



ADDIS ABABA UNIVERSITY
SCHOOL OF GRADUATE STUDIES

**REIMAGINING STATEHOOD: EXAMINING
THE CONTRIBUTIONS OF TRADITIONAL
GOVERNANCE INSTITUTIONS IN
SOMALIA AND SOMALILAND**

BY

BIRUK SHEWADEG

JULY 2024

ADDIS ABABA, ETHIOPIA

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SUBMITTED TO

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ADVISOR

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Declaration

I the undersigned declare that this dissertation is my original work, has not been presented for a degree in any other university, and that all sources of materials used for the thesis have been duly acknowledged.

Name _____

Signature _____

Date _____

This thesis has been submitted for examination with my approval as a university advisor

Advisor

Signature

Date

Preface

This dissertation emerges from a deep-seated desire to challenge and reconsider long-standing paradigms in the study of statehood, particularly within the African context. At the heart of this research lies a critical examination of the normative *Weberian* conception of statehood, a model that has dominated political theory and practice for decades. Through juxtaposing the experiences of Somalia and Somaliland, this study seeks to unravel the complexities that often go unnoticed when rigid theoretical frameworks are imposed on diverse and culturally rich contexts like those in Africa.

Purpose of the Dissertation

This research aims to interrogate and ultimately debunk the normative *Weberian* conception of statehood by examining the contrasting experiences of Somalia and Somaliland. In the *Weberian* model, the state is typically understood as an entity that maintains an effective monopoly over violence, a concept that has been the cornerstone of many state-building efforts across the globe. However, the application of this model in the Somali context has yielded significantly different outcomes in Somalia and Somaliland.

Somalia, with its steadfast adherence to the *Weberian* ideal, has struggled to establish a viable state. The insistence on constructing a state apparatus that claims exclusive control over violence, while simultaneously neglecting the traditional governance institutions deeply rooted in Somali society, has proven to be a fundamental flaw. This approach has not only failed to bring stability but has also perpetuated and, in some instances, exacerbated the very crises it sought to resolve.

In glaring contrast, Somaliland has pursued a different path, one that integrates traditional governance institutions into its state-building process. By recognizing and effectively utilizing these indigenous institutions, Somaliland has managed to achieve a relative degree of stability and statehood. This success story stands as a testament to the importance of context-specific approaches in state-building, particularly in regions with rich traditions and complex social fabrics.

This research, therefore, contributes to the broader field of African studies by advocating for the need to challenge normative concepts and approaches. It emphasizes the importance of studying Africa in its specificity, taking into account the unique historical, cultural, and social contexts that shape the continent's political realities.

Personal Motivation

My interest in this topic is deeply rooted in my previous studies on the Somalia crisis, where I consistently argued against the imposition of a *Weberian* state structure. Through my earlier work, I became increasingly convinced that such an approach could be counterproductive, potentially escalating the crisis rather than resolving it. This dissertation represents the culmination of years of thought, research, and advocacy, all driven by a conviction that alternative models of statehood—particularly those that draw on indigenous governance structures—deserve serious consideration.

The journey to this point has been as intellectually stimulating as it has been personally challenging. In parallel with my academic pursuits, my involvement with the Somali crisis has been a deeply personal endeavor, profoundly influencing my perspectives on governance, statehood, and the significance of traditional institutions within contemporary political frameworks. This dissertation embodies my dedication to these concepts and my aspiration to enrich the discourse on statehood in Africa with greater nuance. It represents an epistemic challenge to the conventional narratives that often dismiss the distinctiveness of African experiences when they diverge from perceived normative standards.

Research Context

Conducting this research was a demanding and, at times, arduous process, particularly in terms of the fieldwork involved. The need to conduct in-depth, on-the-ground research in Somaliland posed significant challenges, not least of which was the necessity of crossing borders and navigating the region's complex political and logistical landscape.

Despite these obstacles, the fieldwork component of this research was crucial in grounding my theoretical arguments in the lived realities of the people and institutions I was studying. It underscored the importance of perseverance and adaptability in academic research, particularly in regions where access to information and resources can be unpredictable and challenging.

Another significant experience I gained is the invaluable opportunity to participate in national, regional, and international conferences as a paper presenter. Engaging in these scholarly forums not only fosters a more sophisticated understanding of the subject matter but also serves as a crucial avenue for building academic credibility and trust among peers and the communities under study.

Moreover, these conferences often present unforeseen opportunities to connect with potential respondents and collaborators who were not originally anticipated, thereby enriching the research process and expanding its scope.

Personal Reflection

Reflecting on this journey, I realize that this research has taught me far more than just the academic content related to my dissertation. It has been an exercise in integrity, requiring me to remain true to my intellectual convictions even when faced with significant obstacles. It has also been a lesson in strength, both physical and mental, as I navigated the challenges of fieldwork and the demands of rigorous academic inquiry.

Perhaps most importantly, this dissertation has imparted to me the profound value of perseverance. The path to completing this research was anything but straightforward; it was punctuated by setbacks, challenges, and moments of intense doubt. The most difficult of these challenges came at the final stage of my work, with the loss of my father, who had been the cornerstone of my motivation and purpose throughout this journey. His passing, at such a critical juncture, tested my endurance in ways I could never have imagined. However, it was through this crucible of perseverance that I managed to overcome these obstacles and bring this project to fruition. This hard-earned lesson is one that I will carry with me throughout my future career, as I continue to engage with the complex and challenging issues that define the field of African studies and beyond.

In conclusion, this dissertation represents not only the culmination of years of research but also a significant chapter in my personal and professional development. I hope that the insights and arguments presented in these pages will contribute to a broader understanding of statehood in Africa and encourage others to question normative concepts that may not always align with the realities on the ground. Above all, I hope that this work will inspire further research that takes into account the rich diversity and specificity of African contexts, challenging the conventional wisdom that has too often dominated the field.

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Abstract

This dissertation endeavors to critically analyze the role of traditional governance institutions in the state-building processes within Somalia and Somaliland, following the collapse of Siad Barre's regime. This period marked the near-complete disintegration of central governmental frameworks, leading to the adoption of divergent strategies for state reconstruction across the regions. In the case of Somalia, the state-building trajectory has been significantly influenced by extensive international, continental, and regional engagement, embarking on numerous normative state-building undertakings. These efforts, largely predicated on the principle of extraversion, have been met with limited success, arguably predisposed towards failure. Conversely, Somaliland, a self-proclaimed yet largely unrecognized entity, has predominantly leveraged its traditional governance institutions, with the Guurti playing a fundamental role, in forging a path towards statehood. This approach has resulted in a moderately successful, albeit flawed, hybrid governance model. This stark contrast in state-building approaches necessitates a rigorous reevaluation of conventional and dominant paradigms of state-building, thereby opening an intellectual avenue to scrutinize such processes from the perspective of those often marginalized in governance discourse. This inquiry posits that the experiences of Somalia and Somaliland present an opportunity to challenge normative assumptions and hegemonic narratives in African studies, particularly regarding the viability and efficacy of traditional governance institutions in state-building endeavors. To accomplish its research objectives, this study employs a qualitative methodology, integrating primary data mainly derived from interviews with key informants conducted in three locations: Addis Ababa, Jigjiga, and Hargeisa. This primary data is complemented by an extensive review and analysis of available documentary sources. Through this comprehensive approach, the dissertation aims to contribute a deeper understanding of the complexities associated with traditional governance institutions' contribution to state-building efforts in Somalia and Somaliland.

Key Words: Somalia, Somaliland, Traditional Governance Institutions, Beel System, Extraversion

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Acronyms

AIAI	Al- Itihaad Al- Islamia
AMISOM	African Union Mission in Somalia
APD	Academy for Peace and Development
ATMIS	Transition to African Union Transition Mission in Somalia
AU	African Union
CAAS	Center for African and Asian Studies
CRDM	Center for Research Dialogue Mogadishu
CSIS	Center for Strategic and International Studies
CSRC	Crisis States Research Centre
CSS	Case Studies Series
EAG	Expanding Access to Justice Program
EU	European Union
HPO	Hybrid Political Order
ICG	International Crisis Group
ICU	Islamic Courts' Union
IDLO	International Development Law Organization
IGAD	Inter-Governmental Authority on Development
IPC	Interim Peace Charter
JICC	Joint Islamic Courts Council
OAU	Organization of African Unity
PASS	Pan-African Seminar Series
SDP	Somali Dialogue Platform
SFG	Somali Federal Government
SIC	Sharia Implementation Council
SNA	Somali National Army
SNM	Somali National Movement

SNPC	Somalia National Peace Conference
SNRC	Somali National Reconciliation Conference
SRC	Supreme Revolutionary Council
TFG	Transitional Federal Government
TGFG	Traditional Governance Focus Group
TNC	Transitional National Charter
TNG	Transitional National Government
TRC	Truth and Reconciliation Commission
UN	United Nations
UNECA	United Nations Economic Commission for Africa
UNITAF	Unified Task Force
UNOSOM	United Nations Operation in Somalia I
UNPF	United Nations Populations Fund
UNSC	United Nations Security Council
US	United States
USIP	United States Institute of Peace

Some Epistemological and Conceptual Considerations

Conducted under the auspices of the Centre for African and Asian Studies at Addis Ababa University, this dissertation constitutes an integral component of an ongoing scholarly endeavor to foster the development of an emancipatory paradigm of knowledge production. In this context, 'emancipatory' refers to legitimizing African ideals, values, and experiences as “foundational elements” in the pursuit of scholarly inquiry (Biruk, 2023, p.106).

This research initiative is deeply committed to exploring the African continent within the intricate web of its indigenous cultural contexts. It represents a concerted effort to challenge the prevailing assumptions that relegate these cultural contexts to the periphery of academic discourse, especially when they appear to diverge from or outright contradict what is considered the 'normative' academic canon. Thus, this intellectual endeavor seeks to carve out a discursive arena wherein Africa is positioned as a critical unit of analysis, warranting investigation in its “specificity,” to borrow a term from Mamdani (1996, p.9). Such an approach is crucial in disrupting the hegemonic mono-cultural epistemological framework that has long dominated academic circles. By doing so, the research aims to challenge the monolithic structures of thought that have historically marginalized non-Western perspectives, thereby contributing to a more inclusive and diverse academic discourse that acknowledges and values the multiplicity of knowledge systems and cultural experiences across the globe.

The project may be interpreted as an endeavor to unearth an alternative epistemological framework embedded within the African *weltanschauung*. Predominantly, the corpus of mainstream organizational theories across disciplines such as social sciences and humanities has mirrored a collective Occidental subjectivity and a pervasive Western ideological dominance. This orientation effectively marginalizes African worldviews, erroneously elevating Western perspectives to a universal standard for all scholarly inquiry within the humanities. Consequently, the establishment of an authentic African episteme becomes imperative. Such an episteme would necessitate a de-exoticization of Africa, moving beyond reductive portrayals that confine the continent to narratives of deficiency and despair, thereby facilitating a more equitable representation of its complex realities.

Furthermore, acknowledging the inherent limitations and partiality endemic to the prevailing knowledge systems, alongside a vigorous impetus to examine Africa through the lens of its distinct peculiarities, this dissertation endeavors to reframe the discourse surrounding phenomena pertinent to Africa, with a particular focus on Somalia. This reframing seeks to distance the analysis from Eurocentric attitudes and conceptual frameworks. The emancipation of this discourse is predicated upon a pragmatic recalibration aimed at addressing the issues of African disorientation, de-centeredness, and the diminution of agency through the adoption of epistemological anarchy. This approach not only challenges the existing epistemic hierarchies but also fosters a more inclusive and representative understanding of African contexts and realities.

Such invocation of epistemological anarchy should not be misconstrued as advocating for an outright negation of the 'normative' or dismissal of non-African or Western frameworks *per se*. Rather, it signifies a resolute endeavor to expand the scope of knowledge production and extend the boundaries of veracity, through a process that Mesay Kebede rightfully articulates as “relativizing the West” (2013, p.10). This methodological stance aims to contextualize Western epistemologies within a broader spectrum of global knowledge systems, thereby challenging their presumed universality and fostering a more pluralistic and inclusive intellectual landscape.

In the pursuit of this emancipatory project, the selection of the Somali case by the researcher is underpinned by several highly interrelated reasons. Initially, my prior engagement with the Somali crisis, wherein I vehemently critiqued the attempts at reconstructing a *Westphalian* state model through Western paradigms, was articulated in a thesis that constituted a partial fulfillment of the requirements for a Master of Arts degree in African Studies a decade back. Within this scholarly work, I posited that such reconstruction efforts were not only counterproductive but also destined to exacerbate the crisis further. I advocated for the critical necessity of synthesizing 'modern' and 'traditional' governance modes, notwithstanding the debates surrounding the taxonomy of these terms, which may themselves be grounded in cogent arguments. I further emphasized that the amalgamation of resilient traditional governance institutions with the 'modern' state apparatus should be considered indispensable for the successful (re)building of the state in Somalia. This synthesis, I argued, is a prerequisite for discussions on viable statehood, as discourses that neglect the role of resilient institutions are rendered obsolete in the Somali context.

Furthermore, the case of Somalia emerges as a critical counterpoint to the prevailing 'one-size-fits-all' paradigm frequently emblematic of Western-dominated academic discourse. In the context of Somalia, numerous international endeavors aimed at state and peacebuilding have been implemented, yet have consistently resulted in failure. In stark contrast, Somaliland has manifested a degree of success in its state-building initiatives, evidenced by the establishment of a basic, albeit operational, state infrastructure. This dichotomy underscores the necessity of reevaluating the applicability of uniform models of governance, advocating for a more subtle comprehension that respects the unique socio-political and cultural contexts of different regions.

In this dissertation, I endeavor to substantiate the claims previously posited, utilizing a robust compilation of refreshed argumentation, theoretical frameworks, and practical examinations. It is at this critical point that one may legitimately query the research, seeking elucidation on the novelty of insights presented, as is anticipated from a doctoral-level investigation. Indeed, the concern for novel contribution is addressed within the ensuing chapters, particularly within the 'statement of the problem' segment, which aims to justify such inquiries.

Nonetheless, I posit that, in addition to reaffirming earlier assertions, this study thoughtfully explores the underlying reasons for the avoidance or oversight of syncretic approaches to governance, despite their apparent criticality. This line of inquiry, as per my assessment, remains largely uncharted, even though there is a considerable body of literature on the principles of syncretism. Consequently, this dissertation adopts a bifurcated methodological approach toward the rejuvenation of traditional governance institutions. Firstly, it underscores the necessity of amalgamating traditional governance institutions with a contemporary and revised set of arguments, thereby reinforcing their essential role. Secondly, it explores the conundrum of the persistent marginalization of syncretic methodologies in governance, despite their evident indispensability. This dual approach not only aims to reinforce the significance of traditional governance institutions but also seeks to unravel the paradox surrounding the neglect of syncretism within the academic discourse.

CHAPTER ONE

BACKGROUND

1. Introduction

Somalia, located in the Horn of Africa, is a country with a rich tapestry of cultures, history, and landscapes. Bordered by Ethiopia to the west, Djibouti to the northwest, the Gulf of Aden to the north, the Indian Ocean to the east, and Kenya to the southwest, it occupies a strategic position at the mouth of the Red Sea (See Appendix 1). Known for its extensive coastline, the longest on the mainland of Africa, Somalia's geography is a blend of arid plains, plateaus, and highlands, with a climate that ranges from desert to tropical. Somali-speaking people in the Horn of Africa region constitute one of the largest ethnic groups on the continent. In terms of culture and ethnicity, Somalis belong to the Cushitic family of peoples (Ambroso, 2002, p.3; Lewis, 1980).

Because of sharing a common ancestry, culture, language, religion, history, and traditions, the Somalis can be viewed as a nation. Somalis often refer to themselves as a single "race." However, despite being considered a nation, the Somali people have a firm division along clan and sub-clan lines (See Appendix 4). Although these clan divisions and the absence of a centralized authority are significant factors in Somali society, it is important to understand that the Somalis maintained cohesion primarily due to the relative uniformity within civil society, rather than through the influence of a centralized government.

The Somali people expanded their presence throughout the Horn of Africa through a combination of assimilation and warfare, conquering new territories for land grazing, water sources, and sometimes for territorial control. As a result of this expansion, conflicts frequently arose over land and resources. While the Somali expansion was frequently accompanied by violence, it also substantially obtained negotiation and the establishment of socio-political alliances. This made the society develop a strong culture of "negotiation, reconciliation, and mediation", as well as traditional institutions of law and order (Bradbury, 2008, p.18). These traditions continue to prevail in Somali society today.

The Somali people are mainly pastoralists while factors such as war, modernization, and urbanization have likely contributed to the decline of the pastoral livelihood. Four of the six main Somali clans, the Dir, Isaaq, Hawiye, and Darod, are traditionally pastoralists and settle in northern Somali territories. The Digil and Rahanweyn, also known as, the Digil-Mirfile, are sedentary agriculturalists who live in fertile regions between the Shebelle and Juba Rivers in southern Somalia. These geographical boundaries are not rigid or absolute, as movement within Somali territories is fluid. There is also a high degree of dependence on changes in clan contracts and agreements over grazing areas, water resources, and other essential structures (Lewis, 1961).

The pastoralist tradition has had a significant impact on Somali society and defines Somali's political, economic, and social dependence on the clan system, as well as the prevalence of governance and legal structures. Before colonization, the Somali people did not have a centralized government in most of the territory, except for a few walled Arab settlements along the coast. Instead, it was the clan system shouldering governance and protection typically associated with a centralized government (Luling, 1971; Bradbury, 2008; Lewis, 2002). However, these clans were unable to establish a strong cohesion among themselves that would have facilitated allegiance beyond their immediate group.

During the pre-colonial era, traditional practices were deeply embedded in all spheres of life, including politics, economics, society, and culture. Colonization introduced alien centralized governance and divided the Somali people into five distinct geographic areas, putting aside the contending debate concerning the Ogaden area, which has had a lasting impact on the Somali lifestyle. In the aftermath of colonial rule, Somalia was subjected to Western-style governance that featured a centralized government. This phenomenon resulted in a variety of problems that eventually led to war, territorial disputes and conflicts, separatist movements, and ultimately the disintegration of Somalia.

After the fall of Siad Barre's regime in the early 1990s, Somalia experienced a period in the collapse of the central-state institutions, during which the people moved back to the patronages of the traditional governance system, which had always been present. The political and social affairs of Somali society were governed by customary law and order, as they had been throughout the country's history (Lewis, 2002; Menkhaus, 2008).

Somalia remains in a condition of internal conflict, fragmentation, and wide-ranging political instability, though some territories have achieved relative peace and order. The designation 'Somalia' seems ambiguous due to various self-declared entities within its boundaries. Therefore, it becomes crucial to examine these entities closely to identify which regions are under consideration in this study.

1.1 Somalia Republic/ “South-Central” Somalia/Somalia

The Republic of Somalia, often referred to as South-Central Somalia to distinguish it from the self-declared independent region of Somaliland, stands at a critical juncture in its history. Encompassing the capital city of Mogadishu and the majority of the nation's territory, this region embodies the profound challenges and crises that have beset Somalia following decades of conflict, political instability, and natural disasters. Unlike Somaliland, which has enjoyed relative peace and self-governance since it declared independence in 1991, the Republic of Somalia continues to strive towards stability and the re-establishment of a central authority amidst ongoing turmoil.

The efforts to restore governance and order in South-Central Somalia have been substantial, with extensive international involvement in the form of humanitarian aid, security assistance, and diplomatic initiatives aimed at reconciliation and state-building. Despite these efforts, the region remains mired in a complex crisis characterized by militant insurgency, political fragmentation, and acute humanitarian needs. The central government, while making strides in recent years towards asserting its influence, still faces significant challenges in extending its control beyond Mogadishu and establishing a durable peace across the diverse and often divided communities within its borders.

The region is distinct from Somaliland, which is discussed subsequently. It is embroiled in a more complex conflict, as factionalism based on clans and warlordism is compounded by fragmented Islamic-based factions since the fall of Siad Barre's rule. Despite significant efforts to build a state and establish peace in the post-Siad Barre era, all of these efforts have been categorically could not bring a workable state. Lewis (2008) laments the poor quality of international engagement, stating that given the amount of external intervention since then, it is disheartening that so little of value has been accomplished.

1.2 Somaliland

The Republic of Somaliland is a region in northwestern Somalia that shares borders with Ethiopia, Djibouti, and the Gulf of Aden (See Appendix 2). Somaliland has enjoyed relative stability, functioning governmental institutions, and a hybrid political system.

Somaliland, a self-declared sovereign state that parted ways from the rest of Somalia in 1991, presents a unique case of state-building in a region fraught with conflict and instability. Unlike its counterpart in South Central Somalia, where efforts to establish a central authority have been continuously hampered by violence and political discord, Somaliland has successfully leveraged its “traditional governance institutions”¹ to create a relatively stable and functioning state. This innovative approach to governance has involved integrating traditional clan-based structures with modern state mechanisms, allowing for a form of governance that is deeply rooted in the society's cultural and historical context.

The use of traditional governance institutions in Somaliland has not only facilitated peace and reconciliation among its diverse clans but has also played a crucial role in the establishment of political stability and public administration. This blend of traditional and modern governance systems has enabled Somaliland to hold periodic elections and maintain internal security, setting it apart from the tumultuous backdrop of South-Central Somalia. Through this unique model, Somaliland demonstrates the potential of indigenous approaches to state-building and governance in post-conflict societies, offering valuable insights into the possibilities of achieving stability and progress through the harmonization of traditional practices and modern statecraft.

The process of conflict resolution and state-building in Somaliland has been different from the approaches taken by the international community and other Western-oriented organizations in their unsuccessful attempts to rebuild the state in the Republic of Somalia. While the top-down approach has been attributed to the repeated failure of building viable² governance in Somalia, the experience of Somaliland is anomalous and speaks more to the character of contemporary international affairs about governance.

1.3 Unveiling the Essence of Somali Traditional Governance Institution

To fully grasp the intricately woven socio-cultural and political framework of Somalia, it's essential to start with a fundamental understanding of its clan system (Biruk, 2013 & 2022). As explained above, the Somalis are in a relative homogeneity to ethnicity, religion, and language with the aforementioned clan families. These clan families are related to each other, speak the same language, and share the same Islamic orientation. The three pillars of Somali social and political frameworks across the different Somali clans with various degrees consist of kinship or decent, social contracts (*Xeer*), and traditional authority (*Guurti*) (See Appendix 4).

1.3.1 The Kinship/Decent

The concept of kinship among the Somalis is comprised of two main elements: blood relationship and *Xeer*. Blood relationship refers to the connections between individuals based on their genealogy, which is reinforced by a patrilineal system that traces back to ancestral roots. *Xeer*, on the other hand, rules the relationship between specific *Dia*³-paying groups or clans.

In Somali culture, kinship is primarily defined by the clan system, which is based on agnatic lineage or patrilineality. Genealogies are used to determine which clan an individual belongs to, and clans are further divided into sub-clans and clan families (See Appendix 3). The highest level of political division is the clan family. Political affiliations are determined by “genealogical proximity”, which is measured by the distance in the number of ancestors between individuals or groups (Lewis, 1961, p.94).

Among the Somali, belonging to a particular clan family, such as the Hawiye, is a crucial factor in negotiating political matters with other clan families. If there is a conflict between these clan families, members of one clan family will strongly identify with each other and work together against members of the opposing clan family.

The dominance of clan interests can cause Somalis to prioritize actions that benefit their own clan family, sometimes at the expense of others. This strong loyalty to the clan family shapes their relationships and identity, which is solely based on clan membership rather than citizenship duties and responsibilities. Members of a clan family take pride in their affiliation and maintain their genealogical records as a reminder of their heritage.

Each clan family is divided into smaller constituent clans, the number of which depends on the size of the clan family. The clan operates as a united political unit and serves as a means for Somalis to differentiate themselves within their respective clan families. This differentiation is based on territorial exclusivity, which distinguishes the clan from other lineage units (Lewis, 1961).

The strong sense of corporate identity that comes from belonging to a particular descent group fosters collaboration and peaceful coexistence among agnatic clans. Within a clan, the general grazing area is typically open to all of the constituent lineage segments. The integration of different lineage segments enables the clan to operate as the paramount unit of collective political activity. However, political action within clans is based on consensus, attributed to the lack of centralized government. The clan is not associated with a specific leadership office, and this gap is filled by clan elders. Political leadership at every level of lineage allegiance is held by the elders of the relevant group (Renders, 2007, p. 444).

The primary lineage is the most prominent descent group within a clan and is the one to which a clan member identifies as belonging. Since the primary lineage is firmly integrated based on agnation, marriages are typically arranged outside of this lineage to promote connections with other groups. At a lower level of division within the clan system is the *Dia*-paying group, which is considered the most consistent basic political entity within the clan. It consists of a group of several small lineages that can trace their descent back to a common founder through four to eight generations and typically includes a few hundred to a few thousand members (Warsame, 2024).

Generally, in Somalia, the classification of social groups as lineages, clans, or clan families is rooted in the country's complex kinship and genealogical structures, which play a significant role in dictating social, political, and economic relationships. A lineage, known as "*Reer*," is the smallest unit, tracing descent from a common ancestor over a few generations and consisting of closely related individuals who often cooperate in social, economic, and political activities.

Clans, or "*Qabiil*," are larger groups that claim descent from a more distant ancestor, often legendary, and are composed of multiple lineages. Clans are crucial social, political, and economic units, managing communal resources and playing key roles in conflict resolution and governance, particularly under the *Xeer*.

The broadest category is the clan family, or "*Qolo*" or "*Beel*," which includes several clans claiming descent from a common, often mythological, ancestor. Clan families provide a wider framework for identity and solidarity, facilitating alliances and political movements, and play a vital role in maintaining peace and cooperation, especially during national crises (Farhia, 2024; Hussien, 2023). In Somali culture, genealogical records are crucial, with lineages having more precise documentation compared to the collective memory and oral traditions relied upon by clans and clan families. The roles of these groups extend beyond kinship, deeply influencing local governance and national politics, and the boundaries between these categories can be fluid, with groups sometimes reinterpreting genealogies for various reasons.

1.3.2 The '*Xeer*'

Xeer is a customary law in Somali society that encompasses a set of norms shaped by societal constructs designed to promote security and social justice for Somalis both in Somalia and in the diaspora. It is based on commonly recognized principles that seek to protect personal freedoms and meet responsibilities towards family and clan.

Xeer serves as a system to manage social interactions and splits into two types: *Xeer Guud*, encompassing widely recognized laws applicable across the nation, and *Xeer Sokeye*, referring to family laws that specific clans or sub-clans adopt. Each type may pertain to universal law, laws specific to a "particular clan, or legal procedures" (Abdile, 2012, p.88).

Xeer has been in practice for centuries and is fundamentally rooted in oral contracts among different Somali clans. It has endured because Somali clans need mechanisms to manage, prevent, and resolve conflicts (Fox, 1998). In the *Xeer* system, there are three methods for settling disputes: negotiation, mediation, and arbitration. These processes traditionally take place under a tree, where every adult male member of the community is permitted to participate in the gatherings (Gundel, 2006, p.27). Negotiation involves merging opposing positions into a single agreement and is often used as a means of preventing, managing, resolving, and transforming conflicts. It is considered the most common method, but not the only one (Zartman, 2009, p.186).

The values that underpin the norms within the Somali clan system are frequently unspoken, yet they acquire an obligatory nature via the *Xeer*. Hence, *Xeer* represents the second core tenet of Somali political life, serving to enact the inherent values of patrilineal descent, which are subsequently codified into contractual agreements across all levels of clan division. *Xeer* is employed to formulate norms and guidelines concerning marriage, conflict and reconciliation, distribution of resources, and pacts between clans. The political accords established through the *Xeer* are specific to the *Dia*-paying group, which delineates regulations for penalizing wrongdoings (Lewis 1961, pp.172-173).

The term "*Dia*" itself translates to blood money or compensation, and it is a mechanism for resolving disputes, particularly those involving injury or death, within and between clans. This group is composed of close and extended family members who collectively bear the responsibility for compensating the victim's family in the event of a crime or conflict. The purpose of the *Dia* system is not only to provide a form of justice and reconciliation but also to prevent further bloodshed and vendetta between clans, promoting social harmony and conflict resolution through dialogue and mutual agreement (Abdullahi, 2023).

The system underscores the importance of community and collective welfare over individual interests, reflecting the interconnectedness and interdependence of individuals within the clan structure. Despite the challenges posed by modernization and state formation, the *Dia*-paying group remains a vital institution in Somali society, highlighting the resilience of traditional mechanisms of governance and social cohesion in the face of changing socio-political landscapes.

In essence, the *Dia*-paying group in Somali culture is not merely a mechanism for compensating grievances but a fundamental institution that reinforces social bonds, ensures collective security, and embodies the principles of justice and reconciliation that are central to Somali customary law and societal norms. The *Dia*-paying mechanism works by the principle of *Xeer*.

The *Xeer* principle serves as a traditional legal basis for Somali political practices. Somalis use their customary norms as an unofficial method of settling legal and political disputes within their society. It is followed by the clans as a customary way of resolving conflicts between them and for the payment of blood money. This conventional system has proven effective for these communities, safeguarding their personal and community rights and property.

Throughout the centuries, *Xeer* has adapted and endured, even amidst the impact of European concepts. The *Xeer* Accords mainly focus on communal defense, safety, and political unity among clan members. They ensure the protection of every clan member's rights, particularly concerning property and customary entitlements.

Such a system encompasses a series of rights, responsibilities, and duties that regulate clan communities, founded on the clan's collective accountability. These systems have been refined over centuries to manage the pastoral anarchy in pre-colonial, post-colonial, and post-Siad Barre Somalia. *Xeer* continues to be vital for setting standards, anticipations, and duties in contexts lacking formal legal enforcement by the state. Together with Islamic law, *Xeer* constituted the sole legal framework in across Somali clans before the late nineteenth-century advent of colonialism.

Although *Xeer* incorporates many Islamic legal principles and norms, it is essentially a secular system. Its development can be attributed to various sources, including Somali history, customs, cultural practices, and Islam, depending on the way it is practiced and its core values. Clan leaders (*Odaya*) and wise men (*Wax Garad*) are the central actors in enacting and implementing *Xeer* (Abdille, 2012, p.89). They have customary authority and the power to create *Xeer* laws.

Throughout its history, various factors have weakened the authority of *Xeer*. Firstly, colonialism and the subsequent introduction of Western laws in Somalia have had an impact on the power and status of *Xeer*. Secondly, the establishment of modern courts and the creation of modern Somali statehood have supplanted the role played by clan leaders, wise men, and other customary institutions. Third, the ongoing competition between *Xeer* and *Sharia* has also contributed to the weakening of the *Xeer* system over the centuries. Finally, modern education, and technology as part and parcel of the aforementioned factors contributed for the weakening of *Xeer*.

After the disintegration of Somalia's central government and its legal frameworks in 1991, which led to the decline of Western-implemented law, there has been a revival of the *Xeer* system. This resurgence has significantly empowered the traditional system and its leaders. Since that time, *Xeer* has emerged and continues to be the main source of legal and orderly conduct in many Somali regions. The fall of the central authority highlighted a transition from Western legal practices to *Xeer*, establishing it as the sole recognized means of adjudicating disputes within the country.

As highlighted by Le Sage in Zuin (2008), the *Xeer* system remains the most frequently utilized and upheld method for achieving justice. Especially in rural locales, where limited transportation options exist and cultural norms deter the use of alternative legal solutions, Somalis predominantly rely on *Xeer*, employing it to settle vast majority of all legal disputes, including those involving criminal acts.

Menkhaus (2008) argues that the formal judicial system in Somalia has never been the primary source of conflict resolution. Instead, parties to disputes would typically crowd into a learned Sheikh compound, while the district court office would sit empty. This highlights the significant role played by *Xeer* in adjudicating cases and resolving conflicts in Somalia.

Xeer has emerged as a vital tool due to three key reasons. First, the Somali community is deeply conservative and tightly connected, where familial and kinship bonds play a central role in forming and maintaining relationships, alliances, and friendships. Second, a general mistrust towards Western legal principles and the state's failure to deliver justice that meets the local populace's expectations for compensation and reconciliation have kept the reliance on *Xeer* alive. Lastly, the colonial powers' unsuccessful efforts to fully implement Western legal standards across Somalia, particularly in rural areas where these laws were largely ineffective, have ensured the persistence and practice of *Xeer* institutions. This situation has preserved *Xeer* as a mainstay in areas unaffected by Western legal influences.

Notwithstanding its resilience, there exist multiple constraints to the *Xeer* dispute resolution system. The primary shortcoming is the absence of centralized power to implement orders or judgments, which limits the application of *Xeer* to local areas (Brosius, 2021). Additionally, the system prioritizes societal order over individual rights which some take it problematic.

1.3.3 The ‘*Guurti*’

The *Guurti* is a council of elders that serves as a governing structure and enforces laws and judicial decisions. It traditionally holds the highest political council in Somali society, consisting of titled and non-titled clan elders chosen for their knowledge and wisdom. These councils are also the primary decision-making body within the clan structures, and they are responsible for making contractual agreements related to various aspects of clan life, such as marriage practices, resource allocation, trade agreements, punishment for crimes, and movement of clans or sub-clans.

The governing of the clan or sub-clan is maintained through the conferences (*Shir*) of the *Guurti*. In times of conflict, crisis, or disagreements between clans that required law enforcement or negotiations, the *Guurti* would convene as part of the *Shir* (Lewis, 2008; Farah & Lewis, 1977).

The decisions made by the *Guurti* have binding authority over the clans and sub-clans involved, creating a traditional legal system through a form of customary law. In the absence of a chief exercising power, decisions were made through consensus, and *Shir* would sometimes convene for months. These clan councils continue to function in Somali society, particularly in the context of state collapse and the absence of state institutions. In many areas of post-Barre Somalia, the clan system provides a structure for inter-group relations and governance, managing violence, and organizing trade through *Shir* and *Guurti* (Ali, 2016, p.37).

In the intricate societal structure of the Somali clan system, the *Guurti* occupies a position of paramount importance, functioning as a crucial mechanism for political governance and the enforcement of the *Xeer*. This esteemed council of elders, deeply rooted in the sociopolitical fabric of Somali culture, serves not only as a custodian of customary laws and norms but also as an arbiter of disputes, thereby ensuring the stability and coherence of the clan-based society.

The *Guurti*, through its authoritative role, embodies the synthesis of tradition and governance, leveraging its moral and social standing to adjudicate matters by the *Xeer*. It has been instrumental in the state and peace-building processes within the Somali territories, particularly in the establishment of peace and a central government in Somaliland. In the aftermath of the civil strife that engulfed Somalia, this council facilitated dialogue and reconciliation among conflicting parties, demonstrating the capacity of traditional mechanisms to foster stability and governance. Their efforts have culminated in the formation of a more stable political entity in Somaliland, where traditional and modern systems of governance coexist, offering a unique model of state-building in a post-conflict context.

In essence, the role of the *Guurti* in the Somali clan system transcends mere governance or legal arbitration. It embodies a profound connection between Somali cultural heritage and contemporary political and legal realities, showcasing the enduring relevance of traditional governance institutions in shaping modern governance structures.

This synthesis of the old and the new provides valuable insights into the possibilities of integrating traditional governance mechanisms with the demands of contemporary state-building and peacekeeping endeavors.

An important dimension of the *Guurti* is reflected in the *Irgo* System, often referred to in the context of "Shuttle Diplomacy" among clan elders in Somalia, which is an indigenous conflict resolution mechanism that is deeply rooted in Somali culture. The term "Shuttle Diplomacy" aptly describes the approach taken by mediators in the *Irgo* System. Mediators shuttle between the conflicting parties, conveying messages, demands, and offers. This method allows for flexibility and enables mediators to de-escalate tensions, negotiate terms, and find common ground without requiring confrontation between the parties.

As part of the *Xeer*, it plays a crucial role in mediating conflicts, promoting peace, and fostering reconciliation within and between clans. The process predominantly involves the active participation of clan elders, and sometimes community or neutral third parties who mediate the conflict. These individuals are highly respected within their communities and possess an in-depth understanding of Somali customs and traditional laws. The system further emphasizes reconciliation and the restoration of social harmony over punitive measures. The resolution often involves *Dia* to the aggrieved party, apologies, and public declarations of peace, which are designed to heal the social rift caused by the conflict. Each mediation process under the *Irgo* System is tailored to the specific context of the conflict and the parties involved. This flexibility ensures that the resolutions are relevant and acceptable to all stakeholders.

A fundamental objective of the *Irgo* System is to preserve and strengthen the social fabric of Somali society. By resolving conflicts in a manner that respects the dignity of all parties and promotes mutual understanding, the system helps to maintain the cohesion and solidarity of communities. The effectiveness of the *Irgo* system highlights the importance of culturally sensitive approaches to peace building and governance. These indigenous practices offer valuable insights into how deeply rooted cultural norms and values can contribute to the resolution of conflicts and the maintenance of social order.

The concept of "governance without government," as articulated by Menkhaus (2006/07), suggests that the Somali region exhibits characteristics of social organization and order that contradict the prevalent perception of total anarchy often associated with failed states. This perspective illuminates the resilience and adaptability of Somali society in the face of state collapse, where communities have proactively turned towards age-old institutions to fulfill their fundamental needs concerning security and societal order.

These traditional systems, deeply ingrained in the Somali socio-cultural fabric, have effectively managed to sustain public order, albeit without necessarily advancing the cause for the restoration or revival of a centralized state apparatus. They embody a complex interplay of social norms, the *Xeer* and *Guurti*, which collectively contribute to a form of social governance that operates outside the purview of formal governmental control. This indigenous approach to managing community affairs underscores the capacity of traditional institutions to mediate conflicts, enforce laws, and provide a framework for social cohesion, all of which are essential components of societal stability. However, the role and efficacy of these traditional institutions in the broader domain of state-building and governance reform constitute a subject of vigorous debate among scholars, policymakers, and practitioners.

1.4 The Crossroads of Tradition and Statecraft: Debating Somali Traditional Governance Institutions in State (Re) Building

The collapse of Siad Barre's regime in 1991 plunged Somalia into a profound state of turmoil, precipitating a power vacuum that threatened to devolve the nation into instability. In the wake of this chaos, traditional governance institutions, deeply embedded within the Somali social fabric, emerged as vital stabilizing forces. These institutions, leveraging centuries-old customs and the authority of clan elders, have played an indispensable role in maintaining social order, mediating conflicts, and providing rudimentary governance structures. The effectiveness of these traditional systems in deterring a complete descent into anarchy is widely acknowledged, underscoring their resilience and adaptability in the face of state collapse. However, the proposition of transforming these traditional mechanisms into foundational elements for state reconstruction ignites a complex debate, reflecting divergent perspectives on their capacity and suitability for such a transition.

The debate over the role of traditional institutions in Somalia's state revival is emblematic of broader tensions between modernity and tradition, centralization and decentralization, and inclusivity and exclusivity. While the immediate post-Siad Barre era demonstrated the critical role of traditional systems in averting a complete societal breakdown, their long-term application as building blocks for state revival necessitates a context-sensitive approach. It requires balancing the preservation of cultural heritage and social stability with the imperatives of building a modern state that upholds the colonially transplanted institutions and principles as the colonial enterprise brought an involuntary intermixing of cultures that might be tough to escape.

Critics of utilizing traditional institutions as building blocks for state revival argue that their very nature — rooted in clan-based loyalties and parochial interests — inherently limits their ability to foster a cohesive national identity and inclusive governance (Mansur, 1995, p.108). It is contended that these institutions, while effective in localized governance, may exacerbate divisions at the national level, hinder the establishment of a centralized authority, and impede the development of a modern, democratic state apparatus. Furthermore, the critics highlight the potential for these traditional systems to perpetuate exclusionary practices and inequalities, thereby undermining efforts to establish a just and equitable state.

Conversely, proponents of leveraging traditional institutions for state-building emphasize their legitimacy and deep-seated authority within Somali society. This argument posits these systems offer a pragmatic and culturally congruent foundation upon which to construct a more stable and functional state (Daniel, 2014, p.1). By integrating traditional mechanisms with modern governance frameworks, Somalia can capitalize on the social cohesion and conflict-resolution capabilities these institutions provide. This approach advocates for a bottom-up strategy of reinstating state institutions, one that respects and incorporates the existing social structures and values, potentially paving the way for a more organic and sustainable process.

Some argue that traditional institutions of governance are merely temporal coping mechanisms that will quickly be abandoned once state structure is founded (Dininio & Murtazashvili, 2010). They are taken as fragile institutions that people embrace temporally in the attainment of basic security and order. The establishment of state institutions will let them to their fate for their fragility cannot help them to sustain any longer.

Others argue, in the same vein that traditional institutions are actively counterproductive because stakeholders in those institutions may feel threatened by state-building efforts and resist them, viewing them as potential spoilers (Abdi & Barise, 2006). These actors are seen as deviating from the formal state structure to safeguard their vested interests through the traditional institutions.

Similarly, some see these traditional institutions as weakening states and fueling conflicts. They exist in an uneasy and ambivalent relationship with their respective states, constituting rival and often overlapping structures of political authority that are difficult to integrate into the state. They are capable of blocking the state's centralizing tendencies and can often hinder state-building efforts. Moreover, since states in these environments may not have an effective monopoly over violence, they may share power and allocate significant government resources to local governance systems to maintain peace and their power. However, accommodating too many groups can result in inequity and ultimately lead to conflicts.

The modernization scholarship, with its dichotomous approach to realities, reinforces the argument that traditional values and institutions should be abolished and replaced with "modern" ones. The values embedded in traditional structures are presented as a cause for society's self-imposed immaturity, as Immanuel Kant calls it (Schmidt, 2013). The theory rooted in the Western Enlightenment discourse posits a linear, systematic, and imminent transition in the non-Western societies to rescue them from allegedly backward, traditional values, and institutions and adopt modern political and economic models. Moreover, modernization theory sees traditional institutions as an obstacle to an ideal type of rationalized bureaucratic authority, implying that traditional institutions are likely to provide poor leadership (Weber, 1948; Huntington, 1968; Lerner, 1958; Besley & Burgess, 2002). As a result, traditional institutions are often portrayed as restricting the individual rights of citizens and constraining the development of democratic states by conventional wisdom. In addition, as a predominant paradigm within social sciences during the mid-20th century, the modernization theory posits a linear progression from traditional to modern societies. This theory often characterizes traditional values and institutions as antithetical to development, advocating for their replacement with modern counterparts to achieve economic growth, democracy, and social stability.

The underpinning assumption is that modernization embodies an inevitable, universal process leading societies towards a set of desired 'modern' characteristics, including rational-legal authority, industrialization, and secularization. Immanuel Kant's invocation of society's "self-imposed immaturity," referenced above, underscores the enlightenment belief in reason as the pathway to emancipation from traditional, dogmatic structures. However, viewing this through the lens of modernization theory can oversimplify the complex interplay between tradition and modernity. It risks disregarding the adaptability of traditional values and institutions and their potential to contribute positively to society's development. This dichotomous approach fails to appreciate the hybrid social, political, and economic organization that emerges when traditional and modern elements interact and transform one another.

Critics of modernization theory, including postcolonial scholars and proponents of multiple modernities, argue that development does not necessitate the wholesale abandonment of tradition. They highlight the diverse pathways societies can take towards modernization, shaped by unique historical, cultural, and institutional contexts. The resilience and evolution of traditional institutions in the face of modern challenges suggest that rather than being obstacles to development, they can be integral to a society's adaptive strategies. This broader perspective calls for a more thorough understanding of modernization, one that recognizes the value of integrating traditional wisdom with modern innovations to foster development that is both inclusive and respectful of cultural diversity.

Finally, some argue against traditional institutions by citing a clash with universal human rights principles. They point to the "illiberal" local security arrangements in Somalia, where justice and security provided by traditional institutions do not adhere to the principles of international human rights standards and provide unequal and sporadic levels of security to different communities. These arguments lead to the conclusion that legitimizing traditional institutions of governance is unhelpful and even a step backward.

The critique of traditional institutions on the grounds of their clash with "universal human rights principles" presents a significant challenge in the discourse on governance and development, particularly in contexts like Somalia where such institutions play a crucial role in providing justice and security.

Critics argue that while traditional institutions may offer immediate and culturally resonant solutions to local governance and security needs, they often operate outside the framework of international human rights standards. This can result in practices that are deemed "illiberal," where justice is meted out in ways that may not align with globally recognized rights and freedoms, leading to disparities in the protection and treatment of different community members.

In Somalia, for instance, the reliance on clan-based justice and security mechanisms has been both a source of stability and contention. These traditional systems, deeply embedded in the age-old social fabric, offer rapid dispute resolution and maintain a level of order in areas where the state's presence is minimal or absent. However, the absence of formal legal oversight and adherence to international human rights norms can lead to uneven and sometimes discriminatory practices. This includes unequal access to justice, gender-based discrimination, and punitive measures that conflict with the principles of fairness, accountability, and equality before the law as enshrined in international human rights conventions (Dhahri, 2023).

The tension between the effectiveness of traditional institutions in providing localized governance and their compatibility with universal human rights principles raises complex questions about the integration of traditional and modern systems of justice and governance. It underscores the need for a detailed approach that respects cultural contexts and the efficacy of indigenous institutions while striving to align their operations with international human rights standards. This approach could involve dialogues and partnerships between traditional leaders, state officials, and international human rights bodies to jointly create mechanisms that bridge the gap between traditional practices and human rights principles (Kern, et al, 2024). Such efforts could aim to enhance the capacity of traditional institutions to deliver justice and security in a manner that is both culturally legitimate and rights-respecting, ensuring equitable and fair treatment for all community members (Safrin, 2023).

Contrary to the arguments mentioned above that signify the predicament of traditional governance institutions, there is another perspective that views traditional institutions not just as coping mechanisms but as a reflection of a more organic, community-driven form of governance that can serve as a building block for state revival. According to this view, traditional institutions are the only sources of security that have sustained order in stateless Somalia.

Furthermore, some highlight the role that traditional institutions played in peace-building and restoring order in some parts of Somalia and see them as essential in addressing the Somali crisis (Bradbury, 2008; Renders & Turlinden, 2010; Richards, 2009).

The perspective that views traditional institutions not merely as temporary coping mechanisms but as vital, organic forms of governance deeply rooted in community practices offers a constructive counterpoint to the critiques centered on human rights conflicts and modernization theory. This viewpoint acknowledges the intrinsic value of these institutions in fostering social cohesion, providing localized solutions to governance challenges, and embodying a form of governance that is more directly responsive to the needs and values of the community. Such an approach suggests that traditional institutions possess inherent strengths that could be instrumental in the process of state revival and building a more inclusive, participatory form of governance.

Proponents of leveraging traditional institutions for state-building emphasize their legitimacy and authority derived from cultural traditions, historical continuity, and communal consensus. These institutions, with their deep understanding of local contexts and ability to mobilize community resources, can offer more flexible and adaptive governance solutions than those imposed from the top down. Furthermore, they often embody a participatory form of governance, where decision-making processes are more transparent to community members, fostering a sense of ownership and accountability. By integrating traditional institutions into the broader framework of state governance, it's possible to bridge the gap between state and society, enhancing the state's legitimacy and effectiveness. This integration can take various forms, such as formal recognition of traditional dispute resolution mechanisms within the legal system, inclusion of traditional leaders in advisory roles, or collaborative governance models that combine state and traditional structures. Such hybrid models can capitalize on the strengths of traditional institutions while addressing their limitations through the incorporation of human rights principles and modern governance standards. This perspective champions a more delicate and context-sensitive approach to governance and state-building, recognizing that the path to a stable and effective state structure in post-conflict societies like Somalia may require embracing and adapting the existing social and political fabrics rather than attempting to replace them in wholesale.

It argues for a reevaluation of traditional institutions' role in the modern state, proposing that these structures can contribute to a more resilient, adaptive, and inclusive statehood, provided they are engaged constructively and their practices are aligned with universal principles of justice and human rights.

The success story of Somaliland in achieving relative peace and security, as discussed thoroughly in chapter five, primarily through the help of traditional governance institutions effectively challenges the argument of those who stand against the synchronization of that traditional institution. Right after the disintegration of government structures, clan elders reclaimed their traditional governance authority and played a constructive role in mediating rival clans during the zenith of civil war in Somaliland. In the formation of the central government, clan elders held conferences in which clans reached a consensus to form non-conventional governance which is based on synchronizing customary traditions and 'modern' institutions.

Though imperfect, the process of conflict resolution, peace-building, and state-building in Somaliland in periods up to and including the conferences like Borama that are discussed thoroughly in the fifth chapter offers a clear demonstration of a form of 'consensus-based democracy' in practice. The method used during the Borama conferences shows the role of customary law in conflict resolution and the traditional authority of elders.

As Bereketeab (2011, p.376) maintains, the Horn of Africa state-building project is intrinsically problematized by the absence of functional harmony between traditional elements that represent the pre-colonial indigenous institutions and colonially transplanted nation-state ideal. The presence of a balance and counterbalance between traditional institutions and the modern state apparatus resulted in Somaliland being isolated from other territories. Areas of Somalia in which traditional institutions are dispossessed are characterized by instability and insecurity.

Underlining the role that traditional institutions play, Leeson (2007, p.689) argued to the extent that "Somalis are better off under the absence of central government." Through traditional institutions, people realized great gains in the areas of entrepreneurship and economic development. Such developments were not observed before the disintegration of the central government. Renewed vibrancy in critical sectors of Somalia's economy and public goods in the absence of a predatory state seems responsible for this improvement.

The country, despite the lack of a functional central government since 1991, has been able to maintain an informal economy where the private sector enterprises albeit small, have held notable success. Such experience may lead one to a logical conclusion that supporting the traditional institutions could be effective in forming a viable state in Somalia proper.

Broadly speaking, it appears reasonable to contend that the persistence of challenges in Somalia republic is primarily due to the failure to consider the role of traditional institutions in the course of rebuilding a stable state. The last three decades saw enormous efforts to restore central government in Somalia Republic championed by the international community and all were doomed to fail from the start. The effort was aimed at building a *Westphalian*⁴ type of central government - a kind of entity that the international community is most comfortable dealing with in defiance of local socio-political dynamics. The concern of the effort exclusively rests on imposing a highly centralized, top-down, and significantly artificial state structure on Somalia's inherently decentralized and dynamic society and that lacks a due consideration of the grain of Somalis.

