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The Fragile States Debate

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**Considering ways and means
to achieve stronger statehood**

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Failed state or failed debate? Multiple Somali political orders within and beyond the nation-state

Tobias HAGMANN / Markus V. HOEHNE¹

The current literature on state failure and collapse depicts African states in virtually pathological terms. This article challenges this viewpoint on both theoretical and empirical grounds. Its authors draw attention to the multiple forms of statehood that have emerged in the Somali-inhabited territories of the Horn of Africa since 1991. The comparative analysis of these Somali political orders demonstrates that state formation in Africa contradicts central tenets of the state failure debate and defies Western models of the nation-state.

A spectre is haunting the international community – the spectre of failed states in developing countries that are unable to provide security and welfare for their citizens. African states have occupied a prominent place in the discussion about state failure, collapse and reconstruction which gathered momentum in the mid-1990s. According to the dominant rhetoric, in the aftermath of the Cold War African states have fallen prey to criminalization, globalization, privatization and endemic violence that threaten both human and global security. Consequently, academic and policy discourse portrays post-colonial African states in virtually pathological categories; they are perceived to be threatened by ‘collapse’, ‘failure’, ‘fragility’ and ‘weakness’ as they degenerate into nightmarish ‘shadow’ or ‘quasi’ states.²

It is undoubtedly true that contemporary African statehood is ‘weak’ when compared to European statehood and when evaluated against the background of an ideal-typical, rational-legal state apparatus as described by Max Weber. Likewise, the incapability of

many states in poorer parts of the world to deliver public services, to represent society at large, and to uphold law and order is a major development problem that needs to be addressed. It is in this respect that the literature on failed states deserves merit as it (re)emphasizes the vital contribution of public actors and institutions in bringing about peace, development and prosperity. However, and most unfortunately, the failed states debate has failed to provide the appropriate analytical tools for a better understanding of contemporary African statehood.

What is the reason for this intellectual shortcoming? For the most part, the debate reveals a dogmatic assumption and wishful thinking that all states will – in the long run – converge towards a model of Western liberal democracy. This model serves both as the institutional guideline for external state-building and reconstruction efforts, and as the intellectual benchmark against which all existing forms of statehood are evaluated. This article questions this belief in the ‘state convergence’ model and identifies four key problems of the failed states debate, which we illustrate with case material from the Somali-inhabited territories of the Horn of Africa. Here, state collapse and weakness are entrenched features of political life. But here also, local and regional political orders exist within and beyond formal state structures. These are seldom recognized internationally or acknowledged in the state failure debate.

Failures of the state failure debate

The state failure debate is confronted by

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2 Krasner, Stephen D. and Carlos Pascual, “Addressing State Failure”, *Foreign Affairs*, (July/August 2005), 153-163; Rotberg, Robert I., “The Failure and Collapse of Nation-States: Breakdown, Prevention, and Repair” in Robert I. Rotberg (ed.), *When States Fail: Causes and Consequences* (Princeton: Princeton University Press, 2004), 1-45; Zartman, William I., *Collapsed States: The Disintegration and Restoration of Legitimate Authority* (Boulder: Lynne Rienner, 1995).

empirical, analytical, normative and practical challenges of considerable proportion. First, the labels that are heard most often in the state failure debate gloss over important differences between existing states rather than accounting for these differences. For instance, many so-called 'weak' African states boast security apparatuses that are capable of considerable political repression. On the other hand, unrecognized or *de facto* states that are described as 'fragile' may enjoy more popular legitimacy than their recognized counterparts.³ Much of the state failure discourse grasps neither these empirical contradictions nor the variegated historical trajectories of state formation and erosion. Authors and external observers tend to assume that the driving forces of state collapse are to be found within a given state or society. However, the fact that failing states are embedded in the 'world system' is rarely considered: endogamous factors (civil war, ethnicity, authoritarian rule etc.) are given precedence over exogamous factors (external interventions, international political economy etc.).⁴

Second, because most observers equate the absence of central government with anarchy, false conclusions are drawn once a state has been classified as 'failed' or 'collapsed'. Robert I. Rotberg, one of the prominent authors on this topic, describes collapsed states as "a total vacuum of authority" and "a black hole into which a failed polity has fallen".⁵ Scholars from traditionally state-centered disciplines such as political science or international relations have a hard time imagining that life can continue in the

absence of the state. In reality, however, alternative actors perform the core state functions that the state no longer fulfills when it abandons a certain space.⁶ Contrary to the idea of chaos and anomy associated with state retreat, non-state actors are often capable of providing basic governance and security at a local level. This observation does not imply that statelessness is socially desirable or without dire consequences for the population concerned. On the contrary, in the case of Somalia, its population has survived despite the absence of a functioning central government since 1991 by enduring and partly overcoming the breakdown of the basic material infrastructure.

