups about recognition are getting in the way of us fulfilling our duty to pursue the millennium development goals for the poor people of Somaliland, and we are failing to build adequately on the efforts of the Government of Somaliland to create a modern,*

democratic state” (UK, 2004: Column 273WH). The gap between the fulfilment of humanitarian needs and the provision of development assistance is brought forward here. Worthington’s statement negotiates UK’s obligations towards fulfilling the millennium development goals (MDGs), which present the world states with ties that bind in regards to fulfilment of humanitarian needs. The moral obligations towards the people of Somaliland are further extended with a duty to build adequately on the attempts of the government of Somaliland to become eligible for delivering these needs themselves. Hence, UK has a responsibility to provide help-to-self-help. The human rights discourse are further touched upon in another statement by Worthington: *“Somalilanders are caught in a vicious Catch-22 position. They are being told: Destroy your nation by joining the destroyers in the south, and we will recognise you. Stay outside, with stability and democracy, and we will ignore you.”* (UK, 2004: Column 273WH). The notion ‘catch-22’ was coined by the American author Joseph Heller in his 1961 novel Catch-22 and refers to *“a situation in which one is trapped by contradictory regulations or conditions”* and in this manner presents an *“illogical or paradoxical situation and dilemma”* for the trapped (Random House, 2012). Worthington advocates full self-determination to the government of Somaliland, as: *“There is not the slightest chance of a democratic Somalia emerging from Somaliland and the rest of Somalia”* (UK, 2004: Column 275WH). *“My belief is that we should... reward good behaviour... Recognition may not be the risky step that it seems to be. I believe that if we were to give a lead, many other countries would quickly fall into line. There can be no doubt that we would have to give that lead”* (UK, 2004:Column 276WH). These statements attribute Somaliland with nationhood and state capacity, while these storylines at the same time participates in the discursive struggles over how UK’s political management should be conducted in regards to the international community’s stance on Somaliland’s recognition claim.

This discursive struggle over UK’s management of a sovereignty seeking entity is further addressed by John Barrett (MP), who points to the dilemma in the proposed course of action: *“Problems may arise from recognition of Somaliland, such as the UK being accused of reverting to colonial days, and the hope must be that an African nation leads the way so that others might follow”*. He continues, *“All they are asking for is the right to self-determination within boundaries that are long established. If the majority of the people of Scotland or Northern Ireland wished for that same right, would it be denied?”* (UK, 2004: Column 288WH). In the risk of reverting to colonial days, Barrett argues that the question of

recognition should be left to Somalia and the AU, however it can be argued that his articulations in its full make-up establishes a certain understanding of sovereignty by referring to Somaliland's right of self-determination, which links sovereignty to the liberal understanding of self-determination. By fixing sovereignty in regards to western normative standards, Barrett stipulates how the international community, including Somaliland and the AU, should manage Somaliland's independence claim.

The storylines applied in the parliamentary debate on Somaliland is taking place in regards to concepts of human rights, international development goals, self-determination and responsibility. The link between the principle of self-determination, humanitarian needs and the people (Somalilanders) as a strong carrier of sovereignty is especially present. John Barrett (MP) states that *“It is right that the debate has concentrated on development aid because although recognition is a key to Somaliland's future, we must not let the political process get in the way of the real and urgent needs of the people who live there today... Somaliland is a country with needs that must be addressed urgently”* (UK, 2004: Column 287WH). The statement presented here discusses the gap between the fulfilments of humanitarian needs of the Somaliland people and the provision of development assistance participates is here addressed while simultaneous negotiating the UK's political management of Somaliland. Hence, what we see through these various discourses is the emergence of subject positions that create the subject of self (the UK) and the subject of other (Somaliland's).

The UK Secretary of State for International Development, Hilary Benn, ends the debate with attributing Somaliland domestic legitimacy and empirical statehood constitution in within a domestic realm: *“I concur completely with what we have heard today about governance and the progress that Somaliland has made... It has held democratic elections—municipal and presidential—and aims to hold parliamentary elections in, we all hope, the not too distant future.... It has a police force, a defence force, its own currency and a relatively free and lively press. Undoubtedly, in contrast to the rest of Somalia, it has achieved an enormous amount for its people”* (UK, 2004: Column 292-293WH).

The storylines Somaliland was negotiated around in the hearing produce a range of subject positions in regards to sovereignty as authority, responsibility and self-determination. This production continues later in 2004 in a speech given to a joint session of both Houses of Parliament (UK and Somaliland). UK Foreign Minister in charge of African Affairs, Chris

Mullin, stated: *“In a region torn by war and chaos Somaliland stands out as a beacon of stability and progress... Let me assure you, however, that the British government will never be party to an agreement that pushes you – against your will – into a forced marriage with the South”* (Panapress, 2004). Somaliland is articulated with a will of its own and different from the rest Somalia that will be respected by the UK, however as no formal recognition is granted, the catch-22 captivation in other words continues.

3.3 Somaliland as an Object of Non-recognition

Somaliland remained below the international community’s radar for most of 1990s and early 2000s. Despite the presence of organisations like the UN and EU in Somaliland, which provided *“money to (and influence over) some of the most fundamental aspects of the Somaliland Government's interface with the population, including its school curricula, taxation, and police force”* (Phillips, 2013), Somaliland was kept off the chart by reference to the northwest region of Somalia, sometimes followed by *“Somaliland”* in quotations (UNHCR, 2003; WHO, 2000; UN, 2006). The acknowledgments of Somaliland’s ability to fulfil state responsibility seen in the statement made by the South African Department of Foreign Affairs in 2003 and the debate between the members of the British parliament in 2004 can furthermore be argued to be short of recognition, as no formal recognition was granted. However, these actors’ articulations did come to engage in the discursive battle over Somaliland in the second identified phase that runs from 2005-2009.

The storylines attached to Somaliland by the South African Department of Foreign Affairs and the members of the British parliament can be argued to have created a discourse collation. The statements applied to speak of Somaliland’s state capacity was really a discussion of Somaliland’s ability to meet the claims of discourses of stateness and as the international community’s articulations on Somaliland continues within this frame of reference a discourse structuration can be argued to dominate the political realm. Furthermore, Hajer’s other condition for discourse coalition, what he calls discourse institutionalisation, can also be argued to have been fulfilled, as the articulation of Somaliland’s state capacity is reflected in institutional practises: for instance, when several European countries sign agreements with the Somaliland government concerning the repatriation of denied asylum seekers, as well as aid

agreements isolated from the wider Somalia. In these agreements, Somaliland is established vis-à-vis its own domestic society.

The phase 2005-2009 is thematised as the movement from object of non-being to object of non-recognised, and divided into two sections: The first describes how Somaliland became an object with ascribed subjectivity by the AU from previously having been completely silent on their stance to Somaliland. The second section shows how the broader international community address Somaliland in regards to its ability to meet the responsibility of the modern state as covered in the previous section and further how the actual policy process is conducted according to the ideas of the discourse of stateness.