Empirically, Somaliland, with the help of integrating traditional institutions within a 'modern' state framework has gained enhanced unity and legitimacy. The argument made against the synchronization of this traditional system thus misreads the Somali socio-political context. Clans have helped destroy Somalia's centralized government, but they can come up with resilient institutions and play a crucial role in aiding the reconstruction of national governance from the bottom up (Kaplan, 2008, p.82). Moreover, states are not able to acquire legitimacy, nor can they utilize the native abilities and social connections essential for governance when they conflict with the traditional institutions, values, and identities of the communities they are intended to serve. With no degree of social cohesion, states can by no means construct a robust government nor create the essential conditions for stability, regardless of the amount of external assistance they receive.

In this conceptual background, the argument advocating for the synchronization of traditional institutions, with its inherent virtue of a profound theoretical foundation, is presented as a precursor to a more comprehensive exploration of the HPO, a theory that will be elaborated upon in the subsequent chapter. This theoretical proposition, which integrates empirical evidence, offers a comprehensive lens through which to understand the Somali Republic's pursuit of viable statehood.

This approach posits that the amalgamation of traditional governance structures with modern state mechanisms could result in a governance model that is both innovative and adaptable to the unique sociopolitical landscape of Somalia.

The premise of a HPO suggests a deliberate fusion of the conventional state system's formal legal and administrative frameworks with the customary, traditional systems that have historically provided governance and social order within Somali society. The virtue of this in-depth theoretical exploration lies in its ability to accommodate the complexities of Somali society, which cannot be fully understood through a singularly Western-centric lens of statecraft. It acknowledges the robustness of traditional institutions in maintaining social cohesion and public order, their legitimacy among local communities, and their potential role in facilitating dialogue and reconciliation.

By drawing upon empirical evidence, this argument underscores the practical manifestations of such HPO in regions where conventional state authority is limited or absent, thereby providing tangible insights into how this model can contribute to the construction of a viable state. Moreover, this academic inquiry into the synchronization of traditional institutions within a HPO framework seeks to challenge and expand the conventional paradigms of state-building and governance. It prompts a critical reevaluation of the assumptions underpinning existing models of governance and statehood, advocating for a more inclusive approach that recognizes the value of integrating indigenous knowledge systems and governance practices with the formal structures of the modern state.

The exploration of HPO as a theoretical foundation for understanding the Somali Republic's quest for statehood is not merely an academic exercise but a pragmatic approach to addressing the complex realities of governance in contexts characterized by a blend of traditional and modern institutions. This perspective offers a promising avenue for conceptualizing statehood in a way that is both reflective of and responsive to the intricate dynamics of Somali society, thereby contributing to the broader discourse on governance and state-building in post-conflict settings.

The scholarly discourse surrounding the Somali Republic's endeavor towards attaining a sustainable statehood framework presents a compelling argument in favor of integrating traditional institutions, endowed with the richness of a deep-seated theoretical underpinning, into the modern state apparatus. This proposition, which is set to be elaborately theorized in the subsequent chapter, underscores the potential of HPO—a concept underpinned by both theoretical frameworks and empirical evidence—to offer a more exhaustive understanding of the complexities involved in Somalia's pursuit of viable statehood.

The argument posits that such synchronization between the indigenous governance mechanisms and contemporary state systems could facilitate a more grounded approach to state-building, one that is reflective of the socio-cultural realities and historical contexts of the Somali Republic.

Notwithstanding the apparent merits of this approach, a significant void in the academic literature and research exists concerning the ontological inquiry into why, despite the indubitable necessity of incorporating traditional governance structures into the state-building process, the Somali Republic has yet to fully embrace such institutions. This is particularly perplexing when juxtaposed with the notable successes achieved by its northern counterparts in fostering peace and stability through the utilization of these very traditional mechanisms. This lacuna in scholarly inquiry highlights a profound conundrum: despite the clear evidence supporting the efficacy of traditional institutions in contributing to peace and stability, the Somali Republic's approach to state (re)building remains curiously aloof from the potential benefits of synchronization with these time-honored systems.

Fundamentally, the failure to consider the synchronization of traditional institutions in the context of state (re)building in Somalia republic remains a perplexing puzzle. It beckons a thorough investigation into the socio-political, cultural, and economic barriers that hinder such an integrative approach. Unpacking this conundrum is not only crucial for a deeper understanding of the Somali Republic's state-building challenges but also for illuminating a pathway toward a more inclusive and resilient statehood model that harmonizes the virtues of traditional governance with the demands of contemporary statecraft.

2. Statement of the Problem

The overthrow of Siad Barre's rule in January 1991 marked the collapse and disintegration of the highly centralized state and governance institution in Somalia. The state institutions in their normative form have collapsed. Somalia as one united national state era covers the years from 1960-1991. The colonially created Nation-state of Somalia and its functions were replaced by the social organization of the clan and clan-lineage-based governance systems when Barre's regime ended.

Although the era following Siad Barre is marked by a lack of central governance, it can by no means be considered a cause for absolute chaos in Somalia. Sub-state social mechanisms that were primarily based on traditional governance institutions have proven to be instrumental in providing peace and stability in relative terms.

The landscape of international efforts aimed at reconciliation in Somalia is marked by a series of ambitious yet ultimately unsuccessful initiatives. Despite deploying more than several dozen interventions designed to mediate and resolve the ongoing crisis, the tangible outcomes of these endeavors have been conspicuously absent. In certain instances, these international efforts have paradoxically served to exacerbate the situation, contributing to an escalation rather than a resolution of the crisis. A myriad of international and continental missions, including but not limited to the Unified Task Force (UNITAF), the United Nations Operation in Somalia (UNOSOM I&II), the African Union Mission in Somalia (AMISOM), and the most recent iteration, The African Union Transition Mission in Somalia (ATMIS), alongside the sequential government structures such as the Transitional National Government (TNG), the Transitional Federal Government (TFG), and the Somali Federal Government (SFG), have uniformly fallen short of achieving their stated objectives.

The rhetoric promising the establishment of a viable state structure has remained just that—rhetoric—without materializing into substantial progress or stability. These endeavors, accompanied by consecutive Conferences and Resolutions such as Operation Restore Hope, the Arta, and Mbagathi, spanning three decades, are characterized by a common approach that can be critiqued for its external orientation and a top-down methodology in attempting to construct a functioning state apparatus within Somalia.

This methodology, which has consistently failed to yield the intended outcomes, underscores a fundamental misalignment with the sociopolitical realities of the Somali context. The repeated failures of these interventions signal a critical need for a reassessment of the prevailing 'normative' paradigms of state building, which have historically been guided by external templates and assumptions rather than indigenous realities and capacities.

The experiences garnered from these past three decades of intervention highlight the imperative for a paradigm shift—a move away from externally driven and prescriptive models of state-building towards an approach that valorizes and integrates the role of traditional institutions within the fabric of governance and state-building in Somalia. Such a shift necessitates a profound deconstruction of conventional notions of state-building, challenging the prevailing orthodoxy to embrace a more inclusive and contextually grounded framework. This recalibrated approach would recognize the intrinsic value and potential efficacy of Somalia's indigenous governance structures, advocating for their inclusion and central role in the broader quest for establishing a viable and sustainable state.

By reconsidering the function and influence of traditional institutions in the state-building process, there lies a potential pathway toward a more resilient, legitimate, and culturally consonant model of governance, one that is more likely to engender peace and stability for the Somali people. On top of that, an endeavor to establish a normative unitary state model has adversely affected the Somali's quest for viable statehood (Hagmann, 2007, p.2).

The repeated failures of attempts to establish a central authority have created a protracted crisis among the Somalis which again calls for deriving an alternative approach that can ultimately bring an end to the ongoing crisis. In this study, the researcher aims to explore and identify a meaningful discourse where traditional governance institutions' integration into state rebuilding efforts can be reassessed and invigorated. To this effect, the research seeks to understand the fundamental reasons behind the lack of serious consideration given to the synchronization of these institutions, examining the underlying principles and essential factors. This engagement is highly entangled with the broader undertakings of African studies as an academic discipline.

The relevance of such a discipline predominantly rests on its potential and enthusiasm to critically examine normative concepts and challenge those concepts and practices deemed necessary. In this regard, the research appears to fill the existing gaps in two folds. Where on the one hand, the Somaliland anomalous experience has not attained the attention it well warrants in terms of debunking normative concepts of statehood. On the other hand, the research provides a comprehensive analysis of the ongoing failures in the state-building processes within the Republic of Somalia, emphasizing the critical oversight in not leveraging traditional institutions.

This part of the study examines how the neglect of these foundational societal structures has contributed to the repeated setbacks in establishing a viable state framework, suggesting a reevaluation of their potential role in achieving sustainable governance and societal cohesion. With the latter one, the medical maxim “*Diagnosis first and prescription second*” best captures the problem statement of the research.

There is more or less a unanimous understanding, with experts and researchers working to rebuild states in fractured societies on the importance of working with traditional governance institutions and the shortcomings of solely relying on imported systems of governance approaches that bear little relevance to local circumstances.

In the discourse on governance and societal organization within the Somali context, it becomes evident that Somalia possesses a rich heritage of traditional governance institutions that have historically played a fundamental role in transcending what is often described in Western philosophical thought as the Hobbesian 'State of Nature.' Thomas Hobbes, in his influential work, conceptualized the 'State of Nature' as a hypothetical human existence predicated on the absence of any overarching sovereign authority (Leviathan) to enforce law and order. This condition, according to Hobbes, inevitably devolves into a perpetual state of conflict—'a war of every man against every man'—where life is characterized by its solitary, poor, nasty, brutish, and short nature (Hobbes, 1991).

The Somali Republic presents a fascinating counter-narrative to this Hobbesian paradigm. Despite the absence of a centralized sovereign authority capable of imposing order in the manner Hobbes deemed essential, Somalia has not descended into the anarchical and brutish existence that Hobbes predicted.

The resilience and relative stability observed in Somali society, even in the face of state collapse, can be directly attributed to the robust network of traditional governance institutions that have historically underpinned Somali social and political organizations.

These traditional institutions, embodying principles of communal decision-making, conflict resolution, and social regulation, have effectively functioned as the societal glue holding the fabric of Somali communities together. Far from being mere relics of the past, these institutions have demonstrated remarkable adaptability and relevance in providing governance structures that mediate conflicts, enforce customary laws, and maintain social cohesion in the absence of a formal state apparatus.

To overlook the significance of these traditional institutions in any analysis of Somalia's avoidance of Hobbes's dreaded 'State of Nature' would be both inconceivable and obsolete. Their role in fostering a sense of order and stability amidst the challenges of state collapse and civil strife is not merely supplemental but foundational to understanding the Somali social order. These institutions represent a living testament to the capacity of societies to organize themselves and manage their affairs through indigenous systems of governance that are deeply embedded in their cultural and historical context. Thus, the Somali experience challenges the universal applicability of the Hobbesian model and underscores the importance of examining alternative forms of social organization and governance. It invites a broader reflection on the diversity of ways in which human societies can navigate the absence of centralized sovereign power, through mechanisms of traditional governance that are built on the principles of consensus, communal responsibility, and social solidarity. In this light, Somalia's traditional governance institutions emerge not only as crucial elements in the country's governance landscape but also as significant contributions to the global discourse on governance, sovereignty, and the nature of human societies.

As discussed in the earlier section, the argument for the indispensability of synchronizing these traditional institutions with the modern state structure is supported by a valid argumentation. However, given the indispensability, the deeper quest for why Somalia republic unlike its Somaliland, shies away from synchronizing these traditional institutions in its effort of state-(re)building, remained an issue to explore.

The issue of fundamental interrogation in why Somalia republic refrained from utilizing traditional systems of governance as building blocks in a quest for viable statehood, thus, creates an academic space to engage and broaden the horizon in the noble role of African studies – challenging normative conceptual frameworks.

This scholarly endeavor embarks on a dual-faceted journey, firstly to underscore the imperative of alignment between traditional governance mechanisms and contemporary state institutions within the Somali context, amidst an evolving discourse replete with novel arguments, theoretical frameworks, and practical applications. On one flank, this research champions the cause for a deliberate and thoughtful synchronization, advocating for a cohesive integration of Somalia's rich traditional governance heritage with the mechanisms and structures of the modern state apparatus. This advocacy is anchored in a growing body of scholarly work that posits such integration as vital for the stability and prosperity of nations navigating the complex terrain of state-building and governance in the post-colonial African landscape.

Conversely, the study ventures into an exploratory analysis of the apparent paradox inherent in the Somali Republic's approach to governance—a conspicuous sidelining of these traditional institutions despite their ostensibly critical role in the social fabric of the Somali people. It seeks not only to identify the gaps and missed opportunities in leveraging these indigenous systems for national development but also to understand the dynamics at play that perpetuate this disconnect.

A particular focal point of this investigation is the anomalous case of Somaliland, a territory that has demonstrated a notable capacity for the effective integration—or synchronization—of traditional governance structures with the formal trappings of a 'modern' state. Since the early 1990s these traditional institutions “became institutionalized” (Höhne, 2006. p.15). This region's experience serves as a compelling case study within the broader Somali context, offering valuable insights into the feasibility, challenges, and benefits of such a governance model. The contrast between Somaliland's relative success in this domain and the broader Somali Republic's struggle provides a rich terrain for analysis, shedding light on the intricate interplay between tradition and modernity in the construction of viable governance systems.

In essence, this research endeavors to traverse the depth and breadth of the conversation surrounding traditional governance and state synchronization in Somalia, offering both a reaffirmation of its necessity and a critical examination of its underutilization. Through this comprehensive inquiry, the study aims to enrich the discourse in African studies and provide a nuanced understanding of the complex dynamics at play in the quest for cohesive and effective governance in the Somali Republic and beyond.

3. Research Questions

3.1 Central Question

- To what extent do traditional institutions contribute to the viability of statehood in Somalia, and what factors have impeded the synchronization of these institutions with the modern state apparatus?

3.2 Sub-questions

1. In what ways, if at all, do the roles and efficacies of traditional governance institutions in the context of state (re)construction diverge between Somalia and Somaliland?
2. What mechanisms have facilitated the integration of traditional institutions into the modern state apparatus in Somaliland?
3. What factors have significantly impeded the integration of traditional institutions with the modern state framework in Somalia?

4. Research Objective

4.1 General Objective

This research aims to critically interrogate the normative conceptualization of the *Weberian* state by examining the unique case of Somaliland. It endeavors to elucidate the persistent challenges associated with integrating traditional institutions within the state-building framework, positioning extraversion as a fundamental obstacle to this synchronization process.

Through this inquiry, the study seeks to contribute to a deeper understanding of the complexities involved in melding traditional governance structures with modern state mechanisms, thereby advancing the discourse on state formation in contexts deviating from conventional Western models.

4.2 Specific Objectives

1. To investigate the foundational disparities, should they exist, between Somalia and the Republic of Somaliland in terms of the viability of synchronizing traditional institutions with contemporary state structures.
2. To critically examine the extent of success achieved in integrating traditional governance mechanisms within the modern state framework in Somaliland.
3. To identify and analyze the potential obstacles encountered during efforts to harmonize traditional institutions with the modern state apparatus in Somalia.

5. Significance of the Research

Many studies have been conducted so far on the Somali crisis. Particularly, on the ‘state failure’ issue and attempts have been made to come up with a way out. This Research fundamentally differs from prior studies for it aspires to have a deeper understanding of why Somali solutions for Somali problems have been sidelined. So, it not only prescribes but also makes an ontological understanding of cases. Thus it will add something new and valuable to the literature of Somali issues.

More specifically, this research will offer a fresh perspective on the critical question of why efforts to synchronize traditional and modern state-building elements have been consistently overlooked, despite their undeniable importance. By engaging in a deep ontological analysis, the study aims to uncover the underlying reasons for this oversight, highlighting the indispensability of integrating these elements for successful state development. This approach seeks to challenge existing assumptions and encourage a reevaluation of how essential the harmonization of traditional institutions with contemporary governance models truly is.

The research conducted under the Centre for African Studies, yielding findings that challenge the prevailing 'normative orders' within academia, represents a significant breakthrough. This development is crucial not only for its academic contributions but also for its potential to carve out an intellectual space where dissident African voices can be heard, acknowledged, and valued. By questioning and reevaluating the established norms and assumptions that have traditionally guided academic discourse, this research contributes to a broader process of decolonizing knowledge. It pushes against the boundaries of what is considered valid and legitimate scholarship, advocating for a more inclusive and diverse academic landscape.

This breakthrough underscores the importance of diversifying perspectives within academia, especially in fields like governance and state-building which have long been dominated by Eurocentric viewpoints. By bringing to the fore the complexities and nuances of African governance systems, such research challenges the one-size-fits-all approach to understanding state dynamics and governance practices. It highlights the rich tapestry of traditional governance mechanisms across Africa, demonstrating their relevance and potential contributions to contemporary governance challenges.

6. Scope of the Study

This dissertation zeroes in on the Horn of Africa emphasizing Somalia and Somaliland. This choice is strategic, aiming to unpack the intricate relationship between traditional governance institutions and state mechanisms within these territories. By narrowing the geographical scope, the study seeks to provide an in-depth analysis of how historical, cultural, and political contexts influence governance and social cohesion.

Central to this dissertation are several themes: governance, extraversion, historical legacy, and the impact of traditional institutions on state-building efforts. The study explores the mechanisms through which these institutions contribute to or detract from the formal state apparatus, how they are integrated into or resist state policies, and their role in societal cohesion.

A qualitative methodology underpins this research, leveraging interviews, document analysis, and case studies. This approach facilitates a deeper understanding of the nuanced relationships between traditional institutions and the state.

The study prioritizes firsthand accounts from community leaders, government officials, and scholars, complemented by an extensive review of existing documents, historical records, and previous academic works.

A comparative lens is employed to dissect the contrasts and parallels between Somalia and Somaliland. This analysis not only highlights the unique trajectories of these regions but also sheds light on broader questions about the role of traditional governance within modern state frameworks in the Horn of Africa.

7. Limitations of the Study

Data collection in conflict-affected or politically sensitive areas presents significant challenges. Restricted access to certain locales, potential biases in respondent testimonies, and the scarcity of reliable secondary data are potential constraints. These limitations necessitate a cautious interpretation of findings, acknowledging the potential for gaps in data and the influence of researcher subjectivity. The qualitative nature of this study, while rich in depth, entails limitations. The reliance on subjective interpretations, the potential for researcher bias, and the challenges of ensuring representativeness in a qualitative sample are noteworthy. These factors necessitate a transparent acknowledgment of the interpretive lens through which the data is analyzed.

Given the broad and complex nature of the subject matter, the dissertation necessarily imposes boundaries on its scope. It does not encompass all facets of traditional institutions or state functions but selects specific themes and issues for analysis. This focus, while enabling depth of study, means that certain aspects of traditional state relations may be outside its purview.

In conclusion, this dissertation endeavors to contribute to the scholarly discourse on traditional institutions and state dynamics in the Horn of Africa by offering a detailed examination of Somalia and Somaliland. While the scope is carefully defined to enable a focused and profound analysis, the study is also candid about its limitations. These constraints, inherent in any academic research, underscore the importance of viewing the findings within the context of the defined parameters and the existing body of literature. Through this balanced approach, the dissertation aims to enrich our understanding of the interplay between traditional governance mechanisms and state structures in a region marked by complex political and social challenges.

8. Delimitations of the Study

The study is geographically delimited to Somalia and Somaliland, two regions within the Horn of Africa with unique historical, political, and social contexts. This delimitation allows for a focused comparison of traditional institutions' role in state dynamics, acknowledging that while these findings may offer insights into broader regional trends, they are specifically applicable to the contrasted entities.

The research is limited to examining specific themes related to governance, conflict resolution, and the integration of traditional institutions within formal state mechanisms. By focusing on these areas, the dissertation explores deeply how traditional governance models influence, complement, or conflict with state structures in Somalia and Somaliland. It excludes a broader exploration of unrelated social, economic, or environmental issues unless they directly impact the study's core themes.

A qualitative research approach, employing interviews, document analysis, and case studies, is the chosen methodology. This delimitation is made to deeply understand the nuances of traditional and state relations, prioritizing depth over breadth. Quantitative methods or statistical analyses of broader regional trends are outside the study's scope, as the aim is to capture the complex, often subjective, dynamics at play.

The dissertation is delimited to a comparative analysis of Somalia and Somaliland, intentionally selected for their contrasting experiences with traditional institutions and state-building processes. This focus excludes other countries in the Horn of Africa or comparative analyses with regions outside Africa, even though such comparisons might offer additional insights.

The study is anchored in specific theoretical frameworks related to governance and state building paradigm, guiding the analysis and interpretation of data. By delimiting the conceptual approach, the dissertation defines its analytical lens, excluding alternative theoretical models that might offer different perspectives on the data.

The selection of interviewees and case studies is limited to individuals and examples that provide insight into the interaction between traditional institutions and the state in Somalia and Somaliland. This includes government officials and scholars with direct experience or knowledge of the study's themes.

The exclusion of other stakeholders or broader public opinions is a deliberate delimitation to focus on the most relevant perspectives. Practical constraints, such as access to sites, availability of participants, and resource limitations, further delimit the study's scope. These pragmatic considerations influence the selection of case studies, the breadth of fieldwork, and the extent of data collection, focusing the research on what is feasibly within the researcher's capacity.

In the pursuit of advancing the academic discourse on the governance structures and the role of traditional institutions in the Horn of Africa, this dissertation strategically delimits its scope by building upon the foundational research conducted in the researcher's Master's thesis, which focused on Somalia's internal governance issues, conflict dynamics, and the role of traditional institutions within the Somali state framework. The Master's thesis, serving as a critical precursor to this work, provided an in-depth analysis of Somalia's socio-political landscape, identifying key challenges and opportunities within its governance structures.

By using the thesis as a point of departure, the dissertation explicitly delimits its investigation to areas not exhaustively explored previously, particularly the comparative dynamics between Somalia and Somaliland. This approach ensures that the dissertation extends the existing body of knowledge by exploring new territories in the discourse, rather than retracing the analytical paths previously navigated.

Moreover, the incorporation of the Master's thesis into the dissertation's delimitation emphasizes a deliberate focus on contrasting the evolution and current state of traditional institutions regarding the state-building processes in Somaliland, a subject less scrutinized in the researcher's earlier work. This comparative analysis is designed to unearth insights into how similar or divergent historical and cultural legacies in Somalia and Somaliland have influenced the interface between traditional governance mechanisms and modern state institutions.

By delineating the scope in this manner, the research not only acknowledges the depth of analysis achieved in the Master's thesis but also sets clear boundaries for exploring new dimensions and contributing novel insights into the governance and institutional dynamics of these two distinct yet interconnected entities. This strategic delimitation underscores the dissertation's commitment to deepening the understanding of traditional institutions' roles within the state apparatus, thereby enriching the academic conversation on state-building and governance in the Horn of Africa.

By setting these delimitations, the dissertation aims to create a focused and manageable study that provides in-depth insights into the specific phenomena of traditional institutions and state dynamics in Somalia and Somaliland. While these boundaries inherently limit the generalizability of the findings, they also enable a detailed and nuanced analysis that contributes valuable knowledge to the field. The delimitations acknowledge the study's specificity, helping readers understand the context within which the findings are relevant and applicable.

9. Organization of the Study

This dissertation is articulated across seven comprehensive chapters. The inaugural chapter, as discussed above, provides an extensive background to the study, intently delineating the nomenclature 'Somali', a term that encompasses several self-identified entities including the Somalia Republic, the Republic of Somaliland, and Puntland. Given the research's focal point on the role of traditional institutions within these geopolitical entities, a thorough clarification and exploration of the concept of Somali's traditional institutions are deemed essential. This initial exploration entails a detailed conceptualization of critical cultural constructs such as kinship/descent systems, *Xeer*, and the *Guurti*, each of which plays a fundamental role in Somali social and political life.

Upon establishing a foundational understanding of these terms, the chapter advances to a rigorous analysis of the divergent scholarly viewpoints regarding the integration of these traditional institutions into state (re)building processes. This discourse is crucial, as it engages with the debate on whether these age-old structures should be amalgamated into the formal state apparatus, reflecting a broader inquiry into the viability of such integrations. Through a critical examination of these perspectives, the chapter sets the stage for a thorough discussion on the intersection of tradition and modernity in the context of state-building and governance in Somali territories.

The second chapter probes into the theoretical underpinnings of the state, particularly through the lens of the African experience, offering a profound critique of post-colonial African states amid prevalent governance deficits. It posits that the contemporary conceptualization of statehood in Africa is fundamentally flawed, being neither authentically African nor conforming to the 'normative' notion of a state.

This is attributed to their exogenous origins, predominantly European, which contrasts sharply with the organic development of states that typically emerge from the intricate web of interactions within and among indigenous societies. This chapter undertakes a vigilant scrutiny of the historical trajectories of African states, spanning the pre-colonial, colonial, and postcolonial periods. Such a comprehensive examination is crucial for challenging the *Weberian* assertion that the state singularly maintains a monopoly over the legitimate use of force.

Against the complex mosaic of African historical and sociopolitical contexts, the chapter critiques the binary opposition inherent in the *Weberian* model, highlighting the enduring presence of institutional diversity that heeds back to pre-colonial times.

Furthermore, the concept of HPO is thoroughly explored and conceptualized within this discourse. This concept is posited as a means to reconceptualize the prevailing narratives surrounding failing or fragile states. It elucidates a symbiotic relationship between the formal mechanisms of the state and the enduring traditional structures, showcasing a dynamic interplay, intermingling, and interpenetration of norms and institutions from both spheres. The exploration of hybrid political systems emerges as particularly salient within the African context, where the challenge of reconciling traditional societal structures with contemporary forms of governance represents a common dilemma for many post-colonial states. This chapter, therefore, contributes significantly to the ongoing discourse on governance in Africa, advocating for a comprehensive understanding of statehood that acknowledges the complexity and legitimacy of hybrid political systems as a viable response to the unique challenges faced by the continent in the modern era.

Additionally, the second chapter interrogates the concept of "Extraversion" as it applies to the post-colonial state's inability to fundamentally diverge from colonial paradigms of statehood. This analytical framework suggests that post-colonial states exhibit a pronounced tendency to devalue traditional institutions in favor of adopting and internalizing Western methodologies and ideologies. Such an orientation not only reflects a profound disregard for traditional governance mechanisms but also positions the post-colonial state as a perpetuator of the *Weberian* state model, characterized by its emphasis on centralized authority and the monopoly over the legitimate use of force.

By highlighting the implications of extraversion, the chapter contributes to a deeper understanding of the post-colonial state's challenges in forging a governance model that is both responsive to its unique historical and cultural context and viable within the contemporary global system. It calls for a critical reevaluation of the uncritical adoption of Western models, advocating for a more inclusive approach that recognizes and integrates the value of traditional institutions and practices. This, in turn, opens up possibilities for a more pluralistic and equitable form of statehood that transcends the limitations of the colonial legacy and the *Weberian* framework.

The third chapter precisely articulates the methodological framework underpinning this dissertation, clarifying the rationale behind the adoption of a qualitative research approach as instrumental in achieving the study's objectives. This chapter delineates the strategic selection of descriptive analysis under a case-study, emphasizing its criticality in facilitating a comprehensive exploration of the dynamic interactions between traditional institutions and state mechanisms within the contexts of Somalia and Somaliland. Such a methodological orientation is posited as essential for capturing the engrained complexities and multifaceted dimensions of these interactions, thereby enabling a deepened comprehension of their implications for governance and state-building processes.

Expanding upon the methodological discourse, this chapter also details the researcher's innovative engagement strategy, which encompasses active participation in academic conferences as a presenter of the preliminary findings. This deliberate approach is highlighted as a methodological enrichment that serves multiple purposes.

Firstly, it acts as a crucible for the refinement and maturation of the research arguments, offering a platform for critical feedback and scholarly discourse. Secondly, it facilitates direct access to the broader Somali community, enabling the researcher to immerse myself within the sociocultural milieu under study. This immersion is further improved through the conduct of both formal and informal interviews, leveraging the researcher's presence within these communal spaces to garner insights and perspectives that are critical for enriching the research narrative. Moreover, this methodological chapter accentuates the significance of integrating these diverse data collection methods, underscoring the value of triangulation in enhancing the validity and reliability of the research findings.

The fourth chapter embarks on an analytical journey, grounded in a thorough examination of extant literature, digital sources, and documentary evidence, to dissect the evolution and persistence of traditional institutions within Somali society. This exploration examines the historical trajectory of these institutions, tracing their role and significance from the pre-colonial period through to the watershed year of 1991. This periodization is critical, as it encapsulates a range of transformative events and processes that have, in turn, influenced the fabric of Somali traditional institutions and their interaction with the state apparatus.

Through thorough analysis, this chapter scrutinizes the precarious shifts and enduring continuities characterizing the traditional institutions, illuminating how these elements have fundamentally shaped the successes and failures of state (re)building efforts in the distinct regions of Somalia and Somaliland. A focal point of this examination is the differential impact of colonial strategies on the operational dynamics and influence of traditional institutions in these territories. The chapter reveals that the colonial approach in Somaliland facilitated a more integrated and constructive participation of traditional institutions in governance and social regulation, thereby preserving their relevance and authority within the sociopolitical landscape.

Conversely, in southern Somalia, notwithstanding the pastoral and agro-pastoral dichotomy, the colonial legacy is marked by a discernible decline in the prominence and efficacy of traditional institutions, attributed to a combination of neglect, marginalization, and the imposition of alien governance structures that eroded the foundational bases of these traditional entities.

This divergence in colonial experiences and policies is posited as a key factor contributing to the disparate outcomes observed in the post-1991 state (re)building endeavors in Somalia and Somaliland.

By elucidating the historical underpinnings and evolving roles of traditional institutions, the chapter contributes to a more subtle understanding of their potential contributions to and constraints on the state (re)building processes. It underscores the imperative of adopting a historically informed and contextually sensitive approach to governance reform and state reconstruction in the Horn of Africa, highlighting the indelible impact of traditional institutions on the political and social order of the region.

The fifth chapter advances the analytical discourse by integrating a rich array of interviews, observations, and documentary analyses to critically reassess the conventional paradigms of statehood that traditionally marginalize the contributions of traditional institutions. This chapter specifically interrogates the anomalous case of Somaliland, a territory that has unilaterally declared independence and embarked on a path of state (re)building distinct from the internationally recognized boundaries of Somalia. Through a detailed exploration, it posits the international non-recognition of Somaliland not as a detriment but rather as an unanticipated advantage, suggesting that this status has inadvertently provided the flexibility and autonomy necessary for innovative governance practices.

A focal point of this chapter is the examination of the concept of hybridity, particularly through the lens of the *Beel* system, as a foundational mechanism supporting the unique state-building trajectory of Somaliland. Special emphasis is placed on the fundamental Borama Conference, which is heralded as a seminal event in the establishment of a hybrid political order within the region. This conference exemplified the deliberate fusion of traditional institutions with the mechanisms of a modern state apparatus, a strategy that has enabled Somaliland to achieve a measure of stability and functional governance that distinguishes it from other parts of Somalia.

By enquiring into the specific case of Somaliland, the chapter enriches the broader discourse on state (re)building in Africa, offering insights into the possibilities and pitfalls of integrating traditional governance structures with modern state frameworks. Through this investigation, the chapter contributes to a reimagined understanding of statehood, one that values the pragmatic incorporation of traditional institutions and practices as viable components of governance in the contemporary world.

Each of these critiques is dissected, with a call for a balanced counter-critique that acknowledges the complexities and contextual specificities of governance in Somaliland. This comprehensive analysis illuminates the intricate dynamics of hybrid political systems, highlighting both their potential to contribute to stability and governance in contexts of limited statehood and the challenges they face in achieving inclusivity and democratic legitimacy.

Chapter six extends the analytical narrative established in the preceding chapters, focusing on the intricate challenges of state (re)building within the Somali Republic following the collapse of Siad Barre's regime in the early 1990s.

This period has been characterized by numerous international efforts aimed at state reconstruction, all of which, arguably, have been met with limited success. Notable interventions such as Operation Restore Hope and crucial conferences including those held in Arta, Djibouti, and Mbagathi, Kenya, are examined in detail. These initiatives are critiqued for their reliance on an extraversion strategy, aiming to institute a *Weberian* model of statehood predicated on the notion of a centralized authority's exclusive monopoly over the use of force. Despite these substantial endeavors, the Somali Republic has struggled to establish a stable and effective state structure, a failure that is ascribed primarily to both the nature of the state model pursued and the methodologies employed in these processes, which are collectively categorized by the researcher as 'extraverted'.

The narrative then shifts to the brief tenure of the Islamic Courts Union (ICU) in exerting control over state power, an episode described as 'converse-extraversion'. This term denotes a departure from the conventional external imposition of governance models, reflecting an attempt to establish a governance framework more closely aligned with indigenous structures and values. However, the ICU's governance model, despite its initial promise, was short-lived.

Since 2012, the establishment of the SFG represented yet another phase in the ongoing saga of state-building efforts in Somalia. Nevertheless, this chapter argues that the Federal Government, too, has been unable to deviate significantly from the pattern of extraversion that has historically dominated the state (re)building attempts in the region. As a result, Somalia remains mired in a state of fragility, with the central government struggling to assert its authority or fundamentally alter the trajectory of its governance approach away from the entrenched patterns of external dependence and imitation.

Through a detailed exploration of these successive phases of governance attempts, chapter six contributes to a deeper understanding of the persistent obstacles facing state (re)building in Somalia. It critically engages with the concept of extraversion and its implications for the viability of state structures in the Somali context, offering insights into the complexities of adopting external models of governance without sufficient consideration of the local socio-political and cultural realities. This analysis underscores the need for a more nuanced, contextually informed approach to governance and state-building in Somalia, one that moves beyond the limitations of extraverted

models towards more sustainable, internally driven strategies for national reconstruction and stability.

Chapter seven, serving as the culminating segment of this dissertation, synthesizes the findings from the comprehensive analysis of state (re)building efforts within the distinct contexts of Somalia and Somaliland. This final chapter articulates concluding observations, situating the relative success of statehood viability in Somaliland in juxtaposition to the ongoing challenges faced by the Somali Republic. A critical factor underpinning Somaliland's comparative success is identified as its strategic integration of traditional institutions into the fabric of its state-building and governance processes. This approach has enabled Somaliland to forge a more cohesive and functional governance model that resonates with its socio-cultural context. However, the chapter cautions against an uncritical idealization of traditional institutions, acknowledging that their incorporation into modern state structures is not devoid of challenges and inherent limitations. These constraints are explored in depth, providing a balanced perspective that recognizes the value of traditional mechanisms in enhancing state functionality while also being mindful of their potential pitfalls.

In contrast, the persistent difficulties encountered by the Somali Republic in establishing a stable and effective state are attributed to a reliance on extraversion strategies. This diagnosis implicates the repeated attempts to transplant external models of governance without adequate adaptation to the local context as a primary reason for the recurring failures.

The chapter argues that this external orientation has led to a disjunction between the state-building efforts and the socio-political realities on the ground in the Somali Republic, exacerbating the fragility and dysfunction of its governance structures.

Expanding upon these observations, the chapter offers a critique of the prevailing paradigms of state (re)building, advocating for a more contextually informed and inclusive approach. It posits that a sustainable pathway to viable statehood for both Somali entities necessitates a critical reevaluation of both the reliance on external models and the role of indigenous institutions. By weaving together the threads of analysis presented throughout the dissertation, this concluding chapter underscores the complexity of state (re)building in the Horn of Africa and highlights the imperative for innovative governance solutions that are both grounded in local traditions and open to adaptive reforms.

By doing so, chapter seven not only encapsulates the key insights of the study but also contributes to the broader discourse on governance and state (re)building in post-conflict settings, offering valuable lessons and alternative perspectives for policymakers, scholars, and practitioners engaged in similar contexts globally.

10. Summary

This chapter wants to introduce Somalia's complex socio-political landscape, emphasizing its strategic location in the Horn of Africa and its homogeneous yet clan-divided society. It outlines the historical context of Somali expansion, the pastoralist economy, and the impact of colonialism on Somali governance.

The chapter explores the role of traditional institutions, such as kinship, the *Xeer* legal system, and the *Guurti* council, in maintaining social order and governance amidst the absence of a centralized state. The resilience of these institutions through colonial rule, the Siad Barre regime, and post-collapse Somalia, underscoring their capacity for conflict resolution and community governance is highlighted.

Somalia's contemporary challenges, including internal conflict, political instability, and efforts toward state rebuilding, are discussed, with a focus on the distinct paths of South Central Somalia and Somaliland. While South Central Somalia struggles with violence and political fragmentation, Somaliland presents a contrasting case of relative stability and successful integration of traditional governance with modern state structures.

The critical debates on the role of traditional institutions in state rebuilding, exploring arguments for and against their integration into a modern state framework are important.

The research questions aim to understand the importance of traditional institutions for viable statehood in Somalia and why efforts toward their synchronization have failed. It sets objectives to explore differences between Somalia and Somaliland in this context, analyze Somaliland's success, and identify challenges in Somalia. The significance of the research lies in its potential to offer new perspectives on governance and state-building in Somalia, challenging normative concepts and providing insights into the role of traditional institutions.

The scope of the study is confined to Somalia and Somaliland, focusing on governance, extraversion, and the impact of traditional institutions on state-building efforts. The limitations and delimitations of the study acknowledge practical challenges, the focus on specific themes, and the exclusion of broader social, economic, or environmental issues unless directly relevant.

In conclusion, the stage for a detailed examination of the interplay between traditional governance mechanisms and state structures in Somalia and Somaliland needs to be set, aiming to contribute to the scholarly discourse on state dynamics and traditional institutions in the Somalis thereof.

CHAPTER TWO

2. THEORETICAL AND CONCEPTUAL FRAMEWORKS

2.1 Introduction

The contemporary *Westphalian* model state has evolved over centuries to evolve into its current form, with a *Darwinistic*⁵ approach playing a causative role in the evolution of the global community of nations. Unlike the African state, the modern Western state is the product of a lengthy process rather than a unitary declaration or act. State-building and unification processes in Europe after the *Westphalian* era exhibit significant differences compared to those in post-independent African countries. In Africa, the creation of independent states was followed by decolonization and the granting of what Richards (2009, p.28) refers to as "blanket sovereignty."

The analysis of African state formation in the *Weberian* sense has been closely linked to Western colonization, and there has been a persistent Western project of delegitimizing non-Western sovereignty critical to the colonial project (Herbst, 2000, p.90). However, the Western experience is an insufficient model for nation-building in other parts of the globe, as argued by Finer (1997, p.5), who contends that "the development of states in Europe is - in a world-historical perspective - highly idiosyncratic."

Chabal (1986, p.3) believes that the colonial break in Africa was relatively brief and that it is essential to study the continuity between pre-colonial politics and the modern era. However, Young (1994) maintains that the pathologies of modern African statehood cannot be seen in isolation from the specific characteristics of colonial rule in Africa. Young claims that the colonial era in Africa spanned less than a hundred years, but it completely restructured political territories, social rankings, divisions, and methods of economic output. The national entities that achieved independence and established the current framework of African states were determined by the territorial grid that solidified solely through the processes of decolonization.

Due to the contradictory nature of colonial power in Africa, it is not surprising that there is significant disagreement about the nature of the states created by Europeans. The state formation process in Africa differs significantly from the typical European framework but should not be considered exotic.

Despite its non-exotic nature, the postcolonial state in Africa is founded on the colonial state. Although some colonialists retained parts of the indigenous social institutions and redefined others, the colonial enterprise imposed a new administrative framework upon these social and political systems (Herbst, 2000; Chazan et.al, 1992; Mamdani, 1996).

Scholars have struggled to develop a comprehensive understanding of African statehood that takes into account the deep continuities of the pre-colonial era while acknowledging the significant disjuncture caused by colonialism. Most literature on African statehood and politics begins with the colonial state, overlooking the potential for continuities from the pre-colonial period. It is only when some African states begin to break down, and their post-independence sovereignty is challenged, that the importance of understanding the past to envision a better future for Africa becomes apparent. However, this does not mean that scholars are advocating a return to the political formations of the past. Basil Davidson (1992) correctly notes that the pre-colonial past is not recoverable authentically, nor should it be. Instead, it makes sense to analyze the changes and continuities instigated by colonial powers several decades ago to devise a more locally inspired alternative to the Western notion of the state that was theorized, debated, and enforced upon Africa.

In the vast majority of post-colonial Africa, state bestowing rather than state formation has occurred, where the existence of state structures and practices was naively taken for granted. This has led to incorrect normative presumptions in policy and research related to state formation and collapse, with the assumption that all states will follow the "European path" (Richards, 2009, p.27). Many states in the Horn of Africa are categorized as failed or collapsed states, to differing extents, due to their lack of engagement in the processes of "state-making" necessary for evolving into complete *Weberian* states. These states save the Ethiopian exceptionalism thesis, either remnants of colonial legacies or recently formed out of historical discrepancies, often do not possess the inherent viability required for statehood. Being artificial constructs, they frequently lack the institutional depth and functional capabilities that characterize sovereign statehood, leading to their classification as failed or collapsed (Bantayehu, 2019, p.80). Therefore, there is a need for critical rethinking of mainstream approaches in Africa that inform state-building in the contemporary era.

The post-independence African state may have been designed to look like a European state, but assuming that it functioned, in the same way, is a historical fallacy, given the unique circumstances that brought about its emergence (Chabal, 1992, p.69). Thus, it is imperative to conceptualize the African state differently.

The repeated failure of international, regional, and local efforts at state-building in Somalia can be attributed to their erroneous considerations, which lacks emphasis on the statehood crisis of the continent. This failure is not due solely to how institution-building has been implemented but also to its ontological foundation. Therefore, the success of state-building is not just a question of how it is enforced but also how it is conceived. To demonstrate this, it is necessary to analyze the factors that led to the state-building process and the statehood crisis that preceded it in a wider continental context.

2.2 Contemporary Statehood in Africa: Neither African nor a State⁶

The researcher's analysis of the African state acknowledges the existence of a shared conceptual framework for continent-wide trends and practices, but it is not meant to perpetuate the false notion of Africa as a monolithic entity. There are visible variations in political systems, societal trends, and economic fortunes across the continent, which are recognized. However, analyzing the African state system as a conceptual whole does not preclude the recognition of these variations. The aim is to emphasize common trends throughout the area and formulate a discourse that can help in making sense of African state systems and the circumstances they share, whether rooted in history, the environment, or society. Moreover, the analysis of the African state focuses only on sub-Saharan Africa, rather than the North, which is frequently analyzed alongside the "Arab world" or in conjunction with countries in the Middle East. This separation stems from the historical trends in the dissemination of knowledge within academia and the significant differences in the political landscapes of the regions thereof.

The contemporary state structure in sub-Saharan Africa does not "originate" from African roots; it was created through arbitrary colonial practices intended for domination, oppression, and exploitation (Berekeateab, 2020, p.51). Although these states have undergone transformation, adaptation, and internalization over the past six decades of independence, their origin remains European and essentially non-African (Englebort, 1997, p.767).

They were founded alongside African societies rather than naturally evolving out of sustained contacts between groups and individuals in these societies.

Max Weber's (1958, p.78) classical definition of the State as "a human community that claims the monopoly of the legitimate use of physical force within a given territory" does not fully apply to the African state. Since the majority of African states do not fulfill these standards, and therefore, are they not be considered true states? African statehood is marked by a dubious community composed of diverse and sometimes conflicting linguistic, religious, and ethnic identities. Their use of force is often ineffective and far from exclusive, and their commonly predatory behavior does not pass the legitimacy test. Moreover, their control over territory is usually uncertain and disputed. The African state's failure to meet the standards of a state maybe because it is not truly African. When examining the numerous cases of state failure in Africa and the significant evidence of societal exit, it becomes clear that these pathologies are the result of the state's external origin, its lack of embeddedness, and its dissociation from primary norms and networks of social organization.

Mamdani (1996) argues that colonial rule, like apartheid South Africa's, was founded on "institutional segregation," a "regime of differentiation" (p. 7) that independence failed to bring it to an end. The Metropolitan powers reserved a domain of rights and direct governance for themselves and the white civil society in urban areas, while they controlled the local African peasant population through direct and indirect rule. This was achieved by either re-establishing or enforcing 'tribal' administration as the local arm of the colonial state. This resulted in the emergence of the "bifurcated" nature of the colonial state, which was reproduced in postcolonial times. The structure of authority in rural areas often shows resistance to state-led reforms. This resistance is compounded by the empowerment of numerous chiefs who derive their authority from colonial systems, the indirect rule also created a "decentralized despotism" (Mamdani, 16). Mamdani argues that the post-colonial condition managed to remove racial biases within the state apparatus but did not succeed in eliminating tribal influences. The requirement for leaders to overcome the divide between rural and urban areas to expand their control prompted a retraditionalization of the state via patrimonial practices.

Dia (1996, p. vii) in his part notes that the institutional crisis impacting economic governance in Africa primarily stems from a fundamental mismatch between externally imposed formal institutions and the indigenous institutions that have evolved from traditional African cultures. Disconnected institutions appear ineffective in generating loyalty and ownership, and their absence of moral legitimacy has resulted in the emergence of neo-patrimonial patterns and *clientelistic* rule. The African state has embraced these disconnected institutions without any basic departure in the post-colonial era, leading to a lack of legitimacy and accountability. In contrast, indigenous institutions showcase legitimacy, ensure accountability, and promote self-regulation. Dia argues that what is needed in this "*schizophrenic*" institutional setting is a process of reconciling institutions by attributing Africa's limited state capacity to the disconnection within the state, Dia illustrates that The African state is considered unsuccessful because it does not genuinely reflect African identity.

Bayart (1993, pp.13-14) from his perspective argues that externally imposed institutions become *endogenized* in post-colonial situations and that their foreign origin plays a relatively insignificant function in the extended historical development of societies. He observes the graft of the imported state model as an element of the local process of state "formation," which gives a minority of autochthones the historical opportunity to use the new institutions to their advantage.

The imported state has been blended with local power tactics and re-claimed by indigenous groups. This dynamic originated during the colonial era when colonial powers formed alliances with local factions to ensure the stability of their rule. The resulting state is a "rhizome" state, a boundlessly diverse multitude of networks whose hidden branches unify the dispersed segments of society. Thus, the colonial state is infused with African characteristics through the widespread local practices of politics and power.

Bayart proposes a comprehensive long-term study that recognizes the disruptions brought about by colonialism while limiting their perceived extent and avoiding any predetermined conclusions. He further contends that the majority of the states in Africa are excrescence in that they did not develop naturally out of and in opposition to civil society as in the West. As a result, it is structurally deficient, lacking intrinsic legitimacy, and generally devoid of the supposed political methods through which it exercises control over civil society.

The notion of "extraversion" was coined by Bayart (2000) to refer to the approach taken by African governments in their interactions with the external environment. This approach involves a tendency to lean outwards.

2.2.1 Pre-colonial States of Africa

Pre-colonial Africa was composed of areas with a diversity of fairly centralized political structures, along with smaller groups that exhibited more decentralized characteristics. There were two fundamental types of political structure. Some societies lacked centralized control, administrative systems, and established judicial bodies, without pronounced divisions in rank, status, or wealth. Other societies possessed all three governmental attributes, where disparities in wealth, privilege, and status mirrored the allocation of power and authority. The former was typically referred to as "stateless societies, anarchical, and acephalous", while the latter were referred to as "states, kingdoms, and empires" (Dunn & Englebert, 2019, p.18). However, reality more closely resembled a fluid continuum ranging from the least to the most hierarchical structures rather than a strict dichotomy between the two forms of political organizations.

African stateless societies tended to be relatively small, as their organizational structure was not conducive to scaling up. These societies were made up of politically separate groups that avoided centralized authority or a well-developed political hierarchy. Instead, social organization was provided by lineages, which consisted of shared descent and kinship. Family or clan elders wielded political authority, typically in a collective manner, yet there was no centralized control within their ranks. Despite this, lineages recognized their shared culture, and they formed into clans via a process of segmentation.

Before colonialism, the Somali people for instance lived in a clan society, where there was the absence of centralized control and a considerable level of competition involving changing alliances among the clans (Lewis, 2008). This situation is not entirely dissimilar to the current state of Somalia, which remains 'stateless' and clan-based in numerous aspects. In these stateless societies, lineage is central, but the kinship it entails is often as much a political narrative as it is a tangible reality.

Kopytoff (1987) argues that precolonial Africa's political space was best understood as a multilayered structure of concentric circles of diminishing control, radiating from various cores. The imported European territorial state through colonization embedded its bureaucratic methods, spatial delineations, and predominantly formal and impersonal regulations, which stood in stark

contrast to African experiences of statehood. At the outset of colonization, Africa was not a blank slate in terms of politics and institutions. Across the continent, there existed diverse and varied political entities that resulted in diverse terrains where principles of organization, concepts of legitimacy, and methods of exercising power differed significantly. Consequently, Western-imposed political practices encountered different institutional structures and levels of political unity throughout the continent.

2.2.2 The Colonial State

The colonial reengineering of African statehood requires a critical reassessment because it was haphazard and superficial. The colonies' very existence was guaranteed through mutual recognition among the colonizers, even though many of them were frail and fell short in practical effectiveness, resulting in enduring impacts on the formation of postcolonial states in Africa.

Chabal (1992, p.75) contends that the colonial state "rested on force, however much it appeared to rule by consent." Colonial rule lacked the age or depth for its legitimacy to extend beyond a superficial level. Africans' resistance to colonial rule was simultaneously a challenge to the state itself, invariably countered with force.

The colonial state was a product of a specific historical circumstance. Primarily, it functioned as a legal and political framework established to govern the African lands obtained via conquest. Its nature was driven by the nature of the imperial state and its objectives in Africa, all of which were rooted in conquest. The chief goal was to assert imperial dominance over the conquered territories, legitimize their governance, and secure the loyalty of the subjects. It established the necessary administration and infrastructure to manage the colonies with minimal financial burden on the colonizer and to exploit the colonies' resources. Chabal (p.74) argues that all colonial states attempted to 'civilize' their colonial subjects in their image, albeit in different ways.

The state operated as a bureaucratic entity, and its *modus operandi* was new to Africa and Africans. In contrast to bureaucratic states elsewhere that evolved internally in conjunction with civil society, the colonial state was externally imposed, forcing the political community and civil society to adjust to its bureaucratic structure. Historically, it had been the reverse, with the bureaucratic state adapting to civil society.