Third, the 'state convergence' model leads to the biased notion that the modern state as it has developed in Europe and North America over recent centuries is 'accomplished', 'mature', and 'stable', while the state in the global South is 'undeveloped', 'pre-modern' and 'fragile'. Thus, 'the state' has become a reified idea, a 'thing', which is *a priori* assumed and taken for granted. As a result, public and academic debates tend to overlook the often violent and unforeseen processes which, historically, have accompanied the formation of states. Likewise, existing variations of statehood as well as the historical normality of collapse are generally ignored.⁷ This biased perspective offers no way "to theorize about arenas of competing multiple sets of rules, other than to term these as negative, as

3 According to Pegg *de facto* states are "entities which feature long-term, effective, and popularly supported organized political leaderships that provide governmental services to a given population in a defined territorial area. They seek international recognition and view themselves as capable of meeting the obligations of sovereign statehood. They are, however, unable to secure widespread juridical recognition and therefore function outside the boundaries of international legitimacy." Pegg, Scott, *International Society and the De Facto State* (Aldershot: Ashgate, 1998), 4.

4 An elaborated perspective on processes of state formation in 'world society' is provided by Schlichte, Klaus, *Der Staat in der Weltgesellschaft: Politische Herrschaft in Asien, Afrika und Lateinamerika* (Frankfurt a. Main: Campus, 2005).

5 Rotberg, Robert I., "The New Nature of Nation-State Failure", *Washington Quarterly*, Vol. 25, No. 3 (Summer 2002), 90.

6 Engel, Ulf and Andreas Mehler, "'Under Construction': Governance in Africa's New Violent Social Spaces", in Engel, Ulf and Gorm Rye Olsen (eds.), *The African Exception* (Aldershot: Ashgate, 2005), 93; see also Raeymaekers in this issue and Clapham, Christopher, "Rethinking African States", *African Security Review*, Vol. 10, No. 3 (2001), unpaginated.

7 Within political science, Charles Tilly's work remains a remarkable exception. Tilly, Charles, "Reflections on the history of European state-making", in Charles Tilly (ed.), *The Formation of National States in Western Europe* (Princeton: Princeton University Press, 1975), 3-83 and Tilly, Charles, *Coercion, Capital, and European States, AD 990-1992* (Malden, MA: Blackwell Publishing, 1992). See also Eisenstadt, Shmuel N., "Beyond Collapse", in Norman Yoffee (ed.), *The Collapse of Ancient States and Civilizations* (Tucson: University of Arizona Press, 2003 [1988]), 236-243 and Doornbos, Martin, *Global Forces and State Restructuring. Dynamics of state formation and collapse* (Basingstoke: Palgrave Macmillan, 2006).

failures or weak states or even non-states.”⁸ African societies are especially and frequently portrayed as inherently resistant to modern nation-statehood and, consequently, as the ‘deviant other’ of Western societies.⁹ At the policy level, this assumption leads observers to the false notion that a disinterested, well-meaning international community is here to help rebuild states in the global South for purely humanitarian motives. However, European and other histories teach us that state formation never follows a universally applicable ‘recipe’. Moreover, the dynamics of external intervention in Somalia since 1991 illustrate that, while humanitarian motives cannot be completely dismissed, external engagement is strongly linked to the complex domestic and other agendas of the interfering powers.¹⁰

Fourth, reflections on state failure and collapse frequently culminate in recommendations on how to strengthen or repair fragile or collapsed states. Analytical tools are proposed which aim to diagnose domestic conflicts and political dynamics in the states ‘under treatment’. Methodologically, however, indexes measuring state (in-)stability and conflict risks are highly questionable. At the practical level, recent experiences with blueprints for state reconstruction in Afghanistan, Iraq and Somalia have demonstrated that the external engineering of political processes does not bring about the desired results, at least not in the manner anticipated nor within a relatively short time scale. Despite these failures, policy-makers cling to top-down state-building scenarios that leave little room for alternative models of statehood. Furthermore, peace and state-building are often assumed to be parallel, mutually-reinforcing processes, buttressed by liberal and market economy solutions. However, European history indicates that

violence, war, military expansion, social exclusion and economic exploitation lie at the heart of the processes of state formation, much as they did in pre-colonial Africa and indeed in the foundation of African colonial states.¹¹ As Krause and Jütersonke correctly note in their introduction to this issue, the assumption that these dynamics can be ‘telescoped’, lacks empirical foundation.