3.3.1 To be or not to be? The AU's Fact-Finding Mission

The forerunner to AU, the Organisation of African Unity (OAU)²³, had up through the 1990s refused to recognise Somaliland's independence, *citing the maxim that there would be chaos if colonial boundaries were not observed in post-independence Africa* (Deng, 1996:160). In its founding charter, the OAU enshrined "*provisions against the re-drawing of borders inherited at independence out of concern for possible future colonial interference*" (ICG, 2006:13). This reluctance to interfere in territorial borders of member states can be seen in the AU's Constitutive Act Article 4, which requires all members to respect "*borders existing on achievement of independence*" (AU, 2000:6). Hence, the Charter of the OAU promoted the external sovereignty through the principle of non-interference *and uti possidetis juris*. The latter, a principle of international law providing that newly formed sovereign states should have the same frontiers that their preceding colonised territory had before their independence, assigned the African borders with permanence (Gandois, 2008:7). Hence, the Charter spoke of state sovereignty as a closed and fixed concept. Despite this stance, the concept is nonetheless subject of on going management, which could be seen when the OAU passed a resolution at a June 1991 meeting that reaffirmed the indivisibility and territorial integrity of the Somali Republic, thereby strongly opposing the Republic of Somaliland's declaration of independence (Deng, 1996:160). At least publicly, the OAU did not deal with Somaliland's independence

²³ The first Pan-African international organization (OAU) was established 1963 and replaced by the African Union (AU) in 2001.

claim between 1991 and 2005, a period when Somalia's government had manifestly disintegrated (UN, 2004:2-7; ICG, 2006:1).

The official approach to Somaliland remained dismissive until 2005, when the AU Commission established an AU fact-finding mission to Somaliland. What happened for AU to send a fact-finding mission can only be speculated on, as no public announcement was made prior to the mission. It has further not been possible to locate any AU source that addresses Somaliland in the timespan between the OAU's statement on the matter of session in 1991 until the AU fact finding-mission in 2005. The outcome of the mission was a four-page document in which AU displays sympathy for Somaliland's case, and in very unambiguous terms recommends that the case should be dealt with on terms that acknowledges the territory's unique political history (AU, 2005). The document, however, remained unpublished, which does add to the discursive speculative analysis and says something about the highly sensitive conclusions and recommendations. The document has been leaked and it is from this I now refer²⁴.

The AU Fact-Finding Mission stated: *“The fact that the union between Somaliland and Somalia was never ratified and also malfunctioned when it went into action from 1960 to 1990, makes Somaliland's search for recognition historically unique and self-justified in African political history. Objectively viewed, the case should not be linked to the notion of “opening a Pandora's box. As such, the AU should find a special method of dealing with this outstanding case”* (AU, 2005: paragraph 8). A discursive move is taken by acknowledging the unique circumstances surrounding Somaliland's quest for international recognition that cannot be likened to the Pandora's box analogy, which moves Somaliland into an object of being. A later paragraph assigns Somaliland with a subject position, by referring to the authorities of Somaliland and its people to *‘deploy efforts’* in regards to advance in the recognition game: *“Whilst it remains a primary responsibility of the authorities and people of Somaliland to deploy efforts to acquire political recognition from the international community, the AU should be disposed to judge the case of Somaliland from an objective historical viewpoint and a moral angle vis-à-vis the aspirations of the people”* (AU, 2005: paragraph 10; ICG, 2006:1). This paragraph also highlights that the final ruling belongs to the AU, which is recommended to consider Somaliland's recognition claims on moral grounds vis-à-vis the wishes of the people. In this sense, the statement instates the principle of self-determination as that which should be

²⁴ See appendix for document in its full lengths.

made the deciding principle for the AU.

This is further highlighted by another paragraph, where Somaliland is attributed a subject position as an agent that is kept from performing its agency: “*The lack of recognition for Somaliland ties the hands of the authorities and people of Somaliland as they cannot effectively and sustainably transact with the outside [world] to pursue the reconstruction and development goals*” (AU, 2005: paragraph 9). This is an indirect description of an entity with management competencies, hence a subject that is prevented to act as such because it is kept in non-recognition. This means that Somaliland cannot act as the statement's subject description presumes it to do. Hence, the statement appear rather paradoxical as it acknowledge Somaliland’s achievements despite the lack of the sought-after recognition, hence Somaliland is fixed somewhere between contested and just entity. The final recommendations of the AU Fact-Finding defer the matter of recognition to the international community.

3.3.2 International Consciousness

The conclusion from the AU fact-finding mission brought Somaliland to life as a social and discursive fact as Somaliland was “*clothed with the relevant attributes of a ‘modern State’*” (AU, 2005:para 7a). The mission’s recommendations, however, stayed unpublished, which meant that the AU took no concrete actions on their findings and the question of the territory’s status remained unaddressed. Hence, the AU neither approved nor rejected Somaliland’s claim of recognition.

This equivocal movement towards engaging with Somaliland and acknowledging its empirical qualities, while at the same time asserting Somaliland in non-recognition is a movement that gradually starts to appear in the articulations from both single state actors and some of the supranational organisations such as EU and the AU. Hence, from 2005 we see a gradual movement of Somaliland into the consciousness of the broader international community.

United Kingdom, South Africa, Denmark, Ethiopia, Djibouti were some of the states that through the second half of 2000s initiated political or trade ties, while strongly affirming that the ties do not signal recognition of Somaliland (ICG, 2008; Brenthurst Foundation, 2011).

Ethiopia opened an embassy in Somaliland in 2006, while maintaining that its diplomatic propositions do not constitute recognition of Somaliland (Lee-St. John, 2006:16).

In December 2007, US Secretary of Defense, Robert Gates addressed Somaliland in a discussion concerning the escalating conflict in Somalia (Washingtonpost, 2007). According to Washington Post, a senior defense official said, “Somaliland is an entity that works... We're caught between a rock and a hard place because they're not a recognized state” (Washingtonpost, 2007). The Pentagon's view is that "*Somaliland should be independent ... We should build up the parts that are functional and box in Somalia's unstable regions, particularly around Mogadishu*”, another defense official said (Washingtonpost, 2007).

In 2008, the AU followed up its fact-finding mission with a special envoy to Somaliland. The mission recommend that, “*As a peace dividend, the international community should provide institutional capacity building support to Somaliland infrastructure and facilitate its access to the international and regional financial institutions and banking systems... The African Union Commission and [the subregional Inter-Governmental Authority on Development] should explore channels of communication and dialogue with the Somaliland authorities, and establish the best way they could be integrated into the regional socio-economic and political discourses including issues such as migration, illegal smuggling of arms, the fight against piracy and displacement of populations*” (AU, 2008). The term peace dividend refers to the reallocation of spending from military purposes to peacetime purposes as the benefits derived are much more valuable.

In the European Commission’s joint Strategy Paper for the period 2008-2013 it is stated “*the EU and Norway consider the territorial integrity of Somalia an issue to be resolved first and foremost among Somalis themselves, and then to be addressed by the African Union*” (EU, 2008:11). This is the general message delivered by Western states, which extends no formal recognition to Somaliland referring the issue to an African solution to Somaliland’s international status (ICG, 2006: 13; European Commission, 2008:11). However, despite officially keeping their hands off the Somaliland question, the EU’s development strategy did involve a regional volume, which takes account of Somaliland’s “home-grown development plans” (EU, 2008:18). While the regional volume does not address Somaliland’s recognition claims, the EU does acknowledge Somaliland as an important and stable regional political entity.

3.4 Somaliland from an Object of Non-Recognition to an Object of Recognition

The period between 2005-2009, Somaliland became a category in its own right, as it was firmly constituted within the discourse of stateness coupled to human rights and democracy.

