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Founded on Tradition

On post-war negotiations between government and traditional parties in Somaliland.

Lecturer: Chris van der Borgh

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Bram Ludovicus Leusink

3244415

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Introduction

On 26 June 1960, Somaliland was granted independence, for seventy-six years it had been under colonial administration of Great Britain. After a five day period of independence, Somaliland united with the South Somali territory on 1 July 1960, and together became the Somali Republic. South Somalia was a former Italian colony. The unification was hasty and almost instantly led to all kinds of problems, since there were no arrangements for the aggregation of the institutions of both territories. For example, suddenly there were four types of law used in Somalia - Italian law, British common law, Somali customary Law and the Islamic Shari'a. In the next twenty years the unrest and dissatisfaction about the situation in Somalia grew ever larger, and in the end of the 1970s a number of resistance movements sprang up. In the former Somaliland the Somali National Movement (SNM) became the main form of resistance against the Mogadishu government. The SNM had strong ties with the Isaaq clan, that made up around 70% of the Somaliland population. The civil war that erupted in 1988 killed around fifty thousand and around a million fled their homes. When the Somali state collapsed in 1991, the SNM wanted to build their own state; Somaliland (Kaplan, 2008, pp. 146-148).

Many scholars see the developments in Somaliland since 1991 as remarkable on the account of its independence from international aids and its relatively high degree of political stability in a unstable region. (McConnell, 2010) (Kaplan, 2008) (Caplin, 2009) (Renders & Terlinden, 2010) (Trotha, 2009) (Boege, Brown, Clements, & Nolan, 2008) There is however discussion about the local ownership of the statebuilding (Kaplan, 2008) (Renders & Terlinden, 2010), whether one should speak of a hybrid political order and statebuilding or peacebuilding (Boege, Brown, Clements, & Nolan, 2008) (Trotha, 2009) and the importance of international recognition (McConnell, 2010) (Caplin, 2009). Of course these debates and their outcomes have their influence on the peace policies and the role of peace workers.

In this research I want to analyze the initial developments that stood on the basis of the modern day Somaliland. I will be focusing on the most important actors and their negotiations over power. The goal is not so much to form a judgment on the functioning of the Somaliland government, but to study this negotiation process. The most important aspect that will be analyzed is the development in the relationship between the Somalilanders, their institutions and government. I hope to gain a better insight on the possibilities of state and non-state cooperation, since this is one of the much praised aspects of the development in Somaliland. This knowledge might be used in other areas where state-builders are challenged by very limited resources and strong indigenous institutions. I will review different parts of the post-war history of Somaliland, to illustrate my findings. Each of the following paragraphs will analyze a specific period and combine this with the focus on different actors and processes. The research question that will be central in this article is:

How did the relations between traditional Somaliland institutions and the young Somaliland government develop between 1991 and 1997?

In the first section, both the run-up to and the course of the civil war will be discussed. This will give an essential information about the background of the conflict and Somali culture. The postcolonial history of Somalia and Somaliland will be discussed and the Somali clans will be described. Furthermore, this section is used to analyze the different traditional institutions and their role in the

Somaliland society. Thereby we get to know the institutions that prove to be useful after the civil war. This will form a good start for the rest of the research.

The second section of the research will portray the developments in the first years after the civil war, from January 1991 to June 1993. The first steps in the reconciliation process will be analyzed as well as the initial statebuilding in this phase. The reconciliation process developed very energetically in these years, but statebuilding had a more cautious start. The focus will be on both the traditional institutions and the tender state of Somaliland. The outcome of the transfiguration Somaliland was in, was still very unclear.

The transition point between the second and the third section is the Borama Conference. Here laid the foundation for the further development of the state and the process of statebuilding really started. Between the end of the Borama Conference in June 1993 and the end of the Hargeysa Conference in February 1997, the basis for the new Somaliland became more solid. In this section the main events of this period will be discussed as well as the most important successes and challenges for Somaliland. I will end with a conclusion and the core lessons that can be learned from the developments in Somaliland.

Analytical Frame

Many scholars tend to measure African states according to their ideal-type of state. A Weberian state with a monopoly on the use of violence, the rule of law, that is supported by its population and autonomous civil service. Therefore, these states are qualified as failed, fragile or weak. In these comparisons, states are not judged for what they are, but for what they are not. The state was always seen as the best, if not the only way, to overcome fragility. As a result, international donors invested much of their resources in the state. In recent years the resistance towards this state-centrism and rigid and unilateral comparisons has risen sharply, creating space for other types of research and theories about states. One of the concepts that emerged from this criticism is the concept of Hybrid Political Orders (HPO). Hybrid Political Orders are presented as a counterpart to the state-centric approach. The idea is to move beyond it, in order to grasp an idea of what different powers and actors form the political orders in 'fragile' regions.

The concept of HPO is based on a state that shares legitimacy, power and responsibility with different actors. This concept is based on the idea that there are always actors willing to provide social services, in exchange for power, status or money. In areas where the state is absent or a relative unimportant player, actors like business men, warlords, clan-leaders or local politicians are often willing to provide different services that the state does not provide. This is combined by traditional structure of power and habits that can be strongly intertwined with the local community. These structures often prove to be very resilient. By building on these institutions, Hybrid Political Orders might also become more resilient, because they derive legitimacy from these traditional institutions. Thanks to the state-centric view, many of these bodies were ignored when building a state. Boege et al claim that we should accept that we are dealing with these Hybrid Political Orders and build upon this concept, rather than trying to make the state responsible for all community services. The concept of Hybrid Political Orders might be used in order to explore the way the state is organized in Somaliland and identify the different stakeholders in the local political order. (Boege, Brown, Clements, & Nolan, 2008)

In order to analyze the process in which power, on different levels in Somaliland, has changed during the first years after the civil war, the concept of Negotiated Statehood can be very helpful. Hagmann & Péclard offer a very clear handhold by analyzing and dividing this process into different steps. This framework is designed to:

"... better understand how local, national and transnational actors forge and remake the state through processes of negotiation, contestation and bricolage." (Hagmann & Péclard, 2010, p. 544).

According to Hagmann & Péclard a state should be seen as a historical process that is deeply imbedded in society and constantly looks for legitimization. Furthermore not only institutions and policies, but also discourses and habits are important to the state.

This frame might be able to better grasp the local realities of the dynamic process of statehood in Somaliland. It focuses on the different actors and their power differences, playing ground, legitimacy and assets. It is interpretive rather than normative. Using Negotiated Statehood as a starting point, it will be possible to find the most important actors, such as military leaders, government officials, local business men, institutions and clan-elders. In their research Hagmann & Péclard make a distinction

between negotiation tables and negotiation arenas. Negotiation tables are the official and formalized setting in which negotiations are taking place, while the negotiation arenas represent the context in which an negotiation process is taking place. (Hagmann & Péclard, 2010, pp. 539-552).

The Relevance

There has not been a lot of research focusing on the negotiation process in Somaliland. The study by Renders & Terlinden is the main example of this kind of research. Renders & Terlinden used the negotiated statehood concept that was formed by Hagmann & Péclard and applied it to their case in Somaliland. In their work they focus on the different topics that are suggested by Hagmann & Péclard. Their research is divided into negotiation in the national arena and in the local arena. The region Sanaag and Awdal are the focus regions when looking at the local processes. Renders & Terlinden start by describing the core events leading up to the civil war and the influence the civil war had on the relations between clans in Somaliland. They conclude that the civil war made the most important clan in Somaliland, the Isaaq, much more unified. At the same time it was very clear that the people of Somaliland were not willing to reconstruct the Somali state. Independence was the only option for them. On top of that there was a start of what can be called a form of national identity, since the common resistance to Siad Barre and the civil war were shared experiences. After the war the clan-based consensus started to grow. The SNM strongly supported reconciliation movements and the different clans attitudes became less hostile to one another. When renewed fighting began between different fractions of the SNM, the Somaliland Guurti took over the initiative of forming a central state. From this point on, the Guurti was one of the main authorities in Somaliland. A presidential system with a bicameral parliament was decided upon. (Renders & Terlinden, 2010, pp. 727-731) (Hagmann & Péclard, 2010)

This study by Renders & Terlinden will be one of the main studies used in my Thesis. Where Renders & Terlinden focus on the (national) government and the negotiation process, I want to highlight the changing situation in the relation between traditional institutions and the government. I think this perspective is underexposed in the contemporary literature on this case. Renders & Terlinden claim that the power of the clans started to diminish when the president was elected, but they do not elaborate on this topic. (Renders & Terlinden, 2010)

Other authors like Bradbury make comments about the changing dynamics and powerbase for clan leaders, but also do not elaborate on this topic. Bradbury makes different connections of the relation between state and traditional parties, but this is not enough for a good overview of the developments in the crucial first years after the civil war. Both the period and the topic that Bradbury covers is much broader than the topic for this study is. I want to zoom in on the negotiation process between 1991 and 1997 in order to gain more insight in the way these processes can work. (Bradbury, 2008)

In this study, I want to comment on the findings of these authors and complement these with those of my own. Furthermore I will create an overview over the most important success factors, that enabled Somaliland to gain stability. These successes will be based on other work, but the emphases will be different and they will be strongly connected with each other. In none of the studies that I found, there was a complete overview of these successes. These findings can contribute to the knowledge about these relatively unknown processes of contemporary indigenous statebuilding.

