

SELF-DETERMINATION AND NATIONALISM IN THE BORDER RE-ARRANGEMENTS IN THE HORN OF AFRICA

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Abstract

Purpose: The study sought to understand self-determination and the challenges posed to the borders in the Horn of Africa through a precise analysis of the notion and its application in the Horn of Africa.

Methodology: The research used qualitative methodology via primary and secondary data. Primary data engaged historiography through archival materials, documents and field interviews while secondary data was from published journals and books. The study also used magazines, newspapers and internet materials, and films to synthesize the data for validation of the outcome.

Result: Self-determination affects state borders and therefore confirms that borders are arbitrary constant formations. Borders include social-cultural norms which entail ethnic identities and state norms. The latter involves inviolability of borders, fixed territory, exclusive citizenship rights and sovereign rights. Therefore, challenges of the state borders in the Horn appears as a clash between the social-cultural norms and state norms. Whereas the first calls for accommodation and negotiated legal spaces, the latter retains a rigid notion of borders which resists a shift of the same. However, successful self-determination referendum by a group within a state followed by consent of the state and recognition by the United Nation (UN) legitimizes international border shifts through the formation of new unique states.

A unique contribution to theory, practice, and policy: Self-determination is concomitant with border constructions. Therefore a need in the understanding that natural borders do not exist. States should appreciate a shift in any border as an attempt to self-govern where the hosting regime fails to uphold the same. Self-determination implies retaining a cultural identity and a norm unique from the existing states where annihilation threat towards a group is present. States should not necessarily interpret self-determination as a danger but a mode of negotiation as engrained in pre-colonial African borders. Furthermore, self-determination does not encourage the use of force against other states but promotes the idea of negotiated spaces through plebiscites the acceptance of which results in redrawn borders and the opposite retains status quo.

Key Words: *Self-determination, Secession, Irredentist-Secession, Borders, State-recognition.*

1.0 INTRODUCTION

The international system profoundly embeds the principle of self-determination since World War 1. Self-determination is more often than not accompanied by the notion of nationalism. The question that follows is what then constitutes a nation. Over the years, nationalism has occurred in three distinct phases. The first was during the World War 1 which birthed the treaty of Versailles in 1919 (The Treaty of Versailles, 1919). The Versailles treaty agreed on peaceful negotiations which led to territorial rearrangements through plebiscites such as the Schleswig and Prussia in 1920 where the people in the provinces decided their destiny state via vote. The second phase of self-determination occurred during decolonization which resulted in the independence of colonized territories. The last phase is the post-colonial era where nations within independent states seek self-rule. In the last category, there are questions of independent states which seek to unite their nations with similar nations in other territorial state jurisdictions either under colonialism or oppressive regimes thus irredentist secessions.

Questions of nationhood rely on a constructed oneness or uniqueness in the historical myth of origin, language and a shared way of life (Munene, 1997). In post-colonial self-determination, groups seeking statehood are free to do so through a plebiscite in which the outcomes determines either breakaway or status quo. Plebiscites eliminate the long grown question of the use of force against another state as a means to self-determine therefore in line with the UN Charter [UN Charter, Article 2(4)]. However, a plebiscite must be accompanied with the recognition by other bodies of state and consent from the state in which a nation is breaking away from for validity. After the Versailles treaty of 1919, plebiscites became avenues for nations which felt differently from core empires in the early 1900s. The option to form a unique state meant that it eliminated issues of lack of patriotism in an impartial manner where none was forced by the empire to be part of it or forced out of it when they wished to remain.

The Horn of Africa is unprecedented with post-colonial up-and-coming states such as Eritrea, South Sudan and self-styled states such as Somaliland in the unique history of the Republic of Somalia. Amidst the search for self-determination, there have been failed cases of irredentist secession such as the 1963-67 Shifta War on NFD Kenya (Weitzberg, 2017). The Ogaden war of 1977-78 which also failed to break away from Ethiopia and join Somalia (Bereketeab, 2012) and the on-going secession case of Somaliland seeking to re-establish its colonial borders to separate from Somalia (Felter, 2018). The study argues that self-determination is a means for nations to negotiate peace between the social-cultural and the state norms because all borders and identities are arbitrary but not a guaranteed process based on the mode used.