By 2010 Somaliland begins to be articulated in storylines that draw upon the discursive categories of security, stability and peace, and the combat of piracy. Hence, a range of new themes comes to participate in the discursive struggle over subscribing certain abilities and responsibilities to Somaliland. These storylines allocate a subject position to Somaliland as a strategy partner in the solution to alarming international problems, which furthermore moves the previous commitment to a “Somali” or “African” solution of the Somaliland recognition question to non-African state actors’ discursive engagement with Somaliland’s entitlement as a political entity. As a result of the authoritative position assigned to Somaliland, the discourse of sovereignty also begins to be in play around Somaliland. Hence, Somaliland is not only regarded as a domestic political community, but its stateness is also constituted within an international community, linking authority, territory, population and recognition. With the New Deal for Somalia in 2013, the recognition of Somaliland’s stateness dominates both the discursive space and the institutional practise to such a degree that we can talk about a discourse coalition. Hence, Somaliland is constituted in the two central discourses that participate in the discursive production of the state in the current international system. This leads to what Wendt calls thin recognition, which is about being acknowledged as an independent subject within a community of law, while, thick recognition, which Somaliland can be argued to gradually have developed within from 2005, is about having “*one’s uniqueness, achievements and abilities recognized as valuable by other members of society*” (Wendt, 2003:511).

3.4.1 Somaliland as a 'Relative'

In 2010, the African Union Peace and Security Council directed the AU Commission Chairperson Jean Ping to “*broaden consultations with Somaliland and Puntland as part of the overall efforts to promote stability and further peace and reconciliation in Somalia*” (AU, 2010:3). In September 2010, United States (US) Assistant Secretary of State for African Affairs, Johnnie Carson, announced a “dual-track policy”, which modified US’s strategy in Somalia by seeking a deeper engagement with the government of Somaliland and Puntland²⁵. The intention was to find “*ways to strengthen their capacity both to govern and to deliver services to their people*” (US DEP, 2010). Carson stressed the novelty of this engagement and how the US government “*in the past, have not engaged these areas and political entities aggressively. We will now start to do so*” (UN DEP, 2010). To the question whether Carson was contemplating some kind of a diplomatic recognition to Somaliland, he emphasised that the US would not extend formal recognition to any of these entities, referring to the African Union’s position and affirming that the US recognises “*only a single Somali state*” (US DEP, 2011). These new discursive themes of security and anti-piracy activities bring Somaliland into play vis-à-vis US domestic security. The international community ‘needs’ Somaliland in regards to its own domestic and security related reasons.

In October 2010, the African Union’s Peace and Security Council directs its commission chairperson to “*broaden consultations with Somaliland and Puntland as part of the overall efforts to promote stability and further peace and reconciliation in Somalia*” (AU, 2010:3). “Broadening consultations” is an ambiguous phrase, however the statement, like the modified US strategy, does constitute and recognise Somaliland’s position as valuable for the international community.

In November 2010, the British Minister for Africa, Henry Bellingham, met President Silanyo of Somaliland to discuss ways in which to expand the UK's engagement with Somaliland. The UK government’s webpage announces “This is the President’s first visit to the UK since his successful election in June this year” (UK GOV, 2010). The Minister for Africa, Henry Bellingham, stated: “*The UK is proud of it’s historical ties to Somaliland, and we are*

²⁵ Puntland is a region in northeastern Somalila and boaders with Somaliland to its west. Puntland declared the territory an autonomous Puntland state of Somalia in 1998. “*Unlike its neighbour, breakaway Somaliland, Puntland says it does not seek recognition as an independent entity, wishing instead to be part of a federal Somalia*” (BBC, 2014).

keen to maintain and strengthen our very close bilateral relationship". The announcement further refers to Somaliland's *admirable* progress in maintaining relative peace and stability in a difficult region. "*Somaliland has set a positive example of democracy and can play an important role in enhancing security and development in the Horn of Africa*", which UK is committed to support "*to ensure a positive and sustainable future for Somaliland and the region*" (UK GOV, 2010). The statement constitutes Somaliland in regards to its historical legitimacy, serving to justify the titular recognition and justifying the configuration of UK's state worthy relationship with Somaliland.

3.4.2 The Issue of International Security

The UN, which by 2011 physically has established a double-figure UN agencies in Somaliland, including UNDP, UNFPA, UNAIDS, UNHCR, UNICEF, WHO and WFP (UNICEF, 2011; UNDP, 2012; UN, 2014), has still no official position on Somaliland's status.

In September 2011, the 'Somalia End of Transition Roadmap' was endorsed presenting the priority measures that the current government should take before its tenure ends in August 2012. The priority tasks concerned security, constitution, reconciliation and good governance (UN, 2011). The delegates attending the United Nations-backed meeting involved regional entities such as Puntland and Galmudug, and was endorsed by the Somali prime ministers, leaders of regional entities Puntland and Galmudug, the UN envoy to Somalia, representatives of the League of Arab States, the African Union and the Inter-Governmental Authority on Development (IGAD) (UN, 2011). The UN Secretary-General's Special Representative to Somalia and head of the UN Political Office for Somalia (UNPOS), Augustine Mahiga, described the document as "*probably the most inclusive instrument and most inclusive process*" in regards to rebuild Somalia's governance (Irin News, 2011). Mahiga pointed to the involvement of regional entities such as Puntland and Galmudug. Somaliland, however, did not take part in the 'roadmap' negotiations or was mentioned as a regional entity.

3.4.3 “A Local Area of Stability”

Despite Somaliland’s absence from the UN-led Somalia roadmap negotiations, Somaliland did attend the UK-sponsored London Conference on Somalia on 23 February 2012, where the key provisions of the political roadmap agreed in September 2011 was one of the topics. The London Conference was the first international conference in a series of conferences on Somalia held between 2012-2013.

A day before the conference on February 22, the Foreign & Commonwealth Office stated *“It is widely seen as a critical moment in Somalia’s long 20-year crisis, a meeting that could shape the direction of the country in the coming years, for better or for worse”* (UK, 2012b). The London conference counted representatives from over 50 countries including the UN, key regional organizations, the Somali Transitional Federal Government, and many of the regional administrations in Somalia, among these government officials from Somaliland, including the President of Somaliland, who also appeared on the speakers list. The conference’s focus was solely on Somalia, but an opening for a new constellation and possibility was given in the conference’s declared aim to *“agree on a way of helping the Somali transitional government to ensure that whatever political arrangement succeeds the transition is representative and legitimate”* (UK, 2012c). This statement is one of conditionality linked to the future political arrangement, which despite its unknown constellation is ensured to be representative and legitimate. Hence, the future political established needs to fulfil the normative criteria of democracy.

The British Government, which officially invited Somaliland to attend the Conference, makes a direct reference to Somaliland. The British Secretary of State for Foreign and Commonwealth Affairs, William Hague, emphasised that it would especially value Somaliland’s contributions on peace-building, development, counter-terrorism and anti-piracy issues (HC Deb, 2012:c511). Somaliland’s president Silanyo was accorded the status of Head of State at the London Conference on Somalia. The British Ambassador to Somalia, Matt Baugh stated that the conference offered an: *“opportunity to reinforce the relative stability in areas of Somalia, such as Somaliland and Puntland and in the south”* (Baugh, 2012).

