Has Prime Minister Abiye Ahmed Failed History at the School? Failure in History May Lead Him to Failure in Leadership

By Abdisalam M Issa-Salwe and Abdullahi Salah Osman

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Introduction

Prime Minister Abiye Ahmed demonstrated a lack of responsible leadership by dealing with a regional state bypassing the central government of Somalia, blatantly violating its sovereignty.

The Ethiopian leader should have learned the historical lessons that forced the continent to recognise its colonial borders in the 1960s after their emancipation from colonial rule. Ethiopia's quasi-recognition of Somaliland as a separate entity after signing a Memorandum of Understanding (MOU) is a slap in the face to the founding principles of the African Union. This decision could lead IGAD and the African Union to oppose the agreement and even prove a setback to Somaliland's pursuit of recognition.

African nations decided to avoid separatist movements in the continent after the Organization of African Unity had chosen the case of recognising the colonial inherited boundaries as permanent in its "First Ordinary Session of the Conference of Heads of State and Government", held in Cairo from July 17 to 21, 1964. (OAU, 1964).

That ruling prompted the African Union to reject the claim that the Somali people were divided by the colonial powers and should, therefore, be brought under the jurisdiction of the Somali republic. Similarly, it is implausible that the African Union would consent to Somaliland's attempts to unilaterally secede from Somalia and stand as a separate state. The status of Somaliland has been in a state of ambiguity since announcing its independence in 1991, as that declaration has yet to be fulfilled. As a result, the region has been tirelessly pursuing international recognition, demonstrating great desperation and persistence towards that goal. As stated above, the failure of Somaliland's recognition as a distinct state is related to the actions and decisions made by African governments in the aftermath of colonial powers' departure from the continent in the late 1950s and early 1960s.

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Reaction to the Deal

The current agreement differs from other deals, such as the one between the UAE and Somaliland to develop Berbera port through the Emirates-owned company DP World. A similar agreement was later signed between the Emirates and the Federal Member state of Puntland. Unlike the MOU signed with Ethiopia, these agreements with the UAE were strictly commercial. In contrast, the December 2023 Ethiopia-Somaliland accord is a lease in which everything about the port would belong to Ethiopia.

For their part, Somaliland expects that Ethiopia would recognise them as an independent nation once the agreement is implemented. However, the signed text commits the Ethiopians to conduct only an in-depth analysis of the recognition issue before a decision.

The most fiery reaction to the agreement understandably came from the Somali government in Mogadishu, which vowed to use every diplomatic and legal avenue to nullify the deal. Apart from Ethiopia's careless disregard of international law by signing such a consequential arrangement with Somaliland, this crisis also lifted the lid on the failure of Somali politicians to settle their differences and reach mutually beneficial resolutions for the nation's benefit as a whole.

On the other hand, the advantage of the deal for the Ethiopian is unambiguous. It stated that "The document will allow Ethiopia to obtain a permanent and reliable naval base and commercial maritime service in the Gulf of Aden through a lease arrangement, and according to the government's announced position, it will allow Somaliland to acquire an equivalent share of the lease from Ethiopian Airlines".

Despite Ethiopia's intention to invest in the lease of a Somali port, on December 11, 2023, it was reported that Ethiopia had missed its debt interest payment of US$33 million on its one-billion-dollar Eurobond, becoming the third African nation to default within three years. The question is: How could Ethiopia fund the complex projects needed to develop the leased Somali port when it has failed to pay its debt interest, as stated above?

Nevertheless, the case has prompted tension and strong reactions across the region and beyond. The African Union Commission chairperson, Moussa Faki, has expressed his concern by saying that: "… the imperative to respect the unity, territorial integrity, and full sovereignty of all AU member states, including Somalia and Ethiopia" (AU, 03/01/2024). Similarly, the General Secretariat of the Organization of Islamic Cooperation (OIC), Hissein Brahim Taha, reacted by rejecting any act violating Somalia's sovereignty and territorial integrity following Ethiopia's port deal with the breakaway region of Somaliland.

Likewise, in the United States, on January 4, 2024, State Department spokesman Matthew

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Miller rejected the agreement by stating that "The United States recognises the sovereignty and territorial integrity of the Federal Republic of Somalia within its 1960 borders." (US Voices, 04/01/2024).

1900s Pan-Africanism Policy Thinking

African governments have a history of preventing other African nations from forming inside the borders left by colonialism, even in the early years before independence. The architects of Pan-Africanism in the early 1900s promoted this approach because they thought that the colonial borders were established to serve the interests of the colonial powers rather than the interests of the African people. (Issa-Salwe et al, 2023) However, when the European powers began to leave the continent, a new pan-Africanist consciousness emerged, predicated on uniting all African governments to establish the United Governments of Africa, which proponents of pan-Africanism advanced. In the end, Pan-Africanists found that achieving a politically united Africa was not as popular as initially in postcolonial Africa. As a result, resolving the borders left over from the previous colonial powers became urgent and required careful consideration. (Ikome, 2012).