The Background

In order to find an answer to the research question of this article, it is crucial to understand how Somaliland is organized, what parties are involved and how the social structures of the county came to be. This paragraph analyses the ethnical composition and the different clans of Somalia and Somaliland in order to give an answer to the question: *Which clans are seen in Somaliland, what power do they hold and how were they traditionally organized?* Using this as background will allow us to uncover the main traditional institutions and the way they transformed in the recent history of the area. This paragraph will end with an overview of the changes in power relations between clans and important institutions that came out of the civil war.

Identity Groups, Clans and Traditional Institutions

Up until the end of the last century, many scholars studying Somalia and Somaliland made the mistake of treating the Somali people as an culturally homogeneous entity. Somalis are said to make-up the large majority in the country and share the same culture, language and religion. In contrast with their premises, there has always been a division between the Northern nomadic clans and the Southern agro-pastoral clans of Somalia. (Putman & Noor, 1999, p. 4) As Mukhtar and Ahmed show, religion might be homogeneous among the Somali people, but the Northern nomadic clans have very different social, linguistic and cultural structures. The wrongly acclaimed mono-culture has its roots in the unilateral research done in the northern parts of Somalia. The growing cultural differences between clans in the civil war, challenges the idea of a cultural homogeneous Somalia. (Ahmed A. J., 1995) (Mukhtar, 1996) The solidarity at the level of the clan is more powerful than the loyalty and feeling with the 'Somali nation'. Lewis refers to Somali clanism as a 'Hidden Religion', stating:

"There is only one loyalty all Somalis share. It is not Islam. It is not nationhood. It is not love of country, it is clanism..." (Lewis I. M., 2004, p. 511)

Apart from this division between North- and South Somalia, the Somali people are divided into family clans, that divide into sub-clans, primary lineages and kin-based groups of clans. Kinship has always been a key element in Somali society. The social structure that kinship in Somalia created was critical for an individual's identity. It defined a individual's role in their own clan and their relations with other clans. Clans for example agreed on the common use of environmental resources, competition for political resources or the response to a conflict. The arrangements between clans could differ, so it was very important how people identified themselves. These social constructs determined to a large extent the order in society. The Somali nation is usually divided into six clan-families: the Darod, Hawiye, Isaaq, Dir, Rahanweyn and Digil. The Rahanweyn and Digil are mostly agro-pastoralist living in the fertile regions in the south of Somalia. The Isaaq, Dir, Darod and Hawiye are traditionally nomadic pastoralists, and live in the northern part of Somalia, Puntland and Somaliland.¹ In relation to these findings it is safe to say that Somalis have some common cultural characteristics, a common decent and religion, but not to refer to them as a cultural homogeneous entity. (Bradbury, 2008, pp. 10-15)

¹ See Appendix I, II and III, p.26-27.

Another traditional structure, critical to the functioning of the Somali society, was the customary law. In pastoral communities in the north, *diya*(blood compensation)-paying groups were the main form of jurisprudence. In the case of a violent act from one member of a group to another, there were fixed compensation payments to the victim. The relevant clans sent their elders to settle a dispute together. This form of compensation made sanctioned violence and stopped crimes from escalating into conflict. (Renders M. , 2012, p. 41) In addition to these *diya*-paying groups, another institution had a crucial role in keeping order. Rules of conduct, common interest, collective rights and responsibilities were known as *xeer*. Group values, norms and ways to resolve disputes were determined in these unwritten laws between clans and sub-clans. (Bradbury, 2008, pp. 16-18)

Traditional governance in the pastoral communities in northern Somalia was heavily decentralized and based on consensus. Clan-elders assemble in ad hoc councils in order to make decisions that affect the clan. Any man within a clan could be an elder, and had the same right to speak and vote in council. The votes were generally of equal value, although the elders that were wealthier, older, more experienced or eloquent, had greater leverage. (Renders M. , 2012, p. 42) In order to resolve (impending) conflicts, elders would gather in committees, called *Guurti*. These committees were responsible for the elimination of the root causes of the conflict and the possible reconciliation afterwards. The composition of these meetings differed by topic and were subject to availability. These *Guurti's* were organized on many different levels and proved to be very helpful later on, in the wake of the civil war. (Bradbury, 2008, p. 17)

Colonial Rule

Prior to the arrival of Europeans in the Horn of Africa, Somalis had lived in stateless societies. Soon after the Europeans arrived in 1827 in this part of Africa, the Horn was divided into: Somalia Italiana, Côte Française des Somaliens, the Abyssinian Empire of Menelik II, the British Somaliland Protectorate and the Northern Frontier District of Kenya. In the following century, several delineations were implemented. The following paragraph will focus on the way the colonizers tried to rule the territory, especially in contemporary Somaliland. (Bradbury, 2008, pp. 24-28)

The British Somali territory was always peripheral to the broader colonial strategy, since the territory had no significant resources, financial possibilities or a settler population. The only real strategic importance was the protection of the trade routes to the Far East. The British were not very thorough in their way of ruling the territory. They chose to not get too deeply involved in the internal affairs and ruled the coastal region mainly. A small administration was installed and ruled with the help of Dhulbahante and Isaaq clansmen. Because of their system of indirect rule, the British were able to run the entire protectorate by fewer than two hundred officers. (Bradbury, 2008, pp. 24-28)

The colonial rulers of the Somali inhabited regions made good use of the traditional leadership and institutions. Colonizers have actively used, modified and developed local traditions and institutions in order to use these to gain a firm grip on the population. Renders indicates that the "invention of tradition", sometimes started with the colonizer. The process of controlling a country was pursued in many ways, because solely leaning on military intervention was very expensive and inefficient. Instead clans were manipulated into going to war with each other, promising them power, land or goods. Cooperating clan leaders and institutions were kept in place, and the colonizer made sure that they would not lose their legitimacy in the eyes of their followers. Tradition became something that

local leaders used to derive their legitimacy from, and thus became very important. Existing customs were highlighted, and new traditions were created. The mix between military intervention and manipulation was determined by local conditions, both the colonizer and the colonized played a role in this process. As a consequence of looking for the most efficient ways to rule a territory, the colonizers actively looked for traditional structures they could build upon. The way a colonizer was involved in this process, was strongly dependent on their local interests. (Renders M. , 2012, pp. 25-27)

Lewis indicates that the much used concept of divide and rule actively contributed to the enforcement of ethnic division. For the colonizer a strong hierarchical rule was easier to control, they promoted this kind of societal organization. Since ethnically divided societies offered this kind of organization, ethnical division was being promoted by many colonizers. According to Lewis this strongly contributed to the contemporary ethnic division of many African countries. (Lewis I. M., 2004, pp. 489-490)

After the Second World War, the independence was scheduled for 1960 and the Italian Somali territory was placed under UN trusteeship. Even when the colonial rulers were withdrawing from the colonized areas, they tried to install a new government based on traditional parties. They tried to install councils with legitimacy, but often failed because of a lack of deep knowledge about the traditional structures and habits. In Somaliland the British had many difficulties in combining a parliamentary democracy with a country that was divided along clan lines. The Legislative council that was installed in 1957 called for independence and a unification with the Italian Trust Territory of Somalia into the Republic of Somalia. On the first of July 1960, five days after its independence, the union was a fact. (Renders M. , 2012, pp. 42-45)