The colonial state was centralized, with its legitimacy based on its ability to regulate and oversee the political community it established, rather than facilitating the representation of its various components. A colonial centralized state is not one where local structures of governance are absent, but instead, a system where local government is held accountable to the “central government, rather than to the citizens of the locality” (Chabal, p. 76).

The colonial state was primarily a military administrative unit, and according to Kasfir (1983, p.34), the political culture it imposed contained the notions that authoritarianism was an appropriate mode of rule and that political activity was merely a disguised form of self-interest, subversive of the public welfare. It should be emphasized that there were variations in the institutions and systems of rule brought by different colonizers. Whether a colony was intended for settlement by Europeans (as in Kenya) or for pure resource extraction (as in Congo) resulted in the emergence of varied institutional setups. British colonization, for example, is associated with the concept of "indirect rule," which entailed leveraging local authorities as intermediaries for enforcing colonial governance. Local chiefs were not removed and substituted with colonial officials; instead, they were permitted to maintain their authority over their subjects in return for allegiance to the British. They were allowed to continue their local governance, essentially preserving their own legal, institutional, and political systems.

The system of indirect rule had two notable consequences. Firstly, it promoted the emergence of traditional leaders in post-colonial conditions, as observed in Nigeria and Uganda, among others (Sklar, 1963; Vaughan, 2000). The second consequence is associated with the existence of legal pluralism in Africa, where post-colonial states often feature multiple and overlapping legal frameworks. On the one hand, there is the formal law of the state, which highly reflects the metropolitan legal system. On the other hand, customary law exists in various forms across the territory. On occasion, Africans can gain advantages from this diversity by exploring various paths for legal resolution.

2.2.3 The Post-Colonial State

The African concept of state and politics was not significantly changed after gaining flag independence compared to when colonizers were in power. The colonial project was in many ways pivoted on the successful conversion of natives into nations that are constructed in the European image (Mamdani, 2021). Although they were liberated from European rule, many post-colonial African countries continued with the colonial project. Independence only resulted in the replacement of colonial authorities with local ones, without fundamentally changing the existing colonially imposed institutional structures.

Despite aspirations for freedom and equality, decolonization only meant a transfer of power while leaving the colonial project intact. Independence is more often viewed as a legal transformation benefiting African elites rather than a complete departure from colonialism. In the face of competing forms of political authority, legitimacy, and power, the postcolonial nation-state found itself in crisis (Matshanda, 2022, p.4).

The colonial origins of the contemporary African states are a subject of significant debate among intellectuals. The question of whether these states are an asset, a liability, or insignificant is crucial. The extent to which these states have often remained external to their respective societies, whether they have been adopted, adapted, integrated, or Africanized, and the associated costs thereof, is fundamental to understanding African statehood. All these concerns are important in illuminating the origins of the challenges encountered by contemporary African states, such as struggles with nation-building, limited capacity, and a tendency towards internal conflict.

In general, the state machinery inherited at independence was far alien and feeble. It only affected certain aspects of daily life and brought about changes in a limited number of areas (Chazan et.al, 1992, p.43). The formal state apparatus transferred to African hands at the time of independence was fundamentally foreign, designed bureaucratically, authoritarian in character, and primarily concerned with domination rather than legitimacy. Decolonization, in most cases, merely elaborated on the existing inherited colonial state apparatus rather than fundamentally transforming it.

African states, taken as a whole, can be seen as colonially imposed because they largely continue to maintain the colonial creations from the late nineteenth century. Their establishment, territory, authority, and sovereignty are outcomes of political processes where domestic forces often had limited influence, if any. These states adopted a form of statehood - the sovereign territorial state - which originated in Western Europe. The imposition of the European rational-legal state has driven a "Westernization" of political structures globally. Nevertheless, the outcomes have not fully aligned with intentions, and the universalization of the *Westphalia* model state has largely faltered to take root and thrive.

As a consequence of the failure of the universalization of the Western state model, there is a diminishing of significance in the relationship between governing authorities and the governed. This loss of meaning discourages individuals from adapting to an institutional life that is of no concern to them. This explains the emergence of new forms of political mobilization, such as identity-based particularism that characterize politics in regions where the graft of the Western state model has failed. This ultimately reflects a widespread theme in African studies suggesting that the imported nature of the African state can be seen as at least partially responsible for its dysfunctions.

According to Basil Davidson (1992), the European nation-state is frequently identified as the principal cause of the majority of contemporary political issues in Africa, rather than any inherent characteristic of African societies. He argues that African societies were largely impeded from pursuing their development as a result of the devastation wrought by the slave trade and colonialism. The emergence of alienated African elites, predominantly educated in Europe and detached from the historical foundations of political legitimacy, was promoted by colonialism (Ricart-Huguet, 2021). These administrations, detached from their history and populace, have generated "nation-states" that have largely been detrimental to the welfare of Africans.

Ekeh (1975) similarly argues that many Africans do not view the modern state as relevant and viewed as an external institution where moral conduct is not anticipated, resulting in a deficiency of social allegiance to it. Along the same lines, Chinua Achebe (1966, p.30) asserts that "in the affairs of the nation, there was no owner; the laws of the village became powerless".

This idea illustrates the view that the acknowledgment of African postcolonial states in international law perpetuates the colonial bias in support of the minority ruling elites and undermines the necessity for African states to attain internal legitimacy and enhance their capacity. Scholars have used this insight to develop the notion that African statehood is "juridical" rather than "empirical."

Chabal and Daloz (1999) argue that "Africa works," despite what may appear to be disorder and dysfunctionality. They suggest that this is due to an African variant of modernity emerging as diverging from conventional ideas of modernization and development. Here, political actors strive to exploit the prevailing state of confusion, uncertainty, and sometimes even chaos that defines many African polities, to maximize their gains. According to them, colonialism never succeeded in displacing pre-colonial modes of politics, and pre-colonial political traditions persisted even after the colonial administrative experience.

Although some theories may present conflicting ideas and pose difficulties in finding common ground, it is often possible to combine different aspects from them to create a more complete and detailed understanding. Despite being established through colonialism, African states reflect a strong sense of African identity as Africans have played an active role in their development. Therefore, it is necessary to re-evaluate the needs of the African state at this point. The Western concept of state, which is based on classical works by Max Weber, has been universalized and closely tied to statehood in Africa. However, to truly understand African society and culture, it is important to critically examine Western viewpoints and their relevance to the continent.

2.3 Extraversion⁷

An extraverted sense of selfhood produces a continental identity where foreign prism bias determines its existence. Local and global actions taken by African regimes are designed in such a way that could confirm foreign perceptions. An indiscriminate imitation of wholesale governance systems and political practices of the former colonial masters in dealing with their internal affairs remained the major problem since the post-independence period. Extraversion entails African States' dependence on Western ideals. Africa has never achieved political, cultural, and economic independence from the Western model of influence. Its failure in modern governance has been intricately intermingled with its adoption of Western models that are either not implemented or

incorrectly implemented. It could be viewed as a fundamental component of political existence in post-colonial Africa and as a “means of regulating the imported state and of laying hold of its resources” (Bayart, 2000, p.159).

Genuine independence of African states has never been realized as decolonization only implied a mere transference of political power from the white colonial masters to an organized elite that was founded in colonial practices, structures, spirit, and tenets (Fanon, 1952). The black African political elites that fought led liberation movements and brought independence were themselves products of colonial schooling and pursued their higher education in the metropolises.

This sustains the dependency that the West has created on Africa and Africans through political and economic flattening suggesting the lack of availed alternatives by the Africans' side to emancipate themselves from institutional dependency. Political solutions about statehood still lie in wait for the West and its institutions to be resolved or dissolved. More often than not, African statehood crisis continued to be encountered only through the adoption of *a priori* normative models of the metropole despite a recurrent failure. A tacit form of extraversion has been observed in the system of patrimonialism –instrumentalizing state power and its assets for personal and political objectives.

Bayart (1993 & 2000) argued that most African governments have historically used policies of extraversion to acquire, consolidate, or maintain their power and resource interests. According to this thesis, ruling elites in Africa utilize their reliance on interactions with the outside world to acquire resources and power, establishing or reinforcing their dominance over local rivals. Throughout history, strategies of extraversion such as slavery, colonial rule, development assistance, export of raw materials, and structural reform initiatives have been instrumentalized domestically by ruling elites. Moreover, appropriation is at the heart of any extraversion activity that garners authority and resources from dominant outside powers (Hagmann, 2016, p.51). In the realm of the political imaginary, “appropriation includes the transfer and adaptation of meanings and thus the authentication of new ideas and discourses” (Bayart, 2005)

Regardless of regime type, the degree to which regimes lean toward extraversion remained largely similar. Notable variation cannot be oversimplified concerning differences in the particular components of the strategies for extraversion. One can think of the idiosyncrasies in each country's extraversion portfolio that it exploits to extract resources from abroad to sustain its domestic domination. Adopting policies that donors recommend in exchange for reliance on foreign aid through aligning with an international patron appears the most readily recognizable aspect of extraversion. This in return grants regimes in post-colonial Africa to obtain international legitimacy (Henderson, 2015).

Extraversion in Africa gained momentum particularly with the end of the Cold War when the reliable patron Soviet Union ceased to exist. Simultaneously, the West withdrew its support to its allies and began pressing for democratization demands. African countries continued their dependence on international aid and political and military support in sustaining domestic authority, making them ever more vulnerable to donor demands.

The terrorist attacks on September 11, 2001, prompted the West to view security problems as international challenges rather than being strictly confined to a particular region. This led to an increase in attempts by the international community, particularly the US and its allies, to address security-related challenges in Africa. In this process, reinstating the colonially transplanted state has become a focus alongside conflict prevention and resolution, institutional and governance reform in so-called failed and weak states, which are essentially crisis-ridden. The majority of the cases, however, show the failure of this policy to meet its promises. The factors can be wide-ranging from being too ambitious to its lack of a pure top-down procedure that fundamentally sidelines the engagement of local actors.

The Western attempts to rebuild or reinstate states in Africa have been marked by optimistic assumptions about their capabilities. Western actors believed that it was feasible to effectively enforce and disseminate solutions to African countries regarding statehood. The implicit assumption was that local government elites would share the same objectives as Western actors. However, this assumption is likely ignorant of how local elites pursue extraversion.

Primarily, local elites approach extraversion not to address security challenges but to sustain domestic authority. Given Africa's high level of external dependence, it is not unjustified to question the West's presumption. Most African states are heavily indebted to Western countries and international organizations dominated by the West, such as the “Bretton Woods and Paris Clubs” (Tull, 2011, p.6). This external dependency reinforces the assumption that whenever necessary, intended "solutions" can be implemented despite any local resistance. This dependency suggests that the Western power dominates the institutions thereof and wields a significant degree of influence, and African government elites are expected to react cooperatively and conform to the demands and preferences of Western actors.

However, several empirical studies indicate that these assumptions are not flawless, and as a result, the policies imposed on African governments by the Western powers and their affiliated institutions often produce unintended consequences that deviate from the intended goals. It would be overly simplistic to view Africa's government elites as merely passive recipients of externally imposed concepts. While the high degree of dependency limits their range of actions, it does not eliminate it. This becomes apparent during times of divergence between the interests of African elites and those of their Western supporters. Such situations often trigger a subtle, but genuine, resistance to Western policies. The ambitious goals of involvement of foreign players in state formation and post-conflict rebuilding efforts and the rare achievement attained an evidence of the predicament stated above.

The concept of extraversion begins by examining how local African government elites establish their foreign relations and interact with foreign actors, particularly in the context of their structural dependency on Western states. To some extent, the majority of African ruling elites view dependency on Western powers as politically advantageous or at the very least beneficial to keep themselves in power. It becomes a means to compensate for their internal shortcomings, like the absence of authority, legitimacy, or resources, by subjecting themselves to Western ways of doing things, especially those of the Western world. This dependency and extraversion generate foreign resources that are injected into African countries by Western states to solve perceived internal problems. Development assistance, loans, investment, diplomatic support, and security policy cooperation are all part of the extraversion policies.

Central to this extraversion strategy is the effort by African government elites to access these resources and take advantage of their foreign dependency. If successful, these resources become rents, which are unearned income. If African government elites wanted economic independence, they would have had to mobilize local resources. However, their preference for dependency is driven by the fact that heavy reliance on local resources, such as levying taxes, would create high political costs and generate societal demands for accountability from the government. The extraversion scheme and foreign dependency protect rulers from this danger and maintain their autonomy vis-à-vis domestic actors. However, this mechanism has the consequence that the ability of externally dependent states to extract resources - a crucial aspect of state building - remains weak, or local elites deliberately avoid such a role. As a result, the weakness of state institutions persists in the interest of the minority ruling elites who do not require domestic legitimacy because they have already secured their financial needs from external rents rather than local sources.

A principal example of extraversion strategies is how African governments dealt with the economic reforms imposed by international financial institutions in the 1980s. In most cases, African governments gained political and economic gains derived from these reforms. The process of privatization of state-owned enterprises often involved selling them below market value to local political allies. In this way, governments effectively used these reforms to maintain their patronage networks and consolidate their authority, bypassing the intentions of financial institutions.

Similarly, the strategy of extraversion was exploited when the West African leaders pressed the democratization agenda to the fore. This compelled the ever-long-established tyrants to yield to donor pressure and allowed multi-party elections. Nonetheless, in the vast majority of the cases, the authoritarian regimes remained in power as the fragmented oppositions seldom succeeded in winning elections, as the systems are systematically sham and state resources are illicitly used by governing regimes for their campaigns. Regimes in Africa have repeatedly utilized these vote-rigging methods to simultaneously solve the dilemma of bending to a Western country's demand for political reform and safeguarding their own rule.

The method of extraversion has been manipulated by regimes to comply with external demands for reforms to obtain resources from Western donors for their seemingly compliant behavior, while still maintaining their power. This demonstrates that Western actors are compelled to address issues such as state collapse which can provide local elites with political advantages. As a result,

Western policy towards state-building efforts constantly faces the challenge of being used as a tool by the minority government's ruling elite to further strengthen their hold on power. In this context, the goal is not to address questions about whether using extraverted techniques is ethical or unethical, valid or invalid. What's important to acknowledge is that domestic actors attempt to garner external assistance to gain an advantage in local conflicts. Tacit interdependencies exist between African elites and Western states. The former approaches the latter in pursuing its objectives and the latter may be externally dependent on resources. Understanding the historicity of *exogeneity* in African statehood can enrich the discussion aforementioned discussion and substantiate the statehood crisis of the continent.

2.4 Problematizing the “Weberian Thesis”⁸ vis-à-vis the Trajectory of African Statehood

Max Weber's definition of the state draws built upon the *Westphalian* principle of sovereign assurance regarding territorial borders. Weber defines a state as a corporate or bureaucratic entity with mandatory jurisdiction, maintaining continuous organization, and asserting a monopoly of coercion over a territory and its inhabitants, encompassing all action taking place in the area of its jurisdiction. As Weber observed, the paramount characteristic of a state is its monopoly over the legitimate exercise of physical force within the territory it purports to govern. However, mainstream scholarship has predominantly concentrated on the European experience to grasp the evolution of the state, despite Europe representing only a minor portion of the states formed over history. This “myopia” is partly due to the well-documented rise of European states (Wulf, 2007, p.4). Although the concentration on Europe, the anchor of the nation-state, seems logical, it's essential to acknowledge that states in the present-day world have taken the form of the nation-state as conceptualized and implemented by Europeans.

The mainstream literature overlooks how the empirical aspect evolved within Western states. These states boast extensive bureaucratic apparatuses aimed at ensuring the welfare of their populace. Numerous ministries or departments, tasked with responsibilities ranging from education and health to transportation and social welfare, operate within the state structure to serve the population. These welfare agencies are comparable in scale and organization to the more Weberian bureaucracies tasked with ensuring the physical security of the state, resulting in a little gap between “juridical and empirical” (Richards, 2009, p.35).

In contrast, within African states, there is an implicit assumption that society self-perpetuates by depending on traditional frameworks. Central bureaucratic government ministries responsible for ensuring social welfare are viewed as unnecessary and time-consuming since the more deeply ingrained traditional support systems furnish essential material resources. This raises important questions that need to be examined.

In cases where the state is not primarily responsible for protecting and supporting society (Lysens & Solli, 2014, p.296), then what is the purpose of the state other than ensuring territorial security? If the state is perceived as unnecessary in providing social welfare, what empirical traits of the central government are essential for the state to be considered 'successful'? While these questions are challenging to answer, it is still crucial to interrogate the discrepancies and voids in the standardized and normative expectations for a 'successful' statehood.

When analysts and policymakers view state failure without considering the specificities of diverse cultural milieus, they often perceive it as domestic anarchy, which they can simply treat as “chaos” without understanding the local dynamics driving the crisis (Gourevitch, 2004, p.257). The implicit analysis assumes that state failure can only be identified unambiguously in Western terms. In essence, the evaluation of failure, disorder, or anarchy is typically applied to scenarios that deviate from the standards of statehood, bolstering the self-perception of the ideal Western state and rationalizing intervention to rectify or reform the disorderly state.

Consequently, non-Western models of political organization and practice are often disregarded as suitable forms of state structure, leading to their exclusion from endeavors related to state-building, political development, or governance reform projects. However, institutions led by indigenous or traditional means of social, economic, and political organization, such as shadow networks, can provide a form of law and order within the territory or state.

The dominant scholarship on “state failure” neglects the actual causes of the perceived chaos and instead suggests possibilities for international intervention in failed or failing states to establish an operative government and restore order, without due consideration of the local sources of order. The underlying presumption is that the crucial factor for a successful state and averting state collapse is the establishment of a modern democratic state adhering to the *Weberian* model, irrespective of the efficacy of preexisting control structures.

In spite of the negative view of traditional or customary structures in the liberal normative framework of statehood, Weber (1964) considers traditional authority, legitimized by sacred traditions, an essential early step on the path to modern statehood when explaining the evolution of the state. However, he does not endorse the synchronization of such authority as the result of modern statehood. Instead, he rejects legitimacy based on it as archaic or hindering progress.

According to Hindess (2007), Weber's (1948) concept of traditional legitimacy is identified as the authority of the 'eternal' yesterday, which creates perceptions of backwardness, regression, and negativity, placing traditional authorities in opposition to the creation of an ideal modern state. This attitude is reflected in contemporary state-building discourse, reform, and development, where traditional authority and legitimacy sourced from traditional structures are commonly depicted as outdated, unreliable, unpredictable, and divergent from the practices of a modern state.

International institutions' negative stance on synchronizing traditional authority with a modern central government suggests a bias against centralized traditional governance. According to Ottaway and Mair (2004, p.8), these actors "seem to respect the essential rules of civilized behavior," but they often lack access to means of coercion, making it difficult to maintain the Essential security needs of a state.

While the *Weberian* focus on security is vital, it is not the only concern. According to the United Nations Economic Commission for Africa (UNECA), Traditional Governance Focus Group (TGFC), traditional authorities do not align with the principles of democratic governance. In democracies, rulers are not selected by divine right or based on hereditary entitlement, which implies that one of the obstacles for traditional authorities is their incompatibility with the democratic principle of accountability (UNECA, 2004; 2007).

Milliken (2003) notes that strong and legitimate state institutions should have roots in local populations and organizations, and institutions formed by external influences may not represent the optimal solution for addressing the disorder and lawlessness linked with the collapse of a state. In differentiating between a crisis caused by the breakdown and collapse of governance and a perceived legitimacy crisis within a structurally sound, albeit not following the Western-style, state framework, Chopra (2003, p.224) argues that "there is a significant difference between anarchy that is defined as the absence of a national executive, legislature, and judiciary and the actual breakdown of indigenous social structures."

The focal point in political crises often revolves around a legitimacy crisis, which is often overlooked in state failure discourse. Due to minimal or no focus being placed on comprehending the political frameworks and socio-economic-political settings where failure arises, unfamiliar non-Western state structures are often labeled as failures, and prescriptive interventions are suggested to "cure" the dysfunction (Gourevitch, 2004, p.258).

Political organizations that do not conform to the normative Western state or the ideal modern state are frequently portrayed as failed, despite serving as the basis for and providing, the principles of legal governance, sole control over force, and social welfare measures mandated by an acceptable state. Such authorities are often disregarded, overlooked, or unrecognized by academics and policymakers due to their unfamiliarity or the existence of various actors exercising different forms of non-centralized control over regions within the state's territory (Lottholz & Hébert, 2016, p.1468). The state remains the primary means to thrive and prosper within the global system, even though domestic expectations of the state may not always align with the demands of the liberal normative framework. As a result, there is a chance for a state to have the apparatus and structure of an acceptable state while also utilizing these structures in a manner that is not consistent with the expectations of a modern state.

Critics argue that one of the drawbacks of the ideal state is the lack of a uniform model in practice. While the Western liberal state is often regarded as the solution to weak or problematic states, there is a significant difference between the political organizations of Western states and those of non-Western states. This gap in the literature, as well as the lack of recognition of differences in proposed solutions, is a major issue (Chesterman et al., 2005).

Notwithstanding the absence of a single practical model for the ideal state, its proponents are unable to see benefits outside of this framework. Consequently, non-Western or non-liberal forms of political or state organizations that challenge the uniform applicability of the ideal state are often disregarded or dismissed. However, Menkhaus (1998, p.20) notes that the collapse of central state authority is not always synonymous with anarchy, violence, and societal breakdown. In Africa, local communities have shown greater resilience, political innovation, and less passivity in the face of a governance crisis than is commonly believed, as demonstrated in Somalia.

In situations where formal state institutions are virtually powerless, traditional structures exist parallel but peripheral to officially recognized structures, providing the provisions of daily life or political goods (Reno, 1999). The story of Somalia challenges conventional ideas about economy, politics, and social order by exhibiting dynamic governance structures created not only by warlords but also by entrepreneurs and, most notably, the Somali clan system.

The Somalia anomaly creates an academic space for engagement. Although it exemplifies state failure, the dominance of governance structures under traditional institutions that emerged following the 1991 collapse of the central government highlights the possibility of better-received state organization in states that do not adhere to the *Weberian* state. Although there is considerable emphasis on assessing state success based on the comparison of these states to the *Weberian* model and related Western democracies, the value of alternative forms of political organization and thus alternative sources of public goods, state control, and security is often overlooked.

The evaluation of the success or failure of non-Western states frequently hinges upon a comparison with Western benchmarks, particularly focusing on the absence of Western-defined elements within these states. This evaluative framework often leads to a skewed judgment wherein the absence of specific Western attributes is perceived as a deficit, suggesting that any deviation from Western norms is indicative of failure. This approach implies that when discrepancies arise, the fault is assumed to lie with the non-Western state's inherent characteristics rather than questioning the applicability or universality of Western standards. This perspective necessitates a profound reconsideration, advocating for a more nuanced approach in assessing the development and governance of non-Western states. Furthermore, the proliferation of a homogeneous model of state action, implicitly underpinned by Western ideals, emerges as a disingenuous endeavor. This model often overlooks the viability and relevance of alternative governance frameworks, effectively marginalizing indigenous methodologies and undermining the autonomy of the states under scrutiny.

The presumption that a singular, uniform strategy is universally applicable not only diminishes the agency of the target state but also negates the rich tapestry of governance models that have evolved in response to specific historical, cultural, and social contexts. In this vein, it is critical to acknowledge that while leading normative models derived from Western paradigms may offer valuable insights and frameworks for governance, their application should not be perceived as

mandatory or exclusive. These models are susceptible to being manipulated or exploited, underscoring the importance of maintaining a critical perspective towards their adoption and implementation.

It is imperative, especially for post-colonial states grappling with the legacies of external domination and internal diversities, to exercise sovereignty in defining their state structures. The imposition of a monolithic state model, particularly one that does not account for the unique post-colonial context, is not only inappropriate but may also perpetuate systemic inequities and hinder the genuine development of state identity and capacity. Therefore, in the pursuit of viable governance strategies, there exists a pressing need for an intellectual and practical departure from the conventional wisdom that elevates Western models as the universal standard.

A recalibration towards a more inclusive, flexible, and context-aware approach is essential, one that respects the sovereignty, history, and cultural specificity of non-Western states. This approach advocates for a broader conceptualization of success and governance that transcends Western paradigms, embracing the diversity and potential of global governance models in enriching the international discourse on state-building and development.

Scholars who have tried to empirically study state development in sub-Saharan Africa have specifically criticized grand normative approaches for being insufficient in capturing the "realities on the ground." These approaches have difficulty dealing with cases where the distinctions between state and society, "traditional and modern, and formal and informal are blurred" (Balthasar, 2019, p.48).

2.4.1 Beyond Dualism: Challenging the *Manichaeon*⁹ Misconception

The literature on traditional and modern governance has often assumed that there is a clear and distinct dichotomy between traditional and modern political systems. However, these distinctions are not always clear-cut or fixed. Instead, these systems have coexisted, interacted, and evolved since colonialism in Somalia as well as in many other post-colonial societies, as noted by Höhne (2006) and UNECA (2007).

In our context, Manichaeism refers to the idea that modernization is exclusively located within Western civilization, Western rationality, and Western progress and is universally applicable. Thus, it is fundamentally Eurocentric. This concept introduced the idea of parallel stages, with clear starting and ending points and easily definable features of "modern" and "traditional" societies. Additionally, polarized expressions based on binary oppositions such as civilized vs. barbaric, logical vs. pre-logical, and people with history vs. people without history became its hallmark. This led to the incorrect assumption that a society's progress could be represented by a simple linear model.

From a modernization viewpoint, this binary opposition perceives the traditional as a regressive condition while the modern is viewed as the progressive and ideal path of development and progress. Moreover, the notion that traditional institutions must be phased out as modernity advances is losing traction as it is increasingly acknowledged that traditional structures are "often more legitimate than the state" (Gundel, 2006, p.2). The difficulty, however, is in reconciling these structures to create a cohesive society.

2.4.2 Frameworks of Multiplicity: The Coexistence of Diverse Institutions

According to the theoretical literature, institutions evolve in situations of enduring stability, where the "rules of the game" are well-defined and applied (North, 1990, p.1). However, in fragile or transitional political contexts, the institutional environment may not be stable or easily understood. In such situations, leaders and the elite coalitions they belong to become crucial in determining how old institutions develop and new ones emerge. This examination of indigenous institutions and traditional leadership aims to understand why divisions between so-called modern and traditional institutions are strongly asserted when institutional multiplicity is accommodated, and under what circumstances.

The CSRC (2005) introduced the concept of "institutional multiplicity," which is based on a framework that intersects a *Weberian* understanding of the state with the political economy of state building. "Institutional multiplicity" is valuable in highlighting that a state's degree of fragility or resilience largely depends on the coexistence and often contradictory interrelationship of different sets of "rules of the game" within a given territory.

The *Weberian* state concept struggles to handle situations where the boundaries between state and society, or formal and informal, are unclear - a condition that applies to most cases of state-making. Therefore, it fails to "anticipate new and diverse forms of state institutionalization" (Migdal & Schlichte, 2005, p.3). To overcome this limitation and the drawback of the *Weberian* state concept that assumes the state as a relatively homogeneous entity with a monopoly on violence, Böge, et.al (2008) introduced the concept of HPO. While normative state-building approaches suggest the problems of locally derived political solutions, the concept of HPOs argues that external efforts at state reconstruction suffer from a "nirvana fallacy"¹⁰ (Coyne, 2006, p.344) and that local solutions are the only viable ones. Building on the idea of "institutional multiplicity" and sharing similarities with the concepts of "twilight" institutions (Lund, 2006) and the "negotiated state" (Menkhaus, 2006/07), Böge, et.al (2008) propose that the hybridity of "political orders" is beneficial for the development of developing states.

Customary African forms of governance remain significant in many parts of the world, particularly in post-colonial states, as they are deeply ingrained in local institutions. These local institutions are not fixed and have interacted with colonial powers and Western states in various ways with varying degrees of success over many years. However, it is now widely acknowledged that institutional multiplicity and conflicting claims to social and political legitimacy must be considered seriously within HPOs. Although traditional institutions are deeply rooted and resistant to change, they are not as unchangeable. They have adjusted to colonial and post-colonial governance systems in the past and have been involved by various states in different ways over many years. Traditional leaders have been resourceful in adapting and thriving and their legacies are complex and layered historically (Hobsbawm & Ranger, 1983).

Additionally, contemporary political systems are not always consistent. State and society are not always entirely separate from each other, and in many contexts, indigenous institutions exist alongside or compete with other forms of social and political organization. This has resulted in institutional multiplicity that shapes the political order in many post-colonial states today.

2.5 The Hybrid Governance Paradigm: Integrating Diverse Systems

There is a widely held belief that the way Western nations constructed their states and nations during the era of colonialism were imposed on non-Western cultures. As a result, the traditional notion of the state possessing ultimate power has given way to a more hybrid political arrangement in which other entities also possess authority, legitimacy, and the ability to provide security, welfare, and representation.

Hybrid governance is present in environments with fragile statehood, where various and competing claims to power and systems of order coexist, overlap, and interconnect. These structures of order are mainly composed of a "formal" state and a traditional "informal" societal order, but they could also involve other orders resulting from globalization and those linked to social division based on ethnicity or religion.

The idea of HPO was introduced as a way to redefine the normative notion of failing or fragile states. It presents a combination of two spheres where the norms and institutions of the formal state intermingle and interpenetrate with those of the traditional sphere (Böge & Clements, 2009, p.15). By blending features of the imposed Western ideal and elements arising from traditional institutions of governance, new forms of governance can emerge. The concept of hybridity provides possibilities for a new type of state-building. The recommended solution for these states is state-building, which involves strengthening state institutions sustainably in addition to enhancing the capacities of state actors to control, regulate, and implement policies, particularly in the core areas of statehood, such as internal security, basic social services, the rule of law, and government legitimacy (Böge, et. al, 2008, p.3).

In several African contexts, the importance of hybrid political systems is currently significant as there appears to be a common challenge for the majority of post-colonial states to manage the coexistence of traditional societal structures and contemporary political governance systems. According to Hinz (2008, p.62), no African country is entirely devoid of some elements of Western model. Therefore, he concludes that "African governments have had to make decisions about the legal and political status of both tradition and modernity in their social, political, and legal systems".

Max Weber identified three forms of legitimate authority, although he did not address how they may overlap. The first is based on rational grounds, which is founded on the belief in the legality of normative rules and the right of authorities to issue commands (legal authority). The second is based on traditional grounds, which centers on the belief in the sanctity of longstanding traditions and the legitimacy of those in authority under them (traditional authority). The third type of legitimacy is based on charismatic grounds, which emphasizes the devotion linked to an individual with exceptional character and the normative patterns and order that the individual has ordained (charismatic authority) (Weber, 1968, p.46).

In the post-independence era, traditional leaders in numerous African states, including Somalia, were largely discredited by their people due to their frequent incorporation and collaboration as instruments of colonial rule by the colonial powers (Maria & Buur, 2006, p.2). Furthermore, the new political administrations in independent states aimed to eliminate traditional structures and authorities, viewing them as reactionary remnants of the past. However, traditional forms of governance persisted, adapted, and responded to the new challenges they encountered and the authorities of independent states realized that it might be more effective to incorporate them rather than attempt to suppress and displace them. This trend is demonstrated by the "retraditionalization" in some African states.

In an environment of HPOs, the state does not hold an exclusive position as the political framework responsible for providing security, well-being, and representation. It must share authority, legitimacy, and capacity with other structures. In the developing world, a HPO emerges, in which the state is just one actor among many. Therefore, it does not have a privileged position and must share authority, legitimacy, and capacity with other structures (Eric, 2023; Moe & Geis, 2020). However, many efforts to build or rebuild the state in post-colonial Africa have failed or remained fragile because the state insists on being the sole actor.

In his seminal work "Origins of Political Order," Francis Fukuyama provides a global and historical account of state-building processes in which he argues that all countries, from Norway to Japan, were at one point tribal societies (Fukuyama, 2011, p.15). In these societies, people's primary loyalty was to their kin rather than the state, and disputes were settled through a system of retributive justice rather than through courts. Moreover, societal structures were based on collective units and kinship relations rather than individualistic ones.

Fukuyama also argues that institutions replaced individual leaders with the wave of industrialization and democracy. While following the reasoning of modernization theory, Fukuyama states that developing countries today do not necessarily have to follow the West's experience of constructing modern states. Instead, emerging states should be able to explore new and alternative ways of governance.

It is not being argued that the idea of the *Weberian* state is entirely obsolete or being discarded in the context of African countries context. Instead, it is to recognize that not all states and societies possess, or benefit from, the cohesiveness and uniformity advocated by the “ideal state”, as Richards (2009, p.50) suggests. This does not imply that such states, which are functioning well, need to be fixed automatically. In certain cases, such as Somalia, enforcing a standardized approach for success through uniformity has had an overly negative impact and resulted in chaos. The absence of a strong, centralized authority or the presence of a non-Western or "weak" government does not necessarily imply that control or provision is absent.

A weak or absence of formal government also does not inevitably lead to Hobbesian anarchy, as some suggest, as social institutions may fill the empirical gaps. Success in a non-Western system of state or political organization does not mean that the state design is entirely abandoned, but rather an alternative to the political and state organization enshrined by the ideal state. However, much of the current literature focuses on the supposed anarchy created by the absence of a central democratic state, rather than acknowledging other forms of governance that emerge to provide order and organization when the government is absent, weak, or ineffective.

2.6 Conceptual Framework

The notion of a viable state in this specific dissertation entails an internally driven state-building effort where traditional governance institutions anchor the process and are marked by a functioning despite a rudimentary characterization of the institutions. Potentially, the notion that the African state fails to embody the traditional characteristics of a sovereign state may stem from its inherent *exogeneity*. In this particular dissertation, a viable state is defined as one where the process of state-building is propelled from within, with traditional governance institutions serving as the foundational pillars of this endeavor.

This approach recognizes the value of these institutions, even if they are described as rudimentary, in facilitating a functioning state apparatus. Moreover, the concept extends to the establishment of a governance structure that achieves effective synergy between traditional and Western frameworks. This harmonization aims to blend the strengths of both systems, fostering a governance model that respects cultural heritage while incorporating modern principles of statecraft, thereby ensuring a balanced and functional state mechanism.

This suggests that the concept and structure of the state, as recognized in African contexts, might not align with indigenous governance systems due to its external origins and influences. Such a perspective implies that the discrepancies and challenges faced by African states in establishing sovereignty and effective governance could be attributed to the adoption of a state model that is fundamentally foreign and not deeply rooted in African sociopolitical and cultural practices.

The modern Western state that is superimposed on Africa through the agency of colonialism is highly challenged. Since, it represents a lengthy process, as in its entirety differs from the African one where a unitary declaration or act has found it. With all its idiosyncrasies, the European experience remained a meager template for state-building in other regions of the world. Identifying the failure of (re) state-building in Somalia and the lack of viability across the continent fundamentally falls under the eminent foundation of intrinsic top-down nature that offers less emphasis on the statehood crisis of the continent. Thus, the contemporary African state is neither African nor state. Possibly, it is not African that the African state is not a state owing to its basic *exogeneity*.

Particularly, a serious rethinking of the *Weberian* understanding of a state is underlined basically for two reasons. First, Weber's portrayal of a state as the only actor that claims a monopoly of force over a territory and its population. The analysis is almost entirely by focusing on Europe in which the state formation trajectory is totally at odds with the African one. The Somali specificity represents the 'modern' state since its inception has unwillingly commissioned some of its claims of the monopoly to the resilient traditional institutions. The institutions for so long and even today continued to provide a modicum of security to the populace.

The conventional understanding of the phenomenon of “state failure” has little attention to indulging the actual causes of the perceived crisis. It always prescribe show an international intervention is important as a way of creating a central government and restoring order, with the absence of due consideration of the local sources of order. The core conjecture is that the key to a successful state, and the essential of thwarting state failure, is to generate a modern democratic state that is accustomed and fathomable to the *Weberian* model irrespective of the efficacy of preexisting structures of control.

Changes and continuities between the pre-colonial and colonial administrations is also an important point in explaining and analyzing the possibilities of syncretism. Since the colonial administration was not uniformly conducted colonialists such as Britain implemented an indirect rule and others like Italy followed the reverse. The resultant effect is the prevalence of divergent trajectories in the change and continuity discourse where the cooptation of traditional systems in part of Britain eased the hybridity quest that got rid of the *Manichean* approach through the promotion of institutional multiplicity. In case of an indirect rule where a dismantlement of traditional institutions necessitates the fully blown colonial administration, by contrast, played its role in hampering the continuity of the legacies of traditional institutions between the pre-colonial and the post-independence era.

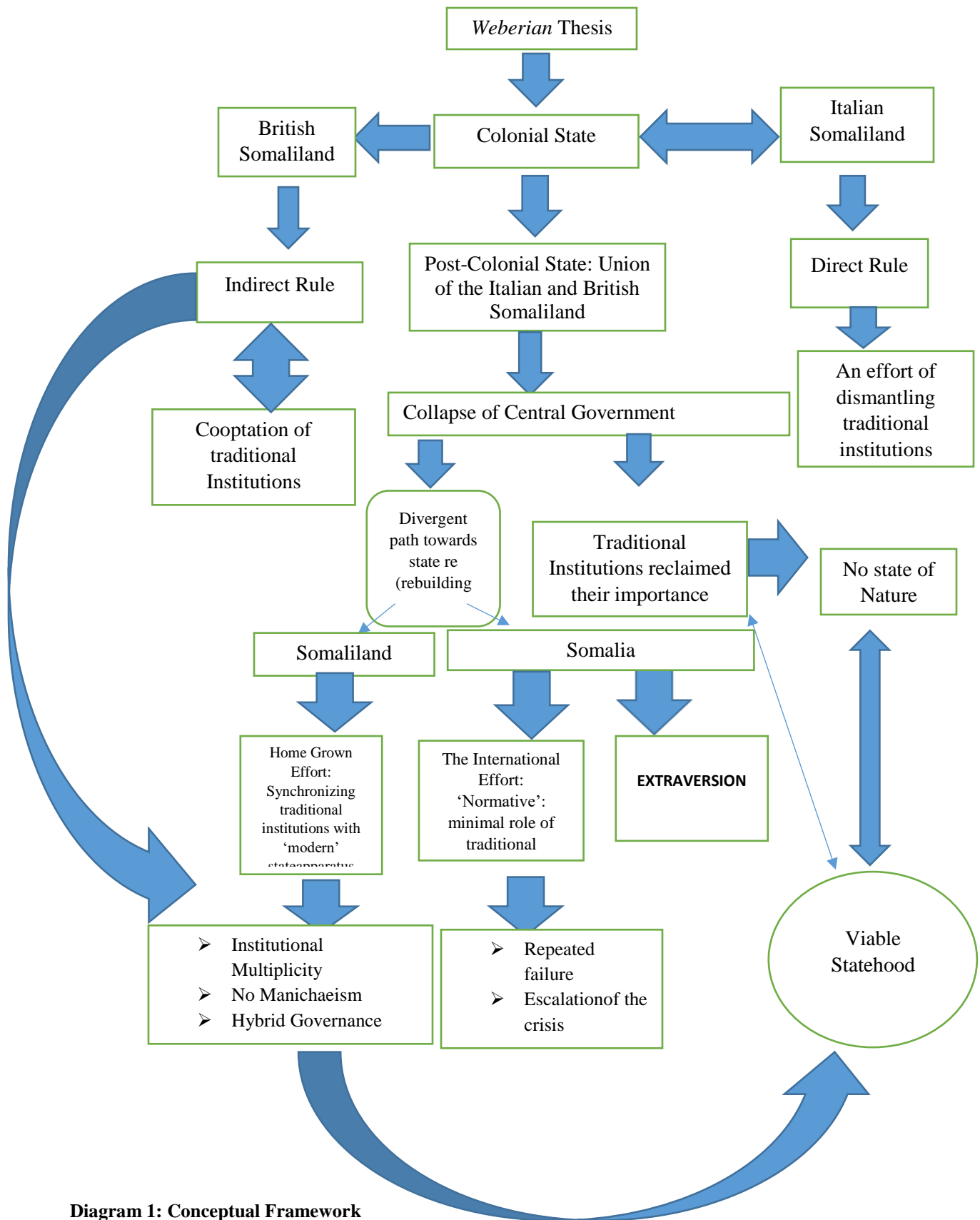


Diagram 1: Conceptual Framework

2.7 Summary

This chapter provides an in-depth theoretical and conceptual exploration of statehood within the African context, with a special focus on Somalia and Somaliland. It challenges the conventional Western notions of statehood, arguing that the African state, due to its colonial origins, significantly diverges from the European model and should not be evaluated through a Eurocentric lens. The text emphasizes the complex interplay between pre-colonial, colonial, and post-colonial dynamics in shaping African states, highlighting the artificial imposition of state structures during the colonial period and the subsequent struggle for legitimacy and functionality in the post-colonial era.

In Somalia, the legacy of colonial rule and the failure to establish a centralized state system have led to a unique form of governance where traditional clan-based structures continue to play a central role in society. The chapter critiques the application of the *Weberian* state model to Africa, suggesting that this model overlooks the continent's distinct social, political, and historical context. It proposes a reevaluation of statehood that recognizes the legitimacy and functionality of indigenous governance mechanisms, which may offer more relevant solutions to the continent's challenges than the imported European state model.

The discussion on Somalia and Somaliland exemplifies the limitations of the Eurocentric approach to state-building in Africa. It illustrates how external attempts at state reconstruction often fail due to a lack of understanding and integration of local governance traditions and social structures. The chapter argues for a hybrid governance paradigm that acknowledges and incorporates traditional and modern institutions, advocating for a more inclusive and context-sensitive approach to understanding and supporting statehood in Africa.

Generally, the chapter calls for a critical rethinking of statehood in the African context, emphasizing the need to move beyond dualistic notions of traditional versus modern and to embrace the complexity and hybridity of African political orders. This approach, it suggests, could lead to more viable and legitimate forms of governance that resonate with the continent's diverse societies and historical experiences.

CHAPTER THREE

RESEARCH METHOD

3. General Research Approach

Being grounded in a fundamental inquiry that ultimately attempts to answer ‘what’ and ‘how’ questions, its investigation is distinguished as a rigorous qualitative inquiry, methodologically underpinned by a dual framework for data acquisition and analysis. The first component of this framework entails a comprehensive review and critical analysis of extant scholarly literature, encompassing academic journal articles, monographs, institutional documents, and reports that pertain to the sociopolitical landscape of Somalia. This scholarly engagement is enriched by the researcher’s academic expertise and his previous experiential knowledge concerning Somali affairs, allowing for a refined grasp of the complex dynamics at play.

The second essential aspect of the research methodology involves the systematic collection of primary data through semi-structured interviews with carefully selected key informants. These informants are identified based on their direct experience or expert knowledge relevant to the state-building processes within Somalia and Somaliland, thus providing invaluable insights into the practical implications of traditional institutions in these regions.

The employment of this primary data collection technique is aimed at enhancing the strength of the study’s findings through the method of triangulation, allowing for the verification of data points across diverse sources. This methodological approach facilitates a multifaceted exploration of the subject matter, wherein the synthesis of theoretical perspectives derived from the scholarly literature and empirical evidence garnered from firsthand accounts conjoin to inform a comprehensive analysis. By integrating these diverse data sources, the research endeavors to construct a holistic understanding of the contributions and challenges of traditional institutions in the state-building efforts of Somalia and Somaliland, contributing to a more sophisticated academic discourse on the topic.

The dissertation undertakes a rigorous analytical scrutiny of the underlying factors contributing to the shortcomings of syncretic approaches in state-building, while concurrently levying a critical examination against the *Nirvana* fallacy, alternatively termed as the ‘one-size-fits-all’ discourse prevalent in normative state-building paradigms. Such a critique is grounded in the observation that such discourses often fail to account for the complex, multifaceted realities of states undergoing post-conflict reconstruction, thereby rendering the prescribed solutions ineffectual or, at times, counterproductive.

Further, the dissertation examines a subtle philosophical analysis of ‘conceptual colonization’ to borrow the word from the known African Philosopher Kwasi Wiredu (2002)—a critique that posits the framing of African crises within externally imposed conceptual frameworks that may not align with the indigenous socio-political and cultural contexts. This notion of conceptual colonization is interrogated for its role in sustaining a paradigm where African challenges are predominantly understood and addressed through lenses developed outside of the African experience, potentially neglecting or oversimplifying the continent’s diverse realities and resilience strategies.

In response to these critiques, the philosophical foundation of the research is firmly situated in the exploration of methodologies conducive to the task of conceptual decolonization. This involves advocating for an epistemological shift towards recognizing and valorizing indigenous knowledge systems and traditional mechanisms of governance. The research posits that such an approach is essential not only for the theoretical deconstruction of imposed narratives but also for the practical empowerment of local entities in crafting sustainable, contextually relevant solutions to their socio-political challenges.

The foundational belief of this research, deeply embedded in the academic discipline of African Studies, is that research should inherently challenge and critically reassess the prevailing normative frameworks that currently dominate scholarly discourse. This approach underscores the imperative for a research methodology that not only questions these existing paradigms but also actively seeks to reframe them through an advocacy lens—often termed as emancipatory research. Such a perspective is vital, as it addresses the conspicuous gap in literature where the perspectives of subaltern voices are frequently overlooked or silenced. Particularly in the context of this study, the exploration of traditional governance structures in Somalia and their potential role in forging a sustainable statehood has been markedly underrepresented in academic inquiries.

At the heart of this research ethos, therefore, is the conviction that scholarly work should not only contribute to theoretical knowledge but also possess a pragmatic action agenda aimed at instigating reform (Daire, et.al, 2023). This reformatory potential extends across various dimensions, impacting the lives of participants, transforming the institutions within which they operate, and even reshaping the epistemological and methodological orientations of researchers themselves (Creswell, 2007, p.22). The current research endeavor is deeply imbued with such a purpose, striving to transcend the conventional boundaries of knowledge production with a clear emancipatory mission. By challenging the often implicit assumption that there exists a singular, monolithic perspective through which reality can be understood, this study advocates for a pluralistic and inclusive approach to epistemology, particularly in the realms of statehood and governance. This research is particularly attuned to challenging the constraints imposed by mainstream epistemological frameworks and the entrenched power dynamics prevalent in educational and scholarly settings.

By adopting an advocacy, the study initiates from a position of recognizing significant societal issues or problems—chief among them, the urgent need for empowerment and the undoing of the 'one size fits all' approach to understanding statehood. This foundational assumption is critically relevant to the objectives of this research, as it seeks to liberate the discourse on statehood from the confines of conventional epistemological orientations, thereby paving the way for a more nuanced, inclusive, and contextually responsive understanding of governance and state-building, particularly within the Somali context.

The research benefits a lot from the *modus operandi* of the Frankfurt School of Critical Social Theory. The school emerging in the early 20th century represents a crucial intellectual movement originating from the Institute for Social Research at Goethe University Frankfurt. Central figures like Max Horkheimer, Theodor Adorno, Herbert Marcuse, and Jürgen Habermas contributed to its rich theoretical foundation. The School's significance lies in its profound critique of traditional norms, ideologies, and structures in social sciences, emphasizing the importance of understanding the role of culture, economy, and politics in perpetuating social inequalities. Unlike conventional approaches, the Frankfurt School utilized critical theory as a lens to explore the underlying power dynamics within society, aiming to unveil the complexities of capitalist societies and the ways in which culture serves as both a product and a tool of domination.

This critical stance facilitated the development of an emancipatory discourse that seeks to empower marginalized and subaltern perspectives, offering them a voice against oppression and inequality. The Frankfurt School's interdisciplinary approach challenged normative concepts by advocating for a society where rationality and freedom replace domination and inequality, marking a significant contribution to critical social theory and its ongoing relevance in analyzing and addressing contemporary social issues.

3.1 Case Study

A Case Studies research design is particularly suited for the dissertation due to several reasons. This approach allows for an in-depth, contextual analysis of complex phenomena within their real-life settings, making it ideal for exploring the nuanced roles that traditional governance institutions play in the state-building processes in Somalia and Somaliland. Choosing such a design for this dissertation is a strategic decision that aligns well with the objectives and nature of the study. This approach offers several advantages for exploring the complex dynamics of traditional institutions and their impact on state-building efforts in these distinct geopolitical contexts.

Primarily, the nature of traditional governance systems, with their rich history and cultural significance, requires a research design that can capture the depth and complexity of these institutions. Case studies enable the researcher to explore into detailed qualitative analysis, offering insights into the processes, relationships, and outcomes that define traditional governance in these contexts. Yin (2014) emphasizes that case study research is particularly effective in investigating contemporary phenomena within their real-life context, especially when the boundaries between phenomenon and context are not evident.

Secondly, the case study design is flexible and dynamic, allowing for the use of multiple sources of evidence, including documents, artifacts, interviews, and observations. This multidimensional approach is critical for understanding the multifaceted role of traditional governance in statehood and societal cohesion, as it can uncover the interplay between traditional mechanisms of governance and modern state structures. Stake (1995) argues that case studies provide a unique approach to understanding complex issues by focusing on the particularities and complexities of a single case or a small number of cases, revealing the interaction of significant factors.

Moreover, focusing on Somalia and Somaliland presents a unique opportunity to compare and contrast within the same cultural context, highlighting the specific contributions and challenges of traditional governance in different political and social settings. The comparative aspect of the case studies can elucidate the variations in how traditional governance contributes to or hinders state-building and political stability. Flyvbjerg (2006) advocates for the use of case studies to gain deep insights and test theories in real-life contexts, emphasizing their potential to produce generalizable knowledge through the detailed study of individual cases.

Furthermore, a case study allows for description and analysis to be employed concomitantly (Creswell, 2018, p.121). The descriptive part wants to obtain information to systematically describe a phenomenon or situation. It is an apt choice when the research aims to identify characteristics, frequencies, trends, and categories. It goes deep into answering the what, when, where, and how questions regarding the research problem (Babbie, 2013). Moreover, it allows for an in-depth exploration of traditional institutions in Somalia and Somaliland. It enables the researcher to systematically document and describe the characteristics, roles, functions, and governance mechanisms of these institutions as they currently exist.

