Somaliland's case of successful power sharing:
an Islamic-traditionalist pact and lessons learned

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Hadduu oday jiro, uu u ood rogo, abaaroodkana way orgootaa ...

If an elder looks after it [the herd] and caters for its needs, it could show heat even during the dry season … (Somali proverb)[1]

Introduction

Given the protracted predicament of state collapse and conflict in the central and southern regions of the Somali coast, the relative stability of Somaliland is explored as a case study of how an indigenous politics of reconciliation can result in power sharing arrangements as a basis for democratic state building. Moreover, the comparative stability of Somaliland vis-à-vis the rest of what used to constitute Somalia begs questions of a comparative nature on what sets the region apart from other regions in its ability to come to terms with the imperatives of power sharing to achieve stable governance. The social ecology of the arid Somali north-west, with its largely nomadic camel-herding communities has been contrasted with Somalia's central and southern regions of comparative water and food abundance interacting with what is observed to be a "combustible" and "complex mix of clans and sub-clans".[2] Might this account for the intractable politics of southern fragmentation militating against stable governance? In any case, it is against this comparative backdrop of regional differences along the Somali coast that Somaliland's recent nation building history is interrogated. The Somaliland experience of power sharing and democratic state building represents a unique blend of 'modernity' and 'tradition' in which expressions of nationalism as reflected in the Somali National Movement (SNM) reached an accommodation with the elders of the northwestern region of Somalia to embark on a new course of self-determination.

Interplay between tradition and modernity

The interplay between 'tradition' and 'modernity' leading to reconciliation in this instance represents a variation on what may be an emerging theme of post-colonial correctives in the reformulation of national identities. The corrective, in this instance, was the apparent incompatibility of the marriage between the British-ruled northern Somaliland protectorate and a southern Somalia colonised by Italy. The breakup of this 'marriage' in Somalia's disintegration into statelessness following the collapse of the military regime of Siad Barre refocused the politics of northwestern Somalia on reformulating a national identity based on modes of power sharing and reconciliation between the nationalist modernity of the SNM and the traditional authority of the region's elders. The upshot of this process in the still unrecognised republic of Somaliland has been a degree of stability and development unmatched elsewhere in a still destabilised greater Somalia. Understanding this process requires revisiting the respective British and Italian colonial legacies along the Somali coast to gain some perspective on the foundations for post-conflict reconciliation that has benefited Somaliland. The veteran British 'insider' on the politics of this region, John Drysdale, has shed interesting light on this legacy in observations he made on why, from a historical vantage point, Somalia is experiencing such problems in reconstituting itself in the south.

In an unpublished paper entitled "A study of the Somali hybrid insurance system and the consequences of its rejection by southern Somalia's political leadership", Drysdale points out that the former British Somaliland Protectorate of the north-west has three concurrent

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1. This proverb is a tribute to the wisdom of elders. It is one of the lyrics used when the Somali cow herder entertains his herd while providing water for them. It means if the caretaker of such a herd is a wise elder, the herd can show the desire to mate even during the dry season, which is unusual for cattle during a time marked by lack of water and fodder.

2. Somalia's civil war: just a glimmer of hope, *The Economist*, 28 February 2009, pp. 37-38.

legal systems: secular law in the English language, Islamic law in the Arabic language, and unwritten Somali traditional law. "The latter, under the British administrative system, was exercised exclusively by *Somali elders* who were knowledgeable in traditional law. They operated in both town and country in the six districts then administered by British District Commissioners. To help the elders in the execution of their court orders, District Commissioners had informal clan police available."[3]

Because traditional law, according to Drysdale,

> … was not written, and is still not written, only those elders who had inherited an encyclopaedic knowledge of the time-honoured principles and practices of the traditional law's tariff systems for the awards of collective compensation to the aggrieved … case histories, the art of peace-making, consensus decision-making, the avoidance of political power in the hands of one person, the liberty of the individual for humanity's sake – no incarceration or capital punishment since you cannot deprive a family of its desperately needed labour – were qualified as consultants to advise elders in court (the shade of a thorn tree). It was, and still is, a largely unknown subject to the outside world. However ancient traditional law may be, Somalis are comfortable with its judgements to this day, whether disputes coming before the elders are peacemaking in character, or the result of injuries sustained in a road accident, or compensation for injuries inflicted on a person's pride or wellbeing.

Tariffs associated with this system are at the core of Somali justice in terms of applying preventive measures against outbreaks of serious conflict.

Intimately interwoven with this 'indigenous knowledge system' of traditional law vested in clan elders is a guarantee to every Somali of collective support from one's *Tol*. A '*Tol*', according to Drysdale, is "a self-contained group of genealogical lineage with its chosen elders who run the organisation". These exist in their thousands as institutions that protect the interests of their respective memberships. Drysdale continues:

> The almost daily voluntary work of elders of the 'Tol' is both physically and intellectually demanding and usually independent of government. No free lunches or four wheels come their way, but governments which have no love of them, frequently use or misuse their energy and talents in the interest of good or bad governance. Their re-emergence into the open society of Somaliland in 1991 from the darkness of their two decades of underground work was fostered three years earlier by the Somali National Movement. The Movement consisted of freedom fighters based in Ethiopia in the 1980s to oust Siad Barre's formidable and wicked military garrisons in Somaliland … *The Movement had a problem of recruitment. Reluctantly they called on the elders in Somaliland to persuade surreptitiously their 'Tol' followers to join the Movement. They were successful. The Movement's commanders, impressed by the elders' aplomb, brought them in as advisers, giving them equal status* [italics added]. When the Movement ran the garrisons into the sea and formed a government in 1991, the elders were given a place of honour, resuming their open-handed work, with almost ordained honesty, as before.