2.0 SELF -DETERMINATION

The principle of self-determination embodies a peoples' freedom to choose their destiny concerning the political, economic and social-cultural way of life. The idea relies on the consent of the governed (Egleton, 1953) and the governing authority. President Woodrow Wilson of the United States (US) first talked of self-determination after World War I in support of freedom for the suppressed minorities under the Germans and Russians domination (Hill, 1995). Woodrow Wilsons' 14 point in the League of Nations is foundational to the principle of self-determination (Hannum, 1993). Though the 14 points do not directly use the phrase self-determination, the

whole idea relied on equity of all (Wilson, 1918). Wilsons' ideas constructed the first phase of self-determination which concentrated in European nations until after 1945.

Post-1945 self-determination was all about decolonization. It is found in the United Nations (UN) charter and refers to equity among people and developing friendly relations [UN Charter Article 1(2) and Article 55]. Beginning the late 1950s to early 60s most colonial governments began the process of granting independence to their colonies. The principle of self-determination appears in the 1960 United Nations Decolonization and Declaration on Granting Independence (UNDDGI) to colonial territories [UNDDGI, 1960, General Assembly Resolution 1514 (XV), (2)]. It referred to territories and not the uniqueness of a peoples' cultural affiliations.

Besides, self-determination concerning unique culture, language and historical myths of origin occurs in the 1970s. It happens specifically after the decolonization of most African countries. The third phase combines some aspects from the first and second phases which means a group within a heterogeneous empire in search of self-rule (Olusola 2013). The third phase concentrated on the allegations of maltreatment/marginalization of groups within states. Claims to the uniqueness of a groups' cultural affiliation as a basis for seeking self-determination was no longer enough. Therefore, groups or nations within states, combined the idea of marginalization conceptualized as oppression/a form of colonization by a state and cultural uniqueness (Healy, 1983) to self-determine.

Self-determination became a challenge to most African states as it appeared to collide with the principle of territorial integrity. As a result, the Organization of African Union (OAU) 1964 Cairo Resolution decided that self-determination is only through decolonization of territories following which the whole which became independent was inviolable [OAU, 1964, Resolution AHG/RES.16 (1)]. Later, the African Union (AU) held the same principle that borders of a state are inviolable [AU, 2000, Article 4(b)].

The Cairo Resolution became a normative principle in African state borders. However, dissatisfied states continued to challenge it. Eritrea and South Sudan unprecedentedly broke the principle through plebiscites that led to their self-determination from Ethiopia and Sudan respectively. Though states frown upon the self-determination of groups/nations within, a flashback to the UN debates on whether they should regard colonies as nations and whether the principle applied to colonial territories shows it as an evolving process (Egleton, 1953). As it were, the principle became core to decolonization. As things stand, nations within independent states receive little to no support when they invoke the principle of self-determination when relying on cultural differences as a core reason. Looking at history, the idea too is likely to gain more prominence in future since nationalists in search for full autonomy like the predecessors during colonial times are not likely to disappear.

2.1 Secession as a Path to Self-Determination

Secession is a unique concept in that it is a desire to establish a unique political entity apart from the existing body of states (Pronto, 2016). A unit claiming secession as a path for self-determination needs to show it is unique and has different social-cultural, political and economic path from the existing state (Ibid). Furthermore, show that the current regime hinders the pursuit of the unique path which denies the people their history and identity. Therefore claims could either be direct colonialism or the same after the fact. Some cases of secessionist demands are as

a result of multiple colonialism. Multiple colonialism occurs where a colonial territory upon attaining independence engages in oppressive behaviors towards a section of its geographic territory with a likely culturally unique population from the rest of the country.

African colonial territories do not constitute one nation; instead, they were made up of multiple nations. Under colonialism, the regions became psychologically wired to identify with the colonial master which silenced the pre-colonial identities (Fanon, 2008). The colonial territories were a nation based on the identity of the colonialist/colonial borders. Therefore, in the Horn (Kenya, Somalia, Ethiopia, Eritrea, and Djibouti) there were British nations, Italian, and French, while Ethiopia retained its un-colonized identity. Within the macro colonist nations, there were sub-nations which colonial powers referred to pejoratively as tribes owing to what appeared as lack of civilization (Mamdani, 2012). After independence, some of the sub-nations began a new path for self-determination through secession as a desire for independent states. The idea of self-determination was more pronounced in cases where multiple colonialism appeared as opposed to single colonialism.