One of these opportunities was a meeting between the British Foreign Secretary William Hague and Somaliland’s President Silanyo on the eve of the conference. The outcome was a three-year development support on £105 million in order for Somaliland *“to promote*

prosperity, tackle poverty and consolidate progress on stability and democracy” (UK, 2012b). The Foreign Secretary said after the meeting: *“I am delighted to see President Silanyo in London for the Conference on Somalia. Somaliland has valuable lessons to share from its own experience of building stability and democracy. I welcome President Silanyo’s participation at the conference and am grateful for Somaliland’s continued co-operation in the fight against piracy and terrorism”* (UK, 2012b). Somaliland is articulated in regards to issues concerning good governance, democracy and security, hence the discourse on stateness continues. Somaliland's constellation as stable and secure is further coupled to larger security concerns including terrorism and piracy. Hence, Somalia's missing state capacity is a destabilising element not just to its own population, but also to the wider region and the world at large. The statements show support in regards to ‘aiding’ Somaliland’s statehood, however these affirmations do not expand to recognition of sovereignty.

The UK has over the years positioned itself as a strong supporter of Somaliland’s ability to govern itself. The backing of Somaliland can also be seen in a parliamentary answer a few weeks before the London Conference. The Secretary of State for International Development, Andrew Mitchell, stated that 60% of the UK’s total development aid to Somalia presently goes to Somaliland (Lunn and Thompson, 2012:10). Parallel with the attempt to aid Somaliland, the UK gave titular support for the Transitional Federal Government and the centralized Somali state project at the London conference.

In the final conference communiqué Somaliland is mentioned twice: in paragraph 16 concerning piracy and the transfer of prisoners to internationally built Somaliland jails, and in a paragraph concerning the unknown future political leadership of Somalia. The Conference did recognise the need for the international community to *“support any dialogue that Somaliland and the TFG or its replacement may agree to establish in order to clarify their future relations”* (UK, 2012: paragraph 6). This statement establishes a condition of possibility by positioning Somaliland with agency as a partner in dialogue, however the statement also adds to the ambiguity of the relationship between the leadership of the TFG and Somaliland.

A considerable focus on supporting and funding projects in Somaliland is given in Denmark’s 2011-engagement policy with Somalia (Denmark Ministry of Foreign Affairs, 2011: 1,15,18). Despite not extending formal recognition to Somaliland, Denmark, as the first western country,

opens a bilateral program office in Somaliland, “*the northern part of Somalia*”, one month prior to the conference (Denmark Ministry of Foreign Affairs, 2012a). The Danish Minister for Development Cooperation, Christian Friis Bach, commented the opening saying: “*The administration in Hargeisa has shown the willingness to lead the people of Somaliland towards reconstruction. Denmark is acknowledging this effort by enhancing the development support to Somaliland. Placing a Danish programme coordinator in Hargeisa, enables Denmark to have a daily dialogue with the people and the authorities of Somaliland, which will improve support to and monitoring of Danish supported activities*” (Denmark Ministry of Foreign Affairs, 2012). He further states: “*Our presence is a clear signal to Somaliland that their effort to build a more secure and democratic society has our full support. It is crucial that every human progress in his or her daily lives. We will therefore, among other things, focus on safety, health and education in cooperation with Somaliland's elected local government*” (Denmark Ministry of Foreign Affairs, 2012a)²⁶. The storyline constitutes Somaliland’s state capacity in regards to providing human rights, good governance and democracy. The statement furthermore constitutes Denmark’s identity in regards to its own responsibility vis-à-vis the international community and the values on which this community is currently supporting e.g. standards of civilisation. In the statement Somaliland is articulated as a subject that has the autonomy to fulfil the capacity as state with the help from the international community.

The follow-up to the London conference in Istanbul in May 2012 only dealt with developmental issues and challenges facing Somalia and its internationally recognised and funded administration, the TFG, whose interim mandate was due to end in August 2012. Somaliland is mentioned once in the conference’s final declaration, which reaffirmed “*the crucial need for the international community to support dialogue that Somaliland and the TFG have agreed to pursue*” (Turkey, 2012:para 10). Thereby, assigning Somaliland authority and political value.

The international community’s main concerns in the two international conferences on Somalia in 2012 seemed to be the future of Somalia’s central governance project and the unknown future of government²⁷, whose mandate was to expire in August 2012. Despite not

²⁶ Freely translated from (Denmark Ministry of Foreign Affairs, 2012a)

²⁷ On a contextual note the TFG ended its tenure on August 20 2012, when the Federal Government of Somalia was inaugurated. UN Envoy to Somalia, Augustine Mahiga, called the inauguration of the New Parliament in Somalia a historic moment, which “*marks the long-awaited end of the transitional period in Somalia*” (UN, 2012).

being on the agenda, Somaliland was granted an internal standing in regards to the development of Somali transition plan. Hence, though not ‘officially’ addressing Somaliland’s recognition claim, the international conferences admit Somaliland with authority and hence a form of informal recognition.

3.4.4 The Republic of Somaliland Recognised as a Self-governing Entity

As concluded above, despite that the question of Somaliland’s recognition remained absent in the international conferences on Somalia in London and Istanbul, Somaliland was articulated as a political unit with autonomy, hence granted a position from where to act in regards to Somalia’s constellation. This subject position was further strengthening when the Turkish President met with President Sheikh Mohamud of Somalia and President Ahmed Mohamed Silanyo of Somaliland in Turkey in April 2013. The official statement from the Turkey Ministry of Foreign Affairs states: *“The three Presidents... accentuated the significance of the “Ankara Communiqué”, which aims at overcoming the existing problems between the Federal Republic of Somalia and the Republic of Somaliland through dialogue”* (Turkey Ministry of Foreign Affairs, 2013). The communiqué released after the meeting stated *“the Dialogue is between the Federal Government of Somalia and the Government of Somaliland”*. The statement points to a dual leadership of Somalia consisting of the Federal Government of Somalia and the Government of Somaliland. In other words, Somaliland appears as a state of fact, whose voice cannot be ignored, hence it engages in dialogues over the future of Somalia on equal terms with the Federal Government of Somalia.

In 2013, the UN too began to refer to Somaliland and its authorities, moving from a previous position that avoided a titular articulation of Somaliland and if so referring to it as the Northwest of Somalia. This new position can be witnessed in a Security Council Briefing on Somalia from 25 April 2013, where Under-Secretary-General Jeffrey Feltman refers to a dialogue between the new president of Somalia and the Somaliland administration (UN, 2013a). When the new UN envoy for Somalia arrived in Somaliland in June 2013, the head of the new UN Assistance Mission in Somalia (UNSOM), Nicholas Kay, hailed Somaliland as an

'island of relative peace and stability', which *"could provide lessons for peace consolidation"* throughout the wider region (UN, 2013). Kay met with Somaliland's President Silaanyo and officials from the Somaliland Administration and said upon his arrival *"We are... here to learn and to support initiatives that will lead to sustainable peace, stability and prosperity in Somalia and beyond"* (Un, 2013). He further stated *"I have come to Hargeisa early in my new assignment in order to make it clear to the authorities and people of Somaliland that the United Nations supports their aspirations for peace and prosperity"* (UN, 2013). Kay noted that this was the first of many visits to Somaliland and that the UN intends to have a close and fruitful relationship with its people and authorities of the region, while further stressing that the UNSOM office in Hargeisa will be proactively engaging the administration and civil society to explore areas of further cooperation (UN, 2013). When meet with the question of recognition Kay refers the matter of sovereignty to the international community (UN, 2013). By this last proclamation, Kay links the question of sovereignty to that of political management and thereby cements the international community as a political authority. Kay, as the UN spokesperson, acknowledges Somaliland as a self-governing entity with a president and administration (domestic legitimacy), but this acknowledgement is not accompanied by a public recognition of authority vis-à-vis other states.