Post-Colonial discontent

Since the formation of the Somali Republic the nomadic culture became the principle culture, promoted by the government. Somali nationalism was based on symbols of the nomadic lifestyle. Both the northern Dir and Isaaq and the southern Rehanweyn lost political influence and felt marginalized in the new Union. These clans had lost some of their former authority, since they were unified into the Republic of Somalia, they had become a minority in government. As soon as the union was a fact, members of these clans started to question the legitimacy of the Union. The 1960 constitution was based on a multiparty democracy to be installed. Because of a fierce political rivalry and the Somali people voting along clan-lineage, the system failed to deliver some of the most basic social services. The dissatisfaction with the system had formed a fertile soil for the 1969 coup, that put general Mohammed Siyad Barre, of the pastoral Darod clan, in charge. Under his socialist rule, the public reference to clan or kinship was officially banned. Though officially banned, the importance of kinship in Somali society was never gone. From the 1970s onwards, clan identity resurfaced as an important channel for political power. Clans that were close aligned to the regime, such as the Darod and the Harti, were heavily favored in the distribution of goods and aid. (Ahmed & Green, 1999, pp. 115-118) (Renders M. , 2012, pp. 47-48)

In the following decades the malcontent among the northern and southern clans grew under the influence of setbacks. The socialist regime had installed a repressive security apparatus and

nationalized many businesses. The regime also tried to become self-sufficient with respect to food production and drastically intervened in the agricultural sector. The consequences proved disastrous, since the state kept the prices at a minimum while food-aid removed incentives to produce food. Agricultural productivity declined and poverty became an ever bigger problem. A major drought in 1974-75 in the North had an immense impact in the north of the Republic. The food market was completely disrupted and the loss of livestock in the pastoral regions was enormous. This resulted in an estimated 20.000 deaths. Meanwhile the government was still pursuing the objective of having a self-sufficient food supply and forced many nomads to give up their traditional lifestyle and become farmers in the arable southern parts of Somalia. (Ahmed & Green, 1999, pp. 117-118)

In the neighboring Ogaden area of Ethiopia, the Ogaden war started in 1974. Somalia got sucked in the conflict and supported the Ogaden based militia. When the Soviet Union and Cuba extended their help to the Ethiopian government, the Ogaden militia and Somali support was defeated and chased in to northwest Somalia. By 1979 the number of refugees from Ogaden had cumulated to an estimated 400.000, which put enormous pressure on the local environment. The international community provided aid for these refugees, and the coordination of this was handled by an Ogaden office. Because of the large amounts of goods they had to distribute, this office became one of the most powerful organizations in the north. The Isaaq, sharing their land and recourses with the Ogaden, without gaining any influence in the new powerful institution, felt they were reduced to second-class citizens in their own territory. (Ahmed & Green, 1999, p. 118) (Renders M. , 2012, pp. 52-54)

Clan based resistance

The power of Sayid Barre was declining in the northwest, because he neglected the needs of the population and the local elite. The discontent with the situation led, during the early 1980s, nationwide to the emergence of ten serious resistance movements. Each movement was clan-based and (thus) regionally bound. The Somali National Movement (SNM), established in 1981 by religious leaders, intellectuals, businessmen and former military leaders in the Somali diaspora, was the most notable among these. This movement was closely affiliated with the Isaaq family clan, the major clan in the northwest. Civilians already started to protest against the government, leading to stand-offs between the angry crowds and the army. Barre declared a state of emergency and the security apparatus was turned against the Isaaq. During the 1980s the civil unrest grew and many protests followed. (Renders M. , 2012, pp. 71-73)

Soon after the establishment of the SNM, the organization articulated it's beliefs in a political manifesto. The manifesto expressed a new form of government, claiming that the traditional clan structures should be used to strengthen the national government. This new type of government should better match the Somali society then a classical Weberian type of state, imported from the West. The new government should formalize the role of traditional structures by creating a upper house of elders. This vision was radically different form the policy of the establishment, that saw clanism as root cause of instability and tried to abolish its existence. Furthermore the manifesto called for a united Somalia, with a representative form of democracy, the guarantee of human rights and rule of law. (Bradbury, 2008, pp. 61-62)

By the end of the 1980s, the SNM was gaining strength abroad by attracting funds and support. The SNM was not formed to become a purely Isaaq organization and its aim was to free the whole of Somalia from the Barre-regime. But the organization failed to appeal to other clans and therefore remained overwhelmingly Isaaq. Isaaq commanders from the Somali national army, opposing to the military actions against their own people started to desert the army and join the SNM. The SNM-combatants heavily relied on the local population for their survival. Their relationship with the people in the north was different from the predatory and almost alien invasion by the governmental troops. (Bradbury, 2008, pp. 70-71) (Kaplan, 2008, pp. 147-148) Although the SNM gained military support and started a campaign against the National Army, it took a bombing of Hargeysa and Bur'oo, two main cities in the northwest, to gain massive popular support. The massive bombing united the Isaaq and gave them a common goal: to form an independent state. (Renders M. , 2012, pp. 72-85)

During its struggle against the government, the SNM incorporated some instruments that were based on the ideal of collective decision making. In the mid-1980s the SNM called on Isaaq clan elders to join them in their common cause. The elders were entrusted to take away tensions between different (sub-)clans, gain control over the different militias and further legitimize the SNM struggle. In the following years the influence of the clan elders on the SNM leaders grew, resulting in a formal institution within the SNM, called the *Guurti*. The *Guurti* helped mobilize many young fighters and soon became very popular, the institution would evolve in an official SNM organ and proved to be very useful after the civil war. At the end of the conflict the political influence on the SNM had grown to such extent that the *Guurti* claimed leadership of the SNM. (Renders M. , 2012, pp. 74-76, 85)

Initial Recovery

The civil war left Somaliland in great despair; An estimated 100.000 people had lost their lives, much of the livestock had deceased, irrigation was largely destroyed and trade collapsed. The country was littered with landmines, there was no form of government, no real income, and half of the population was displaced. The influx of displaced people from the south combined with the poor economic shape that Somaliland was in, caused a highly inflammable situation. (Ahmed & Green, 1999, pp. 119-121) (Bradbury, 2008, pp. 77-78 & 83-85) Still Somaliland managed to avert ending up in a situation of disorder and started building on its future. The following paragraph describes how Somaliland was stabilized and how the process of statebuilding started in order to find an answer on the question: *In what way did the state apparatus develop in the first years after Somaliland's civil war of 1991?*

Who is in charge?

Within two weeks after the overthrow Siyad Barre on 27 January 1991, the SNM had taken control of the major cities in North-West Somalia. Militias of the Gadabursi and Harti clans had fought the SNM, together with the government. Some 105,000 Gadabursi and 20,000 'Iisa fled to Ethiopia in fear of SNM reprisal. The SNM however decided against such massive retaliations. Bradbury finds a couple of reasons why the SNM kept their vindictiveness in check. First, the Gadabursi and Harti-clans were not unanimous in their support for the government. Part of the Dhulbahante (Harti) openly supported the SNM and had even tried to join them. Second, the SNM was, after the defeat of Barre, the only powerful and organized force in the region. No other organization challenged their superiority. Furthermore, the clan intermarriage and SNM's support for a united Somalia that made them reticent in the use of force. (Bradbury, 2008, pp. 78-80) Instead of falling back into a spiral of violence, the SNM leadership chose to start a reconciliation process, lead by the elders. As Renders adds, the military superiority of the SNM combined with the compelling words of the only Gadabursi commander, made the Gadabursi elders side with the SNM. By mid-February leaders from the Isaaq, Gadabursi, 'Iise, Dhulbahante and Warsengeli agreed on a ceasefire and planned a regional conference. (Renders M. , 2012, pp. 89-91)

The SNM was no strong entity, although the North was officially under control of the SNM, in reality it was under control of roaming militias that operated under the flag of the SNM. The *Guurti* was the institution that had a major influence on these militias, keeping them from looting and destruction. During the war, the SNM had called on the popular *Guurti* to unify their clans and support the SNM. As soon as the war was over, the political differences within the SNM became visible. The political branch of the organization was very divided, the *Guurti* benefited from this gap. They soon developed to become the body with the most political influence, while the SNM was the military branch. Esteemed elders of the Isaaq-clan were even invited to form an SNM-*Guurti*. The political weight of clan elders dramatically increased shortly after the war, as did its numbers. Every clan and sub-clan appointed elders in order to gain more influence in the political debate. The *Guurti's* made it possible for the clans to approach each other as clans, instead of competitors for political power. The elders developed from pastoral, spiritual leaders to urban-based political leaders. Although the phenomenon of elders or *Guurti* was not new, the fact that they were the only main institution with

political power was. The *Guurti* was the institution that filled up the power-gap, left by the collapsed state. (Renders M. , 2012, pp. 90-91)

