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Political Settlements and State Formation: The Case of Somaliland

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About the author

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Executive Summary

Why did the civil wars in Somaliland end while Somalia's continued? This paper asks why large-scale violence was resolved in the internationally unrecognised 'Republic of Somaliland' but not in the rest of Somalia. The case of Somaliland offers insights into why some domestic power struggles – including violent ones – build the foundations for relative political order while others perpetuate cycles of economic malaise and political violence.

The unrecognised status of the Government of Somaliland has made it broadly ineligible for official international grants and loans, and so it has had to rely more heavily on its internal capacity to extract capital, whether from its domestic population or its diaspora. Despite these constraints, Somaliland's political and developmental achievements have been relatively impressive – with the most significant progress being the restoration and maintenance of peace. Its achievements are most striking when compared to the level of conflict and poverty presided over by successive governments in southern Somalia – governments that have been largely underwritten by external political support and financial assistance.

This paper finds that it was not simply the lack of direct external assistance that mattered, but the fact that Somalilanders were not pressured to accept 'template' political institutions from outside and could negotiate their own locally devised, and locally legitimate, institutional arrangements. There was sufficient time and political space for solutions to evolve, rather than an attempt to impose pre-determined institutional end points. The emergence from civil conflict was out of kilter with conventional conflict prevention programs that emphasise grassroots consensus and inclusion; it was also coloured by struggles to control the means of legitimate coercion, and a high degree of collusion between the political and economic elites.

Finally, the lack of external assistance meant that the incentives for elites to cooperate with one another were primarily local. This was at odds with the way that peace was being pursued in the rest of Somalia at the same time, where vast sums of money were being spent by external actors to bring political competitors to the negotiating table in the hope of forging a durable peace.

The 'rules of the game'

For Somaliland, the maintenance of peace is the gravitational centre around which all other political and economic considerations orbit. On this basis, peace is exchanged for relatively exclusive access to the key drivers of economic growth. Somaliland's political settlements drew on existing institutions and established new ones in order to overcome civil conflict, and in so doing created a hybrid political order consisting of locally appropriate (though imperfect) norms and rules of political engagement. The 'rules of the game' that were consolidated during this process established that the building and maintenance of peace should:

- Be highly inclusive
- Use widely understood (though not strictly 'traditional') mediation techniques
- Maintain a relative balance of power between clans and sub-clans
- Not rely on outsiders to solve Somaliland's problems.

This political settlement has become increasingly exclusive since the last national conference ended in 1997, but it nevertheless underlines the 'rules of the game' that regulate competition over power and resources, and the handling of differences in non-violent ways. This was not an inevitable outcome. When resources are viewed as scarce, it is common for actors to assume a zero-sum game in which opponents' gains will be viewed as losses. Incentives to act are politically and socially constructed.

Structural facilitators of change

There were several key structural circumstances that influenced Somaliland's political settlement:

- The restricted access to external finance that was available to both the Somali National Movement (SNM) during the civil war and to the civilian governments that have followed it.
- The military victory of the SNM in 1991, which was accepted by the north-western clan militias that it defeated. There was no such victor in the rest of the country following the collapse of Siyad Barre's government, which facilitated the ongoing conflict between competitors.
- The absence of external actors weighing in to either end or prolong the intra-Isaaq wars in the mid-1990s. Somaliland's conflicts were very internally focused, while those in the south engaged many external actors and external sources of revenue. Access to this revenue in the south reduced the incentives of local power brokers to manage violence as a means of protecting revenue streams.
- International focus on events in the south during Somaliland's formative period in the 1990s allowed Somaliland's peace-building process to proceed with an unusual level of autonomy.
- Neither the government nor any other coalition has ever been able to claim a monopoly on the legitimate use of violence.
- Somaliland remains an unrecognised state despite its ambitions to the contrary, which seriously limits the ability of the government to extract income from normal international channels.
- The ongoing conflict in Somalia graphically illustrated the potential for violence to spiral out of control in structural circumstances that closely resembled Somaliland's.

Of course, none of these factors can be seen as determining Somaliland's political trajectory. Things could have turned out very differently were these same circumstances animated by different agents with different beliefs, perceptions and abilities.

Agential facilitators of change

Developmental change requires time, and is brought about by human action. It relies on agents who are willing and able to respond to, and sometimes create, critical junctures. External actors seeking to engage in the politics of developing states need to understand the deeper mechanics of the political configurations in the areas that they work, and ask:

- Which agents are more likely to *perceive* the developmental interests of the community?
- What *conditions* are most likely to give them the incentives to work towards the developmental interests of the community?
- What gives agents the best *tools* to act effectively to this end?

This piece exposes the disproportionate influence that actors with access to quality secondary education had in forging the early years of Somaliland's political settlement. Quality secondary education was one of the most important tools that agents had to act effectively.

- A disproportionate number of Somaliland's most influential political actors attended either Sheekh or Amoud secondary schools – both of which taught a curriculum that prioritised leadership and critical thought.
- A key indication of the importance of these institutions is the fact that three out of the four presidents of Somaliland attended Sheekh School while the other, Dahir Rayale Kahin, attended Amoud School. All three vice presidents also went to Sheekh School, although one – Abdirahman Aw Ali – also attended Amoud School.
- Cutting across each of the most important groups of actors is the importance of pre-existing networks of trust. Most of the coalitions analysed in this paper (the self-help group Uffo, the SNM, clan elders, and female activists) comprised members who knew each other personally prior to their engagement in politics.
- The clan leaders who were members of the national *Guurti* represented their constituents through hybrid and novel means. The Borama Conference formalised the role of a certain type of clan leader in Somaliland's political system – one that was willing and able to be detached from a pastoral context.

Ideational facilitators of change

In Somaliland there are several powerful ideas that help to reinforce a common reference point for political actors to draw from when framing processes of political change. These include:

- Beliefs about Somaliland being exceptional from the rest of Somalia (and of Somalilanders from other Somalis)
- Beliefs about Somaliland's rightful sovereign independence
- Beliefs about Somalilanders' inherent self-reliance
- The pervasive belief that peace is tenuous and its maintenance is a priority that outweighs all other political and economic matters.

These ideas do not just reflect common beliefs about, or imaginings of, a shared past; they also influence people's behaviour and shape their perceptions of what is politically desirable and possible. In the context of Somaliland, where the 'state' is technically absent, the narratives constructed around the idea of Somaliland as an exceptional and inherently legitimate sovereign entity feed directly into the ongoing negotiations and power struggles that give shape to its political settlement. The shared beliefs and narratives (accurate or idealised, valid or distorted) over Somaliland's exceptionalism and inherent peacefulness help to reinforce a status-quo whereby the absence of civil war is offered in exchange for acquiescence to elite capture of the economy.

How the 'failed states' literature fails to conceptualise change

Much of the 'failed states' literature suggests that when the state does not hold the monopoly on violence, violence will embroil its competitors as they struggle to claim the monopoly for themselves. This is a very structural explanation that takes no account of the agency of those supposed competitors who can both perceive, and act to alter, their circumstances. In Somaliland, those potential competitors were scarred by years of violence and deeply cognisant of the consequences of defecting from a settlement that promised peace, even if it did not promise a great deal else.

For Somalilanders, the threat of violence was less from an external invasion than an internal combustion. This perception had profound impacts on the institutions – and the ideas about violence that undergird them – that were fostered during this period. Protection from violence was viewed as an internal matter, and if violence had been a political tool and a political choice for local actors in the recent past it was believed that it could become so again with little warning. Peace was precarious, and it rested on a tenuous balance between coalitions with roughly equivalent power. Somaliland's civil wars in the mid-1990s provided the opportunity for local coalitions to determine that no one clan could dominate the others. They constituted neither 'development in reverse' nor a conflict trap because of the way that the actors perceived their incentives to cooperate, largely as a result of those unusually insular wars.

Messages for policy makers

- **Less was more.** Somaliland was of peripheral importance to external donors and, more importantly, to the external militaries that were active in Somalia in the 1990s. With the exception of a sum of around US \$100,000, which was provided by several donors for the Borama Conference in 1993, there was virtually no foreign funding used to finance the peace conferences in Somaliland between 1991 and 1997. There was a strong sense of local ownership precisely because the process was almost entirely locally owned.
- **No pre-determined institutional endpoints.** The peace conferences were lengthy, deliberative processes that occurred according to local norms and rhythms. They were allowed to take as long as was necessary to reach an outcome satisfactory to those involved. The inherent fluidity gave participants the time and political space to establish the institutions they believed were appropriate to the local context rather than being rushed to adopt template institutions or hold elections. Somaliland's story points to the importance of allowing time and political space for locally legitimate solutions to evolve rather than attempting to impose pre-determined institutional end points. Somalilanders' success at ending the widespread violence did not come as the result of trying to implement international best practices or norms of good governance. Had Somalilanders conducted the peace conferences with the aim of reaching liberal democratic outcomes or streamlined bureaucratic structures, it is likely that the outcome would have been less connected to the immediate requirements of stemming violence and, presumably, less effective in doing so.
- **Collusion over inclusion.** Peace in Somaliland was consolidated with help of the large amounts of money given to President Egal by a small circle of wealthy local merchants in exchange for extraordinary profits. Egal combined collusive business deals with security dividends for the wider population and tethered the commanding heights of the economy to his own state-building project. If the focus at the time had been on providing inclusive economic growth, it is also likely that President Egal's collusion with the business elite would have been seen as unacceptable. Exclusive though it was, Egal's ability to extract – and lavishly reimburse with 'public' money – was, and remains, widely accepted within Somaliland as having been legitimate.
- **Investment in quality secondary education and tertiary scholarships.** The biographical backgrounds of the influential political actors, activists, and technocrats from that period show that they were disproportionately well educated and, moreover, disproportionately educated at one secondary institution in particular – Sheekh School.

Providing funding for secondary schools beyond their physical infrastructure is no longer a priority among Western donors in Somaliland/Somalia. Instead, education funding is channelled almost exclusively towards primary schools, in line with the Millennium Development Goals. Despite this, the

importance of Sheekh School in Somaliland's political and peace-building history is demonstrated by both the testimony of its former students and by the positions obtained by its graduates in the decades that followed.

Foreign development assistance should be about more than fixing institutional gaps using the technical lens of imported and transferable best practice. The case of Somaliland underlines that legitimate institutions are those born through local political and social processes, and that these are largely shaped through the leadership process.

Brief Timeline of Key Events

Pre-‘Independence’

- **June 1960** - British Somaliland becomes independent and is recognised by 34 United Nations member states as an independent state for a period of five days before voluntarily unifying with The Republic of Somalia.
- **June 1961** - Referendum on the unitary constitution of Somalia is widely boycotted in the north of the country.
- **October 1969** - General Siyad Barre overthrows the civilian government of Mohamed Haji Ibrahim Egal.
- **1974** - Devastating drought and famine, centred in the north of Somalia.
- **1977-78** - Somali-Ethiopian (Ogaden) war, culminating in Somalia’s defeat.
- **April 1981** - The Somali National Movement (SNM) is officially established in London.
- **June 1981** - The SNM publishes its first edition of the opposition paper, *Somalia Uncensored*.
- **February 1982** - Student demonstrations over the trial of members of the Hargeisa-based self-help group, Uffo. Several were killed and hundreds arrested. The regime crackdown is popularly remembered within Somaliland as being the origin of the Somali civil war. President Siyad Barre re-announces state of emergency in the northwest.
- **1988** - Peace treaty signed between Somalia and Ethiopia. President Barre launches a devastating bombing campaign on urban centres in Somaliland, particularly the cities of Hargeisa and Burao. An estimated 50,000 people are killed in these attacks and the SNM insurgency is galvanised against the regime.
- **January 1991** - Siyad Barre’s regime overthrown; Barre goes into exile.

Key formative period

- **February 1991** - The SNM leadership engages the clan elders in the north-west of Somalia to negotiate a ceasefire with the other northern militias and establish consent for the political leadership of the SNM in the region.
- **April-May 1991** - ‘Grand Conference of Northern Clans’ held in Borao (Somaliland).
- **May 1991** - Somaliland proclaims its independence from Somalia at the Borao Conference. SNM Chairman, Abdirahman Ali Tuur is nominated as the first president of The Republic of Somaliland.
- **1992** - Berbera (Somaliland) Port and Borao conflict. Fighting breaks out in Berbera and Borao between Habar Yunis (Garhajis) and Habar Awal/Issa Musa militias after President Tuur attempts to organise a national military force to disarm militias. A violent power struggle ensues over control of public infrastructure and revenue at Berbera Port.
- **April 1992** - Creation of United Nations Operation in Somalia I (UNOSOM I) to secure humanitarian operations in Somalia.
- **October 1992** - The Sheekh Clan Conference (Somaliland) ends the conflict in Berbera and sets

general principles for a forthcoming peace conference to be held in Borama. The conference also established a framework – expanded at Borama – through which the clan leaders would participate in key governance issues in a more formalised manner.

- **December 1992** - United Nations (Resolution 794) authorises the creation of the Unified Task Force (UNITAF) to take over from UNOSOM I and use 'all necessary means' to provide a 'secure environment' for the provision of humanitarian assistance in Somalia.
- **December 1992** - US-led Operation Restore Hope sends 30,000 American troops to Somalia and 10,000 allied troops for peacekeeping missions.
- **January-May 1993** - The Borama (Somaliland) Clan Conference consolidates a Peace Charter and National Charter for Somaliland. The Charter establishes a bicameral legislature with an elected House of Representatives, a non-elected House of Elders (the *Guurti*), an elected presidential executive, and an independent judiciary. Under the Peace Charter it is agreed that all militias must be stood down and that all militia weapons be surrendered to become government property. The conference at Borama also sees the transition from the SNM to a civilian administration, and nearly two-thirds of the 150 official delegates at Borama voted President Abdirahman Ali Tuur out of office. Mohamed Haji Ibrahim Egal becomes Somaliland's second president with Abdirahman Aw Ali (Gadabursi) selected to serve as Vice President in a transitional government with Egal.
- **May 1993** - Operation Restore Hope hands over to United Nations Operation in Somalia II (UNOSOM II).
- **June 1993** - (Somali) General Mohamed Farah Aideed's forces kill over 20 Pakistani UNOSOM II peacekeeping troops.
- **October 1993** - (Somali) General Aideed's forces shoot down several Black Hawk helicopters, killing hundreds of Somalis and 19 US Army Rangers, prompting US President Clinton to announce the withdrawal of US troops by March 1994.
- **November 1994-October 1996** - Hargeisa Airport conflict. In a mirrored reflection of the Berbera conflict in 1992 (in which the Habar Awal defied the government by claiming Berbera as its territory), members of the Idagalle (Garhajis) clan begin agitating for control of Hargeisa Airport and the revenue that passed through it. By March 1995 the conflict had spread to Borao, continuing until 1996 and causing extensive destruction in both Hargeisa and Borao.
- **September 1994** - The Somaliland Shilling is introduced as a new national currency, providing a financial windfall to the small circle of business elites who funded its creation.
- **January 1995** - The Somali Shilling ceases to be legal tender within Somaliland.
- **1995** - A national army of around 5000 people is established, largely from disarmed militiamen.

The Hargeisa Conference to the present

- **October 1996-February 1997** - The Hargeisa National Conference (*shir qameed*). Unlike the conference at Borama, where the incumbent president was unseated, the Hargeisa conference reinstates both President Egal and the parliament. Also unlike the previous conferences, it is the Somaliland government which funds the Hargeisa Conference – rather than local communities.
- **August 1998** - The neighbouring territory of Puntland declares itself as an autonomous region of Somalia, under The Puntland State of Somalia. Unlike Somaliland, Puntland does not seek outright independence from Somalia.
- **May 2001** - Somaliland referendum to ratify the constitution held, with around 97 per cent of voters officially voting in favour of it.
- **May 2002** - President Mohamed Ibrahim Egal dies; Vice President Dahir Rayale Kahin is sworn in.
- **December 2002** - First local council elections.
- **April 2003** - First presidential elections. The incumbent is returned to office by an almost infinitesimal margin.'
- **September 2005** - First parliamentary elections.

- **December 2005** - President Dahir Rayale Kahin presents the case for Somaliland's independence to the African Union.
- **September 2009** - Saudi Arabia officially lifts the ban on live cattle exports from Somaliland.
- **June 2010** - Second presidential elections. Ahmed Mohamed Mahamoud Silanyo defeats Dahir Rayale Kahin.
- **April 2011** - The Silanyo administration tables the controversial Telecommunications Act in parliament – an ambitious attempt to extract greater tax from the telecommunications sector, but which was ultimately undone by internal inconsistencies.
- **November 2012** - Second local council elections.

1.0

Violence and Political Settlements

1.1 Why did Somaliland's civil wars end while Somalia's continued?

This paper uses a case study of Somaliland to examine several questions that are critical to contemporary development and state-building assistance. Principally: why do some countries develop the capacity to deliver security and inclusive development while others do not, and what is the role of leadership in determining these outcomes? Having emerged from serious civil conflict, the case of Somaliland offers insights into why some domestic power struggles – including violent ones – build the foundations for relative political order while others perpetuate cycles of economic malaise and political violence? This paper also asks how we are to understand the politics that shape the institutions that give expression to relatively stable political orders? In so doing, it explores the delicate question of whether the lack of political and/or economic inclusivity might be an inevitable part of forging a stable political settlement in the short term and if so, what the implications for international development and state-building assistance are?

This piece is concerned with the place of political violence – and perceptions thereof – in establishing relatively robust political settlements. It asks whether violence is, as Charles Tilly (1975; 1985) suggested in his study of European state formation, still critical for the processes by which locally legitimate institutions are consolidated, and identities attached to the state are embedded. Alternatively, does political violence create 'conflict traps' that, as Paul Collier has argued, are more likely to prevent states from developing effective institutions and economic growth? (Collier, 2007). Is political violence, therefore, necessarily akin to 'development in reverse' (World Bank, 2003) or can it also play a more constructive role in establishing the means by which violence is channelled towards the provision of security and protection of property? If so, under what conditions, and under what types of leadership, might violence be tamed, and what are the implications for external actors? This paper asks these questions through an examination of the structural and agential factors that drove central and southern Somalia to massive political violence and disorder while the northwest of the country – Somaliland – managed to overcome its civil wars and establish relative peace during the same period.²

1.2 The analytical framework

This study employs a political analysis methodology grounded in a structure-agency framework (Hudson and Leftwich, 2013) to explore the development of Somaliland's political settlements. In this context, 'political settlements' refer to the formal and informal agreements between contending groups over the organisation of power in society and the rules of political engagement. Being the product of power struggles, political settlements are dynamic and open to renegotiation but '[i]deally, they embody an elite consensus on the preferability and means of avoiding violence' (Brown and

² This paper does not intend to convey a view either for or against The Republic of Somaliland's claim to independence, which is something for the people of Somaliland/Somalia to negotiate for themselves.

Gravingholt, 2009: 1). This study looks particularly at:

- Political negotiations during the peace-building process.
- Pre-existing networks of trust between the elites that facilitated those negotiations and that have helped to uphold the political settlement since that time.
- Powerful ideas about Somaliland's exceptionalism, self-reliance, and internal balance of power that provided an overarching narrative for the maintenance of peace.

It argues that the defining feature of Somaliland's political settlement is that protection from violence (understood as the absence of civil war) is exchanged for popular acquiescence to elite capture of the key drivers of economic growth. Only a small portion of the wealth that is captured through this settlement is redirected towards providing public goods.

Rather like the nature-nurture debate on the determinants of individual human behaviour, the structure-agency problem concerns the determinants of socio-economic and political behaviour. Structuralist accounts highlight the influence of circumstances that are beyond the control of the individual on either individual or collective behaviour. Agential accounts, on the other hand, highlight the ability of individuals or coalitions to make choices, drive change, and alter their circumstances (Leftwich, 2010: 94). By adopting a structure-agency lens, the paper seeks to account for the ways in which actors (agents) are constrained or enabled by – but can also innovate to change – the circumstances (structures) within which they find themselves. This framework is useful for identifying and disaggregating the various components of a political settlement, and part of the aim of this paper is to illustrate the adaptability and relevance of this approach. Actors in Somaliland succeeded in setting some of the 'rules of the game' through which they approached one another after the collapse of the Somali state, but they did so within a context that was partially, but never wholly, available for reform. The paper pinpoints several critical structural and contingent factors – both inside and outside Somaliland – that created space for actors to manoeuvre, and which allowed them to further shift structures to consolidate hybrid institutions. Within this setting the paper analyses the institutions, politics and ideologies of Somaliland to explain the ways that agents in Somaliland were able to extricate themselves from the type of violence that engulfed the rest of Somalia.

In the literature, and in the way that Somalilanders narrate their own political history, the centrality of clan-based mechanisms tend to predominate in explanations of how peace was built. While undoubtedly crucial, this paper will suggest that the 'clan lens' can simplify the components that facilitated the process, and will explore other factors that created or impeded trust in Somaliland's political settlements. The piece therefore asks a number of overarching questions about *what happened* in Somaliland before drilling down further to ask *how* it happened and *why*. Fundamentally, the paper seeks to explain how relative peace and political stability was achieved and how it has since been maintained. But it also asks what resources and relationships are brought to bear in the political negotiations that underlie these successes? And what are the structural factors (such as the nature of overseas development assistance, clan affiliation, external threats to the leadership, demographics, etc.) and agential factors (for example, educational backgrounds, trust networks, etc.) that have helped to maintain peace? Its second broad avenue of investigation involves the ways, and extent to which, Somaliland's politically relevant elites are dependent on each other for their survival. It asks whether the level of co-dependence between them affect their ability to establish 'rules of the game' that are reasonably effective and locally appropriate, and what external factors (non-recognition, territorial threats, donor programs, diaspora networks, etc.) contributed to this outcome?

1.3 Why is the case of Somaliland important?

Despite the billions of dollars that the international community devotes to state-building initiatives each year, a formula for ensuring the construction of effective state institutions remains elusive. State-building projects have become a fundamental priority in international security practice in an effort to overcome the likelihood of conflict ‘spill-overs’ from so-called unstable or fragile states.³ However, the success of such projects has been limited, and has often resulted in external actors reinforcing weak political settlements or political dysfunction in the states that they target (Phillips, 2011; Paris and Sisk, 2009; Barnett and Zurcher, 2009; Rubin, 2006; Egnell 2010). An important caveat must be made when discussing any contemporary process of development: outcomes are fluid, uncertain, and cannot be assumed to be linear. At the time of writing, Somaliland’s political and economic development excludes considerable portions of the population and monopolistic practices are common within the elite. Opinions vary wildly as to whether greater inclusiveness is likely within the foreseeable future or not. What can be said, however, is that Somaliland has not seen large-scale violence – defined by Antonio Giustozzi as the mobilisation and organisation of ‘large numbers of men (at least hundreds) in a coordinated fashion to achieve specific military and political aims’ (Giustozzi, 2011: 7-8) – since the conclusion of its civil wars (December 1991 – November 1992; and November 1994 – October 1996). Moreover, so strong is the collective desire for continued peace amongst Somalilanders that they are sometimes referred to as ‘hostages to peace’ (Bryden, 2003: 63; Human Rights Watch, 2009) – a description that will be discussed in greater detail in Section Three.

Because of its unrecognised status the government of Somaliland has been generally ineligible for official international grants and loans and so has had to rely more heavily than most states on its internal capacity to extract capital, whether from its domestic population or its diaspora. The increased dependence of political leaders on internal revenue is widely accepted to have been critical to state formation in Europe (Schumpeter, 1918/91; Tilly, 1985; Tilly, 1992; Levi, 1988). Contemporary state-formation is, however, an increasingly internationalised endeavour. In the post-WWII era there are far greater opportunities for domestic elites to extract resources internationally (through resource exports, strategic rents, international loans, or overseas development assistance), which can reduce the relative importance of extracting resources domestically (van de Walle, 2004: 108; Reno, 2010: 60; Collier, 2009: 223). Such external opportunities also have a significant influence on the internal politics of developing states, and are complicated further by shifts in the priorities and expectations of external actors. Unlike many ‘fragile’ or post-conflict states targeted by international state-building initiatives, the political settlements that limited large-scale violence in Somaliland evolved without explicit externally driven expectations, schedules or technical indicators of success (Bradbury, 2008: 246-7).⁴ As Lewis and Farah (1997: 373) explain of Somaliland’s most important peace conference in 1993:

The Boorama [Borama] conference was set to start in January but was delayed until February. To discredit the government, which was against it, the elders declared it open on February 24th with virtually no preparation. It was opened with seven days devoted to reciting the Koran so as to give time to effect (sic) arrangements. The actual business started on March 3rd.

In other words, the Borama Conference reflected highly local power struggles without the need to

3 The term ‘fragile’ is poorly defined both in the literature and by practitioners, but is generally invoked to describe a state that suffers from a variety of pathologies that together impede its ability to ‘deliver core functions to its people’ (DFID, 2005: 7). It is used to denote countries that are not democratic, not inclusive, are ineffective at limiting violence, or are unwilling/unable to reduce poverty. ‘Failed’ states are similarly ill defined, but the term is generally used to describe states that sit at the lower extreme of states that are perennially unable to secure its citizens’ basic needs. Somalia is, more often than not, listed as the most quintessential of failed states. See for example the Foreign Policy (2012) *Failed States Index*: http://www.foreignpolicy.com/failed_states_index_2012_interactive

4 For a vivid discussion of how Somalia’s ongoing ‘transition’ was timetabled by the international community, see Menkhaus (2012).

respond to timeframes or benchmarks of those not intimately attached to the process.

1.4 The 'political settlement' and development

The role of 'political settlements' in providing the fundamental precondition for stability and growth has come to form an important focus in development theory and policy in recent years, especially – but not exclusively – in 'fragile', 'failed' or recently conflict-ridden states and societies (Parks and Cole, 2010; Khan, 2010; Di John and Putzel, 2009; Whaites, 2008; Unsworth, 2009). But there are few studies that expose the inner dynamics of such settlements, that is, the ways that actors negotiate in shifting and, crucially, shift-able contexts to affect change. Without this detail it is difficult to compare across cases and thereby build a robust conceptual framework for understanding the drivers of effective and locally appropriate institutions. This paper is thus an attempt to add to empirical understandings of how political settlements emerge in contemporary settings. It attempts to build a better understanding of how and why Somaliland's leaders perceived an incentive to act broadly in the interests of the population, particularly with regard to ending the violence.⁵

Despite desires to the contrary, the government of Somaliland remains internationally unrecognised, isolating the country from international funding channels. Somaliland's peace agreements were negotiated locally but perhaps more importantly its internal conflicts were also fought between local actors. No external power attempted to end or prolong the civil wars that occurred in the early-mid 1990s. It was, therefore, not only the domestic peace-building process that underpinned the development of political settlement but also the insular nature of the conflict and the limited access that its belligerents had to external revenue streams. These structural aspects of Somaliland's political processes provide supporting evidence for The Developmental Leadership Program (DLP) proposal that the most effective institutions are locally devised, locally appropriate and locally legitimate – something that this piece will explore further in Section Four.

This study suggests, however, that it was not simply the near absence of external assistance that mattered, but the fact that Somalilanders were not pressured to accept 'template' political institutions and could negotiate locally legitimate institutional arrangements. This in turn meant that the incentives for elites to cooperate with one another were primarily local rather than externally derived. These factors were at odds with the way that peace was being pursued in the rest of Somalia at the same time, where the international community was spending vast sums of money to bring political competitors to the negotiating table in the hope of forging a durable peace. To date there has been at least 17 internationally sponsored peace talks aimed at achieving national reconciliation in Somalia, most involving hundreds of delegates and millions of dollars. These have been ongoing since June 1991, and have been facilitated at different times by the United Nations, the Inter-Governmental Authority on Development (IGAD), the Arab League, the African Union, and the governments of Djibouti, Ethiopia, Egypt, Kenya, Yemen, United Kingdom, and Turkey (Interpeace, 2009: 10-23). One such conference in Nairobi endured for over two years and, according to Mary Harper, was only brought to a close after the Kenyan authorities held a 'farewell party' as a means of politely suggesting that it was time for the delegates to go home (Harper, 2012: 64). Furthermore, the considerable resources invested for ending the violence (and famine)⁶ in southern and central Somalia by the international community, served to provide more reasons for competition between local actors there – such resources did not exist in the north.

