

# Somaliland

‘home grown’ peacemaking and political reconstruction

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**The Republic of Somaliland declared independence from Somalia in 1991 after years of war had culminated in the overthrow of the Somali dictator Siyad Barre. Since then Somaliland has proven the most stable entity in the Somali region.**

Despite setbacks during two internal wars in 1992 and 1994-96, Somaliland has also been one of the most peaceful places in the Horn of Africa. A lengthy self-financed process of clan reconciliation in the early 1990s led to a power-sharing government. This has provided an important base for Somaliland’s enduring political stability and for its reconstruction and development.

Somaliland defies a common view that Somalis are incapable of governing themselves. Despite numerous and continuing challenges, especially in the context of the democratization process begun in 2001, Somaliland presents an alternative path to state reconstruction in the Somali region.

### **Building peace and forming a state**

From the outset the existence of functioning traditional institutions in Somaliland was fundamental. These institutions have survived both British colonial rule and Somali statehood functionally intact, albeit transformed. Revitalized during the resistance against Siyad Barre’s regime, *ad hoc* councils of elders (*guurtiida*) instantly took on the role of quasi-administrations, managing militias, mediating disputes, administering justice, interacting with international agencies and raising local revenue in the absence of local administrative structures.

Moreover traditional clan elders provided a readily available conflict resolution mechanism and reconciliation infrastructure. In the 1990s international intervention by the UN Mission in Somalia (UNOSOM) and by other foreign powers struggled to cobble together an agreement between warlords in Mogadishu.

However Somaliland achieved its cessation of hostilities and also longer term stability through a series of no less than 38 clan-based peace and reconciliation conferences and meetings between 1990 and 1997.

The efforts in Somaliland (and also in Puntland) differed from those in south central Somalia on a number of key characteristics: 1) meetings were materially supported by communities, including the diaspora; 2) key figures of each affected clan participated voluntarily; and 3) resolutions were adopted by consensus after broad consultation.

These circumstances provided for a remarkable degree of local and national ownership, legitimacy and inclusion. Much of this was transferred to the statebuilding process in Somaliland, too – at least initially.

The new polity is often described as a ‘dynamic hybrid’ of western form and traditional substance. It is founded on clan-based power sharing and balanced political representation (the *beel* system). But this occurs within the framework of western style procedures and institutions, such as elections, parliament and cabinet. At its centre, the constitutional *Guurti*, the powerful Upper House of Parliament, institutionalized the political participation of traditional and religious elders.

Reintegration and demobilization of former combatants were crucial in terms of neutralizing potential spoilers. Once the port of Berbera had effectively been brought under government control in 1993, Somaliland strongly benefited from the absence of any other significant resources that could have attracted a war economy. The availability of the port revenues also enabled the government to integrate many militias into a new national army. Former SNM leaders were appointed as cabinet ministers. As well as consensus building, cooption was an important and successful government tactic.



Children look at a monument of the Somali National Movement's struggle, Hargeisa, Somaliland © Mark Bradbury

The desire for international recognition – within the borders of former British Somaliland – also provided a strong incentive for stability. All parties, and especially the victorious SNM, were aware that to be recognized as an independent state Somaliland required consensual, negotiated resolution of outstanding issues from the war. It was equally clear that any government needed to obtain at least minimal endorsement by all clans.

The political elite further understood that Somaliland needed to present itself as a modern state with a democratic system of government. However while the introduction of democracy provided stabilizing impulses, it also brought an inherent contradiction. In view of the continuing significance of the clans, the political system had to accommodate clan-based power sharing within electoral democratic representation (usually based on nomination), such as the *Guurti*.

## Stabilization and political reconstruction

Five main characteristics contributed to the process of stabilization and political reconstruction:

1. *The process moved incrementally* from peacemaking to state formation and statebuilding, in parallel with reconciliation and democratization. Although all 'grand' clan conferences had an element of each of these components, the respective emphasis was shifted carefully and each new step was shaped along the way to allow room for 'organic' growth and continuing, pragmatic adaptation whenever the need arose.

Contrary to many 'national' government-making processes, the Somaliland model has not been defined by timeframes and explicit targets. Rather, it has focused on internal dynamics, and this has been further supported by the hesitant, incremental growth of international assistance for institutional capacity building and democratization.

2. *State and government capacity expanded gradually* from the administration's strongholds in the west towards the east, which was partly controlled by a disgruntled clan-based opposition and has been somewhat contested by neighbouring Puntland.