As this research explores the traditional governance institutions and their role in viable statehood among the Somalis, benefit a lot from analyzing the characteristics and frequencies by subjecting it to a critical historical lens. With an equal strength of description, the analytical part is also quintessential as an attempt is made to see current developments in the traditional institutions and the symbiosis they form with statehood. Beyond mere description, the analytical aspect facilitates an examination of the complex interactions between traditional institutions and state-building efforts. It allows the researcher to identify patterns, relationships, and influences of traditional governance on the quest for viable statehood. By analyzing these dynamics, the dissertation can uncover underlying mechanisms, assess the effectiveness of traditional institutions in political stabilization and governance, and explore how they intersect with modern state structures. This analysis is essential for answering critical questions about the potential for traditional institutions to be leveraged or integrated into state-building strategies.

The design has an additional function more flexible and useful besides the description of phenomena through observation and different methods. Descriptive-analytics embedded in the case study is the process of using current and historical data to identify trends and relationships. It can be used in various fields such as social sciences to systematically investigate phenomena, processes, or relationships within a specific context.

The approach is particularly well-suited for conducting a comparative study between Somalia and Somaliland, offering a structured approach to contrast the role of traditional institutions in each context. This design allows for the examination of differences and similarities in how traditional governance systems operate and their impact on statehood viability. Such comparative analysis provides richer, contextualized insights that can inform broader theories of state-building and governance in post-conflict societies.

The research design is supposedly chosen for its ability to provide a thorough understanding of traditional institutions, analyze their impact on state-building, and offer comparative insights between Somalia and Somaliland. This approach aligns with the complexity of the research topic, enabling a comprehensive exploration that is both theoretically rich and practically relevant.

3.1.1 Methods of Data Collection

In the construction of this scholarly investigation, an eclectic array of data sources is strategically employed, emblematic of the depth and breadth sought by the qualitative research design underpinning this study. The methodological framework of this research is characterized by its deliberate engagement with diverse forms of data acquisition, articulated through several key modalities:

Primary Data through Semi-Structured Interviews: At the forefront of this methodological approach is the utilization of semi-structured interviews with key informants. These interviews serve as a principal mechanism for data collection, providing critical insights directly from individuals who possess significant knowledge or experiences pertinent to the phenomenon under study. The informants are carefully chosen from three key geographical locations that are highly significant for the Somali population: Hargeisa (the administrative capital of Somaliland), Jigjiga (the regional capital of the Somali Region in Ethiopia), and Bole Mickael (a central area in Addis Ababa with a large Somali community).

Due to financial and security constraints, I was unable to travel to Somalia Republic. However, I included informants of Somali nationality from these three areas. This purposive selection strategy ensures a comprehensive representation across diverse social strata, encompassing academicians, elders, and the youth, thereby facilitating a multifaceted understanding of the subject matter.

Documentary Sources: The research places an intensive focus on the examination of documentary sources, including but not limited to, academic publications, governmental and non-governmental reports, policy documents, and historical records. This extensive engagement with documentary materials allows for a critical analysis that is both contextually grounded and informed by historical trajectories.

Digital and Online Resources: The exploration extends into the digital realm, where extensive use is made of online sources. This includes digital archives, scholarly databases, and relevant internet-based resources, acknowledging the increasing significance of digital mediums in contemporary research practices.

Observational Data: Although not the primary focus, observational techniques are also incorporated as a supplementary data collection method. These observations, whether direct or participant, offer additional layers of contextual richness and empirical depth, providing a grounded perspective on the lived realities and socio-cultural dynamics of the Somali populations under examination.

Together, these methodological choices underscore a commitment to a comprehensive and critical exploration of the research topic. By triangulating data from interviews, documentary sources, online materials, and observations, the study aims to construct a robust and richly textured analytical narrative that captures the complexities and variegated dimensions of the Somali state-building processes and societal dynamics.

In addition, the research methodology described, characterized by its innovative approach to data collection through participation in various conferences, is not only unique but also invaluable in enriching the scholarly work. This method is distinguished by the researcher's engagement in presenting at a diverse array of forums, where the exchange of ideas and feedback with scholars, practitioners, and community leaders contributes significantly to the depth and breadth of the research findings.

At the heart of this approach is the researcher's active participation in national and international conferences, where his presentations on complex socio-political issues in Ethiopia and Somaliland provided a platform for rigorous academic discourse and feedback collection.

The wide range of conferences attended by the researcher, including the 5th Pan African Seminar Series on March 28, 2022, where he presented “*The Somalis Quest for Viable Statehood: Extraversion as a Perpetual Challenge*” at Addis Ababa University, ensured a rich diversity of feedback. This presentation, alongside others like “*The Somaliland Anomaly: Customary Institutions as Building-block for State Building*” on June 25, 2022, and a paper on governance systems, drought resilience, and rangeland management during an International Conference on Pastoralism from June 24-26, 2022, organized by Jigjiga University. The paper was presented once more at the 21st International Conference of Ethiopian Studies, held at Addis Ababa University from September 28th to October 1st, where it received extensive feedback. Such scholarly endeavor showcases the researcher's engagement with critical issues from multiple angles.

Furthermore, the researcher presented a paper to the Somaliland community a paper titled “*Quo Vadis Hybridity: Reexamining the Peculiar Path of Somaliland*” on 20th September 2023 at the Hargeisa Cultural Center, Hargeisa, Somaliland. It was widely accessible as it included both physical and virtual means. This engagement underscores a vital aspect of the research methodology, emphasizing direct interaction with a wide range of local experts, including academia and the wider community.

Such a gathering is not unique but also invaluable in the context of socio-political research, offering a multifaceted view of the issues at hand. This approach to data collection—leveraging presentations at significant forums to gather insights—highlights several important dimensions of effective research in complex socio-political landscapes. Presenting to and receiving feedback from Somaliland's academia offers an unparalleled depth of understanding. This direct interaction facilitates an exchange of ideas and perspectives that are deeply rooted in the local context, providing the researcher with delicate insights that are often inaccessible through other data collection methods.

The feedback received during such presentations is a goldmine of data. It serves not only as validation or critique of the researcher's findings but also as a source of new insights, questions, and directions for further study.

The interactive nature of these forums allows for immediate clarification, debate, and enhancement of the research, making the data collected highly dynamic and responsive to the local context.

Engaging directly with stakeholders who are integral to the subject matter of the research ensures that the findings are relevant and grounded in reality. This relevance is crucial for the impact of the research, as it ensures that the conclusions drawn are not only academically significant but also practically applicable in the context of Somaliland's ongoing socio-political developments.

Presenting research findings directly to local stakeholders also serves to build trust and rapport with the community. This is especially important in regions where external researchers may face skepticism or resistance. By engaging openly and respectfully with local leaders and experts, the researcher establishes credibility and fosters a collaborative environment conducive to honest and open exchange of information.

The presentation at the Hargeisa Cultural Center, therefore, is not merely a dissemination of findings but a critical methodological approach that enriches the research process and the argumentations. By situating the research within the lived experiences and expertise of Somaliland's scholars, the researcher can gather a wealth of data that is both diverse and deeply informed. This approach, exemplified by the presentation on "*Quo Vadis* Hybridity," underscores the importance of direct, engaged, and interactive research methodologies in understanding and addressing the complex socio-political challenges facing regions like Somaliland.

Apart from Hargeisa, the immediacy of presenting and receiving feedback at different conference settings allows for a dynamic and interactive form of data collection. This engagement is particularly vital in refining the researcher's arguments and methodologies based on the critiques, suggestions, and discussions that arise during these academic exchanges. The process of presenting at multiple conferences allows for the continuous improvement of the research. Each presentation acts as an opportunity to refine hypotheses, incorporate feedback, and strengthen the overall argumentation of the scholarly work. Unlike conventional data collection methods, this approach leverages the experiential knowledge of conference participants, enriching the research with nuanced insights that reflect the complex realities of the issues being studied.

The topics of the presentations themselves—ranging from statehood challenges in Somalia to the role of customary institutions in Somaliland and the governance of pastoral communities—are indicative of the research's focus on pivotal issues affecting the Horn of Africa. By employing this innovative method of data collection, the researcher not only enhances the depth and quality of the scholarly work but also contributes significantly to the field of socio-political studies.

In summary, the unique data collection method utilized in this research, exemplified by the dates and titles of the presentations given, underscores the importance of direct academic engagement and recurrent feedback in maturing the argumentations.

3.1.2. Techniques of Data Collection

The methodological approach to sampling within the data collection framework of this research is underpinned by a deliberate combination of purposive and snowball sampling techniques. Each of these techniques is selected for its specific strengths in identifying and engaging with participants who offer profound insights into the phenomena under investigation, thereby enhancing the depth and relevance of the empirical data gathered.

Purposive Sampling: This technique is employed to ensure a careful and intentional selection of participants. The core rationale behind purposive sampling lies in its capacity to enable researchers to identify and select individuals who possess specialized knowledge, experience, or insights pertinent to the phenomenon of interest (Creswell, 2012).

By focusing on participants who are deemed to have a direct and significant engagement with the subject matter, purposive sampling facilitates the acquisition of in-depth and contextually rich data. This targeted approach is instrumental in constructing a thorough understanding of complex social, cultural, or political landscapes, particularly those about the intricacies of state-building efforts within Somalia and Somaliland.

Snowball Sampling: Complementing the purposive technique, snowball sampling is deployed as a dynamic methodological tool that capitalizes on the networks and connections inherent within communities and specialized groups (Creswell, 2007). Snowball sampling is particularly advantageous in contexts where access to participants with specific experiences or expertise is challenging. It leverages the social capital and relationships of initial informants to facilitate a broader engagement with a wider array of perspectives, thus incrementally enriching the data pool with diverse and complementary viewpoints.

The synergistic application of purposive and snowball sampling methods within this research's data collection strategy is designed to maximize the comprehensiveness and depth of the empirical evidence. This dual approach not only ensures that the study is grounded in the perspectives of those most intimately connected with the phenomenon of interest but also allows for an expansive exploration of the subject matter through the iterative inclusion of participants who can offer additional layers of complexity and insight.

3.1.3 Data Analyses and Interpretation

With the analysis, the researcher builds patterns, categories, and themes from the "bottom-up," by organizing the data into increasingly more abstract units of information. This inductive process allows the researcher to work back and forth between the themes and the database until they establish a comprehensive set of themes. It additionally includes collaborating with the participants interactively which enables the researcher to have a chance to shape the themes or abstractions that emerge from the process.

The research seeks to uncover the roles that traditional institutions play in the political and social landscapes of Somalia and Somaliland, particularly in their respective quests for viable statehood. This analysis is grounded in data precisely gathered through intensive document analysis, interviews, and presentations in academic and cultural settings across Addis Ababa, Jigjiga, and Hargeisa. Below is a detailed analysis and interpretation of the collected data, synthesizing insights from various sources to draw meaningful conclusions about the influence of traditional institutions in these regions.

The data collection process involved a triangulated approach, combining qualitative data from multiple sources. Reviewed academic papers and historical documents helped to understand the historical context, and scholarly perspectives on traditional institutions in Somalia and Somaliland. This provided a foundational understanding of the evolution of these institutions and their roles in society. Interviews were conducted with a semi-structured mechanism with a wide range of stakeholders, including local leaders, academics, government officials, and community members in Addis Ababa, Jigjiga, and Hargeisa. These interviews offered firsthand insights into the current perceptions, roles, and effectiveness of traditional institutions in governance and social cohesion.

Most importantly, the researcher presented findings in academic and cultural settings, engaging with scholars, practitioners, and community members. Feedback from these presentations enriched the analysis with diverse perspectives and critical reflections on the preliminary findings.

3.1.4 Ethical Considerations

As qualitative research is vulnerable to bias through the attitudes and qualities of the researcher, social desirability factors, and conditions of worth, serious ethical considerations are imperative. In reporting on the completed research it is crucial to reflect on the ethical considerations that guided the research process and to ensure these principles continue to inform the dissemination of findings. The following ethical considerations highlight my commitment to maintaining ethical integrity.

Firstly, all participants were informed that the data collected would be used for scholarly publication. Their consent includes an understanding of how the findings might be shared with a broader audience.

The second issue is accuracy in representing the data. In presenting the research findings, I am committed to accurately representing the data collected, avoiding any form of misrepresentation or bias. This commitment ensures that the conclusions drawn are a true reflection of the participant's contributions and the realities explored within the study.

Thirdly, I see concern about engagement with participants. Where feasible, the findings of the research have been shared with participants and relevant stakeholders in a manner that is accessible and meaningful. This engagement ensures that the research can have a positive impact and contribute to ongoing discussions about statehood and traditional institutions.

Fourth, concerning acknowledgment of limitations, I want to openly acknowledge any limitations of the study, including the scope of data collection and potential biases in presenting the research. Acknowledging these limitations is essential for maintaining transparency and integrity in research reporting.

Lastly, regarding the responsibility for public engagement, I take the responsibility for engaging with the public and academic communities in a way that is informative, respectful, and constructive in disseminating the research findings. This involves being prepared to discuss the findings and their implications in forums that encourage critical engagement and dialogue.

These ethical considerations underscore my commitment to upholding the highest standards of ethical research practice, not only during the data collection phase but also in the crucial stage of reporting and disseminating the findings. The principles of confidentiality, respect, limitation, and accuracy guide the research approach to sharing the insights gained from this important study.

3.2 Summary

This specific chapter as one concerned with methodology outlines the research method utilized in the study, focusing on a qualitative approach for an in-depth exploration of traditional institutions and their role in state-building processes in Somalia and Somaliland. This chapter details the research approach, design, data collection methods, analysis, interpretation, and ethical considerations, highlighting a rigorous methodological framework designed to yield comprehensive insights into the subject matter.

The research adopts a qualitative methodology, aiming to answer 'what' and 'how' questions through a discursive reasoning approach and engagement with both literature and firsthand interviews with key informants. This dual-framework method involves a critical review of scholarly literature and primary data collection via semi-structured interviews, ensuring a rich, multifaceted exploration of the topic. The methodological approach emphasizes the importance of triangulation, allowing for data corroboration across various sources to construct a holistic understanding of traditional institutions' contributions and challenges to state-building in Somalia and Somaliland.

The study employs a case study research design, ideal for systematically describing phenomena and identifying characteristics, frequencies, trends, and categories. This design facilitates a deep exploration of traditional institutions in Somalia and Somaliland, analyzing their current developments and interactions with statehood.

By integrating description with analysis under the case study research design, the research uncovers trends and relationships within current and historical data, enhancing the understanding of traditional governance's impact on state-building efforts.

Data collection is multi-pronged, combining semi-structured interviews with key informants, documentary sources, digital and online resources, and observational data. This eclectic approach ensures comprehensive coverage of the topic from multiple angles. My active participation in conferences, presenting findings, and gathering feedback from a diverse audience, further enriches the data collection process. This innovative method highlights the importance of engaging with complex socio-political issues from various perspectives.

The sampling strategy employs purposive and snowball sampling to select participants with direct experience or expert knowledge relevant to the study. This strategic combination enhances the empirical data's depth and relevance, ensuring a thorough exploration of the subject matter through the perspectives of those most intimately connected with the phenomenon of interest.

Thematic analysis forms the backbone of data analysis, with patterns, categories, and themes emerging from a bottom-up organization of data. The research also incorporates feedback from participants, allowing for a dynamic shaping of emerging themes. This inductive approach ensures a comprehensive set of themes that accurately represent the collected data, underpinning a nuanced analysis of traditional institutions' roles in Somalia and Somaliland.

The research adheres to stringent ethical standards, ensuring participant anonymity, accurate data representation, and open acknowledgment of the study's limitations. My commitment to ethical integrity extends to sharing findings with participants and engaging the public and academic communities in constructive dialogue, maintaining transparency, and fostering informed discussions on the study's subject matter.

Generally, the research is supposed to outline a methodologically sound approach to exploring traditional institutions' roles in the state-building processes of Somalia and Somaliland. The detailed description of the research methodology, from design and data collection to analysis, interpretation, and ethical considerations, underscores the study's rigor and commitment to generating meaningful, contextually informed insights into the complexities of state-building in these regions.

CHAPTER FOUR

4. TRADITION IN TRANSITION: EXPLORING INSTITUTIONAL CHANGES AND ENDURING LEGACIES

4.1 Tradition before Transition: Analyzing Pre-Colonial Institutions in Somalia

A thorough analysis of the pre-colonial era from a long-term perspective is useful in gaining a comprehensive understanding of the changes and continuities in societal structures, particularly the traditional institutions of the two Somali regions. Within this historical context, there is another story to consider between the construction and dismantling of various social structures. This story classifies, compares, and contrasts significant cultural dimensions of political patterns among the Somalis as they transition from one period to the next. Despite clan divisions, there were events that the Somalis shared, transcending their differences and sharing experiences at a broad level. This approach does not contradict other analytical positions or historical perspectives nor replace or negate them. It merely aims to examine the pattern of traditional institutions over time that resulted in divergent post-Siad Barre trajectories between Somalia and Somaliland.

The traditionally strong sense of cultural and linguistic unity among the Somalis did not result in the establishment of a single political unit. They were, in the words of Lewis (2008, p.27) “a nation, not a state”¹¹ albeit possessing the cultural fundamentals of statehood. All the six major clan families did not form a common platform to confront the world. They were not in a position to regularly act as stable or autonomous political units within the Somali political system.

The prevailed mobility-based pastoral economy, wide geographical dispersion, and the lack of necessary organization possibly hindered the establishment of centralization. Somalis were further divided into a host of subsidiary clans and clan divisions that the members were recurrently scattered in their pastoralist movements. These divisions, throughout the entire nation, were based mainly on tracing agnatic kinship and temporary alliances, and patron-client-based relationships and intermarriages. Groups, at every level, were formed based on descent traced in this way from common ancestors (Mohammad, 2007; Samatar, 1992).

Before the arrival of colonialism, the Somalis built a form of indigenous state systems in the form of sultanates and city-states. But a central state in the Western, *Weberian* bureaucratic sense had never existed in Somalia. However, the absence of such institutions should not be equated with the assumptions of social contract theorists who consider the absence of central state institutions as a state of nature. Rather, the Somalis developed various governance mechanisms to maintain pastoral anarchy.

The home-grown conflict handling and resolution mechanisms of *Xeer* along with the Sharia coexisted and were widely used to resolve disputes among individuals and groups. It remained the only foundational system of justice and public order for Somalis until the arrival of European colonists in the late 1800s. This mechanism managed social relations at both the group and individual levels, thereby preventing the disintegration of the lineage system.

4.2 Between Continuity and Change: Traditional Institutions in Colonial Somalia

While a variety of arguments have been put forward to address the extensive problems in Somalia, including the innate clan structure, egalitarianism, pastoral anarchy, and external interventions, no equivalent contrasting arguments have been advanced to explain the mainly pastoral nomadic and the main agro-pastoral and sedentary agricultural dichotomy and the divergent colonial trajectory. The significant historical differences between the two regions and their implications have been discussed at minimal if not nil. It is widely acknowledged that there was an Italian and British colonial presence in southern and northern Somalia, respectively, for comparable years. However, the impact of these disparities and their intricacies, as well as their more apparent correspondences and the legacies they generated, has not received as much attention as they deserve. They have only been briefly discussed within discrete topics and have not been comparatively explored in-depth. The mystery of how Somaliland was relatively successful in establishing a workable state structure through the hybrid system of governance while Somalia Republic not, can be situated in this context.

A detailed comparative analysis would further strengthen the discourse of knowledge generation in Africa by embracing deconstruction using the Somaliland experience as a case study. It serves as evidence against the *tabula rasa*¹² depiction of pre-colonial Africa propagated by influential philosophers of the Enlightenment period, which ultimately legitimized colonialism. Perhaps there were organic institutions that were either dismantled or persisted depending on the *modus operandi* of the colonizers.

In the case of the Somalis, Italian colonialism in the south involved direct and fierce involvement, while the British presence in the north was more indirect. The implications of disparate colonial practices among the Somalis varied accordingly. This study is particularly interested in the impact on the future of traditional institutions, situating them as a critical factor in the (un)making of viable statehood in the two regions.

To understand the Somali crisis with statehood, one must comprehend the deeply decentralized and egalitarian political system and the attempt to create a post-colonial "modernist" nation-state through colonialism. With the arrival of colonialism in the late 19th century, Somalis found themselves subject to a central state for the first time, governed by the British in the north and the Italians in the South, resulting in a shift of power and politics. At the time, southern Somalia with Mogadishu as its capital was known as Italian Somaliland, while the north, with Hargeisa as its capital, became British Somaliland. While politics in traditional Somali society occurred at the clan-lineage level, during colonialism, politics and power were transferred to the urban administrative centers, despite the significant disparity between the North and South.

One of the most significant impacts of colonialism on the Somalis, in addition to the obvious physical and geographical dismemberment of the people, was on the traditional clan structure and culture. Colonial powers employed the "divide and rule" strategy to control the people, which had a significant impact. Land ownership emerged as a critical point of contention since colonial times, as the colonial powers divided clans into geographic territories. This resulted in continuing conflicts over limited natural resources in the resource-rich nation. The strict territorialization that characterized the colonial enterprise, as opposed to the mobility-based pastoral economy, had a critical impact on changing the course of conflicts.

Additionally, traditional institutions were co-opted by the colonialists, with the appointment of new clan elders who were more inclined to the colonial power's interests. This had the resultant effect of dividing the clan itself into more sub-clans.

Under colonialism, the imposition of colonial state authority and the co-optation of traditional leaders occurred. While Somalis appointed leaders based on their leadership skills, the colonizers appointed clan elders based on their loyalty to the colonial masters. Any elder who resisted was replaced and sometimes deported to other parts of the colonial empire (Luling, 1971). Therefore, among other things, with colonialism, Somalia inherited, notwithstanding the North-South dichotomy, the introduction of a centralized state, which undermined the role of indigenous institutions that were viewed as a threat to the modern *Weberian* model.

At first, the colonial governors, despite the differences in approach between the British and Italians, introduced Somalis to a form of limited centralized government, which mainly affected urban communities (Tahir, 2021). Somalis are said to have formed a centralized bureaucratic government only after independence, similar to many other African countries. However, the newly imposed Somali state, which is “onerous” (Chonka & Healy, 2020, p.4) faced governance challenges from the outset, as a significant portion of the population was far from the direct influence of the newly introduced alien governance systems. This indirectly protected and maintained traditional governance institutions, which were easily accessible to the majority of the population. The limited capacity of state institutions to reach every corner of the Somali territory allowed traditional institutions to persist. This limitation was intentional in some cases, particularly in the case of British Somaliland, while with Italian Somaliland, it was never intentional as it followed direct colonial rule, but rather attributed to the capacity and resilience of the institutions.

While traditional governance institutions remained intact with varied degrees of functionality in the north and south in the wake of independence, it remained a conundrum¹³ why the post-independence Somali state reproduces the colonial state. The absence of a fundamental departure from the colonial way of doing about state and its machinery; and the missing link between the colonially transplanted ‘modern’ state and the traditional institutions; are some of the factors that is following the Somali state like a shadow averting its self-assertiveness. However, this critique can have a wider continental implication and not peculiarly represents the Somali reality¹⁴.

The reproduction of a centralized state in a deeply decentralized society was the initial significant political turmoil caused by civilian and military governments in Somalia. These governments largely disregarded the inherent division among Somalis along clan lines, and the fact that the vast majority of the population lived in rural areas, where people only obeyed the traditional authority within their clan, and loyalty never transcended that level. Colonialism did little to change this reality, as its reach to the wider rural population was largely minimal. Thus, in terms of impact, the colonial enterprise affected the rural population far less than the urban centers.

4.2.1 Colonial Dichotomies: The Dual Impact on Traditional Institutions

As noted earlier, the historical differences between the two regions have not been thoroughly examined as they should be. It is widely recognized that Italy colonized southern Somalia for several decades, while the British administered the northwest for a comparable period.

The British Somaliland Protectorate established colonial rule in northern Somalia in 1886, and Italy did the same in southern Somalia in 1893 (Luling, 1971). However, a proper understanding of all the nuances of the colonial discrepancy deserves careful consideration in the larger narrative, adding more historical complexity to the overall picture.

The two colonial powers imposed their distinct legal, administrative, and political systems on their respective territories, which led to differences that manifested as complex problems in the new republic. The extent to which Somali traditional institutions were structurally integrated into the colonial system varied according to the purpose and objectives of the colonizing country. The colonial experience in the North and South differed significantly in essential respects. While we see a ‘settler colony’¹⁵ with a strict imposition of systems and culture was pervasive along the Italians' side, the British rule was largely “simplistic and less thorough” (Lewis, 2002, p.169).

The notable disparity in terms of the level of infrastructure development in the two regions also clearly manifests in how the two colonial masters treated the regions and the interests they had. This crucial distinction between North and South cannot be stressed enough: there was no strict British colonization in the north, but there certainly was soon to be an ambitious and even aggressive Italian colonization plan in the south (Mohamod, 2023; Kunibert, 2022).

The British were only contented in ruling indirectly for they were much interested in only flowing smoothly the cattle supplies for their military garrison in Aden¹⁶, while Italians settled in significant numbers in the south. The British followed a policy of minimal political interference and governed the wider rural population through traditional leaders. As a result, British Somaliland, similar to Southern Sudan, essentially belonged to the "no-government category" or an "absent state," which means it was unwilling and unable to project its authority beyond the capital (Moe, 2013). This had a direct impact on the differing performance of traditional institutions in the two Somali territories in the post-Barre era.

The Italians in the Republic of Somalia pursued a policy of direct rule and introduced a new political system with highly centralized economic planning, land appropriation, and substantial support for big commercial agriculture. They followed a strategy of displacing local smallholder agricultural producers to force them to integrate with the progressively centralized national economy. As part of the inherent ideological urge of colonialism, Somali values, customs, and language were viewed as inferior, backward, and obstacles to development that needed to be abolished to "modernize" the society (Simmons, 2014; Laitin & S. Samatar, 1984). This reflects the nature of colonialism, which always operated in binary oppositions of civilized vs. barbaric, people with history vs. people without history, logical vs. pre-logical, and so on. It further advocated for the forceful suppression of the latter and their replacement with the former. Ironically, the postcolonial state reproduced the colonial way of doing things and worked to dismantle traditional institutions, considering the *Weberian* model as the normative panacea to address the statehood crisis in the country.

It is reasonable to argue that Somalia's colonial past has had a significant impact on the post-colonial situation due to the different forms of government employed by the two colonizers. When viewed in the context of the traditional role played by traditional governance institutions, the divergent colonial legacy would indeed warrant a detailed discussion. Moreover, for those interested in exploring the enigma of the Somali statehood crisis since 1991 and even before, this historical analysis is essential. Therefore, a separate analysis of the two colonial practices in Somalia would enhance the connection between colonialism, the *Weberian* statehood crisis, and the potential role of traditional institutions, while acknowledging their drawbacks.

4.2.1.1 British Somaliland

Somaliland, also known as Britain's "Cinderella of empire," (Lewis, 2008, p.30) had no significant European settlers, unlike the presence of thousands of Italians in the south, which highlights the difference between the two regions. Most importantly, the British attempted to leave the indigenous political institutions intact and limit their interference in local affairs for it was cheap and less costly to Britain. The British presence in Somalia was limited in ambition and scope, with a greater interest in avoiding confrontation and promoting co-optation. Life for many Somalis in the north continued as it had in the past, and changes were soon to happen at a higher political level that would have a limited impact on the majority's lives, thus maintaining some level of continuity (Issa-Salwe & Osman, 2023; Phillips, 2016).

At the time of the inception of colonial rule, the agents of the British colonial government in India administered British Somaliland, but it was later transferred to the Foreign Office (Balthasar, 2014). Some may disagree with the above argument that nullifies the British impact, arguing that while indirect administration and the co-optation of traditional structures remained pervasive among the British, their system closely resembled a more direct style of rule, albeit without the *'iron-fist control and a more restricted purview than their counterparts in the south'* (A. Ahmed, personal communication, June 30, 2022).

Others express ambivalence regarding the institutions practiced during the era of British Somaliland. They maintain that while the *'Dia-paying groups were not kept intact and remained untouched, they were also not destroyed; instead, they survived in a different form'* (M. Hersi, personal communication, September 16, 2023). Before colonialism, clan leadership managed pastoral resources and kinship relations, but with British involvement, it entered the domain of broader legal action and the management of political and economic entitlements. However, it did not do so entirely in the spirit of the old ways (as noted by Prunier, quoted by Fox, 2015, p.27).

Despite the disagreements and ambivalences, the British colonial project appears to be fully compatible with a limited level of imperial involvement and a continuation of the most social, judicial, and political practices of pre-colonial Somali culture. This was maintained as long as it did not interfere with the core diplomatic and strategic role attributed to the territory. Therefore, it may be accurate to say that conventional British colonial rule did not occur in one great leap.

It did not involve an overt or aggressive conquest and restricted its involvement to no more than an estimated "fifty of its own administrative" personnel at any one time before 1935 (Fox, 2015, p.92). The British were primarily interested in fostering trade with the Somalis for its burgeoning Aden garrison and made little to no major attempt to govern the overall Somali socio-cultural and political life.

Putting the disagreements aside, there had never been a persistent coercive measure against the Somalis, or it was only nominal along the coastal region and limited and irregular at best inland. As a result, we saw minimal interference from the British in the daily lives of Somalis, which later influenced their post-Barre homegrown effort to pacify the region and reconstitute the state. The new Protectorate, as instructed by the British government in London, was to confine engagement to the coastal areas and make the occupation as "unobtrusive as possible: there was to be no attempt to extend British control inland" (Lewis, 2002, p.47).

It is plausible to posit that the Somali population exhibited a subtle and selective receptivity to governmental policies imposed upon them, manifesting a growing propensity towards articulating their dissent and opposition. Over time, this community demonstrated an increased capacity to not only vocalize their grievances but also to manifest their discontent through tangible actions, often encountering minimal or negligible consequences as a result of these expressions of resistance (Mohammad, 2004). This phenomenon can be interpreted as indicative of a burgeoning sense of agency among the Somali people, reflecting a gradual shift towards a more assertive stance in the face of external governance and policy imposition. Further analysis might suggest that the relatively limited number of British officials present within the confines of the Somali protectorate played a significant role in constraining the extent to which coercive measures could be uniformly applied across the populace.

The demographic imbalance, characterized by the vast majority of the Somali population vastly outnumbering the contingent of British administrators and enforcers, inherently limited the capacity for comprehensive and effective enforcement of colonial policies. This demographic disparity likely served as a mitigating factor, diluting the potency of colonial authority and thereby providing a buffer that allowed for the Somalis' incremental escalation of oppositional behavior.

Such a scenario underscores a critical dynamic within the colonial encounter, highlighting the interplay between colonial administrative capacity and the demographic realities of the colonized territory. It illuminates the complexities of governance in colonial contexts, where the efficacy of policy implementation and the exercise of coercive power are intricately linked to the logistical and practical limitations faced by colonial administrators. Furthermore, this dynamic reflects the broader theme of resistance within colonial and post-colonial studies, emphasizing the importance of understanding the varied and often subtle forms of opposition and dissent that emerge within the context of imposed governance structures.

In sum, the evolving relationship between the Somali populace and the British colonial administration, characterized by a gradually emboldened stance towards resistance and the inherent limitations of colonial coercive capacity, provides a compelling lens through which to examine the nuances of colonial governance and the spectrum of responses elicited from those under colonial rule. This analysis contributes to a deeper understanding of the mechanisms of resistance and adaptation employed by colonized societies, highlighting the significance of demographic factors and local agency in shaping the contours of colonial encounters.

On a certain occasion, a colonial administrator dispatched a messenger to summon the clan elders to his office around shaa'b area of Hargeisa for the resolution of a specific conflict. In response, the elders articulated a pointed analogy, questioning whether the administrator would expect his queen in London to attend to him for matters of concern or whether it was customary for him to present himself before her. They asserted, "Surely, you are the one who would go. Similarly, in our context, we hold a position akin to that of the queen; hence, it is incumbent upon you to come to us." This exchange highlights a profound assertion of status and autonomy on the part of the clan elders, illustrating their perspective on the protocols of engagement and the respect they demanded in interactions with colonial authorities (M. Hersi, personal communication, September 16, 2023).

Under British rule, the institutionalized hierarchical structure of the colonial enterprise remained intact in the north. However, there was never a proactive involvement of the British in Somalia's internal affairs. The British administrators were instructed to avoid lavish schemes and limit expenditures to a bare minimum.

The British military advancement and pacification attempts had a limited presence in Somali daily life. These minimalist policies earned British Somaliland the label "the Cinderella of the British Empire."¹⁷ Considering various circumstances, it would be incorrect to categorize the British presence in northern Somalia as typical colonialism.

It is often assumed that a British presence equated to British colonialism with all its associated projects, programs, funding, and policies. However, the colonial projects of various powers at the time are often perceived as essentially similar, with little attention paid to the idiosyncrasies of rule under each colonial power. Britain's policies towards Somalia were never identical to those of their other colonies, as there was never an interest in developing Somalia in a way comparable to what was being experienced elsewhere in South Africa, Kenya, or India. However, this was not due to British altruism but rather Somalia's paucity of natural resources, which made it hardly worth colonizing. Therefore, any references to "colonial" Somaliland reflect more on the wider era than the actual situation in Somaliland itself. This indirectly helped Somaliland especially in the post-Siad Barre setting, where the transplanted colonial state apparatus virtually disintegrated. The power vacuum elevated the role of traditional institutions, and they became proactive in subsequent state-building initiatives as they were left intact.

It's worth noting that the clan system in Somalia remained largely unchanged even with the change of political authority. The British did not show a strong interest in directly controlling the Somalis or their territory and institutions *en masse*, outside of collecting taxes from the coastal markets. Instead, they adapted and developed measures that integrated traditional Somali institutions into their administrative structure. For instance, they utilized *Akils*¹⁸, who were formal representatives of their clan and worked proactively due to limited funding and the availability of administrative personnel. This was mutually beneficial for both parties, and the elders had an upper hand as they were aware of the authorities' reluctance to take any action that would further antagonize the British presence in Somalia.

The 1898 Principal Order-in-Council recognized that Somalis were governed by customary law (Le Sage, 2005, p.17). This continuity in the role of *Akils* was observed when the establishment of *Akil* courts was founded in 1921, which became a mechanism for hybridity in the early years and is replicated today in the Republic of Somaliland (Fox, 2015).

The institution was subordinate to the administration's court and accountable to the head commissioner, dealing only with clan and *Sharia* law, much like a Justice of the Peace. The *Sharia* provided the basis for most personal law, such as inheritance and divorce, and the *Akils* were competent to address complicated political cases, which tended to "detransfer" them. As a result, Somali traditional institutions were actively prolonged, and justice in some cases continued to be the responsibility of these institutions.

Particularly in the early 1920s, Somaliland's criminal law was largely observed as a legal system comprising fundamentally of the *Xeer* and religious law or *Sharia*. Later, in 1937, *Qadis*¹⁹ were made part of the legal system, with similar responsibilities as *Akils*. Since the British had no plans for significant investment in Somaliland, it was financially beneficial to preserve some traditional institutions as long as it served their needs. However, the British overall continued with a strategy of near-indifference to Somaliland. For the majority of pastoralists, their contact with the colonial masters was limited, with few demands being made of them, and life continued as usual. This relative autonomy among northern Somalis paved the way and prepared them for emerging political pursuits (Abdirahman, 2016).

In some cases, however, the British did not simply leave traditional institutions untouched. They sometimes created titles, authorizing clan heads and elders to work as "chiefs," thereby generating a structure of hierarchical rule. The British also appointed paid elders, *Akils*, who had partial judicial powers and furnished a basic system of subsidiary courts by combining customary Somali law with English Common and Statute Law (Lewis, 2002, p.105). For the establishment of these courts and the utilization of the system of *Dia*-paying groups as mechanisms of enforcement, the British colonizers ruled through an exaggerated and elaborate interpretation of traditional governance, which offered more control to British administrators. It could be said that Britain's colonial practice left traditional structures to run the territories, which was made possible by their dependence on traditional authority and the minimalist British presence. The ambivalence of the British towards the Protectorate allowed traditional institutions to continue and to dictate social organization throughout the territory.

Due to the perennial practices of passivity and moderation, even with the introduction of co-opted 'traditional' structures, the clans and their institutions achieved relative autonomy throughout most of Somaliland as long as they did not pose problems for the colonial administration. As a result, clans and their institutions remained the primary 'insurance policy' and provider of order in British Somaliland, particularly in most of the territories outside of the major cities of Hargeisa and Berbera (Lewis, 2002, p.49).

The colonial rule in Somaliland was not consistent throughout the territory, not only because of the minimalist British involvement but also due to the inherent mobility of the majority of Somalis. Since they did not have enduring settlements, much of the population had little or no contact with the British or those employed by the administration, making it difficult to establish an effective system of administration with the limited resources allocated to the Protectorate. As a result of the weak and inconsistent nature of the British administration, the supremacy of the clan governance system continued in many areas, and many customary practices persisted relatively uninterrupted throughout colonial rule.

The circumstances that existed in pre-colonial Somalia continued with little changes during the colonial period, where the Protectorate's style of rule unintentionally supported the continuation of relative autonomy and minimal hierarchy. The limited interference for a significant period was crucial in developing the nascent political culture, as it maintained the durability of that culture and its associated traditional institutions. By the time of independence, the Somalis in the north had already been continuously exposed to increasing levels of limited self-rule and the decision-making that came with it.

In general, the colonial practice in Somaliland allowed traditional institutions to coexist with the foreign state structure, which prevented them from being completely replaced. As a result, there was relative autonomy between the small 'imposed' state and the traditional Somali structures and institutions of governance. However, this was not the case for Italian Somaliland, which underwent a considerably more complex colonial experience, as the subsequent discussion will reveal.

4.2.1.2 Italian Somaliland

Italy took over the southern part of Somalia, which covered several territories surrounding the eastern coast, and declared it a protectorate called Italian Somaliland at the turn 20th century. Southern Somalia was an agriculturally rich inter-riverine region with lucrative ports, making it appear to some as a colony with significant potential. The Italians eventually saw their new colony as only a part of a larger new Rome and invested heavily in it (Cinotto, 2022; Declich, 2003).

The Italian interest in the Horn of Africa was markedly different from their counterparts in the north, as evidenced by their approach to ruling their southern colony. The Italians viewed their Somali territory as a tenure that could generate revenue for Italy through the export and sale of bananas and other cash crops grown on large commercial plantations. They also saw the colony as a means of establishing a "settler colony" to economically support Italy (Scianna, 2023). This direct and compulsory interaction with the Somali labor force gave the Italian government a strong hold over the Somali population. The Italians were more deeply entrenched in their southern colony, which brought many more restrictions and oppression and gave them an even stronger foothold. Later, Fascist ideology intensified these restrictions and oppression, leading to a bleak future, particularly in terms of politics (Varley, 2023; Bertazzini, 2022).

Forced labor and the use of slaves during Italian rule in southern Somalia had the effect of distancing young men of Somalis from their clan environments, freeing them from the local traditional restrictions and essential clan duties as decided by elders. The promise of money and forced recruitment undermined the elders' attempts to prevent young Somalis from working on the plantations. This disrupted traditional clan control and significantly influenced the power and dominance of clan elders across Italian Somalia. Individuals working behind the scenes were elevated to prominent political roles despite lacking the necessary political experience to govern a state. The Italian rule practiced a combination of naked force and co-existence, leading to two unfolding events in Italian Somalia (Issa-Salwe, 1996).

Firstly, it facilitated an entrenched “patronage politics” backed by military force. Secondly, it introduced a highly centralized and bureaucratic form of governance that was inconsistent with that of the British indirect rule system in the north. After the creation of Somalia republic in 1960, these divisions became evident and created a barrier to achieving a successful and enduring merger of the two regions (Strangio, 2012; Dahms, 2022).

The coercive use of forced labor and alienation of agricultural land employed by the Italians had a significant impact on traditional institutions, and they could not simply remain passive with their declining role. To sustain the influence of traditional institutions, local clan elders engaged in an implicit power struggle against colonial administrators and plantation managers. They discouraged young Somali men from participating in paid labor positions on the plantations to maintain clan control over the population and reinforce Somali traditions associated with the clan (Reno, 2003, p.8). Clan elders feared that the attraction of young Somali men to paid labor positions in Italian plantations would disrupt inter-clan relationships. This would enable young men to marry whomever they wished by eliminating the clan's requirement for dowry payments. It would significantly weaken the politically and socially manipulative process of marriages, which are frequently arranged to form alliances with neighboring or rival clans.

The system of direct rule under Italian Somalia meant that most administrative duties were performed by Italian officials instead of being delegated to appoint Somali individuals (Bufalini, 2017). The Governor, along with his direct assistants and secretaries, in Mogadishu, i.e., the administrative colony, was in charge of administering the colony. In the seven provinces and thirty-three districts found under Italian Somalia, the Somali ‘chiefs’ who were appointed by the Italians were only made to assist the Italian Resident Commissioners. These ‘chiefs’ did not however necessarily occupy roles of power or sway within their clan. Unlike their counterparts in the north, they were rather highly paid by the Italians with not act as part of the administration and remained as agents of the Italian administrators. They were also remunerated with financial incentives for collaboration and loyalty.

The colonial powers did not recognize the value of the traditional institutions rather they undermined it by design and created a newly established group of clan chiefs devoted solely to them. In 1914, there were 577 chiefs and 72 *Qadis* in south-central Somalia, all of them on the colonial government’s payroll (CRDM, 2004, p.18).

The Italian administration relied on traditional authority and institutions for their allegiance to the government and their actions in favor of the colony's interests, rather than for their relevance to the Somalis themselves. These colonial practices, especially the strong patronage systems, had a direct impact on post-independence Somalia. The current systemic presence of patronage practices in the areas of politics and the economic system of Somalia, which are largely absent in the territory once under British control, remains a significant manifestation of these practices.

During the colonial period, particularly in areas far from the major port cities, the Italians faced increasing hostilities, which they responded to with a militarized system of rule. They learned from the British response to the Dervish uprisings and employed a strategy of 'forceful pacification,' which eventually led to co-existence (Mohamed, 2023). Unlike the British administration in the north, the population under Italian rule was not allowed to participate in any political associations outside of the sanctioned structures of the clan system or the colonial government. The imposition of an authoritarian political structure that compromised the moral authority of Somali elders and made them clients of the colonial powers was one of the disastrous legacies of the colonial period (Zaccaria, 2019; Mohamed, 2004).

This being the case, however, it is imperative to acknowledge the variegated nature of colonial governance as practiced within Italian Somaliland, which exhibited significant variability across different socio-economic and cultural landscapes. In regions predominantly characterized by agriculturalist and agro-pastoralist communities, the Italian colonial administration implemented a model of direct and pervasive rule, exerting a considerable degree of control and influence over the local populace and their socio-economic activities. This approach to colonial administration was marked by the imposition of direct authority and the integration of these communities into the colonial economic and administrative structures, facilitating a greater degree of oversight and extraction of resources.

Conversely, within the territories predominantly inhabited by pastoral communities, the Italian colonial regime adopted a markedly different stance, characterized by a lesser degree of direct intervention and control. This divergence in colonial administrative strategies was not predicated on a deliberate policy of leniency or a strategic preference for indirect rule by the Italian authorities. Rather, it was a pragmatic response to the inherent challenges associated with extending direct colonial control over the vast, mobile, and often inaccessible pastoralist regions.

The logistical difficulties, coupled with the resilient socio-political structures of the pastoral communities, rendered the imposition of direct rule both impractical and inefficacious.

As a consequence of these constraints, the pastoral communities in Italian Somaliland were able to retain a significant degree of autonomy and continue the practice of their traditional institutions. These institutions, deeply embedded within the fabric of pastoralist society, continued to play a key role in governing community affairs, mediating conflicts, and maintaining social cohesion, largely unaffected by the direct mechanisms of colonial governance.

This disparity in colonial administrative practices underscores the adaptability and resilience of traditional institutions in the face of external attempts at domination and control. Furthermore, it highlights the limitations of colonial power and the complexities involved in administering heterogeneous societies with distinct modes of livelihood, social organization, and cultural practices. The experience of Italian Somaliland thus provides a compelling case study for examining the interactions between colonial authorities and indigenous societies, revealing the varied strategies employed by both in the negotiation of power, autonomy, and identity within the colonial context.

All in all, it is fair to maintain that the Italian presence in Somalia was fundamentally different from that of the British presence. It was about domination, conquest, loss of lifestyle, loss of status, and loss of the world as Somalis knew it, particularly in urban centers and settled agricultural communities. However, the magnitude of its influence varied drastically in the wider rural population and urban centers. In rural and pastoral communities where the colonial state and its machinery could not reach, traditional institutions were coopted rather than being dismantled. The impact of cooptation may not be as pervasive compared to direct involvement and domination by the colonizers. This suggests that a wholesale dismantlement of traditional institutions was not the case in the south, not because of the Italians' altruism but rather the incapacity of the colonial state to reach the peripheries.

The Italian presence in the south was characterized by clear, persistent, and enduring coercion and hierarchy, which contrasted significantly with the comparatively autonomous and timid equality in the north. It is essential to address the implications of these divergences in the post-colonial First Republic, militarist regime, and post-Barre era. The analysis focuses more on the implications of traditional institutions' prominence.

4.2.1.3 Implication

Holding passive beliefs that assume a uniformity in shared experiences and identical cultural identities offers minimal utility when analyzing the distinct trajectories followed by the two colonial territories. This perspective overlooks the subtle differences and unique historical, social, and political contexts that characterize each territory. Recognizing the diversity within these shared experiences and cultural expressions is crucial for a thorough and accurate understanding of the varied paths these territories have embarked upon. By moving beyond simplistic assumptions of homogeneity, it becomes possible to appreciate the complexity of their developments and the specific factors that have influenced their respective journeys. This approach encourages a more detailed and insightful examination of the territories' individual and collective narratives, highlighting the importance of context and specificity in understanding their evolution. While clan culture remained persistently present and was triggered when needed, it was never uniform and subject to regional and local dynamics, varying as the political landscape transformed. This became clear from 1960 onwards. The tacit presence of traditional institutions remained pervasive in the north with its emancipatory mission in the post-1991 developments.

The divergent colonial 'rules of the game' potentially left a legacy of different 'rules of the mind.' It is possible that strident regional cleavages existed between the two colonies. Despite the essential cultural cohesion of the Somalis in its entirety and the ubiquitous appeal to clan ties, the prevalence of unique colonial legacies had significantly different trajectories in the British and Italian Somaliland, to a large extent more than was seemed evident. However, the possible role of political culture in relation to traditional institutions as a contributing factor in the varied colonial histories has received limited attention, which is unfortunate.

The consequential political cultures along with the traditional institutions were marked by relative tranquility and agreement in the north and lingering, violent political turmoil in the south, despite significant variations in urban and rural areas. In the north, the colonial practice had never left any supreme, incessant, centralized political system to rule them. Rather, it was ephemeral, mainly non-interfering, and highly localized. The clans and their institutions remained intact and essentially ruled themselves partly through their structures.

The colonial past has resulted in the persistence of legal plurality, whereby the two primary legal frameworks - common law and civil law - accompanied by *Sharia* laws and customary clan practices, continue to govern several aspects of social and political interactions, along with economic exchanges in Somalia. With colonialism, British common law was to be followed in Somaliland, while Southern Somalia had the superimposition of the Italian civil legal system over traditional customary laws. Both the British and Italian colonial rules recognized the application of customary laws and *Sharia* courts. However, contrasting methods of accommodating *Sharia* and customary laws within their colonies have been observed. The British colonial rule widened the jurisdiction of *Sharia* courts in Somaliland, while the Italians facilitated the implementation of *Sharia* and customary legal systems to minor criminal and civil cases.

After gaining independence, Somalis realized that integrating the varied legal systems and institutions in the two colonial administrations of Somalia was equivalent to building a new state. Presently, a comparable challenge persists., especially for the Somali Republic to determine the destiny of customary law and the advantages and disadvantages of the colonially transplanted civil or common law systems. At the core of this decision is how the legal system in Somalia can contribute to the establishment of sustainable peace.

Another implication of the colonial legacy was its impact on administrative plurality. The pervasive colonial practice in the south and the more laissez-faire approach in the north had a clear effect on the post-independence governance structure in Somalia. The state lacked establishments intended to ensure that the needs of the government were imposed on society, resulting in a situation where the political institutions of the state did not effectively reach or permeate the general population. As a result, the central administration only extend its presence and activities into rural areas in times of elections, and the majority of the Somali population remained disconnected from the modern state framework, lacking meaningful engagement or integration.

The state's central institutions were not effective enough in enforcing a binding set of 'rules of the game' throughout the territory, which meant that institutional standardization had never been the case, and diverse sets of rules applied in different regions. This hindered state-making, as noted by Balthasar (2012, p.97).

The varying impacts of the two former colonial powers on traditional structures in Somalia have been identified as the major determinant influencing the disparity in stability. The direct effect of the colonial powers' different influences on stability in the two regions was evident after the collapse of the Siad Barre dictatorship. This contention posits a notable discrepancy in the structural integrity and institutional capacity of traditional governance mechanisms between Somalia republic and Somaliland, attributed to the differential impact on the institution of elders within these regions. Specifically, it underscores that in Somalia republic, the institution of elders underwent a process of attenuation, which effectively undermined the efficacy and resilience of traditional governance structures. Consequently, these structures in Somalia republic were left with a diminished capacity to fulfill their roles within the societal framework, in stark contrast to their counterparts in Somaliland. In Somaliland, the institution of elders was preserved from external influences and remained unaltered, retaining its foundational strength and capacity to contribute effectively to governance and social cohesion. This distinction highlights the critical role that the institution of elders plays in maintaining the fabric of traditional governance and underscores the varying outcomes that result from the preservation or weakening of such institutions under differing colonial and post-colonial influences.

4.3 Between Independence and Collapse: Somalia's Traditional Institutions, 1960-1991

4.3.1 Tradition Meets Modernity: Somalia's First Republic and Its Institutions, 1960-1969

On July 1, 1960, the new Somali Republic was established with the consent of political leaders from both the north and south regions. The two administrations convened in a collaborative meeting in Mogadishu and formed the national assembly, which elected Adan Abdulle Osman, a Hawiye, as the provisional president. Abdirashid Ali Shermarke²⁰ was elected as the Prime Minister of the new republic (Omar, 2002).

The first nine years of the new republic were characterized by a parliamentary democracy that was tolerant of unobstructed political activity, and the political and social system incorporated traditional clan values, in line with Western lifestyles and values.

