

The State in Somaliland

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Note: this draft has benefitted from, but not fully integrated, the feedback from Roland Marchal, Markus V. Hoehne, Prof. Luis Martinez and several other readers mentioned in the footnotes.

The State in Somaliland

"While traditional authorities in the early post-colonial period were considered anachronistic institutions by local elites and most external observers, they have regained recognition since the early 1990s. This largely owes to the failure of the modern state to take hold in Africa, namely a state based on the Weberian definition of rational-bureaucratic legitimacy¹"

Markus Virgil Hoehne, 2011

A functioning state was established in Somaliland during the 1990s, after the fall of the Siad Barre regime. This state formation process was exceptional, because it was neither recognized nor supported by any external power; initially it even faced active hostility from the United Nations, determined to uphold the unity of the sovereign Somali state, even though the latter had ceased to function. It was based entirely upon the will of the people of Somaliland to have a state. Somaliland thus offers a useful contrast to the federal state of Somalia one of the most externally dependent states in the world.

Nearly three decades later, Somaliland is still not officially recognized by the international community, but through its stability and 'good behaviour' – the terrorism, piracy and civil strife which have plagued federal Somalia were avoided in Somaliland – external powers have entered into relations with what is now a *de facto* state. EU states, regional powers such as Ethiopia and the United Arab Emirates and now another unrecognized nation – Taiwan – are supporting the government of Somaliland in several ways.

Although it failed to elicit political recognition, the process garnered much scholarly attention, to the point of being elevated as a possible model for African state-building elsewhere, e.g. South Sudan. This is captured in the quote above by Markus Hoehne, one of the leading scholars on Somaliland. The key to Somaliland's success, many authors concurred, was a fully autonomous 'homegrown' process combining elements of traditional clan governance with modern state institutions, leading to the moniker *hybrid political order*.

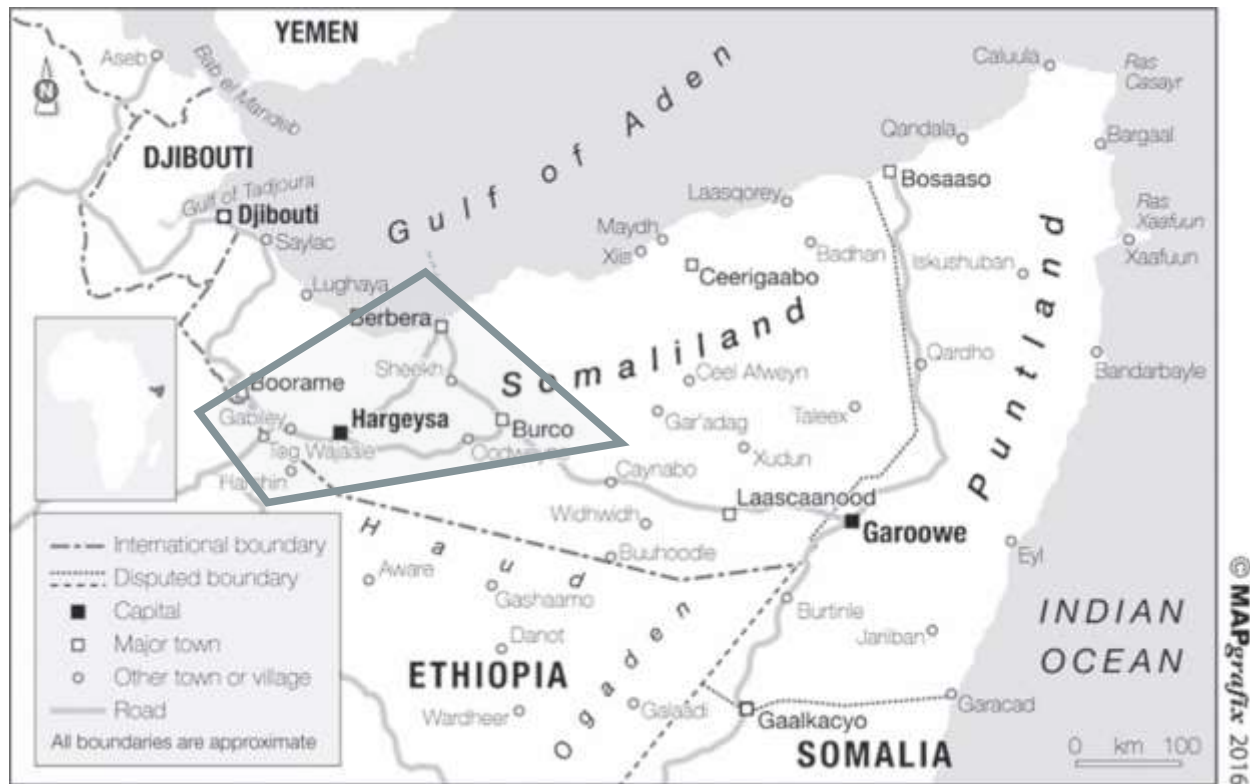
The adoption of a constitution, of multiparty democracy, and a series of peaceful elections where power changed hands, as well as general abidance by international human rights norms, gave Somaliland the appearance of a democracy. However, we will argue here that the *forms* of liberal democracy, which Somaliland adopted in a process of institutional mimesis, partly to gain international recognition and partly because '*There Is No Alternative*', are in conflict with the rhizomatic *nature* of Somali self-governance. The hybrid political order impedes self-governance while corrupting State institutions.

This chapter begins with an introduction to Somaliland and how its unique political system was established. In the second part I analyse this system in the light of current developments, focusing on state-society relations and why, and how, these are mediated mostly by clan. In the political sphere, this leads on one hand to the capture of centralized institutional power by the strongest lineages from

¹ Hoehne 2011: "No Easy Way Out: Traditional Authorities in Somaliland and the Limits of Hybrid Political Orders" Danish Institute for International Studies Working Paper 18. Citation on page 7.

central Somaliland; and on the other to the persistence of self-governance mechanisms to maintain social peace and stability, especially but not only in areas far from the capital. The development of the state today is driven mostly by financial flows from the international community, which is tipping the balance in the favour of state elites. Multiparty politics and elections, far from integrating the society into the state, increase social tensions. These are resolved by the increasing capacity of state elites to ‘increase the size of the pie’ by extracting external rents as Somaliland is *de facto* integrated into the regional and global order.

Map with rough indication of the Somali Heartland²



INTRODUCTION TO SOMALILAND

Somaliland covers about 27% of the territory of what used to be Somalia and, according to UN demographic data, it also contains about 27% of its total population³.

The land is draped along a mountain chain called the Golis Mountains that runs west to east, extending into Northern Puntland. North of this is a sparsely inhabited hot and dry coastal plain to the west, while from Berbera eastward the mountains run along the Gulf of Aden. South of the Golis Mountains is a landscape of dry plateaus cut by wide valleys that usually only fill during the rains (with frequent flash floods) and chains of hills. This area receives slightly more rainfall; sufficient in parts of West Somaliland

² Map courtesy of Markus Hoehne 2018a:188

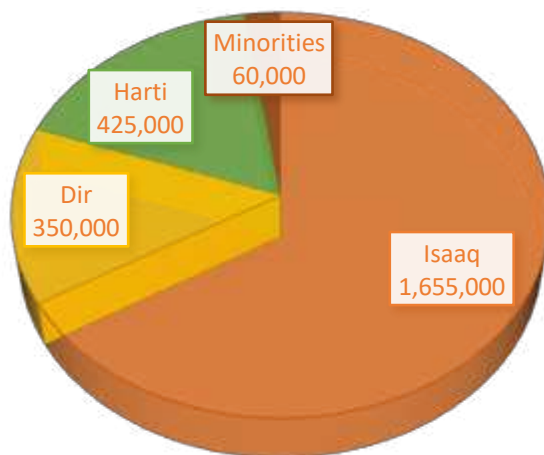
³ UNFPA/Federal Republic of Somalia: “Population Estimation Survey 2014”, October 2014

to practice agriculture, while in central and eastern Somaliland it leads to abundant pasture after the rains, and a dry and thorny brush landscape the rest of the year.

Somaliland is divided into six regions, each of which is subdivided into districts⁴. The major towns of Somaliland in terms of population are Hargeysa, Burco and Borama (more than 100,000 inhabitants each), in that order; secondary towns are Berbera, Ceerigaabo, Laas Caanood and Sheekh.

Following the 1958 data about clans in Somaliland collected by I.M. Lewis⁵, assuming there have been no major changes in the clan balance in Somaliland and based on a total population for Somaliland of 2.5 million (as explained below), the following would be the distribution among clan families:

Fig. 1: Population by clan family



1. Isaaq (about 67%) live in the central part of the country, in the regions of Maroodi Jeex, Sahil, Togdheer and central and western Sanaag. The Isaaq are also present in the Ethiopian Hawd and have lineage groups in northeast Kenya.

2. The Dhulbahante and Warsangeli (about 17%), part of the Darood/Harti clan family, live to the east of the Isaaq. There are more Dhulbahante (they live in the Laas Caanood, Buuhoodle, Xudun, Taleex and Ceerigaabo districts) than Warsangeli (in Laas Qoray, Badhan and Ceerigaabo). Both groups extend into Puntland, while the Dhulbahante are also

present in the Ethiopian Hawd region and in northeast Kenya.

3. The Dir consists of two groups: the Ciise (often transliterated Issa or Essa) and the Gadabuursi. They populate the Awdal region, and form about 14% of Somaliland's population. There are more Gadabuursi (in all districts of Awdal) than Ciise (in Zeylac and Lughaye). The Ciise form the majority in neighbouring Djibouti and both groups also live in Ethiopia, notably around Dire Dawa. Many Somaliland Dir, especially the Ciise, have emigrated to Djibouti and Ethiopia.

The remaining 1-2% is composed of traditional minorities (Midgaan, Tumal, Yibir, collectively called Gabooye⁶), small lineages belonging to the Hawiye and Majerteen clan families, internally displaced

⁴ The administrative divisions in the country are contentious; the UN, not recognizing Somaliland, still uses those prevalent in 1990, featuring on most international maps. New regions and districts have been created by the government of Somaliland, but only some of them truly function as administrative entities and none have clearly defined borders. I therefore use old administrative divisions with new names or rearrangements, such as Sahil.

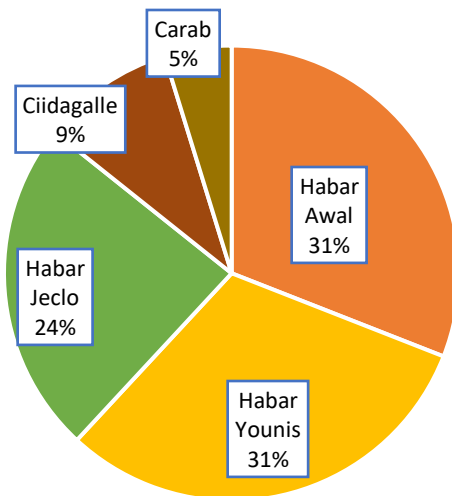
⁵ Unfortunately, there are no recent data about clan distribution.

⁶ These are 'professional minorities' such as leatherworkers, metalworkers and herbalists, considered akin to a lower caste by Somalis; for example, intermarriage with other clans is not allowed. Because of discrimination, many of them have emigrated and been replaced by Oromo migrant workers. See Vitturini: "The Gabooye of Somaliland", doctoral thesis at the University of Milan-Bicocca 2017, pp. 269-270.

people from other parts of Somalia, some refugees from Ethiopia, Yemen and even Syria and migrant workers from Ethiopia and Kenya.

To comprehend the following sections, it is necessary further to breakdown the Isaaq clan family into its main clans. The population percentages are again based on Lewis's 1958 data. Affixing percentages to a clan is a tricky and unrewarding task, and I do not have sufficient knowledge, nor could I find reliable sources, to provide even remotely accurate data. Somalis generally do not like foreigners to get involved

Fig. 2: Isaaq clan family in 1958



in issues of clan, and I will doubtlessly be criticized for doing so⁷. But one cannot understand Somali politics without a firm grasp of the clan factor⁸. Luckily, precision is not essential here; it is sufficient to know that the Habar Yoonis and the Habar Awal are of equivalent size, and that the Habar Jecllo may be slightly less numerous.

The Habar Awal are divided into Ciise Muuse (Berbera and Sheekh districts and in the cities of Somaliland's heartland) and Sacaad Muuse (Hargeysa and Gabiley districts, and up to Xarshiin in Ethiopia). The Sacaad Muuse branch is larger, but the Ciise Muuse have always been influential.

The Habar Yoonis belong to the Garxaji branch of the Isaaq. Their main area of residence runs from the coast between Berbera and Maydh, to Ceerigaabo and Burco, but they also extend from

southern Togdheer into Ethiopia, toward Gashaamo.

The Habar Jecllo live between Burco, Buuhoodle, Caynabo and Hargeysa and along the coast west of Maydh, and into Ethiopia around Gashaamo.

The Ciidagalle are also Garxajis; they live in Hargeysa district, Oodweyne, and extend toward Awaare in the Ethiopian Hawd. The Carab (pronounced like Arab, but not related) live mostly between Hargeysa and Awaare in Ethiopia, to the west of the Ciidagalle. Although in Lewis' time they were smaller than the Ciidagalle, it appears they are currently at least as large. There are also smaller Isaaq clans, like the Cimraan, Ayuub and Toljacle, who over the years have lost political representation.

⁷ Scholarly debates have long raged between Somali experts: some accuse others of 'ethnicizing' or 'essentializing clan', preferring economic or historic explanations to 'neo-colonial' arguments. See for example Besteman 1996:120-133. In 2015, Western-based Somali studies groups were criticized by Somali scholars of continuing patterns of Western colonial domination and excluding Somali voices. See the hashtag #Cadaanstudies on twitter.

⁸ I would agree with my Somali friends that it must be surpassed, but do not think that denying it—as Somalis have tried since the 1940s—is helpful.

The clan areas given above are based on traditional grazing areas, and trading or agricultural settlements⁹. Clans are also strongly represented in towns outside their traditional area, notably in Hargeysa, Berbera and Burco, for economic and political reasons. Some lineages settled in areas far from the core area of that clan.

Table 1: Population in Somaliland by district, with author’s corrections

Region	District	Rural	Urban	IDP	UNFPA 2014	exagg factor	My 2020 estimate	2017 Voter Reg	VR rate my estim	VR rate UN estim
Awdal	Baki	92,642	4,243	-	96,885	180%	53,825			
	Borama	127,504	271,045	60	398,609	150%	265,739			
	Lughaye	86,552	6,407	7,860	100,819	180%	56,011			
	Zeylac	70,754	6,127	70	76,951	180%	42,751			
	Total	377,452	287,822	7,990	673,264		418,325	147,031	35%	22%
Maroodi Jeex	Gabiley	69,997	36,917	-	106,914	120%	89,095			
	Hargeysa	223,229	691,852	44,000	959,081	120%	799,234			
	Total	293,226	728,769	44,000	1,065,995		888,329	312,634	35%	29%
Sahil	Berbera	101,447	73,971	590	176,008	120%	146,673			
	Sheekh	40,967	34,937	-	75,904	150%	50,603			
	Total	142,414	108,908	590	251,912		197,276	78,842	40%	31%
Togdheer	Burco	58,584	376,010	25,760	460,354	120%	383,628			
	Buuhoodle	33,768	49,979	-	83,747	200%	41,874			
	Oodweyne	78,560	22,798	-	101,358	150%	67,572			
	Total	170,912	448,787	25,760	645,459		493,074	178,506	36%	28%
Sanaag	Ceel Afweyn	73,907	26,043	-	99,950	150%	66,633			
	Ceerigaabo	119,389	85,119	810	205,318	135%	152,087			
	Laasqoray	190,200	48,555	100	238,855	300%	79,618			
	Total	383,496	159,717	910	544,123		298,339	85,222	29%	16%
Sool	Caynabo	38,108	19,572	1,400	59,080	120%	49,233			
	Laas Caanood	76,520	76,498	3,420	156,438	135%	115,880			
	Taleex	59,950	13,579	-	73,529	200%	36,765			
	Xudun	27,036	11,344	-	38,380	150%	25,587			
	Total	201,614	120,993	4,820	327,427		227,465	71,096	31%	22%
Somaliland		1,569,114	1,854,996	84,070	3,508,180		2,522,808	873,331	35%	25%

The exaggeration factor is an estimate based on the following criteria:

1. Clan conflict in an area pushes constituencies to exaggerate their numbers (Ceel Afweyn, Taleex, Lughaye, Buuhoodle, Ceerigaabo etc)

2. Political conflict pushes stakeholders to exaggerate numbers (Buuhoodle, Laasqoray, Taleex, all Sool)

3. Common sense and observation, including of settlements on Google Earth.

eg Laasqoray is unlikely to have a greater population than Ceerigaabo, or Awdal more than Togdheer

eg Rural populations given for Awdal, Berbera, Oodweyne, Ceel Afweyn, Laasqoray and Taleex are improbable given the harsh environment

eg Borama cannot have nearly four times the urban population of Berbera

4. Distance from the political heartland makes exaggeration of numbers easier (Awdal, Sanaag & Sool)

5. Higher administrative capacity reduces exaggeration, as in Berbera and Sheekh and regional urban centres generally

Voter registration data was used to confirm these exaggeration factors, bringing VR to 30-38% of entire population in each region

The total tally of 2.5 million inhabitants in Somaliland corresponds to the opinion of experts such as Markus Hoehne (2018)

Overall population figures are another matter of conjecture. A full census has never taken place and the presence of nomads makes counting the population complicated. When a lineage is asked for population numbers, it will tend to inflate them to increase its weight relative to other lineages, who

⁹ Based on knowledge accumulated by the author during his travels through Somaliland, and authors such as Walls 2011: “State Formation in Somaliland: Bringing Deliberation to Institutionalism” PhD dissertation.

exaggerate for the same reasons. Modern local administrators and humanitarian agencies (who keep tallies of their own, e.g., how many children go to school) also have a rationale to inflate population numbers. The demographer then can either use the given numbers, or risk offending lineages or local authorities by revising their numbers downward.

The table above seeks to reconcile the 2014 population data for Somaliland from the UN Population Fund (UNFPA)—the internationally most often quoted source—with 2017 Voter Registration (VR) data (one of the most credible census-like activities undertaken in the past years by Somaliland’s authorities), the population figure of 2.2 to 2.5 million estimated by Markus Hoehne (2018)¹⁰ and personal observation¹¹. I have applied an ‘exaggeration factor’ of 120 to 300% for each district, based on the criteria mentioned beneath the table. The reason I have engaged in this speculative work is to gain a better understanding of population distribution and participation. When 873,000 Somalilanders register as voters, which percentage of the eligible electorate is this?

Almost all political and economic activity in Somaliland takes place in a relatively small area that I have designated on the map above as the ‘heartland’ of Somaliland: between Borama, Berbera and Burco (with Hargeysa near the middle). This diamond-shaped area represents about 20% of the surface of Somaliland but over 66% of its inhabitants¹².

Somaliland’s Economy

Somaliland's economy has a simple basis. Livestock (camels, sheep and goats) and aromatic gums (frankincense and myrrh) are exported; in exchange, manufactured goods and foodstuffs are imported. Little processing or manufacturing takes place in the country. Part of the imported goods travel on to land-locked Ethiopia. High Ethiopian tariffs encourage smuggling, facilitated by the traditional mobility of Somali pastoralists across the long, open border. Fresh food and qat is imported from Ethiopia¹³.

Livestock is raised in all areas of Somaliland, but predominantly in the East, Centre and South; frankincense and myrrh are harvested in the mountains of Sanaag. Fishing villages exist all along the coast, but fish is only processed in Berbera. Crops grow in the strip of land between Hargeysa and Borama, and there is some horticulture around towns and cities, including a few new hydroponic plants

¹⁰ Hoehne 2018b:5. The UNFPA figure of 3.5 million (in 2014) is low compared to other population estimations used by the Somaliland government; on the other hand a specialist such as Roland Marchal believes that there are not more than 1.5 million inhabitants in Somaliland.

¹¹ As an analyst specializing in access for the NGO community, I travelled through all districts of Somaliland between 2016 and 2019, except Zeylac, Baki, Lughaye, Oodweyne and Xudun. I also spent much time on Google Earth examining roads and settlements, and I wrote briefs about many of Somaliland’s district centres.

¹² Hoehne, in 2018a:186 develops a similar concept, which he calls the “central-state-triangle” with as its three points Hargeysa, Burco and Berbera.

¹³ Qat absorbs a large part of Somaliland’s foreign exchange (and of its population’s productive capacity). A recent estimate put the amount of qat imported per year at 700 million USD, three times the value of total exports (Mills, Hartley & Nwokolo: “Somaliland: New Ways of Doing Things in a Rough Neighbourhood” in *The Daily Maverick*, 12 Sept. 2019). Qat is grown in the hills and mountains near Harar in Ethiopia.

near Hargeysa). To my knowledge, none of the reports about abundant deposits of hydrocarbons or high-value minerals have been confirmed, but the country is remarkably under-prospected¹⁴.

The only port capable of handling international shipping is Berbera. From there, two main axes lead inland on paved roads: the first to Hargeysa, and then onward to Ethiopia (Jijiga and Harar); the other to Burco, Laas Caanood, Garowe and the rest of Somalia. To give an indication of distances, the 160 km drive from Berbera to Hargeisa takes about 2.5 hours.

Burco is the main livestock market in a large region extending to the borders of Puntland and well into the Ethiopian Ogaden. A new tarmac road has been built toward Ceerigaabo, to provide access to this remote area. Traffic density is low, even on the main road between Berbera, Hargeysa and the border.

Most state revenue derives from taxing imports and exports; this gives a disproportional importance to the Port of Berbera, the airport of Hargeisa, and border crossings into Ethiopia, Djibouti and Puntland.

¹⁴ The government and foreign companies are keen to prospect, but local populations often react in a hostile way to foreign geologists, making on-the-ground prospecting difficult. For an extensive description of oil-exploration related conflict see Menkhaus 2015:66-70.

THE FOUNDING OF SOMALILAND'S STATE

Hereafter I present a schematic political history of Somaliland between the late 1980s and the early 2000s to serve as the foundation for the observations I will subsequently develop about the current state of Somaliland.

Antecedents

British Somaliland gained its independence on 26 June 1960, five days before the planned independence of Somalia. Almost without discussion, Somaliland joined Somalia five days later, but the union was hardly prepared. Both areas had different legal and administrative systems, and Somaliland was less prepared for independence than Somalia, both politically and institutionally. The British had made little effort to transfer governing capacity through education, training, elections, and the progressive transfer of responsibilities, while the Italian trusteeship governing Somalia was under UN obligation and monitoring to do so. Somaliland thus joined the federation as a junior partner.

Mogadishu made no effort to integrate Somaliland and by 1961 the union was causing resentment in the former British protectorate. The majority of Somaliland's population voted against the constitution in the referendum of 1961, and a few months later a coup was attempted in Hargeysa to separate Somaliland from Somalia¹⁵. The coup failed and over the following decades, Somalis from the northwest (like those from other areas of the country) who wanted to get ahead in life came to see moving to Mogadishu (1600 km by road) as their only option.

The crisis in Northwest Somalia started with the Somali defeat in the Ogaden war (1977-78). This is described in more detail in Chapter 4, but to summarize, the main effects in Hargeysa and surroundings were at first economic, and subsequently political. The war effort, the departure of many development NGOs, the influx of refugees from the Ogaden, and the falling exchange rate of the Somali shilling hit the population and the trading community in the heartland of Somaliland hard. The economic difficulties were compounded by IMF-imposed structural adjustment policies which reduced social spending from the early 1980s onward and concentrated wealth in the hands of the political class in Mogadishu. This affected all of Somalia outside of the capital, and indeed popular revolts and their hard-handed repression surfaced first in Puntland and other regions. But the middle class was more developed in Hargeysa, Berbera and other towns of Northwest Somalia than elsewhere in Somalia – partially the legacy of British policies – and they soon became vocal in their opposition to the Barre regime. Their attempt to revert to self-governance – organizing the maintenance and survival of public institutions such as hospitals and schools – drew the ire of Barre's still highly centralized state¹⁶.

¹⁵ Salwe, 1994:66–67, gives the following figures: in the ex-protectorate 54,284 voted against the 1961 constitution and 49,527 for, whereas in the southern regions only 128,627 voted against and 1,711,013 voted in favour.

¹⁶ I am indebted to the input of Khaalid Hassan for this analysis.

The discontent with the Siad Barre regime reached an inflection point when students and doctors involved in self-help were imprisoned in 1982¹⁷. A delegation of neutral elders (a so-called ‘*ergo*’) that subsequently requested the federal government to address the backward position of the Northwest was similarly thrown into prison, violating a central tenet of Somali traditional governance¹⁸. Meanwhile, officers who were unhappy with the Barre regime’s military defeat started defecting toward the newly created Somali National Movement (SNM); one of their first feats of arms was freeing the imprisoned elders from the high-security Mandeera prison (between Berbera and Hargeysa) in 1983. There was thus a convergence of interest between the middle class, traditional elders, military officers and as we shall now see elements in the Somali diaspora, which prefigured the later alliance between the socialist-leaning and centralist SNM, the business class that desired to develop the region and clan leaders who sought to preserve social stability through traditional governance.