Thus, the newly-formed African governments in the 1960s accepted the borders as they were inherited after achieving independence.

African leaders' justifiable dread of opening a Pandora's Box of territorial claims and chaos across the continent gave rise to the territorial status quo policy. However, the notion that possible issues would disappear if the Pandora Box were kept closed indefinitely has remained a myth. Africa's colonial frontiers have contributed to the regionalisation of intra-state conflict and revealed a startling lack of homogeneity and functional polities in certain nations. These borders have not promoted harmonious ties but have been a significant cause of interstate strife. (ibid.)

However, the conflict has raised concerns about Somaliland's nationality and how the international community views its assertion of secession from Somalia. (Matthew, 2023) The policy and choice of postcolonial African governments that emerged in the late 1950s and early 1960s, among other factors, determine whether or not to recognise Somaliland as a sovereign country. The Pan-Africanist writers of the early 19th and 20th centuries saw the colonial boundaries drawn to serve the interests of colonialists at odds with those of the African people, with skepticism before that.

Historical Factors and the Colonial Inherited Boundaries. At the close of the nineteenth century, European colonial incursion caused pain to Somali society following the division of Africa and splitting Somalis into five separate governmental entities, shattering the peace of a united people.

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In the early 1960s, one of the factors contributing to violence in the Horn of Africa was the widespread division of the Somali people (Issa-Salwe, 2000). The most unfortunate effect of Somali history on contemporary politics, according to Samatar and Laitin (1987), was that a significant proportion of those with ties to Somali culture continued to live outside the limits that the colonial powers had given them.

Thus, the establishment of the Somali Republic was viewed by Somali nationalists as a step toward the completion and realisation of the Somali nation. Since Somalia gained independence in the 1960s, the goal of uniting all Somalis under one state has dominated almost all of its foreign policy. Consequently, Somalia "remained a nation in search of a state," posing a problem for Africa (Samatar et al.) The central aim of Somali ambitions became the 'unification of all Somalis'.

As a revisionist, Gathara (2019) argues that Africa's inherited borders and state structure should be immediately reconfigured to remove sociological inconsistencies, increase economic sustainability, and help address the continent's numerous crises related to development, integration, legitimacy, and identity.

The revisionists' views further argued that because the natural evolution of political institutions in pre-colonial Africa was interrupted, the postcolonial state continued to emerge and manifest itself in ways that were fundamentally at odds with the deeply rooted sociological realities on the ground. They concluded that many African states' problematic boundaries, institutions, and governance were most visibly reflected in the numerous intra- and inter-state disputes. (Gathara, 2019) They argue that the only way to find a solution was to revisit Africa's colonial borders and the conditions that followed (Gbenenye, 2016)

The "anti-revisionists" began to believe that the thesis of maintaining borders as they were established upon independence would appeal more to the colonialists and the developing African leadership after nations attained independence.

This is reflected in the inviolability of national frontiers, which was enshrined in the OAU Charter of 1963. Among its guiding principles were the defence of sovereignty, territorial integrity, and the intrinsic right to the independent existence of every member state. Although their inherited borders remained points of contention, African leaders recognised the pressing need to establish guidelines for the peaceful resolution of conflicts. (Gbenenye, 2016).

The Case About the Acceptance of Colonial Inherited Boundaries

In the First Ordinary Session of Heads of State and Government in Cairo in July 1964, the leaders adopted the document on managing conflicts among African states (Ikome, 2012). This document reaffirmed that all member states strictly adhere to the OAU principles outlined in paragraph 3 of Article III of the OAU Charter. (Issa-Salwe et al, 2023)

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All member states vowed to maintain the boundaries that separate them after gaining national independence, as stated solemnly in the article. Remarkably, the United Nations (UN) recognised the African Union's (OAU) principle of the inviolability of Africa's colonially inherited borders and adopted the OAU decision on the continent's borders, even though it went against its well-known motto about the right to self-determination for all peoples of the world.

African leaders had a justifiable fear of unleashing a chain reaction of territorial claims and potential chaos across their continent, which led to the implementation of the territorial status quo policy. Nonetheless, the notion that the possible challenges would disappear if the box were kept closed indefinitely has remained a myth. The colonial borders of Africa continue to show an unsettling lack of coherence and functional polities in several states.

Apart from encouraging the regionalisation of intra-state conflict, they have continued to be a significant source of inter-state conflict rather than promoting harmonious ties. Gbenenye (2016) claims that because colonialist borders cut across pre-existing nations, kingdoms, and ethnic groups, there was a great deal of social unrest and relocation.