The political sphere in Somalia was quickly infiltrated by clan interests and patronage, given the volatility of parties and candidates highlighted the relative significance and eventual supremacy of clan identity within Somali politics. Northern discontent with the union also began to emerge. Despite expectations that post-independence Somalia, with its relative homogeneity, would have one of the best chances of consolidating peace and statehood in Africa, the inherent decentralized societal formation along the entrenched clan system challenged this assumption. In addition, the economic and political reorganization introduced by the colonial enterprise strengthened lines of inclusion and exclusion, which laid the ill-structured foundation of the post-colonial state.

Decolonization resulted in an independent Somali state with several dislocating political legacies, including a centralized and comparatively authoritarian regime that was poorly matched to the lineage-oriented political dynamics of Somali society. Perhaps the most harmful colonial legacy was the emergence of clan-based political parties, which led to political competition slipping into clannism and discouraging the activities of the young Republic's parliamentary democracy. It also created a political and bureaucratic class, which had benefited the most in terms of education and employment during colonialism and emerged to control the post-colonial state. These elites actively participated in rebuilding the state by using state resources to generate patronage networks and foster a loyal constituency. In bridging the gap between traditional and modern institutions, these elite's transformed clans into constituencies and platforms for aspiring elites at the national level of politics. The wider nationalist project was challenged by elite corruption and the destructive influence of political tribalism in the newly independent state (Samatar, 2016).

Post-independence Somalia adopted a Western-style centralized state structure and administrative organization, but little consideration was given to how suitable these would be in the local context, especially given the extremely decentralized setting of traditional Somali political institutions. It was a profoundly Eurocentric viewpoint, predicated on the assumption that the development trajectory of all states is destined to converge towards a singular, grand narrative. This perspective fails to account for the diversity of historical, cultural, and socio-political contexts that shape the unique developmental paths of states beyond the European model.

Such a viewpoint not only marginalizes non-Western experiences of state formation and governance but also overlooks the rich foundation of indigenous institutions, practices, and legacies that contribute to the multifaceted nature of statehood in a global context. By imposing a one-size-fits-all schema, this Eurocentric stance undermines the complexity and variability inherent in the state-building processes across different regions of the world. While nationalist leaders aimed to remove internal clan divisions within the nation, they had an inescapable impact across every facet of existence. The untiring power of clan loyalties, leading to the promotion of individuals regardless of meritocracy, made the bureaucracy fragile and unable to function effectively.

4.3.2 Tradition under Siege: The Impact of Military Dictatorship on Somali Traditional Institutions, 1969-1991

The military assumed state power in 1969 using the pretext of instability and corruption of the civilian government's patronage system. The coup brought General Mohamed Siad Barre to power. The new regime aligning itself with the Soviet Union encouraged the modernization of Somalia via 'Scientific Socialism'²¹ rhetoric that would supersede a pan-Somali ideology by replacing clan identity.

To this effect, the 1961 constitution was suspended and the Supreme Revolutionary Council (SRC) was in charge of supervising all legislative, executive, and judicial powers. In 1973, the government implemented a consolidated civil code and altered the customary system of *Dia* payment. Rather any act of homicide offence was subjected to a punishment by death. Law No. 67 (1 November 1970) claimed abolishment of 'tribalism' and key elements of *Xeer*, including clan land, water, and grazing rights. The word *Jalle*²² was officially introduced as the appropriate term for greeting and address to substitute the traditional terms 'uncle' and 'cousin', with their improper clan allusions (Lewis, 2008, p.39). This was part of a broader policy aimed at eliminating traditional clan divisions and so consolidating the Somali 'nation.

In an extending endeavor to weaken the persistent influence of clan ties, the Barre's regime renamed several districts where necessary to dismiss the names of various clans. For instance, what became Bari replaced Majerteinia (Lewis, 2008). In the same vein, the term 'peace-seekers' replaced the former lineage and clan heads ('chiefs' and elders) and theoretically transformed into part of the state bureaucracy.

National campaigns and "crash programs" against tribalism, '*portraying it as an obstacle to progress and anachronistic, were conducted, and traditional institutions were denounced*' (M. Jama, personal communication, September 21, 2023). This attack on traditional institutions aimed to facilitate modernization and was accompanied by a policy of state control of the economy. However, Barre's policies, despite public promises to eradicate clannism and decentralize power, had the opposite effect of solidifying clan ties. Contrary to what was propagated (Makinda, 1991). The President extensively depended on backing from the Darod clan family and intentionally exploited clan divisions to mitigate any possible dissent, particularly after the Ogaden War of 1977/78. Barre later pursued a strategy of division and governance, employing the military and state apparatus to favor certain groups while marginalizing others to consolidate his power (Webersik, 2004).

Generally, the socialist framework, under the leadership of Barre's regime, embarked on an ambitious, though ultimately futile, endeavor to obliterate the entrenched clan structures and their institutional underpinnings (Ingiriis, 2018, p.79). This effort was characterized by a concerted effort to dismantle the *Dia* culture and to supplant traditional *Sharia* laws with socialist legal principles.

Despite these aggressive attempts at socio-political reengineering, the traditional institutions demonstrated a remarkable degree of resilience. They sustained their relevance and continued to wield influence within Somali society, effectively withstanding the array of challenges imposed by the socialist agenda. This persistence of traditional frameworks underscores the deep-rooted nature of clan identity and the institutional practices associated with it, highlighting their enduring significance in shaping social order and governance in Somalia, despite concerted efforts to diminish their influence.

4.4 Changes and Continuities with the Traditional Institutions

Somalia has experienced different types of informal and formal governance systems since the colonial era. In the post-colonial period, Somalia had nine years of multiparty democracy, followed by two decades of military rule and over three decades of disintegration of central state institutions, resulting in nationwide instability, although the northern part of the country had a different trajectory. Despite the weakening of central state institutions, traditional institutions played a crucial role in pacifying and maintaining relative peace and order.

The *Xeer* tradition, which is essentially an oral tradition that is not static but is amended over time as societies change, has endured, with some of its pillars, such as blood compensation and marriage practices, changes. Some attribute these continuities to its complementarities with the *Sharia*. The *Guurti* via the *Irgo*, remained a possible avenue for mending relationships due to their capacity to influence inter-clan relations. These institutions have remained relatively effective in resolving conflicts. This continuity can be attributed to its origin, which stems from the people, and its ability to sustain itself.

The Somali people still follow decisions made through traditional mechanisms and often do not resist or reject them. This is because they know, respect, and abide by them. Instead, they tend to resist and dismiss contemporary governance arrangements and laws that reflect the Western system. Somalis are predominantly an oral society and do not typically engage with constitutions, penal and civil codes, security regulations, and other legal documents that necessitate a complex procedure involving law enforcement, legal representatives, and the judicial system (A. Abdulqeni, personal communication, September 20, 2023).

Conversely, there is a contention that the ascendancy of state structures, along with the transformative forces of urbanization and migratory flows—both products of colonial and post-colonial governance strategies—have precipitated a waning in the authority and impetus of traditional institutions. This perspective posits that these modernizing dynamics have eroded the foundational societal role once held by these institutions, particularly in the southern regions of the territory in question. In this view, the southern areas have witnessed a greater diminution of traditional institutional influences as compared to their northern counterparts.

The North, by contrast, appears to have experienced a lesser degree of disruption by colonial maneuvers, allowing for a more robust continuity of indigenous sociopolitical frameworks and mechanisms.

There was increasing pressure to undermine the influences of traditional institutions, particularly in the political sphere, mainly in urban settings and among younger generations. However, traditional institutions remain a central aspect of Somali social, cultural, political, religious, and economic existence in Somaliland. In the future hybrid system, Somaliland has made the clan and its concomitant traditional governance of clan-lineage, an inescapable mechanism of governance that serves to uphold the traditions of the clan at all levels.

In Somaliland, traditional institutions have been more pervasive and have survived since the colonial era, providing platforms for dialogue, the creation of agreement, and the diminishment of personal conflict. It is often erroneously concluded that anarchy prevails in Somalia just because central state institutions are no longer functioning in much of the territory. However, in Somalia, the modern centralized state control was never fully established, and pre-existing governance structures have either remained intact or been revived over the past three decades. While traditional institutions have been stressed by persistent violent conflict in much of Somalia, they continue to deliver an influential frame for human behavior. Traditional institutions may be eroded or weakened by colonial and post-colonial projects and civil conflicts, but they are far better than national ones. No new state entity can create its governing institutions from a blank slate, but must instead respond not only to patterns of individual interests but also to persisting structures of non-state governance. To grasp the political economy of current and prospective political units in Somalia, it's essential to identify, examine, and assess these enduring frameworks.

However, this does not deny the fact that the story in the South is somewhat different given the apparent political importance of clan institutions. Their integrity and effectiveness have been compromised by the infiltration of warlord patronage and significant business figures. Under severe pressure, even familial units essential for survival will deteriorate and become vulnerable to manipulation by warlords and the patronage of big businesspeople. The authority of clan elders has been challenged due to their involvement in partisan political combat. Some argue that the legitimacy of institutions is compromised as clans are still influenced and acquired in the formation of the TFG.

Although traditional institutions have been co-opted and challenged, they remain relevant in much of the Somali territories in the south, as they were never effectively controlled by states, even in the colonial period. Therefore, these traditional institutions are capable of maintaining a relative level of orderliness and the enforcement of agreements.

4.5 Summary

The argument made by Mamdani about colonial administration in Africa is highly relevant to Somalia, as the concept of clan as a collective identity transformed colonial governance. The clan became the sole recognized legal identity that the native Somalis were allowed, and it was the only means by which they could access the state (Mamdani 1996). Thus, in colonial Somalia, despite the segregation between the two regions, the clan became a tool of government power. The rulers co-opted and coerced the ruled in a classic divide-and-rule fashion, and the ruled competed with each other to gain benefits or just security from the poor state. The colonial state perpetually strengthened this group identity via its legal system and the policy of collective punishment, wherein entire clans or sub-clans were penalized for the actions of individual members. This policy remained the cornerstone of colonial administration until the eve of political independence in 1960. Therefore, the concept of the clan persisted as a potent political tool that mediated the relationship between the government and its subjects, as well as among the subjects themselves.

It is not surprising that colonialism left Somalis with a variety of institutions and the corresponding socio-cognitive systems that accompany them. The various colonies had different administrative systems and had distinct impacts. Their economic frameworks differed, along with their official languages, legal customs, and security infrastructure. Additionally, they were marked by contrasting state traditions.

Before the arrival of colonialism, the Somalis did not have a centralized state institution that handled a wide range of functions. However, this does not mean that political authority or legitimate institutions were absent. With a long-established range of kinship links, the Somalis managed their political affairs without necessarily engaging in hierarchical political structures. This was mainly due to the pastoral political economy, which did not require or allow for centralized state institutions.

With the advent of colonialism, the classical argument that described Somali society as homogeneous became a discourse of simplistic generalizations and was effectively refuted. The Somalis are no longer homogeneous, at least in terms of the strength of traditional institutions.

Several factors explain the statehood crisis in post-1991 Somalia, but the reproduction of colonial governance systems in the post-colonial setting remains the most significant. It's crucial to highlight the unique dynamics of Somali society, characterized by its historical lack of centralized political control and its reliance on clan-based governance, which is based on deliberation and consensus-driven decision-making. The colonial enterprise imposed concepts that were entirely foreign and incompatible with existing Somali political structures, resulting in a disparity amid the markedly decentralized pastoral frameworks and the intensely centralized character of both the colonial and post-colonial state, based on *Weberian* principles. This disparity was exacerbated by the shift of power and authority from traditional frameworks to centralized, urban-based political systems, which largely failed to address the needs of the majority of the population.

The divergent colonial practices of the two Somalis are equally important. British Somaliland was only a protectorate, and the British control was minimal, with little overt colonial intrusion on traditional structures and systems. Therefore, traditional institutions remained operative and relatively intact. In contrast, Colonization in Somalia involved a more profound establishment of direct rule via colonial administration. A considerable Italian population resided in Somalia, and efforts were made to assimilate Somalis into Italian culture to some extent. As a result, traditional institutions and systems were disturbed and replaced by a centrally introduced government.

CHAPTER FIVE

5. THE SOMALILAND ANOMALY: TRADITIONAL GOVERNANCE INSTITUTIONS AS BUILDING BLOCK FOR STATE (RE) BUILDING

5.1 Introduction

Although many changes have occurred and the behavior of the people has evolved over more than 30 years, the elderly are still important during times of crisis. They can ease tensions and their authority is respected by everyone. In situations where there are political disputes and conflicts over leadership, the Guurti is the only trusted institution to mediate and provide relief to the general public. Without the guidance of these elders, peace and stability in Somaliland would have been unattainable (M. Jama, personal communication, September 21, 2023).

Why did Somaliland culminate the unrest in relative terms while the Somalia Republic couldn't? This inquiry investigates the intriguing question of why the 'Republic of Somaliland', despite not being internationally recognized, managed to quell large-scale violence and unrest, contrasting sharply with the Republic of Somalia's ongoing struggles. The core of this exploration lies in understanding the dynamics and efficacy of Somaliland's traditional institutions, which, against the backdrop of conflict and instability, not only survived but were leveraged to foster a semblance of order and governance. The chapter seeks to unravel the mechanisms through which these age-old structures were adapted and instrumentalized to mediate conflicts, enforce peace, and lay the groundwork for a relatively stable governance framework.

5.1.1 The Unacknowledged Advantage: Rethinking Non-Recognition

In 1991, Somaliland declared itself an independent state, but because of the international community's stance against secession; it was not able to receive aid or intervention from outside sources. The absence of international recognition for Somaliland has had significant repercussions on its ability to secure external support, rendering it ineligible for bilateral aid and financial assistance from global financial institutions.

Thus, the region has been relegated to receiving only minimal aid. This constraint not only underscores the challenges faced by unrecognized states in navigating the international system but also highlights the resilience and resourcefulness of Somaliland's governance and economic management. Despite these financial and diplomatic hurdles, Somaliland has managed to maintain relative stability, a testament to its internal mechanisms of governance and community solidarity. The situation raises pertinent questions about the impact of international recognition on state functionality and the potential for unrecognized states to sustain themselves through alternative means of support and governance. Consequently, the achievement of peace and state-building in Somaliland has predominantly relied on the abilities and resourcefulness of its people, compelling the country to develop a higher level of self-sufficiency compared to many other African states.

The involvement of the Somaliland Diaspora and investment in various sectors of the local economy played a significant role in this endeavor, as their financial contributions through remittances greatly contributed to the swift economic revival. Additionally, a considerable number of them actively participated in resolving conflicts and implementing developmental initiatives to address the humanitarian challenges faced by the region. The result of this protected grassroots state-building approach has been the establishment of a system in which the general population believes it has a significant stake. As a result, state-building initiatives were primarily conducted without external assistance. Somaliland's situation provides a unique opportunity to examine how the lack of external support can influence the development of local political institutions. Despite limited resources, the region has made noteworthy political progress.

When compared to the ongoing conflict in southern Somalia, which has had significant external political and financial support, Somaliland's achievements are particularly remarkable. Unlike many other "fragile" or post-conflict states that have been heavily influenced by external state-building efforts, Somaliland's political system has developed without explicit external aspirations or agendas, or technical measures of success. The fact that Somaliland has been able to reduce large-scale violence without significant external assistance is impressive. This unique experience can also be viewed as a component of a broader trend in Africa, where there is a need to move away from normative Western concepts of statehood to prevent political crises. This approach emphasizes the importance of critically examining and selectively adapting Western ideals to make them relevant to local contexts.

Given this perspective, it is not an overstatement to suggest that Somaliland's lack of international recognition is due basically to its endogenous approach to state-building.

Ignoring the reasons for the lack of international recognition, one could argue that this situation has been a blessing in disguise for Somaliland. The lack of recognition and consequent ineligibility for foreign financial and ideological assistance may have helped the endogenous effort to take precedence. This has positively influenced Somaliland's political development, despite the absence of substantial external assistance. This suggests that the ineligibility for every kind of foreign assistance has allowed for a focus on internal efforts to establish political institutions and engage in the process of state-building. It has also prevented external pressure to passively accept a transplant of the "ideal" *Weberian* model of state machinery unto Somaliland.

In the formative period of Somaliland's development in the early 1990s, the international community was primarily focused on events in the south, which allowed Somaliland's state and peace-building process to proceed with a high degree of autonomy. There was no government to be reinstated, and no party was able to claim a monopoly on the legitimate use of violence. This created a safe space for Somaliland to negotiate their own locally-driven and locally-legitimate institutional frameworks.

Moreover, instead of aiming to establish predetermined institutional endpoints, their ample time and political space was devoted to the evolution of local solutions in Somaliland. Conflict prevention programs have been implemented with a focus on grassroots consensus and inclusion, alongside efforts to control the means of legitimate coercion. Due to the absence of external assistance, the incentives for elites in Somaliland to collaborate were mainly driven by local factors, rather than external pressure. This stands in stark contrast to the situation in the rest of Somalia, particularly in the Somali Republic, where significant amounts of external financing were injected in the hopes of establishing a lasting peace and implementing the "ideal" *Weberian* model of a state. However, the outcome in the Somali Republic was merely the appropriation of funds, with little progress made towards peace and state-building.

Over the years, Somaliland held a series of peace conferences that were characterized by extensive deliberation and anchored in local norms and rhythms. The flexibility of the course allowed participants to take their time and establish organizations that were deemed appropriate for the local context, rather than being compelled to adopt a preconceived institutional template. The participants were afforded sufficient time to reach outcomes that were satisfactory to all parties involved. The Somaliland experience demonstrates providing sufficient time and political space for the emergence of locally legitimate solutions, and the shortcomings of hastily imposing preordained institutional structures. The relative success in preventing widespread violence was not just a matter of attempting to follow international best practices or norms of statehood. Had Somaliland aimed to achieve liberal democratic outcomes or to conform to an "ideal" model of the state during the peace conferences, the result would not have been any different from the situation in the South.

5.1.2 The Spectrum of Hybridity: An Opening Inquiry

What occurred immediately after the fall of the central government institutions in Somalia in 1991? How did traditional authorities become so influential on the political stage in the former British Somaliland? It's crucial to highlight that the collapse of the state did not lead to a passive return to the pre-colonial past, as though the whole colonial and post-colonial political reality had been erased, as some proponents of the social contract perspective naively presume. Additionally, the traditional authorities did not simply re-emerge "out of the blue," spontaneously assuming roles in political matters and governance following the collapse of the central government institutions. The groundwork for their participation had been laid long before the state's actual collapse, particularly during the initial decade of the Somali National Movement (SNM)²³ war with Barre's regime, which began in the early 1980s.

The Western-led and sponsored state efforts of reinstating the state in the Horn of Africa have often been used as a tool to create states that are ill-suited to local conditions. However, the situation in Somaliland is fundamentally different from this norm. It has followed a unique and dynamic path that needs to be better understood. While the government in Somaliland does not possess an exclusive right to use legitimate force, it derives internal legitimacy through its perceived function as a protector of peace and relative stability.

This holds significant meaning for the people who have been deeply affected by war and have witnessed the devastating consequences of a lack of peace in Somalia. The government in Somaliland does not depend on a clear capability of the *Weberian* notion- the use of physical force to uphold its power but rather strives to maintain peace through negotiating and conceptual intermediation with non-state entities that can amplify its power to enforce.

The leadership of the SNM proactively sought the approval of the Isaaq traditional authorities within Somalia, offering them a voice within the movement in exchange for logistical, military, and moral support. Later, the SNM leadership introduced an advisory body of traditional authorities, representing various sub-clans of the Isaaq, called the *Guurti*. The members of this body were essentially self-selected and were referred to as ‘*politically active clan elders*’ (M. Sadia, personal communication, June 25, 2022) indicating that they were involved with matters beyond traditional clan affairs.

After 1991, traditional authorities such as Aqils, sultans, and odays played a crucial role in Somaliland. In the early 1990s, these leaders utilized their skills in negotiation, listening, and patience to bring peace to Somaliland. They negotiated peace settlements that included fundamental principles and structures that laid the foundation for Somaliland's claim for independence (B. Kaariye, personal communication, August 10, 2023).

In the early 1990s, as central government institutions were on the brink of collapse, traditional leaders and senior officials of the SNM in the north laid the groundwork for the establishment of a new and sovereign state. They began with local *Shirs*, where traditional leaders summoned clan ties to build connections cease hostilities, and mobilize backing for a separate northern region. This was a strategic step in portraying the Barre regime as a universal adversary of all northern Somalis. Because of the esteemed roles occupied by the elders, they were able to manage sub-clan rivalries and build a widespread agreement on the necessity for peace and stability in the area. They also advocated for the separation of Somaliland from the remainder of Somalia.

The *Shir* is a more consensual and democratic community platform that is widespread, decentralized, and extensively participatory. A majority opinion is crucial in obtaining a verdict on any given issue, and consensus is only reached through extensive discussions among the participants.

While every active male can potentially participate in the *Shir*, women are not formally included due to their dual-clan status, but they can engage with male participants behind the scenes.

By their customary charge to settle disputes and maintain peace, the *Guurti* led the reconciliation process. In the years between ‘1990 and 1997, the *Guurti* generally organized close to 40 clan reconciliation conferences’ (N. Ali, personal communication September 16, 2023), which fulfilled a variety of functions that included: the restoration of peaceful relations between communities affected by war; formation of a moderately steady security regime whereby law and order have increasingly fallen within the ambit of the partially–decentralized government; and establishment of local and national institutions of governance.

These *Guurti*-led national reconciliation conferences greatly helped initiatives for constructing the state to commence. It had effectively organized conferences and rebuilt trust among the various clans. Despite facing numerous challenges, Somaliland was able to restore peace and order by collaborating with traditional authorities and engaging society at the grassroots level to occupy the void created by the downfall of Barre's central state institutions. Ironically, the indirect rule of the British in Somaliland may have contributed to the continuation of traditional governance authorities and the culture of the society that has survived to this day. By preserving its institutions, Somaliland has been able to maintain a desirable level of peace and stability. The successive clan conferences played a crucial role in establishing and reinforcing a viable governance institution that enabled the reconstruction of Somaliland using local resources. As a result, Somaliland has been described as "an oasis of stability in an otherwise chaotic Somali regional environment" (Jhazbhay, 2007, p.126)

The newly established Somaliland government led by the SNM was unable to establish control and instead became embroiled in a battle for control among competing political actors within the Isaaq clan, ‘particularly over the management of the Berbera seaport’ (M. Sadia, personal communication June 25, 2022), which was a crucial economic asset and a significant source of government revenue. This power struggle eventually devolved into an armed conflict among the militias of their respective clans. However, the intervention of traditional authorities brought an end to the war, which also marked the end of the SNM government and the SNM movement as a whole. The Gadabuursi traditional authority played a particularly important role in convincing Isaaq elders to negotiate among themselves to broker a ceasefire (Farah and Lewis, 1997).

5.2 Borama's Breakthrough: Crafting Cohesion in Somaliland

The Grand Borama conference was a significant event in the political progress of Somaliland. It was organized by the elders and lasted from January to May 1993, attracting 150 representatives from all clans in the region (Aguilar, 2015, p.249). The conference actively deliberated for approximately four months, and a charter was reached consensus on since there was insufficient time to draft a constitution.

An estimated 2,000 people attended and participated intermittently (CSS, 2017:4) the living costs of the representatives were mostly covered by the people themselves, with minimal foreign support. Despite its stated concern for democracy, UNOSOM, this was in favor of a unified Somali state, failed to provide any assistance (APD, 2008, p.50)

The Grand Borama conference marked a significant turning point for Somaliland as it led to the consolidation of a Peace Charter and a National Charter. The latter served as an interim constitution for two years and established a bicameral legislature consisting of an upper house called the *Guurti*, which was made up of non-elected House of Elders. The former laid the foundation for law and order by detailing a code of conduct based on *Xeer*, the traditional legal system of Somaliland, and the principles of Islam.

Throughout the process of establishing a state, and especially during the Borama conference, the elders played a vital and unwavering role. After the collapse of Siad Barre's government, there were only two options: either the SNM, and by implication the Isaaq clan, would take everything, or a power-sharing arrangement that included all non-Isaaq individuals who did not participate in the armed struggle could be reached (N. Ali, personal communication, September 16, 2023).

The Borama conference was not just about a power-sharing arrangement among the various clans in the north, but it was also critical in establishing the traditional institution as the foundation of the new state. In addition to creating a non-elected House of *Guurti*, the conference established an elected House of Representatives, a president chosen through elections, and a judiciary that operates independently. It also facilitated the disarmament process by declaring all militias to stand down and surrender their weapons to become government property.

The Peace Charter further strengthened basic security and regularized the role and authority of traditional elders in all peace-building efforts. It was also highly celebrated as it upholds non-Isaaq clans in tasks of organizing the conference. *'The Gadabuursi acquired a more significant stake in Somaliland due to their role in ending the civil war, thereby disproving the notion that Somaliland was solely an Isaaq-driven political entity'* (O. Khalid, personal communication, November 16, 2021).

Since the funding for the conference primarily came from local sources, the participants were aware that time was of the essence. They engaged in lengthy and serious debates on various issues, with decisions being made based on consensus rather than solely relying on a majority vote. Although this approach required a significant amount of time, the participants believed that consensus would lead to a more legitimate and long-lasting outcome. In cases where there were seemingly contested issues, parties were given deadlines to reach an agreement that was acceptable to all, rather than resorting to a vote. There was a general tendency that *'voting causes fighting; we better reach a consensus'* (M. Abby, personal communication, September 17, 2023).

During the conference, Mohamed Haji Ibrahim Egal was chosen as President, with Abdirahman Aw Ali serving as Vice President (APD, 2009, p.55), representing the Isaaq and Gadabuursi clans, respectively. The initial plan was for this arrangement to last just two years; however, due to the civil war's state of emergency and a parliamentary extension, it continued until 1997. This was an effective political and social reconciliation, with the elders playing a significant role in facilitating social reconciliation, encouraging public trust, and overseeing the transition from the SNM to a civilian administration peacefully in 1993. The formalization of the *Guurti* within the government empowered them to ratify, reject, or oppose amendments to legislation approved by the House of Representatives, except those related to state finances, evaluated based on their alignment with Somaliland's traditions, religious beliefs, and security requirements, of which the *Guurti* members were the guardians.

The Charter also set up a "hierarchy of appeal" that formalized the role of community elders in mediating conflicts within local *Guurtis*, while higher *Guurti* had the responsibility for settling disputes at the level of the "clan chain". The national *Guurti's* executive committee, known as the "Grand Committee of Elders of Somaliland" (APD, 53), was recognized by the Charter as the supreme body for resolving disputes.

The *Guurti* was tasked with managing conflicts, protecting Somaliland's customary law and Islamic values, and serving as the guardian of national security. Their first priority was to demobilize clan militias and collect all their weapons.

Each community was responsible for any acts of banditry in its territory and was required to form a local security council and a police force based on clan affiliations, to eventually merge these forces into a national police force. The ultimate intention was for security to be under the government's jurisdiction once demobilization was achieved, laying the groundwork for the formation of a national army. The Borama conference was seen as the cornerstone of these political achievements, revitalizing Somaliland after '*the initial two wasted years*' (H. Aisha, personal communication, March 13, 2022)

The conference facilitated a peaceful power transition in May 1993 from the SNM to a new civilian government led by Mohammed Haji Ibrahim Egal. It resulted in the creation of a Transitional National Charter (TNC) and an Interim Peace Charter (IPC). The National Charter outlined the political and institutional frameworks for a three-year administrative period until a constitution could be adopted. Additionally, the Peace Charter established the *Xeer*, in line with their traditions and Islamic principles, as the foundational element for law and order.

The Borama conference led a vigorous demobilization program for militias, resulting in the restoration of the fundamental framework of the government that had been lost in the 1980s and not reinstated by the first SNM administration. Civil servants began to receive regular pay and were required to work regular hours, while a Planning Ministry was established to liaise with foreign NGOs and UN agencies, and the central bank was reopened.

There was also a restoration of a well-equipped and professionally organized police force led by former local officers in major towns such as Hargeisa, Burao, and Borama. However, there was still a need for effective security. Despite these nation-building efforts, the international community, represented by the UN, remained hostile towards Somaliland. The UN's aid-coordinating body declined to interact positively with Somaliland and support the principles of good governance and disarmament as it provided unrestricted support to the Somalia republic in the south-central region.

In addition to the formal meeting sessions, significant activities also took place outside these sessions, with delegates participating in social gatherings without the direct pressure of finalizing endings. Discussion, negotiation, and deliberate avoidance of urgency were essential norms of interaction that allowed fundamental problems to be innovatively negotiated (M. Sadia, personal communication, September 18, 2023).

The Borama conference was also crucial in addressing matters concerning representation and power-sharing by incorporating clans and their leaders into the governance system through institutionalization. The resulting political system, founded in 1993, was referred to as *Beel*, which means clan or community. It combined traditional forms of social and political governance structures with modern government institutions, resulting in a dynamic hybrid of Western-style governance and traditional institutions. The system included an executive president, an independent judiciary, and a bicameral parliament consisting of an upper House of Elders incorporating the *Guurti* and a lower House of Representatives selected based on clan affiliation by an electoral college composed of elders.

The presence of non-Isaaq clans in the Borama conference was instrumental in achieving success, not only in terms of broadening the legitimacy of the outcomes but also in their function in brokering peace among the numerically superior Isaaq sub-clans. The code of preserving the equilibrium of power among the clans, which was achieved through the *Beel* system of proportional representation at the conference, was explored in more depth subsequently and served as a way to tackle numerous political and economic arrangements in Somaliland. It is worth noting that one of the most significant incentives for success was the failed peace process in the South, which served as a cautionary example. Additionally, the lack of pressure from international donors during Somaliland's formative years allowed local participants to discuss and reach an agreement, rather than merely putting crucial issues to a vote for the sake of finalizing proceedings and declaring a successful but ultimately inadequate outcome. The absence of rigid timeframes also contributed to the success of the conference.

Moreover, the Borama conference represents a crucial moment in the evolution of a distinct Somaliland consciousness, characterized by the emergence of a robust national identity and a palpable sense of statehood. This phenomenon was particularly pronounced among the Isaaq and Gadabuursi clans, who are among the major ethnic groups in the region.

The conference facilitated a remarkable shift in the political dynamics of Somaliland, fostering a newfound sense of unity and collective identity among its inhabitants.

The Gadabuursi elders, leveraging their esteemed status and influence, played a crucial and proactive role in navigating and mediating political disputes that arose between Isaaq politicians and their clan constituencies. Their diplomatic intervention was instrumental in bringing an end to the civil unrest that had plagued the region, underscoring their commitment to peace and stability. This not only elevated their status within the political landscape of Somaliland but also underscored the indispensability of their contribution to the nation's peace-building efforts.

The successful mediation by the Gadabuursi elders and the consequent resolution of the civil conflict marked a turning point for Somaliland. It underscored the reality that Somaliland's political and national identity could no longer be perceived as being solely driven or dominated by the Isaaq clan. This broadened the understanding of Somaliland's identity, illustrating a more inclusive and collective nationhood that transcended individual clan affiliations. The Borama conference, thus, played a critical role in reshaping the narrative of Somaliland, highlighting the collaborative efforts of its diverse communities in pursuit of peace, stability, and a unified national identity. This critical event not only fortified the sense of statehood among its people but also set a precedent for inclusive governance and conflict resolution in the region, establishing a foundation for the development of Somaliland's national consciousness and identity.

5.3 *Beel* System

The *Beel* system of administration founded by the Borama conference recognized kinship as being *raison d'etre* of Somali society. Practically, the government evolved into a power-sharing coalition among Somaliland's principal clans, while maintaining traditional institutions. This arrangement fostered participatory governance, which most effectively represented the core of democracy without the constraints of Western standards. Since the coming of the colonial era, the imposed state apparatus linked to Western ideas of the state has struggled with legitimacy, accountability, transparency, and efficiency. Moreover, the functioning of these machinery is often compromised by informal, traditional, or customary institutions, which are considered remnants of the pre-colonial era and a hindrance to developmental progress.

However, there is currently a revival of interest in these informal institutions among academics and policymakers who have previously worked to abandon them.

Colonialism has resulted in a significant involuntary blending of Western and African intellectual categories in the thinking of contemporary Africans. Kwasi Wiredu (2002), a prominent African philosopher, argues that African post-independence leaders should attempt to disentangle these “conceptual entanglements” (p. 54). Conceptual decolonization involves critically reevaluating the knowledge and institutions of the pre-colonial past to avoid reproducing colonial thinking in the post-independence era.

The *Beel* system in Somaliland showcases a unique form of consensual democracy in Africa, distinct from Western liberal democratic models. It integrates traditional clan-based structures and values with modern governance mechanisms, emphasizing consensus, collective decision-making, and inclusivity. This system leverages clan elders' authority for conflict resolution and political stabilization, ensuring a participatory governance approach that resonates deeply with the local cultural context.

As an alternative to Western liberal democracy, the *Beel* system highlights the importance of contextually relevant democratic practices. It challenges the one-size-fits-all notion of democracy by demonstrating that effective governance can also be rooted in indigenous traditions and social contracts. This model underlines the potential for diverse democratic expressions worldwide, offering valuable insights into the adaptability and resilience of local governance systems in maintaining peace and promoting political participation. However, this is not romanticizing of the pre-colonial past, as African societies are a blend of Western and local practices.

The desirable approach involves incorporating both indigenous and Western elements, as has happened in Somaliland. Rather than completely negating colonial state machinery or wholesale re-appropriation of precolonial traditions, Somaliland has critically appropriated these institutions. Traditional governance institutions are not anymore merely sacked as ‘obstacles’ to socio-economic and political progress. They are rather ‘opportunities’ or even ‘tools’, worthwhile in adopting the healthy state-society symbiosis and in ‘fixing’ flaws of imported governance systems.

This new paradigm in the context of policy planning appears to have been stimulated by several cases of academic research that seek to analyze the underlying causes, effects, and remedies of the so-called 'failed states' (Zartman 1995, Herbst 2000).

In critical situations where the state could not establish control over its citizens, 'traditional' institutions have filled the vacuum. In some cases, governments in Africa have turned the result of a 'failed' (or 'weak') state into an opportunity of coming to negotiate with it, eventually in various degrees of 're-traditionalisation'.

The new government that emerged from the Borama conference embodied a combination of traditional Somali structures and Western-style governance institutions. This amalgamation aimed to ensure equitable representation of clans within the government, reflecting the dynamics in the region and reducing clan pressures from manipulating other branches of the government. The system established a bicameral parliament consisting of *Guurti*, which served as the Upper House, and an Assembly of Representatives, which served as the Lower House. The *Guurti* was composed of 82 clan elders representing various regions of Somaliland and had the primary responsibility of maintaining fragile peace through the establishment of security arrangements, mediation of disputes, and prevention of future conflicts (Höhne, 2006; Odowa, 2019)

The members of the Assembly of Representatives were selected according to a formula that divided clan power and counterbalanced contending clan families within the newly established government. A consensus was established to delegate the management of regional and local disputes to the respective clans, employing traditional Somali customs. This decision notably alleviated the administrative load on the emerging government. Furthermore, it bolstered the local credibility of the involved actors in the conflict and served as a deterrent against the emergence of a secondary predatory state. The government was deliberately designed to be "thin" and decentralized, with a limited mandate and functions, recognizing the need for sensitivity to Somaliland's objective realities in ensuring the government's future stability.

The active development of decentralized state-building in Somaliland has emerged organically from the territorial, military, and political fragmentation that characterized the destabilization of the region leading up to the collapse of the Barre regime. The fragmentation of Somali society was a reaction to the entrenched centralization of power by Siad Barre and, in the case of Somaliland,

the marginalization and eventual alienation of an entire region and its people. Countering fragmentation has created a natural haven that promotes decentralization and stimulates the re-assertion of "clannism," which has played a crucial stabilizing role.

The *Beel* system recognizes the importance of including politically substantial clan/sub-clan groups, and the exclusion of any such group could challenge the permanency of the political settlement and increase the likelihood of violence. This recognition is conveyed in the involvement of clan elders as mediators of conflict and accommodation. Despite being portrayed contemptuously by some "modernizers," clannism has played a critical role in stabilizing Somaliland. It is fundamentally a clan-based representation that wants to maintain a comparative equilibrium of power among the clans/sub-clans of Somaliland although (A. Ahmed, personal communication June 30, 2022) puts ‘...*in practice, certain sub-clans within the Isaaq community tend to hold more equal status than others*’. Others on the contrary note:

The Beel system ensured that every clan was effectively represented in the Parliament, which was an important step towards peacebuilding. However, some powerful clans wanted more seats, while less influential or powerless clans lacked access to and were unable to secure their political rights, resulting in dissatisfaction among some clans with their allocation (F. Ali, personal communication, June 28, 2022).

The allocation of seats based on clan quotas has a historical precedent. 64 % and 34 % of seats respectively for *Isaaq* and non-*Isaaq* were allocated during the initial Somaliland Legislative Council in 1960 - during the British protectorate period (ICG, 2021, p.7).

Abdirahman Ahmed Ali Tuur²⁴ was known for ensuring equitable representation among the prominent clans, assigning six out of eighteen positions to non-*Isaaq* members. Similarly, President Egal was also cognizant of the necessity to attain an equitable representation of the clans of Somaliland in his cabinet members. He announced his plan to establish a compact yet efficient cabinet and promised to form a cabinet which is not more than twelve ministers. The demands of the *Beel* system quickly undermined such intent, and Egal's cabinet by 2001 amounted to 26 members as a result of accommodating the clan representation.

Egal later justified this inflation by arguing that he has never appointed a single minister who was not recommended to him by a clan or sub-clan head that he was not selective about the cabinet and contends that “*what matters is the solution. They may not be the best but they are the solution*” (APD, 2002, p.30).

In recent years, a discernible pattern has emerged within the governance structures of consecutive administrations, wherein the composition of cabinet members reflects a deliberate and strategic distribution across various clan and sub-clan groups. This approach is predicated on the principle of equitable representation, ensuring that each clan or sub-clan group secures a proportional stake within the governmental framework. Such an allocation strategy not only aims to foster a sense of inclusivity and fairness among the diverse clan groups but also serves as a mechanism to mitigate potential conflicts and tensions arising from perceived or actual imbalances in political power and influence.

Furthermore, the presidency, a position of significant authority and symbolic unity, has not been monopolized by members of the dominant Isaaq clan. This is exemplified by Rayale Kahin's election to the presidency in the subsequent 2003 elections is particularly noteworthy, as he hails from the minority Gadabuursi clan. His rise to the nation's highest office underscores the commitment to a governance model that transcends traditional clan-based political dominance, thereby promoting a more inclusive approach to leadership and representation.

Rayale Kahin's tenure as president represents a significant departure from the normative clan-centric political dynamics, illustrating a tangible shift towards a more equitable and representative political landscape. This evolution in the political framework not only challenges the conventional hegemony of dominant clans but also reinforces the principle of democratic governance and political inclusivity. By extending leadership opportunities to members of minority clans, the government demonstrates a commitment to fostering national unity and cohesion, acknowledging the importance of diversity and representation in the creation of a stable and harmonious society.

The intentional distribution of cabinet positions across clan lines, coupled with the inclusive approach to the presidency, reflects a strategic effort to engender a sense of collective ownership and participation in the governance of the nation. This paradigm shift towards inclusivity and equitable representation is indicative of a maturing political culture that values diversity, unity, and the principles of democratic governance.

5.3.1 Harnessing Harmony: The Power of the *Beel* System

Hybridity in Somaliland has been instrumental in fostering stability, peace, and democracy in a region otherwise marked by turmoil. This unique governance model leverages the strengths of both traditional and modern systems, offering a compelling case study for conflict-affected.

5.3.1.1 Inclusive Governance

The *Beel* system of Somaliland stands as a testament to the innovative approach to state-building in a context deeply rooted in clan affiliations. This amalgamation facilitates a governance model that is not only reflective of the socio-cultural fabric of the society but also adaptive to its complex clan dynamics. The incorporation of the *Guurti* or the upper house of Somaliland's Parliament, which is comprised of esteemed clan elders, into the legislative framework exemplifies this blend of tradition and modernity. The *Guurti's* involvement in legislative affairs, conflict mediation, and the maintenance of social harmony is crucial, as it leverages the traditional respect and authority vested in clan elders to ensure effective governance and dispute resolution. This structure embodies a unique form of inclusivity, ensuring that the diverse clan-based interests and voices are heard and considered in the political process, thereby enhancing the government's responsiveness and accountability to its constituents.

Moreover, this inclusive political arrangement promotes a sense of collective ownership and belonging among the various clans and communities within Somaliland more specifically of the non-Isaaq community members. By recognizing and formalizing the role of traditional clan structures in the governance model, the state acknowledges the importance of these entities in the societal fabric and utilizes their influence to foster unity and cohesion. This sense of belonging is crucial for the legitimacy of the government, as it reflects a governance system that is rooted in the indigenous social structures and values of the population.

Consequently, this legitimacy is instrumental in garnering public support for the government, enhancing its capacity to govern effectively, and reducing the likelihood of political or social unrest. The sense of ownership engendered through this inclusive approach acts as a unifying force, bridging the gap between traditional governance mechanisms and the formal state apparatus, and contributing to the overall stability and coherence of the political order.

Furthermore, the integration of traditional clan governance with formal state structures significantly contributes to conflict prevention and resolution in Somaliland. The *Guurti*, with its deep understanding of local customs, traditions, and inter-clan relations, plays an indispensable role in mediating disputes and preventing conflicts from escalating. By employing traditional forms of dialogue and reconciliation, the *Guurti* facilitates the resolution of disputes in a manner that is culturally resonant and widely accepted by the parties involved. This not only reduces the likelihood of conflict but also strengthens social cohesion and solidarity among the diverse clan groups. The capacity to address and resolve conflicts through indigenous mechanisms enhances the resilience of the political system and contributes to the overall stability and peace in Somaliland, further testament to the strengths of its HPO.

5.3.1.2 Conflict Resolution

The *Beel* system demonstrates a notable proficiency in conflict resolution and peacekeeping. This system leverages the deeply entrenched traditional methods of mediation and reconciliation, rooted in the societal fabric of Somaliland, to address and mitigate disputes effectively. Central to this process are the clan elders and leaders, who are held in high esteem for their profound wisdom, knowledge of customary law, and moral authority. Their roles as mediators are pivotal, given their ability to command respect and acknowledgment across various clan lines, thus enabling them to navigate and resolve conflicts that have the potential to escalate into violence.

The authority of these clan elders is not merely symbolic but is instrumental in the practical resolution of disputes. Their deep understanding of the social and cultural dynamics, coupled with their knowledge of customary laws, allows them to offer solutions that are both contextually appropriate and culturally resonant.

This traditional mechanism of conflict resolution operates parallel to, and often in conjunction with, the formal judicial processes, providing a dual framework that enhances the overall efficacy of the legal and governance system. The flexibility offered by this traditional approach, with its emphasis on reconciliation, restoration, and consensus, presents an alternative to the often rigid and adversarial nature of formal judicial proceedings. This flexibility is particularly important in a societal context where the preservation of social harmony and community relationships is paramount.

The integration of these traditional institutions within the broader governance framework allows for a more holistic and inclusive approach to dispute resolution. By offering culturally resonant solutions that reflect the values, norms, and expectations of the community, this hybrid system ensures that resolutions are not only effective in the short term but also sustainable in the long run. The respect and legitimacy accorded to clan elders and their decisions contribute significantly to the acceptance and compliance with the outcomes of mediation processes, thereby enhancing the social cohesion and stability of the community. This approach underscores the importance of incorporating indigenous knowledge systems and governance practices into formal state structures, demonstrating a model of governance that is both innovative and adaptable to the complexities of modern statehood. The success of this hybrid system in Somaliland offers valuable insights into the potential of traditional conflict resolution mechanisms to complement formal judicial processes, providing a comprehensive and effective framework for peacekeeping and conflict mitigation.

5.3.1.3 Stability and Peace-building

Somaliland's hybrid governance model has emerged as a fundamental element in its notable achievements in stability and peace-building. This innovative governance model has played a significant role in fostering social cohesion and reinforcing collective security—a critical aspect in the context of post-conflict recovery and nation-building.

The utilization of traditional governance mechanisms, deeply embedded in the societal fabric of Somaliland, has enabled the articulation of a political and social order that resonates with the cultural and historical context of its people, thereby enhancing the legitimacy and efficacy of the state's governance.

The legitimacy derived from this inclusive and culturally rich governance model has been instrumental in Somaliland's capacity to sustain peace and stability within its borders. By incorporating the traditional systems of authority and conflict resolution, embodied in the roles of clan elders and community leaders, Somaliland has developed a robust framework for addressing grievances, mediating disputes, and preventing the escalation of conflicts.

The innovative approach of *Beel* not only leverages the intrinsic social capital and trust within communities but also ensures that governance and peace-building initiatives are grounded in local realities and perceptions of justice, thereby increasing their acceptance and sustainability. The success of this model in Somaliland stands in stark contrast to the ongoing conflict and instability experienced by neighboring regions, highlighting the efficacy of integrating traditional governance mechanisms in creating a stable and peaceful social order.

Furthermore, Somaliland's *Beel* system exemplifies a practical application of the concept of "local ownership" in peace-building and governance. By valuing and institutionalizing local forms of governance and conflict resolution, Somaliland has demonstrated how leveraging indigenous knowledge and practices can contribute to building a resilient and adaptive state capable of navigating the complexities of post-conflict recovery. This inclusive approach has not only contributed to the political legitimacy of the state but has also fostered a sense of national identity and unity among its diverse communities, further cementing the foundations of peace and stability. As such, the Somaliland experience offers valuable insights into the potential of hybrid political orders in achieving sustainable peace and stability in post-conflict settings, underscoring the importance of culturally sensitive and inclusive governance models in the broader discourse on peace building and state formation.

5.3.1.4 Adaptability and Resilience

Somaliland's *Beel* epitomizes a distinctive governance framework, characterized by its adaptability and resilience, which are instrumental in its ability to navigate and thrive amidst fluctuating circumstances and multifaceted challenges. At the core of this model lies the synergistic coexistence of traditional and modern governance structures, a design that not only respects and incorporates indigenous practices and norms but also aligns with contemporary statecraft principles.

This duality facilitates a dynamic and flexible political system, capable of adjusting and evolving in response to the shifting needs, aspirations, and socio-political landscapes of the population it serves. Such flexibility is crucial in ensuring that governance mechanisms remain relevant and responsive to the populace's changing priorities and conditions, thereby enhancing the overall resilience of the system against a spectrum of potential shocks. These shocks can be internal, such as political dissent, economic fluctuations, or social upheavals, as well as external, including geopolitical tensions, international isolation, or regional conflicts.

The hybrid model's inherent capacity to integrate and adapt allows for a more context-dependent approach to governance, which can preemptively address emerging issues or rapidly respond to unforeseen crises, thereby maintaining stability and continuity. In addition, this adaptability extends to the realm of conflict resolution and peacekeeping, where the hybrid model demonstrates a unique strength in leveraging traditional mechanisms of mediation and reconciliation alongside formal judicial and legislative processes. This ensures that conflict resolution is both culturally resonant and institutionally robust, offering solutions that are deeply rooted in the community's values while being sustainable and enforceable within the framework of the state. As such, the hybrid political system of Somaliland serves as a paradigm of governance that is not only flexible and adaptable but also resilient, capable of withstanding and thriving in the face of challenges, thereby ensuring the sustained stability and development of the society it governs.

5.3.1.5 Legitimacy and Local Ownership

The legitimacy of the government of Somaliland is significantly enhanced by the foundational elements of its hybrid paradigm, which is deeply entrenched in the local culture and traditions of its populace. This system, by design, acknowledges and incorporates the traditional governance structures that have been the bedrock of societal organization and conflict resolution within the region for generations.

Through the deliberate valuation and integration of these indigenous structures into the formal apparatus of state governance, the government not only pays homage to the historical and cultural legacies of its people but also affirms its commitment to preserving and promoting local customs and governance practices. This approach demonstrates a profound respect for the societal norms

and values that define the community, thereby fostering a sense of recognition and inclusion among the populace.

The resultant public support and legitimacy that accrue from this inclusive and respectful approach to governance are indispensable for the sustainability of peace and governance initiatives within Somaliland. The incorporation of traditional governance mechanisms ensures that these initiatives are deeply resonant with the local context, embodying solutions and strategies that are derived from within the community rather than imposed from external sources.

This sense of local ownership is crucial, as it engenders a collective responsibility among the populace towards the maintenance of peace and the success of governance efforts. It also mitigates the skepticism and resistance often associated with externally driven interventions, which can be perceived as detached from the realities and sensitivities of the local context.

Additionally, the legitimacy derived from this culturally grounded governance model provides a robust foundation for the social contract between the government and its citizens. It enhances the government's credibility and authority, enabling it to effectively mobilize community support for its policies and initiatives. This legitimacy is also vital in facilitating dialogue and cooperation among diverse social and political groups, contributing to a cohesive and harmonious social fabric that is conducive to sustainable peace and development.

In essence, the HPO of Somaliland, with its deep roots in local culture and traditions, exemplifies a governance model that not only respects and values the historical and cultural identity of its people but also leverages this respect and valuation to foster public support, legitimacy, and sustainability in its peace and governance initiatives.

5.3.1.6 Social Cohesion

The hybrid governance employed by Somaliland plays a vital role in fostering social cohesion, a critical component of the nation-building process, and the maintenance of social stability within the region. At the heart of this model is the explicit recognition and valuation of the intricate social and clan networks that form the bedrock of Somaliland society. This is not merely a superficial acknowledgment but a deep-seated appreciation of the roles these networks play in the socio-political fabric of the nation.

By integrating these traditional structures into the formal governance framework, the hybrid model acts to reinforce and strengthen the social bonds and collective identity that are indispensable for fostering a sense of unity and belonging among the populace.

The formal acknowledgment of clans within the governance framework serves multiple critical functions. First, it legitimizes and elevates the traditional mechanisms of governance and conflict resolution inherent within these networks, thereby ensuring their continued relevance and efficacy in the modern state. This integration facilitates a smoother interface between traditional and state governance mechanisms, enhancing the overall coherence and functionality of the governance system.

Second, by valuing these networks, the government demonstrates a commitment to inclusive governance, ensuring that all segments of society feel represented and valued within the political process. This inclusivity is crucial for building trust and legitimacy, which are foundational elements for any effective governance system.