3.4.5 Somaliland as a Special Arrangement

And then we reach the New Deal for Somalia conference, a *landmark* conference where the world community gathered in Brussels to reaffirm their support for Somalia's sovereignty and territorial integrity with the endorsement of the Somali Compact (SC). The conference also became a landmark for Somaliland, as the compact included a distinct and separate framework for the international community's engagement with Somaliland and further guidelines for how Somaliland can engage with itself.

Somaliland is recognised as a local government and equal development partner to the international community, which acknowledges *"Somaliland's unique development trajectory that has evolved out of a process of more than 20 years of grassroots peacebuilding and statebuilding"*, encompassing *"modern institutions, traditional and religious authorities, the private sector and civil society work together in order to effectively ensure peace, stability, freedom against piracy and terrorism, economic growth, the delivery of basic services, the*

protection of livelihoods and social development” (SC, 2013:20). Here, Somaliland is established by a joint international community in a network of concepts that constitute Somaliland with modern state attributes. The SSA is furthermore based on Somaliland’s own National Vision 2030 and the international development partners adhere to respect “*full ownership by the Somaliland government and people*” (SC, 2013:26).

The SSA admits Somaliland with empirical statehood and institutionalises this recognition by allocating Somaliland with ownership and status as an equal development partner to the international community in the SSA. In this way, Hajer's two conditions for discourse coalition has been fulfilled. A discourse structuration has been established, as a joint international community conceptualises Somaliland through storylines that constitute it within the discourses of stateness. With the SSA this particular constitution of Somaliland is reflected into a central policy document, which means that a discourse institutionalisation is established.

In this regard, the SSA and thereby the international community recognises Somaliland as a subject rather than object, which establishes the Somaliland government and its people as the legitimate locus of needs, rights and agency. However, the policy rhetoric displayed in the SSA, which grants the Somaliland authorities and people agency and management capacity in regards to their own development, conflicts with the first part of the SC, which reaffirms the international community’s support for Somalia's sovereignty and territorial integrity.

3.5 Conclusion: Constitution of an Object of Recognised Political Entity

This chapter has examined how the articulations on Somaliland moved through a gradual discursive process of selection and constitution, which produced and reproduced what Somaliland was about and how it fitted in the discursive production of the current international system.

In the beginning Somaliland is not articulated as distinct from Somalia and Somaliland as a category does not appear as a category before the early 2000s, when a range of states or international organisations such as the EU and the UN begins to apply it distinctively.

A crucial event is the AU fact-finding mission in 2005, which concludes that Somaliland is a sufficiently unique and self-justified case in African political history and that the AU should find a special method of dealing with this outstanding case. The fact-finding mission designates Somaliland with the relevant attributes of a 'modern State'. The report is never addressed by the AU executive council, but new rules for how Somaliland can be observed, addressed and acted on, begins to be apparent in regards to the way Somaliland is articulated in the international discourse and the amount of international actors that begins to participate in the discursive production of Somaliland. Between 2005-2009, Somaliland is gradually established as an object with state attributes articulated in regards to the discourse categories such as democracy, peace and stability, which crucially moves Somaliland from an object of non-being to an object of non-recognised. These concepts establish Somaliland within the discourses of stateness, which is one of the discourses that participates in the constitution the state in the current system. However, the constitution of Somaliland's state capabilities vis-à-vis its domestic society, is also followed by an explicit emphasis of that no recognition is granted.

By 2010 Somaliland starts to be articulated around the discursive categories of security, stability, peace, and the combat of piracy. Hence, a range of new themes comes to participate in the discursive struggle of giving meaning to Somaliland. These concepts positions Somaliland as a strategy partner in the solution of alarming international problems. This means that Somaliland is not only ascribed capabilities, but also a subject position in the discourse in regards to the international war on terror, which is capable of engaging in a relationship with other state actors fighting a common threat. Somaliland's strategic importance can further be observed as several non-African state actors, which previously had been committed to a "Somali" or "African" solution of the Somaliland recognition question, start to engage in the discursive struggle over Somaliland's entitlement as a state. As a result, the question of Somaliland's recognition is moved to the international realm.

By 2010, the discursive struggle over Somaliland's identity intensifies and firmly moves Somaliland from an object of non-recognition to an object of recognition, as Somaliland is being created within a new set of discourse rules that established Somaliland's identity vis-à-vis the international community. This discursive construction of Somaliland as a subject vis-à-vis the international community begins to cement at large in 2012-2013. The international conferences in London and Istanbul, the Ankara meeting, and the statement made by the UN

Under-Secretary-General show this discursive move. Hence, Somaliland is negotiated within both the discourse of stateness and discourse of sovereignty.

In September 2013, the discursive constitution of Somaliland vis-à-vis its domestic society (discourse of stateness) is reflected into an institutional arrangement endorsed by the international community, which officially recognises Somaliland as a distinct self-governing entity and equal development partner to the international community. In this way, the international community recognises Somaliland as a subject rather than an object by given the Somaliland government authority over a territory and population. This act, despite not granting Somaliland sovereignty, establishes the Somaliland government and its people as the legitimate locus of needs, rights and agency.

The next chapter will embark on an examination of the recognition Somaliland is given by analysing the SSA document, which provides us with a snapshot of how the international community's currently manages Somaliland.

4. Analyse II - The Somaliland Special Arrangement

"Of all the rights that can belong to a nation, sovereignty is doubtless the most precious"
(Emerich De Vattel, *The Law of Nations*, 1995)

The historical diachronic analysis has highlighted how the discursive foundation to talk about Somaliland as a self-governing entity in 2013 drew upon prior discursive thematisations, which gradually fixed Somaliland's meaning and content moving it from an object of non-being, to an object of non-recognised, to an object of recognised. In this way, the conditions for this chapter's analysis have been set, which will explore the character of Somaliland's recognition by focusing more directly on what is at stake in the SSA that institutionalised Somaliland as a self-governing entity.

In this way, this chapter will explore the new set of rules that are established by the international community's policy rhetoric around Somaliland ownership and leadership in the SSA. A pressing and essential question this constitution raises is furthermore how Somaliland and Somalia can exist side-by-side claiming authority over the same territory?

The analysis of the international community's management of Somaliland and the sovereignty paradox will be investigated through three questions: 1) How is Somaliland represented through the SSA?; 2) How is the boundary between recognition and sovereignty presented?; and 3) What are the current conditions of possibility for Somaliland?

4.1 Framing the Somaliland Special Arrangement

The *New Deal Compact* is presented to the world at an international conference in Brussels, co-hosted by the European Union and Somalia in September 2013, where the international community and Somalia endorses the Somali Compact (SC), a roadmap on *'the priorities of'* Somalia's political process and development between 2014-2016 (EU, 2013). The conference speaker list included the President of the FGS, Hassan Sheikh Mohamud; the President of the European Union, Herman Van Rompuy; the Minister of Development Cooperation of Denmark, Christian Friis Bach; the President of the European Commission, Jose Manuel

Barroso; the Special Representative of the Secretary-General for Somalia, UN, Nicholas Kay; the Deputy Minister of Foreign Affairs of Turkey, Naci Koru (EU, 2013). Somaliland had chosen not to participate²⁸ and is not referred to in any of the speeches held by the above mentioned. Hence, in the context of the physical conference Somaliland is literally an object of non-being.