The SNM was formed in London in 1981 by exiled revolutionary Isaaq intellectuals and businessmen, although the initial impetus for its creation came from Somaliland’s diaspora in Saudi Arabia and was religiously tinged¹⁹. From the outset the movement was almost entirely Isaaq, but it did not follow clannist policies; its aim was to overthrow the Barre regime together with other opposition forces. It set up bases across the Ethiopian border with support of the Ethiopian communist regime. Many of the exiled SNM supporters desired Somaliland’s independence; the fighters operating from Ethiopian bases, in contrast, many of whom had served in Barre’s armed forces and had assimilated the secular, socialist and centralizing outlook then prevalent among those forces, in general wished to capture power in Mogadishu and work on a new and better power-sharing agreement.

The guerrilla warfare of the SNM degenerated into a full-blown civil war when the SNM had to leave its Ethiopian bases in early 1988²⁰. This war was conducted with extreme brutality by Barre and his generals, who targeted all Isaaq civilians as possible SNM fighters or supporters²¹, pushing the civilian population into the arms of the SNM²²—the only organization that could defend them—and substantiating a clan-based narrative of persecution and victimhood. The civil war provided the occasion

¹⁷ The riots started when 28 people were arrested for having attempted to create a self-help group to support the public hospital. Human Rights Watch 1990: “Somalia: A Government at War with its Own People. Testimonies About the Killings and the Conflict in the North”, pp. 97-114; and Compagnon 1993: “Somaliland: un Ordre Politique en Gestation?” *in* *Politique Africaine* #50, June 1993, p. 11.

¹⁸ My gratitude to Markus Hoehne for pointing out that the imprisonment of the members of an ‘*ergo*’ – a delegation of neutral clan leaders appointed to mediate in the conflict between Hargeysa’s middle class and the regime – constituted an affront to the local population.

¹⁹ After the 1979 Shia revolution in Iran, Soviet invasion of Afghanistan and the capture of Mecca’s holy shrine by Ikhwan extremists, Saudi Arabia embarked on a petrodollar-fuelled external policy of spreading Wahhabi Islam.

²⁰ This was the result of the April 1988 peace agreement between Mengistu and Barre, whereby both parties agreed to stop funding Somali insurgents against the other.

²¹ In May and June 1988, Hargeisa and Burco were carpet-bombed by government aircraft, resulting in the destruction of most of their buildings. The killing of 50,000 to 60,000 Isaaq residents in 1988 and 1989 according to Human Rights Watch 1990:3 later came to be qualified as ‘genocide’ by the new regime. Hundreds of thousands of civilians fled across the border into Ethiopia, while others became internal refugees. Other crimes committed by government forces were systematic killing, looting and rape of fleeing civilians; torture; looting of private and public property; and the unmapped planting of between 400,000 and 800,000 landmines (UNDP estimate).

²² Bradbury, 2008, p. 62, notes that, until then, the SNM had not enjoyed much popularity among the Isaacs.

for what Volkan would call ‘Somaliland’s chosen trauma’²³, and what the Isaaq now call the ‘Isaaq genocide’. The killing of civilians hiding in their houses or fleeing from warfare, women and children alike, was a particularly traumatic experience as it violated the rules of Somali warfare²⁴. Isaaq elders rallied to support the SNM through taxation of their lineages in recruits, weapons and resources²⁵, which allowed the SNM to survive the onslaught of government forces. The lack of external support fostered mutual dependence among elites²⁶. Clan elders who came together in June 1988 at Adarosh near the Ethiopian border decided to establish a standing *Guurti* (council of elders) with an executive committee that worked closely together with the military leadership of the SNM.

It must be noted that a permanent *Guurti* was a political innovation²⁷; although clan elders had occasionally come together to solve inter-clan problems, there was little precedent for a standing body of elders²⁸, much less at the level of the entire Isaaq clan family, and clan councils would certainly not have an executive committee or any other institutional form. The only institution of clan power, until then, was the title of sultan or *garaad*, and the principle that *diya* paying groups—of which the British had counted 361 in 1958—were headed by an elder (*caaqil* – meaning ‘wise’). This was not the result of the SYL’s or socialist Barre’s disparagement of the clan. In I.M. Lewis’ exhaustive study of Somaliland’s pre-independence society²⁹, the term *guurti* does not even appear. In fact, if one were pressed to find an antecedent to the *Guurti*, the closest match might be the British designed council of elders which was instituted in the mid-1950s to help the British govern the clans³⁰. But this precedent was probably not on the minds of the *Guurti* members. It was really the disintegration of the state’s authority and the need of the SNM—as a military organization—to have a civilian interface that prompted the establishment of the *Guurti*.

²³ See Vamik Volkan: “Transgenerational Transmissions and Chosen Traumas: An Aspect of Large-Group Identity” in *Group Analysis* (2001) 34:79

²⁴ Observation made by Markus Hoehne in a private discussion, September 2020

²⁵ Through the mediation of the clan elders, each household contributed one sheep and one fighter to the movement every year, thus making looting the local population (as many other guerrilla movements do) a self-defeating prospect for the SNM, and establishing broad-based participation in the liberation struggle. See Phillips 2016: “When Less Was More: External Assistance and the Political Settlement in Somaliland” in *International Affairs* 92:3, 629–645; p. 634, quoting Ahmed & Green 1999: ‘The heritage of war and state collapse in Somalia and Somaliland: local-level effects, external interventions and reconstruction’, *Third World Quarterly* 20:1 p. 120.

²⁶ Phillips 2016:632. She also points out that with the end of the Cold War, there was no more superpower patronage to vie for. However, the UNHCR played an unwitting role in the establishment of the *Guurti*. To manage the rapidly swelling camps of refugees from Somaliland over the Ethiopian border – the most famous being in Harti Sheikh – they sought non-combatant leaders, and thus brought together clan elders in structures to help them administer the camps. These governance structures were also engaged by the SNM to rally civilian support and formed the nucleus for the *Guurti*. Observation by Roland Marchal in a private discussion, September 2020.

²⁷ Compagnon 1993, Farah & Lewis 1993, and Renders 2006.

²⁸ Sayyid Muxamad Cabdille Xassan, the Dervish leader, had established a permanent *xusuusi*, or advisory council in the early 1900s, but it did not have decision-making powers like the *Guurti*. Comment by Markus Hoehne.

²⁹ Lewis 1961: “A Pastoral Democracy”.

³⁰ Compagnon 1993:19.

1991-1993

In the days following the flight of Barre, from January 29th to February 5th, 1991, Berbera, Hargeysa, Burco, Borama and Ceerigaabo were captured by the SNM who thus came to control all Isaaq territories. The SNM politicians, military leaders and the Guurti convened in Berbera in February 1991 to declare the end of the civil war and their rule of the Isaaq territories they had liberated. It would be the first in a series of national conferences. But the SNM was not interested in self-rule; it had focused on the regime's downfall and was only outmanoeuvred in the very last phases of the 'March on Mogadishu' by United Somali Congress (USC) politicians; the SNM did not agree with the establishment of the Cali Mahdi government proclaimed by a faction of the USC in February 1991³¹. It was only at this point that the movement became receptive to the desire of its base and external supporters to proclaim Somaliland's independence, a claim taken up by the Guurti.

When the Burco conference of May 1991 started, few of the delegates suggested seceding from Southern Somalia, but they were swayed by popular demonstrations held in the streets of Somaliland's cities on 15 May³². The Guurti then imposed upon the SNM leadership to annul the 1960 union with federal Somalia. The leader of the SNM, Cabdiraxmaan Axmed Cali 'Tuur', was offered the presidency by the elders in exchange for his, and the Habar Yoonis, support of the secession. Somaliland's independence was proclaimed on 18 May 1991. The Guurti then voluntarily took a back seat in the state-building process, dissolving itself as a permanent body. Its members returned to their traditional role of *nabadoon* (peacemakers). Within the SNM leadership, many felt that clan leaders had no role to play in the creation of the modern state to which they aspired.

The clan elders' role as peacemakers was sorely needed, for there was considerable animosity among Isaaqs against the Gadabuursi and Dhulbahante, who had taken part in Barre's violent repression of the SNM and its supporters. In each regional capital the dominant clan had established a *guurti* in response to the successful national Guurti. In the absence of a state, this *guurti* regulated local affairs. In Ceerigaabo there were two *guurtis*, one for the Habar Yoonis and another for the Warsangeli. A Dhulbahante *guurti* was established in Laas Caanood and a Gadabuursi *guurti* in Borama³³. The Ciise never participated much in Somaliland politics; the most common explanation given is that they control the presidency of neighbouring Djibouti since its independence, and that this is their metropolis.

Some exactions did take place in 1991. Gadabuursis were expelled from the Gabiley area, which led to an armed clash in Dila³⁴, the SNM attacked Warsangeli forces in Hadaaftimo, caused Dhulbahante

³¹ One of the bones of contention was Mahdi's appointment of Umar Arteh to the post of prime minister. This loyal member of many Barre governments was one of the most prominent Isaaq politicians. The SNM thus forfeited its chance on an important post in the new government, as only one Isaaq would be invited to such a high post. (Compagnon 1993:17). The USC faction led by Caydiid was more favourable to the SNM.

³² The popular demonstrations were sparked by a news broadcast from Mogadishu that the SNM leadership had agreed to meet with the USC leadership for talks in Cairo. See Hoehne 2011b: 312.

³³ Farah & Lewis' 1993 study describes the composition of these local *guurtis* in some detail, pp. 17-20.

³⁴ The roots of this local conflict were old, but had been given a new turn by the civil war, which had favoured the expansion of the Gadabuursi/Reer Nur into farmlands of their rivals, the Sacaad Muuse/Jibril Abokor. See Renders 2006 PhD dissertation at the University of Gent, p. 188.

families to flee Caynabo³⁵ and sought to regain control over the port of Zeylac, claimed by the Ciise. But negotiations by clan elders successfully managed to avoid reprisals, which would have sparked new cycles of violence. The spectre of clan conflict in Mogadishu and other parts of Southern Somalia, which caused people to return to their clan areas in the North, also discouraged fighting. Guurti members also made the decision to wipe the slate of past crimes and litigations clean and declare non-receivable all claims based on past events³⁶.

One essential characteristic of Somaliland's national narrative, which certainly contributed to its survival as a state, is that the resentment of Isaaqs toward non-Isaaqs came to be directed at the government in Mogadishu, rather than at the Dhulbahante, Gadabuursi and others within the borders of the new state that had participated in the regime's campaigns against the Isaaq population. In terms of Volkan's 'chosen trauma'³⁷ this was an important readjustment from reality, that paved the way for a peaceful coexistence of Somaliland's clans.

The pressure to create peace in Somaliland after the horrors of the civil war in the North, which were now being replicated in the rest of Somalia, was enormous³⁸. Peace became the foundation and the *raison d'être* of the new country and clan elders came up with new rules against violence. One new rule was that the immediate kin (father, brothers, paternal uncles) were responsible for the crimes committed by a person, not the entire *diya*-paying group, as traditional. This disincentivized crime, although as usual such rules were skewed against the smaller clans. Another novelty was the introduction of the capital punishment for homicide; homicide rates fell swiftly as a result³⁹.

The SNM state was a state in name only. The few resources of the pre-war local administration had been looted by the retreating government forces. The main cities, towns and infrastructure had been largely destroyed. The population was cash-strapped and afflicted by the war, and no external power would support the new nation. NGOs had mostly fled during the late 1980s and donor organizations were not convinced by the independence of Somaliland, so there was little to attract international development funding. Ethiopia, Kenya, Saudi Arabia and other regional powers had no strategic interest in supporting the new nation. Clan networks, through their businessmen at home and abroad⁴⁰, were the only source for the resources the new state so sorely needed⁴¹, but the SNM found it hard to marshal them. Most support went to family members who had to rebuild their homes and livelihoods.

³⁵ See Drysdale 1992:32, and Bradbury 2008:78-79. Bradbury points out that the areas where clashes took place were historically contested and did not represent larger conflicts between clans.

³⁶ Farah & Lewis 1997:368

³⁷ See note 23 above

³⁸ In this regard it must be noted that the tally of victims of Siad Barre's campaigns against the Isaaq far surpassed that of clan conflict in the rest of Somalia in the early 1990s.

³⁹ Farah & Lewis 1997:368. Normally homicide was punished by compensation payment, by the entire *diya*-paying group, of 100 camels.

⁴⁰ Bradbury (2008:95) notes that "*For historical reasons, the Isaaq had a better-established diaspora than other clans when the state collapsed*".

⁴¹ Bradbury (2008:83-85) describes the challenges the SNM was facing: "*A decade-long insurgency had devastated the country. Half of the population had been forcibly displaced to refugee camps in neighbouring countries, the south or further abroad. Mass graves in Hargeysa and Berbera were a testament to the criminal violence of the war. Between 70 and 90 per cent of buildings in Hargeysa and Burco had been damaged or destroyed by military*

The new SNM leaders, who had never prepared for independence, had no plan for the new state they were to build. The SNM believed in a strong, modern, centralized state⁴², albeit one that acknowledged the central role of sharia and clan as being at the base of social cohesion, economic activity and political stability⁴³. The Guurti, as we have seen, had dissolved and did not play a political or institutional role in the first years of Somaliland's independence. There was no talk of 'hybrid state' then.

Instead there was a reversion to what was familiar: the state of Siad Barre⁴⁴. The new government was incapable of departing significantly from the style of politics habitual under Siad Barre, using violence, corruption and extra-judiciary means to eliminate rivals and attain its objectives⁴⁵. President Tuur had never believed in the secession anyhow and when General Caydiid, with whom he had always had good relations⁴⁶, became more influential than Cali Mahdi in Mogadishu, he revived that political alliance. He also sought to ingratiate himself with the UN⁴⁷, hoping to play a greater role in national politics in a reunited Somalia.

Lacking a national agenda, the new leaders, who had to rely on lineage support for resources and influence, started fighting among themselves. The new state immediately applied the '*politique du ventre*' ("It's our turn to eat") style of politics, which in the early 1990s seemed to characterize most sub-Saharan African countries⁴⁸. Unpaid soldiers, who for want of resources could not be reorganized as planned into national security forces, were 'taxing' passengers and cargo at checkpoints, just as in Southern Somalia, to help themselves, or to reinforce the power of their lineage.

bombardment and the looting of public and private buildings. In Hargeysa alone an estimated 60,000 houses were destroyed. Bryden records the trauma of a Hargeysa resident returning to the city after a decade in exile: "Whatever anybody tells you, it's such a shock. You don't know what to do.... whether you should cry... You can't imagine that kind of destruction. There was just one street left. The rest of the city was just garbage and unexploded bombs. Other settlements had suffered similar fates. Water supplies had been contaminated or destroyed, along with sanitation and electricity systems, and the country was littered with upwards of two million landmines and unexploded ordinance. A handful of Somali and international agencies provided limited emergency health services, but there were no functioning schools. There was neither public administration nor public employment; commercial activity was limited; agricultural production was almost non-existent; road traffic was minimal; there was no commercial air traffic; and the main form of long-distance communication was via private VHF radios." [the author must mean HF radios, as VHF are short-range].

⁴² In fact, the SNM's first communiqué "A Better Alternative", published in Oct 1981, called for a decentraliseddecentralized, democratic government. Like many of the SNM's publications, it represented the views of London-based diaspora Somalis, but not that of the rank and file dominating the military wing of the movement, nor that of the rest of the SNM supporters in Saudi Arabia, who would soon become dominant in the émigré community of SNM supporters. See Samatar 1988:142.

⁴³ See Bradbury 2008:63.

⁴⁴ See Compagnon (1993), Renders (2006), Farah & Lewis (1993), Bradbury (2008) and others.

⁴⁵ An example of corruption: Farah & Lewis (1993:54) note that the first batch of newly printed money obtained from Mogadishu by the Tuur administration largely disappeared into the pockets of the new leaders and those loyal to them. Compagnon (1993) also notes that the government looted the accounts of the NGO Care, who had deposited money in Somaliland's banks for a cashCash-for-Work programme.

⁴⁶ Caydiid had always been a supporter of the SNM, pointing out that genealogically the Habar Gedir and the Isaaq shared the common ancestor 'Irir'. He sent a shipment of freshly printed Somali shillings to President Tuur.

⁴⁷ The United Nations courted Tuur in its efforts to bring Somaliland back under central rule. See below.

⁴⁸ Bayart 1989: « L'État en Afrique – la Politique du Ventre ».

In broad lines, the conflict between 1991 and 1993 opposed the Habar Yoonis, who held the presidency with 'Tuur', to the Habar Awal/Ciise Muuse and the Habar Jecllo, who held the ministries of Interior and Defence until they were fired in a government reshuffle in October 1991. It also reflected a power struggle between the political wing of the SNM (Tuur and his vice-president Jaamac) and the military wing dominated by the *Calaan Cas* ('Red Flag') hard-line nationalists. At a deeper level, it reflected the tension between the two main sources of wealth in Somaliland: the livestock-trading centre of Burco, traditionally controlled by the Habar Yoonis but contested by the Habar Jecllo, against the port of Berbera, historically in the hands of the Ciise Muuse, but where a considerable Habar Yoonis population had settled and come to dominate the export of livestock⁴⁹. Since the port of Berbera was the only ready source of income for the government, President Tuur decided to nationalize it. The Habar Awal traders and civil leaders in Berbera saw this as an attempt to confiscate 'their' port and put up a stiff resistance⁵⁰. This led to a short but deadly conflict in Burco in early 1992 and a protracted conflict in Berbera throughout that year⁵¹, which was only resolved in the Sheikh conference of late 1992.

The superposition of political, clan, personality and economic layers of conflict is indicative of the complexity that conflicts in Somaliland (and Somalia) commonly have, and why it is objectionable to reduce the factors of conflict to one set, e.g. clan or the economy. To continue with this example, the outcome of the conflict also had repercussions at each level:

- In terms of personality, Tuur was discredited and his political career in Somaliland would soon be over. Moreover, the status of Sheikh Madar, who since opposing the Barre government in 1982 was a star in Somaliland and one of the founding members of the Guurti, took a hit because he was incapable of ending the conflict, despite being a native of Berbera. But the ministers opposing Tuur would continue to play a role under the next governments.
- In economic terms, the outcome of the conflict would propel the Ciise Muuse traders from Berbera to a leading role in building the national economy around the import/export nexus, and it would ensure lasting prosperity to the town of Berbera, which could dispose of part of the port's income.
- In political terms, SNM politicians who contemplated a future reunion with Somalia lost against nationalists within their ranks and outside of the movement; the SNM as a political force disintegrated at the end of 1992, allowing renovation of the political field, but the prestige and influence of the *Calaan Cas* military wing of the SNM, who saw themselves as founders of the nation of Somaliland⁵², remained; presidential candidate Biixi used his affiliation to this group to his advantage in the 2017 electoral campaign.
- In clan terms, the outcome signalled the ascension of the Habar Awal – Habar Jecllo alliance, and the relative decline of the Garxajis, notably the Habar Yoonis. Despite being probably the largest of Somaliland's clans, the Habar Yoonis never retrieved the leadership of the country. It was the major

⁴⁹ Cf Renders 2006 and Musa 2019:32.

⁵⁰ The conflict in Berbera is treated in detail in Farah & Lewis 1997.

⁵¹ Compagnon (1993:16) reports up to 3,000 deaths in Berbera. In Burco 300 deaths were reported in four days of armed clashes. Bradbury (2008:82) gives a lower estimate of 'over 1000 killed' for both conflicts together. In both places there was also destruction of property, displacement of people and looting.

⁵² Conversation with Roland Marchal, 11 September 2020.

stake of the 2017 presidential elections, and the loss of the Habar Yoonis candidate to a Habar Awal led to a sense of alienation among many Habar Yoonis⁵³.

In each conflict one may find these many layers of conflict, allowing for different readings. I will henceforth focus on the aspects that I find most significant.

The Gadabuursi elders had to intervene to solve the conflicts in Burco and Berbera, which the Isaaq elders, to their embarrassment, could not achieve. Why were Gadabuursi elders successful? One reason was that they were an external, and thus impartial, party: an *ergo*. But they had also gained experience in governing Awdal, which had always been neglected by the Barre regime (too far away, no powerful clans) and which had been further isolated by the civil war against the Isaacs. From 1988 onward, the Gadabuursi in Borama had become more proactive in self-governing. Intellectuals who fled from Mogadishu set up NGOs to provide essential infrastructure (an airstrip) and social services (schools, clinics). They were supported by clan elders, who raised taxes with willing businessmen to implement projects related to security, social services and local administration⁵⁴. The Borama *guurti* had thus gained self-governance experience, which may have helped them identify solutions for the intra-Isaaq conflicts.

The solution found by the elders convening in Sheekh was to make *all* infrastructure in Somaliland government controlled, while reassuring the Habar Awal traders that they would keep commercial control of the port. The elders decided to convene the next meeting in Borama in February 1993, to ‘determine the destiny of Somaliland’⁵⁵. On the agenda were issues of national development and laying new foundations for the institutions of state.

The solution found by the elders in Sheekh indicates that one cannot think, simplistically, that clan elders somehow stand in conceptual opposition to the modern state; in fact, they saved the modern state project from what seemed almost certain failure in the hands of the SNM, a supposedly modernizing force. In Borama they would hand power to President Cigaal, who was clearly a modernizer, but on the condition he would allow the Guurti to play a permanent role in Somaliland’s politics. The Guurti would become an institution of the state.

Concerning the term ‘traditional’, it must be observed that, when used by Somalis, it usually is equivalent to ‘clan’ (*qabiil*); the former refers to the positive, and the latter to the negative aspect of the same phenomenon. ‘Traditional authorities’ thus always means ‘clan leaders’; there is often nothing traditional about their ascendance over the community, but there may be (i.e. they may be ‘wise men’ from an illustrious lineage, such as Sheikh Madar). In my text I try to use ‘traditional’ in the European sense, i.e. rooted in tradition.

⁵³ There is a stereotypical division of roles among the Habar Yoonis (politicians, intellectuals), Habar Jeclo (fighters) and Habar Awal (traders and farmers), but these stereotypes are now fading in popular culture.

⁵⁴ Renders 2006:233-235, drawing on a study by Ken Menkhaus for United Nations Development Office for Somalia on Awdal in 1997, which I could not find.

⁵⁵ Walls 2009:14. Renders (2006) says that it was not clear what the Borama conference was to decide on – the security of the country? its political institutions? – until it started, when the participants took the agenda into their own hands. It started early but during the first three weeks there were only prayers.

An example of the use and abuse of the term ‘traditional’ could be seen in the multiplication of *Suldans*, *Garaads*, *Ugases* and other titles of nobility. Clans such as the Habar Awal, Dhulbahante and Gadabuursi ended up with many such ‘kings’ while before there had always only been one⁵⁶. By contrast, the *cuqaal* (lineage leaders) heading the *diya*-paying groups have been, probably since the Ottoman times, focal points for the administration. The British made the function hereditary and paid them stipends, in an effort to control local politics. Throughout Barre’s time and until today they have been used by formal authorities in this way, though rarely officially acknowledged. More generally, any Somali man who can provide for his family may qualify as elder (*oday*) and participate in public decision making. We must be careful not to succumb to romantic Western representations of ‘wise white-bearded men convening under a tree’ with the rest of the community waiting nearby to hear their decision.

But the fact was that the hitherto withdrawn clan leaders transformed themselves from social to political actors and played a prime role in building the nation and state of Somaliland.

1993-1997 : From Nation to State

In hindsight, the Borama conference, from January to May 1993, was the high point of Somaliland’s hybrid political order. The 75 members of the Guurti selected another 75 delegates to ensure a proper representation of all clans, including the Dhulbahante and the Warsangeli. Together, they laid the foundations for Somaliland’s state. A security framework was decided on, the political architecture of the new state was elaborated and the peaceful transition of power from the SNM to a civilian government was achieved. The 150 delegates decided to establish a bicameral parliament to integrate the new government⁵⁷, with the 75 new appointees becoming members of the House of Representatives (*Golaha Wakiilada*), the lower house of parliament. Thus, unlike in 1991 when the Guurti had decided to retain its autonomy, clan leaders became part of the state apparatus, receiving payment and administrative support from the state, and establishing themselves in the capital.

The Somaliland Communities Security and Peace Charter—often abbreviated to ‘Peace Charter’—is a social contract of sorts binding all communities to manage their own internal security and seek peaceful resolution of their disputes with other communities, under the general guidance of the multi-clan Guurti. The Transitional National Charter is a proto-constitution, enshrining a Parliament that represents all Somaliland’s clans (the *beel* system), an independent judiciary and decentralized government⁵⁸.

The Borama conference, hosted by the local Gadabuursi community, lasted four months and was comically nicknamed *buulo* (care for the elderly)⁵⁹. This extended time together created goodwill among the elders. Each decision was taken by consensus, which explains why the proceedings lasted so long.

⁵⁶ Farah & Lewis 1997:360 note that there were more than four of such ‘inherited’ titles. See also Hoehne 2011, who points out that by 2010 there were ten different Dhulbahante traditional leaders sporting titles prevalent in other parts of Somalia.

⁵⁷ Bradbury 2008:98-99

⁵⁸ Art. 21 provided for the creation of regional and district councils.

⁵⁹ Farah & Lewis 1993:21

Funding to pay for the conference was raised by businessmen, clans, the diaspora, own contributions from the delegates and the hospitality of the hosts⁶⁰.