2.2 ‘Multiple Colonialism’ in the Horn

The exit of colonial masters from the Horn was not clear-cut because of two reasons. One was the premature exit of colonial powers following the allied powers defeat of the opposing forces in the early 1940s. Two was the granting of independence to colonial territories. For example, the defeat of Italy was among the premature exits meaning its colonial territories required an administrative solution. The United Nations General Assembly (UNGA) provided the solution through granting Italian territory of Somalia a UN trusteeship. Also, the UN federated Eritrea as a province in Ethiopia.

2.2.1 Eritrea Path to Self-Determination

Eritrea moved from being an Italian colony to an Ethiopian federated region as a result of the UNGA decision. The other Italian territories of Somalia and Libya were designated differently by the same body. UNGA agreed to grant Libya independence latest by January 1, 1952 (The New Yorker, January 10, 1951). Libya became independent in 1951. UNGA placed Italian Somali under the UN trusteeship from November 21, 1949, for ten years in preparation for independence. After the US proposal, Eritrea became a federated autonomous region of Ethiopia (Warren and Warren, 1976).

In 1961 Eritrea formed a liberation group Eritrean Liberation Front (ELF). Eritrea desired self-determination from Ethiopia. In 1962, Haile Selassie quashed the ELF and annexed the federated region and made it an Ethiopian province. ELF went underground and continued the struggle for self-determination. ELF gained the support of the rural Moslems considering that Ethiopia is a Christian majority state while Eritrea had the Arab influence on Islamic religion initially and later the Italians which culturally separated it from Ethiopia. In 1972 the ELF became the Eritrean Peoples’ Liberation Front (EPLF). EPLF engaged Ethiopia in a liberation war for 30 years. During the Ethiopia-Eritrea struggle, some Arab nations were alleged to support Eritrea in the secessionist ambitions (Daily Nation, September 7, 1977). Eventually, the issue took the plebiscite route and Eritrea self-determined from Ethiopia in 1993 (Cohen, 2013).

Eritrea fought against Ethiopia based on the logic of decolonization as a principle for self-determination. The principle is in the 1960 UN decolonization and declaration on granting of

independence. Eritrea argued that it was an Italian colony and instead of gaining independence, it was placed under Ethiopia as a federated region and Ethiopia later abrogated the agreement through forceful annexation. Under Ethiopia's actions, Eritrea became a colonized territory again under an African empire.

The Second argument for Eritrea's self-determination relied on the fact that European powers did not colonize Ethiopia. Ethiopia was present at the 1884 Berlin Conference which implied it was a colonizer and participated in sharing colonized territories with European powers. The argument countered the idea of territorial integrity where states against Ethiopia such as Somalia argued that territorial integrity only applied to independent sovereign states and not to colonizers (Mayall, 1983). Territorial integrity failed to hold concerning European empires because decolonization/self-determination of colonies did not affect the territorial integrity of their mother states in Europe. European colonies were far off in remote places in the world and could not directly affect the political and social impact of European state territories at the time.

The OAU resolution on territorial integrity also played a role in Eritrea self-determination because the insistence of keeping the borders as the colonizers held them meant Eritrea borders were as per the Italian demarcation of the same and not Ethiopia.

Despite the case against Ethiopia as an imperial power, it should not go unnoticed that for Eritrea to attain self-determination first a plebiscite had to be held and second Ethiopia had to accept the outcome, and third other bodies of state had to recognize Eritrea as an independent state. However, ultimately the UN recognition legitimized the process (Munene, 2016). Therefore recognition and consent are validation processes in international law without which a successful secession becomes illusive (Pronto, 2016). Apart from Eritrea, South Sudan also managed to secede from Sudan in 2011 and self-determined.