5 The use of incentives as a lens through which to understand political outcomes is not intended to suggest that incentives are simply survival or resource-based, as is sometimes the assumption in political economy analysis. Rather, they are the complex product of power configurations, ideas, perceptions, and, sometimes, altruism. Incentives and interests are very real but they are neither fixed nor self-apparent. Agents come to understand and hold their interests and incentives from a contingent process of interpretation (Hudson and Leftwich, 2013).

6 Somaliland had a pastorally based economy with virtually no agriculture, so while the south of Somalia was experiencing drought and famine in the late 1980s/early 1990s, Somaliland was not.

Somaliland's political settlements drew on existing institutions and established new ones in order to overcome the violence that beset the north, and in so doing created a hybrid political order consisting of locally appropriate norms and rules of political engagement. The 'rules of the game' that were consolidated during this process established that the building and maintenance of peace should:

- Be highly inclusive
- Use widely understood (though not strictly 'traditional') mediation techniques
- Maintain a relative balance of power between clans and sub-clans
- Not rely on outsiders to solve Somaliland's problems.

This political settlement has become increasingly exclusive since the last national conference ended in 1997 but it nevertheless underlies 'rules of the game' that regulate competition over power and resources, and the handling of differences in non-violent ways.⁷ This was not an inevitable outcome. When resources are viewed as scarce, it is common for actors to assume a zero-sum game in which opponents' gains will be viewed as their-own losses. As is discussed throughout this piece, incentives to act are politically and socially constructed.

The comparison between events in Somaliland and the rest of Somalia (which remains beset by conflict despite having access to large amounts of foreign financial assistance) has been made elsewhere (Eubank 2012; Bryden, 2003; Bradbury, 2008; Hagmann and Hoehne, 2009; Lewis, 2009; Interpeace, 2008; Harper, 2012). This piece contributes to this literature by exploring the incentives and threats that drive domestic bargaining when external assistance is not readily available. Deviating from the existing literature, however, this study also highlights the interplay of the structural and agential factors within Somaliland that made such an outcome possible. It looks beyond the clan structures that are widely accepted to have been the essential foundation of the peace process (Lewis, 2009; Lewis and Farah, 1993; Bradbury, 2008) to also examine the interplay between Somaliland's structural context and its socially and politically constructed perceptions of peace, violence, and stability. In so doing it explores other details about those involved in the peace-building process and in maintaining the political settlement in an effort to better understand the drivers of non clan-based cooperation that this entailed. One of the key contributions that it makes in this regard is to expose the disproportionate influence that actors with access to quality secondary education had in forging the early years of Somaliland's political settlement. In fact it appears that roughly 25-30 per cent of the influential non-traditional elites in Somaliland's formative period passed through one of two secondary schools: Sheekh School or Amoud School.

1.5 The political settlement and exclusion

Despite Somaliland's success at resolving civil war through bottom-up peace processes, subsequent developments saw power consolidated through greater centralisation and increasing political and economic exclusion. What began as an unusually insular political process became significantly more outward looking when, after the consolidation of peace, elites became fixated on international recognition. In the period after the Hargeisa Conference (which concluded in early 1997), President Egal and his administration increasingly drew on the already popular idea that Somaliland both deserved and required international sovereign recognition and in so doing reinforced the salience of that narrative. While helping to consolidate a broader sense of a Somaliland national identity, the desire for recognition also required a more outward political focus than had existed while Somaliland's civil wars were being fought and the peace-settlements negotiated. As President Egal succeeded in consolidating greater power at the political centre of the fledgling 'state' he consciously adopted the notions and language of good governance that resonate with Western donors – such as decentralisa-

⁷ This sentence paraphrases Edward Laws' definition of a political settlement, that: 'a political settlement is only in place where competition for power and resources occurs through institutionalised non-violent political processes' (Laws 2012: 7).

tion, regular elections, universal suffrage, and the transition to a multi-party system – as further justification for international recognition.

The ‘Good-Governance’ agenda, within which the government of Somaliland now so consciously frames its objectives (Republic of Somaliland, Ministry of National Planning and Development, 2011), is in part a reflection of donor expectations. However, it was also implemented in response to local political objectives, particularly Egal’s desire to marginalise his political competitors within the House of Elders (*Guurti*) – the actors most responsible for negotiating Somaliland’s peace settlements in the 1990s. The shift from a predominantly internal to a more external political focus thus coincided with that towards greater exclusion, patrimonialism based on clan networks, and the further entrenchment of elite economic monopolies.⁸

1.6 State formation and agency

Human agency, beliefs, trust-networks, and a diverse range of interests, forms of power and incentives, all drive politics. They work their way through institutional arrangements to bring about different forms of politics, governance and policy. This may seem obvious but it tends to be overlooked by providers of international development assistance in favour of more measurable structural reforms such as the establishment of anti-corruption agencies, legal reforms, peaceful elections or improved health and education statistics. But which comes first? Most state-building assistance is founded on an implicit assumption that institutions bear behavioural properties, and sometimes they do. If this assumption is taken at face value however, it follows that modifying institutions necessarily alters the incentives (and thus the behaviour) of those operating within them and that, if done right, institutional reform will create predictable change and liberal political outcomes. However, the process of transforming incentives tells us nothing about how actors respond to such transformations because they are invariably mediated by processes of individual and collective interpretation, and by structural constraints. Orthodox development assistance attributes tremendous power to the notion of institutional reform but fails to account for the complex structural and agential dynamics that will ultimately determine the success of such reforms. Furthermore, it is coupled with another implicit assumption: that those providing the assistance are – unlike those whose behaviour they are trying to reform – free from self-interest.

Somaliland’s unusual structural context – which renders it ineligible for direct financial assistance – offers a helpful means of exploring some of the DLP’s core concerns, in particular: the role of agency, critical junctures, external actors, and political settlements between local elites in shaping locally appropriate institutions. This paper will attempt to tease out the implications of these concerns for development/state-building assistance that works with the fluidity, contingency, perceptions, and trust networks that are essential to politics – the processes by which ‘who gets what, when, how’ is determined (Laswell, 1936) – anywhere.

Sue Unsworth argues that economic and human development indicators improve when the rules that guide political behaviour generate incentives for resources to be used productively (Unsworth, 2009: 890). Robert Bates expands this to suggest that such rules emerge when ruling elites have incentives to use their coercive capacity to protect the conditions in which economic activity can grow (Bates, 2009: 5). This paper takes these as starting points for its investigation but seeks also to understand the factors that facilitate the emergence of such incentives to cooperate.

⁸ This is not to suggest that exclusion, clientelism based on clan networks, and elite economic monopolies were absent in the early period of Somaliland’s peace building, only that they became more influential later.

The work of Max Weber remains influential in framing contemporary conceptions of effective and legitimate statehood. In the ideal-Weberian model, statehood is defined as a unified entity that exercises a monopoly over the legitimate use of force, and that has control over a given territory and population (Weber, 1919/1946). *The Montevideo Convention on the Rights and Duties of States* (1933) gives the only definition of a state in international law, stipulating that statehood requires only: a permanent population; a specified territory; a government that is both capable of controlling that territory and that maintains the capacity to enter into relations with other states. Other than recognition factor, these are very structural conceptions of the state, with little to say about the role of the players who negotiate the 'rules of the game' within the state, or the mechanisms, balances of power, ideas and beliefs that sustain the political community. The role of agency tends to be overlooked by mainstream political science and development literature, which reflects instead a tendency to work backwards from the Weberian ideal model to understand state effectiveness, weakness or failure (Zartman, 2005; Chesterman, Ignatieff, and Thakur, 2004; Ghani and Lockhart, 2008; Rotberg, 2004; World Bank 2007; Fukuyama, 2004; Evans, Rueschemeyer, and Skocpol, 1985).

The international response to state weakness/failure is also overwhelmingly structural, and is characterised by efforts to strengthen the institutional capacity of the state to provide the services that states effective states should provide. For example, the Organisation for Economic Co-operation and Development's (OECD) *Principles for Good International Engagement in Fragile States and Situations* (2007: 2) advises the international community to: 'Focus on state-building as the central objective: States are fragile when state structures *lack political will* and/or capacity to provide the basic functions needed for poverty reduction, development and to safeguard the security and human rights of their populations' [emphasis added]. This advice – which provides the foundation for state-building programs in 'fragile' and post-conflict states – frames the provision of security and inclusive development in quite technical terms. It suggests that *unwillingness* to provide security and inclusive development can be overcome by building the administrative capacity of state institutions. Such reference to 'unwillingness' however begs the question of who or what precisely is being unwilling? Should this be seen as the 'Government'? The Head of State? The elite? Or is unwillingness a product of more complex constraints, such as a collective action problem between diverse interest groups and the interplay between constraining variables?

This emphasis on structure has been used by some to argue for greater international intervention in the politics – but really the structures – of developing states as a means of achieving greater stability. For example, the development economist Paul Collier argues a case for a highly interventionist approach to development by suggesting that 'failed' or 'failing' states have: 'structural characteristics which gravely impede... the provision of public goods', and particularly 'security' and 'accountability'. He understands state failure to be a function of a state's structural inability to provide these key public goods: 'Where [security and accountability] could not be provided, states failed'. The key to turning the situation around he argues therefore: 'lie[s] partly in a phase of international provision of the key public goods, partly in enhanced regional pooling of sovereignty, and partly in institutional innovation to make the domestic provision of public goods less demanding of the state' (Collier, 2009: 220). Collier draws a distinction between the levels of influence exercised by the international community *vis-à-vis* governments in post-conflict states – 'where the international community often intervenes and thereby has some power' (Collier, 2009: 221) – and other 'failing' states, where there has been no direct intervention. His argument assumes, however, that the states in question would nevertheless be governed by leaders that are either powerless to impede the 'international provision of key public goods' (which are also assumed to be both locally appropriate and benevolent), or by leaders that are already inclined to provide these goods – even if only to fulfil their own interest in self preservation.

Collier's argument is therefore problematic in two important ways. First, it lacks explanatory power in situations where a state's power brokers have no desire to deliver better services. This is particularly relevant where brokers perceive that the provision of certain public goods such as inclusive security and accountability would weaken their influence – something that is so often the case in states described as 'failed' or 'failing'. Second, Collier does little to justify the assertion that altering structural conditions necessarily alters behaviour in any predictable manner. As David Hudson and Adrian Leftwich argue, were this possible 'individuals [would] consistently and predictably respond to external changes in their environment, similar to the way reeds move together with changes in the direction of the wind. This view strips away individuality and entrepreneurial creativity' (Hudson and Leftwich, 2013; 122).

An alternative, though less influential, way of understanding state failure is to view states as largely the outcomes of more agential processes. Bates, Grief and Singh (2002: 600) argue that the state 'holds no monopoly of violence; rather, *people* retain control over the means of coercion' [emphasis added]. For them, state failure is not about the demise of state structures so much as it is about people's ability to choose to punish leaders who choose to act in a predatory or collusive manner. They argue that it goes both ways: leaders can choose to act in the best interests of their citizens or they can choose to use their coercive power to prey on their citizens, stealing their wealth and undermining their capacity to challenge them. Likewise, private citizens can choose to arm themselves against the state or other groups of citizens or choose to live peacefully.

Robert Bates later argues (2009: 3-29) that states do not fail because they are unable (or unwilling) to provide essential services but that they fail because there is a breakdown in (or absence of) the incentives for key power brokers to cooperate instead of punish one another. Bates essentially suggests that state effectiveness and state failure are symptoms of agential dynamics located deeper within the body politic than those that simply form its more visible structural shell. If we conceive of effective states as those possessing leaderships that have the ability and incentives to forge institutions that balance the different interests and aspirations of domestic constituencies, policy prescriptions might look quite different to the raft of institutional capacity-building projects that currently predominate. Bates does not, however, unpack what constitutes an incentive and it is important to note that that agents do not necessarily respond to them rationally or predictably. Jealousy, incomplete knowledge, incorrect information, or a lack of capacity to enact a rational desire, can all impede an actor responding predictably to incentives.

1.7 Methodology

This is a primarily qualitative study based on data gained during interviews with Somaliland's political and business elite about negotiations to establish the 'rules of the game'. Participants included people from the House of Representatives; *Guurti* (upper house of appointed clan elders); the Ministry of Finance; the Ministry of Planning; the Somali National Movement (SNM); political parties; clan elites; telecommunications companies; the business community; academics; diplomats; journalists; civil society groups; international/non-governmental organisations (I/NGOs); UN agencies; and security services.

The research used a flexible grounded methodology approach that drew primarily on in-country observation and interviews that were arranged through a series of referrals from willing participants to others within political circles and the business community. While criticism can be made of the 'chain-referral' method due to the potential for sample bias, this was mitigated in two ways. First, I was able to talk to a reasonable selection (n=57) of relevant actors and observers. Second, opportunities for more informal interviews with sources throughout Somaliland and Kenya enriched and bolstered

the validity of findings through the triangulation of interview data.

The interview-based material was further supplemented by a quantitative component that captured key biographical details (such as the educational, geographical, and traditional backgrounds) of the country's 150 or so most influential political and economic actors – although it remains important to recognise the element of subjectiveness inherent to the creation of any such list. This provided an empirical basis for understanding the pre-existing networks of trust that invariably influence the setting within which political negotiations occur. In the interests of participant confidentiality, most interviews are cited without specific reference to the interviewee's name although care was given to provide sufficient information about their position and level of access to information.

2.0

Somaliland's Unusual Structural Context

This section identifies key elements of Somaliland's structural, or circumstantial, context before turning to explore (in Section Three) the politics, agents and ideas that uphold the institutions discussed in Section Four. These are as follows:

- Somaliland's relative isolation from external finance
- The importance of a 'rentier' economy
- The importance of political settlement being rooted in military victory
- The absence of any group holding a monopoly on the legitimate use of violence
- The role of political/ideological structures – for instance, is Somaliland a 'real' state, and who is excluded from Somaliland?
- Foreign assistance and Somaliland: dispelling some myths
- Social/political structures: the clan system
- The nature of clans as both structures and agential constructs
- The role of a hybrid political order.

The Republic of Somaliland is not formally recognised by any state, despite fairly broad acceptance that it meets most of the criteria for such recognition, with caveats surrounding the government's monopoly on the legitimate use of violence, and the ongoing territorial disputes in several border areas. Moreover, it is widely considered a more effective 'state' than the rest of Somalia, despite the latter having the benefit of international recognition.

As a result of being unrecognised, Somaliland's government has negligible access to external capital, whether through Official Development Assistance (ODA), strategic/resource rents, loans from international lending bodies such as the International Monetary Fund (IMF), or foreign investment. Private investors cannot access commercial insurance (Reno, 2003: 28) or seek recourse through international commercial law (Reno, 2006: 168). This serves as a considerable – though not entirely prohibitive – disincentive for non-Somalilanders to invest in the country, and further limits the government's ability to generate wealth through normal external channels. Thus, throughout the course of its existence the government of Somaliland has been more reliant on its ability to access internal revenue than governments in most other developing countries. However, its dependence on internal revenue for survival has not mechanically led to the emergence of a liberal democratic settlement in which taxation is surrendered in exchange for representation.

2.1 Somaliland's relative isolation from external finance

For the purposes of this paper probably the most important structural aspect in the case of Somaliland is the relative lack of direct external involvement in its financial affairs, and the impact that this has had on internal resource generation. In Somaliland's key formative period between 1991-1997, external

political involvement was also far less pronounced than it subsequently became.⁹ Despite the barriers to external financial support, Somaliland's peace-building, political, and developmental achievements have been relatively impressive, although the greatest strides have been made with establishing and maintaining peace. Its achievements are most striking when compared to the level of conflict and poverty presided over by successive governments in southern Somalia¹⁰ – governments that were almost entirely propped up by external political support and financial assistance.¹¹ According to a 2012 report by the former head of the Somali Transitional Federal Government's (TFG) Public Finance Management Unit, the government relied on the international community to fund around 70 per cent of its annual budget (Fartaag, 2012; see also International Crisis Group, 2011: 19).

Somaliland has not only had limited access to external resources since it declared its independence in 1991, but these limitations were already in place during the Somali National Movement's (SNM) insurgency against Siyad Barre. These limitations reinforced an ethos of economic and political self-reliance from an early stage in the movement's development. Northern Somalia's predominantly pastoral economy made it somewhat more resilient to drought than the south, and as a result the north was not a recipient of external food aid during the famine that engulfed the south in the late 1980s.¹² In fact, foreign aid organisations were evacuated from the north-west of Somalia in May 1988 when Barre's campaign against the SNM and Isaaq civilians peaked, which meant that there were virtually no sources of externally provided aid for SNM leaders to loot had they been so inclined (Bradbury, 2008: 69). Furthermore, in a pastoral economy wealth is largely held in livestock rather than in land and is thus relatively mobile and more difficult for elites to systematically plunder. The south, on the other hand, had a more sedentary agricultural production base (and decades of higher levels of investment in that base and in its urban infrastructure), which created substantially more resources for people to fight over. In the south, political competitors fought over access to resources like food storage points, irrigation pumps, productive farmland, port facilities, and urban real estate not only to enrich themselves but also to maintain the networks of support and patronage (Cassanelli, 2003: 15) that facilitated their survival.

The unavailability of external resources or plunderable domestic assets made the SNM's ability to source funds locally imperative to its ability to survive as an insurgent force. Unlike the Somali Salvation Democratic Front (SSDF) insurgency in the neighbouring north-eastern areas of what now constitutes Puntland, the SNM did not rely on either Ethiopia or Libya to provide funding for a number of geopolitical reasons.¹³ The peak of the SNM insurgency also coincided with the end of the Cold War, which further reduced the likelihood of the insurgency attracting superpower patronage. Instead, the SNM had to rely on the support of its Isaaq constituency for solvency, legitimacy and its ability to attract armed men to the struggle (Prunier, 1990/1; Bradbury, 2008; Compagnon, 1990; Renders, 2012; Lewis, 1994). Initially, this reliance was contingent predominantly on the capacity of the northern Somali diaspora that lived in Saudi Arabia, Europe and East Africa to send money home.

9 In mid 2010 the US announced a shift to a 'dual-track' policy of engaging both Somaliland and Puntland in pursuit of greater stability. As is discussed below, there is now a high presence of international donors in Somaliland.

10 These governments were the Transitional National Government (TNG, 2000-2004), and the Transitional Federal Government (TFG, 2004-2012).

11 Though the TFG-Somaliland comparison is widely made, one might draw a more useful comparison between Somaliland and the Islamic Courts Union (ICU) that governed southern Somalia in 2006. The ICU was not accepted as a legitimate government by the West (or neighbouring Ethiopia), but was fairly widely perceived to be so within Somalia. Its removal by US-backed Ethiopian forces gave al-Shabaab the opportunity to portray itself as a nationalist response to an international occupation (Menkhaus, 2007; Verhoeven, 2009; Barnes, Hassan, 2007).

12 The north did experience a drought and famine in the mid-1970s, after which a considerable number of Somalilanders left to go abroad.

13 Ethiopia did provide a base and some logistical assistance for SNM fighters in between 1984-1988, when Ethiopia's Mengistu signed a peace treat with Siyyad Barre (Compagnon, 1998: 80), and a sanctuary for refugees after 1988 but very little financial assistance. What little military assistance it did receive came from the People's Democratic Republic of Yemen (Bradbury 2008: 69).

The geographical distances between those funding the SNM and those fighting for it encouraged the use of a kin-based money transfer system (*abban*) that kept the money bound for the insurgency beyond the control of the Barre regime. The remittances went through Isaaq financiers (*abbans*) who were based in Ethiopia near the Somali border and who sent the money across the border to the SNM. This funding model placed Isaaq financiers in a political relationship with SNM leaders but did not allow the latter to control the funds, which helped the SNM avoid the southern problem of militia leaders also dominating local businesses (Reno, 2003: 24).

As the conflict with the Barre regime intensified the SNM became increasingly dependent on the clan elders in the local areas where they were fighting. Barre's brutal response to the SNM, which killed an estimated 50,000 civilians in 1988, displaced hundreds of thousands of people, and levelled the cities of Hargeisa and Burao, is remembered by many Isaaq Somalilanders as genocide. The trauma of the war increased solidarity among the Isaaq as a means of protection against Barre's forces, prompting Gerard Prunier (an academic who spent time with the SNM forces in early 1990) to remark that 'In a way, the SNM does not exist: It is simply the Isaaq (sic) people up in arms' (Prunier, 1990/1: 109). To supplement the funding from the diaspora for the war effort, the SNM established various forms of local taxation, including a requirement that every household contribute a payment of at least one sheep (or its cash equivalent) to the movement each year and at least one male to serve in its fighting forces (Ahmed and Green, 1999: 120). By the late 1980s, most ordinary Isaaq people were contributing both finances and fighters to the SNM, creating a level of dependence on the local communities that made looting them a self-defeating prospect. The need for the SNM to be perceived as responsive by its constituents can be seen in the fact that it changed its internal leadership five times between 1981-1991 as a means of maintaining support (Bryden, 2003: 346; Renders, 2012: 73). This responsiveness is recalled with pride by its early members, and tends to be narrated using the language of liberal democracy:

Between 1981-91 the SNM was democratic, and there was consensus in our decision-making. There were six SNM congresses held throughout this period and democratic elections were already practiced during this time. There was already the practice of consensus building, collective decision-making and local ownership.¹⁴

Democratic narratives are not only found in hindsight, however, and Gerard Prunier remarked at the time in reference to the clan-based social order that was embedded in the insurgency: 'ultra-democratic functioning was obvious in all aspects of SNM behaviour' (Prunier, 1990/1: 109). He points out, however, that while the movement's leadership shied 'away from anything resembling authoritarian control... [they seem] to be quite incapable of 'leading' [the population] in any modern sense' (Prunier, 1990/1: 108-9). Consensus based decision-making has been an important ideational foundation of Somaliland's political leaders, but as in discussed in Sections Three and Four, the mechanisms for achieving 'consensus' have changed over time as the desire to adhere to international 'best practice' institutions has increasingly taken hold.

2.2 The importance of a 'rentier' economy

Somaliland's government may be detached from most mainstream international funding mechanisms but, like Somalia, it is the native home of one of the world's most globally diffuse populations. Somalilanders benefit from high levels of remittances sent by the diaspora population. The majority of the money is remitted directly to the people for subsistence without passing through the government and, at perhaps US \$700 million per year (Healy and Sheikh, 2009: 4), is many orders of magnitude above annual government revenues. Thus while the government does not attract large external rents, the economy of Somaliland is not based on a strong domestic productive capacity

¹⁴ Interview with an early member of the SNM, Hargeisa, 1 December 2012.

but rather on the receipt of funds gifted by family and friends. The level of economic dependence on remittances from the diaspora has given its members a strong political voice within Somaliland. When President Silanyo was elected in 2010, for example, half of the 26 ministerial positions were given to returned members of the diaspora (Hammond 2012: 175). The primary impact of the remittances has been the provision of subsistence income to ordinary Somalilanders, but the impact of social and knowledge exchange is also undeniable. Driving through the streets of Hargeisa, with its colourful hand painted shop signs that mimic Western brands or display the owner's 'other' home ('Ohio Corner Store'), one is continually reminded by the city's physical form of its highly globalised population. However, this is not without problems, and some tension exists between non-diaspora Somalilanders and the generally wealthier returnees with their sometimes-unwelcome foreign ideas.

2.3 The importance of political settlement being rooted in military victory

A key and unique aspect of the political settlement forged in Somaliland is that it was founded on military victory. That victory is usually credited to the SNM but by the time that Siyad Barre was ousted the SNM had essentially become a symbolic reference point for the various Isaaq clan militias that were fighting in the northwest (Renders, 2012: 80) rather than a coherent military force in its own right. As an organisation, the SNM did not hold a monopoly on the legitimate use of force in 1991; it was the clans that came closest to claiming this, albeit only in their local areas. However, despite the SNM's lack of organisational coherence, there was still no other group in the country that could claim an uncontested military victory by the time the central government collapsed, even if it could only claim this as an umbrella group. This provided the SNM with a distinct political advantage in the immediate period following the collapse of the Somali central government in 1991.

As a banner organisation the SNM had militarily defeated the minority clans in the northwest (the Dhulbuhante, Warsengeeli, and the Gadabursi) that had sided with, and been supported by, Siyad Barre. After Barre fell, the SNM's leadership quickly released its Ogaden and Oromo prisoners of war and deliberately refrained from taking retribution against those that had collaborated with Barre against them. To do otherwise would have extended the war, and for this reason the SNM leadership strongly discouraged acts of revenge. Instead, the SNM engaged the traditional mediation skills of the clan elders to restore inter-clan peace in the northwest of Somalia. As early as February 1991, the SNM leaders had organised a meeting between all of Somaliland's Isaaq and non-Isaaq clans in Berbera to negotiate an end to hostilities (Ibrahim and Terlinden, 2008: 54). Within two months of Barre's fall, all northern clans had agreed to accept the political leadership of the SNM (Drysdale, 1992: 13; 24). Already at this stage, however, factional divisions beset the SNM, and its ability to obtain the leadership was essentially the result of there being no other viable alternatives (Ibrahim and Terlinden, 2008: 54).

It was not just the victorious Isaaq clans that were keen to mend fences in the north, however, and key figures from the Dhulbuhante and Gadabursi clans (Garad Abdiqani Garad Jama and Jama Rabileh respectively) had been in talks with the SNM leadership since 1990 (Ibrahim and Terlinden, 2008: 54). These relationships were important in establishing the post-Barre ceasefire and moving the reconciliation process ahead under the auspices of the elders, with the understanding that clans would retain a considerable degree of autonomy.

In the south, on the other hand, the lack of a clear victor after the removal of Barre left many guerrilla factions fighting for power and resources. As the looting in Mogadishu and beyond spread and turned violent, it drew in an ever-increasing array of actors and interests. Food and financial aid was increased in an attempt to alleviate human suffering but the aid agencies also became embroiled in the cycles of violence by paying protection money to various factions in order to continue to operate. In so doing

they provided ‘undreamt-of opportunities for extortion’ (Compagnon, 1998: 86) and helped to fuel further conflict. While the United States and United Nations became more entangled in the conflict, putting together intervention forces and spending a combined total of around US \$4 billion on peace-building processes, they contributed nothing to such processes in Somaliland (Prunier, 1998: 227).¹⁵ The nature of Somaliland’s integration into international economic, political (and military) structures was thus critically different to those in the south during its key formative period.

The military dominance of the SNM was short-lived, and Somaliland quickly experienced large-scale violence again, though this time between various Isaaq clan militias. Dominik Balthasar (2013) rightly argues that Somaliland’s civil wars tend to be overlooked in narratives of its *de facto* ‘state’-formation, often in an apparent attempt to highlight the bottom-up collaborative nature of its political deliberations in the 1990s. He argues that the case of Somaliland provides evidence in support of Charles Tilly’s maxim that ‘war makes states and states make war’, despite Tilly’s (and others’) reservations about the relevance of the observation for contemporary state formation (Balthasar, 2013: 219). Balthasar suggests that the civil wars fought during Egal’s presidency (and Egal’s endeavour to capture the country’s most important political and economic levers for an exclusive circle of elites) were in fact a critical driver of Somaliland’s ‘state’ formation (Balthasar, 2013: 219). Egal did indeed succeed in centralising power and managing violence to a far greater degree than his predecessor President Tuur, but Tilly’s original argument also points to the carryover effects of waging war on the creation of effective bureaucracies that can extract and administer the finances necessary for military success (Tilly, 1985: 181-3). The relationship between the military victories of either the SNM or President Egal and the nature of Somaliland’s institutions are not so apparent. The latter do not appear to draw their origins from military requirements but rather from a process of deliberative adaptation between existing local institutions and external institutions. As discussed in Section Three Egal worked through individuals with well-established networks in international markets to consolidate his control of a central government apparatus by essentially institutionalising privileges for this small cohort. This section contends, therefore, that Somaliland’s integration into (and exclusion from) international economic and political structures, and the deliberative process that this has energised, is critical to understanding the nature of Somaliland’s political settlement.