Although Tuur, who had supported the meeting, expected to be re-elected, the conference elected Maxamed Xaaji Ibraahim Cigaal (more commonly transliterated *Mohamed Haji Ibrahim Egal*) as transitional president for a two-year period. Cigaal would remain in power until his death in 2002. He received 99 of the 150 votes⁶¹. The main reason for his election seems to have been pragmatism. After the inept SNM government, the elders who had united in Borama needed someone with his experience, international reputation and connections, and his inner knowledge of the state: a candidate with proven statesmanship. His lack of connection to the SNM convinced many non-Isaaq elders to support him⁶². He belonged to the Habar Awal/Ciise Muse and had good connections with the local and diaspora business elites of his clan; the latter lobbied for him successfully⁶³.

It was the British- and Sudanese-trained Cigaal who, as First Minister of the Advisory Council set up by the British colonial administrator, had led Somaliland into its independence and union with Somalia in 1960. He had served as minister in the early post-independence governments, and was prime minister from 1967 to 1969, when the democratic government floundered and fell to the military coup by Siad Barre. He spent more than a decade in prison but returned to public life in 1982, as President of the Chamber of Commerce, Industries and Agriculture. After the fall of the Barre regime he was first against the secession of Somaliland, instead co-chairing a Somali reconciliation conference in Djibouti which did not recognize Somaliland's independence. In another country this would have made him ineligible, but Somalis prefer their politicians to be 'flexible' – detractors would say opportunistic – than ideologically steadfast.

Cigaal rapidly started building up the power of the executive. He obtained large loans from a handful of businessmen⁶⁴ which he repaid with trading concessions and by not taxing their profits. He used that money to pay cantonment costs, so the militia would stop helping themselves along Somaliland's roads and in its markets. Setting up security forces – army and police – served the purpose of demobilization rather than safety⁶⁵. The civil war which took place in Djibouti from 1991 to 1994 provided an opportunity for soldiers in Somaliland to fight; not only the Ciise joined the Djibouti regime's struggle against Afar insurgents, but also Gadabuursi, Isaaq and even some Dhulbahante⁶⁶. This relieved some of the pressure on Somaliland's authorities to integrate militias.

⁶⁰ About 100,000 USD was reportedly secured in funding from NGOs and the aid community; Phillips 2013: "Political Settlements and State Formation: The Case of Somaliland" p.77

⁶¹ According to Renders 2006:216

⁶² Renders 2006:217

⁶³ Hoehne "Not Born..." 2011:318

⁶⁴ Sarah Phillips 2020:94-95, basing herself on research at the Ministry of Finance, writes that Cigaal received 6 million USD from 8 businessmen, all but two of them Habar Awal, and most of them based in Djibouti.

⁶⁵ As argued by Bulhan 2004: "Survey on Small Arms in Somaliland" for the Hargeysa Centre for Creative Solutions, p5. Each recruit to the army and the police needed to bring his own weapon.

⁶⁶ This point was brought to my attention by Roland Marchal in Sept 2020. See, for example, the Wikipedia lemma "[Guerre Civile Djiboutienne](#)" accessed on 25 September 2020.

With the introduction of the Somaliland shilling in 1994 Cigaal created the embryo of a national financial sector structured around business groups mostly dealing in livestock trading, remittances, and import/export. The intimate relationship between the trading elites (from all clans, but tipped toward the Habar Awal and Habar Jecllo) and the executive became a determinant feature of Somaliland's state elites, leading to what Sarah Phillips calls 'vertical integration' in the economy of Somaliland, still now dominated by a few big men and their lineages⁶⁷. She argues that Somaliland's political inclusivity was based on economic exclusivity⁶⁸. For example, he bought the support of the Garxajis (see below) with income derived from the introduction of the new Somaliland shilling.

Cigaal's incremental widening of the pool of stakeholders in the development of Somaliland's state may have been essential to his success, as opposed to the broad-based, transparent and inclusive processes donors believe to be best practice in post-conflict situations today⁶⁹. Nonetheless, this approach earned him enemies among the clans that felt left out.

The Gadabuursi had cemented their role in the new state; in exchange they received the vice-presidency. This practice of 'farming out' positions in government to clans is a way to maintain clan balance within the institutions of state. The Gadabuursi were further rewarded when their candidate was elected President in 2003. The Dhulbahante, despite their larger numbers, 'only' obtained the position of speaker of the Lower House, and Cigaal's presidency signalled the beginning of Dhulbahante disaffection, which would grow over the coming two decades⁷⁰. The Warsangeli retained their aloof and self-contained position, far from Hargeysa.

The main contestation came from the Garxajis: Habar Yoonis and Ciidagale. Many of their clan leaders withdrew their support from Cigaal's cabinet shortly after its announcement, as they were unhappy about their share of power and the eviction of Tuur, which came hot on the heels of the Habar Yoonis 'defeat' in Berbera⁷¹. Those Habar Yoonis leaders who had a stake in Hargeysa's stability and prosperity did not, however, take the same position as their kinsmen in Burco⁷². This made it possible to enlist the support of some clan leaders as representatives of the entire clan, ignoring the opposition of many others. Partially through this capacity to 'divide and rule' clan loyalties which is intrinsic to a centralized clan power-sharing system, the disaffection of the Garxajis did not immediately lead to all-out conflict, but it did destabilize Somaliland over the following years.

The conflict that broke out in November 1994 was, to some extent, a repetition of the conflict that had wracked Somaliland throughout 1992. It was triggered by the control of Hargeysa airport, which was of

⁶⁷ Phillips 2020:96

⁶⁸ Phillips 2020:99

⁶⁹ Sarah Phillips (2016) confronts the theory of international statebuilding with Somaliland's experience.

⁷⁰ At the same time as the Borama conference, the Dhulbahante held a conference in Boocaame, near the border with Puntland. Most delegates were against joining Somaliland, but they kept their options open and sent a high-level delegation to Borama.

⁷¹ Admittedly, if the Garxajis indeed represent 27% of the total Somaliland population as, in my estimate, their share of 9/75 seats (12%) in the Parliament was on the low side. Source: Jimcaale 2002: "Consolidation and Decentralization of Government Institutions" for the Academy for Peace and Development.

⁷² Renders 2006:312. In Sanaag the Habar Yoonis and Habar Jecllo also continued to coexist peacefully even though these two clans were clashing in Burco. Conflict takes place between militias, not populations.

vital importance to the urban traders, but which lay in traditional Ciidagale territory, and as such, its militia maintained security there⁷³. This unruly militia ‘taxed’ cargo and travellers transiting through the airport on an unclear basis, shaming the government that manifestly did not even control its international airport, and without sharing the proceeds. Eventually, both government and traders grew impatient with efforts to negotiate control over the airport from the Ciidagale clan leaders. The decision to take it back by force, and immediately thereafter mount a punitive expedition against the nearby Ciidagale town of Toon, sparked a conflict that lasted 18 months. The conflict spread to Burco in March 1995 when the government tried to dismantle Habar Yoonis checkpoints.

Cigaal’s government did not, however, see this as a clan conflict, but as a political one where it confronted the opposition. Ex-President Tuur and General Yare (Ciidagale) had accepted positions representing Somaliland in Caydiid’s government⁷⁴, which remained staunchly opposed to Somaliland’s secession. Although most of their clansmen were not against Somaliland’s independence⁷⁵, the presence of these leaders in Mogadishu cast suspicion over any opposition from these clans to Cigaal’s government, which the President eagerly exploited. This political vision of the conflict was supported by many Somalilanders, tired of clan discourse dominating the entire political space and supportive of the development of a state based on a national identity transcending clan.

The politicization of what was ostensibly a clan conflict provided a boost to the legitimacy of the state, but it did not help solve the conflict, which dragged on until late 1996. The government tried to sue for peace through the Guurti and the executive branch, but initially these initiatives came to nothing⁷⁶. The Guurti and the parliament proved incapable of settling it, as they were now seen as part of the government, and thus party to the conflict. The armed forces and national police could not be used against Somaliland’s population, as that would run counter to the spirit of the peace charter.

It took the involvement of other, non-state, actors to settle the conflict. Clan elders from other parts of the country reached out to local clan leaders, breaking down the overall conflict into its many facets, thus making it manageable. A series of peace conferences took place, often only between two opposing lineages but with the involvement of neutral clan elders, and thus, step by step, the warring parties were reconciled.

A novelty was the involvement of the diaspora, which was now committed to making Somaliland a success. The Somaliland diaspora had played the central part in the establishment of the SNM and had supported Somaliland’s nationhood from the early 1980s onward, in stark contrast to Southern Somalia where the diaspora fanned the flames of clan conflict. A Peace Committee for Somaliland was set up in London and it engaged in intensive shuttle diplomacy to reconcile opposing clan leaders⁷⁷. Cigaal’s government, citing interference in sovereign affairs but probably fearing popularity of possible rivals, refused to let the Peace Committee operate inside the country, so it held its meetings in Ethiopia, where

⁷³ Bradbury 2008:114

⁷⁴ Cabdiraxmaan Axmed Cali Tuur became one of Caydiid’s many vice-presidents, and Jamaac Moxamed Qalib ‘Yare’ Minister of Foreign Affairs in 1994.

⁷⁵ Notably the Ciidagale, whose principal political representative since those years has been Faisal Ali Waraabe, the leader of the UCID party, remained generally pro-independence. See Walls 2011 interview notes with Waraabe

⁷⁶ Bradbury 2008:122

⁷⁷ See the extensive description of the Peace Committee’s efforts to make peace in Walls, 2011:143-151. Prominent members were Faisal Ali Waraabe and Hussein Bulhan.

Habar Yoonis, Habar Jeclo, Ciidagale and Habar Awal clans also live⁷⁸. A clash between Habar Yoonis and Habar Jeclo near Gashaamo in May 1996 convinced the Ethiopian government that peace in Somaliland needed to be supported⁷⁹. Whether the Peace Committee's efforts were determinant in achieving peace is doubtful.⁸⁰

It seems that the localized peace conferences succeeded because they were held between clan representatives *on an equal basis*, while previous attempts to reconcile *the government and the opposition* had failed; an interesting case of framing the problem, for the participants in both kinds of meetings were largely the same.

The enduring clan conflict, which had spread to other parts of Somaliland⁸¹, led to the rise of rivalling leaders in each clan, sub-clan and lineage. The promise of lucrative involvement in the capital's politics attracted a new breed of urban-based political entrepreneurs who hoped to play intermediary between their lineage members and the state elites by joining the latter. Meanwhile, the death in August 1996 of General Caydiid removed another obstacle to peace. Without Caydiid, Tuur and Yare lost the basis for their own influence, and they ceased to play a significant role in Somaliland politics. This allowed Cigaal to select non-secessionist Garxajis to represent their clans in the upcoming Hargeysa Conference.

Cigaal did not progress much on the tasks he had been entrusted with at the Borama conference. His foremost task, to draft a constitution, immediately resulted in a conflict with the lower house of parliament. The parliament had set up a committee to draft the constitution and prepare consultations with experts and the Somali population. President Cigaal, however, argued that it was his responsibility and he recruited a Sudanese lawyer to draft the constitution instead⁸². When the parliamentary committee resisted, he cut its funding and ordered them out of their building. The committee

⁷⁸ Ethiopia had gone through a transformation at the same time as Somaliland. In 1991 the Communist Derg government fell and was replaced by the Ethiopian People's Revolutionary Democratic Front (EPRDF). In its early years the Tigrayan-led new government faced the secession of Eritrea, which proclaimed its independence in May 1991 but was only officially recognized after an internationally monitored referendum in 1993. (The way the international community has treated both countries, recognizing one but not the other, has often been discussed. See for example Adam 1994: "Formation and recognition of New States: Somaliland in Contrast to Eritrea" *in Review of African Political Economy* Vol.21 No.59 pp21-38). In the same years, the Oromo Liberation Front and part of the Southern Peoples alliance withdrew from the EPRDF, as it did not want to 'lose' the Somalis inhabiting the Ogaden. The new regime invested heavily in the stability of the Ogaden through development funding channelled through the local authorities and an all-out war against the Ogaden National Liberation Front. Its policy toward Somalia is characterized by efforts to keep good relations with all the regional governments, including Somaliland and Puntland, to avoid spill-over of the Somali conflict across its border, and to prevent Islamists from gaining power. Critics in Mogadishu and Al Shabaab say that the purpose of this policy is to prevent the rise of a strong and unified Somalia, which could again create trouble in the Ogaden.

⁷⁹ Although Ethiopia has usually been quite discreet in its intervention in Somaliland's affairs, relying more on covert than overt channels, there is no doubt that it carries a lot of weight. It is the only country with a consulate in Hargeysa, and it accepts Somaliland's official documents, including passports. See Walls, 2011:147.

⁸⁰ Walls (2011) records that President Siilaanyo dismissed the activities of the Peace Committee as irrelevant.

⁸¹ Besides the conflicts in Hargeysa and Burco, there was clan conflict in Zeylac and there were tensions in Berbera, Sanaag and Sool.

⁸² By placing an ad in the *Economist* and paying him a reported 100,000 USD; source in Renders 2006

proceeded nonetheless, without a consultative process. Its draft was discussed along that presented by the President in the Hargeysa Conference.

Beyond a typical struggle between the executive and the legislative over the type of system to be adopted in a constitution – presidential or parliamentary – this clash revealed two opposed visions of state-society relations in Somaliland. The parliament proceeded in the spirit of the Borama conference, attempting to establish a wide support base for the constitutional process. For Cigaal, the constitution was a formality, albeit one essential for state formation; his attitude may be called ‘technocratic’. His main concern was not to have his presidential powers curtailed. This also inspired his frequently conflictive relations with parliamentarians when they opposed him⁸³. Until the victory of Siilaanyo in 2010, the Parliament of Somaliland frequently clashed with the executive⁸⁴, although the presidential system finally adopted in the constitution allowed the government usually to prevail. Since its last elections in 2005, the parliament has become gradually ineffective in challenging the government and has lost most of its legitimacy.

Cigaal’s relations with the Guurti were much smoother; it operated as a council of advisors to the government and has kept to that role ever since. The clan elders who initially sat on the Guurti were gradually replaced by, or themselves became, political entrepreneurs, and by the late 1990s the Guurti had lost most of its domestic legitimacy⁸⁵. Cigaal obtained a mandate extension from it in 1995 to solve the conflict, prepare a draft constitution to submit to a popular referendum, and organize national elections. Efforts to progress on the constitution stalled in the above-mentioned conflict between parliament and the presidency; and without a constitution no elections could be held. Therefore, in October 1996 the Guurti announced that a new leader would be elected in a national conference that would start in November 1996 in Hargeysa.

Despite serious misgivings about the neutrality of the convening committee (the pro-government national Guurti) and location (Hargeysa), opposition forces agreed to participate in the national conference⁸⁶. Unlike previous conferences in Berbera, Burco, Sheekh and Borama, this *shir* was called ‘national’ (*qarameed*) rather than clan-based (*beeleed*). It was funded by the government, which allowed Cigaal to exercise control; besides the 150 delegates from the two houses of parliament, he suggested another 150 delegates, many of them pro-government elders (*cuqaal*)⁸⁷. These extra

⁸³ Cigaal was not authoritarian by nature. He kept the executive unified by discussing most proposed courses of action with his whole cabinet; if they disapproved, he would withdraw his proposal (Bryden 2003:356).

⁸⁴ Typical bones of contention were election preparations and sensitive legislation.

⁸⁵ See Renders 2012:81 and Hoehne 2013:202-204.

⁸⁶ The Peace Committee issued a declaration strongly condemning President Cigaal’s ‘clan politicking’ and undemocratic approach, citing worries about his buying of delegates and funding of clan conflict. Peace Committee: “Report of the Peace Committee for Somaliland”, January 1997:6-7 quoted in Walls 2011:152. Other efforts to delay the conference, hold it in another location, or change its composition, were firmly rejected by President Cigaal; see Bradbury 2008:125.

⁸⁷ Bradbury 2008:125

delegates, supposedly nominated by their clans for the Hargeysa Conference, were in fact selected through a process dominated by ‘urban-based clan leaders and their political brokers’⁸⁸.

The conference had the following results: first, an end to the civil war was declared. It proved effective because there has been no more conflict at this scale in Somaliland since then. Second, an interim constitution was agreed on⁸⁹, to be further developed and submitted to a popular referendum by 2000. Third, a multiparty electoral system was suggested to overcome the *beel* (clan) system; local council and presidential elections were to be held by 2002, and parliamentary elections in 2003. The fourth result was a reconstruction fund for Burco, interpreted as a gesture from Hargeysa to the troubled East⁹⁰.

This was the defining moment of the state of Somaliland. But politically there was mostly continuity. As in Borama, the two houses of parliament extended their mandate until the next elections. The number of members in both parliaments was increased from 75 to 82, the additional fourteen people reportedly ‘hand-picked’ by President Cigaal, to the disappointment of some who the appointees were supposed to represent⁹¹. Although the extra people were from previously disadvantaged clans (like the Habar Yoonis or the Gabooye), in fact they were all pro-government⁹². Elections for the Guurti never took place and those for parliament only once (in 2005), which means that many of the Borama participants (or their descendants) are still in parliament today. Unlike the conference at Borama, where the incumbent president was unseated, the Hargeisa Conference re-elected Cigaal and his running mate Kaahin with 70% of the vote. Cigaal changed the conditions for presidential candidates in a transparent attempt to eliminate rivals⁹³ and reportedly paid bribes to delegates⁹⁴.

There was an expansion of the social compact underlying the state of Somaliland but no substantial change. The expansion took place in two directions: the Habar Yoonis and the rising urban middle class. But the Dhulbahante and the Warsangeli felt even more left out, leading them to participate in the creation of the state of Puntland two years later. Though the Hargeysa Conference established a sense of nationhood in Somaliland’s heartland, which would be the basis for its subsequent peace and prosperity; it left one fifth of Somaliland’s population feeling they were not part of that nation.

⁸⁸ Jimcaale 2002: 42. See also Phillips 2013:59, whose critical reading contrasts with most other accounts, relatively pro-Cigaal. The ‘brokers’ were popularly called ‘*af minshaaro*’,

⁸⁹ The interim constitution consisted of 60% of the parliamentary committee’s draft and 40% of the presidential consultant’s draft. Each of the 156 articles was discussed by participants.

⁹⁰ Bradbury, Abokor & Yusuf: ‘Somaliland: Choosing Politics over Violence’ in: Review of African Political Economy 2003 No.97 pp 455-478.

⁹¹ Hoehne 2013: “Limits of hybrid political orders: the case of Somaliland” in Journal of Eastern African Studies, 7:2, pp 199-217; pp. 203-4.

⁹² Jimcaale 2002: 41

⁹³ Phillips 2013:59 notes “Egal also changed the rules for presidential candidature to undermine other actors with presidential ambitions. The presidency became available only to candidates that were married to Muslim women, thus disqualifying the Chairman of the *Guurti*, Saleban Gaal, who was married to a European woman. To this, Egal added that prospective candidates must have spent the past five years in Somaliland, thereby eliminating several other hopefuls from the race.”

⁹⁴ Renders (2006:309) quotes the local news source *Indian Ocean Newsletter* of May 15, 1997, which reported vote-buying by Cigaal, paying 1,500 to 5,000 USD per vote among the 315 delegates (according to their degree of education).

This would be the last of the founding series of conferences that have become part of Somaliland's founding myth: Berbera (1991), Burco (1991), Sheekh (1992), Borama (1993) and Hargeysa (1996-97). Only the last took place in the capital. That no nation-wide *shir* would henceforth be held can be explained by the expansion of the state, which now included social forces that had previously been autonomous⁹⁵. The state that emerged from the Hargeysa Conference was strong enough to preside over national politics without resorting to a national conference. One may also observe that until Hargeysa, statebuilding was peacebuilding; but with a lasting peace having been achieved in Hargeysa, statebuilding continued alone.

Like the Guurti, the *shir qarameed* was a political innovation. Conferences between elders of different lineages were regular occurrences, but they had never aimed at being of national scope and vested with legislative powers. From a state-building perspective, the Guurti and the *shir* both had served their purpose by the end of the Hargeysa Conference, when the outlines of a Somali state had been established with their help, and that state had been legitimized by them as representatives of the population. Henceforth, elections were supposed to fulfil that function.

The background of the participants that attended the founding conferences evolved; initially they were composed of military and political leaders of the SNM and Isaaq clan elders who had supported the SNM (Berbera); then the military and the Isaaq lost ground to all clan leaders who had not supported Barre (in Burco and Sheekh); in Borama the political influence of the SNM was ended, and other 'modern' political factions were included, such as those around Cigaal and in the diaspora; while in Hargeysa the representatives of local and rural society lost out to the urban factions that had crystallized around the executive, including urban traders, political entrepreneurs and civil servants, who formed the new 'state elite'. This led to the estrangement of the Ciise, Dhulbahante and Warsangeli, who had little presence in the heartland of Somaliland.

Table 2: Main participants in Somaliland's founding conferences

Conferences	Influencers/1	Influencers/2	Influencers/3	Main result
<i>Berbera 1991</i>	SNM military	SNM political	Isaaq clan elders	End of civil war
<i>Burco 1991</i>	SNM political	All SL clan elders	SNM military	Independence
<i>Sheekh 1992</i>	All SL clan elders	SNM military	Business elites	Role of elders
<i>Borama 1993</i>	All SL clan elders	Business elites & diaspora	Non-SNM politicians	Nation and statebuilding
<i>Hargeysa 1996-7</i>	SL state	Business elites & diaspora & civil society	Urban-based clan leaders	Modern state and state elite formation

A clear trend in the first four conferences is a growing inclusiveness, with ever larger portions of Somaliland's population represented by the influencers; but before Hargeysa a state-centred urban elite had emerged, which diminished the influence of the populations outside the Somaliland heartland and in rural areas generally. It seems that Cigaal was in general not interested in integrating the Eastern half

⁹⁵ Renders 2006:310-311, based on APD documents and discussions with Guurti members and other politicians.

(and the far West) of the country into the state, focusing all his effort on the heartland, or the Isaaq-populated area.

Somaliland's state-formation process was not at first an institutional or territorial one, but social. The desire for a state came from society. This contradicts new thinking about state/society relations, where the state is seen as a predatory instrument in the hands of a small elite—a patriarchy?—to order society to its advantage. This vision, with its roots in anarchist theory, was formulated by Pierre Clastres in 'La Société contre l'Etat' (1975), picked up by Deleuze & Guattari (in *Mille Plateaux*, 1980, a book to which we shall presently return) and notably by James C. Scott in his book 'The Art of Not Being Governed' (2009) about the highland peoples of South-East Asia.

Since I have been long seduced by this vision of state/society relations as rooted in conflict, I had to face this contradiction: why did the people of Somaliland, who had demonstrated the capacity to self-govern, want to create an instrument of rule that they would have to subject to, allowing a small state elite to gain power over them? This was obviously going to be the result of state formation.

There was a defensive element to it: without a state, Somaliland would be claimed by Somalia, and might become the playground for neighbouring states like Ethiopia. But from the outset there was also a positive, joyful, side to state-building, a source of pride that is still very noticeable among both the elites and common folk: "we have managed by ourselves" to... what? Build a state? No, the first answer is usually: "to keep the peace" and the second is "development". We could call this *Self-governance through the State*; this brings us close to mainstream democratic development theory of the English-American variant, where the state is the expression of the popular will, and its institutional rearrangements are caused by the pressure of 'civil society', i.e. autonomous social forces.

But one would have to be far removed from daily Somaliland life to believe state-society relations follow this familiar democratic pattern. Clearly the institutions are not accountable and will not give in to popular pressure (Somaliland's rulers quickly developed autocratic habits toward the press and political contestation), but they are also powerless in themselves. When Warsangeli commanders of the Somaliland National Armed Forces were told to occupy Badhan with their troops in 2019, they defected to Puntland instead, as they had no desire to risk a confrontation with their clansmen. The reaction of Somaliland's Chief of Staff when he learnt of the defection of some of his senior officers and their troops to Puntland was relief: "*He noted that Somaliland had simply been paying these forces not to join Puntland, but this had not truly advanced Somaliland's interests in return*"⁹⁶ relays a surprised researcher from the Institute for Security Studies.

Somaliland's institutions do not work as they would be expected to. As one observer said, speaking about the political field: "*We have a multi-party system but within that there is another system at play*"⁹⁷. That can be said about the state generally. We will now try to elucidate what that other system is, and how it relates to both society and Somaliland's ongoing state-building process.

⁹⁶ Interview of Nuh Ismail Tani, the Chief of Staff of Somaliland, quoted in Mahmood for Institute of Security Studies (ISS) 2019 "Overlapping claims by Somaliland and Puntland. The case of Sool and Sanaag" p. 13.

⁹⁷ Haroon Ahmed Yusuf, deputy director of the Social Research and Development Institute : "Representation" in Africa Research Institute 2013:16

ANALYSIS OF SOMALILAND'S STATE

After the Hargeysa Conference popular participation in the statebuilding process through representation (parliament) or contestation largely ceased. Divorced from peacebuilding, statebuilding became a technical matter and was left to President Cigaal and his team, assisted by the mostly urban-based stakeholders in state formation – businessmen, civil servants, intellectuals and the rest of what may be called the ‘political class’ or, more broadly, urban elites. The members of the Guurti remained useful in assisting Somaliland’s state through its childhood, but as an organ that linked the executive to local communities, not by influencing the architecture and nature of that state⁹⁸. Designing the Somali state was entirely left to Cigaal and his advisors. His options were limited by the antecedents of the state and expectations of what the state should become. He proceeded by what can be termed institutional mimicry – or mimesis⁹⁹.