The following section provides a brief overview of the multiple political orders that have evolved across the Somali-inhabited territories of the Horn of Africa. Our focus is on the period since the disintegration of the Somali Democratic Republic and the coming to power of the new Ethiopian regime after 1991. In the past 16 years, a multitude of local governance systems, both formal and informal, have emerged within and outside Somalia. While Somalis living in eastern Ethiopia formally belong to a sovereign state run by a functional central government, most rural inhabitants of Ethiopia’s Somali Regional State live beyond the effective reach of state administration. Conversely, inhabitants of the self-declared Republic of Somaliland enjoy a relatively higher degree of statehood but are deprived of international recognition. In the north-eastern part of Somalia, the autonomous regional state Puntland has emerged as an embryonic public administration supported by an alliance of different Darood/Harti clans. Finally, the international community has undertaken several attempts to re-establish a central government for Somalia. Most recently, the Transitional Federal Government (TFG) has been given international recognition and has received massive Ethiopian military support in an endeavor to crush an Islamist movement within Somalia.

Empirical statehood in the Somali territories

Ethiopia’s Somali Regional State came into existence when the Ethiopian Peoples’ Revolutionary Democratic Front (EPRDF) federalized the country on an ethno-political basis. In June 1992, Somalis in what was

8 Migdal, Joel S. and Klaus Schlichte, “Rethinking the State”, in Migdal, Joel S. and Klaus Schlichte (eds.), *The Dynamics of States* (Aldershot: Ashgate, 2005), 12.

9 Hill, Jonathan, “Beyond the Other? A Postcolonial Critique of the Failed State Thesis”, *African Identities*, Vol 3, No. 2 (October 2005), 139-154.

10 Hoehne, Markus V., *Somalia zwischen Krieg und Frieden. Strategien der friedlichen Konflikt-austragung auf internationale und lokaler Ebene*, (Hamburg: Institut für Afrika-Kunde, 2002). 62 - 73, 123-126.

11 On the links between violence and capitalist transition see Cramer, Christopher, *Civil War is Not a Stupid Thing: Accounting for Violence in Developing Countries* (London: Hurst and Company, 2006).

formerly known as the Ogaden Province elected their own regional administration for the first time. The Ogaden National Liberation Front (ONLF) had ruled the regional state until 1994 when they fell out with the Ethiopian federal government, which opposed their secessionist agenda. Consequently, an alliance of non-Ogaadeen clans supported by the EPRDF took over the regional state, while the ONLF retreated to the bush and waged an armed rebellion. Since 1998, the EPRDF-friendly Somali People's Democratic Party (SPDP) has controlled all key administrative positions within the Somali Regional State. Although the SPDP has won successive regional and local elections, the region has been characterised by chronic political instability and violent conflicts. Despite an ongoing decentralization program, state expansion within the Somali Regional State remains rudimentary. Outside major urban centers such as Jijiga or Godey, public service delivery is extremely limited, if not non-existent. In rural areas, state presence is mostly limited to sporadic food aid deliveries, federal military camps in the region's district capitals, and occasional campaigns to halt clan conflicts.

Besides recurrent clan conflicts over land and water resources, the introduction of 'ethnic federalism' in Ethiopia's Somali lowlands exacerbated competition for political resources throughout the 1990s. As access to state budgets and political representation within the region depends on the ability to occupy a distinct territory, clan groups fought increasingly for control of administrative structures such as villages or districts. In addition, the ONLF rebellion has gained momentum in recent years, thereby effectively excluding considerable portions of Ogaadeen clan territory from direct Ethiopian military control. While the northern and southern stretches of the Somali Regional State have remained largely peaceful, central parts of the region are still in a situation of 'no peace, no war'.¹² Local political decision-making is mostly taken care of by elders who may support either clan, government or ONLF interests. Conflict resolution and security maintenance are delegated to customary

authorities, namely clan elders, some of whom are nominated and remunerated by the regional government. A neo-patrimonial logic animates the political order of the Ethiopian-Somali lowlands where party cadres, federal military officials and Somali elders confront and co-opt each other in the pursuit of their particular political agendas.¹³