Somaliland faces threats to its borders from both Puntland and southern Somalia, neither of which recognise its claims to independence. Markus Hoehne argues, however, that the political and military rivalry between Puntland and Somaliland, and the threat that this entails, has proven to be a resource for the Somaliland government because it has helped to consolidate a greater sense of national identity in opposition to the Puntland ‘other’ (Hoehne, 2011a: 337; 2010: 117). This notion of Somaliland exceptionalism is discussed further in Section Three.

2.4 The absence of any group holding a monopoly on the legitimate use of violence

It is important not to overstate the degree of control that the government exercises over the territory that it claims. It does not, for example, maintain anything approximating a monopoly on the legitimate use of force – although the same could be said for the Government of Somalia, and other states in the region that do have international recognition.¹⁶ While Somaliland’s government lacks a monopoly on legitimate force it gains internal legitimacy from its perceived status as the guarantors of peace and relative stability. This has strong resonance for a population that has been traumatised by war, and which can see the graphic consequences of abandoning peace in Somalia itself. The government does not, therefore, rely on a demonstrable capacity for physical coercion to maintain power as much

¹⁵ There was around US \$100,000 in contributions from other Western donors for the Borama peace conference in 1993.

¹⁶ Yemen, which sits just across the Red Sea from Somaliland, is another obvious comparison. The government has never had such a monopoly; its population is one of the most heavily armed in the world and tribal groups in some areas restrict access to state officials and institutions, none of which affects the country’s status as an independent sovereign state.

as it does on an ability to maintain peace through political, economic and ideational mediation with non-state entities that can augment its coercive capacity.

Even though the government does not maintain a monopoly on legitimate force, it is widely remarked by ordinary Somalilanders that they *feel* secure under the prevailing political settlement. The Small Arms Survey and Danish Demining Group reported in 2010, for example, that 97 per cent of people surveyed said they considered their communities safe. Fifty-three per cent of respondents believed that the security situation had improved over the past year, and only two per cent believed that it had deteriorated (Small Arms Survey and Danish Demining Group, 2010). There was strong regional variation with these results, however, with 12.8% and 7.1% of participants from Sool and Sanaag respectively reporting that: 'the situation was worse than twelve months previously'.¹⁷ A survey by the International Republican Institute (IRI) in November 2011 similarly indicated that 89 per cent of respondents thought that Somaliland was moving in the right direction (International Republican Institute, 2011a: 8). However, the fieldwork for the IRI's study was only carried out in Hargeisa, where the availability of services and economic opportunities outweighs that available elsewhere, and it therefore cannot necessarily be taken as representative of sentiment across the country. Regardless, the findings of studies such as these are seen as suggestive of internal legitimacy and are used by the government to support claims for sovereign recognition. All governments since (and including) that of President Egal have made a huge investment in achieving this goal.

2.5 The role of political/ideological structures

While currently unrecognised, there is broad acceptance that Somaliland meets many – some say most – of the criteria for international recognition. As required by the Montevideo Convention on the Rights and Duties of States (1933), Somaliland has a functioning government, a permanent population, and defined territorial borders – at least for the most part.¹⁸ Matt Bryden argues that 'There is no longer any reasonable doubt that the desire for independence represents the will of Somaliland's majority' (Bryden 2003: 341), although as discussed below, the size of that majority is a matter for debate. Somaliland has its own currency (the Somaliland Shilling), a flag, passports,¹⁹ a constitution, a police force, a military, a judiciary, and holds regular elections for three tiers of government (local councils, the House of Representatives, and Presidency). It also has the basis of a taxation system (although the majority of funds are extracted through customs duties), a reasonable level of internal security, provides rudimentary public services, and has additionally seen two peaceful presidential transitions in the past decade – including once to the opposition. Unlike anywhere else in Somalia, or in neighbouring Djibouti (the population of which are ethnic Somalis), a member of a minority clan has held the presidency and was returned to office in an election.²⁰

In early 2005, the African Union sent a fact-finding mission to Somaliland to investigate its claim for independence and evaluated it quite positively, finding that Somalilanders have a strong desire not to be reincorporated into a unified Somalia (Hoehne, 2011a: 335). Probably buoyed by this appraisal, then President Dahir Rayale Kahin formally presented the case for Somaliland's independence to the African Union in December 2005 (ICG, 2006). The claim was based on several factors: some legal, some historical, and others moral. Somaliland's government argues that its legal case for independence is anomalous because an independent Somaliland actually had sovereign recognition in

17 The report's authors note that the latter responses constituted 'a variation in answers by geographic location not seen in responses to the previous question on perceptions of current safety' (Small Arms Survey and Danish Demining Group, 2010: 13).

18 Although Puntland actively disputes the border in the east disputed borders do not necessarily undermine a claim to statehood under international law, as the cases of Israel and Palestine, India and Pakistan, among others, illustrate.

19 Admittedly accepted only by Ethiopia and Malaysia – Djibouti will accept the passport for government officials but will stamp the visa on a separate piece of paper rather than directly in the passport.

20 President Dahir Rayale Kahin was from the Gadabursi clan.

June 1960 before it voluntarily united with Italian Somalia just five days later to form the Republic of Somalia. During these five days in 1960 – which have assumed an almost fabled status among supporters of independence – the Republic of Somaliland was recognised by 34 UN member states, including all five permanent members of the Security Council (Ismail, 2006). In this view, recognition would merely reinstate Somaliland's pre-existing sovereignty and would not, therefore, create a precedent for other African territories to secede on the same basis. On the delicate matter of creating a precedent for secession, the government argues that its declaration of independence in 1991 was never an act of secession but rather a 'voluntary dissolution between sovereign states' due to the failure of the union (Bradbury, Abokor, and Yusuf, 2003: 457 -citing Somaliland Ministry of Foreign Affairs, 2002: 9). Somaliland's Foreign Minister under President Dahir Rayale argued that several other African states have been permitted to withdraw from voluntary unions – citing Senegal and Mali (1960), Egypt and Syria (1961), and Ethiopia and Eritrea (1993) – and that the same situation should apply to Somaliland (Ismail, 2006).²¹

Those arguing in favour of Somaliland's independence highlight the haste with which northern Somalis regretted union with the south, and emphasise their toleration of it despite the violence and repression carried out in the north by the Barre regime. When the referendum on the new unitary constitution was held in 1961, one year after unification, the vote was widely boycotted in the north (ICG, 2003: 5) and of those who did vote, roughly 70 per cent of northerners voted against it (Drysdale, 1992: 12).

Most importantly for the purposes of this paper, Somaliland makes a moral claim to sovereignty based on its track record of 'good governance', particularly that it has adopted a multi-party political system and holds regular elections. President Egal argued in 1999 that Somaliland would not be recognised as a state unless it adopted a multi-party political system (Bradbury, Abokor, and Yusuf, 2003: 463) and thereby conformed to Western concepts of an appropriate political system. As Egal expected, Western donors did take notice, and the International Crisis Group (ICG) noted in 2003 that since the approval of the constitution in 2001, which established the multi-party system, 'international interest in this would-be state has grown perceptibly' (ICG, 2003: 7). However, not all Somalilanders, and particularly those living in the periphery, were convinced by either the necessity or the haste of the transition to multiparty politics from the clan-based model of representation. Some argued that it was unwise to change a system that had held the country together against the odds for the past twelve years (Bradbury, Abokor, and Yusuf, 2003: 464).

President Egal clearly understood the premium that Western donors place on governance models that resemble their own, but by realigning Somaliland's domestic politics in this way Egal also changed the degree to which the country looked beyond its borders for solutions to internal problems. This is likely to be inevitable in a globalised world, but it signalled a more outward-looking tone to Somaliland's political settlement, and one in which external legitimacy became an influential driver. A further indication of that external focus can be found in the 2001 constitution, which explicitly states: 'the Republic of Somaliland shall oppose terrorism (and similar acts), regardless of the motives for such acts' (Article 10:7). President Dahir Rayale Kahin highlighted this commitment in a 2008 interview to bolster Somaliland's moral claims to sovereignty:

The major thing is the election. We're also trying our best to fight the terror – We're the only Muslim country that has that in the constitution... If the elections are held and are

²¹ Ismail's paper cites other examples from within Africa as evidence of withdrawal from voluntary unions (Senegal and Mali – 1960; Rwanda and Burundi – 1962; Cape Verde and Guinea-Bissau – 1975), though each of these were cases of immediate post-independence withdrawal from colonial entities rather than withdrawal from long-standing post-colonial entities as was the case with Somalia/Somaliland.

perceived as legitimate and fair, that will be a major step toward recognition (Reerink, 2008).

President Rayale's statement aligned Somaliland's quest for sovereignty with two highly emotive issues for a Western audience: counterterrorism, and liberal democracy.

The case against Somaliland's independence from the rest of Somalia is equally multifaceted. Some member states of the African Union fear that if the desires of sub-national groups to secede from 'artificial' political unions are granted it could open a floodgate of claims and jeopardize stability on the continent. The 1963 Charter of the Organisation of African Unity (OAU – replaced by the African Union in 2002) articulates this concern by referring to the 'sovereignty and territorial integrity' of its member states three times (cited in ICG, 2006: 14). In 1964, the OAU member states adopted a resolution 'solemnly declar[ing] that all Member States pledge themselves to respect the borders existing on their achievement of national independence' (OAU, 1964). In this it has been remarkably successful with full secession being granted to only two independent post-colonial African states since this time: Eritrea (from Ethiopia) in 1993 and South Sudan (from Sudan) in 2011. The key difference between these two cases and Somaliland is that both Ethiopia and Sudan agreed to the dissolution of their union – albeit after decades of bloodshed. The Republic of Somalia has, on the other hand, made its unwillingness clear in this regard – at least when it has had a government able to express a view on the matter. It is important to note, however, that the African Union's (AU) fact-finding mission in 2005 found no cause to assume that granting Somaliland independence would open a 'Pandora's Box' and lead to a wave of secession (African Union 2005, cited in Hoehne, 2011a: 335). Strong resistance to Somaliland's claim has remained, regardless of this finding.

Within the rest of Somalia (and even in parts of Somaliland), a forceful argument against independence draws on the passionate belief in Somali national unity that dates back to the colonial era. Indeed, it was the ardent sense of nationalism that drove the union between Somaliland and Italian Somalia in 1960. The Republic of Somalia's flag contains a symbolically charged five-pointed star on a blue background. Each point of the white star represents a part of 'Greater Somalia' that, ideally, should be united in a single Somali state: Italian Somalia, British Somaliland, Djibouti (French Somaliland), and the Somali-inhabited areas of the Ogaden region of Ethiopia, and North Eastern Province of Kenya. Somalis are one of the most ethnically, linguistically and religiously homogenous groups in Africa, with a strong sense of shared identity. One of the often-cited ironies of Somalia's collapse is that in a continent riddled with artificial borders binding diverse, and sometimes competing identities into a single state, it was the relatively homogenous Somali state that experienced one of the most horrific dissolutions.²² The irony of this was not lost on the Somaliland's second president, Mohamed Ibrahim Egal, for whom instilling a distinct sense of a Somaliland identity was a fundamental objective. Until the Hargeisa Conference of 1996-97, Somaliland used the SNM flag as its national flag, which was white with a green circle in the middle, and 'God is great' (*Allahu akbar*) written in Arabic across the top. As will be discussed in Section Four, the Hargeisa Conference was principally intended by President Egal to consolidate the political dominance of the central government over the clan elders – and it was here that an alternative flag was introduced. The new Somaliland flag instead placed a five-pointed black star at its centre to symbolise the death of the Greater Somalia project (Hoehne, 2011a: 321).

The other main arguments against Somaliland's independence concern its viability as a sovereign state: first, that it does not exercise either military or political control over all of the territory that it claims, and second that its economy is too weak to support independence. The matter of economic viability is easier to argue against, having sustained itself for more than two decades without signifi-

22 Of course, no society is completely homogenous and there were important divisions along class, clan, and other socio-economic lines (Cassanelli, 2003: 14).

cant economic support from either Somalia or the international community. The political and military arguments are more difficult to counter, and raise vexing questions about who is included and who is excluded from the idea of an independent state of Somaliland.

Who is excluded from Somaliland?

In spite of the general popularity of independence, anti-independence narratives are nevertheless evident even among the Hargeisa-based elite. A former minister argued, for example: “There are only two of five regions that want independence, the other three do not.”²³ The inhabitants of around 30 per cent of Somaliland’s territory, perhaps some 20 per cent of the total population (Hoehne, 2011a: 323),²⁴ reject the notion that Somaliland should be independent from Somalia, and claim that they are marginalised by the political cliques of Hargeisa (that is, the Isaaq clans that inhabit the ‘middle’ section of the country that covers Gabiley, Hargeisa, Berbera, Oodweyne, and Burao). Sceptics of this point will often cite the fact that the 2001 referendum returned a result of 97.1 per cent in favour of the new constitution, which was seen (and actively portrayed by President Egal) as a vote on independence and little else. However, the fact that the government required voters to place their ballots in either an open white ‘yes’ box or a black ‘no’ box (Initiative & Referendum Institute, 2001: 14) seriously compromised the anonymity of the process. Furthermore, in parts of Sool and Sanaag, the results were quite different, with 45 per cent of voters voting against the constitution in the city of Las Anood (Sool) (Initiative & Referendum Institute, 2001: 18). Successive government administrations have centralised power and economic development in Hargeisa and its environs, that is, not the Sool and Sanaag regions in the east (which are claimed by Puntland and/or Khatumo State) or parts of Awdal on the western areas bordering Djibouti. Despite the claims of much of the English language literature, Somaliland is not as inclusive as is sometimes claimed – or at least it has become less inclusive over time. Moreover, the population in the eastern areas of Sool and Sanaag is far less invested in the ‘idea’ of Somaliland than the predominantly Isaaq population of middle Somaliland.

Puntland is also vehemently opposed to Somaliland’s claims to independence. Its government exercises regional autonomy as The Puntland State of Somalia but does not seek outright independence from Somalia. The territorial claims of Somaliland’s and Puntland’s governments overlap considerably, with Somaliland adhering to the old colonial boundaries of British Somaliland, while Puntland applies a genealogical claim to the Harti-dominated (Dhulbuhante and Warsengeeli) areas of Sool, eastern Sanaag and southern Togdheer. Anthropologist Markus Hoehne describes the visibility of these competing claims to political authority during a bus trip from Hargeisa (Somaliland) to Garowe (Puntland) through the city of Las Anood²⁵ (which is claimed by both Somaliland and Puntland):

[The] border starts already in Burco [Burao] with regard to currency [where passengers exchange their Somaliland Shillings for Somali Shillings]. It continues somewhere in between with changing the number plates [though in Las Anood cars can use number plates from either Somaliland or Puntland]. In many respects, [Las Anood] seems to be part of the Puntland state of Somalia, as indicated by the Somali flag hoisted and painted on walls everywhere, and the issuing of Puntland visas in the local police station. In Garoowe it becomes clear that [Las Anood] is perceived as the political periphery and people there are not fully trusted by officials in the capital of Puntland. In this light, the border space between Somaliland and Puntland extends between Garoowe over a distance of circa 300 kilometres (Hoehne, 2010: 104).

23 Interview with a former minister, Hargeisa: 12 June 2013.

24 These figures are not known for certain and are highly controversial. The politicisation of census data is discussed below.

25 Also spelled ‘Lascaanood’.

2.6 Foreign assistance and Somaliland: Dispelling some myths

The barriers facing Somaliland's financial affairs are significant but some of the literature regarding its relationship with foreign donors is also misleading. While direct assistance has not been available to Somaliland's government²⁶ the widely made claims that Somaliland 'has never been eligible for foreign assistance', (Eubank, 2012: 446), that it receives 'little outside assistance' (Kaplan, 2008: 147), or that it has not had 'the benefit of... much foreign development assistance' (Pham, 2012: 3) are untrue. Somaliland actually receives substantial foreign assistance, and Mark Bradbury (2010: 8) notes, for example, that as far back as 2004 it received 37 per cent of all aid going to Somalia, while the significantly more populous – and more troubled – southern Somalia received only 41 per cent.²⁷ The attention from donors has increased considerably in recent years, and at the time of writing at least 100 domestic and international NGOs currently operate in Somaliland, between them administering over US \$100 million in funding (Clapham, et al, 2011: 16), which is more than the total operating budget of the Somaliland government.²⁸ There are 18 resident UN agencies operating in Somaliland and a further four non-resident agencies. The main streets of Hargeisa are plastered with billboards advertising the presence of the international community in Somaliland, and its two biggest hotels (the Maansoor and the Ambassador) host an ongoing procession of internationally funded workshops and capacity-building seminars for government departments and local NGOs. The Somaliland Non State Actors Forum (SONSAF) wrote in 2012 that Somaliland 'depends on international donors for most of its development programmes... [it] remains dependent on international donors for financing its elections' (SONSAF, 2012: 25; 27).²⁹ It was estimated that donors paid around 75 per cent of the US \$18 million that it cost to hold the 2012 local elections (Africa Research Institute, 2013: 16).

In fact, it is possible that Somaliland effectively receives the same average quantity of aid per-capita as other Sub-Saharan African states, although this depends on how one interprets the scant, and often contradictory, data that is available. The elasticity of figures is worth noting, however, because a tendency to inflate population figures has an important bearing on the ideological foundations of Somaliland that are discussed below.

In 2010, the Government of Somaliland claimed that the national population was 3.4 million people (Government of Somaliland, 2010: 63);³⁰ the figure that appears on the government's own website in 2013 is 3.5 million. The Minister of Planning noted, however that "No one really knows the figure. [The figure of 3.5 million] comes from an extrapolation from a 1975 census, figuring that there was about 2.2 per cent population growth."³¹ The urban population figure for Hargeisa is similarly vague. The City of Hargeisa's website claims that the capital's population was 1.2 million in 2000, and the figure of 'around one million' receives wide, albeit anecdotal, circulation among the city's residents. The 2010 government document cited above estimates Hargeisa's urban population to around 680,000, which is one-fifth of its estimate for the total population. However, a conservative estimate

26 At the time of writing (mid-2013) the long-awaited Somaliland Development Fund was not yet operational, though it was expected to commence soon. The fund was established through negotiations between the Minister of Planning and the British and Danish governments to provide money that will be administered by an external fund manager, and through which the Somaliland government can apply for funds. This is still a different model to standard ODA.

27 The remainder of this money went to the semi-autonomous region of Puntland. Marleen Renders notes that a level of foreign assistance has also been long standing, and that by 1998 donor agencies pledged over US \$5 million for projects that the government outlined in its development plan for the forthcoming year (Renders, 2012: 169).

28 It is impossible to determine exactly how much Somaliland receives as a separate entity because UN agencies and many other donors do not differentiate between what they spend in Somaliland and Somalia, and simply classify all spending as being in Somalia.

29 The Minister of Planning estimated that international donors funded approximately 75 per cent of the cost of the 2010 presidential elections and about two-thirds of the cost of the 2012 local elections. Interview, Hargeisa: March 2013.

30 This same document claims elsewhere that the population is 3.85 million, with an annual growth rate of 3.14 per cent (p.3), meaning that by 2013 the population would be around 4.36 million.

31 Interview with the Minister of Planning, Hargeisa: March 2013. See Bradbury (2008: 160-1) for further analysis of population statistics.

of Hargeisa's urban area based on satellite imagery from Google Maps, suggests an area of – at most – about 47 square kilometres. For an area of this size, a population of even 680,000 would mean that Hargeisa's population density (14468 people per square kilometre) would vastly outweigh that of Singapore, Mexico City, Beijing and Cairo, and be roughly equivalent to that of Manila. A walk through main streets of Hargeisa highlights the outlandishness of this estimate. A more reasonable approximation of Hargeisa's population, therefore, might be one based on the urban population density of Ethiopia's second largest city Dire Dawa (urban population 284,000) which, based on observations of the two centres, is probably conservative. Based on satellite imagery, Dire Dawa's urban centre is just over 34 square kilometers, and from population statistics published by UN Habitat, one can estimate that there are roughly 8300 people per square kilometre in the city (UN Habitat 2008). If one extrapolates this density to Hargeisa's urban population we are left with a figure of just under 400,000 people. If Hargeisa's population does indeed represent roughly one-fifth of Somaliland's total population, as suggested by the government's 2010 estimates, then the total number of Somaliland's inhabitants might only be around two million. These are, of course, only very rough estimates, but, when based on the above estimate that Somaliland's donors collectively administer roughly US \$100 million a year,³² they would suggest that Somaliland receives about US \$50 per person per year in development assistance. In 2010, the World Bank put the average amount of foreign assistance per capita in Sub-Saharan Africa at US \$52.

For better or for worse Somaliland is now, in fact, inundated with various kinds of international development assistance. This is not to say such assistance is comprehensive, or that it is necessarily effective at spurring the level of development that Somalilanders wish to see. The critical difference between Somaliland and other developing countries (most obviously the rest of Somalia) is that no financial assistance goes directly to the government to be spent at its discretion – at least not yet. Assistance is delivered instead as 'project aid' to finance specific projects, administered by local or international NGOs or UN agencies, and with relatively limited objectives. In addition to restraining some of the more common avenues for corruption, this means that the government has been responsible for extracting the revenue needed for its own budget – the implied self-sufficiency of which resonates strongly throughout the statements of government officials that are discussed below. One must be careful, however, with overly confident inferences over the level of accountability that the government's reliance on inland revenue necessitates, because such a large proportion of inland-revenue is simply extracted at the point of entry, rather than extracted from the productive efforts of the population.

Of course, even a relatively high volume of development assistance does not guarantee its effectiveness, and this is something that government officials consistently highlight to the donor community and foreign researchers alike. For example, two of Somaliland's ministers with international portfolios argued in interviews that most of the assistance received has not been particularly useful to the people of Somaliland. One minister noted that in 2010 Somaliland received:

“about [US] \$80-85 million [in international assistance] ... We think that maybe between 20-50 per cent of that [US] \$80-85 million is actually coming into Somaliland and the rest is spent in Nairobi, on [international] consultants, travel, and security... It's all soft aid here too: capacity building, technical assistance. Translated this means 'workshops.'”³³

For comparison, Somaliland's budget for 2010 was about US \$51 million, so by the Minister's estimate, donors outspent the country's national budget by around 70 per cent that year. Another minister argued similarly that for all the aid that was distributed to Somaliland in 2010:

32 This is also a difficult figure to know with certainty because money allocated to Somaliland is generally grouped under funds for Somalia as a whole.

33 Interview with Somaliland Minister Hargeisa: 14 November 2011.

“There is nothing visible on the ground. The health sector was given [US] \$4.5 million and other than vaccines, conferences, foreign experts, and studies with graphs for donors we never received anything.”³⁴

As for direct budgetary assistance, he argued: “we can raise it ourselves, we don’t want it... The aid is not what we desire [because] they decide for us what we need.” These comments tie into the prevalent narratives of self-reliance and exceptionalism that are discussed below and that endorse the inherent legitimacy of Somaliland’s claim that it constitutes a sovereign political and economic entity – and one that is worthy of international recognition. One can hear strong echoes of these sentiments in conversations with other members of the political elite in Hargeisa, where the political impact of aid is a source of discontent: “They [the UN and the INGOs] put in plans for improvement and teach what democracy means but with little consideration of how it actually evolved [elsewhere].”³⁵

Despite not having sovereign recognition, Somaliland and the political settlement that sustains it, is still strongly connected to international donor networks. It is less – as it is sometimes portrayed – a case study in the *absence* of a connection to international development assistance, than one of the way the international presence is also evolving to shape polities in later forming states. What stands out about Somaliland in this respect is not so much that it has evolved without a high level of overt external influence, but the ways in which those influences are projected, absorbed, adopted and rearticulated by local actors filling local political objectives. In Somaliland’s case, the most important local political objective since the late 1990s has been to prove that its political settlement deserves the official conferral of statehood.

The structural context of Somaliland cannot be understood without being located in the politically charged debate about what that context actually is. There are wildly divergent views on the degree to which the political settlement established there since 1991 actually constitutes something resembling modern statehood. Somaliland is variously seen as:

- A nascent state that is being penalised by the international community’s desire to maintain the fiction of Somali unity
- A territory captured by a separatist and exclusive clan family³⁶ (the Isaaq) at the expense of marginalised clans of the Awdal region in the west and the Sool and Sanaag regions in the east
- A vibrant expression of grassroots peace building
- A ‘functioning constitutional democracy’ (ICG, 2006: i)
- An undeserving darling of the international development community
- A place where piracy does not exist because the rule of law is strong (Bahadur, 2011: 39)³⁷
- Little more than ‘peacefully existing clans’
- An exception to the chaos and violence that is prevalent in the Horn of Africa.

Somaliland is often referred to as the part of Somalia ‘that works’ but this judgment raises complex questions about why (and whether) it worked, for whom it worked, what is actually being measured in this assessment, and what is it being measured against? This may seem tangential, but it has a strong bearing on the arguments about the interplay between power, structure and agency in Somaliland that follow and must, therefore, be directly addressed.

J. Peter Pham articulates a view that is relatively common in the English language literature on Somaliland:

34 Interview with Somaliland Minister; Hargeisa: 20 November 2011.

35 Interview with a program director for an internationally funded think-tank, Hargeisa: 24 March 2013.

36 Some observers do consider the Isaaq clan a ‘family’ despite its size and significance.

37 Bahadur (2011: 39) argues that ‘In the south, in short, the pirates had to fear other criminals; in Somaliland, the danger came from a more traditional source: the police’.

In the midst of this dire landscape [that is, Somalia], it is all the more remarkable that an apparent oasis of stability has nonetheless emerged: the self-declared Republic of Somaliland... Somalilanders have managed to not only establish external security and internal stability—enough of the latter, in fact, to have developed what is arguably the most democratic politics in the subregion—but have done so without the benefit of international recognition of their existence or much foreign development assistance. Thus the lessons from Somaliland's successful peace- and state-building processes may be applicable not only to efforts to bring stability to other Somali areas, but also to postconflict situations elsewhere around the globe (Pham, 2012: 3).

A quick internet search reveals similar sentiments, with titles such as: *In Praise of Somaliland: A Beacon of Hope in the Horn of Africa*; *Somaliland: Open for Business*; *Somaliland: A Pocket of Stability in a Chaotic Region*; *In Somaliland, less money has brought more democracy*; and, *Somaliland: The former British colony that shows Africa doesn't need our millions to flourish*. But it is important to consider two key factors that this prevalent narrative masks: first, the fact that independence is far from unanimously supported within the territory claimed by the Somaliland government; and second, that despite the transition to a multi-party political system successive governments have expanded the political salience of clan identity within the formal political system.