2.2.2 South Sudans' Self-Determination

South Sudan was originally part of Sudan in the North. South Sudan path to self-determination differs from Eritrea in two ways. First, South Sudan became a loose integration of the north in the nineteenth century (Ylonen, 2013). It was a frontier zone with rich mineral resources which were extracted by the Egyptians and allies. The latter were central and north Sudanese. The Anglo-Egyptians retained the status of the south postcolonial, that is, marginal and peripheral in all ways. In 1899 the British colony conquered the whole of North and South making it a unit colony but separated the two administratively. It appears that the South remained minimally united with the North. Arguably, the North continued to treat the South as a frontier situation which never dissolved completely into a borderland and boundary of the north. Culturally, the North holds Arabic Muslims while the South has Christians and traditional African religions. Furthermore, the North is racially Arabic while the South is African. The Northern culture became the 'national' culture of the whole causing dissent from the South which insisted on its cultural, economic and political differences with the North.

The British colony introduction of Christianity in the south through schools and churches further constructed cultural difference with the north. The differences were points of tension among the elites from both regions. The tension carried on from the early 1900s to the mid-1940s when the British eventually incorporated the South in 1946 as a full territory of the North. By early 50s the North-South divide continued and became the full-blown case of self-determination for the

South. It appears that the economic interdependencies drove the British to 'unite' the Sudan state. However, it failed because the North had cultural links with the Arabic Muslim region to its North and Northwest while the South was affiliated to the Christian and African Southern territories (Canes, 2011). The Arabic north failed to incorporate the south in self-rule.

Upon the British exit and Sudans independence on January 1, 1956, the South became mostly under-represented in parliament. The majority of Arab Muslim North imposed their culture and made it a 'national' identity which left out the South. It was in all manner similar to the second phase of colonization for the south by the North. The move by some Arab northerners into the South heightened the latter' fears. During colonialism, the Arabs participated in slave trading of Africans as middlemen. The perception of cultural superiority over the African South pervaded the state of Sudan (Deng, 1995). Though initial attempts were made by the south to make it a federated region, the North rejected the idea. The South, therefore, underwent multiple colonialism (Munene, 2015). The oppressive regime of the North, the cultural differences, and allegations of marginalization led the South to secede (Sharkey, 2008).

Like Eritrea, South Sudan Secession was placed under a plebiscite which took place in January 2011 (Saeed, 2013). The North accepted the outcome leading to the creation of the South Sudan state. Besides, the UN and different states not only consented but recognized South Sudan as a unique entity in the units of States. The South is independently different regarding the political, economic, and social-cultural to warrant a place in the world that is distinctly unique from both North Sudan and other countries. Secession was therefore successful based on these points.

The South Sudan secession combined aspects of the first, second and third phases towards self-determination. The use of 'nation' defined as African in origin and cultural practice, facilitated decolonization based on the Arabization policies of the north and marginalization within an independent state unlike cases of irredentist-secession by Somalia in the Horn.

3.0 IRREDENTIST-SECESSION IN THE HORN

Irredentist secession differs from other forms of self-determination in character. Self-determination directly translates to governing the self in matters economic, social, cultural and political. Irredentism, however, means another state is behind the desire for secession in which the breaking away territory merges with it (Pronto, 2016). It is, therefore, a transfer of self-determination from one state to another and not an acquisition of self-government. Observably, there is no unique outcome for the irredentist-seceding region in real understanding of self-governance. It also appears like reduction of power from one state and aggrandizement of another via state size decrease and increment respectively. In the Horn, Ethiopia, and Somalia both accused each other of irredentism.

3.1 Ethiopia and Somalia Irredentist-Secessionist Ambitions

Ethiopia and Somalia desires for nationalism became pronounced after the Cold War. During the period, nationalism took the first phase of self-determination following the European conception of nations as unique social-cultural identities which qualified nations' independence and defined borders. Initially, both states presented their cases based on the identity of the people in the territory.

Somalia formed the political party the Somali Youth League (SYL) in 1947 when it was under the UN trusteeship. The SYL claimed that “We Somalis are one in every way. We are the same racially and geographically, we have the same culture, we have the same language and religion,” (The SYL, 1948). Later after the Republic of Somalia independence, Somalia made it clear that union of ethnic Somalis through merging the territories they occupied was of utmost importance. It implied that The Ogaden in Ethiopia, NFD in Kenya, French Somaliland/Djibouti and British Somaliland unification was the ultimate self-determination of the ethnic Somali nation.