A conceptually useful distinction between mimicry and mimesis was made by Hoehne in a 2009 paper comparing the formation of political identities in Somaliland and Puntland¹⁰⁰. Mimesis refers to the reproduction of successful structures, in a process first described in social science as *isomorphism*¹⁰¹, basically geared toward survival; mimicry is more of a voluntary process, adopting the outward appearance of something else in order to seduce or deceive a third party to behave beneficially toward the mimicker. Mimesis is structural adaptation while mimicry denotes agency. They are both useful because “polities tend to interact with like types of government”¹⁰². They tend to occur simultaneously: a polity pretends to be like a Western liberal democratic state while slowly becoming like one. The two terms lay the emphasis on different aspects of the same process. Mimesis seems unavoidable, as a polity must conform to increasingly detailed prescriptions (international regulatory regimes) to be considered a full state today; mimicry allows for the existence of a different political order under the mask put on to convince the international order that the state is compliant to these regimes. For example, under the appearance of a liberal democratic state devolving powers for the benefit of local autonomy may lie the reality of a ‘cattle-rustling’ type of politics of appropriation¹⁰³.

Cigaal inherited a state in 1993 that was a product of several layers of mimesis and mimicry: the SNM had attempted to mimic Barre’s state, which was a mimicry of a socialist state, built upon the remnants

⁹⁸ Renders 2006 “‘Traditional’ Leaders and Institutions in the Building of the Muslim Republic of Somaliland” p. 305, and Hoehne 2011 “Not Born as a De Facto State” p. 320

⁹⁹ See Pritchett, Woolcock & Andrews 2012: “Looking like a state: Techniques of persistent failure in state capability for implementation”.

¹⁰⁰ Hoehne 2009: “Mimesis and Mimicry in Dynamics of State and Identity Formation in Northern Somalia” in *Africa: Journal of the International African Institute*, Vol. 79, No. 2 (2009), pp. 252-281.

¹⁰¹ DiMaggio & Powell, 1983.

¹⁰² Hoehne 2009:253, quoting Spruyt (2007) “War, trade and state formation” in C. Boix and S. C. Strokes (eds), *The Oxford Handbook of Comparative Politics*; p. 220

¹⁰³ Thanks to Khaalid Hassan for bringing this to my attention: “[Cattle-rustling and the politics of business in Kenya](#)” in *The New Humanitarian*, 27 March 2014. For a more general argument, see Alex de Waal, 2015: “The Real Politics in the Horn of Africa”

of the skeleton state legated by the Italian administrators of UN trusteeship, itself a mimicry of what was at that time seen as the best practice of European states adapted to the local situation and the dire lack of means. Cigaal set about straightening and modernizing this shambolic construction by following international best practice: he added the institutions of constitution, multiparty democracy and elections.

Institutional mimesis is often seen as the result of an unequal power relation between powerful members of the international community (donors) and developing countries (recipients)¹⁰⁴. In the case of Cigaal's Somaliland, that relation did *not* exist; but there was no model for a state in the 1990s (nor is there one today) that deviates from a the liberal democratic one. Moreover, Cigaal was supported by the urban class and intellectuals in his determination to move beyond a clan-based system. The mimicry resided more in *how* the institutions of the modern state were built, than in *what* these would be. Of course, the centuries-long evolution that led to the rise of this type of state in the East or the West¹⁰⁵ was not a viable option. In Somaliland, as in all state-building (or -reform) projects in the developing world, the institutions of a modern democratic state had to be built first, in the belief that society would adapt to these institutions in a reasonably short time. Under such conditions, mimesis is the only option available.

In 1999 President Cigaal explained that Somaliland would have to transition to a system of multiparty democracy to obtain international recognition. In another speech, prior to the 2001 constitutional referendum, he stated: '[w]e could only be accepted as a member of the world community if we move to a new stage of nationhood ... The international community does not recognize congregations of clans, each remaining independently separate'¹⁰⁶. International recognition was a major factor in the state-building plan. As to the Constitution, it acquired urgency after the formations of Puntland (1998) and of the Transitional National Government (2000), which both claimed authority over part Somaliland¹⁰⁷.

The Constitution

The constitution may, in the eyes of idealists such as one of the authors of the Constitution of Namibia (and former Chief Justice of South Africa, 1998-2000), be a "mirror reflecting the national soul, the identification of the ideals and aspirations of a nation, the articulation of the values bonding its people and restraining its government"¹⁰⁸. At a more practical level, an emergent state such as Somaliland clearly needs a foundational document stating its independence and basic principles. This foundational

¹⁰⁴ Pritchett e.a. 2012, or Pritchett & de Weijer 2010: "Fragile States: Stuck in a Capability Trap?" (published in the World Bank *World Development Report* of 2011).

¹⁰⁵ As argued, for example, by Norbert Elias, Charles Tilly and Frances Fukuyama.

¹⁰⁶ Quoted in Academy for Peace and Development (APD) 2000: "Rebuilding Somaliland", p. 16

¹⁰⁷ Bradbury, Abokor & Yusuf 2003 "Choosing Politics over Violence" p. 463.

¹⁰⁸ Justice Ismail Mahomed 1991, in "State vs Acheson" (Namibia).

document need not *per se* be a ‘constitution’ but following the principle of institutional mimesis, it is the obvious solution¹⁰⁹.

This makes a constitution a vector for a global template of state/society relations¹¹⁰. It provides an unassailable reality to the state as the repository of the sovereignty of the people, with all its symbols and practises of power: a flag, a national anthem, a territory, a capital, administrative divisions, and the separation of executive, legislative and judicial powers. While in the case of the Federal Government of Somalia this template was imported, and the whole constitutional process was and is nudged along by international organizations, in Somaliland the desire to have a state compatible with the international state-system prevailed (and there may have been a lack of political imagination). As a result, the constitution of Somaliland only mentions clan (three times) in terms of not allowing discrimination, but makes no mention of traditional self-governance systems and how to deal with communal land, pastoral grazing rights, conflict resolution and other areas where such systems used to prevail, and to a large extent still do (now *unconstitutionally*)¹¹¹.

The structure and language of the new constitution was that of international best practice. Some observers believe that its main purpose was to elicit a positive response from Western donors¹¹². In fact, it served multiple purposes. Externally, it was indeed a signal of political maturity toward the rest of the world. Internally, the constitution formally regulated the relations between the key institutions of state, but here it had less effect; after all, the state elites were already operating according to a rhizomatic logic contrary to that of the institution¹¹³. However, by stipulating that power had to be shared between these institutions and by regulating the transfer of power through elections, the constitution reassured the political class and the population that a return of strongman rule and excessive concentration of power, as in Barre’s regime, could be prevented.

But the voters, who had not been involved by a constitutional consultation process, generally only knew that a yes vote would affirm their support for an independent state, not contrary to Islam and enshrining modern citizens’ freedoms and a government answerable to public pressure through elections¹¹⁴. The enthusiasm with which the population of Somaliland approved it is evidence of that.

¹⁰⁹ There are not many examples of societies in the world that function without a constitution, but a recent example is the 2012 Social Contract agreed on by the people living in north-western Syria (the Kurdish majority region that they call Rojava). It proclaims the independence of the region and regulates society but does so *expressly* without creating a state (see Ocalan 2017: “Democratic Confederalism”. Each citizen and community of citizens retains her/his/its own sovereignty and is personally responsible for upholding the social contract; there is no delegation of responsibility and authority to an overarching institution.

¹¹⁰ See Cutler 2015: “New Constitutionalism, Democracy and the Future of Global Governance” in Gill, ed. 2015: “Critical Perspectives on the Crisis of Global Governance”.

¹¹¹ Observations made by Khaalid Hassan, September 2020.

¹¹² E.g. Sarah Phillips 2013 “Political Settlements and State Formation: The Case of Somaliland” p. 59.

¹¹³ For example, the Constitution stipulated (art. 130) that the Speaker of the Guurti had to replace Cigaal upon his death, until elections had taken place; only an *elected* vice-president could replace the president according to art. 86. It is quite certain that the members of the Guurti who put Rayaale Kaahin in power inadvertently made this mistake because they had not read the Constitution carefully. Bryden 2003: “The Banana Test” p. 357.

¹¹⁴ Bryden 2003:355

According to the certified vote tally approved by the Somaliland Supreme Court, 1,187,833 votes were cast in the referendum, of which 97% said ‘yes’ to the constitution¹¹⁵.

However, the constitutional process also entrenched the division between the heartland and the peripheries of Somaliland. Most Dhulbahante and Warsangeli abstained from voting in the referendum¹¹⁶, or were unable to do so for lack of polling stations. Some of them had already made the choice to stay in the union through Puntland, to which the majority of the Harti population in Eastern Somaliland felt more affinity, while others were undecided, hoping for more autonomy from both Somaliland and Puntland.

Multiparty democracy

The Hargeysa Conference established the principle of multiparty democracy with the express aim of overcoming clan-based politics. To avoid the fragmentation of the political field into clan-based parties, a system was adopted in which the three biggest parties to come out of the first local council elections would be the only ones authorized to participate in political life during the following decade¹¹⁷. After ten years, local-council election results would designate the three political parties of the next decade, and so forth. It was an ingenious system, but it set the bar high for new entrants to the field. A political association had to pay a registration fee of 25,000 USD¹¹⁸ and demonstrate it had at least 1,000 members in each of Somaliland’s six regions. To qualify as a party, it had to obtain at least 20% of the vote in four of these regions¹¹⁹. If it failed, it had to wait ten years for the next chance. This procedure provides stability to the political system and forces political actors to reach across clan boundaries to establish electoral alliances. The objective was to keep clans represented in the House of Elders, and modern political forces in the House of Representatives.

Multi-party democracy did not come naturally. One study showed that many members of the public, especially from the periphery, had misgivings about the wisdom of the transition from consensus-based

¹¹⁵ The official tally makes one suspicious, however. It was the first voting process in the country, and there had been no attempt at voter registration. The government had announced that it expected a participation rate of at least 60%. The Ministry of Planning had estimated in 1997 there were 3 million Somalilanders, and that the population growth rate was 3.1 %, so in 2001 there would have been 3.3 million inhabitants, of whom about half are over 18, so about 1.8 million eligible voters. The 1.19 million votes were well over the 60% mark. See the International Republican Institute’s 2001 observation report. So far all is consistent, except that the tallies for votes cast in subsequent elections never surpassed 811,000 (in elections with obvious multiple voting) and are on average 586,000 voters per election, which is less than half of the supposed voters in the constitutional election. The government may have stuffed ballot boxes or otherwise tweaked the outcome to be on the safe side of the participation rate, but without much influence on the outcome.

¹¹⁶ Hoehne 2011 “Not Born as a De Facto State” p. 326

¹¹⁷ This system was copied from the 1960 pre-independence elections and had been devised by the British. Hansen & Bradbury 2007 “Somaliland: A New Democracy in the Horn of Africa?” p. 468.

¹¹⁸ This measure was introduced before the 2012 elections; see Haroon Ahmed Yusuf: “Representation” in Africa Research Institute (ARI) 2013:16

¹¹⁹ Dr Ali Yousuf Ahmed MP, Second Deputy Speaker of the House of Representatives in Africa Research Institute ARI 2013:13

stability to majority rule of one party¹²⁰. The experience of multi-party democracy in the 1960s had not been positive, and Cigaal had played a part in the debacle of the parliamentary period, leading to Barre's 1969 coup. But other studies showed that Somalilanders mistrusted efforts by traditional leaders to hang on to power and felt the government needed more authority to develop the country¹²¹. Elections were a way to strengthen the state and modernize society.

Since the first elections, civil-society groups and political associations have tried repeatedly to establish non-clan-based alliances, but with each passing election hopes dwindle¹²². One such attempt was the Xaqsoor platform that participated in the 2012 elections. Admittedly, non-clan-based political movements often *are* dominated by certain lineages and offer little detail in terms of political programmes, which contributes to discrediting them¹²³. But the rules of the electoral contest, coupled with eagerness to have access to power, encourage people to vote for those who 'can deliver', which are lineage members with a strong local position, preferably with good relations in Hargeysa.

A clear effort to overcome clan-based politics and supplant it with modern political identities through a system of multiparty democracy was thus defeated by... clan-based politics. The most common complaint about the political system one hears in Somaliland today is that it is hostage to lineage interests, and this is clear when observing elections campaigns and voting patterns. One may be tempted to come with essentialist explanations about the inability of Somali society to surpass clan, but one only need look at other forms of network identity – for example, those based on higher education¹²⁴, religious beliefs¹²⁵ or professional interests – that exist in Somali society to realise that there is nothing unavoidable about clan dominating the socio-political domain. Most often, the 'return' of clan identity is explained as a result of the dissolution of the state and the ensuing civil war, when the clan provided the main safety net. But in reality lineage identities have never disappeared from Somali society. To understand how they function, I believe the image of the rhizome is most helpful.

The concept of rhizome may need some explanation. It was developed by Felix Guattari and Gilles Deleuze in the late 1970s and formed the structure for their book 'Mille Plateaux' (1980). It comes from the world of vegetation, where it is opposed conceptually to that of the tree. The tree has a hierarchical structure with roots and branches branching out from the trunk; its structure is contained in the seed. The rhizome, by contrast, grows underground in a seemingly chaotic way, creating nodes from where it branches out in an endless process. Fungi and plants such as ginger, bamboo and strawberries grow this

¹²⁰ Jimcaale 2002 "Consolidation and Democratization of Government Institutions" Draft for APD; p. 28

¹²¹ APD 2000 "Rebuilding Somaliland" p. 35

¹²² Multiple interviews with young people that have participated in such non-clan political platforms

¹²³ In the case of Xaqsoor, I could not find its political programme – beyond positions taken on its Facebook page – and I was told its members canvassed among Carab, Ciise and Dhulbahante voters to ensure representation in all regions.

¹²⁴ See Phillips 2020 :77-82 for the importance of Somaliland's Sheekh and Amoud secondary school networks in the SNM, civil society and the upper echelons of politics and the administration. Lafoole secondary school near Mogadishu played a similar role.

¹²⁵ See several works by Baadiyow, for example "Recovering the Somali State", 2017, on the role of Islamic networks in recent Somali history and its potential for the future. Al Ictisam is a modern Islamic network with a strong implantation in Somaliland and Puntland, but one may also think of the Dariikho Sufi community in Sheekh, where clan identity is entirely erased upon entering the community.

way. The principles of the rhizome, as noted by Guattari & Deleuze, are heterogeneity, connections between all parts, multiplicity, an open cartography, reproduction without copying itself, and insignificant rupture¹²⁶. Rhizomes are continuously growing, but there seems to be no logic to rhizomatic growth. There is no beginning or end, each point is in the middle and connected to all the other points in multiple ways, which makes the rupture of one of the connections insignificant. It adapts to its environment at each point by the principle of ‘reproduction without copying itself’, fostering heterogeneity, as a rhizome can evolve into something else than it originally seemed to be, and multiplicity as each of its nodes is the centre of its own constellation. The World Wide Web is an example of a rhizome.

Somali clan structures are usually represented in the form of a tree, but any person who has studied these diagrams closely realises that such a representation is insufficient, even misleading. Why have so many lineages disappeared, and are there only a few that, after many branches, seem to occupy a large space of the field, spawning sub-clans and sub-sub-clans? Mass killings or infertility are not the answer; in fact, the clan field keeps recomposing itself – cross-clan marriages and the ‘adoption’ of a small or weak clan by a stronger one are mechanisms that come to mind. Clan identity is a fluid concept and can much better be grasped with the image of the rhizome than the tree¹²⁷. Institutions, of which the state is the supreme expression¹²⁸, are by contrast perfectly represented by the tree (or organization chart). Each point has a definite hierarchical position compared to the other points in the tree, and there is but one centre, one logic, and finite growth. ‘State’ and ‘society’ also function in different time dimensions¹²⁹.

Table 3: Conceptual oppositions between the domains of State and Society

State	Society (e.g. Clan)
Formal	Informal
Structure	Agent
Crystallized (skeleton)	Fluid (blood)
Unicity	Multiplicity
Finite	Open-ended
Hierarchical internal structure	Non-hierarchical network
Centralized	No centre
Theory / Ideal / Image	Practice / ‘Reality’
Cause - Effect	Synchronicity
Chronology	Timelessness
Sedentary	Nomad
Tree	Rhizome

¹²⁶ Deleuze & Guattari “Mille Plateaux”, 1980 pp 11-32.

¹²⁷ Deleuze & Guattari 1980:443 « *Les meutes, les bandes sont des groupes du type rhizome, par opposition au type arborescent qui se concentre sur des organes de pouvoir.* »

¹²⁸ Bourdieu 2012 « *Sur l’État. Cours au Collège de France 1989-1992* »».

¹²⁹ See Giddens 1981 “A Contemporary Critique of Historical Materialism, Vol 1” pp 26-48: ‘The Time Space Constitution of Social Systems’ and compare to, for example, Somali notions of time as described by Bulhan 2013 “In Between Three Civilizations Vol 1, Archaeology of Social Amnesia and Triple Heritage of Somalis” pp. 119 ff.

Rhizomatic and hierarchical structures may be *conceptually* opposed to each other, but they coexist, as the blood system and the skeleton, the informal inside the formal, the agent within the structure, the society in the state. Politics are the product of intersection of rhizome and institution; state elites sprout from the nodes that form at these intersections¹³⁰. For example, where the institution of multiparty democracy intersects with clan identity, nodes form from which emerge ‘clan politicians’. The fluid logic of rhizomatic identity is captured and stopped by the static logic of the institution; these two dynamics then inevitably clash.

Clan is itself not a pure manifestation of the rhizome. Clan has been shaped by the structures of state in Somalia for many centuries. The existence of stronger alongside weaker clans, and within clans the long-lasting dominance of certain lineages, are evidence that a ‘level playing field’ between lineages does not exist, because of this interaction between the social rhizome and the state. Probably the purest expression of the rhizome is nomadism itself¹³¹. This explains why the state is, since its earliest history, in an existential antagonistic struggle with the nomad – the *barbarian*¹³². In our world and today, the Somali clan, despite being influenced by the formal structures of state, remains one of the most obvious social manifestations of the ‘nomad’ rhizome. Other Somali network identities (education, religion, professions) are much more intricately bound to the State and its institutions and therefore are more affected by its weakness. Society is capable of generating other network identities even less affected by the state than the clan – think of small Sufi communities established throughout Somali territories – but clan identity has survived in Somalia despite persistent efforts by the state to put an end to it. Maybe because the state has always been weak, strengthening the clan factor by its inefficient antagonism¹³³.

The clan, and the rhizome more generally, is capable of self-governance in the absence of the state; it follows its own organic, non-hierarchical model of organization. Presently, in the section on peace and security below, we will examine this self-governance at work. To return to multiparty politics in Somaliland, they seem to emerge at the junction between the rhizome and the state.

For example, the 2002 local council elections were held with closed lists: the party¹³⁴ decided on its representatives in each electoral district, and people voted for the party, not for individual candidates. This dissatisfied local electorates, who desired more control over who their representatives would be, so for the 2012 elections open lists were adopted, but the results were divisive. As one interviewee in Berbera noted, “*each lineage tries to field its own candidate. A place on the local council is seen as a sure source of income for the lineage. There is no agreement on the common good for the town, the district or the country this way.*”¹³⁵ Furthermore, the candidates from strong lineages that stand a good chance of being elected can sell themselves to the political parties. This encourages corruption (see section on fraud below). List-switching became a common occurrence in 2012¹³⁶.

¹³⁰ Deleuze & Guattari 1980:36.

¹³¹ Thanks to Matthieu Dillais for this insight, in feedback provided on this text in Sept 2020.

¹³² See Scott 2017: “Against the Grain: A Deep History of Early States”.

¹³³ This seems to be the case in other African countries where the state is historically weak; it could be interesting to study resurgent tribalism not as a cause, but as the result of a weak state.

¹³⁴ To be correct, there were parties and political associations, since only the three winners could call themselves ‘national parties’. I will stick to the term ‘parties’ for both types of organizations.

¹³⁵ Interview with Shacban Cilmi in Berbera, May 2019.

¹³⁶ Rift Valley Institute (RVI) 2015 “The Economics of Elections”.

The capture by clan of the multiparty system seems to result in a certain balance at the national level, where most Isaaq and some Gadabuursi lineages are represented, and even some other clans of Somaliland, but at the local level it is experienced as destabilizing. As the same interviewee in Berbera noted, “*Identity politics have penetrated into the household level. Many marriages are cross-clan, and elections now disrupt these. Elections have driven up the divorce rate as the constant social media bombardment is causing high tensions in such cross-clan households, as the husband and the wife will have different information flows on their clan-dominated social media channels – each lineage has its own WhatsApp group - and they may fight for the loyalty of their children.*”

To give a measure of the competition: in the 2012 local council elections seven parties/platforms fielded candidates, in total 2368 candidates for 379 seats (13 to 25 seats/council for 23 local councils). Parties had no control over which candidates were fielded¹³⁷; they were usually suggested by local forces based on their capacity to mobilize voters along clan lines.

Accordingly, there is no loyalty to political parties. If an influential clan member leaves his party to join another - a common occurrence – his constituency will migrate with him. This happened when Cirro and many other Habar Yoonis MPs left UCID to join Waddani before the 2012 elections¹³⁸. This explains why, at first sight, political parties do not seem to be clan-dominated; allegiance to a political party does not occur at the clan level, but at the lineage level.

Distribution of seats by clan and party – 2005 parliamentary elections

Clan	UDUB	Kulmiye	UCID	Total seats
Sa'ad Muse	2	5	2	9
'lise Muse	3	1	3	7
Habar Yoonis	8	1	8	17
'Idagalle	0	0	2	2
Habar Ja'lo	5	9	2	16
Arab	2	3	0	5
Ayuub	0	1	0	1
Gadabursi	7	3	3	13
'lise	1	0	0	1
Warsengeli	2	2	0	4
Dhulbahante	2	3	1	6
Hawiye/Fiqishini	1	0	0	1
Total seats	33	28	21	82

2017 elections ¹³⁹	Kulmiye	Waddani	UCID	none
Habar Yoonis	10%	80%	5%	5%
Sacaad Muuse	80%	10%	5%	5%
Issa Muuse	60%	25%	10%	5%
Habar Jeclo	70%	20%	5%	5%
Ciidagale	20%	25%	50%	5%
Carab	50%	40%	5%	5%
Dhulbahante	20%	30%	20%	30%
Warsangeli	30%	20%	5%	45%
Gadabuursi	45%	50%	0%	5%
Ciise	30%	30%	0%	40%

Tables 4 (l) and 5 (r): Clan voting by political party

From these tables it emerges that most Sacaad Muuse and Habar Jeclo voted for Kulmiye in 2005 and 2017; the Habar Yoonis massively backed Waddani, and the Ciidagale usually vote for UCID. But otherwise clan votes are spread among all the parties. It is only when one inspects politics

¹³⁷ Academy for Peace and Development & Interpeace (APD) 2015: “Somaliland’s Progress Toward Peace: Mapping the Community Perspective” p. 16.

¹³⁸ The split occurred when Cirro, speaker of the House of Representatives and potentially commanding many more voters, insisted he should become the party leader, which Faisal Waraabe refused

¹³⁹ Data estimated by author and revised with input from keen political observers in Somaliland; there is no polling information breakdown by clan available, so this table only presents an informed guess.

at the lineage level that the clan infiltration of the parties becomes clear.

Somaliland’s parties function more like umbrella organizations, federating the pro-government lineages on one side and anti-government lineages on the other, than like political parties in the West. In fact, parties *avoid* taking strong political stances on issues as doing so might scare away voters¹⁴⁰. The only party that famously came with a specific idea for social development was UCID, who suggested to introduce the welfare state to Somaliland¹⁴¹. The political field is not a space for competing ideas but for competing interests¹⁴². The presence of diaspora returnees (approximately half of the representatives elected in 2005 had a diaspora background¹⁴³) has not changed this.

Three more points can be made about the effects of the multiparty system on state/society relations. The first is that it has reinforced centralization. To stay relevant, political parties and their members must participate in the daily politics of the capital city. This brings them closer to the urban state elites than to their local constituencies. This is of course a problem in most centralized parliamentary systems. Electoral democracy is strongly supported by the urban-based educated class and the diaspora, but it was never a loud demand of Somaliland’s rural population or its leaders. *“There was a debate on television about this”* remarked an observer¹⁴⁴. *“People were asked what they thought about their parliamentarians. About 99% [sic] of the people said they were unhappy because their MPs never visit them. But MPs receive no financial support which would enable them to do this. When they do go back, constituents ask for money and they do not have sufficient funds to be able to support everyone”*. This quote tellingly describes what people expect from their politicians in the capital.

Second, the direct parliamentary and presidential elections introduced with the constitution of 2000 reduced the political participation of non-Isaaq clans, confirming their misgivings about the transition away from nationwide consensus-seeking politics¹⁴⁵.

In the parliament elected in Hargeysa, 1997, the share held by representatives from the heartland (Isaaq & Gadabuursi) was 71%; in the parliament resulting from the 2005 elections, this share jumped to 85%. None of the minority candidates

made it, the Ciise only

Table 6: clan representation in the House of Representatives

Clan	Pre-2005 Parliament	2005 Parliament
Isaaq	48	57
Gadabursi	11	13
Dhulbahante	9	6
Warsengeli	5	4
'Iise	5	1
Hawiye/ Fiqishni	1	1
Minorities	4	0

Source: Haroon Ahmed Yusuf in Mark Bradbury, *Becoming Somaliland*, Progressio/James Currey, 2008

¹⁴⁰ See the remarks about the first ever presidential candidate debate on TV by Hoehne, 2018:15.