This reflection on how 'tradition' and 'modernity' came together in the prevailing circumstances of historical contingency during Somaliland's resistance to Siad Barre's Mogadishu regime is instructive for what it conveys about the extent to which these two realms of Islamic cultural reality have been alienated from each other in post-colonial African polities. Moreover, in Somaliland's case they were not necessarily preordained to make common cause against the southern tyranny, but for the armed struggle that was imposed upon the people of the north-west region and the need of the exiled SNM to firmly root itself among the people of the region in order to put up a successful military resistance. In this way the region's clan elders became the midwives of Somaliland's rebirth.

It is not clear whether or not Britain's colonial propensity for indirect rule through traditional leadership structures was crucial to the continued existence of the system of

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[3] See Drysdale, http://www.somalilandsurveys.info/Article.htm; and the Report of the Somaliland Protectorate Constitutional Conference, held in London, Her Majesty's Stationery Office (May 1960); italics added.

traditional decision making described by Drysdale. What Drysdale does stress, in contrast to the situation in north-western Somaliland, is the period of the mid-1950s when southern Somalia was still under the administration of the Italian government at the "behest of the United Nations Trusteeship Council". Referring to the Somali Youth League (SYL) leader, Abdillahi Issa, Drysdale observes that he

> … had several things in common with the Italian administration. One issue in particular was their mutual abhorrence of 'tribalism.' The Italians ignored elders before Abdillahi became prime minister. They felt that Somalis could only modernise if their urban societies could develop bourgeois habits, learn the Italian language and culture, and be Italian in all their beautiful cultural habits including a propensity towards malfeasance. As part of this process the condemnation by the Somali Youth League of 'tribalism' was grist for the Italian mill. 'Tribalism', in the Somali political notion at the time, was an embedded culture drawing upon virtually every Somali's allegiance competitively with the modern concept (to Somalis then) of political parties which were deemed to be more like the United States understanding of a 'civil society'.

According to Drysdale, during the first republic (at the dawn of independence from colonialism),

> Abdillahi Issa, as prime minister, forbade the use of lineage names, with which Somalis heretofore identified themselves, and officially discarded the Somali traditional system known for centuries as Xeer Soomaali. The same policy persisted during the first nine years of the Somali Republic (1960-69) – the union between Somalia and Somaliland – which was not a very successful experiment in democracy. This was followed by Siad Barre's 'burial' of 'tribalism' for twenty-two years which was a farce since he used the members of his own clan affiliations in the security services to intimidate the rest of the country.

The rebirth of 'tribalism' out of a compact based on mutual need between the north-west's (Somaliland) clan elders and the SNM's exiled leadership would eventually set the stage for the experiment in reconciliatory nation building based on a marriage – initially of convenience – between tradition and modernity, which has resulted in the Somaliland of today. However, this was not a smooth process without its own internal contradictions and conflicts. But the Somaliland national experience, as it unfolded, would confirm the elders as arbiters in resolving the region's conflicts along the way.[4] In effect, 'tribalism' as tradition became the midwife of modernity in Somaliland's rebirth. For us to arrive where it is today, we need to revisit Somaliland's first brief taste of independence in the early 1960s. Somaliland, the former British protectorate, would go through the 'false start' of Somali republican union with former Italian Somaliland from 1960 to1969, followed by the nadir in the era of the Barre dictatorship, which eventually rekindled the north-west region's nationalist impulses as a result of the repression and near genocide that it had to endure.

The birth of the SNM: northern resistance takes shape

The SNM came into being in response to the repression of the Siad Barre dictatorship.[5] A regionally based post-colonial resistance movement, it represented the northern 'clan-family' of the Isaaqs, centred on the three major urban centres of Hargeisa, the second largest city along the Somali coast, Burco, and the strategic port city of Berbera. Other non-Isaaq clans and sub-clans represented in the SNM's founding included the Dir clans from the south in former Italian Somalia, individual members of the Gadabursi clan groups, and the Warsangeli and Dhulbahante clans. According to Jack L. Davies, in his 'The liberation movements of Somalia', it was founded "more or less simultaneously by different groups of individuals in Saudi Arabia, Mogadishu and London", meeting in London on April 6, 1981.[6] Some of the

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4   Ken Menkhaus, 2000. Traditional conflict management in contemporary Somalia, in I. William Zartman (ed.), *Traditional cures for modern conflicts: African conflict 'medicine',* Boulder, Colo: Lynne Rienner.

5   Africa Watch Report, 1990, *A government at war with its own people. Somalia, testimonies about the killing and the conflict in the north*, London: Africa Watch.