Moreover, the reinforcement of social bonds and the promotion of a collective identity through this hybrid model are essential components of nation-building and social stability. In a context where clan affiliations have historically been a source of division and conflict, the ability of the hybrid model to transform these affiliations into pillars of national unity and cohesion is particularly noteworthy.

By leveraging the existing social capital and networks, the government can mobilize community support for national initiatives, foster a shared sense of purpose and destiny among its citizens, and mitigate potential sources of conflict. This approach not only enhances the resilience of the societal fabric in the face of challenges but also lays the groundwork for a cohesive national identity, essential for the long-term stability and prosperity of Somaliland. In summary, the hybrid governance model of Somaliland, by recognizing and valuing the fundamental social and clan networks, acts as a crucial catalyst for social cohesion, nation-building, and the maintenance of social stability within the region.

5.3.2 Critics of the *Beel* System

The *Beel* system, a cornerstone of traditional governance in Somaliland, is widely recognized for its contributions to sustaining peace and facilitating the development of a functional state apparatus. This clan-based system leverages the societal influence and mediation capabilities of clan elders to foster consensus and manage conflicts, thereby playing a pivotal role in the nation's stability and governance.

Despite these contributions, the *Beel* system has been subject to a spectrum of criticisms, which coalesce around themes such as the equitable representation of clans, instances of maladministration, the systematic exclusion of women from governance roles, concerns over the transparency and democratic integrity of *Guurti* replacement processes, the undemocratic nature of the system at large, the prioritization of lineage over merit potentially leading to mediocrity in leadership, and the politicization of the *Guurti*, which may compromise its perceived neutrality and effectiveness. These criticisms highlight the complex challenges faced by traditional governance systems in adapting to contemporary expectations of inclusivity, transparency, and democratic accountability while striving to maintain their integral role in societal cohesion and peace-building (Biruk, 2022a, p.75)

5.3.2.1 Challenges of Clan Representation in Governance

The *Beel* system ensured that officials in the executive branch were chosen by clan equilibrium, while seats in both the upper and lower houses of parliament were distributed among clans based on a formula introduced by the SNM. However, critics argue that this system restricted the evolution of a truly representative and efficient democracy, leading to the marginalization of certain clans and fostering a sentiment of exclusion among their members.

The 1993 Borama Charter incorporated the rough seat allocation model of the 1960 Legislative Council for the House of Representatives, which sparked widespread contention. Major clans were allotted ten parliamentary seats each, while smaller clans received fewer seats by the charter's prescribed formula.

This structure, while designed to promote inclusivity and clan representation, has faced criticism for potentially perpetuating clan-based politics and impeding the development of a more meritocratic and accountable governance system.

The rigidity of clan-based seat allocations may hinder the emergence of political leadership based on competence and merit, thus hindering the establishment of a robust and dynamic democratic framework. Moreover, the dissatisfaction stemming from perceived unequal representation could fuel internal tensions and hinder national cohesion, posing challenges to Somaliland's long-term stability and development aspirations.

For instance, the Garhajis confederation consisted of the Idagalle and the Habar Yunis expressed their dismay with the arrangements of the Borama Conference, which treated the confederation as one clan rather than two (ICG, 2003, p.11). While conceding the presidency to a member of the opposing clan they had conflicted with (Mohamed Ibrahim Egal of the *Habar Awal*) they also perceived that they were being marginalized within the House of Representatives.

The *Beel* system at times was considered by the Harti clans (Dhulbuhante and Warsengeli) as a mechanism that diminished their traditional level of influence, despite their historical standing as the second-largest and influential clans after the Isaaq during British colonial rule. In the Borama agreement, the vice presidency was assigned to a member of the Gadabuursi clan, while the Dhulbuhante were allocated the comparatively less prestigious position of Parliamentary Speaker (Philips, 2013, p.74). While the Harti clans consented to the settlement, they still perceived themselves as marginalized within an ostensibly "independent" Somaliland (ibid). Furthermore, criticism has been directed towards the *Beel* system for its failure to account for the geographical distribution of clans, leading to an imbalanced representation favoring certain regions and disenfranchising clan members residing outside of those areas. Consequently, Harti clan members situated in the central regions of Somaliland tend to receive preferential treatment in the selection process for governmental positions over others.

5.3.2.2 Maladministration

Criticism has been levied against the *Beel* system due to its perceived opacity, facilitation of nepotism and corruption, and tendency to favor individuals hailing from more influential familial backgrounds in governmental appointments. While the parliament was envisaged as the primary institution for embodying the principles of the *Beel* system in representation, thereby offering greater latitude in determining positions of authority within both the executive and civil service, it is noteworthy that the executive branch was purportedly still subject to *Beel* calculations. Within the civil service framework, the *Beel* system was initially intended to be confined to ministerial, vice-ministerial, and director-general positions, thereby excluding ordinary bureaucrats from its purview.

However, an informal assumption persists that individuals appointed through the *Beel* system are inclined to predominantly recruit civil servants from their kinship groups, effectively institutionalizing the practice of nepotism within the civil service. This practice not only undermines principles of meritocracy and fair competition but also perpetuates a cycle of preferential treatment and unequal access to opportunities based on clan affiliation. Furthermore, the lack of transparency surrounding the implementation of the *Beel* system exacerbates concerns regarding accountability and governance integrity, fostering an environment conducive to corruption and favoritism.

Moreover, the tendency of the *Beel* system to prioritize individuals from more influential lineages in government appointments raises questions about social equity and the distribution of power within the state. By perpetuating a system wherein certain clans or lineages wield disproportionate influence over decision-making processes and resource allocation, the *Beel* system may inadvertently contribute to social stratification and exacerbate existing disparities within society. Thus, while ostensibly designed to foster clan representation and inclusivity, the *Beel* system's shortcomings in terms of transparency, accountability, and equitable opportunity distribution underscore the need for comprehensive reforms aimed at enhancing governance effectiveness and promoting social cohesion in Somaliland.

Government and civil service roles are not openly advertised to the public, with information about vacancies or opportunities typically disseminated through personal or clan networks (Abdi, 2024). This practice underscores the significance of geographical proximity to Hargeisa, the capital city, as a determinant factor in accessing governmental employment. Consequently, individuals residing closer to Hargeisa often have a competitive advantage in securing government positions, perpetuating spatial inequalities in employment opportunities across Somaliland.

Moreover, the *Beel* system has come under scrutiny for its emphasis on maintaining a balance of power between clans, which critics argue has eclipsed the prioritization of issue-based policies and hindered efforts to promote greater inclusion of marginalized groups and meritocratic principles in governance. By prioritizing clan representation over competency and merit, the *Beel* system may inadvertently perpetuate social inequalities and impede the advancement of qualified individuals from minority or disadvantaged backgrounds. This approach not only undermines the principles of fairness and equal opportunity but also undermines the efficacy of government institutions in addressing pressing socio-economic challenges and fostering national development.

Furthermore, the overreliance on clan-based affiliations in government appointments may exacerbate social divisions and undermine efforts to build a cohesive and inclusive society in Somaliland. By perpetuating a system wherein access to governmental positions is primarily determined by clan connections rather than individual capabilities, the *Beel* system risks entrenching patronage networks and reinforcing existing power imbalances within the political landscape. Consequently, marginalized groups may find themselves further marginalized within the civil service, exacerbating social tensions and hindering efforts to build a more equitable and democratic society.

In light of these challenges, there is a pressing need for reforms aimed at promoting transparency, accountability, and meritocracy in government recruitment processes, thereby ensuring that appointments are based on competency and qualifications rather than clan affiliations. Such reforms are essential for enhancing governance effectiveness, promoting social cohesion, and fostering inclusive development in Somaliland.

Others see this criticism as something exaggerated that arises from the youth section of the society that neglects the *Guurti*'s decisive role in the formative periods of Somaliland.

My son, who is in his twenties, holds a different perspective on the concept of peace compared to mine. Having personally endured the harrowing conflict against Siad Barre forces, I inherently prioritize the attainment of peace above all else. However, my son, being in his twenties and having experienced a period of relative tranquility, may not accord the same level of significance to peace. Instead, he directs his attention towards critiquing the actions of the Guurti and contemplates the potential advancement of our state without the presence of this antiquated institution (M. Jama, personal communication, September 21, 2023).

5.3.2.3 Silenced Voices: The Exclusion of Women from Political Leadership

Despite constitutional provisions explicitly prohibiting any form of discrimination against women and ensuring multi-dimensional equality (Article, 8), some argue that there persists a prevalence of structural male favoritism in realms of authority and power. Traditionally, leadership and representation within the *Guurti*, the upper house, and other significant decision-making bodies have been exclusively reserved for men. The patrilineal clan system, which forms the basis of governance structures in Somaliland, effectively excludes women from active participation in representative politics, citing the rationale that they would be adequately represented by their husbands' or father's clan. However, this form of representation is largely passive and does little to facilitate the meaningful engagement of women in decision-making processes.

Furthermore, the very term *Guurti* inherently connotes male elder, thereby perpetuating societal norms that prioritize male leadership and authority while marginalizing women's participation. This gendered language and symbolism within the political sphere contribute to a hostile environment for women seeking to assert their rights and claim their rightful place in governance structures. As a result, women face significant barriers to meaningful political participation and representation, limiting their ability to influence policy decisions and contribute to the socio-economic development of Somaliland.

The marginalization of women from representative politics not only contravenes constitutional principles of gender equality and non-discrimination but also hampers efforts to achieve inclusive and participatory governance. By excluding women from decision-making processes, Somaliland risks neglecting the diverse perspectives and experiences that women bring to the table, thereby undermining the effectiveness and legitimacy of governance institutions. Addressing these systemic barriers to women's political participation requires comprehensive reforms aimed at challenging patriarchal norms, promoting gender-sensitive policies, and creating an enabling environment for women's empowerment and leadership. Such reforms are essential for realizing the full potential of women as agents of change and advancing the principles of democracy, equality, and social justice in Somaliland.

Some proponents of maintaining the *status quo* regarding female participation in the *Guurti* failed to perceive the necessity of gender inclusion within this institution. Their contention stemmed from the long-standing tradition of male elders predominantly occupying seats in the House, thus leading them to assert that there was no inherent role or space for female candidates within this established structure. Furthermore, they argued that the introduction of female participation would disrupt the institutional equilibrium and operational dynamics of the *Guurti*, potentially destabilizing its traditional functioning and compromising its effectiveness as a deliberative body.

Such criticism is contested due to its alignment with a prevalent viewpoint rooted in Western political norms and the principles of liberal democracy. However, a nuanced and cautious approach is imperative when examining the social realities of women within Somali society, considering the unique cultural context in which they exist. It is essential to recognize that the democratic rights of indigenous women are intricately intertwined with deeply ingrained beliefs and diverse worldviews that diverge significantly from those prevalent in Western societies. Consequently, there exists a notable risk of misinterpretation when applying Western norms and frameworks to evaluate the status of Somali women, which contributes to the criticisms leveled against them.

Moreover, the assessment of women's social realities within Somali communities must be contextualized within the broader historical and cultural context. Traditional norms and customary practices play a significant role in shaping gender relations and women's roles within society. These norms are deeply embedded in the fabric of Somali culture and have evolved over centuries, reflecting the complex interplay of historical, social, and religious factors.

Therefore, any analysis of women's status and rights within Somali society must take into account the intricate nuances of these traditional norms and practices.

The Somalis are fundamentally a patriarchal clan-based society in which lineage is drawn only from the father's bloodline. Women are just transient members belonging neither to their father's clan nor to their husbands. This fluidity though precipitated their exclusion from the clan-based politics of Somalia, and accorded them affiliations with multiple clans to become an asset in establishing networks and fostering community ties. A commendable consequence of such an arrangement is its potential to create a venue whereby women can participate in any peace settlement when the dispute is between the spouses' clans. Marriage ceremonies can thus be used as conflict-resolution tools, in both situations of when the marriage is within or between clans.

In such a context, the woman becomes a potential mediator between two different clans in negotiations. In fact, in rare cases, women had a chance to replace a deceased member of the *Guurti*. For instance, out of 82 representatives, the first and only woman was appointed a seat in 2012, following the resignation of her husband.

5.3.2.4 Succession Issues in the *Guurti*

The issue of replacing the *Guurti* House is intensely disputed due to the lack of clear laws to guide the process. Article 58 of the Somaliland Constitution specifies that the members of the *Guurti* must be elected by the law, but no such law has been put in place. The Constitution contains conflicting provisions on whether the *Guurti* House should be replaced through election or selection. At present, replacements are made solely through heredity, which some people are dissatisfied with. It is generally assumed that when a member of the *Guurti* House dies, they will be replaced by an elder from the same clan. However, in practice, the deceased member is typically replaced by a member of the same family, such as a son or grandson.

The opposing viewpoint refuted the aforementioned accusations by contending that deviating from the hereditary process would inevitably give rise to disputes. This argument posited that strict adherence to hereditary succession protocols serves to mitigate potential conflicts within families and safeguard the stability of the *Guurti* institution. Furthermore, while the constitutional stipulation mandates a minimum age of 45 years for *Guurti* membership, instances have been observed where deceased members are replaced by individuals who fall below this age threshold.

Consequently, the current composition of the *Guurti* comprises a considerable number of young men who do not meet the specified age requirement.

The practice of inheritance is causing significant harm to the Guurti House. The House is losing its essential qualities, and the current Guurti is no longer the same as it was during the Borama conference. If this continues, the Guurti House will eventually become a House of Youth instead of a House of Elders shortly (B. Kaariye, personal communication, August 10, 2023).

The predominant obstacle confronting the upper house lies in the passing of a substantial number of its founding members, whose demise has precipitated a discernible decline in the institution's efficacy. This loss not only represents a diminution of institutional memory but also highlights the absence of a structured mechanism for capturing and preserving the wealth of experience accumulated by these individuals. Consequently, with their passing, the upper house forfeits invaluable knowledge and wisdom, exacerbating the challenges it faces in fulfilling its mandate effectively.

Moreover, the absence of a formalized mechanism for documenting the experiences and insights of founding members exacerbates the loss felt by the upper house. These individuals depart without imparting their accumulated knowledge and perspectives, which could have served as a vital resource for guiding future deliberations and decision-making processes within the institution. Consequently, the inability to capture and harness this reservoir of wisdom compounds the challenges confronting the upper house, hindering its ability to navigate complex governance issues and fulfill its role as a deliberative body effectively. *'The Guurti of 1993 contained 75 elders and in 1997 it ascended to 82. Among those in the Borama conference, of whom only 12 elders are still alive and they are mostly replaced by their sons* (A. Ahmed, personal communication, June 30, 2022).

Henceforth, the primary concern pertains to the rejuvenation of the existing *Guurti*. It is worth noting that the *Guurti* has historically operated without undergoing electoral processes. Instead, vacancies arising from the passing or retirement of clan elders are typically filled by their descendants. This practice has raised considerable apprehension among stakeholders, with many expressing reservations regarding its implications for the legitimacy of the institution.

The perpetuation of this succession model is perceived by a significant segment of observers as eroding the perceived credibility and authority of the *Guurti*, thereby necessitating a critical reevaluation of its composition and selection mechanisms. ‘*Many of the versed elders have died. The young people are dominating and they know little of customary laws, culture, and general history of Somaliland*’ (M. Abby, personal communication, September 17, 2023).

Partially, the quandary stems from the constitutional lacuna about the succession process within the *Guurti*. Notably, the constitution offers scant guidance regarding the procedure for appointing replacements within this esteemed body. It merely stipulates that "the members of the House of Elders shall be elected in a manner to be determined by law," (Somaliland Constitution, article 58.1) yet legislation delineating the specifics of this electoral process has yet to materialize. This absence of a statutory framework underscores the pressing need for legislative action to codify the modalities governing the selection and replacement of *Guurti* members, thereby addressing the prevailing ambiguity and ensuring procedural clarity in conformity with constitutional principles.

5.3.2.5 The Democratic Paradox of the *Guurti*

Critics have raised concerns about the undemocratic nature of the *Guurti*'s decision-making process and its perceived alignment with the executive branch's demands. The primary critique centers on the *Guurti*'s mode of operation, which, unlike a democratically elected body, is based on a traditional clan system of appointment. This method, while rooted in the cultural fabric of Somaliland and serving as a mechanism for incorporating traditional governance structures into the modern state apparatus, raises questions about representativeness and accountability.

Critics argue that this system lacks the direct electoral legitimacy found in more conventional democratic frameworks, potentially undermining the democratic process. Moreover, *Guurti*'s decision-making process is often perceived as opaque, with decisions sometimes viewed as being made in the interests of maintaining traditional power structures rather than the broader public good. Additionally, concerns have been voiced about *Guurti*'s perceived alignment with the executive branch of the government, suggesting a convergence of interests that may further encroach upon the principles of checks and balances fundamental to democratic governance.

This perceived alignment is particularly troubling in instances where the *Guurti* is tasked with mediating disputes or making crucial national decisions, such as extending election timelines, which could inadvertently serve the interests of the executive branch. Such actions raise apprehensions about the potential for executive overreach and the erosion of democratic separations of power.

The critics argue that for Somaliland's democracy to be robust and resilient, it is imperative that its institutions, including the *Guurti*, operate with a clear delineation of powers and maintain a level of independence that ensures decisions are made in the best interest of democratic principles and the nation's citizens.

The concept of democracy is unfamiliar to most traditional elders, who argue that it is a foreign idea adhered to by "infidels" and is solely a reflection of the Western world. In many cases, their decisions are perceived as being against democratic principles, as they place greater emphasis on religious and cultural factors (H. Mohammod, personal communication, September 16, 2023).

Despite what is specified in the constitution, the *Guurti* has held its position for approximately 30 years. The Constitution explicitly states that the House of Elders should only serve for six years, commencing from the moment of its inaugural gathering. In addition to repeatedly extending its term, the *Guurti* has also supported the executive branch's extension of its term. However, some argue that the support for extending the executive's term is a necessary measure for preserving and rescuing the country.

5.3.2.6 Mediocrity

The challenge of associations based on clan memberships and the necessity to maintain equilibrium between clan interests were pressing not only for the *Guurti* but for 'Somaliland' in general. Membership in the upper house and the executive as well is not based on their competencies but largely on their clan affiliation. There is an expectation sometimes for vacant positions even in the civil service for a person from the same clan to take up the position, regardless of professional competence. This then exchanged meritocracy for mediocrity.

The issue of clan balance is considered an important factor in the composition of the *Guurti* House in Somaliland, but it is not necessarily linked to criticism of mediocrity in the institution. The *Guurti* House is intended to represent the various clans in Somaliland, and ensuring a balance of representation among these clans is important for maintaining peace and stability. However, critics may argue that the emphasis on clan balance can sometimes lead to the selection of members based on their clan affiliation rather than their qualifications or abilities, which could contribute to mediocrity in decision-making. Ultimately, whether or not clan balance is seen as a contributing factor to mediocrity in the *Guurti* House would depend on the specific context and perspective of the critic.

5.3.2.7 Politicization of the *Guurti*

The Borama conference allowed for the formalization of a particular type of clan leader's role in Somaliland's political system, expanding their responsibilities beyond mediation and peacemaking. This elevated members of the *Guurti* to the forefront of national political conflicts, despite their lack of natural reserves of social capital and physical detachment from the communities they represented. The transformation of traditional roles into political entities has shifted the basis of their legitimacy, rendering them susceptible to allegations of corruption and political self-interest. This evolution underscores a departure from their foundational, non-partisan roots towards a more politically motivated orientation, where the preservation of power and influence becomes intertwined with the maintenance of their status and authority.

Successive presidents have taken advantage of these criticisms to increase their power relative to the *Guurti*. Members of the *Guurti* have not done much to counter such criticisms and have instead been eager to be perceived as accepting of leveraging support networks to prolong their tenure repeatedly and aligning themselves with the incumbents.

The Borama conference represented a critical moment in the history of the *Guurti*, signifying the apex of its political influence within the framework of Somaliland's governance. This period underscored the *Guurti*'s substantial role in shaping the political landscape, drawing its authority from deep-rooted connections within local communities and the traditional respect accorded to it. The essence of the *Guurti*'s power lay in its ability to mediate conflicts and guide the nation through its wisdom and moral standing, deeply embedded in the grassroots level of society.

However, the dynamics of power and authority within the *Guurti* have gradually shifted, revealing a growing tension between its traditional sources of legitimacy and the influences emanating from its proximity to the central state machinery. This transition has sparked a critical examination of the *Guurti's* role and its alignment with the government, suggesting a drift towards a more state-centric form of authority. This shift highlights the complexities of navigating traditional governance structures within a modern state framework, where the intertwining of traditional and state powers can blur the lines of independent moral authority and political allegiance.

Over time, this evolving relationship with the state apparatus has led to an erosion of the *Guurti's* moral authority. The perceived closeness to the government and the potential for politicization has raised questions about *Guurti's* ability to impartially serve as a custodian of societal values and a mediator of conflicts. The challenge lies in balancing the inherent tension between maintaining its foundational grassroots legitimacy and adapting to the realities of being part of a modern state's governance system. This balance is crucial for preserving the *Guurti's* role as a respected and effective institution in Somaliland's political landscape.

There is a perception among the public that *Guurti* members are becoming increasingly politicized and involved in politics. It has been observed that the incumbent chairman of the *Guurti* previously sought electoral office. It is also widely perceived that some *Guurti* members have allegiance to different political parties, which could allow politicians to interfere in the functioning of the elders and undermine the House's credibility. Additionally, some respondents reported seeing *Guurti* members attending political rallies, further indicating their perceived politicization.

5.3.4 Critique of the Critics

While the previously mentioned critics highlight the constraints inherent in the *Beel* system, there exists a portion of their critique that necessitates a more nuanced examination. This is because the critique itself is not immune to scrutiny and may be subject to counter-criticism. Such a perspective suggests that while the critics effectively point out certain shortcomings of the *Beel* system, their evaluations may also overlook or simplify complex aspects, potentially biasing their conclusions. Therefore, it becomes essential to engage in a critical appraisal of their arguments to ensure a comprehensive understanding of the issues at hand.

This process involves dissecting the critics' viewpoints, identifying potential biases or oversights, and considering alternative interpretations or solutions that they may have dismissed or overlooked. In doing so, we can achieve a more balanced and informed critique that acknowledges the multifaceted nature of the *Beel* system and the varied perspectives on its operation and implications. The critics such as the undemocratic nature of the *Guurti*, need to be subjected to a critical examination

Defining democracy has consistently proven to be an elusive endeavor, with its various forms of expression continuing to generate considerable debate. This ambiguity raises critical questions about the nature and model of democracy, particularly in the context of its applicability to different geopolitical and cultural settings. One of the central inquiries in this discourse is whether the concept of democracy is synonymous with its Western interpretation, or if there exists the possibility for diverse models that are reflective of the unique traditions and conditions of individual countries. Such questions underscore the complexity of addressing the democratic deficit observed across the African continent. This debate invites a deeper examination of the premise that a singular, monolithic model of democracy might not be universally applicable or desirable (Biruk, 2021). It suggests that the exploration of alternative democratic frameworks, which are more attuned to local socio-cultural realities and historical backgrounds, could offer more effective and resonant governance structures for various nations. This perspective not only challenges the hegemony of Western democratic ideals but also opens the floor for a more inclusive dialogue on democratic governance, one that respects and incorporates indigenous values and practices.

Consequently, addressing the democratic deficit in Africa requires an approach that transcends the conventional dichotomy of Western versus non-Western democracy. It calls for a nuanced understanding of democracy as a concept that is capable of adaptation and redefinition, in line with the specific needs and aspirations of different populations. By embracing this multifaceted approach, scholars and policymakers can better identify and implement democratic models that not only address the current deficits but also resonate more profoundly with the diverse cultural landscapes of African countries.

The concept of democracy is fundamentally about popular sovereignty, which grants people the power to elect their rulers and representatives. However, there is no one-size-fits-all approach to selecting or appointing leaders, as it ultimately depends on the cultural values, beliefs, and orientations of the people. Various manifestations of democracy are shaped by cultural influences, and it is counterproductive to ignore these specificities and simply promote Western models of democracy. While there are convincing universal elements of democracy, portraying liberal democracy as a solution to Africa's problems can be seen as justifying a neocolonial enterprise.

The use of a carrot and stick approach to encourage African nations to adopt Western liberal democratic models has, paradoxically, led to a situation derisively referred to as 'demo-crazy' (Toure, 2023; Braimah & Forson, 2023). To mitigate this issue, it is crucial to undertake sustained efforts to cultivate democracy from the ground up, by embracing and promoting indigenous social and cultural norms. African cultural traditions must be preserved, developed, supported, and disseminated throughout the continent.

The role of traditional authorities and leaders in Africa in the development of democracy is a topic of heated discussion. There are two main approaches to this issue. The first argues that these traditional institutions are crucial for providing local relevance to democracy and should be preserved. The second approach views these institutions as inherently anti-democratic and advocates for their abolishment. Some people refer to these positions as "romanticizers" and "trivializers." Despite these opposing views, these traditional institutions have proven to be resilient and are not disappearing as some have suggested. One reason for this is the absence of genuineness in liberal democracy, which has failed to tackle governance shortcomings in Africa. Different societies have developed their unique approaches to democracy based on their particular configurations of the state and civic institutions.

Several factors contribute to the ineffective functioning of democracy in Africa. One possible explanation is the hesitancy to acknowledge that democracy can vary according to different societies and cultures. This elasticity means that democracy should not be followed with rigid conformity to the qualities that characterize it in the Western context. The idea that democracy can be passively imported wholesale from one society and superimposed on another, without regard for variations in culture, is a vital delusion that may contribute to the challenges faced by Africa in the realm of democratic practice.

For democracy to function effectively in Africa, it must be customized to suit indigenous practices and traditions. Claude Ake (1993) has advocated for an "African model" of democracy that takes into account the traditional practices of political engagement in Africa. However, given the diverse political systems in Africa, it may not be possible to construct a universal model capable of serving the entire African populace in consensus. Therefore, a more nuanced approach is needed that recognizes the diversity of African societies and cultures and allows for the development of unique approaches to democracy that are tailored to local contexts.

Wiredu (1996) argues that political reform within Africa might not be possible unless there is a significant deviation from the current framework of majority-based democracy. In the vast majority of states in Africa, this model has resulted in specific ethnic communities being perpetually in power while others are steadily excluded from decision-making. This undermines the foundational aspects of the human right of representation and perpetuates political instability in Africa. Such exclusionary practices must be addressed to ensure that all groups have a fair and equal opportunity to engage in political procedures and have their voices heard.

Wiredu suggests that a non-partisan and consensus-based democracy could be a solution to the many socio-political problems that majoritarian democracy brings to Africa. In this system, political parties do not serve as the foundation of power. Instead, individuals can establish political groups to advocate for their political beliefs and assist in electing representatives to the legislative body. Nonetheless, the group with the highest number of elected officials would not automatically assume the role of the governing body. Each representative would instead act in their capacity rather than as a member of their association. This non-party and consensual democratic system would prioritize consensus-building and cooperation over partisan politics, potentially leading to more stable and inclusive governance.

At the heart of Wiredu's reasoning is the importance of considering each individual's perspectives before arriving at decisions through consensus. Wiredu advocates for a deliberative approach to matters over-relying on majority voting. He believes this method fosters mutual respect and understanding, which in turn, plays a crucial role in reducing marginalization within a political community.

Within the context of Somali society, which has been famously characterized by Lewis as a 'pastoral democracy' (1961) traditional political institutions and practices have played a significant role in the endeavors to institute a liberal democracy in Somaliland. This intersection of traditional governance mechanisms with contemporary democratic aspirations reflects a complex interplay between age-old customs and the principles of liberal democracy. The relevance of these traditional practices to modern political processes underscores the unique challenge faced by Somaliland in synthesizing a form of governance that respects and incorporates its rich cultural heritage while striving to meet the standards of liberal democratic governance. This synthesis attempts to leverage the inherent strengths of traditional Somali political structures to build a more inclusive, representative, and effective democratic system, illustrating the broader theme of how societies with deep-rooted cultural traditions navigate the transition toward modernity and democracy.

Does the fact that the *Guurti* is not elected inherently make it less democratic?

Somaliland has a unique system of traditional authority represented by the *Guurti*, a house of elders that operates differently from similar institutions in other African countries. In Somaliland, the *Guurti* must approve any laws before they can be passed by parliament. The members of the *Guurti* are chosen delegates from each clan and are seen as custodians of culture, tasked with mediating disputes and regulating the executive. While there is a prevailing assumption that traditional authority and formal government structures are in a competitive, zero-sum relationship, the reality is more complex. There remains ongoing debate about whether institutions of traditional authority are fundamentally pro-democratic or anti-democratic.

5.4 Deciphering the Anomaly: Insights and Interpretations

The term anomaly is situated here as Somaliland can debunk the normal, standard, or expected. It is not uncommon for postcolonial Africa broadly, and specifically the Horn of Africa that statehood remained reproducing of the colonial state not even in another form but in the same form perhaps with the natives – the Fanon's (1952) Black Skin White Mask. An ideal state is imagined in a more *Weberian* sense as it claims a sole monopoly over violence dismantling the institutional multiplicity.

It pronounces a pure *Manichean* approach of statehood standing in firm binary opposition of ‘tradition’ and modern’ as if the former one thwarts the progress of the latter. As to statehood, a modern *Weberian* state is imagined to exist while fully avoiding the traditional.

The characteristic anomaly of Somaliland hinged on the functional harmony between the colonially transplanted state institutions and the resilient traditional ones. Incorporating traditional authority proved crucial when attempts were made to understand the Somaliland idiosyncrasy. Apart from legitimacy consolidation, the *Guurti* performed a symbolic function that would allow the engagement of traditional authority to enable the Somali population to connect with the new state framework, acting as a mediating connection between the newly established state and its citizens.

With more familiarity with the new concomitant change in political culture, the role of the traditional institutions will be subjected to test of its frequency and intensity. These tests should not be interpreted as destabilizing factors; instead, they ought to be considered as part of an ongoing, adaptable, and responsive state-building process that has demonstrated effectiveness over time.

Somaliland possesses a notable degree of sovereignty that stems from the traditional authority, which is integrated into the state machinery. This establishes a degree of centralized governance that is apparent both within and outside of the government and can continue to exist even during times of political crisis or transition. The traditional authority, represented by the *Guurti*, can fill gaps in situations where the government appears fragile or absent, providing a protective buffer for the government and society as a whole.

The use of traditional institutions was seen as the best, and perhaps only viable, option for stabilizing the post-conflict state-building process in Somaliland. The reconciliation practices and societal entrenchment in the state helped to prevent potential catastrophes and allowed for negotiation, development, and adaptation of the state. Somaliland is unique among the states in the Horn of Africa in that it is seen as a fostered rather than imposed state. The establishment of the Somaliland state was a multifaceted enterprise that involved the work of many actors rather than just one.

The incorporation of customary institutions within the official governmental framework signals a process that is led and defined by domestic considerations. Despite facing certain constraints, Somaliland has achieved notable success in preserving peace and stability while also founding democratic institutions. It embodies the potential outcome for Somalia that the liberal ideology behind the unsuccessful state-building efforts there aimed to achieve. However, it is essential to highlight that the definition of "success" is subjective and incomplete and should be viewed in context.

The state of Somaliland embodies a multifaceted and dynamic socio-political interaction between the political process and societal structures, and it is not without flaws. However, it is evident that the state in Somaliland is a negotiated rather than imposed entity, and is flexible and competent enough to address any gaps or shortcomings that may arise. While problems may occur during negotiations, Somaliland has shown that it is effective in negotiating and finding solutions. The expectation is that the state will continue to evolve and improve. Despite taking a different path and being described as anomalous to "statehood," Somaliland's approach was the peculiar one, given its unique circumstances and limitations.

5.5 Summary

The traditional normative approach to state-building has faced challenges in creating viable states and delivering durable peace and security in many post-colonial African nations. The normative approach has encountered difficulties and has not succeeded in rebuilding a viable state in Somalia since the downfall of Siad-Barre's rule. However, Somalis in Somaliland have successfully created a different approach to statehood based on traditional forms and structures of governance, despite the lack of international recognition. These structures are often hybrid, and the process of developing them could be considered anomalous when viewed within the framework of the post-colonial era of the statehood crisis in Africa.

Traditional institutions have served a key function in the peaceful transition and contemporary regime of Somaliland, alongside elected politicians. The political order in Somaliland is an amalgamation of traditional institutions, such as the *Guurti*, and modern state institutions, including a parliament and president. However, academia, largely influenced by Western

worldviews, is not adequately familiar with the socio-cultural and political contexts that allow traditional leadership to have a prominent role in political transitions.

The Somaliland case is anomalous, departing from the norm in many post-colonial African countries where state-building largely reproduces and maintains the colonial state. Instead, Somaliland focused on developing a HPO that reflects clan, traditional, and state structures rather than solely relying on formal and structural institutional arrangements. Unlike the process in the south of Somalia, which relies heavily on foreign aid and military coercion, Somaliland trusted in local institutions and bottom-up approaches to state-building. Traditional institutions, which are often neglected in many regions of southern Somalia, have been key to the state-building process in Somaliland.

This African case study offers important lessons not only to fellow Somalis in the south but also to global processes, creating a symbiotic relationship based on a give-and-take ethos. The evidence challenges normative suppositions and patterns of state-building, some of which are already established in the literature, while others are emerging.

The fact that Somaliland's hybrid governance was developed independently of donor influence is crucial, suggesting that it could greatly affect self-assertiveness. In a broader continental understanding, Somaliland is among the many untold success stories of state-building in Africa. It has avoided the violence that surrounds its southern counterpart and instead pursued a government inclusive of both Western institutions and those indigenous to Somalia, striking a balance between the two.

Afro-optimists view Somaliland as a success story where viable statehood can thrive in the Horn of Africa, and where traditional institutions are not entirely incompatible with modern governance. The past three decades of Somaliland's experience are seen as a model for other African governments. Observers are often struck by the anomaly, dynamics, and intricacies involved in the establishment of this political entity.

In short, traditional institutions facilitated the essential political and institutional mechanisms to enable politicians and the military to regain control as administrators of a newly formed political entity while acquiring the legitimacy and resources required to accomplish this.

The Somaliland statehood effort demonstrates that the process of evolving statehood is complex, non-linear, and non-normative. Its path involved a fundamental departure from the normative understanding and did not produce the same kind of arrangements as the Weberian model. Statehood is instead an outcome of continuing and rigorous negotiations involving various types of institutions. Policymakers, academics, and those interested in subaltern perspectives need to appreciate these subtleties and the importance of endogenous methods, particularly when taking a bottom-up perspective. It is crucial to avoid imposing blanket state-building formulas from national capitals and instead consider the unique circumstances and perspectives of local communities.

CHAPTER SIX

THE CYCLE OF SETBACKS: UNPACKING THE ROLE OF EXTRAVERSION IN CONTINUED CHALLENGES

6. Introduction

I usually ponder the same question: Why can't effective governance still be lacking in Somalia? I would say that the time and resources that the international community invests in the grand peace processes have failed to form any effective institutions. The architects of these initiatives seem to lack a profound understanding of Somali culture and the vital causes of the conflict there. Yeah! As Somalis, we need a functioning government. However, the results of these peace processes have not genuinely characterized the Somali people's standpoints. Instead, they have essentially catered to the interests of those organizing them (A. Hussien, personal communication, December 6, 2021)

In 1991, Somalia experienced a deep political and humanitarian crisis following the fall of Somali President Siad Barre's regime. Since then Somalia lacked an effectively functioning central government. This power vacuum made Somalis gain much regional and international attention. For almost three decades it received enormous state-building assistance from the UN, US, and several other states and institutions. Even after the announcement of a post-transitional federal government in 2012 which is still in power, the country has been depicted mostly as a 'failed state'. Somalia has been struggling with intense challenges to establish a robust central governance structure despite obtaining massive external aid. The reasons behind this recurrent instability range from warlordism, clannism, war economy, and external actors. Notwithstanding such factors, the issue of traditional institutions which are continuously sidelined are not treated in the academic discourse as they well warrant. The perennial avoidance of negotiating the traditional institutions that managed the 'pastoral anarchy' for so long appears one fundamental factor in perpetuating the failure to bring effective governance.

The internationally sponsored state rebuilding efforts centered on an extraverted approach presume that the formation of a strong central state would contribute to pacifying the region. Thus, the efforts remained negligent towards accommodating traditional institutions. This made the efforts to recurrently fail in taking root in the long term. The track records of the efforts show the failure in meeting their intended goals. Perhaps, their outcomes rather become counterproductive and generate new and worse conflicts. This recurrent failure despite the continuous huge investment awarded Somalia the “graveyard of externally sponsored state-building initiatives” in the world (Menkhaus 2006/07, p.74).

Having an experience with a patronized central government of Siad Barre, the warring parties and ordinary Somalis themselves are highly vigilant and responsive to any form of authority that is enforced from the outside *via* extraversion. The fear of a warlord-dominated central authority, which presumably recaps the predicaments of the civil war period, is still intact. Seeing this deep suspicion it is expected that embracing a centralized state with the absence of traditional institutions’ rapprochement is problematic in Somalia. *‘In a vacuum of centralized authority, various stakeholders — mainly traditional clan institutions—played a major role in restoring order to the country and achieving peace’* (A. Ibrahim, personal communication, March 20, 2022).

The period witnessed the resilience of traditional forms such as the *Guurti*. With having strong roots throughout society, clans easily ascended to characterize post-Barre Somali politics with their structures remaining intact while state functions failed drastically. Clan groupings collaborated to establish regional autonomous governments that arbitrated disputes among competing clans and delivered services such as health services and education locally.

Traditional clan systems and institutions remain an invaluable asset throughout Somalia’s turmoil since the demise of Siad Barre’s rule. It can thus be argued that traditional clan institutions have been essential in the reconstruction of Somalia after the overthrow of Siad Barre. It provides stability as well as creates a venue for the resolution of conflicts between different clans.

The *Guurti* serves as a mediator between clans and provides settlements to inter-clan conflicts. It operates in a decentralized manner based upon local dynamics where elders from each clan send representatives to form this council to have their grievances heard without resorting to violence or other methods deemed inappropriate.

As such, the *Guurti* are seen as the embodiment of “*justice, stability and security*” (B. Kaariye, personal communication, August 10, 2023) within their communities as they have successfully managed to maintain peace among clans for centuries particularly crucial during times of civil unrest and insecurity. The effectiveness of this institution has become more prominent following the downfall of Siad Barre’s regime due to an increase in civil unrest requiring more reliable methods for impartial judgment and dispute resolution.

When they are informed of disputes between two clans, elders are immediately involved by choosing and sending appropriate elders to the conflict area. Often, the elders may not be members of the disputing clans. They carry out an informal negotiation process by meeting the conflicting clans’ representatives at a negotiation tree or another suitable setting for dialogue and mediation (O. Khalid, personal communication, November 16, 2021).

As the previous chapter explores, the *Guurti* played an influential role during the reconciliation talks aimed at ending disputes in Somaliland. It was extremely successful due to its nonpartisan approach free from external interference or coercion which allowed all parties involved to reach a viable agreement. The outcome provided further support towards establishing a nation where peace could remain while still preserving clan traditions as well as safeguarding customary law.

The role of *Xeer* is also seen as increasingly important in the immediate post-Siad Barre period. This ancient legal tradition has historically exerted a considerable influence in shaping society and providing an important source of conflict resolution among the Somalis. This is particularly relevant to events after 1991. After the demise of Barre’s autocratic regime, which itself often superseded traditional clan laws during his tenure, there has been a resurgence in the utilization of *Xeer* as a means for regulating social order and resolving intra-clan disputes.

Despite Somalia suffering from civil war since 1991, many Somalis continue to look to this legal system that they view as representative of their values and culture. This increased reliance on *Xeer* can be attributed to its flexibility when compared to formal codified laws like those enforced by state bodies - the TFG. It often seeks compromise rather than strict punishment, thereby helping to prevent further escalation of issues between quarreling parties.

Additionally, judicial authority through traditional codes is easier to obtain than within formal court systems as adversarial proceedings involve both fewer costs—in terms of time delays—and less destructive outcomes due to their arbitration-based nature.

A minority of the Somalis indicated that they would turn to their country's formal justice system for dispute resolution. Most of them believe that *Xeer* should play a central role within their justice system going forward; particularly when access to functional state court systems is difficult or impossible due to violence attributed to factors such as Al-Shabaab (IDLO, 2020). Despite such significance, Somalis' quest for state building, quite contrary to Somaliland, has never sought a formal incorporation of its traditional institutions. This remained a conundrum.

6.2 Beyond Boundaries: The Dynamics of Extraverted Conferences and Somalia's Evolution

The engagements of Operation Restore Hope, Arta, and Mbagathi in Somalia illustrate the concept of "extraversion" in international relations, where external interventions significantly influence the internal affairs of conflict-ridden states. These interventions embody the process of extraversion not merely because they are internationally led but due to their foundational assumption that adopting a *Weberian* State model—with its monopoly over violence—is essential for achieving peace. This perspective presupposes that external actors can impose a state structure capable of controlling violence, thus ensuring stability. This assumption, however, overlooks the complex realities on the ground and the nuanced interplay between external interventions and local dynamics. In Somalia, these interventions have been critiqued for sometimes exacerbating local conflicts or failing to align with local governance systems and societal norms.

The reliance on a *Weberian* State model does not always consider the legitimacy and effectiveness of indigenous forms of governance and conflict resolution, which can offer more sustainable paths to peace and stability. The concept of extraversion thus provides a critical lens through which to analyze the impact of international interventions in Somalia, highlighting the importance of understanding local contexts and the potential for local agencies to shape outcomes. It challenges the notion that peace can be externally imposed through state-building efforts alone, suggesting instead that successful interventions must engage with and support local governance structures and peacebuilding processes.

6.2.1 Operation Restore Hope

Operation Restore Hope was a military intervention that began on December 7th, 1992 when US President George Bush announced that US forces would deploy on a humanitarian mission with the endorsement of the “United Nations Security Council (UNSC) resolution 751” (Vanderpool, 2022) It was aimed at restoring order and stability to the failed state of Somalia after a period of intense civil war and famine following the toppling of President Said Barre in 1991. The mission started under the optimistic title ‘Operation Restore Hope’ mandated to use “all necessary means” to disarm militia groups and restore peace and stability in Somalia.

The mission is noted for its success in providing relief to famine-stricken Somalis, bringing an end to fighting between clans, and marking the beginning of a U.S.-led effort to bring back to Somalia. In addition to providing immediate relief from famine, Operation Restore Hope was also intended to halt the conflict among rival clans that were vying for power within Somalia. To achieve these objectives, attempts were made by US Marines who advised clan leaders on negotiating peaceful settlements as an alternative means of dispute resolution as well as urging disarmament amongst all armed factions still actively engaged in conflict. Negotiations ultimately resulted in multiple clan militias voluntarily disbanding their weapons or exchanging them into UN custody while others agreed they would not resort back to violence through signed cease-fire agreements sponsored by the US military itself.

In May 1992, the operation maintained a national reconciliation conference in which the main negotiators, Aideed and Ali Mahdi, rival faction leaders, each claiming presidency, which further intensified the conflict and led to significant instability and humanitarian crises within the country, agreed to the establishment of an interim government and ending the fighting.

The conference has become known as the Addis Ababa Agreement. It outlined a framework for political reconciliation and power-sharing in Somalia. It settles three fundamental issues. First, it formed a Transitional National Council (TNC) comprising of representatives from various Somali factions. It was an interim government to supervise the transition process. Second, it declared ceasefire and disarmament, Aideed and Ali Mahdi agreed to a ceasefire and to work towards disarmament of their respective forces (USIP, 1993).

Thirdly, it sought to form a national army which is supposed to be representative of different factions. Finally, it promises to rebuild national institutions including the judiciary, police, and civil administration. Despite the agreement, implementation could not be easy. The ongoing power struggles stalled the full realization of its objectives. The factions of the two incumbents continued to clash, and the political situation remained ineffective. The agreement ultimately failed to bring about a lasting resolution to the conflict in Somalia.

General Farah Aideed began an attack on the UN forces, triggering a four-month conflict that terminated in the event known as "Black Hawk Down." "Black Hawk Down" refers to a significant military conflict that occurred on October 3, 1993, in Mogadishu, Somalia, when U.S. forces launched a mission to capture key lieutenants of warlord Mohamed Farrah Aideed, leading to a fierce firefight and the downing of two U.S. Black Hawk helicopters. The intense battle resulted in the deaths of 18 American soldiers, and hundreds of Somali fighters and civilians, sparking international attention and debate over U.S. military involvement in Somalia (Kalosous, 2022). The event was later depicted in the book "Black Hawk Down" by Mark Bowden and adapted into a critically acclaimed film directed by Ridley Scott, highlighting the chaos and complexities of urban combat and humanitarian intervention.

In its effort to maintain stability, UNOSOM sought to negotiate a power-sharing arrangement among influential warlords, but this effort also failed. UNOSOM had been withdrawn, by March 1995, culminating what was the first and most comprehensive in a line of international endeavors to reestablish the failed state of Somalia. The mission's conclusion left Somalia engrained in ongoing conflict and political disarray. Despite persistent efforts to establish a transitional federal government, Somalia has continued as a failed state following UNOSOM's exit.

Ultimately, Operation Restore Hope showed both the willingness of the international community to respond to humanitarian crises and the inherent difficulties in such operations. It emphasized the complex nature of conflicts and the challenges involved in sustaining long-term stability and peace in war-torn regions. It stimulated several critiques concerning different aspects of the intervention. Primarily, the mission has been criticized for mission creep in that it was initially a humanitarian mission and then expanded beyond its original scope. Over time, the operation shifted its prominence from securing humanitarian aid to engaging in state-building and military operations, prompting arguments that it went beyond its original mandate.

Despite having positive intentions, the mission was bound to fail due to poor execution, particularly in terms of timing. This made UNOSOM face a formidable decision of whether to follow a top-down or bottom-up approach in promoting peace and rebuilding a state. It finds it easy to adopt the former and attempt to hastily broker a power-sharing agreement between the major warlords. It naively sought to resolve the complicated problems of instability through a power-sharing arrangement between the strongest warlords.

Concerns of an insufficient comprehension of the local circumstances are also crucial. The international community, notably the West, did not have either a deep understanding or the willingness of local complexities in culture. Such a limitation hindered successful engagement with local actors and contributed to challenges over long-term stability.

It was just a surprise when one considers the unrealistic timeline of the mission. It lacked practicality in implementing its plans. This became apparent with its overly ambitious agenda to complete reconciliation, draft a new constitution, form district, and regional councils, arrange a provisional national assembly, organize a referendum on the constitution, conduct a census, and register voters, all within a timeframe of two years.

Additionally, there were accusations that foreign forces took advantage of the operation for external gains such as enhancing geopolitical influence rather than providing direct assistance for Somalia's people themselves. This outlook accused them of seeking more political power through gunship diplomacy instead of resolving conflicts through diplomatic methods or fostering cooperation with local Somali groups. This partly characterizes Restore Hope as imperialistic intervention or colonialism instead of compassionately helping those in need by peacefully restoring democracy and protecting human rights reforms taking place within the country before departure.

The operation "Restore Hope" in Somalia highlighted a significant reliance on external frameworks for resolving internal conflicts, notably through a simplistic power-sharing arrangement among key warlords and an attempt to reinstate a pre-1991 state governance structure. This strategy underscores the operation's extraverted characteristic, where external solutions and models, particularly those echoing the *Weberian* state's monopolistic control over violence, are preferred. However, the intricate socio-political fabric and historical nuances of Somalia presented formidable challenges to this approach.

The presumption that a direct transplantation of a *Weberian* state model could address the governance crisis failed to consider the deep-seated clan dynamics, previous state failures, and the absence of a collective national identity conducive to such a structure. The reality on the ground illuminated a stark mismatch between external state-building ambitions and the actual capacity and readiness of Somali society to embrace these imported frameworks, suggesting the need for a more nuanced, context-aware approach to conflict resolution and state reconstruction efforts.

6.2.2 The Arta Conference and Resolutions

The 2000 Arta Conference of Somalia, Sometimes referred to as the Somalia National Peace Conference (SNPC) was a series of important peace talks held in Djibouti between the various factions of the Somali civil war. Led by then-President Ali Mahdi, the conference marked a significant milestone in bringing some semblance of peace to a country that had been wracked by civil war since 1991 (Interpeace, 2009, p.39).

These peace talks were held from April 15th to May 5th and involved more than a dozen factions making up the fractured Somali political landscape. At the start of negotiations, the Concerned Groups made up of several different factions maintained an overwhelming majority over two minority movements led by Ali Mahdi and Farrah Aideed respectively. These three major contractual parties would be responsible for organizing and mediating any agreements or compromises during the conference that could bring about sustainable stability for Somalia. It was thought that any resolution agreed upon at Arta would have to satisfy all parties at once rather than just one faction's demands. Some considered the initiative to be aimed at promoting a bottom-up, building-block approach.

The conference was unique for many reasons, highlighting a broad-based approach to Somali reconciliation. Contrary to previous initiatives that often prioritized the contribution of warlords, the Arta conference rather invoked a wider array of Somali society (Bradbury & Healy, 2013). This inclusivity stretched to clan elders, representatives from the civil society, and Somali diaspora members, reflecting an understanding that durable stability required an underpinning built on the broad support and active participation of all sections of Somali society. It was perhaps a departure from more insular, faction-dominated efforts.

It represented an acknowledgment that the intricacies of Somali society and the intricacies of its conflicts required solutions that were both internally comprehensive and externally supported.

The Arta Conference culminated in the establishment of the TNG of Somalia, although the TNG's authority was initially limited and its reception among Somalis varied. The conference's outcomes and the processes it initiated were significant steps towards re-establishing a central government in Somalia, despite the challenges that persisted in achieving nationwide peace and reconciliation.

The Arta Conference has been remembered for a reintroduction of clan-based power-sharing with an agreement finally reached on the 4.5 principles. The four major clan families would each receive 44 seats, while the 0.5 communities would collectively receive 24 seats. Women secured a further 25 seats, to be split evenly between the six groupings. Thus, the four major clan families received a total of 49 seats, and the 0.5 communities had 29 seats in a 225-seat legislature (SDP, 2023, p.5). This initiated the adoption of the 4.5 formula in Somali political practices, which has since remained a foundational yet informal principle guiding political representation in the nation.

Criticizing the Arta Conference from the perspective of extraversion, particularly for its handling of traditional Somali governance systems such as the *Guurti* and *Xeer*, involves a critical understanding of the interplay between international intervention and indigenous governance practices in Somalia.