¹⁴¹ Hansen & Bradbury 2007:466 note that UCID’s leader Faisal Waraabe and several of its founding members returned from Scandinavia. The proposal was greeted with derision, given Somaliland’s lack of resources to pay for such services.

¹⁴² See the remarks by Haroon Ahmed Yusuf, Deputy Director, Social Research and Development Institute, in Africa Research Institute (ARI) 2013:16. I have heard this point of view frequently in my interviews.

¹⁴³ Haroon Ahmed Yusuf in ARI 2013:17.

¹⁴⁴ Haroon Ahmed Yusuf in ARI 2013:15.

¹⁴⁵ Hansen & Bradbury 2007:470.

obtained one seat¹⁴⁶, and Harti representatives decreased from 14 to 10. Hidden behind the overall figure of the Isaaq gain of seats is the decline, in terms of representation, of all smaller Isaaq clans (Ciidagale, Carab, Cimraan, Ayuub, Toljecle), who lost 13 of their 21 seats in parliament; they were all won by the big clans (Habar Yoonis, Habar Awal and Habar Jecllo) that gained 23 seats collectively.¹⁴⁷

Third, multiparty politics did little to further the position of women in society. As Cabdiraxmaan Ýusuf Duale ‘Boobe’ put it: *“Women have been largely excluded from politics. One of the reasons relates to the clan system. Usually a woman is not seen as belonging to a clan. This is because in a way she belongs to two clans – she has her own clan and also the clan of her husband.”*¹⁴⁸. This has proved less of an obstacle in federal Somalia than in Somaliland. International pressure aside, it seems women in Mogadishu are more present in public life than in Hargeysa.

Many commentators of Somaliland politics apply a formal analysis framework, where they examine the rules governing Somaliland’s state, note where those rules are deficient or not being followed, suggest fine-tuning the rules and appeal to authorities to stick to them, and encourage stakeholders to bear pressure on the authorities to do so. This method of analysis consists of negating the informal nature of Somaliland’s politics and the rhizomatic nature of the state-society nexus. It demands that all public relations be governed by formal law, reflecting what Bourdieu has called the victory of jurists over politicians in late 19th Century Europe. I do not believe this method of analysis is helpful. It is more useful to ask how society, in its rhizomatic state, interacts with and transforms the formal institutions of the modern state? Do these institutions in turn influence the development of society? What can we expect, in the medium and long term, from this interaction?

Two areas of unfolding state-society relations can clarify these questions: elections—the essential legitimation process for the state—and peace & security – what society expects from the state.

¹⁴⁶ The Academy for Peace and Development post-elections report of 2006 “A Vote for Peace” explains that the Ciise candidates feared that their clan-members would not turn up in sufficient numbers, and that four of the five candidates decided to withdraw from the process on the eve of the elections. Their seats were won by Gadabuursi and Isaaq representatives instead. APD 2006:47

¹⁴⁷ All figures from APD 2006.

¹⁴⁸ Africa Research Institute 2013:19

Elections

Table 7: Elections in Somaliland

Year	Due	Held	Results
2000	Constitution		
2001		Constitution	1,187,000 votes cast: 97% Approval
2002	Local council Presidential	Local Council	440,000 votes cast; 18/23 local councils elected. UDUB, Kulmiye and UCID selected as political parties. Two women elected.
2003	Parliamentary	Presidential	489,000 votes cast. Acting president Kaahin (UDUB) re-elected with 42% with a narrow margin of only 80 votes
2005	Upper House	Lower House	670,000 votes cast: 39% for governing party UDUB, 34% and 27 % for opposition parties Kulmiye and UCID
2007	Local Council		
2008	Presidential		
2010	Lower House	Presidential	538,000 votes cast, Siilaanyo (Kulmiye) wins with a comfortable lead of 49.6 % over 33 % for Kaahin (UDUB)
2012	Local Council	Local Council	811,000 votes cast; 19/23 local councils elected. Kulmiye, Waddani and UCID selected as political parties. 379 available seats, 10 women elected
2015	Presidential Lower House		
2017	Local Council	Presidential	566,000 votes cast, Muuse Biixi (Kulmiye) wins the election with 52 % over runner-up Cirro (Waddani), 29%
2020	Lower House		<i>On 12 July 2020 the political parties agreed to schedule lower house and local council elections for late 2020</i>
2021			
2022	Local Council Presidential		

Colour coding: *green* = held when due; *orange* = delayed; *red* = cancelled

From the table above, it appears that Somaliland’s electoral democracy is far from perfect. In fact, the percentage of cancelled or delayed elections surpasses that of federal Somalia. Of the eleven elections that should have taken place, two were on time, four were delayed for a year or two, and five were never held. Moreover, the second decade was worse in terms of delayed and cancelled elections, showing a worrying trend. The reasons often heard for delays are lack of preparation, including the unresolved issue of voter registration; institutional difficulties, notably surrounding the National Electoral Commission; contextual factors such as drought; and, more informally, expenses.

As a local research centre in Hargeysa noted in early 2020: “Somaliland people elected 487 officials in public offices; all of them, except the president and his vice president, are in the office beyond their elected term. Only the President and his vice president have a legitimate term. Guurti members have been in office nearly 23 years, House of Representative members have been in office nearly 15 years and

*Local councillors have been in office nearly 7 years.*¹⁴⁹ A replacement mechanism for members of parliament who die in office has not been agreed on; in most cases the vacant seat of a deceased parliamentarian has been taken by his son¹⁵⁰.

As long as no census is conducted in Somaliland—and as yet there are no plans for one—fully representative elections are not even conceivable. A census is the primary, fundamental element of state control over society. It cannot be replaced, as it now is, by asking lineage chiefs for population (clan) numbers. Exaggerating the strength of one's clan is a long-standing tradition in Somali culture¹⁵¹.

Besides the absence of a census, elections have been riddled with manifold problems since 2002. Lack of capacity of the electoral commission, irregularities in voter registration, questions about the limits of electoral districts, use of government funds by the ruling party, lack of campaigning experience, few opportunities for women in politics, shortcomings in voter education, inexperience of the media, and widespread multiple and underage voting¹⁵² all contributed to making elections a messy and contentious process.

The National Electoral Commission was often criticized for election delays and other problems. But the 2016 voter registration campaign, using iris eye-scan technology, was considered a true improvement by the population and external observers¹⁵³. The conduct of the 2017 elections was also orderly and transparent. Voters participate enthusiastically in elections even though the opinion about the political class has grown increasingly negative¹⁵⁴.

For many Somalilanders, the root problems during elections are Somaliland's political parties. As we saw above, parties have become clan-alliance platforms, bringing together different lineages, expressly avoiding ideology or even policy suggestions to remain open to any possible ally. Political parties are machines to capture power and not much else. For example, they all fail to abide by their own charter, notably on the issue of internal democracy¹⁵⁵. The party leaders seem immovable. Since becoming president, Muuse Biixi has not stepped down as leader of the Kulmiye Party (against its statutes), fearing

¹⁴⁹ Centre for Policy Analysis Hargeysa (CPA Hargeysa) 2020: "Somaliland Local Councils: The Birthplace of Political Parties is a Crossroad" p. 6.

¹⁵⁰ The practice was defended by an interviewee who reasoned that a position in parliament is an important source of income, and as the government offers no support to the families of deceased parliamentarians, it makes sense that a son takes his or her place to supplement for lost income.

¹⁵¹ Hoehne 2011: "No Easy Way Out: Traditional Authorities in Somaliland and the Limits of Hybrid Political Orders"

¹⁵² The domestic elections observation team Somaliland Non-State Actors Forum reported that 'all polling stations experienced some multiple voting' during the 2012 local council elections (Saferworld 2013:12). The high number of votes cast in those elections was, according to all observers, mainly the result of multiple voting. See also Pegg & Walls 2018: "Back on Track? Somaliland after its 2017 Presidential Election" in *African Affairs* 117/467, 326-337; p. 327. Underage voting is also widely reported in each election.

¹⁵³ See Pegg & Walls 2018:331

¹⁵⁴ Abokor & Ali for Rift Valley Institute (RVI) 2018 "Assessing the 2017 Elections": 71% of citizens said 2017 elections were 'free and fair', 23% noted fraud and vote-rigging. See also Hoehne 2018 about the post-elections situation.

¹⁵⁵ Abokor & Ali 2018 10-12 and CPA Hargeysa 2020 :12-15. The same complaints over the past two decades (cf Jimcaale 2002) point at the unwillingness of political parties to reform themselves.

the emergence of a rival from within. This means that there are few chances for renewal in the parties, and it is difficult to establish new ones¹⁵⁶.

Here is an example of how the rhizomatic nature of Somaliland's politics at once uses and violates formal organization; it uses it to stay in power while violating the rules, allowing a handful of people to dominate the political scene over decades without scope for renewal. The same applies to the Guurti. In the informal clan system, elders are appointed to mediate in a certain conflict, without obtaining an institutional position or its advantages. Renewal in such a system is constant and natural, depending on the capacity of the elder to mediate effectively.

Politicians contest elections bitterly but maintain cordial relations the rest of the time¹⁵⁷. Cabduraxmaan Cirro was close to calling on his supporters to not accept the election results in 2017, which could have led to a bloodbath (three people died in the riots provoked by the announcement of his defeat). He finally decided to accept mediation attempts first, and later to respect the official tally; but Cirro has always been a loyal member of the parliament, rarely opposing the government or formulating alternative policies. State elites, including politicians, show remarkable solidarity in Somaliland.

It is not lost on the electorate that whoever they vote into power is likely to move to Hargeysa, become a member of the state elite and enrich himself. For his constituency, that behaviour is not seen as negative if he remains loyal, representing their interests too. Hoehne, speaking to Warsangeli citizens in Sanaag, was told that politicians that moved to Hargeysa were seen as 'lost sons'¹⁵⁸, but that may be because the Warsangeli are not much involved in Somaliland's politics or economy.

Fraud has been a feature of all Somaliland's elections, but as the stakes are rising, its scale is increasing. Fraud observed in Somaliland includes direct payments to voters on the eve of elections, buying unused ballot papers from station managers and filling them (mostly in remote places), paying campaigners or other groups to vote multiple times in different stations or paying local organizers to deliver votes. The latter practice may approach 'normal tradition', where candidates offer feasts, qat and gifts to local authorities to secure the vote of their subjects¹⁵⁹. It may even be argued that direct returns to voters or local authorities are the only manner in some African societies to honour a politician's sense of obligation to his constituency¹⁶⁰; this is how some voters in Somaliland see it¹⁶¹.

Besides fraud, the funds spent by candidates during elections are staggering. One observer notes: *"There is no trace of the money spent by everyone, including the government, donors, candidates, parties and people. It has damaged the democratization processes and culture. It corrupted people ... Even those who do not chew qat, started chewing because it was provided freely¹⁶²."* As the authors of that report candidly note, the *"increasing monetization of elections (...) risks tarnishing Somaliland's enviable*

¹⁵⁶ CPA Hargeysa 2020:13

¹⁵⁷ Abokor & Ali for RVI 2018:2

¹⁵⁸ Hoehne for Rift Valley Institute 2015 "Between Somaliland and Puntland" p. 60

¹⁵⁹ Verjee e.a et al. for Rift Valley Institute (RVI) 2015: "The Economics of Elections in Somaliland" pp 33-35

¹⁶⁰ Vicente & Wantchekon, "Clientelism and Vote Buying: Lessons from Field Experiments in African Elections" in *Oxford Review of Economic Policy* 25/2 (2009): 292–305

¹⁶¹ "I voted for you – what do I get back?". See the quote referenced in note 144

¹⁶² RVI 2015:37

democratic record (...) and suggests that some may resort to malpractices in public office to recoup their investments." It may be noted that the international community funds many if not most of the institutional election expenses (see below), thus making available more funds for campaigns.

Civil society is increasingly involved in the elections; this occurs through advocacy, awareness-raising and training, elections, and attempts to mediate potential conflict. Such activists and their organizations retain a formal independence from the state, but this does not mean that they are not integrated into the networks of power, especially when they are based in the capital. As with NGOs, their closeness to international donors and their direct relations with people in the government convince other Somalilanders that these organizations are part of the state elites and take part in the election bonanza.

One could see elections as a new ritual binding state and society in Somaliland together in some kind of feast: a few weeks where gifts are showered by the powerful on their constituencies and resources unreasonably wasted. Election day is a great celebration of nationhood: voting may not be very useful, but it is fun to participate. The electoral process leads to reconfigurations of power that obeys an unseen rhizomatic logic rather than the rules of the formal institutions of electoral democracy, which are not interiorized even by the state elites. The real rules of the political game are that a) you keep the connection open to your lineage members, always ready to help; and b) you integrate Somaliland's state elites, demonstrating loyalty to its values¹⁶³.

If that is what elections signify in Somaliland's context, then the international insistence on formal aspects of the electoral process are misguided. Among external observers and academics, there is a 'democratic elections' fetish. The fact that a country can hold elections and that the incumbent president accepts his eventual defeat, making way for a new government, is taken as proof of progress and development. Even when such elections drain the national coffers and lead to conflict, even when the political renewal is but a façade, leaving society frustrated for true change. As long as all the *rules* have been followed, elections are seen as a success: 'free and fair'.

The turnover of presidents in Somaliland, all four of whom have left office by regular means¹⁶⁴, is commonly taken as evidence of a mature democracy. But it rather seems to be the result of a tacit agreement among state elites that each main group gets a turn in power¹⁶⁵, obeying another logic to that of elections. But the competitive logic of elections goes against the principle of consensual power-

¹⁶³ These would include political values such as being against unity with the rest of Somalia and always eschewing violence in favour of peaceful, negotiated solutions to conflict; economic values such as participating in the race to get rich, accepting income inequality, living in a nice house and driving a big car (but not at the expense of helping your lineage); social values such as being down-to-earth, not too serious and enjoying a good qat chew with your friends. Of course, such values and their external manifestations change. Photos of the 1993 Borama conference show that all delegates were wearing traditional, simple garb, while nowadays a suit and tie is the dress code of public life for the elites. Flouting your wealth used to be frowned on but over the past decade it has become acceptable.

¹⁶⁴ As defined by Posner & Young in "The institutionalization of political power in Africa" (in *Journal of Democracy* 18, 3, 2007, p. 128 quoted by Pegg & Walls 2018:328) *regular* means mean accepting one's defeat, not representing oneself when not allowed, or dying a natural death while in office.

¹⁶⁵ One of my interviewees (May 2019) believed that the next elections must be won by the Habar Yoonis; when they've they have had their turn in power, the terrain might be ready for a new type of non-clan-based politics.

sharing present in self-governance traditions, and as Somaliland's state becomes more 'mature' there may be more irregular transitions of power.

This exclusive focus on formal processes explains why donors provide technical support and funding for election-related programs, whereas there was almost no support for the more than thirty peace conferences that helped shape Somaliland in the 1990s¹⁶⁶. Even the first round of elections (up to 2005) was hardly supported by the international community. The first serious involvement of international actors, in 2007-2008, to help the National Electoral Commission complete voter registration, contributed to a delay in the elections of two years¹⁶⁷. EU countries provided about 75% of the election budget in 2010, and about 50% of the 2017 election. From their point of view, supporting the young country means supporting the institutions that can modernize society; what I have characterized as mimicry, they call 'following best practice'.

The excessive importance given by the international community to correct electoral processes is well understood by Somalilanders. It contributes to their pleasure in participating in this ritual. When I travelled from polling station to polling station through the Maroodi Jeex district on election day in 2017, I was continuously asked: "See? Isn't this a good election? Are you going to recognize us now?"

While most of the population participates with passion and pleasure in elections, this does not mean that they have made a choice for multiparty electoral democracy over clan-based consensus politics. Both coexist. The informal sphere of consensus is needed to balance the dysfunctions of the formal sphere. It is the incapacity to channel new social forces—e.g. non-clan-based politics, or economic policies fostering more employment, or more space for women—that makes elections destabilizing. The 'winner takes all' aspect of elections is mitigated by the rhizomatic power arrangements that take place under the surface, with the objective of preserving peace among the clans and within the state elites. But these arrangements do not seem to be able to absorb new social forces, especially those of the educated youth, who are massively migrating¹⁶⁸.

Elections are also criticized from within the state elites. "*Elections have not helped Somaliland. We have adopted this system to gain international recognition, but has that helped? We go from one election to the next, they are costly and destabilizing and do nothing to improve the situation in the country.*"¹⁶⁹ Both within and outside the state elites one hears voices regretting the consensus-based politics of which Borama was the high point. Some of my interviewees found, paradoxically, that mayors appointed

¹⁶⁶ Bradbury, Abokor & Yusuf 2003:466

¹⁶⁷ The EU had agreed to support the voter registration process through the NGO Interpeace for the 2008 presidential election. The members of the National Electoral Commission and the leaders of the three parties opted for a technologically difficult biometric registration system. The international partners objected but, because of 'national ownership', agreed to support this process nonetheless. The result was so messy, with 1.4 million voters registered, that it became impossible to hold elections on that basis. The EU and Interpeace engaged in frantic shuttle diplomacy to resolve the crisis, but to no avail. After they withdrew their assistance, the political parties and the NEC opted for a simpler registration system and held the elections in 2010.

¹⁶⁸ World Bank 2016: "Somaliland's Private Sector at a Crossroads" notes that urban middle-class families in particular seek to prepare at least one son to find employment overseas to keep the remittances flowing. 40% of households in Somaliland receive on average 271 USD per month in remittances according to the report (p. 82)

¹⁶⁹ Interview with Ibrahim Habane, ex-secretary of the Guurti, May 2019 in Hargeysa.

by the central government functioned better than those elected by local councils; because the principle of self-interest prevails over the common good, thanks to the election, while a mayor appointed by the central government might act in pursuit of the common good. The way elections have engendered large-scale and society-wide corruption is maybe the main criticism levelled against them.

Among educated Somali youth many see the shortcomings of the current electoral system, but none believe a return is possible; electoral reform is the only way forward. In fact, both political systems coexist side by side, one in the formal, the other in the informal domain, both penetrated by the same rhizomatic social logic but with different expressions. Informal consensus-seeking politics are still common, as we shall now see in the domain of conflict prevention.

Conflict and peace in Eastern Somaliland

We will now shift the focus of our attention away from the heartland of Somaliland, where state penetration is deeper, to the Eastern half of Somaliland, where self-governance is still the norm. As mentioned, both coexist (Hargeisa neighbourhoods also have self-governance institutions, and on the border of Puntland one may still find Somaliland district authorities) but with a different balance between state and ‘traditional’ power. Hoehne speaks of ‘several hybrid political orders’¹⁷⁰ but it can also be argued it is the same with different weight attached to the traditional viz the state authorities; even in the most far-flung regions the ‘state’ still exists as an idea and often an aspiration. Looking at how peace is preserved in Eastern Somaliland provides insights into how self-governance still works today, and how it is affected by the weak state presence.

Fig 3: Violence in Somaliland 2011-2017

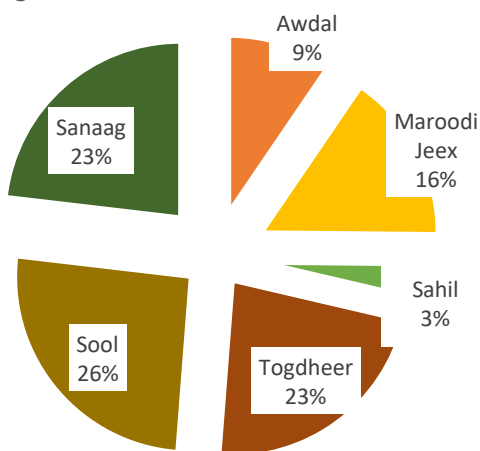
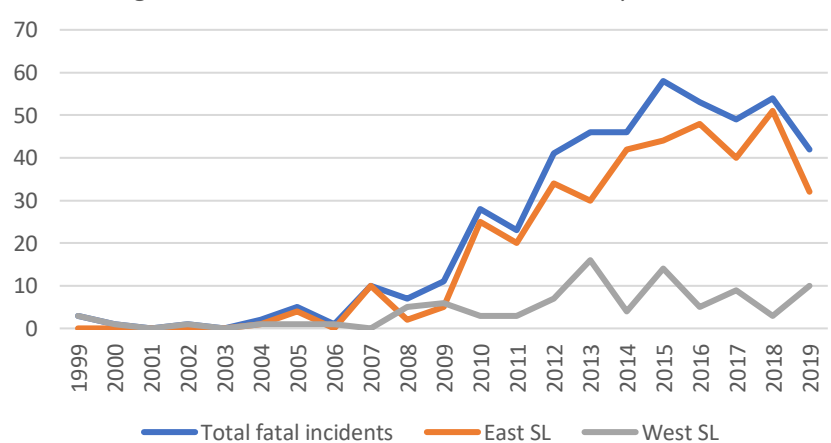


Fig 4: Violent incidents with at least one fatality in Somaliland



Sources: INSO (left) and ACLED database (right). Violence in the pie chart refers to all types of criminal acts and armed conflict, from theft to troop movements and violent demonstrations.

¹⁷⁰ Hoehne 2018a:187-188. He also admits that the traditional and the government system (respectively *habka dhaqameed* and *habka dawladeed*) are at the opposite ends of a same spectrum

Keeping the peace between clan

East Somaliland consists of Togdheer, Sool and Sanaag. There is more violence and conflict here than in the Centre and West. On a per capita basis the violence rate is four times higher in the eastern regions. But with a violent-death rate of 5.61 per 100,000, East Somaliland still scores better than the USA (6.97) or Russia (9.90)¹⁷¹.

A fair share of the violence over the past years comes from clan conflict in Ceel Afweyn district in Sanaag region. Sanaag has been particularly prone to conflict because it has good pasture and is inhabited by different clans (the Habar Yoonis, Habar Jecllo, Warsangeli, and Dhulbahante and smaller ones). After the civil war, through a long-drawn-out process of localized peace conferences in 1992 and 93, elders from the different clans worked together to establish a secure and peaceful environment based on self-governance¹⁷². The new state of Somaliland was not involved in these processes, but its existence served as an encouragement to establish peace.

This conflict between sub-clans of the Habar Yoonis and the Habar Jecllo started with quarrels over access to pasture and water in 2016. In 2018 a civil-society-led initiative¹⁷³ brought together 66 elders from all over Somaliland for a month of talks with the belligerent parties. Parallel to the talks, the convening parties organized a group of women from both sides to visit villages in the district and spread the peace message, and they held a reconciliation workshop for the youth. The organizers also engaged the community about long-term measures to secure not only peace, but also some development. The sub-clan leaders signed a Peace Declaration that was then duly distributed, commented and advocated. It took time, but it seemed a good process to bring a peace that was ‘long overdue’ according to the local community.

There was no government involvement, other than a congratulatory message from the Minister of Interior after the Peace Declaration. Local authorities were maybe involved as one of the stakeholders in the talks, but played no leading or even facilitating role. Besides the lack of involvement of formal institutions, a notable aspect of this process is its involvement of clan elders from other parts of Somaliland, and how talks branched out to development, reconciliation, and education, with a focus on women and youth. In these three aspects, this process was similar to those of Sanaag’s early years. Under the heading ‘peace’, these previous agreements also regulated all kinds of other affairs *“Peace conferences had to deal with issues such as freedom of movement, freedom of trade, access to common grazing grounds and water resources and return of lost or stolen property”*¹⁷⁴. There was some

¹⁷¹ Source: World Life Expectancy [website](#), accessed July 24, 2020. I am not convinced by the trustworthiness of this source, but their rate of violent deaths for Somalia is very near my own, based on own data collected and cross-checked with the ACLED website. The rate given for Somalia (including Somaliland) is 6.49 deaths per 100,000 inhabitants. The rate I calculated for East Somaliland is 5.61 and for West Somaliland 0.81. Note that this is not the ‘intentional homicide rate’, which is most often used, but that of all violent deaths, including in war.

¹⁷² Renders 2006:222-234.

¹⁷³ Source for this paragraph: [Interpeace](#), one of the convening parties with the Academy for Peace and Development. Published on the Unrepresented Nations and Peoples Organisation (UNPO) website on Sep 14, 2018

¹⁷⁴ Renders 2006:223

continuity in the scope of informal politics, but a shift in the emphasis on education, women and development¹⁷⁵.

The presence of elders from other clans, not related to the conflict, is a crucial ingredient of success. Such gatherings of ‘informal elders’ (to distinguish them from elders on the payroll of the state) occur more often¹⁷⁶, not only to resolve clan conflict, but for any type of argument. That this one gained more publicity was because of the involvement of a foreign NGO, that put out a press statement in English¹⁷⁷. Another takeaway from this example is that the informal governance sector is not reserved for clan alone; civil society might accomplish similar results to clan¹⁷⁸.

Many reconciliation meetings do not hold; a local commentator provided three reasons¹⁷⁹. First, the amount of compensation to be paid by each side (100 camels per adult male is the standard rate) is simply too high in periods of scarcity and drought. When agreed-on compensation is not paid on time, any spark can activate a new cycle of violence. Second, when that happens, security actors and clan leaders do not intervene quickly enough to apprehend the “criminal” (shoving the responsibility on each other) and victims (families) take justice into their own hands. Third, in sponsored reconciliation meetings there is too much pressure to arrive at quick results. As a result, the focus is often on resolving the conflict at hand, but not the underlying factors. Reconciliation works better when each side to a conflict first settles their internal differences; this step is often overlooked, and most peace deals do not hold because factions emerge within the negotiating parties.