Guurti initiate

The SNM had never abandoned the idea of a united Somalia, since they were planning to free the entire Somali population from the Barre-regime. Therefore they had never made a plan for an independent Somaliland. The SNM proposed to install a federal organized Somalia with substantial authority for the different regions. On the other hand, the people of Somaliland were strictly opposed to the idea of a united Somalia. The recent horrors of war, the destruction of the country, arbitrary killings and the prospect of improved ties with Ethiopia were reasons for a strong secessionist mood. Besides, since the identification with ones clan was again becoming very common, the importance of the Somali-identity was waning. (Bradbury, 2008, pp. 80-81) In May 1991 the grand conference of the Northern people had gathered, discussing the future of the country. The SNM *Guurti*, non-Isaaq *Guurti*, influential business people, intellectuals, religious and militia leaders gathered in the town of Bur'oo. When, during the congress, the news spread that the SNM was attending a meeting in Cairo with the United Somali Congress (USC), widespread protests sprang up. Crowds demanded the independence of Somaliland, and under the pressure from outside, the Bur'oo congress granted their demands. On the 15th of May 1991, the Bur'oo congress declared Somaliland independent, laying claim on the former territory of the British Protectorate. (McConnell, 2010, p. 147) The SNM chairman, Abdirahman Tuur decided to accept the independence claim, because he knew that he could not oppose the *Guurti*. The independent Somaliland would be governed by the SNM Executive Committee, functioning as a parliament. This parliament would be a mix of the different clans of the North and Tuur would become the first president of Somaliland. (Renders M. , 2012, pp. 90-92) The Bur'oo meeting declared that the act was a 'voluntary dissolution' of a failed union. (Bradbury, 2008, p. 83)

Statebuilding

The Bur'oo conference did not end all hostilities, fighting was still occurring between different militias, but it did establish reconciliation as a common goal. The first Somaliland government had the enormous task of building a genuine state in a largely devastated country. The administration had to bring security, facilitate and promote the reconciliation process, coop with the intrinsically conflicting operation of statebuilding, build institutions and restore basic services. Meanwhile the government had to be very careful not to disrupt the power balance between the clans. Moreover, since Somaliland was not officially recognized, and the economy was largely disrupted and resources were very limited. The new government knew some minor successes, but overall could not live up to its heavy task. (Bradbury, 2008, pp. 80-83)

In order to restore the security, police services were installed and the carrying of weapons was forbidden in parts of the country. On top of this, Tuur tried to unite the different militias into a new formed National Army. In order to pay for their wages, he started to collect revenue in the port of Berbera, but was opposed by several factions. By starting a national army and collecting revenue, Tuur tried to install the classic forms of state power; the monopoly on violence and control over the resources. (Renders M. , 2012, p. 93) But the transformation of the SNM central committee into a

parliament was even harder to fulfill. Due to conflicting interests, lack of recourses and mutual mistrust, the central committee hardly gathered, paralyzing the government and further crumbling the SNM. Again, the *Guurti* filled up some of the political space by forming ad hoc councils that dealt with disputes, justice and raised some revenue. In fact, Bradbury claims, when the government interfered in these processes, it sparked conflict. He illustrates this by using the January to March 1992 sheep wars, which were triggered by the extending governmental control over the army and foreign aid. The government had tried to reorganize the forces of the SNM into a national army and the attempt to take control over the harbor of Berbera. (Bradbury, 2008, pp. 86-87)

Reconciliation continues

While the effective government of Somaliland was lacking between 1991 and 1993, the reconciliation process was still going strong. This reconciliation process manifested itself on two different levels; the local and the national level. Where in the early stages, the reconciliation process was foremost about addressing grievances, the scope was now broadened. Reconciliation in the local level were held between clans and sub-clans and mainly concerned 'civil' issues like agreements on; security issues, pastoral lands and trade routes, the restoration of law and order and the restoring of social relations. In the national conferences 'constitutional' issues were addressed. These included; building a new structure for government institutions, defining relationships and power sharing between the various clans, organize structures of national security and the integration of the elders in the political structure. (Moe, 2009, p. 4)

The Borama Conferences

The most important national conference in this period was the Borama Conference, since this conference opened up the possibilities for statebuilding. The Somaliland national *Guurti*, consisting of 150 elders from all clans, were the voting delegates. The conference was financed and managed by local institutions, businessmen and members from the diaspora. The conference started on 24 January 1993 and lasted for five months, during which an estimated 2000 people attended. A treaty of mutual respect was signed by the clan-elders, making them responsible for the acts of their clans. Key to the Borama conference was the fashioning of a modern type of government in which the clans were represented, a so called *Beel*-system. The results were defined in a Transitional National Charter in three branches; an executive branch (President, Vice-President and Council of Ministers), a bicameral Parliament (the Upper House of Elders and the Lower House of Representatives) and an independent Judiciary. The Upper House was entrusted with tasks like ensuring security, selecting the President and Vice-President and checking the executive branch and the Lower House. The Lower House of Representatives was also formed by clans and its primary task was to enact laws. Basically this was a construction where the clan-based autonomy and representation predominated, because the Upper House of Elders was the most influential organ. The elders were responsible for the National Army and the disarmament and demobilization program. In this way, the new government institutionalized the traditional role of the elders. The clan representation was key to the mutual trust within Somaliland, enabling the government to take the first genuine steps in statebuilding. (Kaplan, 2008, p. 148) (Bradbury, 2008, pp. 97-101) (Renders M. , 2012, pp. 100-103)

The Sanaag Grand Peace and Reconciliation Conference

An example of an important regional conference is the Sanaag Grand Peace and Reconciliation Conference. Traditionally the Sanaag region in the North-East of Somaliland was inhabited by Isaaq and Harti clans. In the war these parties had fought against each other, and afterwards they lived strictly separated. As soon as the rapprochement started, crimes and war casualties were treated in *diya*-paying groups. Elders heard the different parties involved and decided from case to case on the compensation. The process had to be slow in order to be inclusive. Elders of different clans gathered under acacia trees and created political treaties (*xeer*), working on new relationships. The Sanaag Grand Peace and Reconciliation Conference is an example of a regional conference. The conference and started in July 1993 in the regions capital, Erigavo. The negotiations had lasted for over three months and concerned mainly civil issues. The conference resulted in the Sanaag Regional Peace Charter, guaranteeing individuals to move freely, the return of assets, the formation of a regional administration, the common use of land and installed heavy sanctions against violators of the Charter. The Sanaag Charter was in part modeled on the National Charter. Although Sanaag remained a unstable region for the following years, the danger of a direct return to violence was averted. Again, the absence of the government created space for reconciliation by the traditional parties. (Debiel, Glassner, Schetter, & Terlinden, 2009, pp. 41-42) (Bradbury, 2008, pp. 101-105)

Synergy

It is the synergy between the local and the national process that helped stabilize Somaliland, Moe adds. In the years between 1991 and 1993 the government had very minimal functions and resources, which resulted in a very 'thin' government. Therefore other vehicles for reconciliations were sought and found in form of the *Guurti*. (Moe, 2009, p. 4) Building on this local authority ensured that the conflict-causing elements of statebuilding were mitigated. The statebuilding process was more or less integrated into the reconciliation process, which further legitimized and reinforced both processes, I would like to add. The statebuilding process benefited because it could rely on the traditional organs for legitimacy and resources, the resistance against a central state was reduced since the pace and direction of the process was determined by the clans elders, which allowed the population to better identify with the state. One could say that the reconciliation process was enforced because the state was modeled on the basis of power-sharing and an acceptable representation of all the clans. In addition, the containment of state formation as a source of conflict was a very beneficial. Or even stronger, it seems like the process of reconciliation was only possible because of the absence of a strong central government. Because no party was strong enough to claim the power in Somaliland, local, traditional institutions were given every opportunity to participate in both the reconciliation process and the nascent statebuilding.