While the conference has been commended for its inclusive, "bottom-up" approach compared to the previous ones', its extraversion—marked by substantial international involvement and an alignment towards external models of governance—has drawn criticism for inadequately incorporating essential aspects of Somali social and political organization.

The Arta conference, despite its inclusive desires, did not efficiently integrate the *Guurti* into the new political framework it sought to establish. The *Guurti* and *Xeer* symbolize more than just governance; they are embodiments of Somali cultural identity and social cohesion. Its extraverted approach may have inadvertently suspended the intricate, clan-based systems that have traditionally governed Somali society. This alignment to external validation can outshine traditional institutions that preserve social order and resolve conflicts in the vacuum left by a robust central authority.

While the conference aimed to employ a "bottom-up" approach by including diverse representatives from Somali society, this approach was still framed within an externally designed process. The methodology and outcomes were heavily influenced by international actors' perceptions of legitimacy and governance, which may not fully align with the Somali context, where the *Guurti* and *Xeer* have provided a foundation for societal structure and conflict resolution.

The effort to set up a Western-style government framework through the TNG disregarded the importance and effectiveness of Somalia's local governance systems. This disparity underlines a wider critique of international peacebuilding efforts that fail to appreciate existing traditional structures, which are vital for long-term stability and governance.

The conference's overlook of the *Guurti* and *Xeer* raises concerns about the legitimacy and sustainability of the political structures it aimed to create. Without the incorporation of these traditional institutions, any established governance structure risks rejection or lack of recognition from significant portions of the Somali population. This ultimately undermines efforts towards state-building.

6.2.3 The Mbagathi Conference and Resolutions

The Mbagathi Peace Conference of 2004, also called the Somali National Reconciliation Conference (SNRC), was a momentous trajectory in Somalia's protracted crisis. It resulted in the establishment of the TFG and marked another failed effort of the international community's effort to reinstate state institutions and governance in Somalia. Some consider the establishment of a '*Central authority - the TFG - as a notable success in the sense that it created a recognized central authority in Somalia*' (N. Ali, personal communication, September 16, 2023). Others posit the issue of '*international recognition that the TFG received from the UN, AU, and other international partners, which was essential for its legitimacy and for channeling international aid*' (A. Ahmed, personal communication, June 30, 2022).

Despite being appreciated for its efforts of forming central authority and pursuing international recognition, the Mbagathi conference has been criticized for not fully addressing the underlying issues of governance and external dependency, which continued to challenge Somalia's path to stable authority.

It remained a subject of critique for its extraverted approach, particularly its reliance on external actors and models of governance, as well as for sidelining traditional institutions, such as the *Guurti*, which have historically played a vital role in Somali conflict resolution and governance. By sidelining this institution, the Mbagathi process wasted an opportunity to build on existing structures that enjoy broad legitimacy and are well-adapted to the local context. By not adequately integrating traditional governance structures, the peace process missed opportunities to craft a more inclusive and representative governance model. Such models could have integrated modern state structures with traditional governance mechanisms, contributing to a more holistic and culturally coherent approach to rebuilding the Somali state.

The peace conference's extraverted approach refers to its excessive dependence on external actors, structures, and principles to guide the peace process and the formation of the TFG. The process was mainly driven by the international community, including neighboring states, the UN, and other international organizations. This external influence is believed to have compromised the sense of local ownership and legitimacy among Somalis, as decisions often seemed to be imposed from outside rather than evolving from within Somali society. Indeed, the establishment of the TFG and its subsequent maneuvers were profoundly dependent on international support, which risked its sustainability and legitimacy. This dependency further risks the enduring viability of the TFG and its capacity to independently manage Somalia's affairs.

Furthermore, the frameworks and models of governance endorsed at Mbagathi were fundamentally based on Western notions of the state, which are at odds with the complex clan-based social structure of Somali society. This misalignment endangered building a government structure that was not well-suited to the local context and needs. This represented a break from the cultural continuity that is vital for societal resilience and the legitimacy of governance structures. Traditional institutions are deeply embedded in Somali culture and social fabric, and total dependence on a foreign governance scheme led to governance systems that are viewed as alien and unresponsive to the needs and values of the population.

While the Mbagathi conference signified a major effort to address the Somalia crisis, its extraverted approach and sidelining of traditional institutions have been critiqued for compromising the effectiveness, legitimacy, and sustainability of the peace process.

A more inclusive approach that incorporates the strengths of both traditional and modern governance structures might offer a more resilient and culturally appropriate pathway toward peace and state-building in Somalia.

The consecutive peace conferences mentioned above have been the subject of much criticism. Despite several attempts to bring peace to the war-torn nation, these conferences are not achieving their stated aim. The problem centrally dwells on a framework of extraversion in its diverse manifestations.

The first manifestation of extraversion can be seen from the conferences' limited local ownership. The conferences and their outcomes were driven principally by external actors, with insignificant input or ownership from the local people. This passivity among the local stakeholders in ownership led to a real or perceived imposition of external agendas and priorities, which eventually undermined the state-building process' legitimacy and sustainability. In line with the lack of local ownership, there was insufficient engagement with local communities. The conferences focused primarily on political elites and international actors, abandoning the inclusion of local communities and grassroots organizations. This resulted in a missing link between the top-down decision-making processes and the needs and aspirations of the Somali people on the ground. Furthermore, ignoring or discounting the vitality of local cultural norms hindered the effectiveness and acceptance of the state-building efforts.

The other commonality among the consecutive conferences is an overemphasis on external assistance. The state-building conferences placed extreme reliance on external assistance and solutions, rather than prioritizing local capacity-building and self-reliance. This overemphasis on external assistance can prolong dependency dynamics and hamper the development of sustainable institutions and governance structures.

Peace initiatives usually flop for two main factors. The first is the lack of sincerity among participants who conduct negotiations with covert motives, ready to swiftly ruin the process unless their conditions are fulfilled. The second one is the liability of peace efforts for external interventions. These foreign powers covertly side with factions within the peace process, offering support should their nefarious objectives not be realized (M. Sadia, personal communication, June 25, 2022).

It is also suggested that international peace conferences lack robust internal coordination between foreign states who are supposed to cooperate in bringing about an enduring settlement. Several states may pursue different agendas and diverting initiatives which distract from reaching a successful conclusion. Further to this, those attending lack expertise related to the socio-economic and political issues behind the conflict - meaning they do not recruit experts who can analyze Somalia's needs and come up with reasonable solutions that all stakeholders can agree upon.

Lack of long-term vision is also what has been observed among the conferences that they focused on addressing short-term peace and stability concerns, rather than mounting to a long-term vision for state-building. This in turn limited the ability to address fundamental structural issues and socio-economic quagmires that resulted in a fragile and unsustainable state-building process.

It is prominent that there has been too much emphasis on short-term goals and immediate solutions, rather than establishing long-term stability in Somalia. Too often, talks have centered on establishing ceasefires or interim governments instead of allowing meaningful negotiations about what kind of social and political reforms must take place for the underlying problems in society to be addressed. This means that conflicts rarely end, with new flare-ups occurring time and time again due to unresolved issues or changing political dynamics.

It is also quite common among the conferences to be embedded in their lack of sustained implementation and follow-up. The efforts culminated in the making of high-reaching action plans and pledges, yet they fell short in realizing continuous execution and founding mechanisms for follow-up. Such a rift between declared objectives and tangible accomplishments on the ground can erode the impact and dependability of initiatives aimed at building and strengthening state structures. The main characteristic of the extraversion nature of the state-building conferences is its negligence towards incorporating the *Guurti* as a decision-making body.

I am quite convinced that the participation and approval of elders are important for effective governance. To succeed in establishing viable governance, it must provide better opportunities for key community stakeholders to be involved. Furthermore, diminishing the external parties' impact is decisive (F. Ali, personal communication, June 28, 2022).

The exclusion of the *Guurti* from decision-making processes in the state-building conferences limited the traditional and community leaders' representation who hold substantial influence and legitimacy among the Somali population. This exclusion brought a lack of inclusivity and disregard for the traditional governance structures that have historically played a vital role in Somali society.

It further disconnected the initiatives from local realities. By way of exclusionary acts against the *Guurti*, the state-building conferences missed out on valuable insights into local customs, traditions, and socio-political dynamics. This disconnect from local realities hindered the active implementation of policies and strategies, as resolutions may not align with the cultural, social, and historical context of the Somali people.

Sidelining the *Guurti* in decision-making processes threatens the legitimacy and acceptance of the state-building efforts among the local populace. The *Guurti* hold significant influence and respect, and their omission created a perception that the conferences and their deliberations would not adequately reflect the interests and aspirations of the people which eventually brought resistance and challenges in implementation.

The *Guurti* much more than any other body traditionally exerts a pivotal influence in resolving conflicts and mediation in Somali society even in the aftermath of the collapse of Siad Barre's regime. Excluding this institution from decision-making processes meant that the initiatives missed an ample opportunity to leverage their expertise and experience. This expertise appears vital in addressing underlying conflicts and promoting reconciliation, which are essential components of sustainable state-building.

Most importantly, *Guurti's* exclusion reflects an overemphasis on Western-style governance architectures and processes, which at times are in direct contradiction with the cultural and historical context of Somalia. This alienated approach limited the effectiveness and acceptance of state-building efforts, as it contempt local institutions which traditionally played a role in governance and decision-making.

6.3 Back to the Roots: The ‘Colonial State’ as a Reinforcement of Extraversion

The history of Somalia has been marred by intricate interactions of colonialism, clan-based governance, and state-building efforts. The Italians' effort to destroy local institutions such as the *Xeer* and the *Guurti*, reinforced an extraverted approach to state building in post-Siad Barre Somalia. Indeed, the statehood of Somalia and particularly Siad Barre's endeavor to remove clan-based governance institutions led to the perpetuation of the *Weberian* state even amidst the crisis following his downfall.

The colonial state that colonialism materialized dismantled local institutions setting the stage for an extraverted approach to state building. The legacy of centralized authority continued through post-independence governments. Paradoxically, the downfall of Siad Barre's rule led to the perpetuation of the *Weberian* state ideal even amidst the chaos of Somalia's disintegration. Somalia's path toward statehood remains complex, marked by a subtle balance between centralized government and clan-based governance structures.

Somalia's effort towards statehood and effective governance met recurrent challenges and setbacks and rests on the difficulty in integrating traditional institutions with the ‘modern’ state apparatus. A critical influence behind this impediment is possibly traced back to the country's colonial history, where the Italian colonizers used a direct rule policy that weakened these traditional institutions.

Somalia's colonial history by the Italians which was initiated in the latter part of the 19th century and extended until the aftermath of World War II, had significantly influenced the political terrain of the region. They introduced a centralized colonial state in contradiction with the traditional Somali social structure of the *Xeer* and *Guurti*.

The colonizers considered these traditional institutions as formidable challenges to their centralized state-building project. They tried to replace them with Western-style centralized governmental structures. This process interrupted the social fabric of Somali society and laid the foundation for future instabilities. This colonial legacy left a durable impact on Somalia's approach to state-building in the post-Siad Barre era. The weakening of traditional institutions generated a power vacuum, paving the way for a more extraverted approach to governance to be employed by consecutive efforts.

This historical inheritance has cast an enduring shadow, impeding successive state-building efforts and causative to a lack of legitimacy for governments, including the TFG and the TNG.

The colonial history of Somalia is profoundly entangled with its contemporary state-building predicaments. The Italian colonial rule, in particular, followed a direct rule policy that sought to employ direct control over the population and resources, relegating and often rejecting traditional governance structures. One of the most distinguished casualties of this policy of direct rule was the *Guurti*, which played a central role in Somali society. The *Guurti* served as a routine mechanism in conflict resolution, decision-making, and governance. However, the Italian colonial rule, pursuing centralized control, undermined the *Guurti* and weakened its influence. Such an approach was characteristic of the wider colonial strategy of subjugating traditional governance mechanisms to assert control and extract resources. Consequently, traditional institutions that had for centuries played a central role in Somali society were relegated to the periphery.

With independence in 1960, the colonially imposed Western model Somali state continued what was started before. Due to decades of colonial rule, it inherited the legacy of weakened traditional institutions. This posed a momentous challenge as the new state sought to found governance structures and institutions. The weakening of robust traditional institutions left a void in the socio-political fabric of the nation.

During the Siad Barre regime, in particular, pervasive efforts were made to centralize power and subdue traditional structures, further eroding their role in governance. Siad Barre's dictatorial rule did not arrange the incorporation of traditional institutions into the state-building process. Instead, it prolonged a top-down, centralized approach that estranged many segments of Somali society. His regime exemplified the extraverted approach to state building.

The disintegration of Siad Barre's dictatorial regime in the early 1990s marked a turning point for Somalia. Amidst the ensuing crisis and conflict, traditional institutions started to reassert themselves. Communities turned to the *Guurti* and *Xeer* to resolve disputes, deliver leadership, and sustain order in the absence of a central authority. This revival was driven by necessity, as local communities recognized their ability to secure stability and governance amid turmoil. The *Guurti*, in particular, played a crucial role in mediating conflicts, reinstating social cohesion, and upholding justice through *Xeer*.

'In the post-1991 era, the revival of traditional institutions has been vital to the rise of localized governance structures. These institutions have become an indispensable pillar in the rebuilding of communities and the reinstatement of order'
(M. Abby, personal communication, September 17, 2023).

The *Guurti* and *Xeer* continued to play a decisive role in resolving conflicts of various sorts at the community level. Their legitimacy is derived from the trust and respect they obtained from the local population. The *Guurti* provide leadership and guidance to their communities, assisting in the maintenance of social stability and cohesion. Many parts of Somalia have established their systems of local governance, embedded in traditional institutions. The *Xeer* remains a pertinent and accepted legal framework for many Somalis, particularly in rural areas. It provides an acquainted and accessible means of resolving disputes.

Despite the collapse of the central state institutions and the havoc that followed, statehood in Somalia persisted in a disjointed form. The effort to eradicate clan-based governance institutions during Barre's rule and before inadvertently reinforced the *Weberian* state model, characterized by a centralized government with a monopoly on violence.

International interventions and state rebuilding attempts were made aimed at restoring stability and rebuilding a centralized state in Somalia. However, these efforts faced significant challenges, as they struggled to reconcile the clan-based power structures that had emerged during the state's collapse with the *Weberian* ideal of statehood. The costs of overlooking traditional institutions became evident throughout the era of the TFG and the TNG, which tried to rebuild the Somali state after the collapse of Siad Barre's regime. Both the TFG and TNG confronted a legitimacy deficit that arose from their failure to effectually incorporate traditional institutions. The *Guurti*, despite its historical importance, found itself on the margin of the state-building endeavors. This marginalization subsidized a sense of detachment between the central government and local communities, particularly in rural areas where traditional governance was deeply rooted.

In addition, the TFG and TNG struggled to achieve the trust and support of the larger Somali people for their apparent foreign influence and the imposition of Western-style governance structures. The lack of meaningful participation by traditional authorities stalled the formation of a legitimate government.

Colonizers sought to eliminate traditional norms among the Somalis by introducing a money-based economy in addition albeit unsuccessful, to encouraging foreign religious practices. Colonial systems also shifted the formal governance mechanisms from those traditionally derived from elders in the clan-based society to hybrid models that included outsiders. The Complex history of colonial rule and the authoritarian regime of Siad Barre in Somalia overwhelmingly obstruct those legitimate traditional institutions. Indeed, these basic components of Somali society were weakened during these periods. However, the post-Siad Barre era saw a significant revival of these traditional institutions. This revival highlights their persistent significance in Somali governance and underscores the critical role they play in any effective state-building effort. Thus, any state-building effort that discounts these traditional institutions is likely to face intractable obstacles.

6.4 Structures of Influence: The Top-Down Strategy in Maintaining Extraversion

The ‘Top-down’ approach believes that the formation of a government equipped with military and police forces capable of monopolizing the use of force would result in stability. On the contrary, ‘Bottom-up stability’ represents the idea that equilibrium might be attained via the execution of an equilibrium of influence among competing societal factions, and this may not inevitably involve the endeavors of a sovereign state.

The divergence is clear over their methods, with bottom-up approaches emphasizing grassroots involvement and community-driven solutions, and top-down approaches focusing on centralized governance structures. However, this divergence ceases if the objective for both is the creation of a *Weberian* state. What is there is only extraversion – the normalcy of the alien. In essence, these seemingly disparate approaches, when pursued in tandem, complement each other, as they recognize that the ultimate aim is to instill the principles of the *Weberian* state, albeit through different routes, to pave the way for Somalia's socio-political development and institutional capacity.

In this discourse, the utilization of the term "extraversion" diverges significantly from the earlier interpretations by which it narrowly posits external actors as integral components of a political settlement encompassing domestic elites.

These elites have strategically co-opted resources and rhetoric associated with state-building to ensure their survival and perpetuate their dominance (Hagmann, 2016, p.58).

Conversely, the current discussion advances a distinct conceptual framework for understanding extraversion, one that critically examines the normative construction of the *Weberian* state. This approach challenges the presumed universality of Weber's model, highlighting a profound oversight in the exclusion of alternative perspectives. It underscores the necessity of recognizing and integrating diverse viewpoints and governance models, thereby questioning the implicit assumption within the *Weberian* framework that such alternatives are either irrelevant or nonexistent. This reevaluation not only broadens the analytical lens through which state formation and function are understood but also opens avenues for more inclusive and representative theoretical paradigms in the study of political structures.

While the conjunction of the two approaches becomes apparent when both seek to establish a *Weberian* state, it's key to acknowledge that the top-down approach characteristically embodies the foundations of extraversion. It often involves external intervention, imposition of governance structures, and the centralization of authority, which is aligned, with extraverted tendencies. This negates the bottom-up approach, which emphasizes local agency and community-driven solutions. Therefore, while there is a probability that the end goal may be the same i.e. the creation of a *Weberian* state – the top-down approach's association with extraversion highlights the complexities and potential pitfalls of external influence in Somalia's state-building journey.

Top-down state-building, as a chief instrument of extraversion, remained part of the problem and not part of the solution in a specific case to Somalia. State sovereignty tends to be utilized by warlords, excluding other groups and monopolizing state resources for their interests. Despite the challenges encountered in state-building and maintaining stability in Somalia, neighboring nations, Western states, and international organizations persist in adopting a top-down security strategy, driven by a preference for the conventional state-centric approach to achieving peace and security.

The AU and member states of the IGAD remained steadfast in their commitment to the peace process in Somalia, resulting in the establishment of the TFG in 2004 and the deployment of AMISOM in 2007. These efforts were aimed at ultimately restoring the integrity of the Republic of Somalia. The AU, which succeeded the Organization of African Unity (OAU) in 2001, was primarily established to address Africa's myriad security challenges with increased vigor.

From its inception, the AU endeavored to justify its existence by actively seeking resolutions to multiple conflicts across the continent, employing primarily a top-down approach. This included a dedicated endeavor to stabilize Somalia, enforce peace, and facilitate the reconstruction of the state.

Aligned with its predecessor, the OAU, the AU's approach to Somalia was deeply rooted in the principle of state sovereignty. This guiding principle shaped the organization's policies and interventions in Somalia, underscoring its commitment to upholding the territorial integrity and sovereignty of nation-states. Despite the complexities and multifaceted nature of the conflict in Somalia, the AU remained steadfast in its pursuit of a state-centric resolution to the crisis, reflecting a broader inclination towards traditional diplomatic and security frameworks centered around sovereign states. However, the top-down security approach favored by the AU and IGAD member states faced significant challenges in Somalia, where the state's authority and capacity were severely compromised.

The country's protracted conflict, characterized by fragmented governance structures and the proliferation of armed groups, posed formidable obstacles to the AU's efforts to implement a state-focused peace process. There has been a prevailing conviction among policymakers in both Western and African spheres that the creation of a *Weberian* state, coupled with a degree of representation, would inherently lead to improved security outcomes.

The AU and the IGAD representing continental and regional initiatives respectively, initially embraced the ethos of "African solutions for African problems" as a guiding principle. However, in the case of Somalia, this motto seemed to be supplanted by a different approach—one that prioritized the establishment of a *Weberian* state model to address Somalia's statehood challenges. This shift represented a departure from the AU's original emphasis on locally driven solutions, instead favoring a more centralized, state-centric approach influenced by the theories of Max Weber. The adoption of this approach reflected a broader trend in international interventions, where the emphasis on state-building and governance reform took precedence over indigenous mechanisms and community-based solutions.

Despite the concerted efforts of the AU and its regional affiliates, the track record of their initiatives in Somalia has been marked by persistent challenges and setbacks. The aspiration to establish a normative *Weberian* state remained elusive in Somalia. Despite repeated attempts, the envisioned state structure failed to materialize, highlighting the complexity and intractability of Somalia's statehood predicament. The difficulties encountered in establishing a *Weberian* state model underscored the inherent limitations of externally driven state-building initiatives, particularly in contexts characterized by deep-seated political, social, and historical complexities.

The failure to establish a normative *Weberian* state in Somalia raised broader questions about the applicability and effectiveness of Eurocentric state-building paradigms in non-Western contexts. The persistent challenges encountered in Somalia highlighted the inadequacy of one-size-fits-all approaches to state-building, emphasizing the need for greater contextual sensitivity and adaptability in international interventions. Moreover, the divergence between the AU's stated objectives and the outcomes achieved in Somalia underscored the complexities inherent in attempting to transplant Western models of governance into contexts shaped by unique historical legacies and sociopolitical dynamics.

Furthermore, to restore the Western model state structure, both the EU and the UN have invested substantial financial resources, amounting to hundreds of millions of dollars, in implementing a security strategy in Somalia that follows a top-down approach. This approach entails focusing on strengthening the central government's authority and capabilities. In March 2007, the AMISOM, the largest peace support mission in Africa, was established with the primary goal of assisting and safeguarding Somalia's federal government by countering the extremist group al-Shabaab.

Despite the deployment of a significant number of troops under AMISOM, al-Shabaab has managed to maintain considerable operational capabilities, enabling them to carry out frequent attacks and pose an ongoing security threat to the region. Notwithstanding the efforts and resources invested in the top-down approach, challenges persist. Al-Shabaab, though confronted by AMISOM forces, has proven resilient and maintains its ability to carry out attacks. This underscores the complex and multifaceted nature of the security situation in Somalia, where addressing the root causes of conflict, building inclusive governance structures, and addressing the grievances of marginalized groups are crucial aspects that cannot be ignored.

While the top-down security approach aims to strengthen the federal government's authority, it is important to complement it with bottom-up approaches that empower local communities, promote reconciliation, and address the social, economic, and political factors that contribute to instability. Achieving sustainable security and stability in Somalia requires a comprehensive strategy that combines both top-down and bottom-up approaches to effectively address the complex dynamics at play in the country (Hersi, 2018, p. 23; Burgess, 2013, p.313)

However, all the external efforts at state-building could not succeed in Somalia because of their intrinsic top-down nature. This has to do less with the specific manner in which it has been executed and more with the fundamental principles upon which institution-building is based. Achieving success in state-building depends concerning Somalia not only on the methods of enforcement but also on the underlying conceptualization of the process. State stability is not solely contingent upon a single state's capacity to establish effective governance, following the *Weberian* framework. It also hinges on the state's position within the broader international system and how external pressures influence its internal mechanisms for consolidation. Simply focusing on capacity-building alone is inadequate when it comes to reconstructing or rejuvenating a secure government structure. The subject of Somalia's fluctuating state of disintegration and integration holds significant relevance in today's global landscape. This is primarily due to the ongoing crisis in the strategically important Horn of Africa region. Additionally, Somalia's situation has directly eroded confidence in the international community's capability to address and manage statehood challenges effectively.

The failure of multiple state-building endeavors in Somalia prompts an essential question: what caused the collapse of central state institutions in Somalia? To address this, it is crucial to first understand why Somalia descended into chaos. The prevailing viewpoint suggests that Somalia's predicament can be attributed to its capacity deficit, which stems from the challenge of establishing a modern state in a society organized around clans. Conventional wisdom often characterizes the Somali conflict as a barbaric struggle marred by clan rivalries, thereby overshadowing a pivotal aspect of the ongoing and persistent crisis – the political struggle for control over the state.

The Western-style centralized system of governance that was enforced during Somalia's colonial rule by the Italians persisted even after the country gained independence. This centralized government system was fundamentally at odds with Somalia's traditional political structures and mobility-based pastoral economy.

The significant disparity and collision between traditional and centralized forms of governance has given rise to a precarious political, social, and economic landscape in the aftermath of Somalia's colonial era and state formation. The global intervention had not succeeded in resurrecting the Somali state, and conflict in Somalia persisted. Following this, a series of externally-led and internationally funded peace initiatives were undertaken. However, these endeavors have shown limited success in the realm of state-building.

The SFG currently lacks local legitimacy and relies profoundly on the support of foreign forces for its survival. The political landscape is marked by ongoing conflict, with various factions and clan-based militias vying for control and influence in the country. The unpredictable conditions in Somalia highlight the formidable hindrances in forming a stable and functional system of governance in the country. Although clan-based militias may appear powerful enough to overthrow rival factions, they often lack the necessary legitimacy and authority to sustain their control or transition into effective governing entities. The unintended outcome of external financial support directed towards Somalia's state-building efforts has been the encouragement and consolidation of clan-based militias.

The SFG still depends for its very existence on external resources, including the security support of AMISOM and the recent ATMIS, to sustain its institutional operations and maintain control over Mogadishu. This heavy reliance on external assistance diminishes its credibility within the country, and as a result, government institutions continue to struggle with weaknesses and inefficiencies. Despite concerted regional and international endeavors aimed at security and stabilization, Somalia continues to grapple with fragility. The relationship between the extraversion strategy and failed top-down state-building in the Somalia Republic is a complex issue, with various dynamics and fundamental factors that contributed to the resulting failure.

6.5 The Islamic Courts Union (ICU): Navigating the Intricacies of Converse Extraversion

International efforts focused on state-building projects that were extraverted, meaning they were outward-looking and perhaps heavily influenced by foreign models and interventions. These approaches were largely unsuccessful, implying that they did not achieve their intended outcomes, possibly due to a lack of local context consideration.

The "Converse Extraversion" as a distinct approach signifies a significant departure from those prior methods. It suggests an inward-looking strategy that perhaps emphasizes local ownership, context-specific solutions, and a greater emphasis on leveraging internal resources, capacities, and cultural practices for state-building. This approach is peculiar, indicating it is unusual or not widely adopted in international state-building efforts, and stands in stark divergence, highlighting its fundamental differences from the previous strategies that relied more on external influences and solutions.

Converse extraversion with a specific case in Somalia, stands in acute contrast to the extraverted approaches of the Operation Restore Hope, Arta, and Mbagathi initiatives. Instead of imposing external solutions, a priori accepts the normalcy of the *Weberian* state, and converse extraversion prioritizes the incorporation of local actors, including traditional leaders, religious men, civil society organizations, and community representatives, in decision-making processes. It identifies that enduring stability can only be achieved through the empowerment of local institutions in the state-building project, to foster a sense of identity and belonging among different communities.

Most importantly, contrary to extraverted approaches that are often geared towards a rapid, top-down reform, converse extraversion tends to espouse a patient and incremental strategy. It emphasizes the achievement of small, palpable improvements in governance, security, and service delivery, progressively building trust and legitimacy.

How did it become possible for the Islamist courts to unite substantial areas of South-Central Somalia in a very short period which is unprecedented?

6.5.1 Initiation

Different explanations have been made for the emergence and success of the ICU in Somalia as an in-depth analysis of its converse extraversion approach is lacking. The dominant argument that highlights the Islamist orientation as a principal factor for its rise and power consolidation needs critical scrutiny. It needs to be examined against the background of the courts' fundamental departure from the previous efforts of state building. It's quite a norm to associate its success with its Islamic rhetoric that transcends clan elements: '*Somalia's long-standing Islamic culture and the advent of Islamist groups with their espousal on a common Islamic identity counterbalanced the clan's divisive power and granted popularity in Mogadishu and other areas*'. (A. Hussien, personal communication, December 6, 2021)

This holds partial truth as Islam made possible a horizontal identity that surpasses the pervasive clan identity in Somalia. This helped the courts to mobilize the people and the local clan-based militias to loosely unite and control areas to prevail over security. However, it's crucial to consider the fact that Islam is adopted in the cultural substratum of the Somali people. That is why in its centuries-old history, Islam could not help the Somali to establish a common front and confront the world. But clans did. Possibly, it was rhetoric for a strict interpretation of the *Sharia* that partly contributed to its eventual dissociation from the local populace. The segmentary lineage system among the Somalis shapes the society and thwarts the entrenchment of a radical and locally-owned Islamic movement in the country (Biruk, 2017).

Thus, the alternative explanation, though not dominant towards the remarkable success of the ICU in the areas of governance and security in late 2005 and early 2006 is its converse extraversion approach. Despite its mere rhetoric of Islamism, the ICU made strategic utilization of clan-based structures, such as the *Xeer* and *Guurti*.

The ICU which provided effective security during its brief administration originated in clan courts. It was a heterogeneous organization that embraced a variety of religious traditions and political orientations. It had a simple structure and operation that made it appealing to the locals. Three main elements constitute a typical court: a council (*Shura*), a military commander, and a chairman.

Local courts embraced clan leaders as judges, owned local militias, and collected revenues using fines and taxes in reciprocity for their maintenance of local governance apparatuses. These courts initially originated in the northern region of Mogadishu a few years after 1991. The Islamic scholars belonging to the Abgal sub-clan of the Hawiye founded the first fully-blown court. It was fundamentally a local initiative aimed at providing some degree of order in the turbulent situation. It was estimated that the court heard over 6,000 cases of criminal and civil in two years between August 1994 and September 1996. The court managed to improve its local security and militia to enforce its rulings (Sharkey, 2021, pp.19-20). It garnered endorsement from "secular" political figures to establish the inaugural fully operational Sharia court (Barnes & Hassan 2007, p.152)

Initially, it was a loosely connected organization led by clan elders, religious men, and business figures within the local administration. The courts did not introduce anything new, they were rather fledged on established, pragmatic approaches to settling disputes within clans or sub-clans and codified these customary practices as systems of governance (Menkhaus, 2007, p.82).

Such local systems before and even after the ICU's ascendance remained sources of order while the centrally imposed law is absent (Hagmann & Hoehne, 2009). These courts became instrumental in the return of central governance and offering local-level security to Somalia during the initial years of the 21st century. The decrease in the effectiveness of governing caused different segments of the local population, including business figures, armed groups, and community associations, to actively seek alternative methods to enhance security, establish stability, and enforce legal principles. This finally brought the emergence of the ICU with wide support and optimism.

The most crucial move towards the ICU formation was the foundation of sub-clan courts in southern Mogadishu following the death of Mohammed Aideed in 1996, who strongly opposed the courts (Le Sage, 2005, p. 44). Later in the late 1990s, a new court was founded by Sheikh Hassan Dahir Aweys, from Habar Gidir Ayr clan of the Hawiye, who was in the top leadership of the jihadist Islamist organization al-Itihaad al-Islam. At the turn of the millennia, a group of court leaders from Mogadishu announced the formation of the Sharia Implementation Council (SIC), with the objective of unifying and coordinating the fledging courts. The objective was achieved when ten different Mogadishu courts united under an umbrella organization - the Supreme Council of Islamic Courts in Somalia, which later became the ICU (EAJ, 2020, p.13).

In 2000, the distinct 'independent' Islamic courts in southern Mogadishu united to establish a Joint Islamic Courts Council, with Sheikh Hassan Mohammed Addeh, also known as Habr Gedir-Ayr, and the Chairman of the Ifka Halane²⁵ Court, appointed as its leader. Additionally, the amalgamated tribunals merged their court militias, forming the initial substantial military force in the region that was not under the control of warlords and represented various Hawiye sub-clans.

Transitioning the sub-clan governance into an administration of a larger section of the populace without familial ties, the courts placed itself into the state-building project. This was realized by the turn of the new millennium with the individual courts joining forces to found the precursor of ICU, which is the Joint Islamic Courts Council (JICC). Moreover, the courts consolidated their militias through a merger. The ICU took the mandate to restore order and deliver justice and certainty in civil conflict-torn regions. This was maintained by reinstating Sharia as the exclusive framework for legal decision-making. It consisted of Sharia judges, who were responsible for managing one of the specified district courts devoted to handling daily matters. There were wide-ranging approaches and interpretations of the Sharia, varying from harsh adherence to literal interpretations to a more flexible combination of *Xeer* and Sharia (EAJ 2020, p.13). Mobilizing militias to capture criminals, delivering verdicts in civil and criminal cases, and imprisoning convicted individuals were the three primary duties of the courts.

The judges lacked specialization in any particular school of Sharia law they obtained limited legal education or lacked literacy. The majority of rulings were influenced by Xeer and Sharia played a supplementary role, Sharia punishments which were often more severe than those prescribed by Xeer were infrequently enforced before 2006 (I. Abdullahi, personal communication, May 20, 2022).

The Islamic Courts establishment was driven by the necessity to address the requirement for maintaining law and order and less from not so much an Islamist ideology. A strongly defined Islamist agenda was nonexistent among the courts. They were not led by knowledgeable Islamic judges nor did they associate themselves with any particular Islamic school. The execution of court rulings relied on militias that were assembled from nearby clans. The primary source of authority came from Somali customary law, referred to as *Xeer*, with sharia being employed as the default legal system due to the absence of any other effective legal framework since the government's collapse in 1991 (Barnes & Hassan 2007, p.152).

The increasing significance and consistent growth of the Islamic courts in many parts of southern Somalia were commonly seen as a sign of the sway of Islamist organizations. However, its formation had never been primarily motivated by religious extremism, but rather driven by practical concerns for ensuring security. Many courts can be seen as a result not so much of extreme Islamist activism, but rather as outcomes of two prevailing factors in Somalia: the influence of clans and the traditional Islamic faith, which had been somewhat obscured by the underlying cultural context.

In June 2006, the ICU successfully overcame the warlords who were in control of Mogadishu. This marked the restoration of peace for the first time in a decade and a half, an accomplishment that had eluded both the warlords and the TFG. The Somali population initially embraced the ICU due to its ability to bring peace and order. Additionally, business leaders, weary of paying levies to the warlords, initially supported the ICU, as their businesses thrived until Mogadishu was captured by Ethiopian forces.

6.5.2 Power Consolidation

It is extraordinary that the ICU managed to secure considerable backing in a society organized along stiff clan lines and eventually establish its dominance in Somalia. Despite being labeled as a menace to global security and neighboring states, the ICU remained effective in ensuring security at the local level throughout its short-lived governance in Somalia (Mwangi 2010, p.88).

Priority had been given to achieving security and stability in Somalia and situated themselves as a proficient entity in culminating the ongoing instability and pervasive lawlessness that afflicted the nation. It was able to receive substantial backing from the populace, particularly in regions where it delivered security and stability. They magnificently rallied local communities and garnered support by addressing grievances, offering social services, and pledging a fairer and more equitable society. The broad popular support they secured empowered them to strengthen their authority and assert control over extensive areas of Somalia. The ICU was embraced by many Somalis as a stabilizing force as it adequately countered the tumultuous and divisive clan-based militarized governance in Southern Somalia. Moreover, the unsuccessful endeavors undertaken by the international community to re-establish a dependable and recognized national government contributed to its rise.

In early June 2006, mobilizing the backing of the business sector and the wider ordinary public, the ICU managed to oust the warlords' coalition and control Mogadishu which announced the beginning of the “Golden years” as referred to by some. This remarkable accomplishment was unprecedented in the past 16 years (Barnes & Hassan, 2007). As Islamic courts extended their influence beyond Mogadishu, they faced minimal opposition and were warmly welcomed by the local communities. In a very short period, the ICU had managed to control substantial portions of South-Central Somalia and was in confrontation with the internationally recognized TFG forces in Baidoa. In less than a year, Islamic court groups had achieved the unprecedented feat of uniting most of South-Central Somalia, something that hadn't occurred since the government's downfall in 1991.

The improved security, stability, and decreased armed conflicts bring a surge in business activities. Because of these accomplishments, the courts were well-received and considered legitimate by the regular Somali population. The ICU sought to effectively generate revenues through several means, including fees, fines, and the seizure of criminals' assets (Michael, et al 2020:1). Furthermore, they levied taxes on the business sector, as the business community considered the stability provided by the courts to be a worthwhile investment. *‘Expectedly, these courts, at least before introducing a more conservative and radical form of Islamic law, were perceived by the vast majority of Somalis as legitimate’* (M. Abby, personal communication, September 17, 2023).

This legitimacy made the ICU find a government that was not strictly associated with a given clan and, for a period, exerted control over significant portions of Somalia. The ICU achieved a historic milestone by bringing together Mogadishu and reestablishing peace and security for the first time in 16 years. It performed momentous and symbolic initiatives aimed at reinstating peace, security, and order. These measures involved eliminating unnecessary checkpoints, the clearance of environmentally hazardous garbage in the city, and the reinstating and improvement of Mogadishu's primary airport and seaport. Additionally, they took steps like evicting occupants from government premises, preventing illegal land seizures, providing militias for policing duties, and establishing special courts to address several property restitution claims.

Subsequently, the Courts announced their intention to introduce an alternative form of governance in Somalia, with a conglomeration of traditional structures and *Sharia* law. This marked a fundamental departure from previous state-building efforts, which had led to the establishment of the TFG through extraversion. Over time, members of the Islamic Courts grew progressively more vocal while addressing the policies of the TFG in Baidoa. They also made inflammatory remarks regarding the position of the self-proclaimed Republic of Somaliland in a future unified Somalia. Sheikh Aweys, particularly, voiced strong condemnation of the involvement of Ethiopia in Somalia's affairs, which alarmed the perceived threat posed by the Islamic Courts to neighboring states with significant Somali populations. However, the ICU seems a “broad mosque” in the words of Barnes & Hassan (2007, p.155), uniting individuals from both moderate and extremist factions. The widespread popularity of the Courts allowed for conflicting interpretations by insiders, external observers, and critics.

Nonetheless, it is indisputable that certain prominent figures within the Courts adhered to various forms of political Islam, including *Quttubism*²⁶ and *Wahhabism*²⁷ which have at times expressed radical, violent, and anti-Western sentiments to varying degrees. Fragmentation in the ICU became evident as different factions began voicing policies and issuing statements autonomously of the collective leadership. Several of these policies, often considered as drastically conservative social measures, were not well-received by the wider public.

6.5.3 Culmination

The absence of robust unity within the diverse factions stalled its capability of enforcing a cohesive set of policies that realized separate enactments by various wings. Particularly, the hardline Islamists, issued statements that challenged the credibility of the ICU (Deforche 2013, p.114). The “broad mosque” nature of the courts allowed for a wide range of interpretations that could be contradictory, among the organization itself, external observers, or critics.

The courts’ expanding influence and geographical advancement beyond Mogadishu, not only posed an imminent threat to the TFG in Baidoa but also caused a growing concern for, Ethiopia- the TFG’s primary ally. The late Meles Zenawi, prime minister of Ethiopia, made Ethiopia’s parliament describe the courts as posing a ‘clear and present danger’ and legitimized the use of all necessary actions to defend Ethiopia’s sovereignty.

Neighboring Ethiopia sought assistance from the U.S. by framing the conflict with the ICU as the “war on terror” and rescued the unpopular TFG. By late December 2006, the Ethiopian forces swiftly overpowered the ICU's military and brought an end to the courts' governance. With ICU defeat, the TFG restored and continued to this time in different formats. The ICU downfall resulted in a deterioration of security and a resurgence of chaotic circumstances at the grassroots level.

The swift military defeat initially depicted the fragility of the ICU among the public. The subsequent chaos and violence that followed the ICU's removal and the TFG's return made many Somalis eventually consider the ICU's governance period as a comparatively better and more stable era. However, this may not be interpreted as the courts secured absolute support. They did not. Yet, the relatively enhanced security environment they delivered generated genuine backing for the courts and elites aligned with them. Before the Ethiopian offensive, the local populace, including numerous economic elites, acquiesced to ICU governance in exchange for security. Consequently, the courts functioned as providers of security, managing to extract resources, compel compliance from the population, and maintain stability—tasks that had proven challenging for the militias of the warlords in the previous fifteen years.

In essence, they offered a more effective form of governance compared to the warlords they replaced. The ICU period, also referred to as the 'Golden Age' suggested that attaining stability and peace in Somalia is achievable if there is a will to work contrary to extraversion. Lewis commented on the Islamic courts, stating that the ICU's short-term rule had a more significant impact on reestablishing order in Somalia than what the US had accomplished in Iraq over four years (Samatar, 2005).

What is most important of the above analysis's intricate narrative is its implication on the preceding and subsequent state-building endeavors vis-à-vis customary institutions. Perhaps, the political importance of the ICU in Somalia can by no means be underestimated. The resurgence to instability, principally associated with its demise, serves as a clear indicator of its implication in maintaining governance.

The relative success of the ICU in state-building in Somalia can fundamentally be attributed to its strategic utilization of clan-based structures of the *Xeer* and *Guurti*. Firstly, despite its mere rhetoric of Islamism, empirically, the ICU recognized the deep-rooted influence of clan affiliation in Somali society and understood the prominence of joining these structures into their governance approach. By engaging the existing clan framework, the ICU secured the support and cooperation of various clans to obtain a degree of legitimacy and authority.

The other is, as stated above, the ICU leveraged the *Xeer* system to address clashes and provide justice and order. The *Xeer*, based on customary rules and practices, was utilized to resolve conflicts and enforce decisions supplemented by the *Sharia*'. Such a process resonated with the local population, as it depended on familiar and accepted mechanisms for conflict resolution.

Moreover, the ICU's prominence on clan-based structures also provided some degree of stability and order in a country that was engulfed by prolonged state instability. With this ability to incorporate these structures into their governance strategy, the ICU managed to tap into existing social networks that expedited the provision of services, security, and order at the local level.

One can fairly assess that the ICU's modest achievement in state-building can be credited to its basic departure from previous mechanisms that centrally dwelled on extraversion. Its recognition and incorporation of traditional institutions helped the ICU to acquire legitimacy, establish order, and foster cooperation among different clans.

State-building efforts of the ICU, while far from perfect, demonstrated key elements of converse extraversion that distinguish it from the extraverted approaches of the previous efforts as Arta and Mbagathi ones. The ICU garnered grassroots support and worked closely with local actors, whereas the TNG and TFG largely represent an imposition from outside sources. Whereas the former initiatives were not able to adequately consider these cultural nuances, the ICU's governance approach, based on Islamic principles harbored Somali culture and religion. Moreover, the ICU's focus on the immediate security and justice needs of the population, albeit within an Islamic framework, represented a practical approach to governance. The TNG and TFG faced difficulties in achieving similar results.

It's important to clarify that the ICU method of state building in Somalia, as defined by the 'converse-extraversion,' approach does not solely advocate for a bottom-up approach to state building. The very concept of 'converse-extraversion' embraces a wider set of principles and critiques making it peculiar from both traditional top-down approaches and conventional bottom-up strategies. A fundamental point of distinction is that 'converse extraversion' challenges the notion of the Western *Weberian* state, even when instigated through an allegedly bottom-up means.

While 'converse-extraversion' does accentuate the significance of local agency and grassroots involvement, it is not confined to a strict bottom-up approach. It recognizes that even a bottom-up approach can reproduce the same end goal as traditional top-down strategies – the formation of a *Weberian* state. The critique here is that a mere change in the starting point of state-building efforts, devoid of addressing the principal assumptions and values of the *Weberian* state, might not lead to basically different outcomes.

'Converse extraversion' questions whether this model is appropriate or effective in contexts like Somalia, where traditional governance structures, cultural norms, and local values may not align with these Western principles. It would suggest that efforts of state-building needs to explore alternative paradigms and governance models in par with the local context. It seeks to challenge the assumption that the *Weberian* state is the ultimate and universally applicable form of governance. This suggests recognizing the primacy of customary law and indigenous governance structures.

In juxtaposing 'converse extraversion' with traditional extraverted state-building approaches, the emphasis is on critiquing the imposition of external solutions and values. Whether through top-down or bottom-up means, if the ultimate objective is to transplant Western-style governance onto a different cultural and social landscape, 'converse extraversion' contends that it may still perpetuate the problems associated with extraversion.

'Converse extraversion' in its totality challenges the belief that altering the starting point of state building – be it a bottom-up or top-down approach – will automatically engender more desirable outcomes in milieus that differ considerably from Western models of governance. Rather, it calls for a fundamental reevaluation of the Western *Weberian* state model and a more subtle deliberation of local realities, cultures, and values in the pursuit of effective and sustainable governance solutions.

6.6 Isolation and Governance: The Post-2012 Somali Federal Government and its Alienated Stance

In 2012, the FGS, led by Hassan Sheikh Mohamud, took over from the TFG following the establishment of a Somali Parliament. This marked the first time since 1991 that such a process was conducted within Somalia instead of abroad, leading to a strong narrative of 'Somalia rising' (Hammond, 2013). This narrative highlighted significant enhancements in security and the impact of the diaspora on the economic development of the capital. On January 17, 2013, following discussions with President Mohamud, U.S. Secretary of State Hillary Clinton declared that Somalia now had "a representative government with a new president, a new parliament, a new prime minister, and a new constitution," and announced that, for the first time in two decades, the US would formally recognize the Somali government. Similarly, in a joint statement issued several weeks later, President Mohamud and EU High Representative for Foreign Affairs and Security Policy, Catherine Ashton asserted that "Somalia is no longer a failed state" (Bryden, 2013, p.3).

However, the effectiveness of the FGS in exercising true sovereignty and achieving substantial national self-determination was debatable. Its reliance on foreign security support was evident in Mogadishu's protection and the fight against Al Shabaab. Despite this, Al Shabaab's networks continued to launch attacks within the capital and confront AMISOM and SNA forces in rural areas. Another selection process led by the UN culminated in the transition from Hassan Sheikh's government to the election of President Mohamed Abdullahi Mohamed, also known as Farmaajo, in February 2017. The 'Somalia rising' stories once again became a prominent topic of conversation (Chonka & Healy, 2020, p.7).

The 'Somalia rising' rhetoric, while initially compelling and a prominent feature of popular discourse, faced sustainability challenges. This phenomenon primarily stems from its foundation on a strategy of extraversion, rather than being deeply rooted in internal dynamics and the garnering of support from local actors. The SFG, the AMISOM, and the ATMIS are central to understanding the sustained alienation and extraversion. AMISOM was deployed in 2007 under the AU's mandate with the approval of the UNSC. Its primary objectives were to assist the SFG at the time in stabilizing the country, protecting key infrastructure and officials, and combating insurgent groups, notably Al-Shabaab.

Over the years, AMISOM has been crucial in reclaiming significant territories from insurgent control and in providing the necessary security environment for the SFG to operate and extend its authority beyond Mogadishu, the capital. An AU peacekeeping force, AMISOM, began to deploy and Ethiopian troops withdrew in 2009. It has been supported by troops from Uganda, Burundi, Djibouti, Kenya, and Ethiopia.

In 2021, the AU and the Somali government agreed to transition AMISOM into ATMIS, starting in 2022. This transition reflects both the progress made in Somalia's security landscape and the recognition of the need to shift towards a Somali-led security apparatus. ATMIS is designed to support Somalia in assuming full responsibility for its security, with a gradual handover of responsibilities from AU forces to Somali security forces.

Established in 2012, after a series of transitional governments, the SFG marked a significant step towards re-establishing statehood and governance in Somalia, which had been plagued by civil war and clan conflicts since the collapse of the Siad Barre regime in 1991. The SFG was formed following a complex process facilitated by international actors, including the UN, the AU, and the IGAD. The process included drafting a provisional constitution, forming a new parliament, and electing a president, thereby laying the groundwork for a federal system in Somalia. In 2012, efforts to restore a central authority since 2000 finally made substantial progress, with the swearing-in of the first formal parliament in more than 20 years, and the holding of the first presidential election since 1967.

Since 2012, when a new internationally-backed government was installed, Somalia has been inching towards stability, but the new authorities still face a challenge from Al-Shabaab insurgents. Al-Shabaab, a breakaway from ICU, maintained its presence and carried out numerous attacks targeting government institutions, civilians, and AMISOM forces. This insecurity undermined state-building efforts, hindered the delivery of essential services, and impeded the establishment of a strong central government.

Since 2012, Somalia has experienced significant political, social, and economic developments. The country has been grappling with a complex set of challenges, including political instability, terrorism, humanitarian crises, and efforts towards rebuilding its institutions. The past decade has been marked by continued challenges in the endeavor to rebuild the Somali state. Despite some progress and positive developments during this period, Somalia has grappled with persistent obstacles that have hindered its path toward stability, governance, and nation-building.

Notwithstanding the significant international acknowledgment and overwhelmingly positive media portrayals, the SFG remains fragile and besieged. It heavily relies on AU forces to safeguard its leadership and uphold its territorial integrity. Despite the external perception of progress, the internal dynamics of governance within Somalia paint a more nuanced picture, revealing persistent challenges and vulnerabilities that undermine the narrative of unequivocal success.

The SFG's dependence on external military support underscores the fragility of its sovereignty and its limited capacity to assert control over its territory. The continued presence of AU troops is indicative of Somalia's ongoing security concerns and the inherent weaknesses within its security apparatus. Moreover, the reliance on external forces for protection further underscores the SFG's precarious position and its inability to independently manage internal security challenges. Thus, while international recognition may signify a symbolic milestone for Somalia, it belies the complex realities on the ground, where state-building efforts remain precarious and contested.

Furthermore, the international community's portrayal of the SFG as a beacon of stability and progress in Somalia overlooks the persistent internal divisions and political rivalries that undermine its legitimacy and effectiveness. The government's inability to establish a broad-based consensus and address the grievances of various factions within Somali society undermines its ability to govern inclusively and effectively. Moreover, the reliance on external military support to maintain control over its territory raises questions about the government's long-term viability and its ability to withstand internal and external pressures. Thus, while the SFG may have achieved a degree of international recognition, its internal weaknesses and external dependencies continue to pose significant challenges to its sustainability and legitimacy.

Notwithstanding efforts to rebuild Somalia's state institutions and foster stability, the country has grappled with ongoing challenges, often linked to the extraverted approach in state-building. The past decade has been marked by continued challenges in the endeavor to rebuild the Somali state. Despite some progress and positive developments during this period, Somalia has grappled with persistent obstacles that have hindered its path toward stability, governance, and nation-building.