The endorsed SC promises “*a new political, security and development architecture framing the future relations between Somalia, its people, and the international community*” and nominates “*a new beginning for a sovereign, secure, democratic, united and federal Somalia at peace with itself and the world, and for the benefit of its people*” (SC, 2013:3). Somaliland has secured its own special arrangement in the SC and the SSA is presented as “*a separate and distinct part of the Somali Compact*” and “*...the sole framework for engaging with Somaliland’s development process under the New Deal partnership*” (SC, 2013:21). Hence, Somaliland is treated solely in the SSA section that composes more than a quarter of the total SC document of 44 pages.

The SSA apply a broad network of concepts to place Somaliland within a storyline that ascribes statehood to Somaliland, such as its “modern institutions” that work together with the private sector and civil society “*in order to effectively ensure peace, stability... economic growth, the delivery of basic services, the protection of livelihoods and social development*” (SC, 2013:20). It is to assist these development gains further that “*the Somaliland Special Arrangement lays out a way forward for institutionalising on-going Somaliland processes and initiatives within an overarching and equal partnership established between the Somaliland government, its people and the international community. It is underpinned by a need to protect and build upon Somaliland’s development gains*” (SC, 2013:20). This statement gives Somaliland a subject position from where it, through the SSA platform, can continue to mature its many development gains vis-à-vis its domestic society. The statement further establishes Somaliland as an equal development partner vis-à-vis the international society in regards to these endeavours. The last sentence also stresses the international community’s responsibility to protect what Somaliland has accomplished so far.

One of these accomplishments is Somaliland's own National Vision 2030, published by the Somaliland Ministry of National Planning and Development in 2011, which is

²⁸ According to a statement from Somaliland’s Minister of Foreign Affairs & International Cooperation, Mohamed Behi Yonis Somaliland supports the New Deal process and welcoming of the donors’ engagement, however asses that “*the country’s national needs and priorities are very different to Somalia’s*” (Yonis, 2013).

implemented as the basis for the SSA's strategic priorities for Somaliland. The strategic priorities unfold in four peacebuilding and statebuilding goals (PSGs) covering the areas of inclusive politics, justice, economy and revenue and service (SC, 2013:20-26). In this way Somaliland is rewarded for its attempt to create “*a Stable, Democratic and Prosperous Somaliland Where the People Enjoy a High Quality of Life*” (SC, 2013:20). This statement is from the National Vision 2030 and cited in the SSA as its overall vision.

In this regard, Somaliland's own national efforts are granted a foundational status in the SSA. The partnership status further grants Somaliland a subject position by linking Somaliland's government to *its* people and the international community. This demarcation inserts Somaliland as an authority over a domestic society, which fixes Somaliland within the discourses of stateness. The international community's self-placement within that equation furthermore establishes Somaliland's state identity vis-à-vis other states and ‘international’ community, which means that a discourse move is made towards the discourses of sovereignty. Hence, despite not explicitly providing Somaliland with recognition as an independent state by keeping it as a regional part of the wider Somalia federation, the SSA displays international support around Somaliland ownership and leadership, which grants a high degree of self-determination to Somaliland.

4.2 Technology of ‘Contractualisation’²⁹

By applying the analytical concept of contractualisation presented in the analytical strategy, it becomes clear that the four PSGs, which appear as partnership principles, is premised on certain demands for their internal conduct, for instance the protection of human rights and strengthening of citizen-state relations, which is highlighted several times in the SSA. In this regard, Somaliland's self-governance is conditioned to its ability to generate an environment where individual human rights can unfold. According to Dominik Zaum, the emphasis on human rights has “*changed the relationship between the state and those it governs and strengthening... the rights of the governed vis-a-vis the state*” (Zaum, 2007:37). When this observation is transferred to the SSA it can be seen how the four PSGs are founded on the

²⁹ Headline borrowed from Malmvig (2014).

principles of human rights and democratic rule, positions state-society relations into the recognition criteria.

The prominent emphasis of individual human rights is not the only conditions Somaliland's government is subjected to fulfil. As already mentioned, the concept of partnership appears as a strategy through which the international community seeks to regulate the conduct of the Somaliland government. Hence, while the international community seeks to limit itself through ideas of Somaliland leadership and ownership, the international community is ever present in deciding the code of conduct of this self-governance. Malmvig has addressed how liberal governmentality, understood as a "*distinct liberal mode of power that seeks to regulate and steer the actions of specific target groups toward certain goals, yet does so through ideas of responsible and consenting subjectivities*", is at play in EU's initiatives that promotes democratic reform in the Arab world (Malmvig, 2014:295). This liberal mode of power is visible in the statement "*The SSA will support a gradual and performance-based transition to increased ownership and alignment of government institutions*" (SC, 2013:27). Somaliland, in other words, is lead to lead through a supported and monitored process, hence governed in its conduct by the international community through the SSA.

4.3 The Modes of Subjectification: Between a Rock and a Hard Place

"On the surface it seemed reasonable: let the people decide. It was in fact ridiculous because the people cannot decide until somebody decides who are the people" (Sir Ivor Jennings, 1956)³⁰

The previous section has already revealed strategies applied in the SSA to manage Somaliland. The thematisation on the notion of self-determination brought forward in Jennings quote points to an essential part of the meaning of self-determination, namely the definition of 'self' and how this is dependent on an external definition, hence recognition. How the self is constituted

³⁰ In *The Approach to Self-Government* by Ivor Jennings (1956:56).

can be seen in the way, Somaliland is partnered into fulfilling a range of responsibilities, for instance, the government-society partnership, which is presented as a strategic objective in regards to building “*a politically stable and democratic Somaliland that adheres to principles of good governance*” (SC, 2013:22). Malmvig has investigated the concept of partnership in developing contexts and defines it as “*the subject has been made to start a dialog about itself as an object of reform*” (Malmvig, 2014:301). The reform is in this regard “*an instrument that assists the subject with the process of self-regulation and commits the subject to the reform process*” (Malmvig, 2014:301). This observation can be applied in the understanding of the SSA that lays out the development path for Somaliland, which is to advance further on the path of democratic development. The SSA states, “*Somaliland has been fortunate enough to be able to draw on extensive background material...which are already structures to address the overall development framework*” (SC, 2013:21). This background material is Somaliland’s own National Vision 2030 that has laid the bedrock for the PGSs. Hence, Somaliland is acknowledged for already making self-regulating attempts to which the SSA provides further management tools.

In this way, the SSA asserts itself as an attempt to manage Somaliland’s self-determination and autonomy and claim of recognition, which essentially means controlling the identity Somaliland can take in the world. The SSA becomes the international community’s management of the freedom of the self-governed, which means that self-governance has an immanent constraint, which points to the abstract nature of power: freedom/constraint. As a result, Somaliland’s recognition becomes subject of a double bind: the SSA establishes that Somaliland has the competence to fulfil its international and domestic obligations, hence its nomination as a self-governing entity, while the SSA at the same time, manages Somaliland’s conduct and thereby installs a self-limitation in Somaliland. Hence, it is the international community that commands what will actually come to pass: the governing authorities and their constitution must be designed in accordance with the international community’s understandings of what is appropriate. In the context of treaties Erik Ringmar notes, “*the right that the treaty granted were the very same rights that the treaty revoked*” (Ringmar, 2010:12). This observation is apparent in the way Somaliland is given agency and at the same time subjected in the SSA. In other words, the Somaliland government is unable to oppose the externally scripted storylines that places Somaliland within discourses on its stateness, if it wishes to exercise governance.