Challenges

Menkhaus identifies some general and some specific challenges of statebuilding with respect to Somalia. Since the structure of both Somalia and Somaliland are quite alike, these challenges also apply to Somaliland. Among the more general challenges, Menkhaus identifies; that statebuilding is an intrinsic conflict-producing exercise, the limited financial resources of a new state and therefore the need of modest goals, spoilers that try to derail the statebuilding process. (Menkhaus, 2007, pp. 93-94) Since one of the major aspects of statebuilding is the transfer of power over different assets to the state, this is a thread to parties that hold power. In Somaliland this problem was somewhat

smaller since there was one party that was far superior to others, the SNM. Nevertheless, Isaaq and Non-Isaaq clans were competing for power and resources. The fear and hostility on both sides was partially removed because the clans were closely involved in the statebuilding process, so that they could opt for their favorite outcome. Spoilers fear for economic or political marginalization, since all parties were actively participating in the statebuilding process, this fear was also limited. The financial aspect demanding modest goals for statebuilding were also clearly seen in this period in Somaliland. But instead of a setback, the slow pace of the development enabled a more stable ground for peace and reconciliation, as argued before, further enabling the opportunities for statebuilding.

Some of the more specific challenges for statebuilding in Somalia, identified by Menkhaus, were also relevant to Somaliland. For example, the degree of decentralization within Somaliland and the ownership of assets were key to get the support from the different clans. (Menkhaus, 2007, pp. 97-99) With respect to the ownership of assets, the appointments made during the previous 'Tawfiq' conference, were leading. Most major assets, like harbors and airports, were public assets from there on. Since the central government was still relatively small, much of the other tasks were organized very decentralized. For example, the clans were still largely responsible for the maintenance of the civil law. This way the discrepancy between a highly centralized state and a highly decentralized pastoral society was overcome. (Ahmed & Green, 1999, p. 115) Another 'specific challenge' identified by Menkhaus was the Outstanding Reconciliation Issues. (Menkhaus, 2007, pp. 97-101) In contrast to the rest of Somalia, the reconciliation process in Somaliland was (necessarily) given priority. This is, in my eyes, one of the main differences between the statebuilding processes in Somalia and Somaliland, both in respect to conduct and outcome. I will elaborate on this later.

In sum, the answer to the question; *In what way did the state apparatus develop in the first years after Somaliland's civil war of 1991?*, could be the following. Due to the missing unity and vision of the SNM and the very limited financial recourses, the process of statebuilding started very slow in post-war Somaliland. This created space for the *Guurti* to organize a regional and national reconciliation program, resulting in a more peaceful and less hostile Somaliland. Only when the reconciliation process really started, the statebuilding process gained momentum. The statebuilding process was therefore really a part of the reconciliation, strengthening both processes. Somaliland emerged from the Borama and Erigavo Conferences as a hybrid and negotiated state, where the different regions were given the liberty to develop at their own pace. The framework for the state was given shape, but the actual building and creation of state institutions only just started.

The Solidification

The Borama Conference enabled Somaliland to start building institutions and a political system on the basis of a clan representation. For many of the traditional parties that were involved in this process, this was a basis that they could trust. This enabled Somaliland to take the first big steps in a proper statebuilding process. This paragraph will focus on the question: *How did the interactions between the clans and state change in Somaliland between 1993 and 1997?* The most important events in this period will be discussed, the influence of the Hargeysa Conference will be analyzed and it will provide an overview of the key successes and shortcomings.

After Borama

Soon after the Borama Conference, in June 1993, the Upper House of Elders elected Mohamed Ibrahim Egal for two years as the new President of Somaliland. A remarkable choice, because Egal was opposing the SNM, had been supporting Barre and pleaded for a united Somalia. This action was probably prompted by members of the Guurti that tried to limit the remaining power of ex-SNM commanders. Immediately after his installation, Egal went energetically to work. One of the first key issues he worked on was the further demobilization of the various militias by their incorporation into the Somaliland National Army, or a modest retraining. Since the new soldiers had to be paid for, the government appealed to the UN, asking for funds for their demobilization, disarmament and reintegration (DDR) program. Due to the unrecognized status of Somaliland and its government, the help never materialized. (Renders M. , 2012, pp. 102-104)

Somaliland was largely left on its own, forcing the government to look for more creative forms of financing its programs. Local businessmen contributed to the program because they greatly benefited from the increased security and the reduction of the number of roadblocks. This is an example of what Menkhaus would call "Mediated Statehood", when the government is relying on different formal and informal non-state institutions in order to provide services. Because much has to be negotiated and renegotiated in a Mediated State, this form is not ideal for a government. However, when there are not enough resources to address essential needs, this might be the best or only option. According to Menkhaus, the demobilization project might be one of the most important contributions to the functioning of the Somaliland state, until now. (Menkhaus, 2007, pp. 78-91)

Despite the contribution by the businessmen, the resources were too limited to provide all ex-combatants with a decent income, through which a large number was sent home. The success of the disarmament program varied from region to region. *Diya*-paying groups contributed by putting pressure on their members to sell their weapons, clans contributed by ceremonially handing over their heavy weapons. (Bradbury, 2008, pp. 112-115)

Meanwhile, another key issue to President Egal was the development of the public administration. During Egal's premiership between 1991 and 1993, a number of successes were booked. Government ministries, a Civil Service Commission, different offices and a Central Bank were created. The duties and responsibilities of health and customs services were expanded. Government personnel received decent salaries, a minimum wage and a national currency, the Somaliland Shilling, were introduced. Due to the DDR program, 50% of the 1994 annual budget had to be

allocated to the security services, leaving little for the much needed social changes. Thanks to increased security, trade in livestock, the main form of income in Somaliland, flourished again. The further investments and aid from the diaspora helped restore the economy. Egal focused on the import and export tariffs from the national port of Berbera as the main source of revenue to sustain the administration. (Renders M. , 2012, pp. 117-119) (Bradbury, 2008, pp. 110-112)

Renewed violence

Egal's support was based on the support of his own clan (the dominant and highly urbanized Habar Awal) and among the Gadabursi, the Vice-Presidents clan, in the west of Somaliland. The Harti (Warsengeli and Dhulbahante) and the rivaling Isaaq Habar Garhajis (Habar Yunis and 'Iidagalle) were less satisfied with the government and support among these clans was waning. The Garhajis were not satisfied with the *Beel*-system as it was formed at Borama and felt not properly represented. They felt the Habar Awal were too powerful and the Garhajis were marginalized by the formula used to allocate parliamentary seats. The Garhajis could tolerate this at the time of the Borama conference, because Tuur (Garhajis) was the President. But when Egal (Habar Awal) became President, the feeling of marginalization became more urgent. The conflict was triggered by a conflict of interest over the control over the Hargeysa airport and its revenues. Since Borama, the airport was a public asset, but the 'Iidagalle were extorting taxes from commercial flights. When the government tried to claim back the area and disarm a 'Iidagalle militia, they met with resistance. Negotiations over the airport started, but by November 1994, the government lost its patience and attacked and expelled the militia. After taking control of the airport, the governmental forces however proceeded to attack a nearby village. This act of aggression was widely disapproved of. The militia however regrouped and fought some kind of guerilla-like battle against the Somaliland National Army. The militia started to strengthen when 'Iidagalle members from the National Army and other clan members joined their side. The ex-President, Abdirahman Tuur, seized the opportunity by blaming Egal for the situation and questioning the existence of Somaliland. Thereby he tried to further legitimize his opportunistic struggle for a united Somalia. (Bradbury, 2008, pp. 115-118) (Renders M. , 2012, pp. 130-132)

Abdirahman Tuur tried to convince his clan, the Habar Yunis, to support him in his struggle against Egal. The Habar Yunis turned against Egal, but did not fully support Tuur's agenda. Habar Yunis and Warsengeli ministers had refused to take their seat in the parliament after the Borama Conference as a message against the distribution of the seats. By March 1995, the government tried to take control over checkpoints in the town of Bur'o, sparking a conflict between the Habar Yunis and Habar Ja'lo. The Habar Ja'lo had aligned themselves with the government and the Habar Yunis were fighting against Egal. After a month of fighting, the conflict went into a stalemate, it never reached the scale of an all-out war. Renders identifies 3 parties that were involved in the conflict: the government coalition, the pro-Somaliland opposition and the pro-Somalia opposition. The opposition was united in their resistance against Egal, but divided over the fate of Somaliland. Tuur never succeeded to unite the opposition for his cause. (Renders M. , 2012, pp. 136-140)