6   Jack L. Davies 1994 .'The liberation Movements of Somalia', Civic Webs Virtual Library. Available at:

members of the founding committee in London were Ahmed Mohamed Gulaid (Jimaleh), the group's president, who became SNM chairman; Hassan Adan Wadadeed, vice president; Ahmed Ismael; and Mohamed Hashi Elmi. The London group that hosted the founding of the SNM has been described as secular and nationalist in its political outlook, while the Saudi-based members were defined as religious and quite ardent in their support of the Isaaq. Furthermore, it seems that the religious element in the organisation was most influential during the formative years, but started to wane in importance with the shift of the SNM from London to its base in eastern Ethiopia in 1983 and the subsequent intensification of its ten-year-long guerrilla war against Siad Barre's forces. The SNM, as well as the first president of Somaliland, Mohammed Egal, had to contend with strong, disparate internal religious sentiments. A case in point is the inscription of the Islamic religious formula on the new flag of Somaliland. This challenge of balancing religion and modernity in Somaliland continues.[7]

The SNM was born of a sentiment of marginalisation – a feeling among the Isaaq and allied clans and sub-clans that the Mogadishu dictatorship under Siad Barre had neglected them and their region. Southern dominance in the Republic of Somalia had triggered sporadic Isaaq unrest throughout the post-independence period. For example, in 1961 Somaliland's military officers, led by Hassan Kayd, attempted to reclaim Somaliland's independence. Yet in spite of this periodic unrest, the marginalisation and the savage military repression that ensued in the late 1980s, the SNM's initial raison d'être was not to secede from the Somali union, but to overthrow the Siad Barre dictatorship. As an inter-clan expression of pan-Somali nationalism, the driving force was a "unified desire to oppose the oppressive socialist dictatorship of General Barre, rather than to support any particular clans, such as the Isaq clans that provided the largest fraction of its membership. Therefore, it collected intellectuals with a wide variety of political views who shared this common goal". Short of secession, there was, according to Davies, a longer-term SNM desire, not only to stop the oppression of the central government in Mogadishu, but to decentralize much of the power of that government. However, the short-term motivation of stopping the growing genocide of the Isaaq group of clans by general Barre focused the goals of the SNM on a narrower clan basis.[8]

The increasingly repressive nature of the Barre regime reflected a confluence of pressures stemming from general Barre's failed 'Greater Somalia' irredentist project. The aim was to detach from Ethiopia its Ogaden Somali region. This was initially undertaken by Mogadishu's backing of the Western Somali Liberation Front (WSLF) and the so-called 'Somali Abo' insurgent forces at a time when the Mengistu regime was also contending with the Tigre-Eritrean insurgencies throughout the Abyssinian highlands and the Red Sea coast. Having over committed his regime to the liberation of the Ogadeni (to the extent of integrating them into his regime), Siad Barre's military defeat by the Cuban forces, which intervened in the Ethio-Somali battle for the Ogaden in 1977 to 1978, eventually undermined the rationale and cohesion of his rule. The Somali armed forces (known as the Somali National Army [SNA]) never recovered from the Ogaden defeat. (In one of the war's turning point engagements, the battle of Jijiga, the SNA lost more than half its attacking force of three tank battalions, each consisting of more than thirty tanks! Years later, after the outbreak of the SNM-led northern resistance, Ogadeni troops in the national army defected en masse, contributing to the formation of the Somali Patriotic Movement in a process of proliferating southern anti-regime formations.)

Siad Barre had misplayed his hand amid the changing geopolitical balance of forces in the Horn of Africa as a result of Soviet-Cuban adventurism. In fact, the nominally 'scientific socialist' regimes in Addis Ababa and Mogadishu were an object lesson in how more mundane agendas of narrowly nationalistic realpolitik had more to do with animating the domestic and foreign policy agendas of such African governments than with a commitment to ideology. It is in the wake of the Ogaden defeat that endemic inter-clan and sub-clan instability gained momentum in formerly 'scientific socialist' Somalia. The emergence of an Isaaq-led resistance, with its regional inter-clan as well as clan character, unfolded within this wider context of Somali unrest and resistance against an increasingly defensive Mogadishu dictatorship. SNM resistance was part of a broader insurgency to unseat the Barre regime. The SNM's military campaign, launched in 1988, resulted in the capture of Burco on 27 May,

http://www.civicwebs.com/cwvlib/africa/somalia/1994/lib_movments/lib_movements.htm (accessed on 27 August 1994 (hereafter referred to simply as Davies 1994).

[7] Bashir Goth, 'Editorial - taking the new opposition dominated parliament to task', *Awdalnews* (accessed 9 December 2005), Available at:
http://www.awdalnews.com/wmview.php?ArtID=6603.

[8] Davies (1994).

and the capture of a substantial part of Hargeisa on 31 May 1988. The savagery of government retaliation forced some 300 000 Somalilanders to flee to Ethiopia, further fuelling the insurgency. Five thousand Isaaqs were killed between May, when the SNM captured Burco, and December 1988.

This phase in the SNM's struggle will be revisited later for what it reveals about the larger geopolitical context of repressive regime survival in both Ethiopia and Somalia as both regimes sought quid pro quos to deal with their respective challenges, in which anti-regime liberation movements played proxy roles. Here the SNM challenge needs to be placed within a broader Somali resistance framework for a better understanding of its uniqueness compared to other Somali movements, and of how this uniqueness relates to the reconciliatory nation building process that has been underway over the past several years in Somaliland.