If Somaliland is to succeed in having its claims to statehood recognised internationally, the question of how many people live in the country and what proportion of them want independence is an important one. In early 2013, the United Nations Population Fund (UNFPA) began a project to collect census data in Somaliland, Puntland, and southern Somalia. By April, preliminary figures suggested (accurately or otherwise) that the population of Hargeisa was significantly smaller than that of the port city of Bosaso in Puntland, and that Burao (Somaliland) was also smaller than Garowe (Puntland). Citing this and other methodological concerns, Somaliland's Minister of Planning suspended the count. In a press conference explaining his decision, the Minister said that the UNFPA's findings contradicted those of the Ministry and were not based on fact. Census data is deeply political on the national level but also at the local clan level, where the desire to have more members than a neighbouring clan is important for perceptions of security and power. As one UNFPA official involved with the project explained:

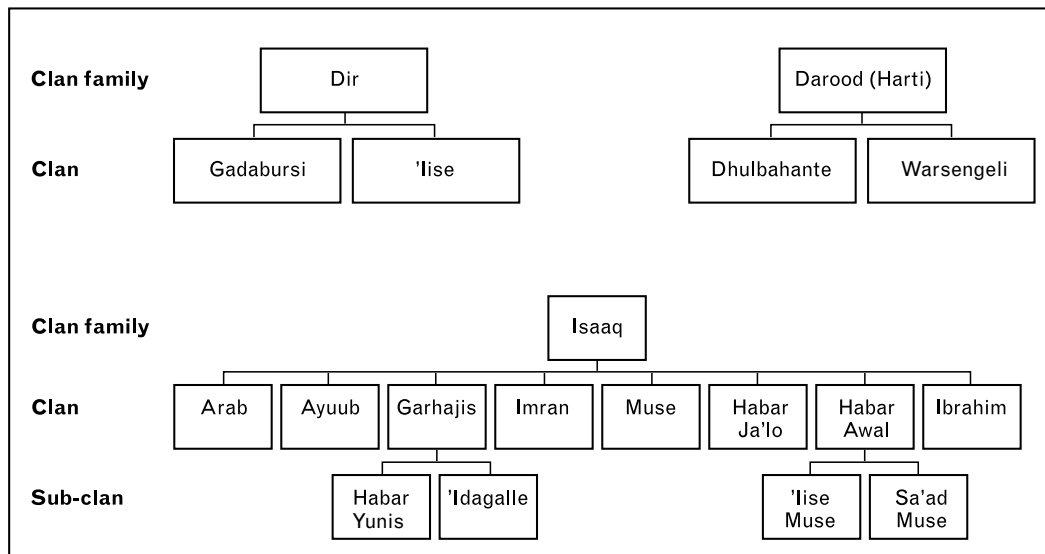
"It's not so much the total figures that are the problem, but the relative figures. For example, it doesn't matter if you say the population of an area is 90 or whatever but if you say this one is 90 and the neighbouring area is 100 then that is a problem. This is part of the current issue."³⁸

The 'problem' referred to by this official was one of power and perceptions of power relative to others. Somaliland's Ministry of Planning may ultimately be vindicated in its argument that the sample figures 'between Somaliland and Puntland... bear no semblance to reality'³⁹, but the reaction elicited by the data underlines the acute awareness that numbers can be used to support or undermine claims to independence. If Somaliland's population were shown to be significantly smaller than previously claimed and/or smaller than Puntland, then this (along with the fact that perhaps 30 per cent of Somalilanders already oppose independence) could further compromise Somaliland's claim that it constitutes a viable sovereign entity. The intermingled beliefs about, and realities of, Somaliland's structural context are also deeply political and ideological. As will be demonstrated in Section Three, the uncertainty surrounding its structural context grants agents space to selectively animate ideas that legitimise their political actions.

38 Interview, Nairobi: 10 April 2013.

39 Letter from Somaliland's Minister of Planning to the UNFPA, 24 March 2013.

2.7 Social/political structures: The clan system



(Africa Research Institute, 2013: 4)

The nomadic pastoral population of Somaliland⁴⁰ is estimated to be around 55 per cent (Somaliland Government, 2010: 10), although the usual caveats apply for statistics that do not come from a methodical census.⁴¹ Regardless of the precise figure, the precariousness of a semi/nomadic existence in an environment that experiences a significant and sometimes severe drought once every four or five years (Samatar 1989, cited in Collins, 2009: 53) is imprinted on the social, political and economic institutions that regulate daily life. Nowhere is this more pronounced than within the clan system. The level of instability that survival in such an arid environment entails has meant that the clan system has evolved to function with, rather than against, extreme structural uncertainty. As such, the rules that regulate the clan system are flexible to allow for creative forms of problem solving in times of crisis. For Somalis to access resources like water and grazing areas, it is necessary for people to be both highly mobile and capable of absorbing new members into the clan along the way. The clan system, which is built on evolving interpretations of kinship structures, is thus capable of mobilising social relations to create alliances over very large territories (Little, 2003: 164).

Clans and/or sub-clans are divided into smaller corporate units called *diya* (blood compensation) groups, which circumscribe the basis of an individual male's rights and obligations (Farah and Lewis, 1993:12). *Diya* groups are comprised of between several hundred and several thousand men, and membership is based on kinship and/or alliance to form a communal insurance system and a means of regulating relationships between groups. *Diya* is required when a person is killed, injured, raped, stolen from, or defamed (Le Sage, 2005: 32), and is given to the victim's *diya* group to compensate them all for the loss incurred. All male members of the group are obliged to contribute if a member of their group kills or harms a person outside their group, just as all male members are eligible to receive compensation if a member of their group is harmed or killed. All male members of the group are also potential targets for retribution if a member of their group offends against another. The *diya* system gives expression to the norm of reciprocity and collective responsibility.

40 This classification also does not give an indication of what constitutes a 'nomad' and whether those whose livelihoods combine pastoralism and agricultural production are included or not.

41 The fact that land grabbing, territorial demarcation, and deforestation as a result of charcoal production are all increasing suggests that the number of people relying on pastoralism as their primary source of livelihood is probably declining (Ciabarra, 2010: 75).

Inter-clan relationships are guided by *xeer* (pronounced in English roughly as 'hair' or 'hayr'). *Xeer* refers to an evolving set of rules and obligations intended to mediate competitive relationships between clans and sub-clans. Throughout deliberations precedents are evoked and future precedents are set, which makes the parties conscious of the potential implications of any decisions reached (Collins, 2009: 53). Some aspects of *xeer* relate to quite specific contractual agreements between neighbouring clans while others relate more broadly to the inter-clan relations across Somalia (Le Sage, 2005: 32). The aspects that are common across all clans include: the collective payment of blood compensation (*diya*); maintaining the protection of 'socially respected groups' like women, religious figures, and the elderly; entering into negotiations with 'peace emissaries' in good faith; adherence to family obligations such as dowries and inheritances; and economic relations regarding the use of common resources like water, pasture (Le Sage, 2005: 32-3). The outcomes of *xeer* deliberations are binding on participants. Being an oral tradition, *xeer* is open to interpretation, and is thus best understood as a series of principles to guide inter-clan relations in which the power of the parties to enforce the decisions also plays a part (Le Sage, 2005: 16).

As Gregory Collins writes, the Somali environment provides 'a context in which the only certainty other than uncertainty is one's connections' (Collins, 2009: 57). When one is virtually guaranteed that environmental disaster will strike at some time, personal connections, both within and beyond the clan, provide some structural protection against inevitable crisis. The intensely networked nature of Somalia's clan system provides the means of seeking protection through those one is connected to, rather than resorting to codified – and thus less flexible – rules to guide behaviour. Gregory Collins again observes: 'it is the clan system that provides the ideological basis for putting [personal] connections above all else' (Collins, 2009: 46). Clan relationships are only structural expressions of blood relations but they can also be deployed as a cultural resource to pragmatic political and economic ends (Lewis, 1998: 105, cited in Collins, 2009: 52).

Clans as both structures and agential constructs

Unsurprisingly, people with clan affiliations act according to many different rationales, not just those that 'make sense' from within a narrow clan perspective. The ability of the clan system to incorporate political, economic and social structures and mediate them using agency is part of what makes it so durable. While Somalis may frame an event, particularly to foreigners, within a clan-based narrative, this can serve as shorthand for a vastly more granular reality revolving around, for example, a real estate dispute, a divorce, commercial competition, or personal conflict. It is misleading to think of clans purely in structural terms because membership can entail elements of pragmatic choice that assists access to resources, protection and other benefits. Genealogical links between clans can be 'discovered' to facilitate new cross-clan alliances as well, and clans that live in border areas can make use of identities on both sides of the border for pragmatic reasons. In the case of Somaliland, this is particularly prevalent in the Sool and Sanaag areas that are claimed by both Somaliland and Puntland, where residents engage with – and extract resources from – both government administrations. As Markus Hoehne (2010: 117) points out, people do this for a variety of reasons, not-least of which is the strong, but often torn, identities that draw on elements that exist on both sides of a constructed border.

Clan affiliation in Somalia/Somaliland can be fluid, with divisions and unions resulting from conflicts within and between clans. Likewise, clan affiliation can also be hardened by violence or resource scarcity. The shared lineages that the clan system is based on are – to an extent – agential, and imagined lineages change over time and in response to other structural and contingent factors. Joakim Gundel notes that 'it is almost impossible to draw an entirely correct chart of all the clan families, because they form a living organism, and it is difficult to keep track of the constant developments'

(Gundel, 2009). One seasoned observer of Somali politics remarked along similar lines: “if someone tells you they’re an expert in clan politics they’re lying. Not even we can completely track it; it’s always changing.”⁴² In this sense the genealogical ‘maps’ that one finds in the opening pages of most books on Somalia should be taken as indicative only because the structures they represent are dynamic and shaped by agency. Being partly agential, the clan system can also morph in response to perceptions, such as those created by the expectations and resource distribution of the international community. The corrosive impact of this has historically been more visible in southern Somalia than in Somaliland as a result of the higher volume of assistance in the south. Peter Little notes, for example, that the United Nations and other INGOs have tended to hold static conceptions of what the term ‘clan’ means, which has led to a proliferation of Somalis identifying themselves as clan elders. External actors have thus inadvertently contributed to a morphing of the concept of clan and clan identity by backing their understanding of it with resources and power. Terms like ‘indigenous,’ ‘clan’ and ‘traditional’ were increasingly adopted in written statements by Somalis because they resonated well with external actors who wanted to act in concert with leaders they believed were locally legitimate (Little, 2003: 48). As external involvement in southern Somalia grew in the early-to-mid 1990s, external agencies adopted a clan idiom and often insisted:

[...] on proposals from clan ‘elders’ even when some of these were disguised militia head. [...] The number of acknowledged clans quickly multiplied in response to such requests and opportunities, and some of these clan leaders were concealed warlords who claimed to have clan support. Approximately 20 separate clan and sub-clan affiliations were represented in one UN-financed peace conference held in Kismayo town during May to June 1994 (UNOSOM 1994a), an astounding number for a limited area... Overall more than 28 separate clan and sub-clan identities had emerged in an area where only seven years earlier I had identified fewer than 10 of any significance (Little, 2003: 47).

The international community also shifted existing clan relationships by concentrating resources in the major cities and providing an incentive for clan elders to relocate from their local areas (Little, 2003: 47), thus altering their level of connection to the local communities they claimed to represent.

2.8 The role of a hybrid political order

All political systems – even those in the OECD that are usually held up as examples of Weberian statehood – entail elements of hybridity, in that they all mix rational-legal (formal state) institutions with an array of informal customs, conventions and norms. A Hybrid Political Order (HPO) is understood here, however, to refer to political systems in which formal and informal spheres cannot be meaningfully seen as distinct categories of authority. They are so ‘connected, intermingled, and interpenetrated’ (Renders, 2012: 28) that the fluidity between informality and formality is a defining feature of the way that power is practiced. One example of this would be a clan leader who is popularly elected to serve in a national legislature on the basis of his status within his clan. As an elected leader his authority draws upon, but simultaneously alters, his status as a ‘traditional’ clan leader to reflect a new ‘hybrid’ form of power. The leader does not necessarily switch between being a clan leader in some instances and a parliamentarian in others, but draws power from being both simultaneously.

In Somaliland, the barriers between the formal and informal spheres are highly permeable and fluid to the point that they are often meaningless. They change according to time, place, and as a function of political and economic expedience. A hybrid political order does not, therefore, simply refer to a political system in which formal and informal institutions exist alongside one another. Indeed, one might argue that this occurs to some degree in all states. Rather, it refers to a system in which ‘formal’ and ‘informal’ expressions of power are often inseparable from one another, and in which leaders

42 Interview with Somali political analyst. Nairobi: 30 January 2013.

and elites can choose (or be forced) to employ different forms of power and authority according to context and opportunity. The hybrid institutions and sources of power that uphold the political order in Somaliland (and elsewhere in Africa) may actually constitute a mediated form of statehood in which 'state' authorities (themselves made up of agents with hybrid credentials) must engage with non-state entities in order to provide a semblance of security, justice and other services to parts of its territory that it cannot, in its strictly formal guise, access effectively otherwise (Menkhaus, 2006/7).⁴³

In Somaliland there is what one might term is a 'division of labour' where activities usually associated with a Weberian state are concerned. Government authorities perform some typical 'state' functions but others are outsourced to (or simply performed by) non-state entities. Marleen Renders gives an account of the way that the police and lower courts in the municipality of Burao handle theft and petty crimes but transfer crimes involving murder to the clans to negotiate the terms of blood money payments (Renders, 2007: 450). Even these lines are not absolute, however, and clan elders are often involved in helping to resolve more minor crimes and disputes (Renders, 2007: 450) just as government authorities can be involved in resolving and punishing perpetrators of major crimes. The point is that the two sources of authority interact rather than existing in neatly delineated and static arenas of formal and informal power.

Another recent, though not unusual, example of Somaliland's hybrid authority concerns a conflict in the aftermath of the 2012 local elections in the town of Xarirad between the Issa and Gadabursi clans. In this case, a member of the Issa clan was accused of killing a member of the Gadabursi clan, but the Issa clan elders either did not try, or did not succeed, in capturing the suspect – a customary requirement for inter-clan negotiations to commence. This created a deadlock, and a Gadabursi 'revenge-killing' was believed to be increasingly likely. The Minister of Internal Affairs attempted to break the deadlock by issuing an ultimatum to the Issa elders: capture the offender or be arrested collectively. At no time, however, did the minister suggest that the state would attempt to arrest the suspect. The suspect remained free and the minister responded by arresting more than ten Issa elders. The elders were detained for a short period and upon their release were addressed by the Minister, who explained that they had been arrested to both persuade the Gadabursi to delay their revenge, and because it was the elders' responsibility to prosecute the crime. The Minister told the elders that the condition of their release was that they negotiate a solution to the problem as their customary responsibilities required.

In this story, therefore, the 'state' played a mediating role, using its coercive capacity to detain the elders and cajole them into negotiating a traditional solution outside of the state's judicial institutions. The use of coercion by the government (the arrest) was intended to prompt traditional mechanisms that had, for whatever reason, stalled. In acting as it did, the government demonstrated that its legitimate role was not to divert the dispute to its own jurisdiction but to remind the traditional elders that local security matters are their responsibility. The role of the state was simply to ensure that the two parties came together so that this process could run its course.

The notion of hybridity should not be taken to imply coherence between authority derived from 'tradition' and from the 'formal' state apparatus. In fact, as will be demonstrated in Section Three, the co-existence between the two is usually tense. The fluidity between formal and informal authority tends to absorb informal elites into centralised patronage networks, thereby detaching them from local constituencies and undermining their responsiveness. As Markus Hoehne argues, harmony between the two sources of power is rare, and perhaps impossible in the longer term, with one

43 See Hoehne (2011b) on the changes to legitimacy that tend to occur for 'traditional' authorities when they begin to control state authorities.

generally undermining the legitimacy and authority of the other (Hoehne, 2013: 213).

While this section has surveyed Somaliland's structural circumstances, it in no way suggests that such circumstances were determinative. Things could have turned out very differently were these same circumstances animated by different agents, with different beliefs, perceptions and abilities. These agents and the ideas that they drew upon are the subject of the following section.

3.0

Agents and Ideas

This section will outline the key agents that helped forge Somaliland's settlement, and the configurations of power and ideas that they drew on. It explores how these actors worked within shifting social-political context, while simultaneously acting to shape that context as it evolved.

The section is divided into two parts. The first explores the key agents and coalitions involved in the forging of political settlement in Somaliland, and includes:

- Uffo
- The SNM
- Clan Leaders and the *Guurti*
- President Mohamed Ibrahim Egal and the business elite
- Women activists.

The second part of the section considers the ideational forces that have influenced the political settlement, including:

- Narratives of Somaliland's exceptionalism, independence, and self-reliance
- The notion of 'peace above all else'.

3.1 Key agents and coalitions

Uffo

The self-help group 'Uffo' (*lit.* 'Whirlwind') – also known as The Hargeisa Group – was critical in galvanising Somalilanders' resistance to the Barre government in the early 1980s, and in instituting the relatively inward-looking modes of political organisation that characterised Somaliland's early formative period. Following Somalia's humiliating defeat by Ethiopia in the 1977-78 Ogaden war, and the subsequent economic crisis, Siyad Barre declared a state of emergency in 1980 and further concentrated political control within a narrow inner circle. Its members were principally from the Marehan, Ogaden and Dulbahante clans of which Barre, his mother, and his powerful son-in-law (who was also head of the national security service) were respectively members. This small cluster was known locally as the MOD alliance. The exclusive and clan-based nature of Barre's powerbase was darkly ironic considering that his 'scientific socialism' doctrine so vehemently disavowed tribalism as a dangerous anachronism.

As services in the north ground virtually to a halt, a group of young urban professionals (mostly teachers, doctors and engineers) who had returned relatively recently to the north from Mogadishu or from abroad (Bradbury, 2008: 55) formed a self-help group. The group intended to revive long neglected social services and opted to start by improving the Hargeisa Hospital. According to Mark Bradbury, within a year the hospital had improved to such an extent that it was once again one of the

best in the country – a reputation it had not enjoyed since the British colonial era (Bradbury, 2008: 55). The group also tried to mobilise people by using the government-owned radio station to raise awareness about the importance of public health issues (Jama, 2003: 21) – a service that often had political undertones. Their activities attracted public support, funding from local businesses, and also from the international NGO German Emergency Doctors (GED), which raised around two-million German Marks for Uffo's refurbishment of Hargeisa Hospital (Jama, 2003: 21-22). The group branched out and began working on projects such as the provision of Mother and Child healthcare services, the Hargeisa Nursing School, and offering free teaching services. Uffo's local popularity did not go unnoticed by the Barre regime, and sensing the implicit political challenge that it posed, the security services began to build a legal case against its members.

The timing of Uffo's work coincided with the emergence of the Somali National Movement (SNM) in London (discussed below) and the publication, in mid-1981, of the SNM's monthly newspaper, *Somalia Uncensored*. In late 1981, 29 members of Uffo were arrested. Four months after their arrest, on 19 February 1982, all those arrested were charged with high treason for belonging to an illegal organisation – a crime that carried a mandatory death sentence. On 24 February, students took to the streets in protest, and were met with tanks and heavy gunfire. Several people were killed and many others were wounded and/or radicalised against the regime by the brutality. Around 400 students were also arrested and imprisoned (Jama, 2003: 39). Meanwhile, Barre re-declared the state of emergency in the north (Renders, 2012: 63), imposing a curfew on Hargeisa and other urban centres, and giving extraordinary powers to the military and police against the Isaaq population. Africa Watch reported that 'The arrest in December 1981 and the trial in February 1982... (of the Hargeisa Group [Uffo])... was one of the most important events that triggered the politically explosive situation in the northern region' (cited in Jama, 2003: 32). The government's response to the student protests are remembered within Somaliland as marking the beginning of the Somali civil war (Bradbury, 2008: 3) and under Barre, students marked the anniversary each year with further protests (Jama, 2003: 62). Northern civil servants and military personnel soon began to rebel and eleven officials were summarily executed, including the military commander of the Berbera zone (Renders, 2012: 63). From this point, the actions of the state became widely perceived as Barre's attempt to destroy the entire Isaaq population (Bakonyi, 2009: 439).

The arrests of Uffo members and subsequent protests proved critical for galvanising the population in the north against the Barre regime, and helped to provide an ideational link between Somali National Movement (SNM) – at this point still an elite diaspora movement – and grassroots dissent, from which the SNM began to find a platform of local legitimacy. The SNM's ability to move from elite support to support among the lower urban strata and peasantry would be much more difficult (Bakonyi, 2009: 438) and, as will be discussed below, required the organisation to work politically to gain the support of the clan leaders.

At their trial just over a week after their charges were announced, all defendants from Uffo pleaded not guilty. The trial for the 29 men took only ten hours (Jama, 2003: 51) and while none were sentenced to death, their prison sentences ranged from between three and thirty years. Nine of the accused were acquitted due to a lack of evidence. The 20 prisoners were put into solitary confinement, where some of the men spent the next six-and-a-half years (Jama, 2003: 53) before their release in 1989.

Why was this self-help group formed? The answer that is usually offered is that its members, who were recently returned to the north, were appalled by the state of health and education services in the north-west of Somalia and believed that they could do something about it. A closer look at their backgrounds reveals another factor, however. Jama Musse Jama, who has written the most compre-

hensive account of the group, notes that: 'Members of [Uffo]... were all acquainted with each other from [sic] childhood and they all went to schools in the region' (Jama, 2003: 21). Of the 20 men who were imprisoned the majority were from Hargeisa, which is probably not surprising considering that it is the demographic centre of the north-west. It is worth noting, however, that at least six of the 20 men also went to the same secondary school – Sheekh – a small, selective secondary school in the relatively isolated town of Sheekh that taught to a British curriculum. The political impact of Sheekh School is discussed further in Section Four.

Not only then, did these people know and trust each other personally – apparently many of them since childhood – but a high proportion of them had access to some of the best secondary education in the country. At least one-quarter of them had attended tertiary education abroad as well, including in the United Kingdom, Germany, India, Yemen, Poland, and Czechoslovakia. International connections within Hargeisa were also leveraged to gain funding for their work – something with which its members were presumably comfortable and familiar with. Uffo's leaders had strong personal ties of trust between them, international experiences with which to compare their experiences at home, and were disproportionately well educated. In fact, for 19 out of the 20 members for whom information was uncovered in this research, all had attended secondary school. The idea that those with a capacity for leadership, or with a desire to contribute to the improvement of a community or population, are likely to have benefitted from secondary or tertiary education might seem obvious, but it is nevertheless frequently overlooked as a critical factor in the backgrounds of developmentally-inclined leaders – this is discussed further in Section Five.

The Somali National Movement (SNM)

By the early 1980s, Somalilanders were already a globally diffuse, but deeply connected population. Many people were forced to relocate abroad during the drought and famine that affected the north in 1974-5 or by the repercussions of Somalia's war against Ethiopia in 1977-78, which brought an influx of Ogadeni (Darod clan) and Oromo refugees from Ethiopia into Somaliland (Lewis, 1994: 179).

The SNM was officially established in London in April 1981, having grown out of three different groups: two in the diaspora (one based in the United Kingdom and one based in Saudi Arabia), and one group based in Somalia. The latter primarily provided manpower for the fight against the Barre government and was largely led by officers with military training in the Soviet Union.⁴⁴ The Saudi group first began their collaboration in 1977 but the individuals involved failed to decide what sort of organisation they should form – a political party or something less formally defined (Lewis, 1994: 181). After several false starts, its members were able to gather some money from their supporters and by 1980 were transferring finances to London to help fund a monthly newspaper *Somalia Uncensored*, which was first issued by the SNM in June 1981 (Lewis, 1994: 182). In 1980, the key leaders in the Saudi group determined that London provided a more favourable political climate for operating an international dissident group and several people relocated to London to work full time with the movement. Those who left Saudi Arabia were from the Isaaq clan, although the group had made an earlier effort to incorporate members from other north-western clans (the Dhulbuhante and Gadabursi) without much success (Lewis, 1994: 182). While these early groups – that were later to become the SNM – remained wary of the influence of the Isaaq clan in the organisation, attempts at greater inclusiveness nevertheless proved difficult (Lewis, 1994: 190).

As Ioan Lewis describes it, the London group had similarly small-scale origins and apparently emerged from the weekly meetings of a few young Isaaq intellectuals at a pub next to London University (Lewis, 1994: 184). This younger group found common cause with a group of retired Isaaq Somali

⁴⁴ Interview with early SNM member, Hargeisa: 1 December 2012.

officers from the British Merchant Navy ‘who formed the backbone of the Somali community in the United Kingdom’ (Lewis, 1994: 185) and functioned as elders of the Somali community there. Their union was sparked when the Somali embassy in London announced that it was increasing the cost of renewing a Somali passport to GBP £71. The dramatically increased fee posed a problem for both the younger students (who had now formed the Somali National Party – SNUP) and the retired officers, both of whom needed a current passport to either work in the UK or return home. The two groups combined, along with the Somali Student Union to form the Somali-London Association, and organised a meeting with the Somali Ambassador to discuss the new charges – although their opposition to the Barre government clearly went further than simply the passport renewal fee. Again, according to Lewis, who offers the most detailed account of the early diaspora activist groups that became the SNM, the Ambassador advised members of the Somali-London Association from the Darod clan not to attend the meeting. They complied, and when only Isaaq members showed up the Ambassador accused the Association of being ‘tribalist’ (Lewis, 1994: 187) in an –apparently successful – effort to drive a clan-based wedge into the group. Shortly after the meeting some of the non-Isaaq members of the Association’s central committee denounced the group for being both too openly anti-government and too dominated by the Isaaq. The Association responded by announcing that it would be celebrating the anniversary of Somaliland’s independence over five days in June 1960 (Lewis, 1994: 187). In so doing, the Association added to the – technically incorrect – impression that it was an exclusively Isaaq nationalist movement seeking to partition Isaaq clan territories from the rest of Somalia (Lewis, 1994: 193).⁴⁵ In reality, the desirability of, and mechanisms for, achieving cross-clan collaboration in the UK-based anti-Barre movement was always a point of tension, and persisted throughout the life of the movement. The clans thus provided a network of, and for, political leadership, but simultaneously generated other hurdles – at times even fuelling the in fighting. These complexities underline the broader argument that clan structures and institutions do not predict outcomes in any straightforward way. Understanding the clan structures provides only part of the story for those seeking to work politically –the rest is about understanding how to circumnavigate, overcome, and/or harness these structures in order to create change.

Within these early forerunners of the SNM, it is possible to identify many of the key issues that would continue to bedevil the organisation: the incorporation of clan elders in the political leadership; tensions over whether or not the organisation should be an Isaaq nationalist movement or invest in becoming more inclusive of other clans; the issue of clan-based movement of funds and personnel; and, as in politics anywhere, the importance of unpredictable junctures that created spaces for different segments of society to interact for new reasons and in new ways. As with the members of Uffo –and political movements more generally – personal relationships were also critical. According to one of the SNM’s early members, and an avid historian of the movement: of the three initial core groups (those in Saudi Arabia, Somalia, and the UK), “Everyone knew each other through personal relationships and depended on verbal messages because of fears that they could be captured... [They knew each other] through schools, or work in the ministries... They were mostly people from Amoud or Sheekh.”⁴⁶ Therefore, like the members of Uffo that were critical to catalysing political change in Somaliland, it appears that the Sheekh and Amoud schools formed an important institutional influence in the lives of the first founders of the SNM.

When the SNM held its first conference in October 1981, it issued a press release entitled ‘A Better Alternative’, which stated that any Somali was welcome to join the movement as long as they believed in the SNM’s principles (Lewis, 1994: 198) – to emphasise, in other words, that it was not an exclusively

45 When news of the stir caused by the London movement reached Siyad Barre he dispatched his (Isaaq – Habar Jalo) minister of commerce, Mohamed Ahmed Silanyo – now Somaliland’s president at the time of writing. He earned the respect of the group and by 1984 served as the SNM’s chairman.

46 Interview with early SNM member, Hargeisa: 1 December 2012.

Isaaq movement. Its principles marked the SNM as unique among Somali opposition groups because its leaders explicitly chose to place clan structures and institutions at the core of their political vision. The press release also stated that the SNM sought to combine 'the advantages of Somali democracy and egalitarianism with the benefits of modern national government' by using traditional institutions such as *xeer* (customary mediation within and between kinship groups) at the national level (cited in Lewis, 1998: 199). The clan system had been so maligned by Siyad Barre (at least rhetorically) that the idea that it should form the basis of the political system was quite radical (Bradbury, 2008: 63). So too was the notion that the clan system could be incorporated into 'modern national government' institutions. However, beyond its belief in the fundamental importance of – somehow – maintaining Somali cultural values, the SNM did not adhere to any other unifying ideology (Bradbury, 2008: 64).