In the northwest of the former unitary state of Somalia, the Somali National Movement (SNM), a guerilla organization dominated by members of the Isaaq clan, took control in January 1991. Following their victory, SNM and Isaaq clan leaders engaged in peace negotiations with representatives of the region's other clans who had mostly supported the former Siyad Barre government. As a result of a series of local meetings, the continuation of the civil war in the northwest was prevented, and on 18 May 1991 *Somaliland* was declared an independent republic encompassing the whole of the former British Protectorate. In 1993, after two years of rather chaotic SNM rule and contained conflict, a clan conference elected Mahamed Haji Ibrahim Egal, an experienced civilian politician, as President. Under his rule a stable political framework was established and peace spread throughout Somaliland. The members of the republic's bi-cameral parliament, the House of Elders and the House of Representatives, were partly selected by their respective clans and sub-clans, partly hand-picked by President Egal. Other government positions were allocated in line with 'clan proportion'.

The demobilization of former guerillas and the creation of a national army and police, as well as the introduction of a new currency, fostered the internal consolidation of Somaliland. This state-building process occurred through cooperation between traditional authorities such as elders and sheikhs, politicians, former guerillas, intellectuals and ordinary people who decided to put their guns aside and solve problems peacefully, and with only marginal external support from international organizations. Other initiatives, such as diaspora committees for peace, newly

12 Richards, Paul (ed.), *No Peace, No War: An Anthropology of Contemporary Armed Conflicts* (Oxford: James Currey, 2005).

13 Hagemann, Tobias, "Beyond Clannishness and Colonialism: Understanding Political Disorder in Ethiopia's Somali Region, 1991-2004", *Journal of Modern African Studies*, Vol. 43, No. 4, (December 2005), 509-536.

established independent newspapers in the capital Hargeysa, as well as a host of local NGOs and associations all over the country (focusing, for example, on human rights or environmental protection) complemented the state- and later the nation-building process. In 2001, the current Somaliland constitution was adopted in a public referendum. This began the transformation of the 'clan democratic' system of governance into a multi-party democracy. Between 2002 and 2005, political parties flourished and three elections including presidential elections were held.¹⁴

Nevertheless, the Somaliland government does not hold the monopoly of violence, and most inhabitants keep their guns privately. Security in Somaliland is dealt with in a decentralized manner and is largely guaranteed by local politicians and elders. These groups intervene immediately when conflict between individuals or groups arises. If a person has been injured or killed, clan militias and police forces are sent to capture the perpetrator(s). At the same time, negotiations over blood compensation start between the clan groups involved. Only in exceptional cases, when the integrity and stability of Somaliland is at stake, do central government institutions such as the House of Elders or the national armed forces intervene directly. The relatively stable environment of Somaliland has enabled Somali and diaspora entrepreneurs to invest in the country. Large shopping malls and the latest telecommunication technology can be found in Hargeysa and other towns in Somaliland. While some taxes are collected from businessmen and house owners, the state revenue depends largely on the taxation of import and exports transiting through Berbera port. However, the state cannot provide much in terms of social services; hospitals, universities and schools are mostly built and run by private investors.

Puntland draws its major political support from the local Majeerteen, Dhulbahante and Warsangeeli clans and was established by a clan conference in 1998. Constitutionally, Puntland is part of Somalia and its government is working towards rebuilding a unified Somali state. From 1998 to 2004, Colonel

Abdullahi Yusuf presided over Puntland. As a military officer and former leader of the Somali Salvation Democratic Front (SSDF), who had defeated the Islamist Al-Ittihad in north-eastern Somalia in 1992, he relied strongly on the support of the army and his Majeerteen sub-clan. After Abdullahi Yusuf decided to stay in office in 2001 – despite a clan conference's decision to nominate a rival politician for presidential office – Puntland developed into a kind of 'clan dictatorship'. In October 2004, Abdullahi Yusuf was elected President of Somalia by the internationally sponsored Peace and Reconciliation Conference for Somalia held in Kenya (2002-2005). Subsequently, General Mahamuud Muuse Hirsi 'Adde' was elected President of Puntland by the parliament and was welcomed as an integrative and peace-oriented figure.