In contrast to a prescriptive and blanket 'top down' deal, this gradual (and still ongoing) approach has enabled a heterogeneous process of statebuilding, granting time and political space to accommodate different needs and challenges at the local level.

3. Especially after 1993 there has been clear and strong *leadership, providing vision and direction*. Former President Mohamed Egal, a veteran politician who enjoyed considerable public trust, was able to consolidate state power and chart Somaliland's way towards democratization.
4. Although the *clan system* has been an obstacle to statebuilding and nationbuilding, it also *provides essential checks and balances*. Despite its increased capacity, the executive is still under pressure to strike a careful equilibrium between different interests of clans and sub-clans, both inside and outside the state apparatus. This curtails the central government's room for manoeuvre in areas that might otherwise provoke renewed instability.
5. Principles of *compromise and consensus building* have remained important after Somaliland embarked upon the democratization process. Where Somaliland's legal framework has not provided either sufficient regulation or room for manoeuvre, the process remained sufficiently lenient to accommodate the underlying reality of the clan social structure. Codes of conduct, a 'give and take' approach and mediated solutions were used to maintain the greater good of stability.

## Democratizing Somaliland's political institutions

Despite its successes, statebuilding in Somaliland has suffered both challenges and conflict. Two civil wars in the 1990s derailed the rebuilding process and almost shattered Somaliland's territorial unity. And ironically the strengthening of the central government has also had some destabilizing effects. For instance the *beel* political system was increasingly usurped by the executive, threatening to derail its ability to provide legitimacy and to safeguard clan interests.

But the promise of introducing electoral systems after the Hargeisa reconciliation conference in 1997 ultimately provided

a much needed prospect of adjustment and transformation. Although it took another five years to adopt a constitution, the democratization process absorbed a lot of the emerging tensions and dissent.

The move to a constitutionally-based multi-party democracy after 2001 presented new challenges to stability, however. The key question was whether and how political stability built on the traditional *beel* system could successfully evolve into a constitutional democracy based on the rights of its citizens.

Severe structural resistance from within Somaliland's traditional clan society demanded a highly flexible democratic system. Political parties, the National Electoral Commission, candidate nomination procedures, the election system itself, voter registration and other formal institutions all needed to accommodate a vast array of social and political forces. This left little room to transform government bodies into effective, stable, formal and professional institutions.

The multi-party electoral system also introduced a 'winner takes all' system, in contrast with the more inclusive traditional framework of clan representation. As a result political disputes have sometimes threatened to escalate into violent conflict. And the fact that such disputes have subsequently been defused through private mediation has further undermined the development of formal conflict management institutions. Nor has private mediation proved reliable, efficient or sustainable.

The judiciary and the legislature remain weak. Despite the existence of a constitution, in reality the absence of tangible checks and balances leaves the executive vastly stronger than these other branches of government. Parliament cannot exercise its constitutional authority to oversee the executive. The legislature lacks the resources, expertise, unity and the political will to hold the executive to account. And the judiciary operates largely as subordinate to the executive.

Somaliland's formal political, administrative and judicial structures have been circumvented on a number of issues, including, for instance, the security sector, the rights of parliament, the budgetary process and the detention of critics. Patronage is rampant and limited public resources are often mismanaged.

Elections themselves have further challenged Somaliland's young political system. Elections were first held at district level in December 2002. The three political associations that emerged strongest from these elections became the only parties licensed under the current constitution. This restriction and the very limited development of structures and

democratic procedures within the parties seriously limit political competition.

The presidential elections in 2003 gave the ruling party a narrow victory over the opposition by a margin of 80 votes. The opposition contested the results and the Supreme Court eventually ruled in favour of the government. However it was only after intense mediation and strong public pressure that the opposition conceded victory to the incumbent President Dahir Rayale.

In 2005 however, the opposition won a majority in parliamentary elections, creating a situation of divided government. Since then the country has frequently found itself mired in political confrontation between the executive and the legislature.

Meanwhile, the credibility of the – unelected – *Guurti* has been severely damaged because of its allegiance to the executive, undermining its constitutional mandate to mediate political conflicts in the country. Existing legal frameworks, because of their ambiguity, have also proved inadequate in the context of these disputes.

The weakness of formal institutions, the power imbalance between the contestants and above all the inherent contradictions between the social structure (clans) and the procedures enshrined in the constitution, have culminated in an extended and on-going delay of the second electoral cycle.