Despite the ongoing efforts of some within the leadership to become more inclusive of other clans, the SNM instead became an increasingly Isaaq movement as it gained momentum. This was largely, for the reasons discussed in Section Two, because the movement had become almost entirely reliant on the clan elders for access to local bases of support, logistics, fighting power, and supplies. The SNM simply could not fight a war against the Barre regime without devolving military, and thus political, control to the clan-based guerrilla forces that were fighting under the SNM banner within their local areas. The SNM leaders also used clan-based norms to access greater support for the insurgency by directing its members to go to their local sub-clan areas and remind people of their obligation to support clan members in distress; a traditional concept known as *qaran* (Bakonyi, 2009: 439). These modes of engagement transplanted traditional pastoral-nomadic ethics into the cities (Bakonyi, 2009: 439) and further helped to transform the clan elders from local notables into leaders on a much larger geographical and ideational scale.

Even before the Barre regime's massive military campaign against the Isaaq civilian population in 1988, the representation of non-Isaaq members within the SNM central committee had declined considerably. Illustrating the growing 'clanism' within the movement, the fighters from non-Isaaq clans that had been dispersed within various SNM units were redeployed in a separate fighting unit – the SNM Southern Front – and relocated to fight from within 'their-own' clan areas (Bakonyi, 2009: 440). Within the Isaaq units, clan and sub-clan affiliation also became an increasingly important determinant of who fought in which militia units, and in which locations those units fought. Having ever-tighter control over the day-to-day activities of the fighting forces, the Isaaq clan elders rendered the original political cadres a minority group within the movement before Barre fell (Compagnon, 1998: 77). As discussed in Section Two, by the time Barre was ousted the clan elders held *de facto*, if not *de jure*, power within the movement.

What began as an elite movement across diaspora communities to address political grievances with Mogadishu had been transformed – by the circumstances of violent conflict, access to resources, and ideas about what was at stake – into a grassroots guerrilla movement led largely by clan actors that controlled local constituencies. Structurally weak, the SNM was subordinated to the *de facto* influence of the clan elders that had delivered the military victory. This took the traditional political authority of some clan leaders beyond the local level and turned them into actors with a stake in the wider geographical territory that would be claimed as Somaliland. In fact it was the SNM leaders that were carried along by the clan elders regarding the decision to secede – something that the SNM leaders were reluctant to call for because their preference had been for a federal system of government and greater power in Mogadishu. As violent conflict in the north continued, the idea of an independent Somaliland gained tremendous grassroots popularity on the ground in the Isaaq areas and were well entrenched by the time that Barre fled the country (APD, 2002: 17).

Clan leaders and the Guurti

The House of Clan Elders, or *Guurti*, is widely recognised within and outside of Somaliland as having been the most the important group of actors in the peace-building process, although as an institution it has since been significantly marginalised. Its history and its role in the various peace conferences have been discussed extensively in the literature (Farah and Lewis, 1993; Farah and Lewis, 1997; Brons, 2001; Renders, 2007; Bradbury, 2008; Ibrahim and Terlinden, 2008; Interpeace, 2008; Renders, 2012) and so will not be recounted here. For the purposes of this section, the most important aspect of the *Guurti* to highlight is its role as a collection of hybrid leaders who gained, and then substantially lost, their influence partly as a result of that hybridity and the contradictions that it entailed. This section also briefly discusses the background of some of the clan actors involved in the Borama Conference, which was the most significant of the post-‘independence’ inter-clan peace conferences.

As discussed in Section Two, when Siyad Barre fell the SNM became the main political party in Somaliland. This was a result of several factors, principally including: its military victory; its insistence that revenge not be sought against its battlefield opponents; and the successful clan-based peace talks that were carried out by members of the SNM-*Guurti* in its name. At the time of the first peace conference in Borao in 1991 the *Guurti* was officially a consultative body to the SNM, but by the Borama Conference in 1993 the *Guurti* had reached the peak of its power and was in control of the peace process (Renders, 2012: 100). In between these two conferences, momentum had built for the *Guurti* to be transformed into a more formal political institution – something that had been a particular demand of a group of female activists, and is discussed later in this section.

The clan actors at Borama established the new institutional framework for Somaliland in the National Charter; the details of which are discussed in greater detail in Section Four. Suffice it to say here that the new framework formalised the role of the *Guurti* within the government. It became responsible for ratifying, rejecting or opposing amendments to laws passed by the House of Representatives (other than those dealing with state finances) on the basis of their compliance with Somaliland’s traditions, religious beliefs, and security (Lindeman and Hansen, 2003) of which its members were now the guardians. However, despite the formalisation of the *Guurti*’s responsibilities, the membership of its agents remained somewhat fluid, with kinsmen often filling in for members who were absent from meetings (Farah and Lewis, 1993: 19).

The first ‘nationally-focused’ *Guurti* was formed in early 1989 after a meeting in Ethiopia to address of the growing influence of clan leaders within the SNM and their dissatisfaction with the political leadership of the movement (Renders, 2012: 81). According to Markus Hoehne, it consisted of nearly 50 ‘traditional authorit[ry]’ figures (Hoehne, 2013: 202). However, a member of the SNM’s leadership who was present at the time claims that the clan leaders in the original SNM-*Guurti* were not all elders in the traditional sense that they represented pastoral constituencies on the basis of local consensus for their leadership. Rather, they ‘were just men who happened to be around. They dyed their beards with henna and put on some traditional clothes and that was it’ (cited in Renders, 2012: 81). In other words, at least some members of the first SNM-*Guurti* were already a hybrid type of leader – people that emerged from clan structures and used clan idioms, but who were also apparently politically ambitious beyond a grassroots pastoral context, and who had existing urban networks to draw upon. This is not to say that the leaders in the *Guurti* were urban ‘pretenders’ to clan authority but rather that they exercised influence in a political environment that was neither entirely pastoral nor defined by a strong state apparatus.

The members of the *Guurti* (some of whom were urban-based professionals) were representatives of their *diya*-paying groups but represented their constituents through hybrid and novel means. One

example of the innovations of the earlier inter-clan *Guurtis* was the form that the peace negotiations took, most of which adopted 'modern conference techniques' such as chairmen and technical committees – that were comprised of professionals, bureaucrats, and military officers (Farah and Lewis, 1993: 17) – and the recording of minutes (Renders, 2007: 445). They were also conducted on a much larger scale than a traditional pastoral *shir* (deliberative meeting) – which were generally held under a tree between clan elders within a sub-clan or a descent group (Renders, 2007: 445) – involving instead a large and diverse group of actors from across the country. The role of the 'national' *Guurti* also extended far beyond their traditional functions of reactively stopping violence and crime, a function that was sometimes referred to by elders as *dab damin*, or 'extinguishing fire' (Farah and Lewis, 1997: 369). In this, and in the urban base of many of its members, the *Guurti* was a reflection of the shifts in Somaliland's social fabric since the colonial period, where power has slowly transitioned from rural nomadic groups to leaders based in more urban trade centres (Farah and Lewis, 1993: 19).

The Borama Conference thus actually formalised the role of a certain type of clan leader in Somaliland's political system – one that was willing and able to be detached from a pastoral context – but it also formalised their responsibilities beyond clan leaders' 'traditional' functions as mediators and peace-makers (Lewis 2010: 147). The formalisation of the *Guurti* moved its members to the frontlines of national political confrontations where they did not have natural reserves of social capital to draw from, and where they were often physically detached from the communities they were ostensibly representing. The politicisation of traditional positions transformed the nature of the leaders' legitimacy and made them vulnerable to accusations of corruption and political self-preservation – something that successive presidents have exploited as a means of increasing their own power *vis-à-vis* the *Guurti*. The members of the *Guurti* have done little collectively to assuage such criticism, conversely being willing to be seen accepting patronage, repeatedly extending their own term, and siding with the government of the day (Hoehne, 2013: 204). The conference at Borama represented the pinnacle of the *Guurti's* political power (Renders, 2012: 100), but the tension between political authority derived from grassroots contexts and political authority derived from proximity to the apparatus of the 'state', has since undermined its moral authority.

Like the members of Uffo and the SNM, many of the clan leaders active at Borama, and within the *Guurti* more broadly, had pre-existing personal relationships with one another. Unlike the other groups, however, such relationships were generally forged through previous inter-clan mediation sessions and not from non-clan based settings like school or places of employment. It is an expectation that clan elders, particularly those in close geographical proximity to one another, are well acquainted in order to facilitate their mediatory capacity. Also, unlike Uffo and the SNM, it appears that very few of them attended secondary school. In fact, few of the key clan actors at Borama had formal education beyond studies in the Islamic religion, which the vast majority of them appear to have received.⁴⁷ Those individuals with a religious education but no experience of formal education are more likely to be able to read Arabic (the language of the *Qur'an*) but not necessarily Somali – due to it being taught at primary school. Somali was not a written language until the 1970s and illiteracy is not necessarily a major limitation for a Somali clan leader. Somalia and Somaliland maintain a very oral culture and the ability to speak persuasively can trump the ability to read and write in the skill set required for effective leadership.

The Borama Conference was hosted by the (non-Isaaq) Gadabursi clan, which took responsibility for much of the organisation and logistics for the nearly five month-long conference held in their territory. The level of cross-clan inclusion was high and participation extended well beyond the Isaaq

47 The 1997 Hargeisa National Conference stipulated that members of the House of Representatives must have attended secondary school, but this was not made necessary for the *Guurti*.

clans – something that was less apparent within Uffo and the SNM, despite some of the SNM leadership's conscious efforts to expand membership beyond the Isaaq during the movement's earlier years. There were 150 official delegates from the national *Guurti* active at the conference but it was also attended by a total of around 2000 other participants and observers,⁴⁸ again from across the spectrum of north-western clans. The Chair of the SNM *Guurti*, Sheekh Ibrahim Sheekh Yusuf Sheekh Madar, wanted the conference to include representatives from all of the major northern clans and formed a cross-clan preparatory committee to ensure it would be as inclusive as possible (Interpeace, 2008: 49). The recognition that a high level of inclusivity was necessary was critical to the establishment of Somaliland's first robust national peace settlement at Borama.

President Mohamed Ibrahim Egal and the business elite

When Somaliland's first president, Abdirahman Ali Tuur, went to the Borama Conference in 1993, he expected the *Guurti* to endorse him for another term. Much to his surprise he received only one-third of the votes and was replaced by Mohamed Haji Ibrahim Egal – Somalia's last civilian Prime Minister before Barre's military coup and, controversially, a champion of Somaliland's union with Somalia in 1960. Egal thus began his presidency with a clear understanding of the threat to a president's longevity that clan-based negotiations and political agreements contained (Renders, 2012: 146).

Egal's first major accomplishment was to substantially demobilise the clan militias that, as discussed below, was achieved with the help of loans received from businessmen that were predominantly from his Habar Awal clan. Egal 'bought peace' by co-opting clan elders whom he believed capable of demobilising local clan-based militias and maintaining public order, and thus drew these elders close to the political centre both practically and in the eyes of their followers (Renders and Terlinden, 2010: 742). As clan authorities were subsumed under the rubric of the 'state' they lost much of the perceived neutrality that had played such an important role in their initial political legitimacy. The more they were drawn towards the centre, the less willing and/or able the clan elders were to provide independent oversight of the presidential executive. An often-cited example is that in 2006 the *Guurti* voted in favour of a presidential decree to extend its own term by four years despite constitutional stipulations to the contrary. In April 2013, the *Guurti* members again decided to extend their mandate by another three years, meaning that by the time this expires the *Guurti* will have served for approximately 23 years, instead of the constitutionally mandated six.⁴⁹ For these reasons, the politically active elders of the *Guurti* quickly came to be perceived as serving their own interests over those of their clans.

President Egal wanted to marginalise the power of the clan elders in political life but was not averse to relying on his own clan members to secure necessary resources and political support. He quickly worked through his (Isaaq) Habar Awal clan to secure loans of around US \$6 million dollars from a small group of eight (Isaaq) traders, most of whom were based in Djibouti, and six of whom were from the Habar Awal clan.⁵⁰ The Habar Awal traders were:

- Ibrahim Abdi Kahin ('Ibrahim Dheere'). Ibrahim Dheere was by far the largest contributor to President Egal, lending him around 70 per cent of the total amount that he received. In addition to providing this loan, he also started to pay the insurance costs for large ships landing in Berbera Port

48 Only 17 of the observers were women.

49 The *Guurti*'s mandate was formalised at the Hargeisa Conference in February 1997, but most of its members had served since the Borama Conference in 1993. Many of the original members have since passed away and been replaced by family members.

50 There are some discrepancies in the number of traders listed as having contributed to this loan. Renders (2012: 127) says that there were ten traders, eight of whom were Habar Awal. Marchal (1996) says there were "less than 10." The figure of eight was from the Director of Planning and Statistics at Somaliland's Ministry of Finance, who was in that position back when the loan took place and listed each lender. Interview, Hargeisa: 13 June 2013. There are also discrepancies in the amount of that loan, with Renders (2012: 127) citing it as US \$3 million, though noting that other sources place it between US \$6-\$7 million. Again the figure used in this piece is from the Director of Planning and Statistics at Somaliland's Ministry of Finance.

carrying essential foodstuffs because at the time, no one else would insure them.

- Jama Omar Saeed. 'Jama Omar' runs the Omar Import/Export Company and is believed to now be the richest man in Somaliland.
- Ahmed Dahir Oman ('Bahsane'). Bahsane Group is the largest real estate company in Hargeisa, and also imports car tyres and engines.
- Ali Maweli. The Maweli Group imports food (particularly rice and tea) and construction materials.
- Mohamed Jama Caraale ('Juujuule'). Juujuule was also a major importer of essential foods.
- Omar Obokor Tani ('Mulac').

The non-Habar Awal traders were:

- Abdi Awad Ali (Indhadeero). Indhadeero Group is a major importer of essential foods, and livestock exporter from the Habar Jalo clan.
- Osman Geli Farax ('Gelle Arab'). Gelle Group is also a major importer of construction materials and, now, also owns the Coca-Cola factory, DHL, and Miligo Digital. Gelle Arab (now deceased) was from the Arab clan.

As the son of an affluent real estate developer Egal was already independently wealthy and, still owning considerable land, was able to personally vouch for some of the money he received in loans. Egal's father was a well-known and apparently well-respected businessman. According to an official in the Ministry of Finance who worked under Egal at the time, his family's business reputation, combined with Egal's personal charisma, was critical to the level of trust that he was able to command within the business community, as none of those who supplied him with the early loans appeared to have known him personally.⁵¹ As further proof of the esteem with which Egal was held by the business community, his successor, Dahir Rayale Kahin "never received any money from the business community because they did not trust him".⁵² As a result, when Dahir Rayale was voted out of office in 2010, he left a debt of US \$22 million to the government of President Silanyo that succeeded him.⁵³ President Egal was also not averse to being seen with wealthy international patrons, travelling to Libya in 2000 to meet with Mu'ammar Qaddafi, who reportedly gave him US \$40 million. Qaddafi tried to convince Egal to lead a future united Somali government (Reliefweb, 2000), which Egal refused – to theatrical nationalistic fanfare – upon his return to Hargeisa.

However, more important for Egal's ability to secure the loans was the commercial opportunities presented by the possibility of a more stable – and virtually unregulated – business environment. Egal used the money to fund the demobilisation of militias and consolidate control over Berbera Port, which had been claimed by members of Egal's Habar Awal/Issa Musa clan during a conflict with his predecessor, President Tuur (Ciabarri, 2010: 79). Some of the income that the central government brought in by gaining control over the Berbera Port Authority in 1993 was diverted from the Port directly to the president's office, providing Egal with around US \$10-15 million per year to spend at his discretion (Balthasar, 2013: 223).

Much of Somaliland's relative stability has been attributed to the commercial and clan-based arrangements that were established in 1993 under President Egal, and in which the government gained access to Berbera Port and secured revenue through tariffs (Ciabarri, 2010: 79). These were exclusive arrangements, however, and helped to lay the foundation for the monopolistic practices that still

51 Interview, Hargeisa: 13 June 2013.

52 Interview with the Director of Planning and Statistics at Somaliland's Ministry of Finance, Hargeisa: 13 June 2013.

53 Interview with the Director of Planning and Statistics at Somaliland's Ministry of Finance, Hargeisa: 13 June 2013.

pervade Somaliland's domestic economy (Ciabbari, 2010: 80, see also Abdi Buh, 2010). Egal provided the Isaaq elite with opportunities to monopolise businesses in the north rather than risk trying to re-enter Mogadishu, which by this time was engulfed in violence. In 1994, he delivered a windfall to his Habar Awal financial backers by using their money to produce a new national currency. Egal borrowed US \$1.4 million to have the new Somaliland Shilling printed in London, and introduced it as the new currency in September 1994.⁵⁴

By January of the following year the old Somali Shilling ceased to be legal tender within Somaliland in an act that was laden with the symbolism of Somaliland's claimed independence but which also filled Egal's immediate fiscal needs. Instead of destroying the recalled Somali Shillings, however, Egal sold them to his lenders (most of whom were Habar Awal) at a reduced rate in return for hard currency, which he used to fund his fight against the militias that were trying to control Hargeisa Airport. The traders were able to simply transfer the old (and now, cheap) Somali Shillings to the parts of Somalia that still used it as the national currency (Renders, 2012: 134-5). Thus with the combination of exclusive business practices and somewhat greater control over the means of coercion, Egal and his coalition of supporters edged out their political and economic competitors to dominate the economy, putting Egal in a position to increasingly centralise patronage and dislodge the dominance of the clan elders. Egal netted huge amounts of money for selected cronies – already the business elite – and simultaneously indebted them to him. In the process he harnessed popular sentiment regarding the viability and righteousness of Somaliland's independence and its quest for sovereign recognition. Egal's circumstances allowed him to combine collusive business deals with security dividends for the wider population. However, his skill was in making the two appear inseparable by recourse to, and further animation of, ideas about Somaliland's independence that had gained grassroots popularity since the struggle against Siyad Barre. Large-scale business was made into an exclusive club, membership to which was available in exchange for economically supporting – and essentially betting on – Egal's state-building project. He made certain that it was a lucrative club to be a member of. Both Egal and the business elite were operating within an unusually closed environment in which the incentives to reduce violence were almost exclusively internal. Egal required capital to undermine freelancing militias while the business elites perceived an opportunity to establish a settlement that assured preferential treatment in currency trading and taxation policy. For both parties there was a perception that continued success in politics and business was contingent on – or at least enhanced by – a willingness and capacity to co-operate. Through such co-operation they consolidated a settlement that excluded many, but laid the groundwork for relative peace.

In addition to the money Egal acquired from loans and from Berbera Port and currency deals, Egal also swiftly levied tariffs on *qaat* (a plant that has a mild stimulant effect) imports to increase government revenue by a further 10 per cent. Again, Egal relied on supportive clan factions to achieve this, as *qaat* was chiefly imported through a town that was largely under the control of Habar Awal militias that supported Egal (Balthasar, 2013: 223). While Egal benefited from support within his clan, he resented his reliance on clan leaders for access to revenue, and so reshuffled individuals in control of the customs checkpoints to undermine their level of direct control over the income being extracted from within their areas (Balthasar, 2013: 223-4). Egal was also successful at changing the language used to frame the conflicts with which he was contending, and removed the protagonists' clan as a reference point. Instead of referring to the clan identity of combatants, Egal referred to them as either 'nationalists' (those fighting for an independent Somaliland) or 'federalists' (those fighting to preserve the union with the south) (Balthasar, 2013: 229). This helped him to both gain the moral high ground

⁵⁴ Egal had more Shillings printed in 1996, and 1999, both of which were also funded by loans from business elites. The next printing was in 2002 under President Dahir Rayale Kahin but he was not able to access such loans. Ibrahim Dheere was critical for Egal in this venture too, and offered Egal his contacts in London and Djibouti to facilitate both the printing and the international money transfer, respectively.

and divert attention from his history as an architect of the union with Somalia back in 1960.

During Egal's presidency a deliberate strategy to increase the influence of Hargeisa-based politicians relative to that of the clan leaders was affected largely through co-optation (assisted by increased government revenue), but also by rejecting calls for further clan-based negotiations. Egal used his authority as 'head of state' to intervene in and disrupt local peace negotiations and community self-help projects to underline that such processes were the responsibility of the central government and not the clan leadership (Balthasar, 2013: 229). For example, a clan-based peace meeting was organised between the Habar Yunis and the Habar Awal/Issa Musa clans in the town of Mandera to try to end an ongoing conflict between them. Egal managed to convince the elders from his clan (the Issa Musa) to quit their participation, thereby infuriating the Habar Yunis elders and scuttling a deal between the protagonists (Renders, 2012: 147-8). In September 1996, he similarly sabotaged a deal between the Habar Yunis and the Habar Jalo clans in the town of Beer by first (unsuccessfully) attempting to prevent the release of Habar Yunis prisoners of war. He then changed tact to invite would-be participants at Beer to the Hargeisa Conference that was being held at the same time, though under the auspices of the central government rather than the clan leaders (Renders, 2012: 148). Egal offered money and political offices to those prepared to attend the government-sponsored Hargeisa Conference over the clan-based Beer Conference. He ultimately prevailed by depriving the Beer Conference of so many participants that there was little option other than to go to Hargeisa (Renders, 2012: 148-9). Egal also undermined community-based service provision initiatives in order to emphasise that Hargeisa was the political heartland of an independent Somaliland. Local NGOs in the city of Boroma had established connections with international NGOs to carry out development projects but Egal threatened that if the international agencies did not shift their headquarters to Hargeisa they would lose their right to work anywhere within Somaliland (Renders and Terlinden, 2010: 733).

Egal was a savvy politician who understood how to work with and against clan norms and structures in order to limit widespread violence, build formal state organisations, and consolidate his own power. He did so with the support of several important backers and beneficiaries from within his clan. He and the coalition surrounding him shifted the structures in which they operated using a combination of coercion, centralised patronage, and ideas about the righteousness and viability of an independent Somaliland. As is discussed in Section Four, Egal attempted to consolidate his power against the clan elders by establishing a multi-party system as the alternative political framework to clan-based representation.

Women activists

Most women unofficially hold dual-clan identities. When women marry they remain members of their father's clan but are considered as affiliated with their husband's clan. A common Somali phrase says that 'a woman's clan is the clan she will marry into' (*gabadi qabiilkeedu waa reerka ay u dhaxdo*) – a belief that reinforces the marginalisation of women within their paternal (birth) clans (Dini, 2008: 91). Their 'dual-clan' identity – still that of the father, but also that of the husband – means that males may not trust the female members of their clan to be unswerving defenders of the clan's interests in the way that men (whose clans never change) are. On the one hand, women's dual-identities exacerbate men's unwillingness to include them in decision-making processes for fear that they might share information or manipulate outcomes in favour of their 'other' clan. On the other hand, these norms position women as messengers in times of crisis because they can move between clans to gather information and other resources. Most importantly, they can mobilise their own personal relationships to facilitate negotiations between clans. For this reason women are sometimes referred to as 'clan ambassadors' (Lewis, 2010: 164). Cross-clan marriage is an important means of building alliances and

ensuring that lines of communication can remain open in times of conflict or resource deprivation. This positions women as structural circuit breakers in times of conflict because each clan can choose to ensure that they will have a means of connecting with other clans.

The ability of women to cross clan lines was an important factor in organising Somaliland's clan-based conferences that consolidated the rules for building and maintaining peace. A group of female activists organised a large protest in late 1992 in order to remonstrate the failure to finalise the Sheekh ceasefire agreement (drafted in October 1992). As one of the instigators of the protest, Shukri Harir Ismail tells it, the elders had sat in Hargeisa:

“for one week and didn't sign anything so women organised the largest demonstration ever in Somaliland in front of the Ministry of Internal Affairs... We wrote nine articles saying that we would not go home until they signed. Four ladies took the letter with the nine articles to the elders. The main points were to sign the peace agreement without delay, to establish a police force, to stop UNOSOM from entering Somaliland (we did not want any foreign troops coming here), clean water for Hargeisa (back then the water was very bad), and for the clan elders to go back to their clans and to demobilise their militias.”⁵⁵

In keeping with the ideological foundations of Somaliland, one of their principal demands was that the elders communicate to the United Nations that UNOSOM must not deploy its forces in Somaliland – a communiqué that was delivered in March 1993 after the Borama Conference.

Women provided logistical support for the conferences, such as cooking, cleaning, and raising money, but they also helped to create the political space within which negotiations could occur in a variety of innovative ways, including the public composition of poems urging men not to exclude them from the peace process (Rayale, 2011: 12-13). Women discuss their ability to draw upon moral authority within the home to persuade male family or clan members to work towards peace: “Women were also talking to the media, organising demonstrations and pushing the elders to stop the war and make peace... We wanted to make a big conference from all regions to formalise the peace... The women were pushing for [the clan conference in] Borama.”⁵⁶ Women also drew upon their power in the home in less subtle ways to call for peace by threatening to abstain from cooking for, or sleeping with, their husbands until it was brokered.

Clan structures thus afford women the opportunity to work politically within family and clan units and, at times, this can be translated into the public sphere, although the translation process is often performed by men. For example, one female activist noted:

“When men are discussing issues they accept input from their wives. When they need solutions they come to women for ideas but then when they get the solutions they deny our contribution... When the problems are solved, the women are out again.”⁵⁷

Like the rest of the population, women were traumatised by the war against Siyad Barre, and a large number of them were left as the heads of households after the death of their husbands. A group of about 15 women, again most of whom knew each other personally from experiences during the war,⁵⁸ apparently saw an opportunity and mobilised effectively using established clan mechanisms that overlapped with the new institutional norms that were emerging out of the peace conferences. They pushed for the idea that the *Guurti* be formalised in Somaliland's political system and also wrote a first

55 Interview with Shukri Harir Ismail, Hargeisa: 2 December 2012.

56 Interview with Shukri Harir Ismail, Hargeisa: 2 December 2012.

57 Interview with Shukri Harir Ismail, Hargeisa: 2 December 2012.

58 Interview with Shukri Harir Ismail and Annab Omer Eleye, Hargeisa: 2 December 2012.

draft of a policing act for the new country. Some of the women involved report that, despite their efforts, men took the credit for both initiatives.⁵⁹ Women have thus largely – though not exclusively – worked around public processes that are dominated by men to exercise influence. Their level of influence is real, however, and some feel a strong sense of ownership in the success of Somaliland's peace process: "In Somaliland women struggled during the war and we made the peace."⁶⁰

3.2 Ideas: Constructing Somaliland

Powerful political organisations are generally those that rest on, and give expression to, locally legitimate rules, norms and ideas. In Somaliland there are several powerful ideas that help to reinforce a common reference point for political actors to draw from when framing political goals. These include:

- Beliefs about Somaliland being exceptional from the rest of Somalia (and of Somalilanders from other Somalis)
- Beliefs about Somaliland's rightful sovereign independence
- Beliefs about Somalilanders' inherent self-reliance
- The pervasive belief that peace is tenuous and its maintenance is a priority that outweighs all other political and economic matters.

A Gallup Poll surveying people in 148 countries found that that Somalilanders are the least likely people to 'experience a lot of negative emotions' (Gallup World: 2012). This positivity was widely remarked upon as being an important, if rather intangible, factor in Somaliland's relative social cohesion during fieldwork, and a number of observers made comments that Somaliland essentially 'works because Somalilanders want it to work' and that, because of the lack of policing capacity the country, the country 'runs on trust'. In other words, Somaliland's relative success may be at least partly due to the sheer force of will on the part of its inhabitants. This is reflected in the way that Somalilanders report to perceive their country,⁶¹ where notions of local ownership in the peace process, exceptionalism from other Somalis, and self-sufficiency from the international community have wide currency. One local political analyst put it succinctly, describing his country's place in the broader Somali region: "we are like a flower growing out of a pile of garbage."⁶² This sentiment is quickly, if self consciously, impressed upon visiting foreigners. One of Somaliland's ministers portrayed the country's success in maintaining peace as resulting from the fact that:

"We never had any of our [peace] conferences in five star hotels like in the south... We were sending money to Borama [where the first major clan conference was held] and there was no foreign money there – thank God Ethiopia was too poor then."⁶³

A member of the *Guurti* requested that when I return home I "tell the international community that they must support us and our peace, and we will then support our Somali brothers... we can negotiate peace [in southern Somalia] in our own way."⁶⁴ The idea that Somaliland's process of peace-building is locally owned, and culturally distinct is one that is repeated with pride – although, as noted in Section Two, it also masks the level of exclusion that this has entailed, particularly in the periphery. The gap between the narrative intended for foreign consumption and the facts are revealing, however,

59 Interview with Shukri Harir Ismail and Annab Omer Eleye, Hargeisa: 2 December 2012.

60 Interview with Annab Omer Eleye, Hargeisa: 2 December 2012.

61 The research for this project was conducted largely in the capital of Hargeisa. Hargeisa has greater clan homogeneity and, roughly speaking, greater loyalty to the central government than some other parts of the country. These comments are not, therefore, necessarily indicative of feelings outside the capital but are nonetheless important markers of the image that elites in the capital city wish to portray to foreigners

62 Hargeisa: 18 November 2011.

63 Interview with Somaliland Minister, Hargeisa: 20 November 2011. This is not technically correct, as there was a very small amount (around US 100,000) of donor funding at the Borama Conference.