Reflecting on these explanations for failure, it seems a common factor is imbalance between self-governance and authority, expressed in the unclear demarcation of the domains of authority, external pressure to arrive at results and unrealistic ‘solutions’. Self-governance is often also reactive. An elder involved in peace-making in the early 1990s called it ‘fire extinguishing’ and Lewis & Farah wrote that *“The traditional system of governance that primarily relies on the moral authority of lineage elders and the good will of their kinsmen has a limited intrinsic capacity to **prevent** the occurrence of crime and violence”*¹⁸⁰. Despite these shortcomings, all analysts agree that involvement by informal political actors has been successful in improving governance, not only in Sanaag but everywhere in Somaliland.

A relative lack of Piracy and Terrorism

This capacity of establishing peace on the basis of self-governance and informal social channels, also explains why there was almost no piracy or terrorism in Somaliland. Piracy and terrorism experts often arrive at a hasty judgment: they explain it by announcing Somaliland is a functioning state and can

¹⁷⁵ Admittedly this may reflect the priorities of the convening parties, but development and education are overall concerns shared by populations throughout Somalia.

¹⁷⁶ The INSO database mentions 148 clan reconciliations in Somaliland from 2011 to 2017: 21 per year on average.

¹⁷⁷ See note 173.

¹⁷⁸ For example, Finn Church Aid sponsored a series of reconciliation conferences in Sanaag in 2013 and 2014, facilitated by local NGO organizers, which led to lasting peace (local source interviewed in July 2020). See Somaliland Sun of 11 Feb 2014 “FCA Supports Strategies to Enhance Security in Sanaag Region”.

¹⁷⁹ Email exchange with security specialist in Ceerigaabo, July 2020.

¹⁸⁰ Farah & Lewis 1997:369; my emphasis.

prevent criminal or political violence through its law-and-order institutions¹⁸¹. This belief explains why international organizations show a predilection for supporting Somaliland's police, penitentiary and coast guard¹⁸². This is a corollary of the failed-state security doctrine, which holds that failed (or weak) states are breeding grounds for terrorism. Simplistically, if there is no terrorism it must mean the state is strong. But Somaliland security forces are far from having the capacity to prevent such attacks.

For example, an Al Shabaab insurgency has been taking place in the Galgala mountain area that straddles Puntland and Somaliland (but is in fact controlled by the Warsangeli). Al Shabaab directs its attacks against Puntland, against its security forces and their political supporters in the district of Bosaso. When there were fears that they would spread their operations to Sanaag, the Warsangeli resuscitated an ancient militia whose mere announcement seems to have contained the threat¹⁸³. In fact, the state of Somaliland plays no role in containing Al Shabaab in the area, and neither does it have the means to.

Improved policing was not part of the government response to the threat of piracy; but improved coordination with, and buy-in of, clan elders was. Generally, Somaliland's government does not even try to extend its reach over the population through law and order, as most state-building experts would expect it to¹⁸⁴. A study of the relations between the central government, peripheral armed forces such as the Coast Guard and the Immigration Police, and the local population, shows that Somaliland's government rather relies on clan mechanisms of acquiescence and indirect control than on direct imposition of state power¹⁸⁵.

Early attempts at piracy from Laasqoray and the coast between Berbera and Maydh in the 2000s led to a concerted effort by clan elders to convince their kin that piracy would not be condoned. The religious argument—that not only such criminal acts, but also their proceeds, are *haram*—helped of course, but Hastings & Phillips, in an interesting research on the question of how Somaliland avoided piracy, argue that it can be explained by the prevalence of the peace narrative, which, as we saw above, is a foundation for Somaliland's nationalism¹⁸⁶. The argument is: Piracy is not compatible with being a civilized Somalilander and if there are pirates in our country we will never be recognized. Violence is rejected.

¹⁸¹ E.g. Stig Jarle Hansen (2009) and Jay Bahadur (2011) quoted in Hastings & Phillips 2018 "Order beyond the state: explaining Somaliland's avoidance of maritime piracy" in *Journal of Modern African Studies*, 56, 1, pp. 5–30, p. 18. Other explanations given, related to geographic (coastline), economic (employment) or development (lack of necessity) don't, did not resist the authors' scrutiny because the difference with Puntland on each of these variables is insufficient (pp 11-15).

¹⁸² EUCAP Nestor supported the renovation of Hargeysa's central prison to host pirates condemned elsewhere in the world, UNDP has been building police capacity, the UK and USA have assisted Somaliland's intelligence agencies, special forces and coast guard. Foreign donors thus build the state's capacity for violence.

¹⁸³ Ref INSO reports from 2017.

¹⁸⁴ E.g. Herbst, 2000, *States and Power in Africa* p. 3.

¹⁸⁵ Hills, A, 2016: "Off-Road Policing: Communications Technology and Government Authority in Somaliland" in *International Affairs* 92:5, pp. 1061-1078. This may be different under the current President Biixi, who has shown a propensity to resort to coercion dealfor dealing with political problems

¹⁸⁶ Hastings & Phillips 2018

The coordinated bomb attacks by Al Shabaab in Hargeisa and Bosaso on October 29, 2008¹⁸⁷ shook Somalilanders and caused them to become more involved in community security. In Hargeisa, residents now report suspicious behaviour to their neighbourhood representative (*wakiil*), who then investigates himself. When finding something alarming, he calls upon the police, who may involve the security services. News reports of ‘Southerners’ suspected of ‘anti-Somaliland’ activities being arrested are frequent, but rarely does any such activity seem to come to fruition. This indicates that ‘neighbourhood watch’ security provision is efficient¹⁸⁸. And if this is possible in Hargeisa¹⁸⁹, it is also feasible in Somaliland’s other towns and, *a fortiori*, in rural areas. In 2011, the Ministry of Interior worked together with over 900 *caaqilo* (lineage chiefs)¹⁹⁰ to maintain the peace in the country.

Discursive mechanisms may also produce order. Notably, the ‘Independence discourse’ “frames the country’s ability to maintain peace and political order as the cornerstone of its case for international recognition of its sovereignty. It frames Somalilanders as unified in their desire to avoid repeating the violence of Somalia’s past which, it purports, both differentiates Somalilanders from other Somalis, and justifies their permanent legal separation from the Republic of Somalia”¹⁹¹. While true, this mainly concerns Somalilanders in the heartland. Outside it, a diluted version of this ‘order-producing discursive mechanism’ exists: the ‘peace narrative’ that maintains that all conflicts can and should be settled by negotiation, not fighting¹⁹².

Moreover, it may be observed that violent political currents are also being monitored through traditional policing mechanisms by the Somaliland authorities with considerable help from Ethiopian and British intelligence agencies¹⁹³. It may not be soft power alone that has prevented Somaliland from experiencing the same kind of ‘terrorist’ attacks as Southern Somalia, but I would concur with Hastings & Phillips that discourse plays a larger role in keeping the peace than hard policing, as the extent of the latter is very limited. However, I am not sure whether this effort to maintain peace can be linked so closely to the ‘independence narrative’; because it also functions in areas where people do not support the idea of Somaliland, and it seems to have worked before the creation of Somaliland (as memoirs written by colonial British officers suggest¹⁹⁴). It rather seems that the successful effort to maintain or restore social peace through discourse belongs to the sphere of traditional Somali self-governance.

¹⁸⁷ In Hargeisa, the presidential palace, the UNDP compound and the Ethiopian liaison office were attacked. In Bosaso, two offices of the Puntland Intelligence Service were bombed. Hoehne 2011:331

¹⁸⁸ When I lived in Hargeisa, 2016-2018, I was constantly reassured by my friends and colleagues that I was safe because of these local security arrangements. Returning diaspora youth, however, may feel uncomfortable with this ‘social policing’.

¹⁸⁹ This experience may not be transferable to Mogadishu, a much more cosmopolitan city where people live less within their communities, but rent houses where they can afford to; Mogadishu’s society is more atomized, or more free, depending on how you evaluate community bonds.

¹⁹⁰ According to the Somaliland National Development Plan of 2011, p. 169

¹⁹¹ Hastings & Phillips 2018:9

¹⁹² The end of an email from Ceerigaabo about the local situation there reads: “The perception of the people is that peace is the route of development and prosperity.” See also the doctoral thesis by Nasim Majid (2013) on the consensus among Warsangeli that all conflicts can and should be solved by peaceful negotiation

¹⁹³ Observations by the author, circumstantial evidence and the firm opinion of Roland Marchal.

¹⁹⁴ See Chapter 4 for examples of such memoirs.

War

There are also conflicts that cannot be solved by clan mediation. Such is the conflict with Puntland, a *political* conflict that must be fought by Somaliland's army. The problems started when Puntland was formed in 1998. It claimed that the Warsangeli and Dhulbahante, belonging to the Harti Darood clan family¹⁹⁵, were part of Puntland. This claim was validated by many people of these clans who did not identify with Somaliland and wished to remain in the union, although some of them wished to be in an autonomous region of the Federal Government of Somalia, not under Puntland. There were at least three attempts to create autonomous states by both clans between 2007 and 2017. A few Dhulbahante and Warsangeli, furthermore, were not against being part of Somaliland. The rhizomatic nature of lineage identity means that allegiances are not fixed but depend on whether that lineage has influence in Garowe, Hargeysa, or in neither capital as it shifts with appointments. Populations are generally in favour of any external force that brings development.

While both Puntland and Somaliland claim the contested borderlands, state investment by both sides has been minimal. Somaliland has contributed slightly more to local development, notably in Laas Caanood, but these small investments have been insufficient to render residents pro-Somaliland. The Dhulbahante and Warsangeli receive little development support because NGOs and donors hesitate to get involved in contested areas¹⁹⁶.

The unclear status of the Eastern borderlands is painful for Somaliland's sense of statehood because clear territorial borders are an essential prerequisite for state sovereignty. President-elect Biixi decided to settle the question in 2018 by relying on Somaliland's army to define the border. The fighting that erupted in May 2018 between Puntland and Somaliland near Tukaraq, which has been Puntland's border post inside Sool, was of a novel character in this region, as it was initiated by both armies, not clans. The confrontation led to more than 75 fatalities¹⁹⁷, the bloodiest armed clash in the history of either side. Previous conflicts between Somaliland and Puntland were usually triggered by local clan rivalries, allowing a solution through clan diplomacy.

¹⁹⁵ Interestingly, the 'Harti' clan family was a tradition invented in the early 1990s; Puntland's non-contested borders closely follow the Majerteen Sultanate's border, that was absorbed by Italy in the 1920s; Majertenia deliberately excluded the Warsangeli and Dhulbahante, which is why British Somaliland incorporated them. Both clans living in the contested areas are junior partners to the large Majerteen clan in Puntland. For this and much more background on this conflict see Markus Virgil Hoehne, e.g. Hoehne 2010: "People and Politics Along and Across the Somaliland-Puntland Border" pp 97-121 in Feyissa & Hoehne, eds: "Borders and Borderlands as "Resources in the Horn of Africa"; Hoehne for Rift Valley Institute 2015: "Between Somaliland and Puntland: Marginalization, Militarization and Conflicting Political Visions" and Hoehne for Danish Demining Group 2015: "Political Economy and Conflict Analysis for the Talowadag Project in Buhodle, Lasanod and Talex".

¹⁹⁶ They have thus practically been left to themselves.

Though this provides another interesting case study for self-governance vs statehood, I have decided not to discuss this in my dissertation and will further focus on the challenge for Somaliland. This case study can be accessed on my website in the Kill Your Darlings section [here](#).

¹⁹⁷ Mahmood for ISS 2019 "Overlapping claims by Somaliland and Puntland. The case of Sool and Sanaag" p. 11 gives the figure of 200-300 deaths based on interviews with Puntland security forces. The number of 75 cited here was given by local sources and appears more reliable.

This time, clan authorities played no role and the conflict was subdued by intense shuttle diplomacy of the UN and IGAD¹⁹⁸, reported pressure by Ethiopia on both sides¹⁹⁹, and appeals by other diplomats. Mogadishu had no appetite to be dragged into an armed conflict with Somaliland by Puntland. At the time of writing the conflict remains unresolved, with both armies in a stand-off along a road on which normal traffic has resumed. Somaliland's armed forces succeeded in gaining a bit of territory in Eastern Sool but a report based on impartial fieldwork indicates that the Dhulbahante population generally remains anti-Somaliland²⁰⁰ and would prefer autonomy in a federal state.

A year after the fighting east of Laas Caanood, conflict erupted in Badhan; this has become the main town of the Warsangeli-inhabited area (historical capitals are Laasqoray and Hadaaftimo). As I observed during a visit in early 2017, the administrations of Puntland and Somaliland work side by side and usually cooperate; after all, they are closely related, and all obey the Warsangeli Sultan Siciid. In the case of the Warsangeli, we can speak of 'traditional authority'. The Sultan, whose full name is Suldaan Siciid Suldaan Cabdisalaan Suldaan Maxamuud Cali Shire, is venerated by all Warsangeli to the point of attributing divine or magical powers. Conforming to the role of the traditional Somali 'aristocracy'²⁰¹, he does not engage in politics and generally refrains from appearances in the media, but he does manage state relations with Puntland and Somaliland, and engages in clan reconciliation when required. The Warsangeli thus enjoy *de facto* autonomy by balancing the presence of both neighbouring contesting powers; their loyalty generally lies with whomever offers more investment into development. The conflict that erupted in March 2019 with several defections by Somaliland authorities to Puntland²⁰², elicited a military response by both sides, again leading to a stand-off. When Somaliland tries to function like a state wielding a 'monopoly on the legitimate use of violence', the results fall short of those obtained by negotiating with the Warsangeli elders.

While the informal (rhizomatic) approach to governance seems to be the best way for achieving peace in the restive regions of the East, it is also practiced in the heart of government. One example came from a senior clerk who explained: *"When the Ministry of Water and Energy gets engaged in a conflict with local authorities over who should manage the water supply, as the legislation is not clear, clan elders intervene to settle the dispute between the two branches of government."*

¹⁹⁸ The Intergovernmental Authority on Development (IGAD) is a cooperation forum between the countries of the Horn of Africa that has been brought under the peace architecture of the African Union

¹⁹⁹ It was rumoured that Ethiopia threatened both sides to stop its supply of munitions, of which it is the main supplier in violation of the UN arms embargo. The UN Security Council wrote, pursuant to the submission of the Monitoring Group's report: *"During the reporting period, the Panel viewed hundreds of documents detailing the systematic supply of weapons and ammunition by the Ethiopian state-owned Metals and Engineering Corporation to every regional administration in Somalia over the course of the preceding decade."* UN Security Council S/2019/858 of 1 November 2019, p. 5.

²⁰⁰ Mahmood for ISS 2019:27

²⁰¹ See chapter 3. What I call 'aristocracy' are the few traditional hereditary leaders, who stand above the cuqaal and other clan elders.

²⁰² This may be related to the fact that the Warsangeli 'lost' Somaliland's Ministry of Defence to a Ciise, as well as to promises by Puntland's new President Deni that he would give better positions to the Warsangeli in his administration. When he did not follow through, relations with Puntland cooled down and conflict was subdued.

Justice

This example is revealing because a law on water management *does* exist, but it is likely that nobody has read it²⁰³. This deliberate ignorance of the law by state practitioners was encountered in preceding pages too, as if the maxim were *'Nul n'est censé connaître la loi'*. This brings us to the justice sector, so closely related to that of peace and security. Since the judiciary is the institution where the exigency of formality is greatest, it is not surprising that here the 'corruption' caused by informal practices is felt most acutely. Although an 'independent judiciary' was decided upon in Borama, and often reconfirmed since then, progress in establishing a well-functioning judiciary has been slow.

A perfectly functioning judiciary could only exist in a social vacuum, where there is no 'rhizome' which will privilege personal connections over 'blind justice'. In their struggle to achieve a more just world, the proponents of formal legal systems often struggle against the manifestations of the rhizome, producing the impression, especially (but not only) in the non-Western world, that human rights defenders, gender and sexual inclination parity activists, transitional justice campaigners etc. are against local culture. From this perspective, all injustice perforce stems from what I call the rhizome, and when the state seems corrupt or unjust this is the result of corruption by personal or factional interests²⁰⁴. But in Deleuze, the rhizome is usually presented as a principle of immanent justice, one that surpasses claims of transcendence, and reinjects vitality and reality into the cancerous absurdities of the state machine, when indeed the state becomes unfair and blind to life²⁰⁵.

Popular perceptions of justice from three locations in Somaliland shed light on how the hybrid political order expresses this balance between formal law and immanent justice. The Office for Conflict and Violence Prevention has carried out district surveys on perceptions of state service providers in law and order; I will use three here, Berbera, Baligubadle and Ceerigaabo²⁰⁶. The state has varying degrees of penetration in these three locations, from very strong (Berbera) to medium (Ceerigaabo). Note that there are no localities with weak state penetration selected. Survey respondents were asked in 2015 to evaluate access to the three forms of justice available to them: formal, traditional and religious. Responses were also compared in Berbera and Baligubadle to those of 2012/2013. The following trends emerge:

- The stronger the state penetration, the higher the confidence in the formal justice system, ranging from Berbera and Baligubadle 83%-89% to Ceerigaabo 75%. Ceerigaabo was the only place where traditional authorities are the 'most trusted justice provider'. The reason Ceerigaabo residents have less trust in the formal justice system is inefficiency, corruption,

²⁰³ Conversation in May 2019 with Khaalid Hassan, a returnee with a legal background, who read the law—which he says was probably copied by an NGO consultant from another country—but noticed that no-one in the Water Ministry knew much about it. He says that the existence of such laws is an excuse for arbitrariness, as it allows a figure of authority to proclaim that his decision is 'the law', expecting that no-one can or will dare challenge him.

²⁰⁴ In a similar vein is the work of Fukuyama on the origins of political order. He sees the history of politics as a constant struggle between the formal and the patrimonial tendencies in society, the effort to rule by principle and the innate human tendency to favour kin and network over 'the other'.

²⁰⁵ Thanks to Matthieu Dillais for pointing out this helpful counterargument to that of formal justice.

²⁰⁶ OCVF 2016a: "Comparative District Conflict and Security Assessment Report For Berbera 2012/2015"; OCVF 2016b: "Comparative District Conflict and Security Assessment Report For Baligudable 2013/2015" and OCVF 2015: "Erigavo District Conflict and Security Assessment Report"

clannism and lack of skills (OCVP 2015:17). For Berbera and Baligubadle the motivations of respondents are not given.

- The recourse to religious courts seems to be declining in all three locations, but their sentences are always implemented.
- Higher efficiency rates for traditional justice providers in reaching a judgment and enforcing it (all three locations).
- Growing trust in, and more frequent recourse to, formal *vis-à-vis* informal justice providers (all three locations).
- Increasing synergy between formal and informal justice providers as, for example, court sentences are implemented by elders (mentioned in Berbera and Ceerigaabo).
- Reporting to police and confidence in police is growing in all three locations.

These snapshots show us that the formal justice-and-security sector is becoming better implanted in society; although in Sanaag informal justice providers are preferred, it is changing there too. Though respondents find the traditional and religious courts more efficient, they rather have recourse to the formal courts where they expect more impartiality, a trend that is seen in Ceerigaabo, too. Interestingly, the two systems are growing toward each other, in my opinion a clear sign of the growing integration of state and society, of the informal rhizomatic structures of lineage and the institutional ones of the state.

So the answer to the question above is that, despite the corruption provoked by the takeover of formal justice by personal-interest (i.e. lineage-based) networks, the hybrid modern form of security and justice provided by the police and the courts are preferred to traditional mechanisms, *although it is acknowledged that the latter works better*. People *believe* in the impartiality of formal law, even when they don't experience it. Their belief adds pressure to the formal justice sector to evolve toward formal law and providing more impartial justice.

Altogether, the presence of the state in East Somaliland is increasing. While efforts to establish its control through coercion lead to conflict with the Dhulbahante and Warsangeli population, informal mediation attempts are more successful. The state has resorted to hybrid governance as a manner to outsource conflict-resolution and security, but the population seems to be demanding more presence of the formal state, even though they criticize it for being corrupt and they acknowledge that in many ways, informal self-governance mechanisms work better. This paradoxical attitude may be explained by the perception that traditional self-governance cannot deal with contemporary issues. Indeed, in addition to justice and security, Somalilanders also want the state to provide better education, health, infrastructure and non-clan governance. How could traditional authorities do that?

Hybrid governance allows state elites to overcome blockages generated by the interaction between formal institutions and rhizomatic politics. The example of a conflict between two state agencies being resolved by the lineage elders of the agencies' directors comes to mind. The state *needs* an autonomous informal political sphere for resolving the conflicts it generates. In a way the growth of the formal state is spurring on the growth of the informal sector. This need may decrease as the state grows stronger, but it is unlikely it will disappear altogether.

This is different to state theory in continental Europe, where the state occupies the entire sphere of public power *by definition*. This is one of the reasons why people raised in the Western tradition fail to

understand *how*, *why* and *where* the state works in a country like Somalia or Somaliland; they see informal power systems penetrating the state as a *deficiency*—labelled corruption, nepotism, ethnicism, egoism—while it may well be that these informal aspects, which are the symptom of a rhizomatic society, allow this intrinsically foreign construction of a ‘state’ to function.

REMARKS ABOUT THE EVOLUTION OF SOMALILAND’S STATE

In a paper of 2018, Jennifer Murtazashvili, drawing on several years of fieldwork in rural Afghanistan, defended the concept of self-governance²⁰⁷. There are no ungoverned spaces, she claims, and state-building efforts should stop assuming that wherever there is no effective state presence, there is nothing but Hobbesian conflict. Taking as an example the state’s effort to provide land titles, she demonstrates that statebuilding that ignores informal institutions of self-governance actually *creates* conflict. She makes a distinction between productive and unproductive self-governance, suggesting statebuilding should incorporate the former through a decentralized approach.

In much of the literature critical of statebuilding it is assumed that statebuilding is an external project. In Somaliland we have a clear counterexample. There was no external support; the formation of Somaliland was even actively opposed by the UN. The charismatic leaders of self-governing communities, responding to popular pressure, first pushed for Somaliland’s independence and then joined the state-building project to make it succeed.

The ‘state’ is a set of formal institutions with a vocation to occupy and organize the entire sphere of public power. As Somaliland’s lineage-based society is of a rhizomatic nature, the concept of state did not have a social anchoring. Despite efforts to create a new society modelled on the institutions of state, the informal rhizomatic logic invaded the formal structures of state from the outset. It started with the members of the Guurti, who moved from a fluid self-governing sphere, where they might have been replaced after a month, into state positions which they never left.

At the intersection of state and society, new state elites emerged, connecting the institutions of state in unexpected and unplanned ways, bending, bypassing or cross-fertilizing them. Although the resulting hybridity has usually been perceived as negative—the informal is seen as ‘corrupting’ the formal—the results can equally be positive, as when a position of authority is combined with flexible ‘rhizomatic’ politics. This is how Cigaal governed and managed to establish the State of Somaliland. The negative view betrays a Western bias toward the formal, leading to judgements that do not help us understand state-society interactions in a place like Somaliland.

The formal is not opposed by the informal. They compenetrate each other and exist simultaneously in the same place, but in two different dimensions; a familiar analogy is skeleton and blood. The uncertainty principle of Heisenberg (Is light a wave or composed of particles?) could be applied to political science to finally put to rest the agent-structure debate. They coexist, but in different dimensions, at the intersection between state and society, between formal and informal, hierarchical and networked, agent and structure, etc., that forms the sphere of politics.

²⁰⁷ Murtazashvili 2018: “A Tired Cliché. Why We Should Stop Worrying about Ungoverned Spaces and Embrace Self-Governance” in *Journal of International Affairs*, Vol. 71, No. 2, 11-29.

Deleuze & Guattari conceptually opposed the rhizome to the tree, but in real life both interconnect: the roots of trees communicate with other trees through the rhizomatic mycelium; thus, each individual tree is also part of a superorganism, a collective rhizomatic tree²⁰⁸.

State-society relations are both cooperative and conflictive. Seen through the lens of struggle from the state side, Somaliland's state is steadily expanding in geographic breadth as well as sociological depth, in capability and in confidence, reducing the sphere of self-governance and replacing it with formal rule.

Seen from the perspective of society, the state is increasingly corrupt, dysfunctional and ethnic, stoking social conflict through injustice and inequality, fundamentally destabilizing a system that used to have a natural balance. Both views are equally valid. One focuses on the formal, the other on the informal. As observers and analysts, we must be able to see both at the same time. Moreover, they have a common point: they see the sphere of state power advancing into that of society. This is generally true, not only in Somaliland, but world-wide²⁰⁹.

I agree with Joel Migdal that state-society relations are complex and dynamic, and that one needs to distinguish the image of the state from its practices²¹⁰. But he describes the interaction between them as dynamic, where the practices influence the image, which again transforms the practice. But the image of the state is *not* affected by its inefficient and corrupt practices, in the same way the image of God was and is not affected by the bloody wars fought in His name. If anything, there is an inverse relationship: the corrupter the real practice of the state, the purer the ideal image becomes. Indeed, the image of the legal-rational state has become an article of *belief*. This explains why Somalis are always in denial about clan: to openly admit the role your clan identity plays in your daily life undermines the belief in a better society, which is regulated by the formal laws of the state. It is like a priest admitting he looks at the breasts of his parishioners while he preaches chastity. Should we say *despite* or *because of* the daily experience of a corrupt and dysfunctional state, Somalilanders genuinely believe in the State?²¹¹

Do the state elites have the same belief in the State? Do they, like the population, want to uncouple the state from the social networks that have brought them to their current position? The non-elite population believes they do not, and sees these entrenched elites as the problem, as what withholds society from developing the state it needs. The rhizome must continue growing, evolving, but is contained by the structures of state and the elites that have sprouted up at the intersection. The pressure is increasing. Now a new element must be introduced, one that we have avoided so far: the international community.