The renewed violence did not end the peoples support for an independent Somaliland, it might even have strengthened it. Frantic attempts to get supporters on their feet in order to join Somalia, led to

nothing. This underlined the importance of a solution in Somaliland, because there was no alternative. Egal's term, that had ended in April 1995, was extended by the House of Elders in order for him to end the war. The national *Guurti* had failed to play a significant part in the initial solution of the conflict, because they were perceived as biased by the oppositions, because of their positions within the government. A peace committee from the diaspora equalled the ground for peace talks that started in May 1996. In Hargeysa meetings between the Lidagalle and the other Hargeysa clans were started, while in Bur'ó the Habar Ja'lo and Habar Yunis were working to resolve the conflict. These peace meetings finally culminated into the Hargeysa Conference that was held between October 1996 and February 1997. (Bradbury, 2008, pp. 121-123)

The Hargeysa Conference

The Hargeysa Conference was started by the *Guurti* on 15 October 1996, as a compromise between Egal and the Parliament over the constitution. At the start of the conference, Somaliland appeared heavily fragmented and peace seemed far away. There were a few important differences between the Hargeysa Conference and its predecessors. In contrast to the former conferences, the Hargeysa Conference was financed by the government, which increased its influence. The number of delegates was more than doubled and the government interfered greatly with the selection of the new delegates, favoring loyal leaders. Since clans were no longer the only stakeholders, the conference was called national- instead of clan conference. (Bradbury, 2008, pp. 124-126) (Renders M. , 2012, pp. 154-156)

The direct results of the Hargeysa Conference were numerous, ending the incoherent and hostile situation that came out of the civil war. The Hargeysa Conference formally brought an end to the civil war, increased the number of seats in parliament for opposition parties, formed a government war compensation fund, arranged minority representation in the parliament and a new draft constitution was agreed upon. In this new draft constitution, the political representation in Somaliland's national institutions was changed. The *Beel*-system of clan representation should make place for a one-man-one-vote system, making Somaliland look like a more modern, proper state. Indirectly the Hargeysa Conference was the start of a six-year period of stability, because parties were again on speaking terms and felt better represented. The Conference definitely set Somaliland on the Road to a multiparty democracy, through the new constitution. The Harti was the only major Family Clan that was unsatisfied with the Hargeysa agreements. This dissatisfaction would later lead to the rapprochement of the Harti to the neighboring Puntland. After the conference, new Presidential Elections held on the 23th of February 1997, Egal won by a landslide. Probably, many of the votes were bought. (Renders M. , 2012, pp. 154-159)

Successes

Since 1997, Somaliland has continued the prudent transition from clan-based representation towards a multiparty democracy. Several elections and the transfer upon power after the death of President Egal elapsed nonviolent, unique for a country in this region. A constitutional referendum in 2001 enforced the feeling of ownership of the constitution, and thereby the legitimacy of the state. (Moe, 2009, pp. 6-7) There are numerous answers to the question as to why the Somaliland state has proven resilient. Menkhaus identifies three answers that scholars give to the question which party contributed most to the Somaliland statebuilding experiment. Clan elders, President Egal and the

Isaaq businesspeople are parties that are said to be responsible. (Menkhaus, 2007, pp. 92-94)

Although this is interesting, I think this answer does not reflect the complexity of the question. I have identified a number of parties, mechanisms, attitudes, (missing) factors and internal characteristics that are, in my eyes, key to the outcome of the Somaliland statebuilding process.

The first of these factors was the set of circumstances surrounding, and the organizational structure of, the SNM. In its political manifesto, the SNM expressed its beliefs and goals with respect to the desired state organization. Their ideal state should combine the traditional institutions with a modern and democratic state. This general blueprint is very similar to the system that Somaliland strived after, after the civil war. The very general plan sketched a horizon, rather than the prior fixing of the different steps. So when the Somali government collapsed and the SNM was the only major force in the region, the statebuilding process could evolve quite naturally. This is very much in line with the views of Bradbury, Trotha, Krohn-Hansen & Nustad and Hagmann & Péclard, since they claim that statebuilding is not a simple technical process. It is not possible to successfully implement the building of the state from outside or completely top down, especially in a war-torn society. Rather, statebuilding should be seen as a never ending historical process, deeply rooted in society. (Hagmann & Péclard, 2010, pp. 544-546) Statebuilding, so they claim, cannot be captured in schedules and predetermined plans since states are;

"...the outcome of complex sets of practices and processes {and} the result of myriads of situations where social actors negotiate power and meaning" (Krohn-Hansen & Nustad, 2005, p. 12)

Therefore, a statebuilding should be treated as an organic and internally determined process. Despite their different enthusiasm over the final outcome, Trotha and Bradbury both claim that planning statebuilding is delusional. (Trotha, 2009, p. 39) (Bradbury, 2008, p. 247)

Another major factor that contributed to the recovery of Somaliland was the strong commitment that the citizens and local elite had with peaceful solutions. Debiel et al compares the position from elites in Afghanistan and Somaliland towards the state. In Afghanistan the state was perceived as a hostile and alien and treated it as such. The attitude from the Afghan elites can be best described as that of a parasite. In Somaliland, the attitude of the elites, such as the elders, was very different. Because of their political marginalization under the Barre regime, the elites were keen on enforcing a state wherein security and law were strong. The role of the population that pushed the elites towards this attitude, should not be underestimated. The people placed pressure on their leaders to denounce the union with Somalia and the people pushed them to look for peaceful solutions. The elite sought for a balance between traditional clan structure and the modern state. (Bradbury, 2008, pp. 247-248) Their urge for peace even made them willing to tolerate some degree of corruption. (Menkhaus, 2007, p. 93) According to Debiel, in areas where the population was more homogenous, the cooperation between the councils of elders were more successful. The homogeneity contributed to the emergence of, what they call, a Shared Mental Model (a set of common values, laws and agreements). (Debiel, Glassner, Schetter, & Terlinden, 2009, pp. 41-42) Statebuilding in Somaliland strongly profited from these agreements, because the state was identified as a key provider of some of the common needs.

A third key factor that contributed to the growth of the state in Somaliland was the earlier-mentioned synergy between the reconciliation and the statebuilding process. The lack of international support forced the new government to deal with the different traditional institutions. This resulted in a 'thin' government, which relied heavily on other parties for its legitimacy and finances. Between 1991 and 1993, the process of statebuilding was very limited. Reconciliation on the other hand, had started during the civil war and was intensified soon after. After 1993, statebuilding started to gain momentum. The resistance against the state was reduced because of its connection to the traditional parties. The reconciliation process had reduced the hostilities between clans, allowing a system to develop that was based on power sharing. The partial integration of the statebuilding into the reconciliation process enforced both. The statebuilding process benefited from the legitimacy from the traditional parties. The reconciliation process initially profited from the absence of the state, because local initiatives were leading and clans could set their own terms. After 1993 the political system of power-sharing reflected and enforced reconciliation. I think this mutual enforcement is crucial to the robustness of the Somaliland state. (Moe, 2009, pp. 4-7) (Bradbury, 2008, p. 248)

Shortcomings and challenges

The Hargeysa Conference and the subsequent period of economic recovery and increased security did not go by unnoticed. Even the hardened skeptics were, according to Menkhaus, impressed by the accomplishments in Somaliland. Although the successes are undeniable, there were also a number of setbacks and still many challenges ahead. There are some forms of government repression, Somaliland is still not recognized, Islamic radicalism is a thread, internal political division is high and corruption and patronage is still ubiquitous. (Menkhaus, 2007, pp. 91-92)

One of the most obvious challenges is the diplomatic recognition status of Somaliland. Since Somaliland is still unrecognized, the investments from international companies, foreign governments, international financial institutions and even NGO's are hard to reach. Menkhaus calls it 'increasingly absurd' that the transitional government in Mogadishu is granted recognition, while Somaliland is not. (Menkhaus, 2007, p. 92) (Walls & Kibble, 2010) Several suggestions have been made, in order for Somaliland to change its diplomatic status, but none of them have changed the situation. On the one hand, the international status of Somaliland is closely related to the financial possibilities of the government. The Somaliland government has a very modest annual budget and is therefore forced to be modest in its activities. The economy is small and very dependent on the export of livestock, making tax revenue income still very variable. On the other hand, the relation with Somalia is still uncertain. Some have proposed to unite again with Somalia, but for many Somalilanders, this is not an option. Meanwhile, the economic and political relations with Somalia are ever increasing. (Bradbury, 2008)