64 Hargeisa: 15 November 2011.

because they highlight the amplification of what is widely believed to make Somaliland 'exceptional' from the rest of Somalia and, by extension, Somalilanders from other Somalis. For example, references to Somaliland's female gold merchants (who sit on the street selling gold without any visible form of protection from theft) and of the large amounts of cash that can be seen sitting on the streets for currency exchange receive wide circulation. Despite the fact that security can be achieved through measures less visible than armed guards (money changers in Afghanistan, for example, also sit in the open with large amounts of cash and no obvious security), both stories are offered as evidence of claims that Somaliland is founded upon a political settlement that prioritises peace and collective responsibility above all else. Upon being directed to go and see the gold market by several members of the government, the gold merchants themselves responded to my presence as a foreigner with a similar refrain: "See, there is peace and stability here – take a photo and go show people." Not only did the merchants apparently want me to understand what I saw in the same terms that those directing me to see them did, but they also clearly understood the international relevance of – and political mileage to be gained from – their ability to sit on a busy downtown street in Hargeisa selling gold without any visible protection from theft.

This is often expressed through a colonial narrative, with the divergence between Somalilanders and other Somalis explained as a result of Britain leaving social and political structures relatively intact. Jatin Dua argues that this way of framing the perceived difference between the two groups takes liberties with the historical record but that the point is to cast Somalilanders as holding a 'British' sense of respect for law and order while casting Somalis from the south as prone to mafia-like violence and criminality, of which piracy is a prime example (Dua, 2011). As Dua points out, that piracy has not been a problem off Somaliland's coastline is used as further evidence of the exceptionalism that Somalilanders argue exists between themselves and other Somalis. In the analysis of one senior official in the Ministry of Foreign Affairs, Somaliland is both exceptional for not succumbing to the temptations of piracy but also for remaining steadfast against it in the face of strong incentives to do otherwise: "90 per cent of the pirates are from Puntland and yet Puntland has gained about 95 per cent of the international resources available to Somaliland... The more peace you make, the less resources you receive."⁶⁵ This framing seems intended to beg the question of why Somalilanders would bother refraining from such an obviously rewarding enterprise if they were not truly exceptional from other Somalis.

Of course there are other reasons that also help to explain the low level of piracy emanating from Somaliland, its coastal areas for one are far less populated than Puntland's, and they offer less mountainous terrain for refuge. Piracy is also not entirely absent from within the territory claimed by Somaliland either. The UN Monitoring Group on Somalia and Eritrea (2010: 37-8) reported that there had been one significant pirate group operating from Las Qoray on the Sanaag coast – a location claimed by both Somaliland and Puntland, although in reality administered by neither. Between 2007-2009, the UNODC (United Nations Office on Drugs and Crime) confirmed that there were five instances of piracy coming from within territory claimed by Somaliland, and that there were probably three different anchorage sites. Yemeni authorities captured the leader of this particular pirate group, Fou'ad Hanaano, in 2009, thus disbanding the group (World Bank, 2013: 147). The World Bank report alleges that Hanaano had received protection from the Puntland government as a result of his close ties to some local officials through his (Warsengeli) clan (World Bank, 2013: 157).

The narrative of exceptionalism is inextricably linked to the desire for international sovereign recognition. Somaliland is eager to be engaged in international efforts against piracy and demonstrate that it is a good member of the international community. Reuters quotes the speaker of Somaliland's

⁶⁵ Interview with senior official in the Ministry of Foreign Affairs: 15 November 2011.

House of Representatives, Abdirahman Abdillahi, as highlighting the connection between Somaliland's actions against piracy and the legitimacy of its claims to statehood: 'The passing of these [anti-piracy] laws proves that we are willing to cooperate with the international community' (Anderson, 2012). Referring to an agreement to transfer convicted pirates from the Seychelles to prisons in Somaliland, senior officials in the Ministry of Justice underlined Somaliland's *hope* of receiving further prisoners in the future.⁶⁶ Such a hope underlines the way that much of Somaliland's engagement on piracy is about being seen to take responsibility for the by-products of the dysfunction that pervades the rest of Somalia. It is intended to reinforce the notion that Somaliland and Somalilanders are distinct from that dysfunction. Again, this serves to reinforce the inherent righteousness of Somaliland's quest for international recognition. At least within Hargeisa, the belief that Somaliland deserves recognition is projected at foreigners with an apparent sense of routine and purpose. Voters in the 2012 local elections were, for example, keen to narrate their participation in the event as behaviour that warranted the conferral of statehood: "I've been standing in line since 2:00am; Somaliland should be recognised."⁶⁷

These ideas do not just reflect common beliefs about, or imaginings of, a shared past but they also influence people's behaviour and shape their perceptions of what is politically desirable and possible. In the context of Somaliland, where the 'state' is technically absent, the narratives constructed around the idea of Somaliland as an exceptional and inherently legitimate sovereign entity feed directly into the ongoing negotiations and power struggles that give shape to its political settlement. The shared beliefs and narratives (accurate or idealised, valid or distorted) about Somaliland's exceptionalism and inherent peacefulness, help to reinforce the elite settlement in which the absence of civil war is offered in exchange for acquiescence to elite capture of the economy.

The notion of peace above all else

The idea that seems to have the strongest resonance amongst most Somalilanders is that maintaining peace trumps all other political and economic concerns. A survey by the International Republic Institute about public attitudes in Hargeisa noted that: '95 per cent of respondents [reported to] feel very safe, but chief among their fears is conflict or civil war' (International Republic Institute: 2011b). The most important source of legitimacy for the present political settlement (which has allowed certain elites to monopolise key services and resources, and for the government to occasionally ride roughshod over basic standards of human rights) has been that large-scale violence has been successfully prevented. Human Rights Watch notes, however, that many Somalilanders understand themselves (at least during the presidency of Dahir Rayale Kahin) as being 'hostages to peace': 'so desperate to avoid the risk of instability that they look the other way even when their rights have been infringed' (Human Rights Watch, 2009: 15). As will be seen in the following section, the depth of this concern is imprinted in many of Somaliland's most fundamental debates, including the basis on which tax should be paid, flawed elections contested, and rights to the country's primary economic levers allocated.

⁶⁶ This issue was raised during a number of informal conversations with the author in 2012.

⁶⁷ The author was an international observer to these elections. Marleen Renders made a similar observation when she observed the previous elections in 2010: "Go tell your countrymen that Somaliland now deserves to be recognized," voters told the international observers'. (Renders, 2012: 244).

4.0

Institutions

This section will analyse the key rules and institutions that underpin Somaliland's settlement, and will explore how these institutions are sustained within an evolving political context. The section is subdivided into the following parts:

- The clan conferences from Borao to Sheekh, Borama and Hargeisa
- Balance of power: The *beel* system
- Balance of power: The multi-party system
- Balance of power: The business sector
- Taxation
- Secondary schools.

4.1 Institutions and the rules of the game: The clan conferences from Borao to Sheekh, Borama and Hargeisa

The inter-clan conferences that took place in Somaliland between 1991 and 1997 were the most important forums in which north-western elites negotiated the 'rules of the game' that sustain Somaliland's political settlement. There were a total of 32 major reconciliation conferences during that period (Jimcaale 2005: 64), but the four that are discussed here – Borao, Sheekh, Borama and Hargeisa – were by far the most significant from a 'national' perspective. It was at these conferences that the frameworks for national security, political representation, and the constitution were established. The actors at the conferences drew on existing rules and norms that are highlighted throughout this section, particularly:

- The concept of informality
- Consensus over majority voting
- Xeer (customary law and mediation practices)
- Inclusivity
- Proportional representation for the clans (*beel*)
- Each clan having considerable autonomy within, and responsibility for, events occurring within its territory.

Underlying each of the conferences was the belief that maintaining peace and avoiding the violence engulfing much of the rest of Somalia was the highest objective. Everything else was subordinate to that goal.

Borao (April-May 1991)

Siyad Barre fled Somalia in late January 1991, and the largely Isaaq clan guerrilla groups fighting under the SNM banner were awarded sudden victory against the non-Isaaq clan guerrilla movements that Barre had supported in the northwest. In February, the SNM leadership engaged the clan elders

to negotiate a ceasefire with the other north-western clans, and their acquiescence to the SNM's political leadership. The Berbera meeting laid the foundations for a much larger conference that was held in the city of Borao two months later – a city in which pro-secessionist attitudes ran particularly high. The 'Grand Conference of Northern Clans' was convened from 27 April – 18 May 1991 and took place in conjunction with the meeting of the SNM's Central Committee. After tense (some say outright coercive)⁶⁸ negotiations, the SNM and the clan leaders agreed that the territory of the British Somaliland Protectorate that had been recognised as a sovereign entity for five days in 1960 was withdrawing from its union with the former Italian Somaliland (APD, 2002: 17-8). In its place the 'Republic of Somaliland' was announced and the Chairman of the SNM, Abdirahman Ali Tuur, became the first president of the new 'republic' for a transitional two-year period.

While delegates at the Borao Conference had agreed to continue working towards establishing peace and agreeing to 'a common political program' (Renders, 2012: 91), a framework for how this should occur was far from ready. When independence was suddenly announced, the security situation in the northwest was extremely precarious and conflict resumed shortly after the Borao Conference. Some groups had spontaneously demobilised but many had not, and armed young men with combat experience returned to devastated communities where some sought to earn a living through coercion of local people (APD, 2002: 17). Some militia groups established checkpoints along trade routes to extort passers-by and others took control of key public infrastructure, particularly ports and airports, within their clan territory as a means of extracting revenue. By 1993, the government estimated that there were some 50,000 armed clan militia members in the country (APD, 2002: 17). The cohesion amongst the Isaaq clans that had helped the SNM defeat Barre's forces had fallen away, and President Tuur was proving incapable of reigning in the militias that were competing for control over public resources. The already problematic factional splits within the SNM also deepened, and President Tuur was accused of siding against one faction, the *Alan As*⁶⁹ (or 'Red Flag'), (APD, 2002: 18-19) in a bid to cement his own power. The fight over resources became increasingly characterised in clan terms as elites on both sides mobilised support from within their clans – in turn helping to spread the conflict to clan-lands farther afield. The Garhajis clan confederation (comprised of President Tuur's Habar Yunis sub-clan and the Idagalle sub-clan) lined up against the clan base of the *Alan As* faction of the SNM, which was largely comprised of the Habar Jalo and Habar Awal sub-clans. Each of the clans that were drawn into the dispute inhabited parts of Borao city and the Berbera port area. Both sides could additionally call on clan-based alliances within the city of Hargeisa itself, an issue that would become significant during Egal's presidency.

Before continuing, it is worth explaining the clan geographies that were drawn into this conflict, because these are illuminative in the intra-Isaaq civil wars that plagued Somaliland in the mid-1990s. The Habar Yunis and the Idagalle clans are genealogically close, both being descendants of one of Sheekh Isaaq's eight sons (Garhajis), and are referred to collectively as 'Garhajis'. Being lumped together as a singular 'Garhajis' clan means that the confederation is counted as one entity rather than two under systems of clan-based representation. Its members dispute this, arguing that such a classification undercuts their rightful level of representation. The Habar Yunis clan principally resides in parts of Berbera, Hargeisa, Borao, and Erigavo (Sanaag), while the Idagalle resides in the southern parts of Hargeisa and in small parts of Borao. President Tuur was a member of the Habar Yunis clan. Habar Yunis has had longstanding historical disputes with the Habar Jalo clan, and these two sub-clans are often rivals at a national level.⁷⁰ Conflicts between the two groups have tended to spread to other areas where these clans are also based.

68 Samatar and Samatar, 2005: 118.

69 Also spelled 'Calan Cas'.

70 See Renders, 2012: 132, for some historical background to their rivalry.

Habar Jalo is geographically interconnected with the Habar Awal/Issa Musa sub-clan, and the two have maintained largely friendly relations at the national level. Members of Habar Jalo reside in parts of Berbera and Borao, while Habar Awal/Issa Musa members reside largely in parts of Berbera, Borao and the eastern parts of Hargeisa. President Egal was a member of the Habar Awal/Issa Musa sub-clan that was aligned with the *Alan As* faction of the SNM, and so was on the opposite side of the Borao, Berbera, and Hargeisa based conflicts (1992; 1992; and 1994-96 respectively) to that of his predecessor, Abdirahman Tuur. Despite this, it is important to emphasise that clan membership is not necessarily a predictor of alliance or conflict on either an individual level or within larger coalitions, but they do provide a historical background against which it is possible to frame contemporary alliances or conflicts if this is perceived as desirable by the relevant actors. Returning to the importance of agency in these matters: it is possible to understand contemporary political and economic conflicts as potentially energised or deflated by being grafted onto so-called 'traditional' pastoral and clan rivalries (Renders, 2012: 96).

In January 1992, a conflict broke out between the Habar Yunis (Garhajis) and Habar Awal/Issa Musa militias in Borao after President Tuur attempted to organise a national military force to disarm the militias in the area – a move that was seen by the *Alan As* faction as partisan manoeuvring against them by the president. A group of clan elders successfully mediated the concerns of local parties to stem the violence, but the conflict set a precedent of fighting between the two groups over the control of public assets, and of the government's relative powerlessness to intervene. Tuur needed money if he was to fund demobilisation, and to get that money he needed access to public assets, the most lucrative of which was Berbera Port. Problematically for Tuur, the port was under the shared control of his Habar Yunis sub-clan, which was native to the region, but also to Commander Ibrahim 'Degaweyn,' a member of both the *Alan As* and the Habar Awal/Issa Musa sub-clan (Renders, 2012: 95) that was in alliance with the Habar Jalo. A violent power struggle ensued, with each side evoking the traditional rivalry between the Habar Yunis and the Issa Musa.

Unlike the incident in Borao two months earlier, clan elders were unable to negotiate an end to the violence in Berbera, which flared intermittently for six months and was eventually overcome by the anti-government (Habar Jalo and Habar Yunis) forces (APD, 2002: 19). Elders from a non-Isaaq clan, the Gadabursi, volunteered to leverage their independence and attempt to mediate an end to the underlying cause of the conflict, namely the control of public assets. They succeeded in achieving a ceasefire, which formed the basis of the next major clan conference in the town of Sheekh, to be attended by all clans of Somaliland in the hope of solidifying the peace between the clans in Berbera (APD, 2002: 20).

Sheekh (October 1992)

While the primary aim of the conference at Sheekh was to consolidate the peace settlement between the combatants in Berbera, the participants had also hoped to agree to more generalisable principles that could be employed at the next major conference scheduled in Borama. At Sheekh, Gadabursi mediators again took the lead and focused on the wording of a previous peace agreement with which the anti-government group (the Habar Awal/Issa Musa) had taken issue. The original agreement stated:

Public facilities and state properties that are found in Berbera, like the port, fuel depots, airport, government factories, roads, etc. are public properties and their access should not be denied to the people of 'Somaliland.' Their management and control is the responsibility of the central authority (Cited in Farah and Lewis, 1993: 54).

By changing the word Berbera to 'Somaliland,' the agreement referred to *all* public assets, as opposed to those located in Berbera alone. The Gadabursi elders were thereby able to obtain agreement

from the opposition Habar Awal/Issa Musa militia that all public facilities should be under the control of the government (Renders, 2012: 98). This alteration meant that the Habar Yunis and Idagalle clan militia ('Garhajis') with whom Habar Awal was fighting in Berbera would have to give up their claim to Hargeisa Airport under the same agreement.

The conference made important progress towards formalising principles for the management and resolution of violent conflict under the understanding of '*ama dalkaa qab, ama dadkaa qab*', translated as: 'either you have your land or you have your people', and which in context implies that 'each clan is responsible for whatever is committed in their territory' (Interpeace: 2008:48). This principle had been applied in local contexts previously but this was the first time that it was adapted to serve as a general principle for future negotiations towards reconciliation (Interpeace: 2008:48). The communities represented at Sheekh also agreed to recall militias to their clan territory, to return fixed assets seized during the war to their owners, exchange prisoners of war, and to clear all roads of militia so that traffic could pass unimpeded (APD, 2002: 20). The Sheekh Conference thus established a framework – expanded at Borama – through which the clan leaders would participate in key governance issues in a more formalised manner, and which formally designated clan leaders as the primary authorities for ensuring security in their local areas.

Borama (January-May 1993)

The principles agreed to at Sheekh served as the basis for deliberations at the Borama Conference and were consolidated as a Peace Charter and National Charter for Somaliland, both of which further enmeshed the clan leaders in the fabric of national governance. The National Charter served as a working constitution for Somaliland until the new provisional constitution was introduced at the Hargeisa Conference in 1997 (APD, 2002: 20).

The National Charter set out a system of clan-based proportional representation (*beel*) for Somaliland that was to be combined with some Western-style formal institutions. The formula for clan-based proportional representation was based on similar formulas used in earlier national bodies⁷¹ with slight amendments due to disagreements over relative clan populations. Eventually, each sub-clan was allotted a number of votes as a proportion of the 150 voting delegates (Interpeace, 2008: 51): the Isaaq sub-clans were allocated 90 of the 150 votes (down from their original 95); the Harti sub-clans (Dhulbuhante and Warsengeeli) received 34 votes; and the Dir sub-clans (Gadabursi and Esa) were given 26 votes (Interpeace, 2008: 51).

The Charter established a two-tier legislature with an elected House of Representatives, a non-elected House of Elders (the *Guurti*), an elected presidential executive, and an independent judiciary. The parliament was to be the main institution through which to express the *beel* system of representation, the formality of which offered greater flexibility in determining positions of influence within both the executive and the civil service (ICG, 2003: 10) – even though the executive was theoretically still supposed to be subject to *beel* calculations (APD, 2002: 30). In the civil service, the *beel* system was conceived to apply only to the positions of minister, vice minister, and director general, and does not apply to ordinary bureaucrats. There is, however, an informal assumption that individuals allocated positions on the basis of the *beel* system will employ people largely from within their own clans, effectively institutionalising representation.

⁷¹ Interpeace notes that there remains disagreement over whether the formula used at Borama should be traced to the one established as the basis for representation in the 1960 parliament, or the one that was used by the SNM in Baligubadle (Interpeace, 2008: 51).

The Charter also established a 'hierarchy of appeal' in which community elders were made formally responsible for meditating disputes within local *Guurtis*, and higher *Guurtis* were to be responsible for disputes that involved more segments of the 'clan chain' (Interpeace, 2008: 53). The Charter established the executive committee of the national *Guurti* (the 'Grand Committee of Elders of Somaliland') as the highest body for dispute resolution, thereby formalising the role of the national *Guurti* for the first time (Interpeace, 2008: 53). There were 75 positions in the first national *Guurti* and membership was driven by clan-based selection. The *Guurti* was charged with the protection of national security by managing conflicts, and the protection of Somaliland's customary law and Islamic values (APD, 2002: 32). Its first order of business was to demobilise the clan militias, affected on the basis of the 'Somaliland Communities Security and Peace Charter'. Under the Peace Charter it was agreed that all militias must be stood down, and that all militia weapons surrendered to the government. Each community was to take responsibility for banditry occurring in its territory, and to establish a local security council and clan-based police force, with the intent that these forces would eventually be incorporated into a national police force. All communities also agreed to resist any incursions by outsiders into the territory claimed as Somaliland (Interpeace, 2008: 52-3). It was intended that security would later become the responsibility of the government after demobilisation had been completed, thereby paving the way for the creation of a national army (Renders, 2012: 101).

The conference at Borama saw the transition from the SNM to a civilian administration, and nearly two-thirds of the 150 official delegates at Borama voted President Abdirahman Ali Tuur out of office. Mohamed Haji Ibrahim Egal (Habar Awal/Issa Musa) became Somaliland's second president with Abdirahman Aw Ali (Gadabursi) selected to serve as Vice President in a transitional government with Egal. This arrangement was only initially intended to last for two years, but was extended until 1997 due to the declaration of a state of emergency during the civil war and a parliamentary extension (ICG, 2003: 11). Abdirahman Tuur's clan (Habar Yunis of the Garhajis confederation) felt that they were not adequately compensated for losing the presidency; a grievance that continued to fester. In November 1994 tensions boiled over when President Egal attempted to gain control of Hargeisa Airport by force from an Idagalle clan militia (the other member of the Garhajis confederation). The fighting was so intense that it amounted to a second civil war, with fighting spreading from Hargeisa and into Borao, where Garhajis-Habar Awal tensions were also high (ICG, 2003: 11). Enticed by the United Nations Operation II in Somalia (UNOSOM II – which was active in the south and did not recognise the legitimacy of the peace process at Borama) – former President Tuur re-entered the fray, rejecting the notion of an independent Somaliland. By sponsoring an alternative leadership – one that was willing to work against Somaliland's independence – UNOSOM exacerbated Somaliland's internal struggles and prolonged (perhaps even exacerbated) the level of violence in the mid-1990s (Balthasar, 2013: 227).

The rules of the game at Borama

The local (Gadabursi) community was overwhelmingly responsible for funding the Borama Conference. This constituted a considerable financial burden for the hosts, as they were obliged to provide food and shelter for some 2000 participants over a five-month period. However, the participants were quite aware of the imposition being placed on their hosts – as opposed to international donors – and of the reciprocation that would likely be expected of them. The local funding of the conference helped to remind participants that time could not be wasted. Decisions at the Borama Conference were almost always taken on the basis of consensus being reached between parties rather than as the result of a majority vote. This was time consuming – the conference lasted more than five months – but it was felt by participants that consensus was more likely to achieve a legitimate and durable result. When seemingly intractable issues arose, parties were given deadlines (sometimes repeatedly) in order to reach an agreement that were acceptable to all rather than putting the issue to a vote.

One of the elders present purportedly explained that the general view at the conference was that “voting is fighting; let’s opt for consensus” (cited in Interpeace, 2008: 52). Interpeace notes that at times the chairman would ‘fall ill’ when an important agreement remained out of reach in order to allow further time for discussion (Interpeace, 2008: 52) and, presumably, a face-saving outcome for those involved.

Much of the activity also occurred outside the formal meeting sessions and involved delegates meeting socially and without the immediate pressures of finalising outcomes. Deliberation, mediation, and a purposeful lack of haste were all critical ‘rules of engagement’ that allowed substantive issues to be creatively brokered. The inclusion of the non-Isaaq clans was also crucial to the success of the conference, not only for the wider legitimacy of the outcomes (and helping to allay fears that Somaliland was simply an Isaaq nationalist project) but also for their ability to mediate between the numerically dominant but divided Isaaq sub-clans (Interpeace, 2008: 55). The principle of maintaining a balance of power between the clans, seen through the use of the *beel* system of proportional representation at the conference, is discussed in greater detail later and is a principle that cuts across many of Somaliland’s political and economic arrangements.

It goes without saying that achieving success at these conferences made considerable demands of the participants, and required extraordinary willpower. It was an exercise in determination to reach an agreement that all clans in the northwest could (at least for the most part) accept – with some caveats surrounding the difficulties in eastern Sool and Sanaag. As much as the notion of ‘willingness’ may sometimes substitute proper analysis of causation in political narratives (Hudson and Leftwich, 2013), the way that these three conferences were conducted point to the fact that those involved had very strong incentives to find ways to cooperate with one another. It is hard to escape the conclusion that one of the most powerful incentives for success was the agonising example of a ‘failed’ peace-process in the south. It is also equally clear that the lack of attention Somaliland received from international donors during its formative years helped to keep the eyes of political entrepreneurs fixed on one another rather than on outsiders as a means of securing the revenue required to formalise a peace settlement. Moreover, the fluidity of the timeframes allowed local actors to deliberate and find consensus, without being pressured to simply put key issues to a vote in order to finalise proceedings and declare a successful outcome.

Hargeisa (October 1996-February 1997)

With the return of former president Abdirahman Tuur (now a ranking official in General Mohamed Farah Aideed’s government in the south, and backed by UNOSOM) to Somaliland’s political landscape, clashes over public resources erupted again. In a mirrored reflection of the Berbera conflict in 1992 (in which the Habar Awal defied the government by claiming Berbera as its territory), members of Tuur’s clan confederation (the Idagalle of Garhajis) began agitating for control of Hargeisa Airport in 1994. Initially, the majority of the Idagalle disparaged the militia’s moves, but when government troops ousted them from the Airport, causing a number of casualties, the conflict escalated. More combatants became involved, and so too did more clan alliances, particularly from Hargeisa and Burao where violence became acute (Renders, 2012: 130-1).

Despite the conflicts in Hargeisa and Burao between 1994 to 1996, President Egal had made strides towards demobilisation shortly after taking office in 1993, and by 1995 had established an army of around 5000 people, largely from the militias that had been disarmed (APD, 2002: 22). However, by 1995 it was estimated that there were still some 10,000 militia members yet to be demobilised, and when the conflict broke out in 1994, this facilitated a wider remobilisation along clan lines (Balthasar, 2013: 225).

The differences between the Borama Conference and the Hargeisa Conference three-and-a-half years later were stark. Whereas Borama was almost entirely funded by the local communities,⁷² the Egal administration organised and funded the Hargeisa Conference using loans from the business elite (and did so at the expense of other local peace initiatives). As such there was a clearer and more centralised political agenda expressed at Hargeisa, with some critics decrying the process as being overly dominated by the president and his largely Habar Awal inner circle (APD, 2002: 25). The loans that funded the conference furthered the symbiosis of the Somaliland government (though principally President Egal) and the country's wealthiest merchants. The former increased the centralisation of its power while the latter made large profits in a reasonably stable (and virtually unregulated) business environment.

Unlike the conference at Borama, where the incumbent president was unseated, the Hargeisa Conference reinstated both President Egal and the parliament (APD, 2002: 25). It also increased the number of *Guurti* members from 75 to 82. The original members had been selected by their clans but the additional seven people were reportedly 'hand-picked' by President Egal, to the disappointment of some of those the appointees were supposed to represent (Hoehne, 2013: 203-4). However, even those members that were nominated by their clans for the *Guurti* and the House of Representatives were not selected in a transparent manner. Somaliland's Academy for Peace and Development (APD) reports that the nomination process did not occur through wide grassroots consultations, but rather via 'urban-based clan leaders and... powerful associates of clan leaders – Af-miinshaaro (self appointed 'political brokers' or 'spin doctors')' (APD, 2002: 39). *The Association for Peace and Development* (APD) concluded that this process served to alienate constituencies, making elite authority dependent on a small group of 'king-makers' rather than their grassroots communities (APD, 2002: 39). Egal also changed the name of the conference from the usual 'clan conference' (*shir beleed*) to a 'national conference' (*shir qameed*), ostensibly because there was now a legitimate civilian government in place but also to undermine the centrality of clan elders to the political process that Egal sought to dominate. Egal also changed the rules for presidential candidature in order to undermine other actors with presidential ambitions. The presidency became available only to candidates that were married to Muslim women, thus disqualifying the Chairman of the *Guurti*, Saleban Gaal, who was married to a European woman. To this, Egal added that prospective candidates must have spent the past five years in Somaliland, thereby eliminating several other hopefuls from the race. The International Crisis Group notes that Egal also successfully lobbied to increase the number of non-clan delegates at the conference by insisting that half the delegates be members of parliament, which helped to further undermine the notion that the clan-elders lay at the heart of Somaliland's political processes (ICG, 2003: 11).