²⁰⁸ Wohlleben, in "The Hidden Life of Trees" (2015, 2016 for the English edition) describes how a poplar forest is one organism that can last many thousands of years and move, for example seeking a more appropriate climate. Each poplar is a separate tree growing from a seed, but they all connect underground in a rhizomatic structure that survives even when all the trees are destroyed, for example in a forest fire. Through the rhizome the trees connect and provide each other with essential nutrients, they warn each other for disease or predators so that trees start building their defence system before the attack, etc. The rhizome can extend over many square kilometres and move up a mountain slope should the climate become too hot, carrying the forest to better climates.

²⁰⁹ See for example Scott 2009 "The Art of Not Being Governed" p. 324

²¹⁰ Migdal 2001: "State in Society: Studying How States and Societies Transform and Constitute One Another"

²¹¹ In my experience Somalis in general have much more faith in what the state could accomplish than Europeans.

INTERNATIONAL SUPPORT TO SOMALILAND’S STATE FORMATION

In the formative years of Somaliland’s state the country received little external support, but the narrative that Somaliland has developed without external assistance is partially a myth, kept alive by Somaliland supporters in- and outside the country. It is true that from 1991 to late 1994 Somaliland was actively opposed by UNOSOM, that tried to undermine independence by supporting unionist politicians and discouraging UN member states from recognizing the new state. Cigaal famously clashed with UNOSOM political affairs officers, expelling them from Somaliland. But other UN agencies and the EU engaged the fledgling state in a more neutral manner, and NGOs sought to gain a foothold in the country²¹². As a simplification: there was assistance to the people of Somaliland, but not (or very little) to the political process²¹³.

From 1994 to 97-98, also, Somaliland received very little external assistance. But from the late 90s onward, external aid started flowing again. By 2000 most funding of the international community was directed toward Somaliland and Puntland²¹⁴. In the early 2000s the first series of elections convinced observers in the international community that Somaliland had achieved stability, peacefulness and a surprisingly democratic government. Moreover, compared to the insecurity in Mogadishu and other places of South-Central Somalia, international agencies found that Somaliland provided a congenial work environment.

Already in 1999, the UNDP, frustrated by its lack of capacity to implement its global mandate to support governments, launched efforts to establish a national development plan, which would allow external donors to support government projects (instead of the government directly)²¹⁵. But at first this plan came to nothing. It was only after the election of President Siilaanyo in 2010 that several donors²¹⁶ agreed to support the development of Somaliland’s state. Following international best practice, they insisted that the government should set its priorities straight, develop a long-term vision and work both out in a national development plan. The government produced a Somaliland National Vision 2030 entitled “A Stable, Democratic and Prosperous Country Where People Enjoy a High Quality of Life”²¹⁷ and a National Development Plan (NDP), both duly broken down into pillars and cross-cutting themes and listing priorities. Although donors had reservations about the quality of both documents, which

²¹² The UNDP supported local authorities with stipends, equipment, paying travel costs; the short-lived UN Development Office for Somalia agency (UNDOS) provided funding to the business community of Somaliland. The EC established an office in Hargeysa in 1991 or 92; when UNOSOM left and the EC became the main donor of Somalia, they spent a large part of their funds in the more peaceful North (Somaliland and Puntland received more aid than South Central Somalia in absolute, and definitely also in per capita terms). After the failure of the Cairo and Sodere peace processes, the EC representative Sigurd Illing (1993-97) started providing more political support to Somaliland and Puntland’s autonomous processes.

²¹³ In principle NGOs rather deal with local authorities in their areas of operation than with the government. NGO programs are often decided on in foreign capitals, and alignment with government priorities remains coincidental. Even though the government of Somaliland at times becomes irritated by the obtuseness of NGOs, it tolerates their presence because NGOs deliver services in the fields of health and education and disaster relief, thus partially fulfilling expectations people have of their government.

²¹⁴ Bayne, Sarah report for ECDPM, 2001: “The European Union’s Political and Development Response to Somalia”.

²¹⁵ Bayne 2001:24

²¹⁶ The donors most engaged with Somaliland include the U.K., the Netherlands, Norway, Denmark and Germany.

²¹⁷ Somaliland Ministry of Planning, 2011; henceforth ‘Vision 2030’.

listed all desirable future developments of the country without a real strategy or prioritization²¹⁸, they agreed to set up the Somaliland Development Fund to support the government in 2012.

If the authorities of Somaliland saw this as a first step toward recognition, they were wrong. Despite the fact that the process was donor-driven, they soon found out that most donors disregarded the NDP, for the simple reason that they do not consider Somaliland a legitimate state²¹⁹. *“On the part of the Government, it will need to be commonly understood by both Government representatives and the citizens that, due to its position as an internationally unrecognised Government, there are members of the international community that cannot engage with Somaliland without a sign off from the Federal Government of Somalia”*²²⁰. Indeed, donor plans continue to be aligned with Somalia’s national planning process. However, by establishing the Somaliland Development Fund, donors provided a way out for themselves: engaging the government without recognizing it.

Finally, and maybe most critically, Somaliland’s independence narrative was largely formulated by foreigners and for a foreign audience. Matt Bryden formulated the arguments for recognition of Somaliland that the government would later take over²²¹. One of these arguments was that Somaliland had emerged without external support. Indeed, many, if not all, analysts of Somaliland agree that the autonomous nature of the state-formation process and its reliance on local social, cultural and economic resources was essential to its success²²². But they deplore that non-recognition has made state-formation more difficult, as the authorities could not access the external support typically given to state (re)construction in post-conflict situations. This contradictory position may be explained by a feeling of moral outrage at the non-recognition of Somaliland²²³, but it downplays the disruptive nature of external aid.

²¹⁸ See the critical appraisal by Bryld, Kamau & Farah, 2016: “External Review of the Somaliland National Development Plan”.

²¹⁹ “As one development partner [donor] stated, *‘the current or any future development plan for Somaliland is unlikely to have any major influence on our development priorities’*.” Bryld ea. 2016:13.

²²⁰ Obviously, the Federal Government of Somalia is not eager to sign off on funding that boosts Somaliland’s government or its independence. Bryld ea. 2016:25.

²²¹ Argument made by Roland Marchal. See for example Bryden 2003 “The Banana Test”

²²² E.g. Bradbury, Abokor & Yusuf (2003), Reno (2003), Kaplan (2008), Battera (2004), Drysdale (1992), Hansen & Bradbury (2007), Hoehne (2011), Johnson & Smaker (2014), Phillips (2016), Renders and Terlinden (2010), Richards (2014) and Walls (2009).

²²³ Some authors such as Seth Kaplan solve this contradiction by stating that self-reliance was important in the formative years, but to grow beyond a clan-based political system into a full-fledged liberal democracy, recognition and external support are needed (Kaplan 2008: “Fixing Fragile States” pp. 123-124). This reasoning is only valid if one accepts the teleological pointviewpoint that only one outcome of the statebuilding process is possible, namely liberal democracy.

The lack of external support to the political process was critical to its success

It may be interesting to speculate what would have happened if Somaliland had been assisted from the outset by the international community. Sarah Phillips²²⁴ uses the case of Somaliland to question the following assumptions of Western state-building and post-conflict transition:

1. An institutional endpoint must be predefined, preferably with deadlines; usually this endpoint is democratic elections after a constitution has been adopted through a national referendum.
2. The more inclusive the settlement, the greater its legitimacy and thus the stronger.
3. Effective Weberian governance institutions are essential for maintaining peace.
4. External assistance is necessary to end conflict and support the transition to peace.

Phillips notes how important it was that Somaliland's foundational conferences had no predetermined outcome. The agendas for the national peace conferences were vague and changed during the negotiations. Instead of proceeding through milestones, the processes evolved organically. Voting was rarely used; consensus was preferred²²⁵. When seemingly intractable issues arose, parties were given deadlines to come up with a solution that would be acceptable to all. If the deadline could not be met, the chair might 'fall ill' thus giving parties more time to hammer out a consensus²²⁶. By extending deadlines for the outcomes determined in Borama in 1993 beyond what any donor would have accepted—eight years for a constitutional referendum and twelve years for the first parliamentary elections—the state secured sufficient buy-in of the population and the ruling elites to ensure these processes were successful.

On the issue of inclusiveness, it is unlikely that the mostly Isaaq elders who convened with the SNM leadership in Berbera, Burco and Sheekh, or the hundreds of old men that met in Borama, would have met the criteria of international partners. UNOSOM, as we shall see below, clearly did not find them representative for Somaliland's population. Where were the women, youth, and minority groups²²⁷? But, as Phillips notes, a narrow interest-based coalition may initially work better in terms of providing security and stability than an early attempt to rope in many oppositional groups, contenders and excluded parties. As she puts it: "*While this collusive model of development chimes with historical narratives of state formation in Europe by sociologists such as Charles Tilly and Norbert Elias, it is out of step with contemporary international expectations that peace and development emerge through inclusive, liberal processes that are conducted through the channel of formal state institutions.*"²²⁸

Regarding 'effective Weberian governance institutions', we have discussed this at length in preceding sections. Phillips conjectures that it is the very weakness of formal institutions that provides an incentive

²²⁴ Phillips, Sarah, 2016: "When Less Was More: External Assistance and the Political Settlement in Somaliland" in *International Affairs* 92:3, 629–645.

²²⁵ "Voting is fighting. Let's opt for consensus" one elder at Borama said. Cited in Academy for Peace and Development & Interpeace 2008, 'Peace in Somaliland: an indigenous approach to statebuilding' p. 52.

²²⁶ *Ibidem* p.52

²²⁷ In fact, some of the minority groups (Gabooye) and small clans were well represented, but not women or youth.

²²⁸ Phillips 2016:639

for peaceful cohabitation between those with the capacity to organize violence, a “*finding that runs contrary to the structural accounts of order that dominate the literature*”²²⁹.

Statebuilding is often conflated with peacebuilding²³⁰. Usually peacebuilding is seen as a temporary measure, and only statebuilding can achieve lasting peace by channelling political opposition and social contestation through the institutions of the state²³¹. This leads to technocratic interventions where both peacebuilding and statebuilding are used as a sort of risk management tool²³². But in Somaliland, as analysed above, statebuilding and peacebuilding evolve in different realms; moreover, statebuilding often causes conflict. The final clause of international peacebuilding interventions, that external assistance to peace- and statebuilding is required, remains wholly unproven. In any case Somaliland managed without.

External funding for post-conflict peace processes, especially when coupled with the exigency of ‘inclusiveness’, leads to the emergence of small groups that claim to represent a large constituency in the hope of gaining a place at the negotiation table. It allows warlords to transform their military position into internationally sanctioned political power, gaining legitimacy and access to funding. At a more prosaic level, invitations to luxury hotels with generous daily stipends do not incentivize political expediency among delegates. The Eldoret and Mbagathi conferences held in Kenya, which led to the establishment of the Transitional Federal Government, lasted nearly two years and cost the international community many millions in hotel bills and stipends²³³, although the resulting government had little legitimacy and power. De Waal notes, in the context of long drawn-out South Sudanese peace talks, how delegates quickly reached an accord when donors stopped footing their hotel bills²³⁴.

He who pays, pulls the strings. If the international community had recognized the independence of Somaliland and supported its peacebuilding and statebuilding processes from the outset, the outcome would likely have resembled the federal government in Mogadishu. It should be obvious that state-formation in Somaliland has succeeded *because* of the absence of external state-building support, not *despite* it²³⁵.

²²⁹ Phillips 2016:640

²³⁰ Richards 2014 “Understanding Statebuilding: Traditional Governance and the Modern State in Somaliland” p 31.

²³¹ Timothy Sisk in “Statebuilding” (2013) gives a clear exposition of the statebuilding doctrine: “*Statebuilding has become an overarching concept to security and development in fragile states that envisages the improvement in governance institutions and processes at the national and local level as a way to channel and manage social conflicts away from the battlefield or streets and into regularized processes of non-violent resolution of social conflict through professional public administration, elections and parliamentary politics, and through participation and voice of citizens.*” (Sisk 2013:1)

²³² Intervention as a risk-management strategy, as suggested by Ghani & Lockhart, 2008: “Fixing Failed States: A Framework for Rebuilding a Fractured World”, is developed elsewhere in this dissertation.

²³³ Menkhaus writes about this; see for example [this interview](#) accessed in September 2020.

²³⁴ De Waal 2015: “The Real Politics in the Horn of Africa. Money, War and the Business of Power”

²³⁵ Richards 2014:181

Negating local realities and self-governance capacity

There is a puzzling tendency in the entire international assistance sector, including NGOs, to negate local realities. In-country expertise and local-language capabilities are not considered an asset in most recruitment processes; to the contrary, they seem to be a liability²³⁶. Instead, technical knowledge of the field of intervention is desired, preferably of a comparative nature. Knowledge of local realities is further hindered by security and other trends over the past decade that affect international agencies, diplomats and NGOs alike, some of which are starting to also affect journalists and academic researchers:

- Security-risk management policies prevent access of international staff to areas marked as risky by insurance companies and personnel departments.
- From a capacity-building perspective, donors prefer local NGOs and organizations for implementing programs, rather than international ones.
- Rapid personnel rotation from one theatre of conflict or development to the next has become common human-resources practice, to avoid international staff becoming partial actors.
- Personal relations between international and local staff and population have become a liability to organizations, sometimes leading to scandals (notably sexual harassment and exploitation) and thus are strongly discouraged. Only contractual relations are desirable.

This disincentivizes staff of international organizations and NGOs to acquaint themselves with the local situation. Whatever they do learn may soon be lost as they move to another theatre of operations.

The world of international development and humanitarian assistance believes in an objective, scientific approach to universal problems such as poverty, violence and migration²³⁷. When the approach based on best universal practice fails, this may lead to tweaking the approach, but it often leads to denial instead, where the approach is upheld, and local reality is blamed for ‘not being ready yet’²³⁸. Culture is often the culprit. Since for reasons mentioned above, local reality and culture are unknown and generally ignored at least at headquarters level, this leads to assumptions about them that fit and reinforce claims to universality. For example, that ‘the anarchist nomadic nature of Somalis makes it difficult for them to accept principles of good governance based on the common good’. This fits the anti-nomad pro-state discourse that has been hegemonic since the dawn of history²³⁹, lays the blame on cultural traits that can be overcome by modernization, reinforces the need for ‘good governance’, and generally comforts the donor in his/her beliefs, despite the adverse results of her/his action.

Two examples will illustrate the effects of this tendency to negate local realities in favour of general assumptions.

- 1) Security Council Resolution 814 of 26 March 1993 gave the UN a mandate to assist in political reconciliation and to help build local institutions and administration²⁴⁰. The United Nations Operation

²³⁶ Based on personal experience, i.e. decades of experience applying for jobs.

²³⁷ For a critique see Easterly, William 2013: “The Tyranny of Experts: Economists, Dictators and the Forgotten Rights of the Poor”.

²³⁸ This technocratic approach to development is criticized by many authors; e.g. Woodward 2017: “The Ideology of Failed States”; Chandler 2010; Hameiri & Jones 2016; Duffield and others.

²³⁹ See Scott 2017: “Against the Grain”.

²⁴⁰ Richards 2014:31. It was the first time the UN explicitly included state-building in its response to a crisis.

in Somalia (UNOSOM) set out to build a Somali state from the bottom up, according to prevalent conceptions of a liberal democratic state. The Security Council mandate came during a Somali peace conference organized by UNOSOM in Addis Ababa (representatives from Somaliland were not invited), where it was decided that a Transitional National Council would be elected after the establishment of local councils; the latter would be organized by UNOSOM itself.

Firmly rejecting the secession of Somaliland, the UN attempted to force Somaliland to let them establish such councils, and even suggested sending troops to Somaliland to achieve this²⁴¹. It regarded the local peace processes and the resultant government as illegitimate, and firmly stood by this point of view until the end of the mission in 1995²⁴². UNOSOM persevered in its efforts notably in Sool and Sanaag, exploiting the perceived dissension among many Dhulbahante and Warsangeli. It accepted as representatives of this region any groups opposed to Somaliland's independence, even when they obviously had no popular backing²⁴³. The UN dealt with ex-President Tuur (who had not accepted his electoral defeat in Borama) as the legitimate representative of the SNM, even though the movement had disbanded at the end of 1992. UNOSOM's political-affairs officers reported falsely to the Secretary General that most Somalilanders desired national unity²⁴⁴.

This total disregard for successful local governance processes failed to derail the formation of Somaliland²⁴⁵. It led to outrage among the supporters of Somaliland, but a kinder reading is also possible: the UN political affairs officers were genuinely convinced that any political process that does not fit the liberal democratic model, which they embody better than anyone else, is illegitimate. Their concerns about the lack of representation of women and youth may have weighed as much as their effort to keep Somalia together. This has been the consistent political line of the UN over the past decades, although it now accepts Somaliland as a *de facto* state.

Today, UN agencies in Somaliland negate local realities in a new manner: they operate from the luxury Ambassador Hotel and adjacent buildings near the airport, where they remain barricaded under the highest security measures, as the UN considers Somaliland part of Somalia also in terms of security standards. This means that international UN staff rarely leave their compounds: only with two armoured cars and armed security guards²⁴⁶.

²⁴¹ UNOSOM's Head of Political Affairs Leonard Kamungo, when threatening President Cigaal with this option, was given 24 hours to leave the country. See Renders 2006:250-251 and Bryden, Matt: "Fiercely Independent" in *Africa Report*, Nov/Dec94, Vol. 39 Issue 6, 35-41; p. 40.

²⁴² Renders 2006:253.

²⁴³ Such as the United Somalia Party, a political party that had dissolved in the early 1960s and was resurrected by Darood politicians to represent the Harti in Somaliland at the negotiation table.

²⁴⁴ The Report by the Secretary General on the Situation in Somalia of 17 September 1994 stated that factions from Somaliland meeting in Garowe had declared that 'the secession of the north was neither feasible nor desirable', assuming that these factions represented majority opinion in Somaliland.

²⁴⁵ Ten years later a similar process occurred in Iraq, where the downfall of Saddam Hussein's regime had led to the election of local councils that successfully governed local affairs until the Coalition Provisional Authority of Paul Bremer declared null and void those councils and proceeded to replace them with hand-picked tribal elders in its effort to 'de-Baathify' the country.

²⁴⁶ There is a financial incentive for this behaviour. The higher the danger level, the higher the extra stipend staff receives to operate in stressful environments, and the more paid leave they receive.

2) A second example illustrating the effects of ignoring local self-governance processes is provided by the export of a citizens' crime-alert texting system, used in Kenya, to a district in Hargeysa. This project was the culmination of several forward-looking 'best practices' in the world of development: using information and communication technology to improve 'democratic policing'; the latter means increasing citizens' trust in their government (and thus improving governance) by making the police more responsive and accountable to the citizens. A law-and-order project using mobile phones thus becomes a vector for social change. It assumes the state needs to build the trust, that the police want to 'protect and serve' and that citizens need the security the police can provide²⁴⁷. These three assumptions did not hold in Hargeysa. As we saw before, citizens monitor possible criminal activity through other means (neighbourhood delegates) and the police seeks to be feared, not loved. As to the state, it is satisfied with current trust levels of Hargeysa's citizens. The boxes of mobile phones were last seen unused in Maxmud Haybe police station.

Given that security is such a prime concern for the international community, especially in its dealings with Somalia, it is surprising that there is no effort to understand how local security arrangements work. As seen above, the international community did not grasp why there was no piracy in Somaliland, assuming it was the result of sufficient law and order control by the state. Negating local reality and replacing it with assumptions rooted in an ideological worldview may be dangerous.

Supporting the Government

The language of Somaliland's National Development Plan II is uncannily similar to that of World Bank documents: the goals given on page 1 are to "reduce poverty" ... "increase resilience" ... and "maintain the human rights of every citizen", and other obligatory buzzwords are also there: 'economic opportunities', 'climate change', 'good governance', etc. The structure of the national plan also seems borrowed. The impression is that local, regional and national government agencies produce plans mainly as a tool to convince—an example of institutional mimicry—, but not because they feel they need a plan²⁴⁸. Awareness of the plan is minimal outside the ministries involved in elaborating it²⁴⁹. But it succeeded in attracting a second round of funding from the Somaliland Development Fund (SDF).

The SDF mandate is to build the government's capacity through on-the-job training provided by externally hired consultants. It lets the government lead at all times and uses 'country systems'²⁵⁰. It takes charge of project management and reporting, while teaching the ministry or agency in charge of

²⁴⁷ Hills, Alice 2017: "Is There Anybody There? Police, Communities and Communications Technology in Hargeisa" in *Stability: International Journal of Security & Development*, 6(1):6, pp. 1–16 p. 5. On the aims of 'democratic policing' she quotes Findlay and Zvekić 1993:33.

²⁴⁸ An observation about language: Somali (and Cushitic languages generally) does not have a future tense. One can say, 'I want' or 'I hope' (*waxaan donaa/rabaa*)...), but not 'I will' or 'it will'. *Waxaan iman donaa* for example would usually be translated as 'I will come', but it actually means 'I want to come'. With this conception of time it may be difficult to take seriously any long-term planning, quite apart from considerations about institutional capacity to implement plans. See Hussein Bulhan 2013: "In Between Three Civilizations Vol. 1: Archaeology of Social Amnesia and Triple Heritage of Somalis" p. 122.

²⁴⁹ Leading Bryld et al. to recommend that the plans should be translated into Somali.

²⁵⁰ This is development jargon, meaning that aid is channelled through governments, instead of through parallel structures outside government control.

the overall project to deal with these complex issues²⁵¹. It is led by capable Somalilanders with a diaspora background, and only rarely hires a foreigner. In terms of donor-assisted state capacity development, it is seen as embodying current best practice, and the SDF has acquired a good reputation among donors. Just like IMF and World Bank ‘staff monitoring programs’, the Somaliland Development Fund’s main task is to teach Somaliland’s authorities to work in the way preferred by donors²⁵².

The focus on process over content is obvious when one considers the first batch of infrastructural works that are supported under the SDF-2 facility²⁵³; these include rebuilding the road from Berbera to Burco, improving the running-water supply of Hargeysa, building a pier for fishers in Maydh, and soil conservation and agriculture. The road is the best one in Somaliland and carries little traffic²⁵⁴; many donors have already contributed to the water supply of Hargeisa with meagre results, except in terms of corruption scandals; the fishing pier in Maydh is a good idea, and hopefully will attract youth back to the regions, but because of lack of cold storage, fish-processing facilities and roads, it now only serves a population of about 2,000²⁵⁵. Possibly apart from the fourth project, about which no details were available, this group of projects cannot reflect the true priorities of Somaliland’s infrastructural needs.

From a Somaliland state perspective, the international funding channelled through the SDF is much more useful than NGO or other donor projects. With the funding, new groups (such as the Habar Yoonis subclans residing in Maydh) can be invited into the state elites, while ensuring that they receive a fair part of the funding through legal means (e.g. contracts, security provision, agency overheads, recruitment). The funding will thus consolidate peace by further cementing state elites’ solidarity, which provides the social foundation of the state. But for the many Somalilanders left out of the process, it may simply seem money ill-spent and feeding corruption.

This view from outside the elite compact, just like my own initial reaction, makes the mistake of taking the stated objectives at face value, e.g. responding to Somaliland’s most pressing infrastructural needs. The donors’ focus on process reveals an underlying meta-objective: disciplining the public authorities to govern in the same way as in the rest of the world²⁵⁶. Using the same institutions, rules, laws and budget discipline as has been developed as ‘best practice’ in the West²⁵⁷. This is discussed in more detail in the chapter on the Federal Government of Somalia. Little does it matter that the road is not necessary; what matters from the donor’s perspective is that senior civil servants from different ministries have learnt how to manage a collective decision-making process; that prioritization has taken place and that at least one project takes place outside the heartland, increasing the geographic outreach of the state. It also matters that the correct financial procedures are followed, including detailed reporting, which in turn the donors can use as a risk management tool (all the ‘right procedures’ were followed). SDF funding, in

²⁵¹ Contracts run into the hundreds of pages and have extremely complicated procurement and financial reporting rules that must be scrupulously followed, the SDF secretary told me (Interview in Hargeisa)).

²⁵² As Susan Woodward argues in ‘The Ideology of Failed States’, 2017.

²⁵³ See “Somaliland: Denmark, Netherlands and UK Announce Funding for Infrastructure” published [online](#) on 8 July 2020 by the Unrepresented Nations and Peoples’ Organization.

²⁵⁴ Personal observation. I took this road at least ten times, also driving myself.

²⁵⁵ Review of Maydh produced by my organization, directed and edited by me in 2017.

²⁵⁶ Andrews, Matthew. "Do International Organizations Really Shape Government Solutions in Developing Countries?" HKS Faculty Research Working Paper Series RWP13-032, September 2013.

²⁵⁷ Richards 2014:26-27

this way, serves the grand purpose of moving the source of legitimation of the state from the charismatic to the legal-rational, to use Max Weber's concepts²⁵⁸.