Until today, however, no substantive political reforms have taken place in Puntland. The security situation is similar to that in Somaliland. Most people own guns, but local politicians and elders keep the peace. At the same time, internal corruption scandals have repeatedly triggered mutinies by soldiers and government officials. Since 2006, the deployment of Puntland troops in southern Somalia in support of Abdullahi Yusuf's TFG has weakened the regional security architecture and led to lower levels of security in parts of Puntland. Education, health care and economic activities in Puntland are, as in Somaliland, mostly in private or NGO-hands. The main state revenue is based on tax collection at Boosaaso port. While Somaliland and Puntland are internally largely peaceful, their bilateral relations have deteriorated because of repeated clashes over the control of the Sool and Sanaag regions, which are, depending on one's political position, part of either eastern Somaliland or western Puntland.¹⁵

In *southern Somalia* the prolonged civil war and instability, particularly in and around the capital Mogadishu, have become eponymous for the Somali state collapse. Surprisingly, even in southern Somalia, political orders backed with force based on warlord rule

14 WSP International Somali Programme, *Rebuilding Somaliland: Issues and Possibilities* (Lawrenceville, NJ and Asmara: Red Sea Press, 2005).

15 Hoehne, Markus V., "Political Identity, Emerging State Structures and Conflict in Northern Somalia", *Journal of Modern African Studies*, Vol. 44, No. 3 (September 2006), 397-414.

emerged throughout the 1990s.¹⁶ The Somali warlords mostly drew their support from clan militias and related businessmen. They ruled by means of violent exploitation of resources and military domination over weaker groups. By the end of the 1990s, Islamic Courts and powerful businessmen who had profited from the radically deregulated local economy emerged as important political groupings in Mogadishu. Both of these commanded their own militias. In the past decade, many of the notorious southern Somali warlords participated in the internationally-sponsored peace processes. Although they had an interest in the continuation of a stateless situation, the warlords skillfully mobilized international recognition and resources, which bolstered their domestic positions. In recent years the local population began to blame much of the continuous small-scale fighting on the narrow interests of the warlords whose popular support increasingly waned.

All the same, at the most recent Somali peace conference in Kenya, the warlords were granted important ministerial positions in Abdullahi Yusuf's cabinet.¹⁷ In parallel, the Islamic Courts expanded their power base within Mogadishu: the population – including wealthy and influential businessmen – was willing to accept shari'a rule in exchange for basic security administered by the Courts. In early 2006, the confrontation between a coalition of US-backed Somali warlords-cum ministers and the Union of Islamic Courts (UIC) escalated into full scale war in Mogadishu. Unexpectedly, the UIC managed to expel the warlords from the city and to expand its rule over much of southern and central Somalia. By deploying well-organized militias, evoking popular national sentiments against Ethiopian troops on Somali soil, and providing public order, the UIC managed to establish central rule over most parts of

southern Somalia – for the first time since the collapse of the Siyad Barre government. In doing so, the UIC challenged Abdullahi Yusuf's weak government based in the city of Baidoa in central Somalia. In December 2006, Abdullahi Yusuf's TFG soldiers assisted by Ethiopian military forces and US intelligence defeated the Islamists and captured Mogadishu. Since then the capital's security has deteriorated drastically as militant Islamist fighters and Somali nationalists began to engage Ethiopian and TFG troops in a series of deadly attacks.¹⁸

Conclusions

Despite important variations, a number of common denominators are identifiable across Somali political orders in Ethiopia, Somaliland, Puntland and southern Somalia. First, all Somali territories rely heavily on non-state actors who are embedded in the fabric of Somali society, particularly clan elders and sheikhs. Second, successful peace and state-building have invariably emerged from below – rather than being imposed through a top-down process – and, unusually, have taken place in the absence of a central monopoly of violence. Third, the initial establishment of purposeful political institutions has built on a coupling of national and clan politics. Fourth, in all Somali territories security remains relatively fluid as law and order evolve in parallel to the political economy of peace and conflict within and across the region. The multiple political orders observed within the Somali-inhabited parts of the Horn of Africa contradict the idea that state collapse and failure are tantamount to anarchy. Since 1991, a Somali type of statehood that amalgamates customary, Islamic and statutory norms and practices has emerged. Somali statehood is shaped by local and global forces, and is also distinctly modern in the sense that Somalis have radically decentralized politics, privatized public services, and

16 Bakonyi, Jutta and Kirsti Stuvøy, "Violence and Social Order Beyond the State: Somalia and Angola", *Review of African Political Economy*, Vol. 32, No. 104 (2005), 359-382.