The SNM and Somalia's "liberation" proliferation

In terms of historical and contemporary perspectives on the politics of conflict and accommodation along the Somali coast, Davies[9] offers a typology of 'Somali liberation movements' that may be instructive for locating the SNM insurgency and its legacy. He differentiates between 'genuine' liberation movements and 'new' liberation movements – the latter mainly reflecting the fission and fusion of political formations during the post-Barre period. Here, however, Davies offers an insightful commentary on the international politics of Somali liberation and 'reconciliation' that harks back to the 'top-down' versus 'bottom-up' dynamics that has distinguished Somaliland's state building from statehood failure in the south:

Any two Somalis can get together and form a new 'liberation movement' that claims to represent any group of people they want to claim. International 'reconciliation conferences' that give one vote to each faction admitted use almost non-existent 'liberation movements' in order to *deliberately distort voting rights* at these conferences. This practice began at the two Djibouti Conferences in the summer of 1991. More recently, the US State Department and the United Nations in particular have been using this technique to inflate the importance of minor liberation groups that support their own stated goals, in order to weaken the influence of genuine liberation movements that oppose some of their views, particularly concerning recognition of the Republic of Somaliland. Somalis, therefore, are beginning to argue that only 'genuine' liberation movements who fought against the dictatorship prior to January 1991 should be admitted as real factions to such 'reconciliation conferences'.[10]

Besides the SNM, Davies classifies the following as being or having been "genuine" Somali liberation movements:[11]

- The Somali Salvation Democratic Front (SSDF), which at times has been the Somali Salvation Front (SSF);
- The Somali Patriotic Movement (SPM) and the two factions that it split into: SPM Ogadeni and SPM Harti;
- The United Somali Congress (USC) and the two factions that it split into: USC 'Aidid' and USC Mahdi;
- The Somali Democratic Movement (SDM) and the two factions that it split into: SDM pro 'Aidid' and SDM pro Mahdi.

Without enumerating the 'new' movements of dubious credibility, the SNM insurgency in the north complemented the emergence of the SSDF/SSF and USC, which eventually forced Siad Barre to flee Mogadishu in 1991. Here some analysis of this larger resistance context is in order as a means of gaining more insight into SNM's comparative advantage vis-à-vis these other movements, as well as to reference the dynamics that has a bearing on current developments between the Somaliland Republic and the latest (2004-2005) peace conference rendition of a reconstituted Mogadishu government: the *Transitional Federal Government (TFG)*.

The SSDF/SSF was an older Ethiopian-backed movement formed in 1979, headquartered in Addis Ababa with funding and military aid provided by Libya. As the SSDF/SSF sought to broaden its predominantly Majerteen clan group base, its founding leaders, in reaction to what they perceived as a threat to their leadership, worked a deal with

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9   Davies (1994).
10 Ibid.
11 Ibid.

the Ethiopian and Libyan governments, which transformed the movement into as much a proxy of Ethiopia against Somalia as an authentic liberation movement. In this transformation, colonel Mengistu arrested one of the main key SSDF/SSF leaders, colonel Abdullahi Yusuf Ahmed and several of his key aides. They languished in jail until the overthrow of the Mengistu regime. Upon their release Yusuf, currently president of the new Somali TFG and formerly leader of the autonomous region of Puntland, reclaimed SSDF/SSF leadership.

Closely intertwined with what have been ongoing contemporary border tensions between Somaliland and Puntland over the Sool and Sanaag regions, Davies recounts that "there were jealousies between the SSDF and the SNM, *whereby the SSDF tried to force the SNM to join it and the SNM refused*. Ultimately, Colonel Mengistu dropped the SSDF and sided with the SNM", although the "SNM was never as cooperative as the SSDF … refusing to take orders from the Ethiopian Dictatorship and refusing to accept the 'Green Book' of Colonel Qaddafi as the pre-requisite for receiving financial and military aid from him".[12]

The SNM's uniqueness compared to the other movements, according to Davies, lay in the fact that, apart from having a preponderant clan base in the Isaaqs, it did not try to expand further to include members from even more clans and groups of clans, although it had an ideological thrust that attracted individuals from other clans. "In sharp contrast to other liberation movements at that time, the SNM did make a serious effort to use internal democratic procedures to develop political goals based upon an internal consensus – and to publish them."[13] Davies cites a typical published statement from 1981: "We propose a new political system built on Somali cultural values of co-operation rather than coercion; *a system which elevates the Somali concept of 'Xeer' or inter-family social contract in which no man exercised political power over another except according to established law and custom, to the national level.*"[14]

A different take on the SNM's social base in the north-west is provided by Ahmed Yusuf Farah (1999) in a contribution he made to a Project Ploughshares inquiry into "Civil-military relations in Somaliland and northeast Somalia".[15] In a presentation entitled "Political actors in Somalia's emerging de facto entities: civil-military relations in Somaliland and northeast Somalia", Farah contends that, in fact, Somaliland is "socially and politically more complex than Northeast Somalia" – referring to Puntland – in that Somaliland supports a "population of mixed (and rival) clan origin belonging to three large clan families (Dir, Isaq and Harti/Darood)". This more pluralistic perspective on Somaliland may account for the Isaaq/non-Isaaq clan strategies that the SNM has pursued in its approach to interacting with traditional authorities in the region. But it may also account for the movement's motivation in producing a clearly articulated pan-Somali 'national democratic' ideology, on which Davies elaborates. Instructive in this regard are the following stipulations taken from the eleven guidelines published by the SNM:

•   The structure of the central and regional government will be as simple as possible. It will be designed to reduce hierarchy and bureaucracy to a minimum and enable the average man and woman to understand and relate to regional and national governments;
•   It will integrate effectively traditional Somali egalitarianism and the requirement of good central government;
•   It will maximise the effectiveness of the representative and democratic process at all levels; and
•   The freedom of the press in accordance with the constitution and the laws of the country will be guaranteed by law.[16]

SNM's comparative advantage and the role of the elders

Building on a cohesive clan base, combined with an essentially pan-Somali democratic ethos, the SNM strategy, according to Davies, was to assist other clan and regional groups to

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[12]   Ibid. (italics added).
[13]   Ibid.
[14]   Ibid. (italics added).
[15]   Ahmed Farah, 'Political actors in Somalia's emerging de facto entities: civil-military relations in Somaliland and Northeast Somalia', Project Ploughshares, presented at the conference on civil-military relations, Nairobi (April 1999). Available at:
http://www.somaliawatch.org/archivefeb01/010414202.htm.
See also Farah & Lewis (1997), pp. 317-325.
[16]   Ibid.

embark on their own resistance against the Barre dictatorship. He went on to say that "it assisted the Hawiyes in forming their USC and the Ogadenis in forming their SPM as sister liberation movements in the fight to oust the socialist dictatorship of General Barre in the war-of-liberation".[17] Nevertheless, the SNM succeeded in attracting non-Isaaqs, though Siad Barre also did well in trying to undermine this attraction. "General Barre was extremely irritated by the growing number of Hawiyes joining the SNM and the fact that the Vice Chairman was a Hawiye. He succeeded in creating a conflict between the Chairman and Vice Chairman of the SNM, which led to the resignation of Vice Chairman, Ali Mohamed Ossoble ('Wardhigley'). Other foreign countries appear to have co-operated with General Barre in developing the theory that since the SSDF had stopped its armed resistance to General Barre, only the SNM was left. If the SNM could be induced to give up its armed struggle, there would be no further conflict and opposition to General Barre."

Despite the various bribes offered, the SNM refused to end its war of liberation. Many other leading Hawiye members of the SNM also left the SNM in 1987 as a result of this episode. This no doubt accentuated the regionalisation of the SNM as a sectional movement with harbingers of things to come in terms of a repeat of regional tensions in post-Barre Somalia. In any case, the rest is history in the escalation of Somalia's civil war, to the point of the Barre regime's eventual collapse in 1991. Here, in terms of post-Barre political dynamics leading to a politics of reconciliation and power sharing in Somaliland, it is important to examine the role of the clan elders. From the late 1980s until the Barre regime's collapse, the SNM apparently did most of the fighting in the resistance war. It seems that only towards the end, in the last one to one and a half years, did it receive substantial assistance from the USC and the SPM. Once this armed struggle phase ended, the initiative within Somaliland shifted to the clan elders as the SNM handed over to them to navigate what would become a complicated and delicate process of post-conflict reconciliation and political consolidation of a brutalised society that had been under prolonged siege. The backdrop to the unfolding of this clan-elders-led national reconciliation phase in the north-west is the state collapse in Mogadishu, which followed on the heels of the collapse of general Barre's government. It was the USC, a powerful force in Mogadishu that seized control of the capital only to have the situation deteriorate into a round of factional fragmentation and infighting, which ushered in what became an era of stateless warlordism in former Italian Somalia.

The shift of the initiative from the SNM, as the politico-military vanguard, to the more popularly based leadership of the clan elders was underlined by the manner in which Somaliland moved from insurgency towards the outright declaration of independence. Immediately after general Barre's defeat in January 1991, followed by a February peace conference in Berbera that proclaimed a formal cease-fire, the SNM called a March meeting of the elders of all non-Isaaq clans "to reconcile any potential differences between them and the Isaq clans – as agreed upon by all liberation movements before the end of the war-of-liberation".[18] What is important here is the implicit power sharing strategy of the SNM as a 'modernist' nationalist movement in its consultative outreach to the region's clan leadership as a basis for building the fledgling foundations of what has evolved in terms of democratic governance. In effect, the seeds of indigenous democracy were evident in the culture of SNM-clan elder consultation.

The Berbera peace conference had established the SNM's policy of peaceful coexistence among the clans of Somaliland. The post-Berbera non-Isaaq meeting was followed by an April meeting with the Isaaq clan elders in Hargeisa, setting the stage for an end of April SNM congress, together with representatives of all clans, Isaaq and non-Isaaq alike. This became the *Guurti Congress of the Elders*. The elders and other democratically selected representatives forced the SNM, against its will, to announce the creation of the independent Republic of Somaliland on 18 May 1991. "After a one-day pause, the SNM leadership bowed to public pressure and declared Somaliland's independence."[19] This declaration was accompanied by the establishment of an SNM-led interim government. Its administration was based on the SNM's organisational structure, with its chairman, Abdulrahman Ali 'Tuur', appointed as the country's first executive president. The SNM central committee functioned as the government's first parliament.