A worrying lack of uniformity and functional polities in some states of Africa has persisted since the continent's colonial limits. Apart from encouraging the regionalisation of intra-state conflict, they have continued to be a significant source of inter-state conflict rather than promoting harmonious ties. Gbenenye (2016) claims that because colonialist borders cut across pre-existing nations, kingdoms, and ethnic groups, there was a great deal of social unrest and relocation.

Somalis were one of the groups negatively impacted by dividing them into five sections. Some other independent African states were affected by this circumstance, including those between Sudan and Uganda, Somalia and Ethiopia, Kenya and Somalia, Ghana and Togo, and Nigeria and Cameroon.

At the Cairo Summit in July 1964, Resolution AHG/Res. 16 (1) was adopted early on, declaring the maintenance of borders as they existed at the time of accession to independence. Because of this, the Organization of African Unity (AOU) functions on the theory that borders are *utipossidetis* or intangible.

From the African States' independence, borders were seen as a subject of hostilities and disagreements on the continent. During the Second Ordinary Session of the Council in 1964, African heads of state and governments drew attention to forming the Committee of Eleven. This committee was tasked with exploring additional ways to strengthen African unity. One crucial aspect was recognising the need to arbitrate all disputes between African states within an African framework and with the utmost courtesy.

It was also noted that all member states committed to upholding the ideals listed in Article III, Paragraph 3 of the Organization of African Unity Charter, as stipulated by Article IV of the Charter of African Unity. Following the ruling, the African states underlined that all

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Member States should strictly adhere to the values specified in Article III, paragraph 3 of the Charter of the Organization of African Unity (Ikome, 2012).

The Legality of the Case

Thus, signing a Memorandum of Understanding (MOU) between the Ethiopian Prime Minister, Abiye Ahmed, and Somaliland's President, Muse Bihi Abdi, could violate one of the African Union's fundamental principles. The deal would undoubtedly face opposition from IGAD and the African Union, which could also affect Somaliland's efforts to seek recognition as an independent state. Both the African Union African Union and the United Nations stipulate in their respective. According to the United National charters:

> "The Organization and its Members, in pursuit of the purposes stated in Article 1, shall act by the following principles.
>
> 1) The Organization is based on the principle of the sovereign equality of all its Members.
> 2) All Members, in order to ensure to all of them the rights and benefits resulting from membership, shall fulfill in good faith the obligations assumed by them in accordance with the present Charter.
> 3) All Members shall settle their international disputes by peaceful means in such a manner that international peace and security, and justice, are not endangered.
> 4) All Members shall refrain in their international relations from the threat or use of force against any State's territorial integrity or political independence or in any other manner inconsistent with the Purposes of the United Nations". (Charter of the United Nations).
> 5) ….

Contrary to what is said, the deal between Ethiopia and Somaliland was reached without a formal bidding process. An agreement that is enforceable by law between two sovereign nations is achieved. However, the attempted agreement is between Somaliland (a region part of a sovereign state) and Ethiopia (a sovereign state). As a result, the agreement is not enforceable or valid under international law.

Conclusion

As stated above, the Ethiopian and Somaliland agreement is not what is said: it is an agreement without legal bidding. A legally binding agreement between two countries comes when two partners are sovereign countries. But the attempted agreement between Ethiopia and Somaliland is between a sovereign country (Ethiopia) and a region (Somaliland).

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Therefore, in the eyes of international law, the agreement is neither legally binding nor legal.

By dealing directly with an entity that is part of a sovereign national state and even raising the prospect of violating its territorial integrity, Prime Minister Abiye Ahmed demonstrates that he learned nothing from the painful history of the continent in general and the horn of Africa in particular on the issues of national borders.

On the other hand, Prime Minister Abiye Ahmed was supposed to know the history of the African colonial struggles which compelled the continent to recognise its colonial borders in the 1960s. This act violates both a state's sovereignty and those lessons.

African republics rebelled against the colonial boundary during the early 1900s colonial war. The resolution of "the First Ordinary Session of the Conference of Heads of State and Government," which was convened in Cairo from July 17 to 21, 1964, however, declared that Africans would accept the boundaries that had been colonially inherited when colonial powers began to leave the continent in the 1960s.

When Somalia took its case to the African Union, the strategy also resulted in a ruling that caused Africa to deny the Somali claim. In the same way, it was unthinkable that Somaliland's ambitions to break away from Somalia and establish itself as a sovereign state would be recognised by the African Union.

Somaliland has been tenaciously seeking international recognition since its unilateral 1991 declaration of independence. Following the departure of colonial powers from the continent in the late 1950s and early 1960s, African states made decisions and measures which would contribute to Somaliland's inability to be recognised as a separate state.

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