The endeavor to establish a state in Somalia capable of effective governance has been fraught with difficulties and complexities over the years. Despite transitioning from the transitional government to the federal state model in 2012, Somalia has continued to face political instability, insecurity, and governance challenges. The extraverted approach to state-building, characterized by external interventions and the imposition of Western governance models, has persisted as a primary factor contributing to the failure of state-building efforts in Somalia even after.

Despite the shift to the federal state model in 2012, Somalia's state-building journey remained heavily influenced by extraversion during the past decade. Extraversion persisted as a cause for failure, mirroring the challenges seen in the Arta and Mbagathi cases. The presence of the AMISOM, composed of external military forces, played a significant role in counterinsurgency operations against groups like Al-Shabaab. While AMISOM aimed to provide security and stabilize the country, it also raised questions about Somalia's sovereignty and its ability to manage its internal security. Somalia continued to rely heavily on external aid, with donor-driven agendas and conditional assistance imposing specific reforms and policies on the Somali government. This conditionality often conflicted with the government's priorities and hindered local ownership and decision-making.

The governance structures and political reforms promoted by external actors often did not align with Somalia's complex clan-based society. This mismatch contributed to ongoing political fragmentation, disputes over resource allocation, and limited capacity-building. The extraverted approach did not adequately address issues of inclusivity and representation within the Somali government. This lack of inclusivity undermined the legitimacy of political institutions and impeded reconciliation efforts.

One of the most significant and enduring challenges has been security and conflict. Somalia continued to experience violence and insurgency from various armed groups, including Al-Shabaab. Despite efforts by the AMISOM and the SNA, these groups remained resilient, conducting attacks and destabilizing the country. The observation that the SFG, supported by both the AMISOM and its successor, the ATMIS, has not made a fundamental departure from previous state-building efforts, such as those in Arta and Mbagathi that led to the formation of the TNG and the TFG respectively, speaks to the complex and often externally influenced path of state reconstruction in Somalia.

Extraversion has been a prominent feature of Somalia's state-building efforts. This approach has been characterized by significant international involvement in the form of military support (AMISOM/ATMIS), financial aid, and political guidance. While such support has been crucial in terms of providing security and aiding in the fight against groups like al-Shabaab, it has also led to a dependence on external actors, potentially at the expense of leveraging local governance structures and processes.

The Somali context is rich in traditional governance mechanisms, such as the *Guurti* system. This indigenous structure has been effective in resolving conflicts and governing at the local level. However, the efforts to rebuild the Somali state have often prioritized the creation of a central, *Weberian* state. This approach may overlook the potential of integrating traditional governance structures into the national framework, which could offer more locally grounded and culturally appropriate forms of governance.

The emphasis on creating and consolidating a *Weberian* state in Somalia, while supported by international partners, faces several predicaments. These includes issues of legitimacy, sustainability, and security dependency. The heavy reliance on external support and the perceived imposition of a foreign model of governance may impact the legitimacy of the SFG among the Somali population, especially when traditional governance structures are sidelined. The sustainability of a *Weberian* state model in Somalia is questionable without the genuine integration and participation of local governance structures and without addressing the root causes of conflict and division within the country.

In conclusion, while the efforts of the SFG, supported by AMISOM and ATMIS, represent significant strides toward stabilizing and rebuilding the state, the approach has been critiqued for its extraversion, lack of fundamental departure from past efforts, and limited engagement with indigenous governance systems.

The challenge moving forward is to find a balance between the necessary external support and the empowerment of local, traditional governance mechanisms that resonate with the Somali context, thereby creating a more inclusive, sustainable, and legitimate state-building process.

6.7 Implications and Future Directions

The persistent influence of extraversion in Somalia's state-building efforts has had far-reaching implications: Ongoing external military interventions, while targeting insurgent groups, have also raised questions about Somalia's sovereignty and the long-term prospects for stability. Moreover, the reliance on external aid, often conditioned on specific reforms, has reinforced donor dependency and limited the government's ability to set its development priorities. The imposition of governance structures and policies has hindered the development of effective and inclusive governance institutions, contributing to political fragmentation.

The extraverted approach has struggled to foster inclusivity and reconciliation, perpetuating internal conflicts and grievances. It is characterized by external interventions and the imposition of Western models of governance and has continued to be a primary cause for the failure of state-building efforts in Somalia even after 2012. This analysis, drawing from empirical data and scholarly research, demonstrates how ongoing extraversion has mirrored the challenges seen in the Arta and Mbagathi cases of 2000 and 2004.

To move forward and address Somalia's state-building challenges effectively, it is imperative to recognize the limitations of extraversion and consider alternative approaches that prioritize local ownership, cultural sensitivity, and inclusive governance. The path to stability and effective governance in Somalia will require a paradigm shift away from extraversion and towards strategies that align with the country's unique historical, cultural, and social context.

The TFG has avoided engaging clan-based traditional institutions such as the *Guurti* for a variety of reasons. These include an unwillingness to recognize the authority of non-state organizations operating in the country; a distrust of traditional forms of governance, particularly their potential to perpetuate clan divisions; fear that popular support for these traditional systems could be used to undermine efforts to solidify central government control over its territory; and concern that involvement with them might complicate peacebuilding initiatives with neighboring countries.

Another issue is that clan-based organizations are often outside state control, remaining autonomous despite any attempts at government regulation. This leaves them largely unaccountable to the public and unable to be subject to any legitimate systems of oversight or responsibility. Furthermore, while they may serve traditionally unrepresented communities, they do so through questionable means: some clans have aligned themselves with illicit activities like arms trading, drug smuggling or piracy to amass wealth or weapons necessary for protection. As a result, it may become difficult—for both domestic populations and international actors alike—to determine whether these clans are being used as conduits for criminal networks or simply serving the requirements of their serviceable population base without recourse from Somali authorities.

In conclusion, while engaging clan-based traditional institutions like *Xeer* and *Guurti* may contribute toward peacebuilding efforts within Somali society it does come with considerable risk; such engagement could encourage clannism outcomes that would destabilize humanity within different regions in Somalia especially when combined with external terrorist forces embedded in many parts countrywide. Therefore it's important for international actors looking working on building successful stabilization efforts must evaluate whether involving such clans will indeed have its desired results without risking undo consequences encouraging further violence within Somali society.

6.8 Summary

The argument that the extraverted nature of state-building projects in Somalia in the aftermath of the collapse of Siad Barre's regime can be traced back to the legacy of Italian colonialism is a critical one. This perspective underscores the long-term impacts of colonial policies on the political and social fabric of post-colonial states, particularly in the context of Somalia.

Italian colonial rule in Somalia, like many other colonial regimes, introduced a form of state governance that was largely alien to the indigenous social and political systems. Prior to colonization, Somali society was organized around clan structures and governed by traditional institutions such as the *Guurti* and *Xeer*. These institutions played a crucial role in maintaining social order, resolving conflicts, and managing communal affairs. They were deeply rooted in the local context, reflecting and respecting the complex clan dynamics and cultural norms of Somali society.

The introduction of a colonial state structure by Italy significantly disrupted these traditional systems. The colonial administration imposed a centralized, top-down form of governance, which was disconnected from the existing clan-based social structures. This disruption dismantled the indigenous institutions, undermining their authority and effectiveness, and replaced them with foreign governance models and administrative practices.

Such changes not only eroded the traditional mechanisms of social and political organization but also created a reliance on external, often Western, models of statecraft.

This historical context is crucial in understanding the post-Barre extraverted state-building efforts in Somalia. In the wake of the downfall of Barre's regime, the attempts to rebuild the state were heavily influenced by this legacy of external intervention and the absence of strong, indigenous governance structures. The interventions by international actors, such as UNITAF and the processes that culminated in the formation of the TNG and TFG, were in many ways a continuation of this extraverted approach. These efforts often overlooked the importance of rebuilding and integrating traditional governance structures like the *Guurti* and *Xeer* into the state-building process. Instead, they focused on implementing state models that were not only foreign to the Somali context but also failed to address the complex clan dynamics and local needs.

The reliance on external models and the marginalization of traditional governance systems have been significant factors in the limited success of state-building initiatives in Somalia. The top-down, externally driven approaches lacked legitimacy and failed to resonate with the local population, who were more accustomed to clan-based governance and the authority of traditional institutions. This disconnect highlights the importance of understanding and integrating indigenous governance structures and cultural nuances in any state-building process, particularly in post-colonial contexts like Somalia.

The conclusion of any assessment of the state-building efforts in Somalia, particularly focusing on the roles of the UNITAF, the Arta and Mbagathi conferences, and the establishment of the TNG and the TFG, must emphasize their external orientation as a fundamental reason for their failure. This "extraverted" approach to state-building, essentially driven by external actors and agendas, rather than rooted in local contexts and needs, underpins the ineffective outcomes of these initiatives.

Firstly, the UNITAF intervention in the early 1990s, while humanitarian in its intent, failed to appreciate the complexities of Somalia's clan-based society and its political dynamics. The intervention, primarily military in nature, was perceived as a foreign imposition, lacking in cultural sensitivity and understanding of the local socio-political fabric. This external imposition, coupled with the limited mandate of UNITAF, hindered its ability to effectively contribute to a sustainable state-building process.

The Arta and Mbagathi conferences, pivotal in the establishment of the TNG and TFG, respectively, continued this extraverted trend. These conferences, though aimed at creating inclusive transitional governments, were heavily influenced by external actors, including neighboring countries and international organizations. The process was marred by a lack of genuine inclusivity and insufficient representation of the diverse interests within Somalia. Consequently, the TNG and TFG, products of these conferences, were seen as externally engineered entities, lacking legitimacy and broad-based support within Somalia. This perception of illegitimacy was further compounded by the top-down approach of these initiatives. Rather than fostering a grassroots, bottom-up process of state-building that could adapt to the unique challenges and dynamics of Somali society, these efforts were characterized by a template-based approach, often replicating models of governance and political structures alien to the Somali context. This disconnect between the state-building initiatives and the realities on the ground resulted in limited local buy-in and a failure to address the underlying reasons for the conflict and statelessness in Somalia. Moreover, the extraverted nature of these efforts often meant that the priorities and strategies were influenced more by the political and strategic interests of external actors than by the actual needs and aspirations of the Somali people. This external influence often led to a misalignment between the objectives of the state-building initiatives and the complex interplay of local power dynamics, socio-economic conditions, and cultural factors in Somalia.

In concluding the analysis of state-building efforts in Somalia, particularly focusing on the ICU, it is essential to recognize that their approach represented a significant departure from previous initiatives, such as those under the UNITAF, the Arta and Mbagathi peace processes, and the subsequent formation of the TNG and the TFG. While the earlier efforts were characterized by their extraverted nature, heavily influenced by external actors and models, the ICU's approach can be described as converse-extraversion, a fundamental pivot towards a more internally focused, indigenous form of state-building.

The ICU emerged in a context marked by prolonged instability and the failure of externally-driven state-building projects. These previous efforts, despite their varied objectives and methodologies, shared a common characteristic: their reliance on external support, guidance, and often, intervention. This extraverted nature led to a disconnect between the imposed forms of governance and the socio-political realities of Somalia. The TNG and TFG, products of international conferences and negotiations, struggled to gain widespread legitimacy and effectiveness, partly due to their perception as externally engineered entities.

In contrast, the ICU's approach was rooted in the internal dynamics of Somali society. It capitalized on the deep-seated Islamic identity and the existing clan structures, presenting an alternative governance model that resonated more closely with many Somalis. This converse-extraversion was evident in how the ICU managed to establish relative stability and order in areas under its control. By leveraging religious legitimacy and local governance structures, the ICU offered a semblance of governance that was more aligned with the indigenous context, as opposed to the foreign-designed models of the TNG and TFG.

The ICU's emphasis on Islamic law and governance also marked a critical shift. It provided a unifying framework that transcended clan divisions, a perennial challenge in Somali politics. This approach, albeit controversial, was seen by some as a means to bridge the fragmented clan-based society and establish a form of governance that had a more organic connection to the populace. The ICU's ability to reduce violence, restore order, and provide basic services in some regions, where previous external efforts had failed, further underscores the effectiveness of their converse-extraversion strategy. However, the ICU's approach was not without its critics.

Concerns were raised about the enforcement of a rigid interpretation of Sharia law in the later years and the exclusion of certain groups. Moreover, the international community, particularly Western nations, viewed the ICU with suspicion, fearing the emergence of an extremist Islamic state. This apprehension led to external interventions, most notably by Ethiopia, and the eventual displacement of the ICU, illustrating the continued impact of external factors in Somali politics.

The ICU's rise and fall also highlight the complexities of state-building in a context like Somalia. While their approach offered an alternative to the failed extraverted efforts of the past, it also demonstrated the challenges of establishing a governance model that could balance religious principles, clan dynamics, and the diverse needs of the Somali people. The ICU's experience suggests that any successful state-building initiative in Somalia must navigate these intricate socio-political terrains.

In conclusion, the ICU's state-building efforts in Somalia represented a converse-extraversion approach, markedly different from the extraverted nature of previous initiatives like UNITAF, the Arta, and Mbagathi processes. By focusing on internal dynamics and leveraging the Islamic identity and clan structures, the UIC provided a governance model that resonated more closely with many Somalis. However, the challenges faced by the UIC, including internal governance issues and external opposition, underscore the complexities of state-building in Somalia. This experience highlights the need for a nuanced, context-specific approach to governance in Somalia, one that balances internal dynamics with the realities of external influences and the diverse needs of the Somali population.

CHAPTER SEVEN

7. CONCLUSION

In the realm of state-building, the cases of Somalia and Somaliland stand as stark examples of divergent trajectories. While both emerged from the ashes of civil conflict and collapsed central authority, their journeys toward statehood have taken notably different paths. At the heart of this disparity lies the treatment and incorporation of traditional institutions, particularly the role of the *Guurti*. Somaliland's relative success in establishing stability and governance can indeed be attributed, in part, to its cautious approach towards empowering the *Guurti*. Conversely, Somalia's struggles can be traced back to its failure to effectively integrate these traditional structures, coupled with its exclusive reliance on external strategies aimed at instituting a *Weberian* state model.

Somaliland's remarkable journey towards stability and relative success in state-building cannot be fully understood without acknowledging the nuanced role of its traditional institutions, notably the *Guurti*. Historically, the *Guurti* has served as a revered council of elders, wielding significant influence and authority within the social fabric of Somaliland. Rather than seeking to dismantle or marginalize these structures, Somaliland's state-building efforts have embraced the *Guurti* as an integral component of governance. By incorporating the wisdom and legitimacy of traditional authorities into the formal political framework, Somaliland has managed to cultivate a sense of cohesion and legitimacy that has contributed to its stability. The *Guurti*'s advisory role in conflict resolution, dispute mediation, and consensus-building has played a fundamental role in mitigating tensions and fostering social harmony.

Moreover, Somaliland's strategy to state-building has been characterized by a degree of pragmatism and organic growth, eschewing grandiose, top-down interventions in favor of incremental progress and locally-driven initiatives. This bottom-up approach has allowed for the gradual consolidation of state institutions, rooted in the realities of Somaliland's social and political landscape. Rather than imposing external models of governance, Somaliland has leveraged its historical and cultural foundations to craft institutions that resonate with its populace, thereby fostering a sense of ownership and legitimacy.

Conversely, Somalia's tumultuous path toward statehood has been marked by fragmentation, conflict, and a fundamental disconnect between the state and society. Central to this predicament has been the failure to effectively incorporate traditional institutions such as the *Guurti* into the state-building process. Somalia's post-conflict reconstruction efforts have largely sidelined or ignored these indigenous structures in favor of a more centralized, bureaucratic approach influenced by Western models of governance. This exclusionary strategy has not only alienated significant segments of Somali society but has also undermined the legitimacy and effectiveness of state institutions.

The *Guurti*, which could have served as a vital bridge between the state and society, has been relegated to the periphery of Somalia's political landscape, deprived of its traditional role as a custodian of communal interests and values. This marginalization has eroded trust in the state and fueled grievances among marginalized groups, exacerbating social tensions and impeding efforts toward reconciliation and nation-building. Somalia's reliance on "extraversion" strategies, characterized by a heavy dependence on external actors and a disregard for local dynamics, has further compounded these challenges, resulting in the perpetuation of a fragile and dysfunctional state.

The contrasting experiences of Somalia and Somaliland underscore the importance of recognizing and engaging with indigenous institutions during the state-building endeavor. Somaliland's success in leveraging the legitimacy and resilience of the *Guurti* offers valuable insights into the potential benefits of incorporating traditional structures into governance frameworks. By embracing local knowledge, norms, and practices, states can foster a sense of ownership and buy-in among their citizenry, laying the foundation for lasting peace.

Moreover, the case of Somalia serves as a cautionary tale against the pitfalls of pursuing one-size-fits-all approaches to state-building. The imposition of external models and the neglect of indigenous institutions have only served to deepen divisions and perpetuate instability. Moving forward, efforts to rebuild Somalia's shattered state must prioritize inclusivity, dialogue, and the empowerment of traditional authorities. Rather than viewing traditional structures as obstacles to modernization, they should be recognized as vital resources for fostering social cohesion and resilience.

Indeed, the HPO, aka *Beel* system, adopted by Somaliland has played a pivotal role in shaping its relatively effective form of governance. Central to this hybrid model is the recognition and integration of traditional institutions, most notably exemplified by the Borama conference's formal acknowledgment of the *Guurti* as an upper house within the legislative framework. This seminal event marked a critical juncture in the state-building journey of Somaliland, underscoring the importance of hybridity and indigenous governance structures in fostering stability and legitimacy.

The Borama conference brought together representatives from various clans and communities in Somaliland to chart a course for peace, reconciliation, and political reconstruction. At the heart of the conference's deliberations was the recognition of the *Guurti* as a key pillar of governance, endowed with the authority to advise and deliberate on matters of national importance. By institutionalizing the *Guurti*'s role within the political framework, the Borama conference affirmed the legitimacy and relevance of traditional authority in Somaliland's nascent state structures.

The significance of this decision cannot be overstated. In a country ravaged by years of conflict and state collapse, the formal recognition of the *Guurti* represented a departure from conventional state-building paradigms that often prioritize centralized, bureaucratic institutions at the expense of indigenous governance structures. Instead, the Borama conference embraced a more inclusive and participatory approach to governance, one that drew upon the wisdom and legitimacy of traditional authorities to engender consensus and cohesion.

The *Guurti*'s elevation to the status of an upper house in Somaliland's political system has had far-reaching implications for governance and stability. Acting as a forum for dialogue and consultation, the *Guurti* has served as a bulwark against political fragmentation and societal discord, offering a space for the resolution of disputes and the articulation of collective interests. Its advisory role in legislative matters has contributed to the development of laws and policies that reflect the diverse needs and aspirations of Somaliland's population, thereby enhancing the legitimacy and effectiveness of the state. Moreover, the recognition of the *Guurti* has helped to bridge the gap between formal and informal systems of governance in Somaliland.

By integrating traditional institutions into the formal political framework, the hybrid model has fostered a sense of continuity and stability, reassuring citizens and investors alike of the government's commitment to upholding local customs and values. This hybrid approach has

allowed Somaliland to leverage its cultural heritage as a source of strength and resilience, rather than viewing it as a hindrance to modernization.

However, it is essential to acknowledge that *Beel* system in Somaliland is not without its limitations. Critics have pointed to potential challenges, such as the risk of elite capture within traditional structures, or the tensions that may arise between customary law and formal legal systems. Moreover, questions persist about the inclusivity and representativeness of the *Guurti*, particularly regarding gender and minority representation.

Nonetheless, despite these challenges, the Borama conference and the formal recognition of the *Guurti* represent a significant milestone in Somaliland's state-building journey. By embracing hybridity and incorporating traditional institutions into its governance framework, Somaliland has managed to forge a relatively effective and resilient form of governance that has withstood the test of time. As Somalia continues to grapple with the complexities of state-building, the lessons learned from Somaliland's experience underscore the importance of hybridity and inclusivity in fostering stability and legitimacy. Ultimately, the Borama conference serves as a testament to the power of indigenous governance structures to shape the trajectory of nation-building in post-conflict societies.

Peace-building efforts and the concomitant reinstatement of state institutions in post-conflict societies often require innovative approaches that reflect the unique cultural and historical contexts of the affected populations. While some countries have drawn upon established philosophical frameworks such as Ubuntu in South Africa or the Gacaca in Rwanda to facilitate reconciliation and healing, Somaliland's approach stands out as anomalous yet instructive. By challenging the idealized *Weberian* state conception and formally incorporating the *Guurti* into the state structure, Somaliland has demonstrated the transformative potential of embracing indigenous governance structures in peace-building efforts.

The philosophy of *Ubuntu*, rooted in the African concept of interconnectedness and communal solidarity, played a central role during South Africa's shift from apartheid to democracy. Through initiatives such as the Truth and Reconciliation Commission (TRC), *Ubuntu* principles guided efforts to confront the legacies of injustice and division, emphasizing the importance of empathy, forgiveness, and collective responsibility in the pursuit of reconciliation.

By embracing Ubuntu, South Africa sought to transcend the scars of its past and forge a more inclusive and harmonious society based on mutual respect and dignity.

Similarly, Rwanda's adoption of the Gacaca courts represented a departure from conventional approaches to transitional justice, drawing upon traditional Rwandan practices of community-based dispute resolution. In the aftermath of the genocide, Gacaca courts provided a forum for truth-telling, accountability, and reconciliation at the grassroots level, allowing communities to come together to address the atrocities committed during the conflict. By decentralizing justice and promoting community participation, Rwanda's Gacaca system sought to foster healing and social cohesion while navigating the complexities of post-genocide reconstruction.

Somaliland's experience diverges from these paradigms in significant ways, particularly in its rejection of the idealized *Weberian* state model and the formal integration of the *Guurti* within the state framework. Historically, the *Guurti* has served as a respected council of elders, wielding influence and authority in resolving disputes and maintaining social order within Somali communities. However, its role was often marginalized or overlooked within the framework of contemporary state-building initiatives, which tended to prioritize centralized, bureaucratic institutions.

The Borama conference represented a watershed moment in Somaliland's trajectory, as it formalized the *Guurti*'s role as an upper house of parliament, alongside the elected House of Representatives. This decision signaled a departure from conventional state-building approaches and a recognition of the *Guurti*'s legitimacy and relevance within Somaliland's political landscape. By embracing indigenous governance structures, Somaliland challenged the notion of a monolithic, *Weberian* state and sought to create a more inclusive and participatory form of governance rooted in local customs and traditions.

Somaliland's anomalous approach to peace-building, marked by the official integration of the *Guurti* into the state structure, offers valuable lessons for post-conflict societies grappling with the complexities of reconciliation and state-building. By challenging conventional state-building paradigms and embracing indigenous governance structures, Somaliland has demonstrated the transformative potential of inclusive and participatory approaches to peace-building.

The state-building efforts in Somalia present a stark contrast to the indigenous and inclusive approaches adopted by Somaliland. Instead of drawing upon local traditions and institutions, Somalia's efforts have been characterized by a reliance on extraverted strategies, often premised on the assumption that the establishment of a *Weberian* state would serve as a panacea for the country's deep-seated challenges. However, the failure to engage with and incorporate traditional institutions such as the *Guurti* has been a common thread running through various peace initiatives in Somalia, including UNITAF, the Arta Conference, and the Mbagathi Conference. As a result, these efforts have faltered, highlighting the limitations of extraverted approaches to peace-building and state-building in Somalia.

The UNITAF under the optimistic Operation Restore Hope, launched in 1992 in response to the humanitarian crisis and civil conflict gripping the country, exemplifies the extraverted approach to peace-building in Somalia. UNITAF's primary objective was to restore order and facilitate the delivery of humanitarian assistance, with little consideration given to the underlying political dynamics or local governance structures. Despite initial successes in providing humanitarian relief, UNITAF's intervention failed to address the root causes of conflict or engage with Somali communities in a meaningful way. As a result, the intervention ultimately proved unsustainable, culminating in the infamous Battle of Mogadishu and the withdrawal of international forces.

Subsequent peace initiatives, such as the Arta and the Mbagathi Conferences and Resolutions, similarly reflected an extraverted approach to state-building in Somalia. These conferences convened to establish a transitional government and lay the groundwork for a new political order, were characterized by a focus on elite negotiations and external mediation, often at the expense of grassroots participation and local ownership. Despite the signing of peace agreements and the establishment of transitional governments, these efforts failed to garner broad-based support or address the underlying grievances fueling conflict in Somalia.

Central to the failure of these extraverted strategies was the neglect of traditional institutions such as the *Guurti*, which have long played a central role in Somali society. The *Guurti*, composed of respected elders from various clans, wields significant influence in mediating disputes, resolving conflicts, and upholding customary law. However, their exclusion from peace negotiations and state-building processes marginalized a critical segment of Somali society and undermined the

legitimacy of transitional authorities. Without the participation of traditional leaders and institutions, efforts to build a cohesive and inclusive political order in Somalia were bound to falter.

Moreover, the insistence on imposing a *Weberian* state model on Somalia, with its emphasis on centralized authority and bureaucratic institutions, overlooked the country's complex social and political dynamics. Somalia's history is marked by a tradition of decentralized governance and clan-based affiliations, which have shaped patterns of authority and governance at the local level. By failing to recognize and accommodate these realities, extraverted approaches to state-building in Somalia ignored the need for context-specific solutions that resonate with the aspirations and values of the Somali people.

Indeed, the divergent colonial administrative policies of Somalia and Somaliland have exerted considerable influence in shaping the trajectory of their respective traditional institutions and governance structures. The contrasting approaches of the British and Italian colonial powers towards local governance had lasting implications for the preservation and revival of traditional institutions in the post-colonial period.

In Somaliland, the British pursued a *laissez-faire* policy that allowed traditional institutions to persist largely intact. This approach recognized the legitimacy of indigenous governance structures, such as the clan-based system and the *Guurti*, and incorporated them into the colonial administration. As a result, Somaliland retained a degree of autonomy and self-governance under British rule, enabling the preservation of traditional practices and customs. This historical legacy provided Somaliland with a foundation upon which to build its post-independence governance structures, leveraging the legitimacy and resilience of traditional institutions to navigate the challenges of state-building.

Conversely, the Italians adopted a more interventionist approach in Somalia, seeking to impose direct rule and dismantle traditional institutions in favor of centralized governance systems. Under Italian colonial rule, efforts were made to weaken clan structures and replace customary law with European legal frameworks. This top-down approach to governance undermined the authority of traditional leaders and eroded the social fabric of Somali society, contributing to a legacy of mistrust and instability.

Although these efforts suppressed traditional institutions, the post-colonial period witnessed a resurgence of indigenous governance structures in Somalia, driven in part by the downfall of the Siad Barre regime and the subsequent vacuum of power. In the absence of centralized authority, communities turned to traditional mechanisms such as the *Xeer* and *Guurti* to provide order and stability at the local level. These institutions demonstrated their resilience and adaptability, filling the governance void left by the disintegration of the state. However, the extraverted nature of state-building efforts in Somalia, particularly exemplified by the Arta and Mbagathi conferences, failed to fully acknowledge or integrate traditional institutions into the nascent political order. Despite their historical significance and grassroots legitimacy, the *Guurti* and other traditional authorities were largely sidelined in elite-driven peace negotiations and governance structures. This oversight deprived Somalia of an opportunity to leverage its rich cultural heritage and indigenous governance systems in the pursuit of stability and legitimacy.

The failure to duly consider traditional institutions in Somalia's state-building efforts can be attributed, in part, to a legacy of colonial interventionism and a tendency towards externalized solutions. The emphasis on imported models of governance, influenced by Western paradigms of statehood, marginalized indigenous practices and hindered the development of locally-driven approaches to peace-building and governance. As a result, Somalia's post-conflict reconstruction efforts have struggled to gain traction, highlighting the importance of recognizing and engaging with local knowledge and traditions in fostering sustainable peace and stability.

In contrast, Somaliland's ability to draw upon its colonial legacy of indigenous governance has been instrumental in its relatively successful state-building journey. By embracing traditional institutions and incorporating them into the formal political framework, Somaliland has managed to foster stability and legitimacy, demonstrating the potential for indigenous approaches to governance to address the complex challenges of post-conflict reconstruction. As Somalia continues its quest for peace and stability, the lessons learned from its colonial past underscore the importance of acknowledging and leveraging the resilience of traditional institutions in the pursuit of inclusive and sustainable governance.

7.1 Reconceptualizing Recommendation: A Philosophical Appraisal

In the scholarly discourse surrounding the purpose and orientation of research, particularly within the humanities and social sciences, the explicit decision to omit a recommendations section from an academic inquiry into Somalia signifies a deliberate epistemological stance. This stance posits that the primary objective of research and knowledge production transcends mere problem-solving to encompass the advancement of truth and knowledge. Such a perspective is deeply rooted in the philosophical underpinnings of epistemology. This reflective essay aims to unpack the implications of adopting an epistemological orientation that views the contribution to knowledge as an end in itself, drawing upon John Henry Newman's conceptualization of the "idea of a university" as a foundational framework.

John Henry Newman (1996), in his seminal work, articulated a vision of the university as an institution dedicated to the pursuit of universal knowledge. Central to Newman's philosophy is the notion that knowledge should be pursued for its intrinsic value, rather than for the instrumental purpose of addressing specific societal problems. This conceptualization advocates for a "disinterested pursuit of truth," where the act of inquiry is motivated by a genuine curiosity and a commitment to expanding the horizons of human understanding, rather than by extrinsic rewards or immediate practical applications.

The researcher's intentional avoidance of the recommendations section in his research on Somalia is emblematic of a broader epistemological commitment to this ideal. By foregrounding the advancement of knowledge as the paramount objective, this approach challenges prevailing norms within academic research that prioritize tangible outcomes and solutions to predefined problems. Instead, it embraces a more open-ended exploration of phenomena, characterized by an acceptance of ambiguity and a willingness to contribute incrementally to the body of knowledge.

This epistemological orientation has profound implications for how research is conceived, conducted, and valued. It posits that the accumulation of knowledge, no matter how incremental, enriches the academic discourse and enhances collective understanding. In the context of Somalia—a country often scrutinized through the lens of conflict, governance challenges, and humanitarian crises—this approach advocates for a nuanced exploration of its complexities, unencumbered by the immediate need to propose solutions.

Moreover, this perspective resonates with broader debates within academia about the purposes and outcomes of scholarly work. It raises critical questions about the metrics by which research is evaluated, the pressures on scholars to demonstrate direct applicability, and the space within the academic ecosystem for exploratory and foundational research. By aligning with Newman's vision, the author underscores the importance of fostering an intellectual environment that values knowledge for its own sake and recognizes the intrinsic worth of expanding the frontiers of understanding.

The decision to eschew a recommendations section, grounded in an epistemological orientation that prizes the pursuit of knowledge as its own reward, represents a compelling counter-narrative to utilitarian approaches to research. It calls for a reevaluation of the goals and values that underpin academic inquiry, advocating for a more expansive view of the contributions that scholarly work can make to society. This orientation not only enriches the academic discourse on Somalia but also serves as a critical reflection on the nature and purpose of knowledge production in the broader scholarly community. In doing so, it contributes to an ongoing dialogue about the role of academia in fostering a deeper, more nuanced understanding of the world.

The research presented herein endeavors to extend the corpus of academic scholarship surrounding the complex phenomena of statehood crises in Somalia, contributing incrementally yet significantly to the intricate understanding of this multifaceted issue. By exploring into the complex interplay between traditional institutions and contemporary state-building efforts within the Somali context, this study illuminates previously underexplored dimensions of political and social organization. It posits that, while the findings add an essential layer of insight to the academic discourse on state formation and conflict in Somalia, they simultaneously highlight the vast swathes of uncharted territory that remain. In this sense, the research serves not only as a repository of knowledge but also as a beacon, guiding future inquiries into the subtle dynamics of Somali statehood.

Furthermore, the research underscores the critical need for further scholarly exploration that can build upon the foundational understandings established herein. It articulates a clear call for a multidisciplinary approach to subsequent studies, suggesting that the complexity of Somalia's statehood crisis necessitates diverse analytical lenses and methodological approaches.

By implicating factors such as international interventions, regional dynamics, and the legacy of colonialism, among others, the study advocates for a broadened scope of investigation. This would encompass the diverse field of studies to yield a more holistic comprehension of the conditions and processes influencing state formation and conflict in Somalia.

Lastly, the study's emphasis on the role of traditional institutions and the impact of external interventions in the Somali state-building narrative underscores a critical area for further research. It suggests that future studies need to critically examine the interplay between indigenous governance mechanisms and modern state structures, alongside the external geopolitical and economic influences shaping this landscape. Such research could significantly contribute to the formulation of more effective, contextually informed policy interventions and state-building strategies, not only within Somalia but also in other regions facing similar challenges. In this regard, the present research not only enriches the academic landscape but also sets the stage for more in-depth investigations that can foster sustainable peace in Somalia and beyond.

End notes

Chapter One

¹In the context of this research, the terms "traditional institutions," "indigenous institutions," and "customary institutions" are employed interchangeably to denote the same conceptual entity. Consequently, the adjectives "traditional," "customary," and "indigenous" are also utilized in a synonymous manner throughout the document, reflecting a unified approach to describing these socio-cultural structures.

²Within the scope of this dissertation, the term "viability" is construed to signify a state of functional harmony, equilibrium, and reciprocal adjustment between traditional governance structures and those identified as 'modern,' a condition hereafter referred to as a 'hybrid order'. This conceptualization underscores the essential integration and coexistence of divergent forms of governance as a fundamental criterion for assessing the effectiveness and sustainability of the proposed hybrid governance model.

³Traditional social structures based on kinship and clan affiliations, where members collectively bear responsibility for compensating harm or loss caused by one of their members to someone from another group. This system is designed to prevent escalations of conflict and promote social harmony by ensuring accountability and restitution for wrongful acts.

⁴Highly state-centric term used in international relations coined supposedly from the Treaties of Westphalia in 1648 which ended the Thirty Years War. It is generally held to mean a system of states or international society comprising sovereign state entities possessing the monopoly of force within their mutually recognized territories.

Chapter Two

⁵Darwinism, as a cornerstone of Western scientific thought, embodies the theory of natural selection and evolution proposed by Charles Darwin, showcasing the West's dominant role in shaping modern biological sciences. It is situated here as exemplifying the West's intellectual hegemony, as Darwinism has been widely accepted and integrated into the global scientific community, often overshadowing indigenous and non-Western explanations of life and natural processes. The widespread adoption and celebration of Darwinism in educational, scientific, and cultural discourses across the world highlight the pervasive influence of Western concepts, potentially marginalizing alternative viewpoints and knowledge systems.

⁶The concept under discussion derives from Englebert, P. (1997) in his seminal work, "The Contemporary African State: Neither African nor State." This document endeavors to critically comprehend and analyze the predicament of post-colonial statehood in Africa, offering a comprehensive examination of the complexities and challenges inherent in the African state's evolution post-independence.

⁷Extraversion is a personality trait characterized by an orientation of one's interests and energies toward the external world and social interactions, as opposed to introspection and solitary activities, which are more associated with introversion. Applying the psychological notion of extraversion to the ontology of African statehood involves a metaphorical transfer of individual personality traits to the analysis of states and their behaviors. In this context, extraversion can be interpreted as the outward orientation of a state, focusing on its engagement with the external world, including international relations, regional diplomacy, and global economic systems.

⁸ Max Weber conceptualized the modern state as a community that successfully maintains monopoly over violence within a given geographical area, which required it to have legitimate and legal authority. The notions of territoriality, violence, and legitimacy are the definitive factors of his modern state. The "Weberian Thesis" on the state, encapsulates Max Weber's foundational concept of the modern state as an entity that uniquely holds the monopoly over the legitimate use of physical force within a defined territory. This conceptualization underscores the state's authority; the monopoly on violence, suggesting that the state is the only entity within its territory that can legitimately wield force; and legitimacy, indicating that the state's authority and its use of force are recognized as rightful by its populace.

⁹ Manichaeism, historically a religious system founded by the prophet Mani in the 3rd century CE, is characterized by its stark dualistic view of the world, dividing it into realms of good and evil. When applied metaphorically to the discourse on modernization, Manichaeism represents a manifestation of binary opposition, framing modernization in terms of a conflict between progress and tradition, or modernity and pre-modernity. This Manichaean approach to modernization discourse simplifies complex social, economic, and cultural processes into a dichotomy, often valorizing modernity as inherently superior to traditional ways of life, while neglecting the nuanced interactions and mutual transformations between traditional and modern elements. Such a perspective overlooks the coexistence and hybridity of values and practices, reinforcing a simplistic and sometimes reductionist view of the modernization process as a linear transition from 'backwardness' to 'advancement' (Van Oort, J. 2020).

¹⁰ The nirvana fallacy involves comparing a realistic solution or situation with an idealized or perfect alternative, often disregarding the best available option as inadequate simply because it falls short of perfection. This fallacy can hinder decision-making and policy development by setting unattainable standards, leading to the rejection of viable solutions that could improve upon the current state of affairs. It emphasizes an "all-or-nothing" approach, ignoring the potential benefits of incremental improvements and the value of pragmatic solutions in addressing complex problems.

Chapter Four

¹¹ Apart from the two Somalis thereof, with colonialism the Somali inhabited areas of Djibouti was under French rule and included ethnically related afar tribesmen. Other Somalis eventually came under the British flag in northern Kenya (currently called the NFD). Finally, the fifth division consisted of that large area known after its main Somali residents as the Ogaden, remained under Ethiopian control. The five-pointed Somali star of Somalis' flag represents these five divisions of the nation. Lewis 2008: 29; Aden 2011; Balthasar 2012). It is this territorial fragmentation and the common claim that Somalis formed attributed them a widely accepted tag of being a 'nation in search of a state' (Laitin & Samatar 1987).

¹² Hegel, in his historical and philosophical works, portrayed Africa as a 'tabula rasa' or a blank slate, largely dismissing the continent's history and contributions to civilization. He argued that Africa was not a historical part of the world, effectively erasing its rich cultural and societal complexities from the philosophical narrative of history.

Kant, through his anthropological and philosophical inquiries, contributed to the notion of Africa as a 'tabula rasa' by emphasizing racial hierarchies. He positioned Africans at a lower rung of his hierarchical ladder, suggesting that the continent lacked the historical and cultural developments present in Europe, thereby reinforcing perceptions of Africa as an empty canvas. Hume, in his writings, also insinuated that Africa was a 'tabula rasa', devoid of significant history

or achievements. His skepticism towards the intellectual capacities of non-European peoples further entrenched the idea of Africa as a blank slate, ripe for European enlightenment and civilization. Collectively, scholars like Hegel, Kant, and Hume contributed to the racialized description of Africa as 'tabula rasa', overlooking the continent's diverse histories, cultures, and intellectual traditions (Hegel, 1975; Hume; 2002)

¹³A plausible explanation for this dilemma may reside in the inherent dominance of Western knowledge and practices, which have been universally accepted and propagated by the intelligentsia.

¹⁴This observation foregrounds the imperative of conceptual decolonization, emphasizing the necessity to critically reassess and transform the prevailing intellectual frameworks that have been shaped by colonial legacies. Conceptual decolonization involves a deliberate and rigorous examination of how knowledge and practices are constructed, valued, and disseminated, challenging the dominance of Western epistemologies and advocating for the recognition and integration of diverse, indigenous, and previously marginalized perspectives. This process is critical in fostering a more inclusive, equitable, and pluralistic intellectual landscape

¹⁵ Settler colony is a system that is based on exogenous domination which perpetuates the abolition of indigenous cultures and a replacement with the colonizing country (Verancini, 2010).

¹⁶ The main British port serving onward travel to India.

¹⁷ Conveys the idea that this territory was an overlooked or neglected part of the British Empire, much like the fairy tale character Cinderella before her transformation. It reflects a historical view of Somaliland as a territory that was marginalized within the British colonial project, lacking the attention and investment given to more prized possessions within the Empire (Lewis, 2002 & 2008).

¹⁸ refers to traditional elders who play a significant role in the social and political fabric of Somali society. *Akils* are respected figures within their communities, often tasked with mediating disputes, making decisions on community matters, and providing guidance and leadership. The influence of *Akils* comes from their knowledge of *Xeer*, their moral authority, and their ability to negotiate and mediate between conflicting parties. They are crucial in peace processes, conflict resolution, and in the maintenance of law and order within their communities. In a country where the formal judicial and governance systems can be weak or absent, particularly in rural areas, the role of *Akils* and other traditional leaders becomes even more important (Ibrahim, H. 2018; Gundel, 2006)

¹⁹ is the magistrate or judge of a *Sharia* court.,

²⁰ a Darod who would later become the first president of Somaliland republic after the collapse of Siad Barre's regime.

²¹ in Somali, literally 'wealth-sharing based on knowledge'. The rhetoric was an amalgamation of Somali customary law, *Sharia*, and Communism, the military regime sought to transform Somalia into a modern nation-state intrinsically intended to replace the clan dominance in providing leadership, security and welfare'.

²² in Somali, comrade, or friend.

Chapter Five

²³was a political and military organization that played a significant role in the history of Somalia. Founded in London in 1981 by members of the Isaaq clan, the SNM aimed to overthrow the dictatorial regime of Siad Barre. The SNM's activities were crucial in the events leading up to the Somali Civil War, which erupted fully after the collapse of

Barre's regime in 1991. Following Barre's ousting, the SNM took control of the northwestern part of Somalia and, in May 1991, declared the region an independent republic known as Somaliland.

²⁴was Somaliland's first president before the culmination of the SNM's rule under the Borama conference.

Chapter Six

²⁵The Ifka Halane Court, situated in western Mogadishu, emerged as a pivotal institution in the landscape of Somali politics, particularly during a period marked by the rise of Islamist movements. This court, under the leadership of figures such as Aweys, a former official of Al-Itihaad Al-Islamiyya (AIAI), became a focal point for the formation of the ICU (Ibrahim, 2018).

²⁶ "Qutbism" is an ideological framework derived from the thoughts and works of Sayyid Qutb, an Egyptian author, educator, Islamic theorist, poet, and a leading member of the Egyptian Muslim Brotherhood in the 1950s and 1960s (Eikmeier, 2007, p.86).

²⁷ Wahhabism originated in the 18th century in what is now Saudi Arabia, founded by Muhammad ibn Abd al-Wahhab. It emerged as a movement aiming to purify Islam by returning to what Abd al-Wahhab considered its original practices and strictly adhering to the Quran and Hadith, rejecting any innovations or practices not explicitly mentioned in these texts (Baryam, 2014, p.247).

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Appendixes

Appendix 1

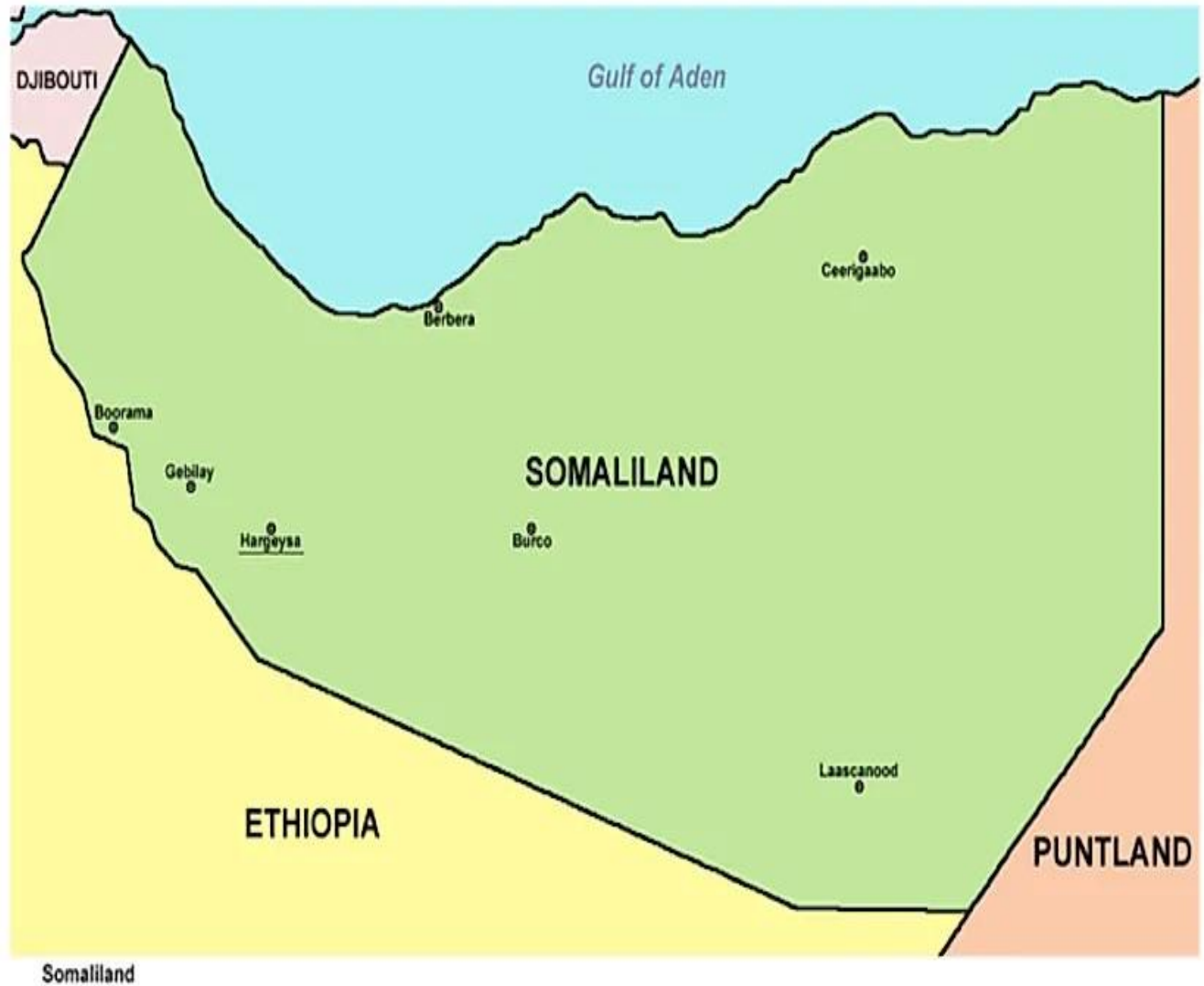
Map of Somalia



Source: istockphoto-507985667-1024x1024

Appendix 2

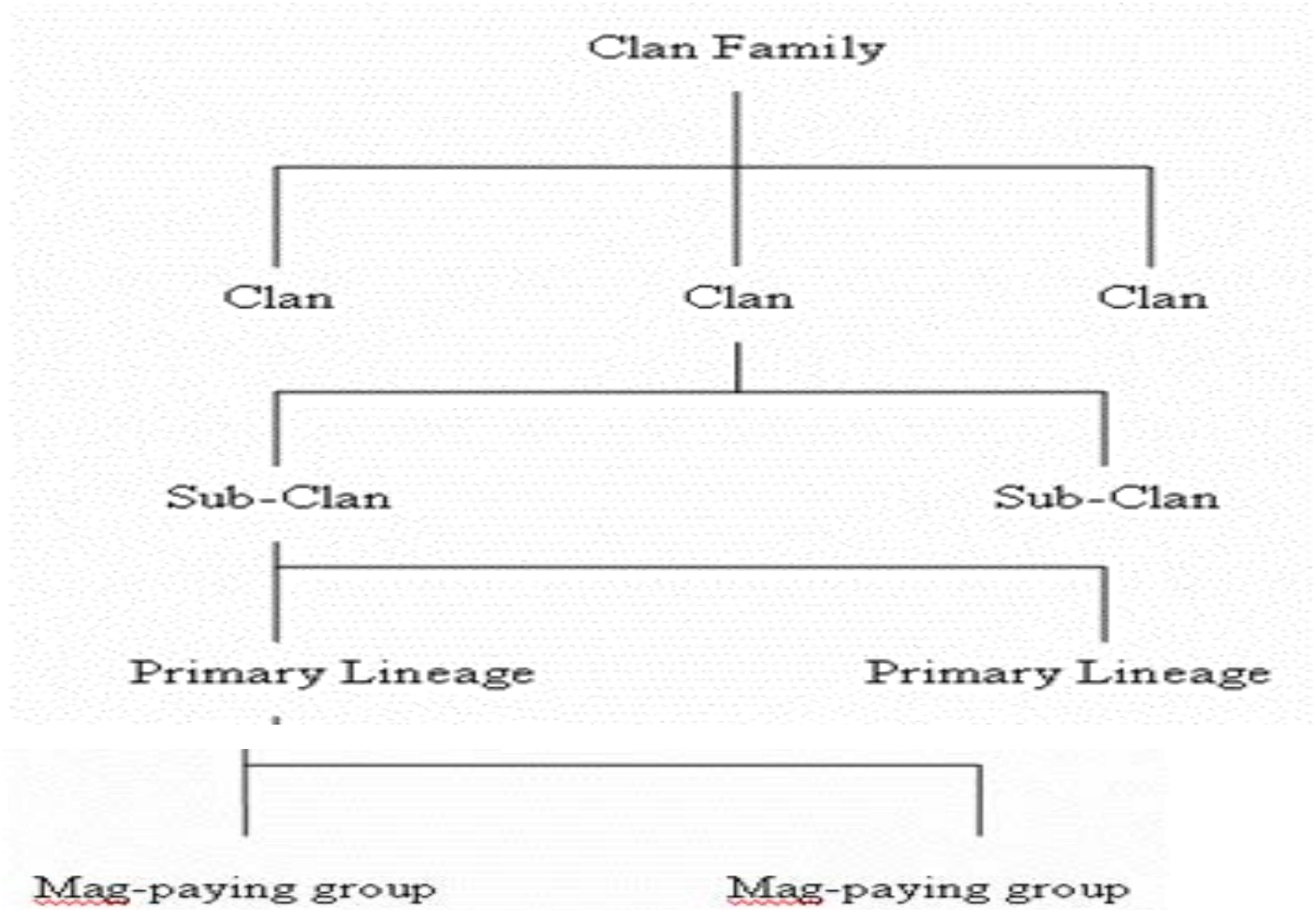
Map of Somaliland



Source: <https://www.worldatlas.com/articles/what-is-somaliland-and-who-controls-it.html>

Appendix 3

Social - clan structure



Source: (Lewis 1961: 4).

Appendix 4

Tiers of Somali traditional structure

3 tiers of the Somali traditional structure