Reflecting the accent on reconciliation, the interim administration was tasked with accommodating non-Isaaq communities by enlisting their participation in the new regime. It also had to start the process of constitutional development and preparing Somaliland for an

[17]   Ibid.
[18]   Davies (27 August 1994).
[19]   Ibid.; and Bryden (2004), p. 24.

elected government. However, the new interim regime was acutely vulnerable to the consequences of the devastation that the war had left, not to mention long-deferred civil-military leadership tensions in the SNM. "Bereft of a revenue base with which to rebuild an administration, a decimated infrastructure, and with a large number of people displaced from the south or in refugee camps, the government had little capacity to deal with the growing number of freelance militia who were making a living through robbery and extortion."[20] There was also a particularly critical political deficit that needed attention.

While the Burco conference restored relations between the Isaaq and other northern clans, "it failed to heal the schisms within the SNM and among the Isaaq that had developed during the war".[21] Wartime rivalries within the SNM, which carried over into peacetime, resulted in the outbreak of fighting in Burco. In March 1992 fighting erupted in Berbera when the interim government sought to establish control over the port and its revenue. Pacifying this situation strengthened the role of the clan elders in stabilising the country. The Berbera confrontation threatened to push Somaliland into a state of protracted civil war. This would have replicated the southern deconstruction of former Italian Somalia in the erstwhile British colony. Successive conferences initiated by the elders themselves aimed at re-establishing peace in the towns of Sheikh and Borama proved crucial in this regard by moving Somaliland towards what can be termed a "traditional-modern compact" as the centrepiece of the republic's governance. In terms of power sharing, the second conference at Borama established a framework for the participation of clan elders in Somaliland's post-war system of governance by creating a council of elders, the *guurti*. In Somali pastoral society *a guurti* is traditionally the highest political council comprising titled and non-titled clan leaders. At Sheikh the *guurti* of Somaliland's different clans was constituted as a national *guurti* and given responsibility for controlling the clan militia, preventing acts of aggression against other communities, and defending Somaliland.[22]

The defining event in Somaliland's post-conflict politics was the *shir beeleed* in Borama, which lasted for five months between January and May 1993. Here an electoral college of elders who made up the national *guurti* oversaw the peaceful transfer of power from the SNM government of Abdulrahman 'Tuur' to a civilian government headed by Mohamed Haji Ibrahim Egal, who had been Somalia's last civilian prime minister before the 1969 military coup. The Borama process produced an *Interim Peace Charter* and *Transitional National Charter*. The Peace Charter re-established the basis for law and order by setting out a code of conduct (*xeer*: unwritten contracts, laws, agreements or social codes between clans) for the people of Somaliland in accordance with their traditions and the principles of Islam. The National Charter defined the political and institutional structures of government for a transitional three year period, until a constitution could be adopted.[23] How the governing pact between traditional authority vested in Isaaq and non-Isaaq clan elders and the modernist forces of SNM-spearheaded nationalism laid the indigenous power sharing foundations of Somaliland's unique brand of constitutionalism forms the next phase in understanding its democratic consolidation.

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[20] Mark Bradbury et al. (2003), p. 459.
[21] Mark Bradbury, *Somaliland country report,* London: CIIR (1997).
[22] Bradbury et al. (2003), p. 460; Farah & Lewis (1997), pp. 84-87.
[23] Bradbury et al. (2003), p. 460.

Power sharing foundations of constitutionalism

The path that the power sharing clan reconciliation process in Somaliland took after the post-Berbera conflict series of peace conferences resulted in consolidation of the independence of the north-west Somali coast by embarking on constitutional development. Putting in place the constitutional underpinnings of this reconciliatory power sharing process – a process which confirmed civilian ascendancy over the military elites – has been examined in considerable detail by Bradbury et al.,[24] starting with their review of the administration of Mohamed Haji Ibrahim Egal – the old Somali Republic's last civilian prime minister before the 1969 Barre coup. The transfer from the SNM interim administration of Abdulrahman 'Tuur' to Egal was effected peacefully within the implementation framework of the Borama process.

Egal is, in effect, the 'founding father' of the Somaliland Republic. But his tenure would undergo a 'baptism by fire' that would test, yet again, the sustainability of reconciliation in Somaliland. Over the first eighteen months of his new post-Borama administration the Republic's foundations were secured; the institutions of government were established; the militia was demobilised; a revenue system was created (where the outcome of the battle over the Berbera port had been critical); and a secure environment for economic recovery was provided. Constitutional progress, however, was initially slow, since contested issues from the Borama conference still remained.

According to Bradbury et al., as Egal's government "sought to extend its administrative control dissatisfaction grew among certain Isaaq clans with the formula for sharing political power adopted at the Borama conference. This, combined with political opportunism by certain politicians, pushed Somaliland into civil war."[25] This conflict underlined the fragility of the reconciliation process and Somaliland's independence, when a section of the opposition to the Egal administration declared its support for a federal Somalia. The war lasted from November 1994 to October 1996, displacing over 180 000 people and causing severe damage to Burco and Hargeisa – areas that were still trying to recover from the devastation of the war of resistance against the Barre dictatorship. A second national reconciliation conferencing process (or *Shir Qarameed*), held in Hargeisa between October 1996 and February 1997, ended the civil war and, in the process, accelerated Somaliland's constitutional development. Egal's political leadership survived the war, due to the fact that an electoral college of elders extended his tenure in office by another four years. The group also increased opposition and minority seats in the house of parliament, while an interim constitution was adopted, which superseded the Borama charters and provided the basis for a multiparty system of government.