Another major challenge is intrinsic challenge that every mediated state or Hybrid Political Orders faces. On the one hand, the state is to a large extent dependent on various non-state actors, for their financial resources and legitimacy. On the other hand, the legitimacy of the state and the appearance to external parties suffers from this dependencies. Since the loyalty of clans and businessmen in many cases, as in Somaliland, is often won by patronage, legitimacy of the state will suffer. (Debiel, Glassner, Schetter, & Terlinden, p. 41) The challenge for Somaliland is to find a way not to deter the

important non-state actors, while finding more legit ways to keep them bound. Often, long-term interests (legitimacy) are conflicting with interests on the short-term (money, support). Another example of this friction is given by Moe. In some cases customary law is in conflict with the constitution or human rights. (Moe, 2009, p. 12) The shift from the *beel*-system to a multiparty democracy is a bump that was already in order to enhance the governments legitimacy. In the first years after the civil war, the *beel*-system proved to be a working an legit system to enable the Somaliland clans to create common goals. But the politics along clan lines became inconvenient when the responsibilities of the state were extended. (Moe, 2009, p. 6) It is noteworthy that the involvement of the national *Guurti* into the state, has not improved the legitimacy of these elders as clans spokesmen. In fact, their legitimacy is called into question because of their strong ties with the government and the growing distance with local communities. That does not mean the involvement of *Guurti* in the government has become redundant, it is still seen by many as essential to secure the national stability. (Moe, 2009, pp. 9-10)

Conclusion and lessons

This research started with the question: *How did the relations between traditional Somaliland institutions and the young Somaliland government develop between 1991 and 1997?* By identifying the different clans and traditional institutions, analyzing colonial and post-colonial history, studying the reconciliation process and the developments in statebuilding, indicate the turning points and identify the major successes and major challenges, I have tried to gain insight into the answer to this question.

Somalis were wrongfully treated as a culturally homogeneous entity. The loyalty of Somalis is in first place the loyalty to the clan or sub-clan, and the differences between the Somali clans are vast. Traditionally, kinship, *Guurti*, customary law, diya paying groups and *xeer*, were instruments that were used to resolve differences between the clans in the highly decentralized, pastoral area. The colonial rulers actively used the traditional institutions to gain grip on the local population, without enormous expenses. The involvement of the British in the Somaliland politics was very modest and concentrated on the coastal areas, leaving much to the traditional authorities. After the decolonization and the unification with the Italian part of Somalia, discontent about political marginalization soon spread in Somaliland. When the situation deteriorated, the resistance to Mogadishu resulted in a civil war.

After the civil war businessmen and elders were cooperating with the government in order to restore peace in the first place. Security was a primary goal, immediately after the civil war. The military superiority of the SNM in the area, ensured that no other group could claim power. The elders were made responsible for the reconciliation process and peace and security. Traditionally these were tasks which they were very familiar with, which was beneficial for the results of their efforts. The close ties to their clans and feeling of responsibility made them well suited for this task. Through dialogue and meetings the elders dealt with disturbances and disagreements with other clans. The reconciliation process already started during the civil war and was accelerated immediately afterwards. On a local level, civil issues were agreed upon, while constitutional issues were dealt with on a national level. The synergy between these local and national reconciliation processes resulted in a robust outcome. The government that was installed after the civil war, that was led by Abdirahman Tuur, made only little progress. There was hardly any form of statebuilding in Somaliland between 1991 and 1993 and when the state tried to enhance its authority, tensions intensified. The Borama Conference, opened up the possibilities for statebuilding, as it solidified the *Beel*-system of clan representatives. This reduced the resistance towards the state among the clans, since their own leaders were included in the state. Initially, the statebuilding process was facilitated by the achievements of the reconciliation program. The processes strengthened each other.

After Borama, renewed violence caused a setback. Politically, Somaliland was still very fragmented and the young government was unable to gain strong support. Dissatisfied and frustrated groups kept control over the Hargeysa airport, leading the government to take it by force. The national *Guurti* failed to play a significant role in the solution of the conflict, because of their attributed governmental bias. Meanwhile, the *beel*-system was holding further developments in Somaliland back, and was up to revision. The more diverse political issues that Somaliland had to cope with, could not be handled properly along clan lines. This revision was formally ratified in the Hargeysa Conference. The influence of the Parliament was enhanced, rules for voting were changed and the

Upper House of Elders became less powerful. Somaliland was now on the road to a multiparty democracy, this further enhanced the government legitimacy.

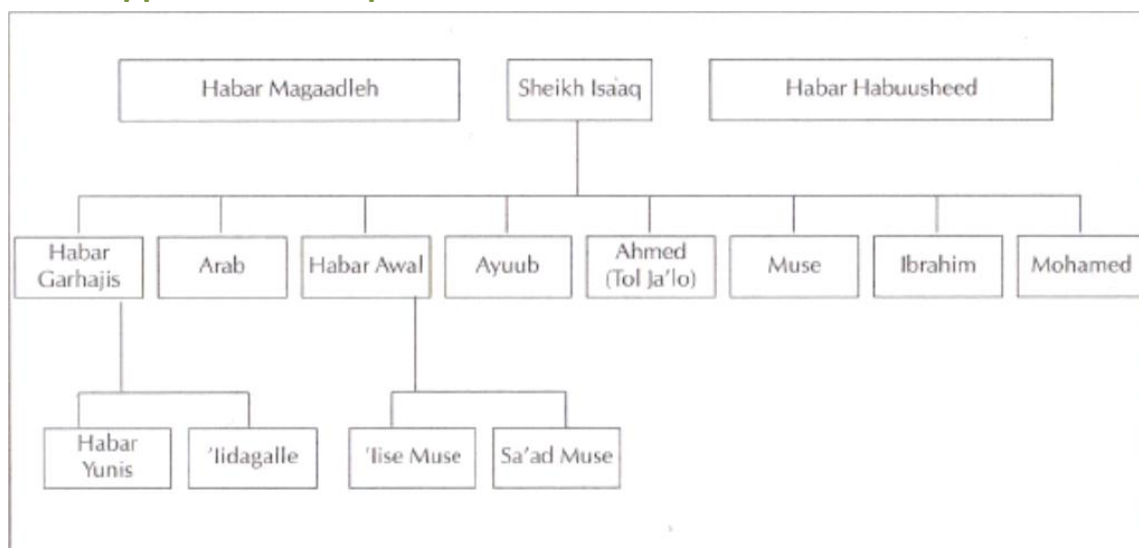
There are a number of factors, that are key to the development in Somaliland. The organizational structure and goals of the SNM were very important for the immediate goals and reconciliation after the civil war. Because the SNM had aimed for a united Somalia, there was no general plan for the development of Somaliland. This contributed to the quiet natural and ad-hoc process of statebuilding, that is very much in line with the concept of negotiated statehood. The commitment of the population towards peaceful solutions, international recognition and the hybrid state made the process survive different setbacks. The 'thin' government that relied heavily on other parties for its legitimization and resources was necessarily strongly intertwined with the Somaliland society. Leaning on the traditional parties meant that the system was more robust. On the other hand, the close involvement of various traditional parties was also limiting to the legitimacy, since loyalty was often bought.

There are some major lessons we can learn from this short episode of the Somaliland history. First of all, Somaliland is a strong example of the (mutually) beneficial cooperation between traditional parties and a government. Since the government had no other way to get resources and support, this cooperation was essential to its existence. Traditional parties rallied with the government because they saw this as the best opportunity to achieve stability.

At the same time, Somaliland shows that the immediate revival of the state after a civil war is not always required. In state with limited resources or external help it might even be better to start with locally owned reconciliation processes, before spending too much energy on statebuilding. The reconciliation process can give a boost to statebuilding, especially when statebuilding is more or less included in the process reconciliation. And Somaliland reminds us that external assistance is not essential for a proper statebuilding process. In some cases, external assistance might even do more harm than good.