Local elections – meant to take place in December 2007 – have been delayed until further notice. The presidential elections, originally due in April 2008, were postponed for the fifth time in September 2009, now without scheduling a specific new election date. Along with these repeated postponements, the terms in office of the local district councils and national government have been extended without elections. Instead, the *Guurti* have controversially provided several extensions of their terms of office.

Following two years of incremental delays, these actions have not only damaged Somaliland's emerging democratic system and its reputation. Ultimately, reflecting the incomplete political transformation described above, they now threaten to undermine Somaliland's stability.

Many of these issues are closely connected with the insufficient development of a strong domestic constituency to promote and safeguard the democratization process. So far Somaliland lacks a 'critical mass' that could clearly be identified as the popular driving force of democratization.

'Horizontal' forms of civic association and organization across clan lines remain very limited, strongly contributing to the absence of a culture of broad-based social movements. In the absence of experience of participation in a system of liberal democracy, there is a tendency to 'look up' and wait for concepts to come from above. Although there is a broad perception that democracy is beneficial to the populace, democracy so far has too little active lobby.

### **Disputed boundaries and Somaliland's unrecognized status**

The most serious threat to Somaliland's stability is currently from militants associated with the (purportedly Islamist) insurgency in south central Somalia. Elements of Al Shabaab and similar groups exist under ground because they do not enjoy popular support. But they have repeatedly engaged in assassinations of aid workers since 2003 as well as in three simultaneous suicide bombings in Hargeisa in October 2008. These groups pursue (Somalia-wide) unionist or even (globally) universalistic agendas against Somaliland's independence and seek to stall its secular democratization.

Somaliland's longstanding territorial dispute with neighbouring Puntland over Sool and Eastern Sanaag regions is also a continuing problem. Somaliland's claims are based on its colonial boundary within Somalia, while Puntland bases its position on the fact that the Dhulbahante and Warsangeli communities inhabiting the area are part of the Harti clan that controls Puntland.

The conflict remained a 'cold war' until a bloody confrontation in 2002. Since then forces of both sides have been locked in a standoff, resulting in several rounds of fighting. Sool's capital Las Anod was captured by Somaliland forces in October 2007. The situation remains tense and sporadic clashes can be expected to recur so long as the underlying conflict remains unaddressed and both sides insist on their claims to the territory.

Closely linked and to some extent underlying these external challenges is Somaliland's continuing desire to achieve international recognition and the unresolved relationship with Somalia. There is growing 'fatigue' in Somaliland over stagnation on these issues. This is reinforced by concern over the shortage of territorial guarantees and protection that it can call upon as an unrecognized territory, despite its relatively close relationship and security cooperation with Ethiopia.

### **Lessons from Somaliland's experience**

Somaliland's experience illustrates the potential and – especially in the Somali context – impressive sustainability that 'home-grown' peacemaking and reconciliation can generate.

With relatively little international help – except from its huge diaspora in the Gulf region, Europe and North America – Somaliland accomplished gigantic tasks such as demobilization, the restoration of law and order, the management of a deregulated economy, making a constitution and at least initial steps towards a plural democracy.

All of this has been achieved without peace being imposed either from above or from outside. National compromise in Somaliland has grown locally and with the liberty of different speeds in different contexts and regions, 'quick and dirty' short-cuts in the peace process were largely avoided.

Also avoided has been resort to 'cake-cutting' power-sharing exercises, which have been unsuccessfully attempted elsewhere in Somalia. Instead the overlapping but consecutive peacemaking, institution-building and democratization processes in Somaliland have followed the successive establishment of a ceasefire, the careful restoration of relationships, genuine reconciliation, and a locally-owned process that has determined the future design of the polity.

None of the accomplishments in Somaliland can be taken for granted, however. Post-war political reconstruction is not a linear, let alone an irreversible process. The recurrent need to 'reinvent' political institutions (eg the changing role of traditional authorities) and the recent setbacks in the democratization process underline that consolidation requires continuous effort – and favourable circumstances – at every juncture.

Looking at lessons to draw from Somaliland's case, it is important to note the unique combination of circumstances that worked in Somaliland's favour: a strong traditional system, the absence of 'war-economic' resources, and the incentives from the search for international recognition.

Somaliland's experiences are therefore not easily transferable to southern Somalia or beyond. But they should clearly encourage international practitioners and policy makers to support 'home-grown' peacemaking and political reconstruction wherever the circumstances permit, be it on a national, regional or local level.

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