Somalia conceived self-determination as holistic based on where ethnic Somalis were (Bakpetu, 2015). The critical problem was that in 1948 when the SYL made the memorandum, all the Somali regions were not yet independent. Self-determination was therefore equal to the decolonization of each territory. The question then became Ethiopia, a colonizer? According to Somalia, Ethiopia was never colonized and shared colonized territories with colonial powers despite its African origins. In 1977 President Barre stated that Ethiopia backed by “huge quantities of Soviet weaponry are planning to attack Somalia...if they succeed, their ambitions will extend elsewhere” (Daily Nation, November 3, 1977). Barre showed Ethiopia as a colonizing empire in need of decolonization. However, Ethiopia showed Somalia as brothers whose roots emanated from it.

3.1.2 Tortuous ‘Brotherhood’ notions in the Horn

Ethiopia in response to Somalia’s calls for self-determination of Somali regions stated that ethnic Somalis in Ogaden were better off under their ‘brothers’ regime, Ethiopia compared to racial maltreatment under the Italian empire. It appears like Ethiopia qualified forms of maltreatment where its own against Somalia was better than Italians. Ethiopia went further to state that “The history of Eritrea has been one with that of Ethiopia...the race is the same,...the culture and habits ... similar considerations of historical, racial, and cultural ties likewise apply” In the case of Somaliland Ethiopia claimed “should revert to the mother country. To recognize the realities of the existing historical and other ties which bind them integrally to Ethiopia”(Ethiopia, 1945).

Ethiopia and Somalia used the first phase of self-determination through claims of sameness as a nation. In claiming Eritrea and Somaliland as having originated from Ethiopia, it implied that the whole region fell under the Ethiopian state by racial origins. Ethiopia, Somalia, and Eritrea carry the Cushitic community. However, it is clear that these communities differ in other matters of identity such as religion and language. Eritrea and Somalia are both Islamic, and each has different dialects separate from Ethiopia.

In the Early 60s, the issue of self-determination in Africa took a turn for decolonization. Both Ethiopia and Somalia conception of self-determination based on race could no longer hold. It meant that African colonies sought to secure the territory as demarcated by the colonial regimes. Kenya was among the states that held decolonization as self-determination denying irredentist secession ambitions from Somalia [Kenya House of Representative (KHR) Debates, 1963]. Kenya's' view coincided with Ethiopia's' benefit since it meant the Ogaden and the Haud region should remain with Ethiopia. However, the Ethiopian colonial status was still an issue. Despite the inconsistencies, the OAU sanctified colonial borders attained at independence (OAU Charter, Article 3, 1964).

Though Somalia continued to seek unity of the lost lands it referred Kenya as 'brothers' and requested unity with its 'brothers' in NFD as a show of harmony with Kenya. Brotherhood with Kenya inferred Africans based on the territorial occupation of the continent while brotherhood with NFD showed racial affiliations. The idea of nationhood appeared confusing since both geography as in the case of decolonizing colonies informed oneness and also nations based on race/ethnicity.

Somalia changed to anti-colonial self-determination as spearheaded by the Western Somali Liberation Front (WSLF) in Ethiopia eastern territory bordering Somalia. In the 1979 Constitution Somalia stated that "The Somali Democratic Republic, adopting legal and peaceful means shall support the liberation of Somali territories under the colonial oppression and shall encourage the unity of the Somali people through their own free will"(The Democratic Republic of Somali Constitution, 1979). At this point, Somalia had lost in the Ogaden war of 1977-78 to Ethiopia and before it the 1963-68 Shifta war in NFD Kenya. In both wars, Ethiopia and Kenya supported each other against Somalia through the mutual defense pact of 1964 (The Times, December 28, 1964) and otherwise (Daily Nation, September 6, 1977: Daily Nation, October 26, 1977). Even though a plebiscite failed in NFD (Bakpetu, 2015), it is clear that Somalia references to Ethiopia as imperialist (New African, 1977) led to the call for a plebiscite for the Ogaden. The idea anchored on the view of Ethiopia as a colonizer which meant decolonization of the Ogaden-Haud regions through a peaceful means. It differed from the NFD since Kenya was colonized and did not qualify as an imperialist.