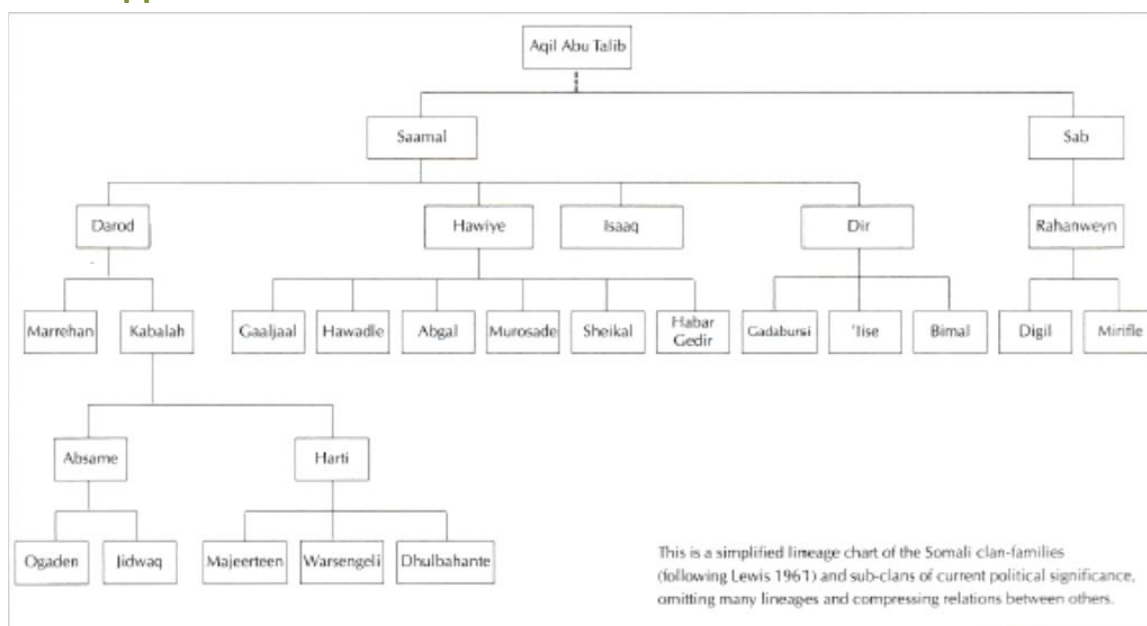
With respect to Somalia, many authors conclude that the process of Somaliland might be the only viable option to increase stability. (Bradbury, 2008, pp. 245-249) (Moe, 2009, pp. 7, 10) (Menkhaus, 2007, pp. 101-105) In Somalia, the extensive statebuilding efforts partly failed because the state was not embedded in the society. On top of that, Somalia was an example of statebuilding without reconciliation. The pursuit a mediated state, that relies on local authorities, might be the only way to create a functioning state in Somalia.

Appendix I - Isaaq



As presented in: Bradbury, M. (2008). *Becoming Somaliland*. London: Progressio, p. 257

Appendix II – Somali Clans

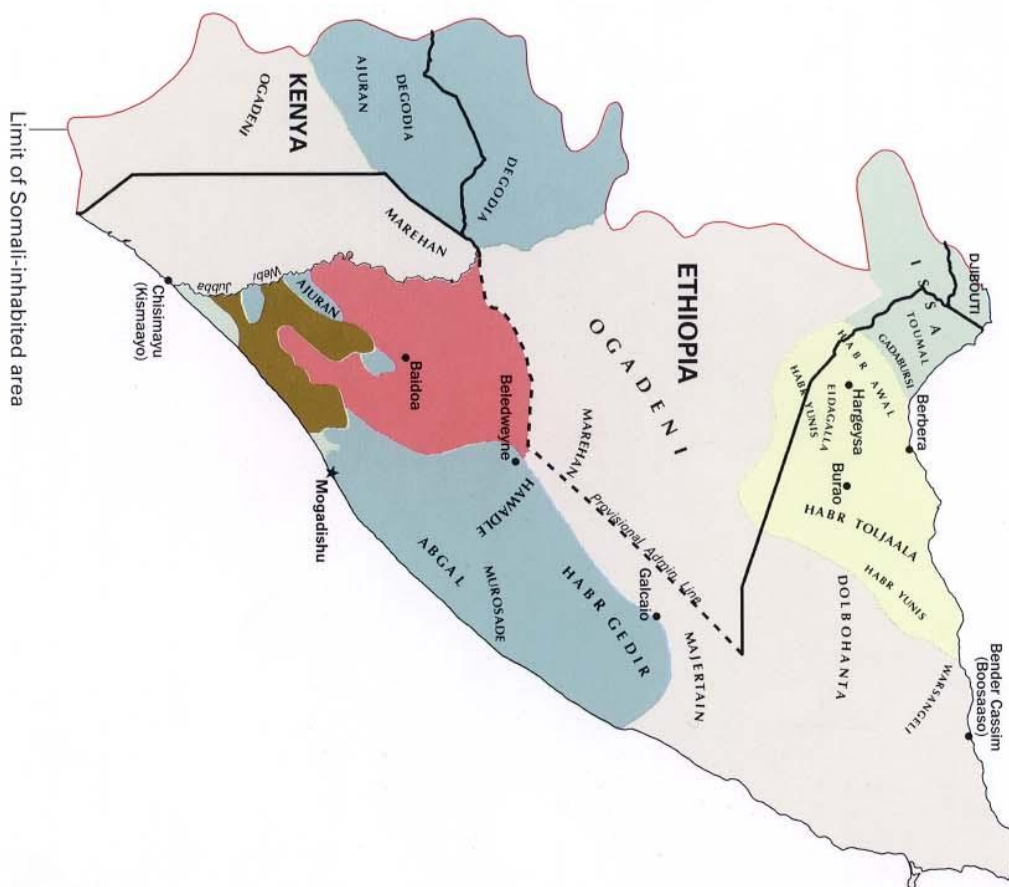
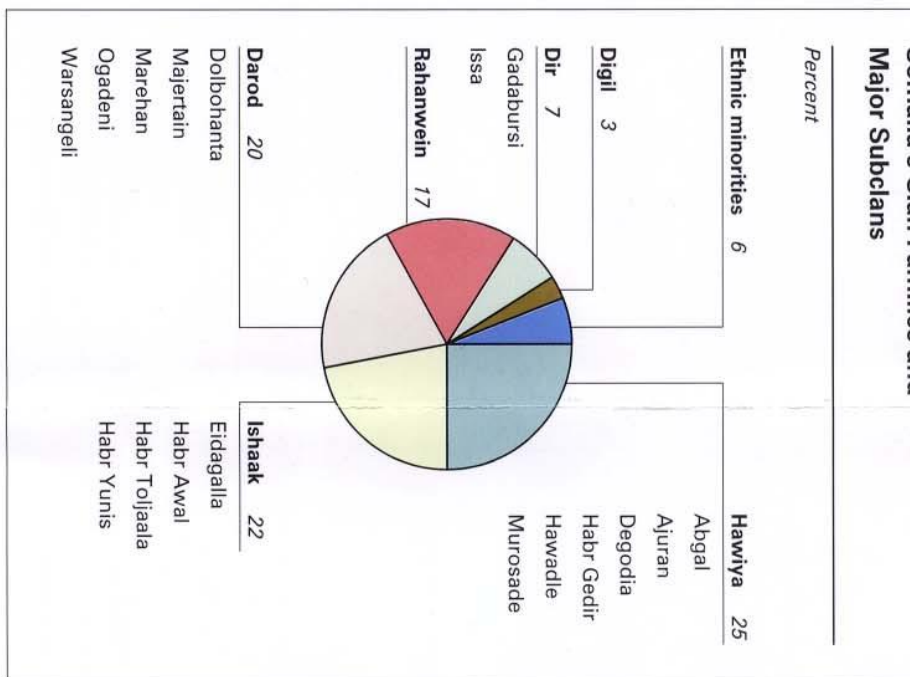


As presented in: Bradbury, M. (2008). *Becoming Somaliland*. London: Progressio, p. 258

Appendix III – Somali Clans

Ethnic Groups

Somalia's Clan Families and Major Subclans



Source: Website University of Texas, *Ethnic Groups from Somalia Summary Map*, CIA 2002, http://www.lib.utexas.edu/maps/africa/somalia_ethnic_grps_2002.jpg, on 3/28/2013.

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