The Hargeisa Conference also replaced the National Charter from Borama with a provisional constitution that was ratified by referendum in 2001. The document, which Egal sold to the public as a referendum on independence, introduced an electoral multiparty system, stipulating that elections would be held during the first term of the new administration. With this formal shift away from the clan-based political representation that was at the heart of the Borama agreement, President Egal also turned Somaliland's political focus outwards. The language of the new constitution was that of international best practices and good governance – something intended to elicit a positive response from Western donors. Particularly noteworthy, was the stipulation that Somaliland's electoral system would be based on universal suffrage for Somalilanders over the age of 16. Steve Kibble and Michael Walls (2010: 41) note that despite this no women were actually consulted in the process of drafting the constitution. The apparent recognition of women's political empowerment seemed, therefore, to be more about fitting to an established political template than providing women with substantially

72 There was around US \$100,000 in contributions from various Western donors for the Borama Conference.

increased space for political activity. This is revealing because it points to the ways in which the rules of the game changed between the Borama and Hargeisa Conferences. There was an increased emphasis on pre-empting external perceptions of Somaliland and on trying to highlight its 'modern' state attributes to generate support for its independence from Somalia. As Somaliland's political outward focus increased, however, some of the elements of the earlier and more inclusive political settlement were discarded:

- Clan elders were strategically drawn into centralised state patronage networks and detached from their grassroots constituencies
- Elite economic monopolies became more entrenched
- The eastern areas of Sool and Sanaag were increasingly marginalised in the vision of an independent Somaliland among the Hargeisa-based elite
- Political activity took on a more liberal democratic vocabulary
- Recognition was more assertively sought
- Foreign development assistance agencies began to outspend the government by a significant margin.

Of course, the government was also to some extent inhibited by having neither sovereign recognition nor the possibility of reintegration with a functioning state in the south. Feeling the constraints imposed by non-recognition, the Somaliland government redoubled its efforts to persuade the international community that it had more attributes of statehood than its southern neighbour, despite the massive amounts of international assistance received by the latter.

Balance of power: The 'beel sami qaabse' system

Somaliland's political system rests on an underlying acknowledgement that the complete exclusion of any politically significant clan/sub-clan group will undermine the stability of the political settlement and make violence more likely. An important caveat exists for this regarding the degree of political significance attributed to each group, as this is not necessarily based on population (which all parties have an incentive to exaggerate), but on power, resources, centre-periphery relations, and a group's ideological acceptance of Somaliland's claims to independence – something that further excludes the eastern Harti clans from power in Hargeisa.

The *beel* system is essentially one of clan-based representation that theoretically aims to express and maintain a relative balance of power between the clans/sub-clans of Somaliland although some – namely the sub-clans of the Isaaq – are often more equal than others in practice. As Jimcaale (2005: 83) writes: 'every beel [clan family] is actually represented in the current Parliament – an important concession to peacebuilding. But few beel, if any, are satisfied with their allocation... Powerful clans want more seats and less powerful or powerless clans are deprived and unable to obtain their political rights'. In the first Somaliland Legislative Council in 1960 (under the British protectorate), 64 per cent of seats were allocated to Isaaq and 34 per cent to non-Isaaq (Jimcaale, 2005: 84).⁷³

In the aftermath of the SNM insurgency against the Barre regime, the Isaaq clan (from which the SNM was almost exclusively derived) announced that there must be no reprisals against the clans that had fought on Barre's side if Somaliland was to become peaceful. There was the clear recognition that Somaliland could not afford to define itself as an 'Isaaq state' if it were to survive, and that accommodation with the non-Isaaq inhabitants of Somaliland was essential to ending the violence. Within the SNM, clan affiliation also drove representation within the leadership, and each clan was given a 'fair' share in the power structure, although the definition of fairness was fraught (Renders, 2012: 68).

⁷³ Jimcaale's figures appear to be a typo that should read Isaaq: 65 per cent and non-Isaaq 35 per cent.

Somaliland's first president, Abdirahman Ahmed Ali Tuur, was scrupulous in ensuring that there was balanced representation between the major clans within his first cabinet and it was generally accepted that he achieved this (Drysdale, 1992: 8), having given six of eighteen positions to non-Isaaq members (APD, 2002: 17). Likewise, President Egal was also conscious of the need to achieve a balanced representation of Somaliland's clans among his cabinet members. He used his first speech as president (May 1993) to declare his intention to: 'set up a very small cabinet, but efficient. I promise to form a cabinet which is not more than twelve ministers' (cited in APD, 2002: 30). The requirements of the *beel* system soon undid this promise, and by 2001 Egal's cabinet had increased to 26 members as a result of his need to include, and weight, more groups than a mere 12 positions would allow. In an attempt to justify this inflation, Egal later argued: 'There is not a single minister I have appointed who was not recommended to me by a clan or sub-clan head. I am not selective about the cabinet, what matters is the solution... They may not be the best but they are the solution' (cited in APD, 2002: 30). Even despite Egal's clear desire to undermine the role of the clan elders in political life, he did not believe himself at liberty to make decisions about who to include in his cabinet without their direction.

In successive governments, cabinet members and senior government officials have been spread quite widely across the clan/sub-clan groups (at least numerically if not in terms of their actual power) to ensure that each has a reasonable level of formal representation within the government.⁷⁴ The Isaaq has not held the presidency exclusively either and Dahir Rayale Kahin, who succeeded President Egal upon his death in 2002 (and was returned to office in the 2003 elections), was from the minority Gadabursi clan.

The *beel* system is widely credited for helping to maintain peace in Somaliland (ICG, 2003: 10) but it has significant problems, one of the most important being the calculations over the level of representation that each clan ought to receive. The Borama Charter of 1993 kept roughly to the allocations for the House of Representatives used in the 1960 Council despite widespread disagreement, and while minor adjustments were eventually made, these were to no-one's great satisfaction (Jimcaale, 2005: 83). The Charter allocated the major clans of Habar Jalo, Habar Awal, Garhajis, Gadabursi, and Dhulbuhante ten parliamentary seats each (Renders, 2012: 136), with the smaller clans receiving less in accordance with the formula. As noted above, the Garhajis confederation (the Habar Yunis and the Idagalle) felt the most aggrieved by the arrangements reached at the Borama Conference, which stipulated that they be counted as one clan rather than two. Having just lost the presidency to a member of the clan that they had been fighting (Mohamed Ibrahim Egal of the Habar Awal) they believed they were also being slighted within the House of Representatives.

Similarly, the Harti clans (Dhulbuhante and Warsengeli) felt that the newly formalised *beel* system undermined their historical level of influence. Under British colonial rule, the Harti clans were considered second only to the Isaaq in terms of population and influence. The settlement at Borama, however, gave the vice presidency to a member of the Gadabursi clan, while the Dhulbuhante was allocated the less prestigious position of Parliamentary Speaker. The Harti clans approved the agreements reached at Borama, but the feeling that they were being sidelined in an 'independent' Somaliland deepened (ICG, 2003: 11). The *beel* system also does not consider the geographical location of the clans and so clan representatives can be selected disproportionately from one region, which can disenfranchise those clan members residing in other areas (Renders, 2012: 136). Members of the Harti clans residing in 'middle' Somaliland, therefore, tend to be more likely to be selected for office than those living in the east. Government and civil service positions are not publicly advertised and so potential appli-

⁷⁴ This is less true for the Dhulbuhante and Warsengeli clans that live in the far eastern areas of Sool and Sanaag that are simultaneously claimed by Puntland.

cants only know about vacancies or other opportunities through personal or clan connections, which makes proximity to Hargeisa a significant factor in finding government employment. Perhaps most significantly, the system has been criticised for prioritising a balance of power between the clans over both issue-based policies and the greater inclusion of minorities.

Balance of power: The multi-party system

The introduction of the multiparty system was part of President Egal's attempt to formalise state structures (and thus the power of the central government that he led) at the expense of the clan elders. It also served to provide legitimacy to Somaliland's desire for recognition through the provision of 'good governance'. The design of the multiparty system was ostensibly intended to limit the role of clans in the public's political affiliations, but has ironically had the opposite effect in several ways. In an attempt to incentivise cross-clan electoral collaboration and national political platforms, only three political parties are constitutionally permitted to contest parliamentary or presidential elections. The three parties are given legal status on the basis of their performance in the local council elections across Somaliland's six electoral regions, where they must receive a minimum of 20 per cent of the votes. These top three parties are then mandated to compete in parliamentary and presidential elections for the next ten years after which the selection process should be repeated. The outcome of this system has been, however, that elections⁷⁵ have demonstrated the political salience of clan networks in candidate selection and voter mobilisation, and have tended to entrench both parochialism and the principle of clan-based representation within elected government institutions. Since the first parliamentary elections were held in 2005, the representation of the Isaaq clan has increased by nine seats, to a total of 57 out of 82 (around 70 per cent), and the Gadabursi has increased their representation from 11 to 13 seats. These increases have come at the expense of the Harti (Dhulbuhante and Warsengeli) people, whose representation has declined from 14 to 10 seats, something that has not helped to reverse their sense of marginalisation within Somaliland (Abokor, *et al.*, 2006: 20).

Since the multi-party system was formally introduced in 2001 there has been a tendency for parties to call on clan affiliations to gain votes, as politicians often explicitly rely on traditional elders to select local candidates. For example, in the local elections of 2012, each party worked through local clan elders to determine the candidates that they would support in the district, usually by being provided with a list of names by the clan leader/s, presumably in exchange for payment or other benefits. In the lead up to the elections it was common to hear people ask: 'who is your family supporting?' (*reekow kii bu wata?*), or 'who are we voting for' (*ayaanu doraana?*) both of which essentially acknowledging that each clan should support candidates collectively so as not to split their votes and lose seats in the local councils. This meant that aspiring candidates who did not have the support of the clan elders working with the parties were unlikely to be selected. It also meant that clan affiliation was by far the most important factor for achieving a nomination to run for office. For example, in the capital city of Hargeisa, no party nominated a member from either the Gadabursi or Habar Jalo clans (with one partial exception)⁷⁶ because they are not numerically significant within the city, and were not, therefore, expected to mobilise clan-based support for their candidacy. A local council consists of 25 seats and each party fielded the full 25 candidates in Hargeisa, where the possibility for national political influence is the highest. Parties favoured the Hussein Abokor sub-clan (Habar Awal/Saad Musa) but each also made sure to have candidates from the Arab, Habar Yunis and Garhajis tribes that reside in the city in order to have the best chance of victory. Similarly, in the nearby district of Gabiley, no party nominated any candidates from the neighbouring Gadabursi clan because it was believed that the majority clan (Habar Awal/Saad Musa) would not vote for them, even though in the previous

75 Somaliland has had the following elections: 2002 district elections – which created first the three political parties that are permitted by the constitution; 2003 presidential elections; 2005 parliamentary elections; 2010 presidential elections; 2012 district elections.

76 There was one candidate from Habar Jalo, who reportedly tried to trade on the fact that his mother was from the Saad Musa clan. He was unsuccessful.

local council there had been one member from the Gadabursi clan. It appeared that the party leaders did not want to risk a defeat by being seen to go against the recommendations of the clan elders.

With the partial exception of the ruling Kulmiye Party, the political parties had limited resources to spend on their candidates' campaigns, making the candidates further dependent on their clans for financing and thereby increasing, as in previous elections, the expectation that candidates promote clan rather than party agendas (Renders, 2012: 251-2). However, there was also a level of individual pragmatism to the electoral process, and a vote-economy was apparent throughout the country. Somalilanders spoke of 'going rates' to travel to various parts of the country to cast their vote(s), seemingly for financial more than clan-based reasons, though a combination of incentives is likely.⁷⁷ Anecdotal observations suggest that Berbera fetched the highest rate (around US \$60) even though Erigavo (reportedly only valued at US \$30) was further away and required travel along a more dangerous stretch of road.

It was also common to hear people ask on Election Day not whether they had voted but rather how many times they had exercised that right. Large groups gathered openly outside the polling centres to wash the supposedly indelible ink from their fingers with bleach and some people happily demonstrated to international observers how effective the chemicals were at removing the ink from their fingers, allowing them to vote repeatedly. The widespread occurrence of multiple voting raised the question of whether it was being done at the behest of one party (or coalition of parties), or whether it was more a case of 'equal opportunity' in which the ability to transgress the system was not the particular privilege of one group over another, and a commitment to victory was all that was required to win. In most cases observed by the author, there was not a strong sense that this was something to hide, which again added to the question of whether people felt that they were adhering to widely legitimate (if informal and strictly illegal) rules in order to get their preferred candidate over the line – if everyone agrees to transgress the system in a roughly equitable way is it still a transgression? It appeared that the more important principles guiding behaviour on the day were that participation should be both highly inclusive and in the service of one's clan-based loyalties. Despite the procedural problems throughout polling day and in the lead-up to the election, there was a clear sense that there was something to play for and that victory in the election was worthwhile.⁷⁸

The 2003 presidential election provides an instructive window into Somaliland's electoral politics and the rules of the game that undergird them. It was an incredibly close race in which the incumbent (President Dahir Rayale Kahin) maintained power over his main challenger (Ahmed Mohamed Mohamud Silanyo) by an initial margin of just 80 votes. The National Electoral Commission (NEC) later revised the margin to 217 votes but it was still clear that a missing ballot box (of which there were many) could have been sufficient to reverse the outcome, yet the dispute process was handled peacefully. Observers reported that the tabulation process for the count was highly problematic and lacked transparency, which meant that there was no way of independently verifying the outcome (Lindeman and Hansen, 2003). Lindeman and Hansen also note that members of the *Guurti* and of the (ultimately victorious) UDUB Party both applied considerable pressure to the members of the NEC to tabulate the results in a manner favourable to President Dahir Rayale. They conclude, however, that at least on the part of the NEC there was nothing to suggest that the procedural errors were part of an attempt 'to reach a particular result or in other ways trying to influence the outcome of the elections' (Lindeman and Hansen, 2003).

77 The author's observations as a member of an international elections observation team, November 2012.

78 After the elections, the victorious Kulmiye Party did make a significant move against clan-based power; however, and in 2013 implemented a policy to shift all governors outside of their local areas thereby disrupting power systems constructed around clan monopolies across government institutions.

The peaceful way in which the appeal process was handled was not an indicator of the strength of the country's formal democratic institutions *per se*⁷⁹ but more an expression of key elites' nuanced understanding of the underlying mechanisms that upholds the political settlement.

Some of these mechanisms were expressed through formal institutions such as the NEC and the Supreme Court and some were expressed through informal haggling and cajoling behind closed doors, but all were underpinned by the strong desire to prevent violence. As the defeated candidate Ahmed Silanyo pointed out, he had no intention of dragging Somaliland down the same path that Mogadishu has so painfully travelled (Bradbury, 2008: 194). Also critical to Silanyo's willingness to accept the Supreme Court's decision was the intervention of a mediation committee of Sultans, which helped convince him to give up his claim (Bradbury, Abokor, et al, 2003: 469), something that he formally did three weeks after Dahir Rayale was sworn in. Silanyo appeared to realise that there were not enough people prepared to support him in a conflict that could easily turn violent. Had Silanyo not have accepted defeat he would have risked upsetting the most fundamental aspect of Somaliland's political settlement: the maintenance of peace above all other political and economic considerations. To do so would have been political suicide.

Taxation

Somaliland's wealthiest merchants have provided Somaliland's governments with large loans to fund certain basic necessities, including food for the security services, demobilisation, peace conferences, printing the national currency in 1994, and servicing debt. Most importantly, business elites have covered budgetary shortfalls for both the Egal and the Silanyo administrations (according to an official in the Ministry of Finance, such offers were not extended to the Kahin administration of 2002-10).⁸⁰ In return, Somaliland's wealthiest merchants have expected, and enjoyed, a generous (and at times absent) system of taxation. In Somaliland, the key economic issue is not, or at least is not yet, how the government extracts tax from either income or profits, because the vast majority of tax (around 80 per cent) is extracted through customs tariffs rather than the productive capacity of the people. The more interesting question is how the political elite has related to the business elite, and the forms of collusion, monopolism, and – at times – developmentalism, that have underpinned the ongoing limits to widespread violence.

When Mohamed Hashi Elmi became the Minister of Finance in President Silanyo's government in 2010, he signalled his intention to improve public services, increase civil servants' salaries, and to impose more stringent taxation requirements on companies operating in Somaliland. In what was partly an attempt to sideline the perception that the government was beholden to the largesse of the business community and partly an attempt to pay back the US \$22 million debt it had inherited from the previous government, the new minister raised taxes almost across the board. This was unprecedented. At the same time, the Silanyo government approached the business community for loans. In 2010, the government received nearly US \$3 million from the business elite. The companies and individuals that contributed were: Telesom (US \$1.2 million); Dahabshiil (US \$750,000); Ali Warabe (livestock exporter – US \$500,000); Jama Omar Saed (US \$200,000); Mohamed Aw Saeed (Somcable – US \$200,000); Mohamed 'Ina' Dable (owner of a bedding factory – US \$100,000).⁸¹ In early 2012, the government received a further US \$500,000 from Telesom. Unlike the loans extended to President Egal in the 1990s, however, the arrangement was that the government was to pay its creditors back with money, not tax exemptions. By July 2012, the government had paid back all of the money that

79 The head of the National Electoral Commission, Ahmed Haji Ahmed Adami, colourfully referred to the elections as 'fairer than the Nigerian ones' (Africa Confidential, 2003: 8)

80 Interview with the Director of Planning and Statistics at Somaliland's Ministry of Finance, Hargeisa: 13 June 2013.

81 Interview with the Director of Planning and Statistics at Somaliland's Ministry of Finance, Hargeisa: 13 June 2013.

it owed to its lenders, in addition to the US \$22 million of debt that it had inherited.⁸² Again this was unprecedented and optimism ran high that the new government would continue to flex its political muscle to reduce the narrow concentration of wealth in the country. Domestic revenue doubled between 2009 and 2012, partly due to more effective tax administration and partly to the end of the live export ban in 2009 that had been strangling the economy for the past nine years. However, despite these areas of progress, the one line item that was not targeted for tax increases between 2009 and 2012 was 'business profit tax'. In fact, taxes on business profits fell by 31 per cent during this period (Somaliland Ministry of Finance, 2013). The finer points of state-business relations may have changed slightly since Egal's time but the substance remains familiar: the wealthiest merchants and companies may expect exclusive access to some of the country's most lucrative business opportunities.

The underlying settlement between the government and the business elite is not without some high-level dissent. In April 2011, the government tabled an ambitious and controversial piece of legislation that aimed, in part, to recover significantly more revenue from the country's largest and least regulated industry: telecommunications. However, the Telecommunications Act was not only controversial for its attempt to wrest more tax from telecommunications companies but because it simultaneously included a clause sanctioning a monopoly for one company (Somcable) to act as the sole fibre optics operator in the country for the next 25 years. Therefore, on the one hand the government presented itself as trying to extract further tax from big business, while on the other it presented itself as entering into a collusive arrangement without a tendering process.

The Telecommunications Act pointed to factional splits within the government over the issue of taxing and regulating the wealthiest companies in vital industries. The Act had many different stakeholders with competing interests: Somcable and its supporters sought to monopolise the fibre optics industry, some members of the government saw an opportunity to increase taxation in the telecommunications sector, and Somtel (owned by Dahabshiil – of the president's Habar Jalo clan) sought to gain interconnections with Telesom for a price that was to be set by the Ministry of Telecommunications. In the end the Act was undone by its contradictions. Having passed both the parliament and the *Guurti*, President Silanyo has yet (at the time of writing) to sign it into law, and there have been no further moves to try to increase the taxes paid by the telecommunications companies. In the view of a former telecommunications minister, the biggest telecommunications company (Telesom) has been very effective in selectively offering shares to politically influential figures both within the government and beyond:

"It's really incredible. The government wants the international community and the UN's help but they don't really. They could have very good income from the telecoms companies but some people in the government just don't want this. Telesom's minimum profit last year [for shareholders] was 125 per cent, which means that if one share is [US] \$10,000 every year you make [US] \$12,500 profit. There is no taxation, no competition. It's not good. The government could have made a lot of money."⁸³

The Somaliland government lacks the mechanisms to compel financial disclosure from companies operating within its borders. It is thus reduced to trying to persuade businesses to honestly declare their profits and, on that basis, to pay more tax in exchange for the promise of better legal protections and infrastructure in the longer term. These are, however, protections and infrastructure that the government is not yet capable of, or sometimes willing to, provide. As one minister put it:

"Without us [the government] they [the telecommunications companies] would have to

82 Interview with the Director of Planning and Statistics at Somaliland's Ministry of Finance, Hargeisa: 13 June 2013.

83 Interview, Hargeisa: 24 March 2013.

hire their own army; they need a skilled workforce [and the government is responsible for education] and they need roads... We are appealing to them to abide by the laws like people who earn much less."⁸⁴

At present, the government's collection mechanisms are so weak that it still prefers to tax goods at the point of entry, and essentially accepts that collection will be minimal after that point. This means that service providers who are not reliant on importing or exporting goods, particularly telecommunications and money transfer companies, are largely exempt from paying tax. Taxation rates on profits are also extremely low, particularly for large businesses: larger companies outside of the telecommunications sector pay a flat rate of one million Somaliland Shillings per year (around US \$150) regardless of their actual income, while small retail businesses pay a 'negotiable' sum of between 1000-2000 Shillings (US \$0.16-\$0.32) a day.

To put this into perspective, Somaliland's budget for 2011 was around US \$81 million,⁸⁵ while the combined income of its two largest domestic companies (Telesom and Dahaabshiiil) was informally estimated to have been perhaps around US \$66 million.⁸⁶ According to an official within the Ministry of Finance, the Ministry calculated that Telesom should probably pay about US \$7 million in taxes based on its estimated profits for 2011, but the government only requested (and received) US \$500,000. "The figure was made up because they didn't know a figure, they just guessed... In 2012 they paid the same, and it was in the budget. This year [2013] it was [US] \$670,000, even though everyone knows [Telesom] should pay more than that."⁸⁷ While low, these figures still constitute a significant increase from nothing and the Ministry is currently planning to negotiate for a percentage of profits, but the problem remains: "we don't know what they earn."⁸⁸

Despite the financial dominance of big businesses over the government, they have not been able, nor apparently willing, to entirely marginalise the calls of some within the government for more formalised requirements for payment to be established. The political negotiations between the government and the telecoms sector surrounding the Telecommunications Act were intense, but underlined that at least some members of both groups believed that if the government cannot maintain peace the business community cannot survive in the long-term either. Once again the government was able to mobilise popular ideas about the importance of maintaining peace above all else. As such, the telecommunications companies have become careful to portray themselves as being on the right side of the taxation debate. A senior executive at Telesom said, for example: "We have to understand that the government needs tax to maintain peace and the functionality of the government, and we are willing to cooperate."⁸⁹ Emphasising such willingness has become an important part of public relations within the telecommunications sector. This in itself represents a shift from assertions that the sector already contributed to society in other ways, and that requests for taxation constitute an unreasonable additional burden. Again, the underlying narrative that both sides return to in their public discourse is that maintaining peace outweighs all other political and economic calculations.

The government appears to be aware of the companies' susceptibility to pressure on this issue, and billboards and advertisements in local newspapers (albeit funded by donor agencies) press the case that paying tax is in the national interest, as indicated by the following photographs.

84 Interview with Somaliland Minister, Hargeisa: 14 November 2011.

85 This is up from US \$51 million in 2010. Budget figures received from the Somaliland Ministry of Finance (Hargeisa) in June 2013.

86 Interview with a political analyst working on Somaliland for a large Western donor, Nairobi: 12 April 2013. This was not confirmable during (as the opacity of the figure is the problem) but chimes with other estimates given to the author.

87 Interview with the Director of Planning and Statistics at Somaliland's Ministry of Finance, Hargeisa: 13 June 2013.

88 Interview with the Director of Planning and Statistics at Somaliland's Ministry of Finance, Hargeisa: 13 June 2013

89 Interview with a senior executive of Telesom, 21 November 2012.



'It is an obligation to pay tax and receiving good services is your right.'⁹⁰



'You cannot stop taxes or floods... A camel whose owner is holding it back cannot stand up.'⁹¹

The issue of tax is essentially a chicken and egg question: at what point does one side trust the other enough to invest in its success? In a sense, Somaliland's government has little to offer other than an

90 Photograph taken by the author; Hargeisa: June 2012. The billboard was sponsored by UNICEF, JPLG (The UN Joint Programme on Local Governance and Decentralised Service Delivery), and also bears the national emblem of Somaliland.

91 Photograph taken by the author; Hargeisa: February 2013. The billboard was funded by USAID.

appeal to the political settlement – peace above all else – in its efforts to achieve greater compliance to its new taxation legislation. The government cannot coerce the business community into paying taxes but puts considerable effort into framing taxation as part of the broader narratives about Somaliland's viability as an independent sovereign entity. Somaliland's narratives of self-sufficiency and exceptionalism have wide circulation and are important tools for a government trying to support the claim that it deserves greater income.

However, the efforts to extract greater tax revenues from the country's larger businesses have also brought dissent. In mid-2011, some medium-sized traders began to import their goods through Djibouti port instead of Berbera Port in an attempt to avoid the government's new tariffs. In 2012, the Minister of Finance drafted a law to increase taxes on imported goods that were also produced locally, which trespassed on the interests of a Habar Jalo trader, the al-Mahrabi family. The al-Mahrabi family imports Coca-Cola from Yemen but by early 2012, a new US \$17 million Coca-Cola factory was about to open near Hargeisa.⁹² When the factory opened in May, the Minister of Finance issued a press release reasserting that taxes on imported goods that were also produced locally had been increased. The Minister ordered that al-Mahrabi's imported Coca-Cola be detained at Berbera Port, which prompted the importer, through various clan-links, to complain that they should not have to pay they new tariff on goods that had left the port prior to the announcement of the increase. President Silanyo ordered that the shipment be released, despite threats from the owners of the new factory (Somaliland Beverage Industry) to hold demonstrations against the apparent undermining of locally produced goods.

Shortly after this, the Minister clashed in cabinet with the Minister of Mining, Energy and Water Resources over an accusation that the latter was trying to misappropriate funds from the budget, after which the Minister of Finance submitted his resignation. President Silanyo did not accept the resignation immediately, but in March 2012 removed him in a cabinet reshuffle. Silanyo named the Deputy Speaker of Parliament, Abdulaziz Mohamed Samaale, as the new Minister of Finance. Members of the business community (particularly middle-sized importers) invited the new minister to a public conference at the Ambassador Hotel, in an apparent demonstration of their appreciation of the minister's removal. According to someone who attended this conference, the businessmen relayed the message to the officials from the ministry who were present that they expected a 'new relationship' between the ministry and the business community.⁹³ By continuing to push for significantly increased tax revenues, including from those who had helped to support the government's electoral victory, like Dahabshil and Telesom, it is widely believed that the Minister of Finance acted too fast and too assertively. He also endangered the protection of elite economic privilege that was established under President Egal but which remains an important component of the political settlement.

Secondary schools

Throughout the research for this paper, one institution was commonly cited in response to the question of why Somaliland had leaders that were willing and able to negotiate a durable peace: Sheekh Secondary School. Amoud Secondary School was often also mentioned.

"The leaders of the SNM were well educated and it was they who were so influential in the conferences... [their secondary education was at] Sheekh and Amoud schools – almost all of them. These were the only two schools that offered GSCs in the country."⁹⁴

92 The factory was greeted with great enthusiasm locally, and was clearly viewed as a symbol that other international investment was likely to be forthcoming. President Silanyo officially opened the factory and a military aircraft was used to transport four Djiboutian ministers, several members of parliament, and a caterer to attend the opening ceremony (Indian Ocean Newsletter, 2012).