The Hargeisa conference was financed and managed with little foreign support.[26] However, it was largely financed by government, thereby strengthening the reality of a central government in Hargeisa, which was constantly eluding the warring factions in former Italian southern Somalia. The number of voting delegates present at the conference was twice that of the number at Borama, with a number of women permitted to observe the proceedings. The fact that there was no change in governmental leadership meant that the civil war had failed to disrupt the country's governance, thereby providing for continuity in Somaliland's continuing transition. Since this last reconciliatory conferencing process in 1997 Somaliland has experienced a period of uninterrupted security. Security, in turn, has facilitated the country's continuing constitutional, political and socio-economic development.

Here it is instructive to quote at some length Bradbury et al., who explain how, within the dynamics of conflict and accommodation, Somaliland's reconciliatory capacities time and again prevailed over the centrifugal tendencies that have been the feature of politics in southern Somalia.[27] Drawing on an observation by political economist William Reno,[28] who pointed out that Somaliland illustrates how changes in the global economy do not inevitably produce predatory war economies and the end of political order, Bradbury et al. suggest several explanations why Somaliland has not followed the path of the south into *protracted*

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[24] Bradbury et al. (2003), pp. 460-463.
[25] Bradbury et al. (2003), p. 461.
[26] Suleiman Dirir Abdi, 'Report on peace-making initiative in Somaliland, April 1995 - January 1997'. London: Conciliation Resources (29 September 1996). Available at: http://www.c-r.org/pubs/occ_papers/occ_somali.shtml
[27] Bradbury et al. (2003), p. 464.
[28] William Reno, "Somalia and survival in the shadow of the global economy", QEH Working Paper series no. 100, Development Studies at Oxford, Queen Elizabeth House (February 2003), p. 30. Available at: http://www3.qeh.ox.ac.uk/RePEc/qeh/qehwps/qehwps100.pdf

civil war: "The political system adopted at Borama which integrated traditional authorities in the state administration guarded against the re-emergence of authoritarian rule."[29]

Post-conflict constitutional development

In the aftermath of the civil war the interim constitution adopted at the Hargeisa conference enshrined principles intended to enhance the development of stable civil-military relations. According to Ahmed Yusuf Farah, a possible solution was to introduce a constitution that clearly defined the "institutional functions and mandates of security and civilian institutions, while at the same time adopting democratic rules governing access by the elite to high public office regardless of professional bias".[30] Farah then cites the following articles that were introduced to regulate the distribution of power and authority between the civilian and military elites:[31]

Article 38 on freedom of association forbids any organisation "with aims and objectives that are deemed detrimental to the wider interest of society, including covert and underground organisations, armed and with military structure, or any other organisation that violates the constitution regardless of its form".

Article 61 (Joint Sessions of the Two Chambers of the Parliament) stipulates that the two chambers of parliament (council of elders and elected legislature) will hold joint sessions to deliberate on issues such as the decision and the declaration of war when the Republic of Somaliland faces a state of war.

Article 77 (*The Power and Obligation of the Council of Representatives*) stipulates that the decision by the executive to introduce emergency rule throughout the country or parts of the country should seek the approval of the two chambers of parliament.

Article 115 (*Powers of the President*) empowers the president to nominate and change high public officials of the government after consultation with the responsible minister, with due regard to the constitution and by-laws.

Article 148 (*Commanders of the Armed Forces and their Deputies*) stipulates that the armed force is responsible for defending and securing the integrity and independence of the country from external aggression. In addition it will act in response to emergencies as circumstances demand in accordance with the constitution. The armed force must always abide by and ensure the execution of the constitution and by-laws of the country. The formation of the national army is an internal matter limited to the different parts of the country. The individual nominated to be the minister of defence must be a citizen and a civilian. A by-law defining the structure of the national army will be formulated.

Article 149 (*Police Force and Prison Corps*) stipulates that the police force is responsible for domestic security and stability and ensuring the execution of the constitution and laws of the country; their structure and functions will be defined in a by-law. The prison corps is responsible for keeping and rehabilitating prisoners; its structure and functions will be defined in a by-law.

In addition to institutionalising the regulation of civil-military relations within a constitutional framework, the interim constitution set out a schedule for the legalisation of political parties and the holding of democratic elections. It would take four years, however, before a referendum was held on the new constitution. In the meantime Somaliland's constitutional development entailed instituting an electoral system and regular elections that have been the mainstay of what evolved into a functioning multiparty democracy. According to Bradbury et al*.,* "Egal linked the transition to multi-party democracy with Somaliland's desire to gain international recognition, arguing that the international community would not recognise Somaliland's independent status unless it adopted such a system." They point out that "a major impetus for implementing the constitution was the formation of Puntland in 1998 and the Transitional National Government (TNG) in 2000", stressing that "Puntland, which claims authority in areas of eastern Somaliland, and the TNG, which claims sovereignty throughout Somalia, directly challenged the legitimacy of Somaliland".[32] Somaliland's constitutional consolidation, therefore, was intimately intertwined with its regional security interests within the broader, fluid context of the reconstitution of the state along the Somali coast. However, this consolidation also has particularly important implications for the role of Islam within the Somaliland polity in view of the current Islamist ascendancy in central and southern Somalia,

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[29] Bradbury et al. (2003), p. 462.
[30] Farah (1999), p. 25.
[31] Ibid.
[32] Bradbury et al. (2003), p. 463.

where the struggle against the American-backed Ethiopian occupation mutated this challenge into militant and less militant factional Islamist tendencies.