In this situation, a member of the state elites must reconcile his charismatic leadership with his institutional, legal-bureaucratic position, as both are expected from him. His lineage members and rural voters may expect him to hand out cash, mobile phones and government positions; his urban voters, broader civil society and international partners expect a strategic vision, institutional discipline and irreproachable behaviour. In the morning he puts on a suit and tie and speaks English in the office; in the afternoon he dons a *macweys*²⁵⁹ and chews qat with his friends and lineage members.

It would be interesting to study how the political language in Somaliland has evolved over the past decades. Without a doubt, utterances by politicians and senior civil servants are quite different depending on whether they are made in English or Somali. Anticipating on the results of such a study, politics within Somaliland seem to still be charismatic, following the rhizomatic logic, while formal rules-abiding governance remains mostly a façade.

Is Somaliland becoming a rentier state?

*"If all international funding were to be withdrawn tomorrow, entire sectors of Somaliland's state would collapse - most notably, health and education"*²⁶⁰.

A rentier state focuses on extracting 'rent' from the international community without needing to develop the domestic economy. Although the term was first used for the oil-rich Arab states, it now is more generally applied to any state whose elites prefer generating external revenue over domestic revenue. This allows them to stay in power without increasing taxation of the domestic economy, which might cost them popular support²⁶¹. Is Somaliland becoming a rentier state?

At first glance this seems impossible. A look at the national budget indicates there is no external, only domestic, revenue. Of course, since the state is not recognized, it cannot borrow on international markets. Although President Biixi and opposition leaders plead for recognition by the World Bank, IMF and other international financial institutions, who in March 2020 agreed to allow Somalia to start borrowing funds again²⁶², there seems little chance that this plea will be listened to. For now, Somaliland cannot join the class of *sovereign* rentier states.

²⁵⁸ Weber 1919 "Politics as Vocation".

²⁵⁹ A kind of sarong or doti: a sheet that one wraps around one's waist, covering up to the ankles.

²⁶⁰ Adnan Hagoog, veteran assistant of diplomats working in Somaliland, interview in Hargeysa 8 May 2019. At the time of interview, he was working for a small team of European consultants representing the EU in Somaliland.

²⁶¹ Beblawi, Hazem, 1987: "The Rentier State in the Arab World" *in Arab Studies Quarterly* 9 (4): 383–398.

²⁶² [MENA FN, 28 March 2020: President-Opposition-Leaders-Urge-World-Bank-to-Deal-with-Somaliland-Somalia-as-Equal-Entities](#). The European Investment Fund has been looking into options in Somaliland, but it cannot move forward as it would need approval of the federal government, which is not forthcoming.

At second glance, the Ministry of Planning admits to more than a hundred million dollars per year of direct external aid entering the economy—amounting to nearly 50% of government revenue in 2017—though, except for SDF funding, this aid is not channelled through the government. Figures given by this Ministry are: Government revenue for 2017 = 259 million USD, while external aid = 121 million USD. However, this figure excludes all aid that accrues to Somaliland through Somalia-wide assistance programmes, over which the Somaliland Ministry of Planning has no control. A fair, though unknown, part of the approximately 1 billion USD yearly humanitarian aid for Somalia²⁶³ is spent in Somaliland, and most other aid and development programmes cover both countries²⁶⁴. Therefore, though it is impossible to find exact figures²⁶⁵, it is probable that external aid surpasses government revenue.

A closer look at the figures published by the Ministry of Planning reveal a remarkable level of inconsistency. While the 2018 publication “Somaliland in Figures” based on 2016 data gives a GDP for that year of 2.3 billion USD, the National Development Plan published a year before gives, for the same year, a GDP figure of 1.4 billion USD. I have given up on attempts to map Somaliland’s economy through tables and charts; this lack of formal precision is telling.

Now if one considers the *wishes* of Somaliland, as expressed through the National Development Plan²⁶⁶, the proportion of aid to national revenue increases drastically. In the 2012-2016 National Development Plan, it was expected that the government would contribute 6.2% of the requested 1.19 billion USD, and external donors were expected to contribute 82.3% (the rest to be contributed by the private sector and the diaspora). The 2017-2021 National Development Plan expects only 3.8% of the requested 2.1 billion USD to come from the government (it does not specify where the rest of the funding should be sourced from, but clearly external donors would have to foot almost the entire bill).

Of course, the national development plan is but a wish-list and most of the 2012-2016 plan was not funded²⁶⁷, but it does indicate Somaliland’s aspiration to become more of an external rent-seeking state.

²⁶³ According to OCHA, from 2017 to 2019 the humanitarian funding *received* for Somalia is over 1 billion USD per year. Before that it was less.

²⁶⁴ To be precise, of the billion USD raised by the UN, only part reaches the field, as expensive staff members and administrative overheads all the way down the contracting chain also need to be paid from that amount.

²⁶⁵ The only way to find out how much international assistance goes to Somaliland is by looking at the breakdown of each humanitarian and development organization working in Somalia, and extracting only those activities undertaken in Somaliland. But such data is not generally available.

²⁶⁶ Let alone the Somaliland Vision 2030 document, which estimates that more than 11.5 billion dollars are needed to achieve Somaliland’s sustainable development goals.

²⁶⁷ According to a survey by the Ministry of Planning, 39% of the outcomes planned in the first National Development Plan were achieved by 2016. Given the gap between the ambitious goals and the funding shortfalls, this seems a high success rate that may not standwithstand scrutiny.

Table 8: 2017 expenditures by sector in USD millions

	Central Government	External Aid	Total
Economic	0.86	1.40	2.27
Education	4.68	1.56	6.25
Energy and Extractives	0.27	1.34	1.60
Environment	0.65	1.56	2.21
General Fund	13.77	0.00	13.77
Governance	16.75	4.34	21.09
Health	2.78	6.26	9.04
Infrastructure	2.86	2.18	5.04
Other	2.98	1.69	4.67
Productive	1.17	2.85	4.02
Security	19.01	0.00	19.01
WASH	0.51	7.83	8.34
Total	66.29	31.03	97.32

Note that 2017 was an election year, hence the high governance expenditures. This table was published in Somaliland's National Development Plan 2017-2021

International assistance is encouraging the development of Somaliland as a rentier state with entrenched state elites. This happens in several ways:

- International assistance discharges the state of providing essential services to the population.
- It provides direct income to state elites.
- It deepens the relation of dependency to the international order.

First, the aid community assumes some of the state responsibilities, thus freeing government resources for other matters such as security. In the education, health, livestock and agricultural sectors, most costs are paid by international donors²⁶⁸. In the table above, the international community outspends the government in six of the twelve sectors, including health, water & sanitation, and economic/productive/ energy & extractives. The total of 31 million USD only reflects the aid flow registered by the Ministry of Planning, and the real amount of support is certainly higher. In this sense, rhetoric aside, the state of Somaliland is not self-sufficient, but depends on international support to boost its legitimacy among the population.

Second, the considerable funding allows multiple points of resource extraction, e.g. capturing contracts, overpricing, imposing security arrangements, receiving stipends, and plain embezzlement. This rent may have become the main source of income for many members of the state elites, from civil servants to private businesses. Foreign money in a way does not belong to the people and can be 'captured' and

²⁶⁸ Interview with Adnan Hagoog: "In education, the Somaliland government does no more than pay the teachers' salaries; all the rest—buildings & furnishings, textbooks, school lunches, teacher training, stipends—is provided by NGOs. In health it's much the same". This has been confirmed to me by several NGO directors.

disposed of more freely than, for example, tax money. Somalilanders generally consider the entire aid sector as abetting corruption and suspect that it is itself also corrupt²⁶⁹.

Third, the prestige of dealing with international partners also provides a rent of sorts, as people are not only motivated by money. It bolsters one's standing in local society²⁷⁰. The connection to what is seen as a transnational elite is promising, especially if exposure is lengthy enough (when a Somaliland official establishes, for example, personal relations with international agency staff)²⁷¹.

We can conclude that Somaliland's state developed solid roots in society because of the lack of international assistance during the first fifteen years; this obliged the budding state elites to search for support among social forces in the country, and gradually expand the social compact underlaying the state using domestic resources. International assistance has steadily increased since the mid-2000s, to the point that it is probably equal to, or more than, government revenue today. This allows Somaliland's state elites increasingly to capture rent but has put the state of Somaliland in a dependent relation with the international community. The indebtedness of the elites toward international support systems turns them into a transmission belt for the values underpinning the global state model²⁷². A rift is growing with their constituencies because the pressures that come with the formal system of government suppress the rhizomatic lineage-based politics that have brought them to power. In short, Somaliland is becoming a rentier state, not unlike many other African states.

Quest for Recognition

Why is Somaliland not recognized as an independent state? And what difference does it really make?

The refusal by the first UN mission (1992-1995) to accept Somaliland's secession rendered any discussion of recognition by member states difficult. But, early on, Somaliland came to be accepted as a *de facto* state. The European Union opened an office in Hargeysa in 1994, though it has not been staffed permanently. Like the UNDP²⁷³, it provided small-scale support to projects mostly in the domain of Rule of Law and Security and maintained a direct relation with Somaliland's successive governments²⁷⁴. Some EU countries, notably the United Kingdom, the Netherlands, Denmark and Norway have been long-time

²⁶⁹ Discussion with countless Somalilanders of different backgrounds. The reputation of donor-supported NGOs is bad. Local NGO staff drives around in big cars and lives in big houses, forming a separate branch of the new elites.

²⁷⁰ Whenever I, a low-ranking but white NGO official, would meet a mayor or governor in far-flung districts, an official photo or video would be made, and promptly published on local media channels.

²⁷¹ Youngsters working in NGOs and international organizations can start an international career by applying to internal vacancies; children of ministers often get an international education

²⁷² This is argued by several authors including Richards (2014). Bryden 2004:180 gives an early warning: "*Large-scale external assistance could nudge Somaliland toward the dependency trap, sapping the government's legitimacy and undermining the fragile political consensus*".

²⁷³ Which was not under UNOSOM and could thus stay in the country

²⁷⁴ Interview with EU assistant Adnan Hagoog.

supporters of Somaliland, but their intervention in Somaliland has been discrete and they have not lobbied for recognition in international forums²⁷⁵.

In the decade of the 2000s, Somaliland's 'miracle' led to considerable international enthusiasm for 'Africa's best kept secret' as one author named it²⁷⁶. Supporters lobbied for international recognition, pointing at the dismal failure of the TNG, and later the TFG, to bring peace to Somalia, and to the rise of piracy and 'terrorism' that did not affect Somaliland. It only seemed *fair* that the country should earn international recognition. But there has been absolutely no progress on that front; in no international forum is granting statehood to Somaliland being discussed.

Problems of non-recognition include that it is not possible to travel on a national passport; letters of credit for businesses cannot be obtained and international banking is complicated (no SWIFT codes). Somaliland's businesses rate 'access to funding' as the biggest single constraint²⁷⁷. Somalilanders have manifestly found ways to deal with these practical disadvantages, because they do business abroad and travel too²⁷⁸. But it remains an obstacle to participation in the global economy.

Non-recognition also has symbolic effects: Somaliland is not a member of the 'concert of nations' and it has no influence in international organizations. Rejection keeps officials in a disadvantaged relation to the international community, vis-à-vis counterparts of the federal government, Djibouti and elsewhere.

But the greatest disadvantage is that Somaliland's government cannot access international funding, as discussed above. On the upside, Somaliland is probably one of the only countries in the world without official debts.

Pressure for recognition also comes from the population²⁷⁹. Somalilanders often blame their own authorities for failing to gain recognition. Here are some of the criticisms levelled: the narrative justifying independence is not well developed; there is no long-term strategy, insufficient resources, and lack of persuasion skills and negotiating techniques. Somaliland has no military, political, economic or cultural leverage to apply, it can only try to persuade through attractiveness. What is needed is a smart long-term strategy worked out in policies and endowed with sufficient resources – notably for a

²⁷⁵ I asked the Netherlands ambassador to Kenya and Somalia (Frans Makken) why the Netherlands did not push for recognition of Somaliland. He mentioned that it would be wasting political capital for an issue no-one cares about, and which would bring the Netherlands little benefit. He also noted that Somaliland was doing well without recognition, joking that the country might be better off that way. Interview September 2017.

²⁷⁶ Balthasar 2013: "Somaliland's best kept secret: shrewd politics and war projects as means of state-making" in *Journal of Eastern African Studies*, 7:2, 218-238

²⁷⁷ World Bank 2016:27-29

²⁷⁸ My sources told me a Djibouti passport can be obtained for 1500 USD, Ethiopian ID needs political or clan connections, but can be obtained. Each Somalilander, being officially a citizen of Somalia, can also apply for a Somali passport in Garowe, but it's not a practical passport to hold.

²⁷⁹ Interview Ali Khalif Galaydh in Hargeysa.

sustained lobby. Funding could be provided by the business community, who would benefit greatly from recognition²⁸⁰.

Some Somalilanders see the downside of recognition. Non-recognition is better for social cohesion, they argue²⁸¹. Somaliland is not a 'nation-state' say non-Isaaq others. The recognition of Somaliland would force the Warsangeli and Dhulbahante to choose, most likely against Somaliland, and might destabilize the East. The other argument heard throughout interviews is that recognition would reinforce the predatory and corrupt behaviour of elites, making it even more difficult to change the political system.

External analysts almost all agree that Somaliland *should* be recognized. They advance arguments of different sorts²⁸²:

- Legal: Somaliland ticks all the boxes for statehood and there are enough precedents (Senegal seceded from Mali, Gambia from Senegal, Cape Verde and Guinea Bissau split). Moreover, the parent state Somalia is not even able to exercise sovereignty over Somaliland; it currently has great difficulty in 'reigning in' the Federal Member States. The extensive legal argumentation by Schoiswohl²⁸³ concludes in favour of recognizing Somaliland.
- Political: recognizing Somaliland would (putatively) strengthen its democratic system, offering a positive example to other states in Africa. It will not 'open a Pandora's box' of secessionist movements (an AU commission in 2005 argued that Somaliland should be recognized)²⁸⁴; it will anchor Somaliland into regulatory regimes such as the WTO, the war on terror, the fight against piracy and other transnational crime etc., which is of benefit to the international community.
- Moral: Somaliland has done its best to become a responsible member of the international community, and it should be rewarded after 30 years of good governance and democratization²⁸⁵. Somaliland has handled the coronavirus crisis well with an emergency fund raised from domestic revenue.²⁸⁶ Recognizing Somaliland could show that the international community holds ethics high and is just.

²⁸⁰ Interview with Prof. Samatar in Hargeysa (no initials?).

²⁸¹ Interview with 3-4 people, young and old, from different clans, but all educated. (not an impressive sample!)

²⁸² See Hoyle 2000: "Somaliland: Passing the Statehood Test?" in *IBRU Boundary and Security Bulletin, Autumn 2000*, pp. 80-91 for a succinct rehearsal of the main arguments to grant Somaliland statehood, or not.

²⁸³ Schoiswohl 2004: "Status and (Human Rights) Obligations of Non-Recognized *De Facto* Regimes in International Law: The Case of 'Somaliland'."

²⁸⁴ The African Union's fact-finding mission declared that Somaliland's status was 'unique and self-justified in African political history,' and that 'the case should not be linked to the notion of 'opening a Pandora's box'; quoted in Eggers 2007: "When is a State a State? The Case for the Recognition of Somaliland" in *Boston College International and Comparative Law Review*_Vol 30, 2007 pp. 211-222; p. 220. In addition, Somaliland has waited thirty years, too long to contemplate for other candidates.

²⁸⁵ Johnson & Smaker 2014: "State Building in De Facto States: Somaliland and Puntland Compared" in *Africa Today*, Vol. 60, Num. 4, , pp. 3-23; pp. 5-6 basing themselves on Caspersen 2012:69–70.

²⁸⁶ Odindo Ayieke for *Busiweek*: "Coronavirus: How Somaliland and Taiwan Manage without International Aid" published on [UNPO website](#) on Apr. 29, 2020.

But, as Richards notes, “Worthiness alone is unlikely to garner a political entity sovereign statehood status”²⁸⁷.

None of these arguments make any difference. The international community will not recognize Somaliland because it has no interest in doing so. In fact, new states are only recognized when powerful states themselves want it, typically as part of a peace solution after a bloody war (South Sudan, Eritrea) or to pursue their own interests (disintegration of Yugoslavia, which stopped at the borders of Kosovo). Internal legitimacy is irrelevant; statehood is only conferred as a sign of external recognition²⁸⁸, just like a knighthood. Only the powerful members of the international state order can confer statehood on others. Why should they bother about Somaliland?

Recognition once granted is never withdrawn. As the case of Somalia demonstrates, even if a country has not exercised sovereignty for decades, or known any type of centralized rule, it remains a sovereign state. There is no process or precedent for losing statehood (except through break-up into multiple states). There is perhaps no more stable institution in the world than the state.

But a state need not be recognized as a state for other states to engage it. The category of *de facto* state²⁸⁹—think of Taiwan, Palestine, Kosovo, Kurdistan Regional Government—is an increasingly permanent feature of our state system²⁹⁰. It gives a state the obligations but not the rights of states – for example, they must still observe human rights. The diplomatic rapprochement between Taiwan and Somaliland, which led to the announcement in June 2020 of the opening of mutual diplomatic representations, may be taken as a sign that ‘*de facto*’ states are normalizing each other²⁹¹. Ethiopia accepts the Somaliland passport, and the United Arab Emirates have announced they will do so too. In the summer of 2020, Somaliland received a flurry of high-level visits from Egypt, Ethiopia and Kenya, signalling increasing acceptance of its existence.

The lack of recognition of Somaliland says more about the international state order than about the country. The practical and symbolic disadvantages of non-recognition are not unsurmountable: Somaliland has long been recognized as a *de facto* state and its elites are gradually being integrated into global networks. For domestic state-society relations, on the other hand, non-recognition may be better

²⁸⁷ Richards 2015: “Bringing the Outside In: Somaliland, Statebuilding and Dual Hybridity” in *Journal of Intervention and Statebuilding*, Vol 9, No. 1, 4-25; p. 5.

²⁸⁸ Tilly 1985: “War Making and State Making as Organized Crime” in Evans, Rueschemeyer & Skocpol, eds: *Bringing the State Back In*, pp. 169-191

²⁸⁹ According to Scott Pegg's definition, *de facto* states “feature long-term, effective, and popularly supported organized political leaderships that provide governmental services to a given population in a defined territorial area. They seek international recognition and view themselves as capable of meeting the obligations of sovereign statehood. They are, however, unable to secure widespread juridical recognition and therefore function outside the boundaries of international legitimacy”²⁸⁹. Pegg 1998: “International society and the *de facto* state” p. 4.

²⁹⁰ Caspersen & Stansfeld, eds, 2011: “Unrecognized States in the International System”; Introduction.

²⁹¹ Garowe Online: “Somaliland and Taiwan sign deal to open consulates in their territories”, 01 July 2020. [Link](#).

as it forces elites to seek legitimation in domestic political sources²⁹², making them more answerable and better integrated into the social rhizome. Even if and when the federal government in Somalia becomes strong again, Somaliland could continue to exist, taking its cue from Taiwan and how that country manages its position in the international order vis-à-vis China.

²⁹² This argument is made, *inter alia*, by Pegg & Kolstø 2015: “Somaliland: Dynamics of internal legitimacy and (lack of) external sovereignty” in *Geoforum* 66 pp. 193–202.

CONCLUSIONS

Somaliland provides an example of how a people emerging from a deadly and destructive civil war, and lacking material resources and professional skills, manage to generate a state from within their self-governing communities. The lack of external assistance seems to have been essential in forming a solid social compact, based on a widespread popular mobilization for peace.

The cornerstone of emergent nationhood and the overarching goal of the state is to preserve peace. The peace narrative emerged in reaction to the horrors of the war the Barre regime unleashed on the Isaaq population. The perception of ongoing insecurity in South and Central Somalia has created an increasing sense of difference. Somaliland's peace narrative defines Somalilanders as being able to end conflict through negotiation; they see their post-independent history of overcoming civil strife as proof of that. This narrative also effectively bars the use of violence as a tool in domestic politics.

The nascent state of Somaliland was therefore not entrusted with 'the monopoly of violence'; instead, peace and security have been maintained in the informal sphere of self-governance, through clan negotiations and citizens' participation. These negotiations involve all of Somaliland's clans, not only those in conflict. They have allowed Somaliland to escape the scourges of piracy and political violence, and have kept clan conflict at a low level, especially in Somaliland's heartland. Governance is hybrid, because it is based on the coexistence of the state and the informal self-governing (clan) sphere.

Faced with the failure of the initial SNM government (1991-93), clan representatives reconvened in Borama in 1993 and created a standing House of Elders (the Guurti). Despite its traditional clan trappings, this was a political innovation. The state-building project was relaunched in this gathering under the impulse of the elders. The Guurti and other clan representatives in Borama then integrated the nascent state, thus moving out of a sphere of self-governance and becoming part of the government. This did not devitalize the rhizomatic principles of self-governance, but it led to the decline of the Guurti, whose capacity of mediating conflicts between communities and the state was impaired by its association with the state.

The function of the state as envisioned by the delegates at Borama, was to develop the country and represent it toward the outside world. There was no discussion of what type of state Somaliland should have, only that it would work alongside the clan representatives, who would keep the peace and ensure maximum popular buy-in for the nascent state.

The state of Somaliland was built almost single-handedly by President Cigaal, who drew on his five decades of statesman's experience. This state was centralized, with a strong executive and intertwined with the businessmen that funded Somaliland's early state-building efforts. He gradually expanded the sociological basis for the state, including more business interests, clan elders, political rivals, the budding urban middle class (civil service, professionals), and representatives from all groups living in Somaliland's heartland. He did not really try to integrate the Dhulbahante, Warsangeli and Ciise living in Somaliland's peripheries—who turned to neighbouring states (Puntland, Djibouti), or attempted to found their own autonomous states—and these populations continued to govern themselves according to largely traditional modes, albeit affected by policies of the surrounding states.

The uneven integration of population groups into the early state caused tensions and conflicts between 1994 and 96, but the last national convention of Somaliland, in Hargeysa 1996-97, posed the basis for a lasting peace in the heartland and thus for state stability. After this conference, the core institutions of Somaliland's state—constitution, multiparty democracy, elections—were developed apace. The institutions of state were built along the principle of institutional mimicry (one could also call it 'best practice'), because they lacked a social basis. The Somaliland population did wish to have a functioning state, guarantor of their independence, to bring collective development and to participate sovereignly in global life. But the way Somaliland's state developed was mostly in response to external expectations, with the objective of gaining international recognition. The liberal democratic state was, however, not a decoy; it is the only accepted model for state formation today.

Somaliland's state can be characterized as a formal hierarchical structure of institutions that is informally controlled by rhizomatic lineage networks. The rhizome is timeless and unites Somali society through lineage networks that are not hierarchical, but horizontal, chaotic, multiple and open-ended. The spontaneous political manifestation of a rhizome is the sphere of self-governance. The rhizome is constrained by interaction with the structures of state, but it also 'corrupts' them, bending them, bypassing them, or establishing informal connections between formally distinct institutions. But, by elevating the principle of power by position (state) over that by personal capacity (self-governance), institutionalization allows state elites who 'occupy' positions of power to entrench themselves and gradually free themselves from the bonds to their constituencies.

Strengthening the structures of the state then increases the stakes in the competition between lineage networks; it also consolidates the current state elites' hold on power. Because the economy and the number of political offices grow, there is room for integrating new peripheral forces into the state elites. However, besides interpenetration, there is also competition between the two principles of power. As the writ of the state expands, it corrodes the base for self-governance in society. This is most clearly seen in local politics, where self-governance is increasingly replaced by state governance. External support is accelerating this process by providing more means to the state and encouraging its continuing institutionalization.

Meanwhile Somaliland's society, reaping the benefits of peace and stability, has continued to develop in an uneven way. Well-connected clans in the heartland have obtained a substantial share of the economic and social progress, while others have seen their share of national prosperity decline. The increasing disparity between rich and poor, between those at the centre and those on the edges, the lack of opportunities for youth without connections and the ostentatious corruption at the top of the state all exacerbate social tensions. This increasingly leads to a sense of social injustice that cannot express itself through the existing political channels of multiparty democracy, which are controlled by the same lineage politics responsible for the unjust distribution of opportunities.

The self-governing sphere cannot provide a solution, because not only is it continuously reduced and replaced by the state, but it is structured around lineage, which is inherently divisive. Using clan connections to overcome clannism is an obviously self-defeating proposition. The image of the state that Somalilanders desire—as opposed to the practice of the state they have—is one not based on clan but on the national interest; a state that applies intelligent policies to boost the domestic economy, and a long-term political strategy to obtain recognition. Given how fundamental the peace narrative is, a

violent eruption is unlikely; but given how state elites benefit from the current constellation, chances of political reform are equally low.

External parties have consistently confused form with substance, leading to misguided policies where support of the modern state (and its police, prisons and judges) is construed as support of the country, while it is actually captured by the state elites and used to further centralize power. There is a corresponding disregard for self-governance. Although it is accepted as the foundation for peace, the premise is that self-governance must be replaced by formal state governance. International support of Somaliland has therefore led to strengthening of the oligopolistic elites and their rentier mentality, and a weakening of the social compact that forms the base of Somaliland's state.

The refusal of the international community to recognize Somaliland as a sovereign, independent state after thirty years is not a major impediment to the alignment of state elites with the international order. It does, however, raise questions about justice and consistency in the international state order, especially as billions continue to be poured into a faltering statebuilding project in Mogadishu. As a *de facto* state, Somaliland is performing well and is integrating the regional and international community of states as a junior, but effective, partner.

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