Irredentist secession suffers from lack of consent and recognition from the targeted territories and other states. It also includes use of force on another states' territory which delegitimizes the process. Recognition is both a political and legal term which aids or deters self-determination. Irredentist secession does not create a new state but serves to add the size of mostly an adjoining state. Irredentist secession also bases on the idea of similarity in race/ethnicity as earlier posed by the European territories in the 1919 Versailles conference. Irredentist secession is borderline to racism as spearheaded by colonialism since the seceding territory relies on emphasis on its uniqueness as a race and culture separate from its current state. Amidst the claims, colonialism played a role through racial hierarchical division strategies of governmentality. In short a seceding territory most likely feels superior or inferior in identity compared to where it is. The reason why most irredentist secessions fail compared to secession is because of use of force against another state by an adjoining state in addition to parallels to insolence which deters consent and recognition. It appears as a psychological battle on the original state which fights the issue based on the remote notion that the seceding territory wishes not to be part of its identity. Either way, irredentist secession portrays a lousy picture on its current state territory.

4.0 BALKANIZATION OF SOMALIA

President Siad Barre came to power through a bloodless military coup in 1969. He promoted unity in Somalia through scientific socialism (Lewis 1994). Barre prohibited clan allegiances (Interview with a lady from Somalia, 2017). According to Barre, scientific socialism was a means to promote religious affiliation. He spearheaded multi-clan bound provinces where clan exclusivism in a province was no longer the norm (Lewis, 1991). The excitement lasted a few years but would come to an abrupt end in 1977 following the void in the 1974 treaty of

friendship and cooperation with USSR. The Ogaden war which followed saw the USSR switch its support to Ethiopia which led to Somalia's defeat (Adar, 1994).

The defeat of Somalia in the Ogaden war had various implications. First clans re-established clannism as their identities thus sub-nations within Somalia. British Somaliland self-declared its independence from Somalia in 1991 (Weekly Review, 1991). The issues of clan favoritism resurfaced where the Marehan, Ogaden, and D'ulbahante (MOD) appeared favored in government positions (Nene, 2005). Given the British Somaliland merger with Italian Somali in 1960, the Northwest Isaaq region rebelled against president Barre. The rebellion had been growing since the merger where the Northwest felt left out in government positions from inception. For example in 1961 British Somaliland boycotted the constitution referendum (Weitzberg, 2017). Besides they attempted a coup in protest of Italian Somali domination in government (Huliaras, 2002). British Somaliland alleged marginalization by the Mogadishu government (Ibid).

The Ogaden war of 1977-78 and the subsequent defeat led to refugees in Somalia. The Barre regime allocated some refugee camps in Northwest region where it appeared to have the motive of minimizing Isaaq clan exclusivism. The Isaaq were not happy. A culmination of marginalization by the Barre regime led the Somali National Movement (SNM) from Somaliland to attack the Barre forces in 1988. In retaliation, the Mogadishu government bombarded Hargeisa and Burao regions in what came to be known as the 'Hargeisa Massacre' (Interview with Hassan, Nairobi 2018. Aljazeera, 2016). In 2014, the BBC exposed the alleged massacre through excavations of human remnants in Hargeisa (BBC, February 28, 2014). As a result, Somaliland claims self-determination from Somalia based on decolonization through colonial created borders, and feelings of marginalization and oppression from Somalia. The case of Somaliland is complicated because Somalia has not had a stable government since the fall of President Barre in 1991 and therefore a plebiscite, consent and recognition are elusive. Also, Somaliland willfully merged with Somalia in 1960 at the independence of the latter.

5.0 CONCLUSION

Self-determination evolved in three phases. The first was through nationhood during the Versailles treaty of 1919. The second was after 1945 through decolonization where each European colony sought sovereignty from the colonial masters. The last one is in the 1970s where sub-nations sought/seek self-determination as a result of oppression within units of states. Self-determination can, therefore, take the paths of independence, secession, and irredentist-secession. In the Horn, British Somaliland, Italian Somalia, Djibouti, Kenya, and Sudan secured independence from colonial masters in the period of 1956-1977. Eritrea and South Sudan self-determined through secession in 1993 and 2011 respectively. In between, there were cases of irredentist-Secession by the NFD-Kenya and Ogaden Ethiopia which were both supported by the then government of Somalia but failed. Besides, The OAU and later AU sanctified the borders attained at independence meaning the only way state border shifts could occur was through a plebiscite followed by consent and recognition of the same by both the original state and other units of states as legitimized by the UN. The UN, therefore, remains the only legitimizing agent in post-colonial self-determination cases.

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