The Islamic dimension

As in other Muslim societies, Islam is intimately interwoven with the indigenous cultural fabric of Somali society throughout the Horn of Africa. As such, Somaliland's democratic evolution, predating by more than a decade the emergence of the more fanatical *Salafist* tendencies associated with the rise of jihadism promoted by al-Qaeda, reflects this embeddedness of Islam in a manner that might be termed its 'secularisation' in a political and social context bridging both the 'modern' and the 'traditional'. This reflects what has been the prevailing influence of Sufi Muslim tolerance, which has allowed Islam to adapt to traditional indigenous cultural and societal patterns throughout different geographical regions of the Muslim world, the Horn of Africa included. This accounts for the history of coexistence that has obtained in the Horn of Africa between Islam and other non-Islamic religious traditions. Somaliland's political identity reflects this Sufist ascendancy as the basis of what might be termed an 'Islamic-traditional pact', as opposed to the emergence of the Salafist tendencies associated with the Saudi Arabian Wahabist tradition.

While Somaliland's Sufism, embedded in its traditional nomadic culture, has proved compatible with its democratic political evolution out of a history of post-conflict reconciliation, the emergence of the more hard-edged political Islam in the south constitutes a challenge to the prevailing 'Islamic-traditional pact' in the north-west. This, in fact, is a challenge that gets right to the heart of the long-term untenability of non-recognition of Somaliland as a sovereign state within Africa and in the international community. To the extent that the stabilisation of the greater Somali region is in the interest of the African Union and the international community, some form of recognition of the zone of stability represented by Somaliland is in the interest of a wider regional security agenda that involves long-overdue accommodation of the more pragmatic Islamist tendencies in Mogadishu. This pragmatism is represented by the most recent incumbent leadership to emerge out of the TFG with the election of Islamic Courts Union leader, Sharif Ahmed, as its president.

The problem is that his 'moderate' Islamist leadership comes after several years of anti-Islamist US-Ethiopian intervention, which strengthened the more uncompromisingly militant Islamist tendencies represented by the Shabab militia movement that has become the ascendant military force throughout most of Somalia's central and southern regions. While it is unclear what Sharif Ahmed thinks about Somaliland's independence, "nationalists and jihadists are violently against it, as is Puntland which disputes a border zone with it".[33] For this reason, Somaliland's recognition, in some form, is increasingly emerging as one of the key points of stress in the search within Africa and internationally for a stabilising formula for the greater Somali region.

Conclusion: lessons learned

The foregoing history of Somaliland's short existence as an unrecognised republic in the greater Somali region of the Horn of Africa raises a number of interesting points, given, thus far, its proven sustainability. In concluding this analysis, what follows are a few 'lessons' that may be 'learned' from this history.

- The social ecology of any given social formation in Africa will have a major bearing on its internal power sharing capacities for democratic development. In Somaliland's case, compared to the rest of what once constituted Somalia, its relatively homogeneous, nomadic herding culture has underpinned a system of clan elders that has proved decisive as a mediating force for pragmatic conflict management.
- The emergence of the SNM, as a modern nationalist expression in the vanguard of northern Somalia's resistance to the Barre military regime, out of the region's unique social ecology made for an organic linkage between tradition and modernity. This enabled Somaliland's nationalism to cohere as a consensual expression of a culture of consultation, leading to reconciliation and power sharing in shaping its version of an African democracy.
- The fact that Somalilanders have arrived at their system of democratic governance on their own terms, relying on their own social and cultural resources with little or no external influences contrasts with the successive failed attempts at reconstituting a Somali republic based in Mogadishu, thereby raising serious questions about the

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[33]   Op.cit., *Economist*, 28 February 2009, p. 38.

efficacy of the manner in which the international community has approached the challenge of stabilising the greater Somali region.
- There is no contradiction between Islam and democracy within the African setting. The intertwined relationship between religion and indigenous traditional culture carries its own strengths that can contribute positively as a factor in modern democratic state building and political development. The Somaliland experience and the more recent experience of the greater Somali region as a whole underlines the need for a more differentiated and nuanced approach to the challenge of political Islam in contemporary Muslim societies.

In the final analysis, there needs to be sustained dialogue within Africa itself about how indigenous cultural – and, in many instances, multicultural – resources can be harnessed to enhance social and political stability while simultaneously promoting democratic governance; that is, governance that reflects maximum popular participation. This challenge implies a need to find ways of transcending Africa's bifurcated inheritances from colonialism of cultural and political divides between rural-based traditional social sectors and urban modernity. Somaliland's experience represents one case study of a path towards such transcendence. Drawing from different African experiences in power sharing as a route to democratic state building will add further value to such a process.

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