The conditionality Somaliland's statehood is attributed can further be seen in the subtle formulation framing the SSA as "*a living document... allowing enough flexibility for a changing contextual environment*" (SC, 2013:21) In this regard, the international community has assigned itself with a *carte blanche*, which means that Somaliland's self-governance is potentially subject to alterations.

4.4 Conclusion: How the international community currently manages Somaliland?

Three analytical questions were posed in the beginning that would be used to structure the analysis in order to answer the sub-question for the second analysis: How the international community currently manages Somaliland?

To take the first question regarding Somaliland's representation in the SSA; The SSA constitutes Somaliland as a self-governed entity that can petition a separate and self-instituted development plan in an equal partnership with the international community. However, as we dig deeper into the analysis it becomes clear that the SSA frames the 'equal' partnership around certain obligatory responsibilities concerning respect of human rights and good governance that Somaliland has to fulfil, which stipulate Somaliland's self-governance and hence its recognition in a substantial way. Central for the two concepts of human rights and good governance is that they shape the relationship between the state and its population and impose a set of responsibilities on the former to the latter. The analysis of the international management in SSA display that specific demands of responsibility from state towards its people is central for the location of external recognition of Somaliland as a legitimate authority. In this way, the analysis of the practise of recognition shows what forms of doing that currently constitute legitimate forms of being in the international system.

The second question posed in the beginning was how the boundary between recognition and sovereignty represented? In the SSA, we can distinguish between two levels of recognition: the recognition of statehood, and the recognition of a certain authority. The recognition of statehood and authority is evident in the way the SSA establishes the Somaliland government

to *its* people, hence to a domestic society. The SSA further establishes the Somaliland government as a somewhat conditional member of the international community by recognising it as an equal development partner. This membership entails a high degree of self-determination, however it has to be exercised in accordance with the mandate of the SSA, which in this way structures Somaliland's stateness and authority. Hence, Somaliland has to be organised internally in a particular way, in order for the international community to acknowledge it as a legitimate self-governing entity. The storylines that accompanies Somaliland in the SSA such as democratisation, good governance, and human rights, places the Somali people as the centre for the Somaliland government's responsibility, which provision conditions both its recognition in regards to statehood and its authority.

Somaliland's assigned authority over internal matters could be mistaken for granting of sovereignty, which according to the modern political understanding is authority over a political entity, and the right to speak and act for this entity externally. However, Somaliland is not given freedom to decide over internal matter nor authority to act for Somaliland externally, hence the essential rights that characterise a state as sovereign. Furthermore, the SC never addresses the basic form of the Somali state, including the depth of federalism and decentralisation, which is left to constitutional negotiation between the Somalis. This means that Somaliland's request for independence is never addressed, despite the institutionalisation of Somaliland as statehood with leadership and ownership. In this way, the current conditions of possibility for Somaliland is shaped by a certain conditionality, which answers the last of the three questions posed in the beginning of this chapter.

The way Somaliland is constituted in the SSA allows Somaliland to uphold its delineation from Somalia, and perform a state-like international presence in deference to its earlier 'statehood'. Somaliland claimed recognition as an independent state and got a conditional partnership, which came with an institutionalised liberal understanding of self-limitation and freedom through which Somaliland is produced and regulated. In this way, the analysis has showed how power operates in an external peace-building and state-building intervention, which claims to be based on partnership. Hence, the principles of autonomy and self-government, aspects central to the modern understanding of state sovereignty, are not respected on the Somali territory, which is currently administrated in the SC by the international community.

So how can Somalia and Somaliland at one and the same time exist as sovereigns in the same territory? The synchronic analysis, and the diachronic analysis before it, showed how a number of strategies were employed in the international community's management of Somaliland.

The diachronic analysis showed how Somaliland went through a discursive formation between 1991-2013 that gradually fixed it in regards to the discourses of stateness moving Somaliland from being completely non-existent in the international community's discourse (an object of non-being), to being an object in the international discourse (an object of non-recognition). As the rules change for how Somaliland can be talked about, so does the numbers of actors that participate in negotiating Somaliland's identity. During the last years before Somaliland was institutionalised as a self-governing entity in the SSA, Somaliland had already reached a critical mass within the discourse of stateness and was invited to external sponsored talks with the Federal government of Somalia. Hence, Somaliland was recognised informally before its 2013-genesis where the recognition was institutionalised in the SSA.

The SC acknowledges the FGS as sovereign authority of Somalia, however the SC is also a policy document that clearly sets out the strategic priorities for the authorities in the federal Somalia, including Somaliland. Hence, the international community has instituted itself as an authority that ascribes roles and duties that have to be fulfilled in regards to the domestic Somali society. As a result, sovereignty is spoken of as closed, articulated to 'reside' with the federal Somalia in the SC document, which at the time strips Somalia its right of self-determination and territorial property right by setting the priorities for Somalia's management execution and granting Somaliland self-governance. Somaliland is granted an identity within the discourses of stateness (recognised vis-à-vis its domestic population) never in the discourses of sovereignty (recognised as the sovereign authority vis-à-vis the international community), which is still a right that belongs to Somalia. The New Deal conference, where only Somalia gets a subject position to speak from and is addressed in the speeches held by the various international community's actors, demonstrate this.

5. Conclusion

How has the international community managed dilemmas in regards to Somaliland's claim of recognition as a sovereign state? This was the empirical research question presented in the beginning of this thesis. The thesis's research question takes aim at a foundational premise addressed in the introduction's first section, which establishes state sovereignty as the foundational idea of the modern political order, but concurrently that state sovereignty is not an essential principle, but a contingent concept that is discursively produced. By placing a case of a contested state, which was recognised as a self-governing entity in 2013, at the centre for examination we are offered an opportunity to study the current qualifications of becoming a state in the international system.

In order to answer the research question, two sub-questions were posed in the introduction; the first investigated the historical constitution of Somaliland between 1991-2013 through a diachronic analysis, and the second sub-question analysed how Somaliland was constituted at a special event in 2013 through a synchronic analysis. The findings of the analyses will be presented in the following to answer the overall research question.

The first analysis asked: *Through which historical processes did Somaliland appear as something that can be thematised?* This question was answered through a discourse analysis, which showed that the international community used a number of storylines to negotiate and make sense of Somaliland. At first, Somaliland is not thematised by any international actors. Somaliland continues to be an object of non-being until the early 2000s, where storylines around the crucial need to protect Somaliland's stability, democratic development, and people, gradually gains momentum. This means that Somaliland is lead to a place from where the international community can communicate about Somaliland, namely in regards to the degree it can be argued to fulfil the responsibility of a state vis-à-vis its domestic society. As a result, what we see gradually unfolding from the mid-2000s is that Somaliland is discursively produced within the discourses of stateness, which is one of the dimensions that participate in the discursive production of the state in the current international system. As more and more international actors gradually back this discursive constitution, Somaliland expands its presence and moves from an object of non-being, to an object of non-recognition.

The storylines that articulate Somaliland as capable of fulfilling the contemporary state responsibility in regards to democratic management and provision of services expands through 2010, 2011 and 2012, when Somaliland begins to be seen as a strategic partner in the war against terror. In this way, new rules for how Somaliland can be spoken about, observed, and acted upon as an object is introduced, and a subject position is granted to Somaliland both in regards to fighting some of the ills in the region, such as piracy and terror mobilisation. In 2012 and early 2013, Somaliland starts to enter the international arena as an authority in Somali development issues, and is invited to share lessons from its own democratic development path.