17 Interesting insights into the Somali peace conference in Kenya are provided by Schlee, Günther, "The Somali Peace Process and the Search for a Legal Order", in Albrecht, Hans-Jörg, Simon, Jan-Michael, Rezaei, Hassan, Rohne, Holger-C. and Ernesto Kiza (eds.), *Conflict and Conflict Resolution in Middle Eastern Societies – Between Tradition and Modernity* (Berlin: Duncker & Humblot, 2006), 117-167.

18 Marchal, Roland, "Somalia: A New Front Against Terrorism", 5 February 2007, online <<http://hornofafrica.ssrc.org/marchal/index3.html>> (accessed 29.05.2007); Cedric Barnes and Harun Hassan, "The Rise and Fall of Mogadishu's Islamic courts", Chatham House, Africa Program, April 2007, online <<http://www.chathamhouse.org.uk/pdf/research/africa/bpsomalia0407.pdf>> (accessed: 29.05.2007).

internationalized their economy within a very short time span.¹⁹ Hence, conflict and civil strife have not only destroyed the Somali central state, but have also given way to new political institutions and local forms of stateless governance shouldered by elders, businessmen, shari'a courts and other actors.²⁰

Our analysis of empirical statehood demonstrates that state formation evolves in contradiction to the 'state convergence' idea criticized at the onset of this article. Somali and other African political orders defy Western models of the nation-state in many respects. Nevertheless state collapse does produce serious social costs with regard to citizenship, national identity and sovereignty. Both the absence of a functioning central government in southern Somalia, and the non-recognition of Somaliland have negative repercussions on individuals' lives. For example, to this day Somalis face major constraints when crossing state borders because they lack valid – that is, internationally recognized – travel documents. In a world of states, belonging to a collapsed state poses problems with regard to individuals' identification with their nation-state.²¹ Not being part of an internationally-recognised state also renders Somalis close to 'invisible' in the current world of states. Finally, without an effective government a country becomes easy prey to foreign interference, both by state and non-state powers.

How should the international community engage with such political orders? In her critique of the liberal concept of the recognition of minorities within nation-states Nancy Fraser argues that resource inequality and the reification of identities are the negative by-products of the 'politics of recognition'.²² She proposes an alternative model of recognition that aims at equal participation in the social, economical and political arenas. Transferring this idea from the debate about multiculturalism to international politics, we argue that political programs proclaiming that they 'rebuild' or 'repair' failed states using the blueprint of an ideal-typical nation-state model will hardly succeed. Purposeful state-building must first and foremost capture the locally-prevailing political orders and variegated degrees of statehood as they are, and not as they are wished to be, before proposing solutions. Following this, new international norms must be devised in order to increase the participation in international politics of sub-national political entities that are fulfilling state functions.²³ Whether we like it or not, the current types of African statehood, often considered to be pre-modern aberrations, may well in the end endure and even become models of the future state.²⁴

19 Hagmann, Tobias, "From State Collapse to Duty Free Shop: Somalia's Path to Modernity", *African Affairs*, Vol. 104, No. 416 (July 2005), 525-535.

20 Menkhaus, Ken, "Governance Without Government in Somalia. Spoilers, State Building, and the Politics of Coping", *International Security*, Vol. 31, No. 3 (Winter 2006/07), 74-106.

21 For an insightful debate on the relations between identity papers, state formation and national identity see Gordillo, Gaston, "The Crucible of Citizenship: ID-Paper Fetishism in the Argentinean Chaco", *American Ethnologist*, Vol. 33, No. 2 (May 2006), 162-176.

22 Fraser, Nancy, "Rethinking Recognition", *New Left Review* Vol. 3 (May/June 2000), 107-120.

23 The complex legal and political aspects involved in the recognition of de facto regimes such as Somaliland are brilliantly discussed in Schoiswohl, Michael, *Status and (Human Rights) Obligations of Non-recognized De Facto Regimes in International Law: The Case of 'Somaliland'* (Leiden, Boston: Martinus Nijhoff Publishers, 2004).

24 Some authors have already had fruitful ideas in this regard. See Trotha, Trutz von, "Die Zukunft liegt in Afrika. Vom Zerfall des Staates, von der Vorherrschaft der konzentrischen Ordnung und vom Aufstieg der Parastaatlichkeit", *Leviathan* 28 (2000), 253-279.