In September 2013, Somaliland can no longer be ignored, and is established as an object for policy-making. The New Deal conference recognises Somaliland's political autonomy and grants Somaliland authority as an equal development partner.

In regards to answering the overall research question, the historical diachronic analysis shows how the international community applied various storylines in the discursive struggles that gradually constituted and reconstituted what Somaliland's identity was about and how it fitted in the discursive production of the current international system. It was on the foundation of several previous articulations and selections, which had depicted Somaliland as a responsible agent, that the international community came to constitute Somaliland as a self-governing part of the federal Somalia with whom they could establish an equal partnership in regards to their development agenda on Somalia.

The recognition of Somaliland raises one essential question; how Somalia and Somaliland can exist side-by-side claiming authority over the same territory? The second analysis dealt with this paradox by examining *How the international community currently manages Somaliland?* This analysis emanates from the Somaliland Special Arrangement (SSA), which recognised Somaliland as a self-governing federal entity and equal development partner and in this way presents a new political order. However, in regards to Somaliland's constitution in SSA, it becomes apparent that two competing entitlements are at play. The international community identify Somaliland as a political community that is allowed to make certain claims to authority over a certain territory, and further as a political entity with whom the international community can have an equal partnership in regards to the internationally established development agenda for Somaliland. In this regard, Somaliland is recognised as a subject

rather than an object by linking its stateness (authority, territory and population) with external recognition. Recognition is sovereignty's defining maker, however a number of strategies are employed to never formally establish Somaliland as a sovereign entity. Firstly, the Federal Government of Somalia (FGS) is recognised as the sovereign, which through the SC's strategy plan is intended to unite, stabilise, and democratise. Secondly, the SSA sanctions the self-governance and state-making practise of Somaliland through the technology of contractualisation, which limits Somaliland's freedom and impose foreign political control. In this way, Somaliland's autonomy is to be exercised in accord with the mandate of the SSA that has formalised Somaliland's governance in a two-way contract towards its population and towards the international community. In this way, the international community is subjecting its developing partner Somaliland to a double bind.

The recognition of self-governance offered in SSA should not be conflated with recognition of sovereignty, which is the external recognition of claims to authority. Somaliland is given a certain subjectivity (a degree of self-determination) in the policy document that sets out the goals for Somalia over the next couple of years. In this sense, the SC document illustrates that the international community currently holds actual authority, which is only released conditionally to restore Somalia's sovereignty through the SC and the SSA. As a result, Somalia and Somaliland can unfold their statehoods vis-à-vis the population in the south and the northwest, but only one externally recognised sovereign authority exists in the territory, whose authority however can be questioned.

As the synchronic analysis showed the question of sovereignty was never negotiated, which means that Somaliland's recognition as self-governing entity did not appear as a contradiction. The two discourses of stateness and sovereignty work metaphorically reducing what we can possibly call a state and even though they were both at stake in the SSA, the international community managed Somaliland's identity by applying technologies of partnership and power-relations through governmentality.

The analysis has showed the political and constitutional nature of recognition. Somaliland is assured and given content through the practise of recognition, which means that Somaliland is dependent on recognition to become a state in the international system. By examining the international community's management the conditions for recognition are opened up for investigation, which uncovers the conditions for authority. In other words, recognition processes shape the conditions for the exercise of authority. The analysis showed

that the relation between state and society is particularly central for the way authority is perceived in the SSA. Somaliland's authority is constituted around the concepts of democratisation, good governance, and human rights, which stipulate Somaliland's government's authority to a liberal management of its domestic society.

The thesis was initiated with the question of political order and how sovereignty's presumed precedence as the fundamental rule or structure of authority is challenged in the case of Somaliland, where one state's sovereignty (Somalia) is at stake if another's (Somaliland) is recognised. The enquiry showed how discourse is related to practise; how the processes of discursive productions operates in the international system as a structuring effect, and how these processes have participated in constituting Somaliland over time. The discursive moves that gradually made Somaliland into an object of recognition exposes that no natural principles exist behind the granting of sovereignty and that sovereignty is inherently coupled to a constraint, namely that self-determination and territorial integrity are not ultimate principles.

5.1 Wider Reflections

The thesis began with the abstract question of political order and a conceptualisation of the phenomena of contested states and their predicament in a world of sovereign states. The Somaliland case was chosen, as it constitutes an interesting framework to study the current qualifications of becoming a state in the international system and a range of theoretical choices was made in order to investigate the object of Somaliland through a distinct and focused analysis. However this was, as any perspective is, a choice with consequences, which to some extent limited the analytical predictive power. This section will address some of these weaknesses and how they could have been handled.

The choice of constructing the international community as a specific observation bearing position meant that the external construction of the state has been given precedence as structuring effect in the thesis. A range of poststructuralist scholars used in this thesis, such as R.B.J. Walker (1991, 1993), Cynthia Weber (1995, 1998) and Kevin Dunn (2009), have noted how, "*the state is constituted from without as well as from within*" (Dunn, 2009:430). From

this contention Somaliland is an actor that participates in the production on its own constitution within the international discourse. In this way, the relational struggle between the international community and Somaliland in terms of defining Somaliland's identity could have been investigated by ascribing Somaliland a subject position in its own right, following its international performances that gradually assisted to reify its status. A theoretical perspective that could have been used for this purpose is a Laclau informed discourse analysis, which would have enabled a study of how sovereignty is negotiated in micro centred negotiations between the international community and the involved parties, such as Somaliland and Somalia.

One of the thesis's theoretical premises is that the practise (non)recognition of state sovereignty does not only construct meanings of state sovereignty, the (non)recognition practise also participates in the (re)production of state sovereignty. Bartelson writes, "*in the writings of Hobbes the most important role for the Leviathan was that of the denominate not the legislator*" (Bartelson, 2011:116). Hence, the sovereign denominates, while simultaneously legitimising "*the very political order within which those claims can be made and understood as meaningful by the agents involved*", which Bartelson argues is the most basic ideological function of the concept of sovereignty (Bartelson, 2008:44). In this way, recognition becomes one of those practises through which sovereignty is produced as a vital fact of the international system. Recognition becomes the practise, which enacts and assures those that assume sovereignty's (the recognised states) continuing actuality. In this regard, the political practise of (non)recognition has a constitutive effect on the international system of sovereign states producing these actors' identities as sovereigns. Hence, "*sovereignty is not only what we make of it, but equally that which constitutes the identity of its maker by virtue of being at stake in their recognition games*" (Bartelson, 2008:41). In this way, two processes of constitution are at stake in the recognition game; that of self (international community) and other (Somaliland), produced in a circular relationship between actors, practises and discourses.

The international community's management of Somaliland's claim of recognition becomes a reproducing platform where sovereignty asserts its boundary. In this way, Somaliland's claim of recognition as an independent state does not challenge or interrupt sovereignty as the basic organising principle in the international society of states, on the contrary the international management of Somaliland produces and reaffirms sovereignty as

the organising principle of the international system. The politics of recognition and non-recognition is thus played out as a constitutive game, where the international society upholds itself with help from what it is different from, from what is excluded. The premise followed is then that contested states “*are not a transgression or violation of Sovereignty*”, since contested statehood “*can only be defined on the basis of a prior albeit often hidden conceptualization and assumption of sovereignty*” (Malmvig, 2006:xx)³¹

³¹ Inspired by Malmvig’s distinction intervention/sovereignty (2006)

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