93 Interview with observer at the conference, Hargeisa: 11 June 2013.

94 Interview with the Deputy Chairman of a prominent civil society organisation. Hargeisa: 27 March 2013.

“Most of the people in positions of influence/power now were educated at Sheekh School, which had British teachers. The people who graduated in the early 1960s are from Sheekh. The best students were sent there and there was no clan element – the principal was from Britain and was very strict that there was to be no clan based priorities for students. The students from the school refer to themselves as the ‘Sheekh school boys’.”⁹⁵

Sheekh School was a privately funded merit-based boarding school that offered free tuition to the top students in Somaliland. It had a strong emphasis on extra-curricular activities including debating, dramatic productions, competitive sports, a ‘house’ system, and voting for students to lead some of the school’s administrative functions.

An indication of the extent to which these two schools feature in the backgrounds of Somaliland’s most influential leaders is the fact that three of Somaliland’s four presidents attended Sheekh School.⁹⁶ The remaining president, Dahir Rayale Kahin, went to Amoud School. All three vice presidents also went to Sheekh School, although one – Abdirahman Aw Ali – attended Amoud as well.⁹⁷

As part of the research for this paper, a member of the DLP research team compiled a list of the political actors (ministers, senior bureaucrats, politicians, and members of civil society, etc.) that would be widely accepted within Somaliland as having had the most political influence in the country since 1991 (clan elders were listed elsewhere).⁹⁸ While an actor’s inclusion in this list was a partially subjective judgement, the educational backgrounds of the 57 people that were selected is still revealing. For all of those for whom educational details were available (50/57), half of them (25) went to Sheekh School. Six attended Amoud (in Borama), and eight attended Lafoole College near Mogadishu.⁹⁹ Only one person on the list appeared to have had no formal education. A similar, though also necessarily subjective, list of politically influential poets revealed that four out of five of them had attended Sheekh School, and that one had no formal education.

As noted in Section Three, it is widely accepted that the early SNM leadership was comprised “mostly [of] people from Amoud or Sheekh; secondary schools.”¹⁰⁰ At least six of the 20 members of Uffo that were imprisoned also went to Sheekh school, as did a high proportion of President Egal’s first cabinet. As one graduate from the school noted:

“In Egal’s cabinet there was a high number of Sheekh graduates... At least seven of the key cabinet members in Egal’s first cabinet members were from Sheekh, maybe more, but it was around a third of them – it’s always this way, always around a third.”¹⁰¹

These figures are even more extraordinary when one considers the small number of students that actually attended Sheekh School. The school accepted only 50 students a year for the 31 years before it was destroyed in the war (1958–1989): just 1550 people in three decades.¹⁰² One graduate noted: “There were only 50 graduates a year, and at least 50 per cent of these went abroad.”¹⁰³

95 Interview with a former member of Uffo (who did not attend Sheekh School). Hargeisa: 19 November 2011.

96 Technically, Sheekh Secondary School was an Intermediate school prior to becoming a full secondary school under Richard Darlington.

97 President Dahir Rayale Kahin also served as vice president from 1993 until the death of President Egal in 2002, when he became president.

98 As discussed in Section Three, with few exceptions, they received little to no formal education beyond religious studies.

99 Lafole Boys’ College included a secondary school and a technical training college. There was also a Lafoole Teachers’ Training College, which became a university in 1973. It was not always clear from the data collected which of these institutions a person on the list attended.

100 Interview with early SNM member, Hargeisa: 1 December 2012.

101 Interview with Sheekh School graduate, Class of 1974. Hargeisa: 2 December 2012.

102 Sheekh School was re-opened in 2003.

103 Interview with Sheekh School graduate, Class of 1974. Hargeisa: 4 December 2012.

Sheekh School was built by the British colonial administration and received its first intake of students in 1958, which was a group that had been transferred from Amoud School (the first secondary school in Somaliland, which was also built by the British).¹⁰⁴ This first group of students graduated in 1960. At that time, Sheekh and Amoud were the only two boarding schools in Somaliland, and were the only schools to offer the GSE (the British General Certificate of Education, or 'O-levels'). The first headmaster of the school was Richard Darlington, who fought in Burma in WWII as the commander of the Somaliland Protectorate's contingent. Darlington borrowed from the school curricula at Eton and Harrow Schools in England (he was a former student of Harrow), and remained as headmaster until Siyad Barre ordered his departure in 1971. Darlington was by all accounts a dedicated teacher who taught to a British curriculum, and worked to train students in critical thought. One graduate reflected:

"Sheekh School had a major influence on Somaliland. Its practice was to train national leaders... There was a democratic culture there with an emphasis on the rule of law, and there was a strong committee system for each form – each form was responsible for one committee and positions on them were highly competitive. People aspired and campaigned to become part of the school committee, which was the committee run by the Forth Form and it practically ran the school... We had debates; there was a culture of open debate and we used to vote...

"The graduates of Sheekh School have had a huge influence on Somaliland, on its development, its politics... it was an institutionalised culture, a well-disciplined culture, where there was the rule of law. The students had a high quality of analysis, organisation and management skills... Elite leadership was trained in us there."¹⁰⁵

While Sheekh was a selective school that offered entry on the basis of students' exam marks, Darlington was adamant that the student body should be inclusive of all clans (albeit only their male members). According to one graduate, preferential entry was offered to some students from the marginalised (and non-Isaaq) eastern regions of Sool and Sanaag, but "for everyone else it was on grades."¹⁰⁶ The networks of personal trust that were forged during the four years of tuition is clear when talking to graduates, who refer to themselves as 'the Sheekh School boys' and who have worked together in some of the territory's most sensitive political organisations and leadership positions. One graduate even referred to the networks that have emerged from the school as functioning "like a secondary tribe" because of the level of trust that was built by the shared experience of being a student at Sheekh.¹⁰⁷

During the time that Sheekh was run by Darlington (1958-1971), students had the opportunity to compete for tertiary education scholarships abroad: "Before the military regime the top ten students got to go to the UK, others would go to Sudan or Uganda [and elsewhere]. After the military regime [and Darlington's departure], the school became more local, so no more scholarships."¹⁰⁸ The fact that scholarships are no longer systematically offered to graduates is something that one of the school's recent graduates lamented. He argued that this has an impact on student morale: "there are no scholarships now... There [used to be] optimism because of the scholarships. Most had the chance to go outside and get further education because of that... We lack motivation because there are no scholarships and nowhere to go after."¹⁰⁹ This is something that has been noticed by older graduates and, apparently raised with donors:

¹⁰⁴ Amoud School was first opened in 1952 (Samatar, 2001: 647).

¹⁰⁵ Interview with Sheekh School graduate, Class of 1974. Hargeisa: 2 December 2012.

¹⁰⁶ Interview with Sheekh School graduate, Class of 1974. Hargeisa: 2 December 2012.

¹⁰⁷ Interview with Sheekh School graduate, Class of 1974. Hargeisa: 4 December 2012.

¹⁰⁸ Interview with Sheekh School graduate, Class of 1974. Hargeisa: 4 December 2012.

¹⁰⁹ Interview with Sheekh School graduate, Class of 2009. Hargeisa: 2 December 2012.

“We used to say to the international community [that] all we need is three Sheekh Schools – we need to support secular education – people make the culture... The international community is fixated on primary education and on literacy, which is obviously important but there is no focus on educating the elite. We tried to convince them in another way, saying that whatever happens in a country is a product of its people... We all know what they think is important, and that that is short-term training programs, and these are not futile but they also are lacking in many areas...

“This kind thing should be the job of the UNDP but they focus on important but intangible things, like the rule of law. A school is something that you have to sustain over time, it's the whole approach – their focus is short-term and is about rehabilitation and security.”¹¹⁰

Funding for either scholarships or secondary education seems no longer to be a priority for Western donors in Somalia/Somaliland, which have instead focused on fulfilling the Millennium Development Goal of achieving universal primary education. The Minister of Planning noted that while donors have funded some buildings for secondary schools there has been no investment in the quality of the education provided: “We have quantity but not quality.”¹¹¹

It appears that a relatively high percentage of the technocrats who were most influential in forging Somaliland's political settlement were educated at Sheekh. Testimony from graduates highlights the degree to which the headmaster prioritised critical thought and leadership skills. From the activities that graduates later participated in, many reflected the skill of being able to incorporate norms and institutions that were locally legitimate with those that have proven effective elsewhere. This is particularly visible within the Uffo group and the SNM, both of which combined elements of community and clan based institutions and norms of behaviour with aspects of formal political systems found elsewhere. The other important partners to the process of forging the settlement was the clan-based leadership, most of whom were not formally well-educated, but who clearly understood local needs and were able to work politically with the technocrats to establish a viable settlement and set of operating rules that have succeeded in both ending, and continuing to manage, violence.

¹¹⁰ Interview with Sheekh School graduate, Class of 2009. Hargeisa: 2 December 2012.

¹¹¹ Interview with Somaliland Planning Minister, Saad Shire. Hargeisa: 21 March 2013.

5.0

Political Analysis

The following section examines issues of:

- **Contingent interactions:** Agents' ability to create political spaces in changing circumstances.
- **Violence and trust:** The role of violence in shaping the political settlement, but not in the ways that Charles Tilly describes for European states. The role of agency, it is argued, is critical.

5.1 Contingent interactions

Political and economic settlements are evolving processes, not just one off 'moments' of agreement. They are iterative progressions in which power, interests and incentives shift or consolidate around ideas and perceptions of what is politically possible. In the case of Somaliland, the maintenance of peace (understood here as the absence of civil war) is the gravitational centre around which all other political and economic considerations orbit. On this basis, peace is exchanged for relatively exclusive access to the key drivers of economic growth.

This paper set out to understand how and why Somalilanders were able to negotiate a political settlement that limited large-scale violence while the rest of Somalia experienced a civil conflict that still plagues much of the country. To answer this, it analysed the structural, agential, ideational, and institutional components of Somaliland's political settlement. What remains is to highlight the dynamic relationship between these elements and the way that change was fostered by human action, which was both enabled and constrained by shifting – and shiftable – structures.

To recap briefly, the most important structural circumstances that this research identified as shaping Somaliland's political settlement were:

- The restricted access to external finance that was available to both the SNM during the civil war and to the civilian governments that have followed it.
- The military victory of the SNM in 1991, which was accepted by the north-western clan militias that it defeated. There was no such victor in the rest of the country following the collapse of Siyad Barre's government, which facilitated the ongoing conflict between competitors.
- The absence of external actors weighing in to either end or prolong the intra-Isaaq wars in the mid-1990s. Somaliland's conflicts were very internally focused while those in the south engaged many external actors and external sources of revenue. Access to this revenue in the south reduced the incentives of local power brokers to manage violence as a means of protecting revenue streams.
- During Somaliland's formative period in the 1990s, international attention was fixed firmly on events in the south, leaving Somaliland's peace-building process to occur with an unusual level of autonomy.
- Neither the government nor any other coalition has ever been able to claim a monopoly on the

legitimate use of violence.

- Somaliland remains an unrecognised state despite its ambitions to the contrary, which seriously limits the ability of the government to extract income from normal international channels.
- The ongoing conflict in Somalia graphically illustrated the potential for violence to spiral out of control in structural circumstances that closely resembled Somaliland's.

But none of these circumstances meant that Somaliland's path was destined to lead where it did. Rather, this path was forged by the way that its leaders (and their constituents) adapted institutional and ideational frameworks to these circumstances. In this process, several critical junctures stand out:

- President Siyad Barre's draconian response to the Uffo self-help group in 1982, which galvanised opposition to the regime in the north-west.
- Barre's devastating bombing campaign against urban centres in Somaliland in 1988, which killed an estimated 50,000 civilians and further rallied the population behind the SNM insurgency against the regime.
- The end of the Cold War and beginning of the so-called 'new world order' in which the United States administration perceived a new role for military intervention.
- The collapse of the Somali regime and the departure of President Barre in late January 1991.
- The largely unexpected declaration of Somaliland's independence in May 1991.
- The massive influx of foreign humanitarian, economic and military assistance in the south following the collapse of the Somali regime, which provided the resources necessary to allow conflict to spread in complex and unanticipated ways.
- The Borama Conference in 1993, in which new political and security institutional frameworks were consolidated. President Tuur was removed from office and a new (highly politically astute) president, Mohamed Haji Ibrahim Egal, was elected.

One thing that stands out about the people who maximised the space created by these and other critical junctures: with exception of the clan elders, many attended either Sheekh or Amoud secondary schools – both of which (though particularly the former) taught a curriculum that prioritised leadership and critical thought. As a result of their attendance, these actors also had disproportionate access to further international educational opportunities. Cutting across each of the most important groups of actors was the importance of pre-existing networks of trust. Most of the coalitions analysed in this paper – with the exception of President Egal and the business elites – were comprised of members who knew each other personally prior to their engagement in politics. This was true for the members of some of the most important catalysts of political change in Somaliland: Uffo, the SNM, the clan elders, and the female activists who protested the delays in signing the peace deal in 1992, cajoling their male relatives back to the negotiation process.

For both Uffo and the SNM, secondary education experiences and networks appear to have been particularly important to their ability and desire to work together to create developmental change. One former minister who was a Sheekh School graduate put this succinctly when he recalled that

the school functioned “like a secondary tribe”¹¹² because of the way that its graduates continue to assist each other to navigate the (considerable) spaces between Somaliland’s formal institutions. Moreover, graduates appear to be very aware of the advantages that studying at Sheekh under Richard Darlington gave them: “Sheekh School had a major influence on Somaliland. Its practice was to train national leaders... We used to say to the international community [that] all we need is three Sheekh Schools.”¹¹³ The fact that three out of four of Somaliland’s presidents and all three of its vice presidents attended the school attests to the role that it played in training those with the ability, desire, and support networks necessary to lead the country. This is all the more noteworthy considering the small number of students that passed through the school before it closed in 1989 – just over 1500 in a period of 31 years.

The most important political coalitions in the post-‘independence’ period were President Egal and the business elites, with whom he maintained a strategic symbiosis, and the clan elders. This paper argued that Egal and his cohort were able to exploit opportunities presented by the intra-Isaaq civil wars to their political and economic advantage. Egal attracted the businessmen by offering them the opportunity to make large amounts of money through tax exemptions and collusive currency trading with the ‘state’ but also by offering a more stable business environment than Mogadishu could provide. In so doing, Egal harnessed, and further invigorated, ideas about Somaliland’s exceptionalism that had gained grassroots popularity since the struggle against Siyad Barre. By privileging ideas about Somaliland’s rightful and viable independence and delivering windfall profits for selected elites, Egal forged an exclusive and lucrative position for those whom he favoured within the business community.

Egal needed a supportive coalition, but membership was not an inclusive arrangement, and the political and business elite developed a strong co-dependence during Egal’s early years. The political elite had an immediate financial incentive to protect the ability of the business elite to prosper, and their prosperity provided the revenue necessary to consolidate a somewhat centralised government. Egal worked to make his primary political competitors – the clan elders – subservient to centralised patronage networks that he controlled, something that his ongoing ability to access funding from his coalition initially facilitated and then entrenched. Egal’s access to the merchants’ funds allowed him to make strides towards demobilisation, create a skeleton army and police force, fund a new ‘national’ currency, consolidate the intra-Isaaq peace at the Hargeisa Conference, and publicly attach the clan elders to the purse strings of the central government. Without their money it is unlikely that he could have consolidated a central government to preside over the fledgling state of Somaliland.

5.2 Violence and trust

The structural limitations to external revenue during Somaliland’s formative period reinforced an already apparent ethos of economic and political self-reliance from which its leaders drew sustenance, but also further vitalised. Violence, and the ongoing threat thereof, played a role in their co-dependence and in the centralisation of power, but not in the way that Charles Tilly’s argument for the state-making function of war in Europe might suggest.¹¹⁴ The impact of Somaliland’s wars in the 1990s was more ideational than technical. Somaliland’s wars did not give rise to the effective bureaucracies that Tilly describes in the European case, where states’ efforts to conduct wars fostered their capacity to extract and centrally administer revenue. Rather than building the capacity for either military adventurism or protection from external forces, the primary aim for Somaliland’s elites (and the public more broadly) was to avoid the type of violence that had consumed Somalia to the south. Somaliland’s institutions were created through the deliberate adaptation of existing local, and appropriate external,

¹¹² Interview with Sheekh School graduate, Class of 1974. Hargeisa: 4 December 2012.

¹¹³ Interview with Sheekh School graduate, Class of 1974. Hargeisa: 2 December 2012.

¹¹⁴ Charles Tilly does not suggest that his argument holds for non-Western contexts, explicitly doubting that it does.

institutions rather than as a gradual response to military necessities. This process is critical for local understandings of violence, and for collective beliefs about the highly distributed responsibilities of maintaining peace. For Somalilanders, the threat of violence was less from an external invasion than an internal combustion, which had a profound impact on the institutions – and the ideas about violence that undergird them – that were fostered during this period. Protection from violence was viewed as an internal matter, and if violence had been a political tool and a political choice for local actors in the recent past it was believed that it could become so again with little warning. Peace was precarious, and it rested on a tenuous balance between coalitions with roughly equivalent power. Somaliland's civil wars in the mid-1990s provided the opportunity for local coalitions to determine that no one clan could dominate the others. They constituted neither 'development in reverse' nor a conflict trap because of the way that the actors perceived their incentives to cooperate, largely as a result of those unusually insular wars.

Much of the 'failed states' literature (Rotberg, 2012; Rotberg, 2004; Kaplan, 1994; Zartman, 1995) suggests that when the state does not hold the monopoly on violence, competitors will become embroiled in violent struggle as they attempt to claim a monopoly. This is a structure-driven explanation that takes no account of the agency of supposed competitors who can both perceive, and act to alter, their circumstances. In Somaliland, such competitors were scarred by years of violence and deeply cognisant of the consequences of defecting from a settlement that promised peace, even if it did not promise a great deal else. Peace on this basis requires a critical mass and is thus tenuous and unpredictable. It is maintained so long as the powerful elites, coalitions, and their followers perceive that their best interests lie in not defecting from the conditions of the settlement. However, this also requires that a critical mass of people believe that their potential competitors are unlikely to defect as well. Such settlements can, therefore, appear to be relatively stable but may change quickly due to shifts in perception. Consciously or otherwise, actors either work to uphold or undermine the settlement by adding to or detracting from the underlying narratives that help to reproduce it. Somaliland's dominant political narratives, therefore, revolve consistently around the notion that peace is fragile, that the responsibility for its maintenance is highly devolved, and that its maintenance is a reflection of the Somalilanders' exceptional nature. The country's relative stability and peace was not the product of Weberian institutions but rather of local power being precariously balanced between potential competitors that shared the historically grounded belief that peace could quickly unravel.

Change is based on people navigating structures in ways they perceive to be in their best interests, and in the ways that they believe are possible under the circumstances. Their perceptions may not be rational or fully informed, but it is at this juncture of structure and agency that change is affected. Unless the perceptions of other people can be known with certainty (to say nothing of their environment) change will always remain somewhat unpredictable, although unpredictability can have either a stabilising or destabilising effect. That effect depends again on whether a critical mass of actors decides that cooperation or defection is in their best interests, and on whether they have the ability to manoeuvre their circumstances accordingly. When a critical mass believes that cooperating to maintain the settlement is in their best interests, the settlement is more likely to hold. When a critical mass ceases to believe this it is very likely to break down.

Trust can be enabled or inhibited by uncertainty. As Ernest Gellner (2000) argues, anarchical situations can make trust the only, or at least the cheapest, option for survival or prosperity. He writes: 'it is precisely anarchy which engenders trust... It is effective government which destroys trust.' Anarchy – the absence of an effective central governing authority – increases the potential rewards of both cooperation and defection. This increases the unpredictability of political outcomes because people will perceive situations differently. But unpredictability can itself foster a self-reinforcing (though still

tenuous) equilibrium as elites gain currency from trading on the ideas that underlie that equilibrium. In Somaliland, these ideas are about social cohesion, the fragility of peace, the ever-present danger of following in Mogadishu's footsteps, and Somalilanders' supposedly exceptional ability to maintain peace against the odds. The circumstance of being internationally unrecognised, and the attendant narratives of Somaliland's viability as a state, both combine to reinforce these ideas.

6.0

The Wider Implications of Somaliland's Story

A number of policy implications may be drawn from Somaliland's story, these include:

- **Less was more**
- **No pre-determined institutional endpoints**
- **Time and political space**
- **Collusion over inclusion**
- **Invest in quality secondary education and tertiary scholarships.**

This paper has argued that states are partly agential constructs, and that the desire of a critical mass of leaders, elites, and their followers to maintain political order is – unsurprisingly – crucial for the maintenance of order. But where does this desire come from, and is there a transferrable institutional framework that can cultivate it?

In the case of Somaliland, two overarching factors were particularly important to the achievement of relative political order. Neither of these cohere with contemporary international 'best practices' in state-building interventions. The first factor was largely contingent: Somaliland's close physical proximity to the catastrophic violence in the south. The graphic consequences of failing to negotiate a peace settlement undoubtedly reinforced Somalilanders' incentives to succeed in doing so. The second factor has more direct relevance for external actors: the unusual level of detachment from either external funding or external political support underwrote a high degree of co-dependence between local elites. One of the most important policy implications of this paper, therefore, involves the government's limited access to external funds and external political or military support. This factor required its political leaders to extract resources locally in order to fund the necessary political and security initiatives that limited the violence and which, as a consequence, provided them with legitimacy. The dynamics that the limitations to external finance and political backing created were critical to political and economic elites perceiving cooperation to be in their mutual interest.

Less was more

Somaliland was peripheral to the attention of the external donors and, more importantly, to the external militaries that were active in Somalia in the 1990s. The focus of both was firmly on and around the capital of Mogadishu, where the United States and UN spent an estimated US \$4 billion on military operations and peace-building processes (Prunier, 1998: 227). With the exception of around US \$100,000, which was provided by several donors for the Borama Conference in 1993, there was virtually no foreign funding used to finance the peace conferences in Somaliland between 1991 and 1997. There was also no external group working to either end or perpetuate the conflicts in Somaliland during that period, meaning that the belligerents in these conflicts had almost no access to external revenue streams. Instead, local communities, the Somaliland diaspora, and the local business community provided the logistical and financial resources necessary to bring the conflicting parties

together for peace negotiations. The fact that the funds for the conferences were locally sourced meant that participants were acutely aware of the need to use that money judiciously. Being seen to waste resources carried the likelihood of recriminations from the participants' own communities, the consequences of which had a tangible impact on their social and political capital. In other words, there was a strong sense of local ownership precisely because the process was almost entirely locally owned.

No pre-determined institutional endpoints

The peace conferences were lengthy, deliberative processes that occurred according to local norms and rhythms. They were allowed to take as long as was necessary to reach an outcome satisfactory to those involved. The inherent fluidity gave participants the time and political space to establish the institutions they believed were appropriate to the local context, rather than being rushed to adopt template institutions or hold elections. Elements of Somali clan-based institutions were combined with elements of Weberian rational-legal institutions to form a hybrid system in which formal and informal expressions of authority were often inseparable from one another. While the coexistence of formal and traditional institutions has been tense, the arrangements that were made helped to prevent widespread violence from re-emerging. The process was ad hoc, reactive, consultative, inclusive, time consuming and, most importantly, was not working towards a pre-determined institutional outcome. The heavily domestic nature of the political settlement meant participants' incentives to find solutions were overwhelmingly internal, and thus immediate, rather than being responses to external pressures as was often the case in the south.

Moreover, there was space for local narratives about peace, stability and violence to be constructed over time and in response to shifting local realities. Leaders and elites were acutely aware that the most pressing threat they collectively faced was from an internal violent eruption along the lines of what was occurring throughout much of Somalia. As time passed, the importance of this understanding was gradually translated into institutional arrangements and, critically, into the narratives that have since supported their endurance.

Time and political space

These findings point to the importance of allowing time and political space for locally legitimate solutions to evolve rather than attempting to impose pre-determined institutional end points. Somalilanders' success at ending the widespread violence did not come as the result of trying to implement international best practices or norms of good governance. In fact it appears that as the effort to reflect international expectations of statehood increased towards the end of Egal's presidency some of Somaliland's earlier institutional innovations were diluted. This is not to say that the earlier iteration of hybridity was necessarily better than what it evolved into, but it does highlight the influence that intended audiences can have on political framing. Had Somalilanders conducted the peace conferences with the aim of reaching liberal democratic outcomes or streamlined bureaucratic structures, it is likely that the outcome would have been less connected to the immediate requirements of stemming violence and, presumably, less effective in doing so. Likewise, if the focus at the time had been on providing inclusive economic growth it is also likely that President Egal's collusion with the business elite would have been seen as unacceptable. Exclusive though it was, Egal's ability to extract – and lavishly reimburse with 'public' money – was, and remains, widely accepted within Somaliland as having been legitimate.

Collusion over inclusion

The peace conferences in the 1990s were inclusive, but the economic settlement between the political and business elite (which funded one of the major conferences and the demobilisation of the militias) was not. Peace in Somaliland was consolidated with help of the large amounts of money given to President Egal by a small circle of wealthy local merchants in exchange for extraordinary profits. By selectively offering tax exemptions and collusive currency trading schemes, Egal was able to obtain the money he needed to begin demobilisation of the clan-based militias. Egal's increasing political and coercive control enabled him to somewhat centralise government patronage, which he used to detach his main political competitors – the clan elders – from the local constituencies that gave them their power. Egal combined collusive business deals with security dividends for the wider population, and tethered the commanding heights of the economy to his own state-building project. Somaliland's emergence from civil conflict was thus out of kilter with the conventional conflict prevention programs that emphasise grassroots consensus and inclusion; it was also coloured by struggles to control the means of legitimate coercion, and economic collusion.

Invest in quality secondary education and tertiary scholarships

This paper has argued that external actors seeking to engage in the politics of developing states need to understand the context of the political configurations in the areas that they work. It is thus important to ask: which agents are more likely to *perceive* the developmental interests of the community? What *conditions* are most likely to give them the incentives to work towards this outcome? What gives agents the best *tools* to act effectively to this end? In Somaliland, the existence of quality secondary education was a critical, though often overlooked, contextual aspect of the political settlement that was hammered out in the 1990s. The biographical backgrounds of the influential political actors, activists, and technocrats from that period show that they were disproportionately well educated and, moreover, were overwhelmingly educated at one institution. Sheekh School admitted students on the basis of merit, taught to a British curriculum, focused on leadership skills and critical thought, and worked to obtain international university scholarships for its top graduates, many of whom studied abroad and then returned home. The declining opportunities for Somalis to gain scholarships to study at Western universities are widely lamented within the country, although scholarships to non-Western countries like Turkey and China are now becoming more available.

Providing funding for secondary schools beyond their physical infrastructure is no longer a priority among Western donors in Somaliland or Somalia. Instead, education funding is channelled almost exclusively towards primary schools, in line with the Millennium Development Goals. Despite this, the importance of Sheekh School in Somaliland's political and peace-building history is demonstrated by both the testimony of its former students and by the positions obtained by its graduates in the decades that followed. For obvious reasons, the longer-term developmental impact of quality secondary education is not easy to estimate. Benefits from secondary education will probably accrue in the long-term, and will therefore be difficult to quantify in the short-term. These long-term benefits will occur well after the conclusion of evaluative mechanisms used to appraise donor-program effectiveness. However, the longer-term developmental impact of Sheekh School in Somaliland is more apparent than that of contemporary orthodox developmental programs, such as those targeting governance, the rule of law, empowerment, institutional capacity building, and conflict prevention.

In addition to the training in leadership and critical thought that Sheekh students received during their schooling, this research has pointed to the importance of their educational experiences in building and consolidating networks of trust between the student cohort that were, in some cases, maintained decades later. There are a number of other cases across Africa where these networks are also apparent, and where a particular secondary school has been remarkably prevalent in the

educational backgrounds of a country's national leaders. This can be seen, for example, in Mauritius, where an 'unusually high number of people who were stakeholders and decision-makers at independence were graduates of the island's elite, meritocratic government-run secondary school, Royal College' (Braughtigam and Diolle, 2009: 32), Botswana (Sebudubudu, 2000), Ghana (Jones, Jones and Ndaruhutse, 2013), Rwanda, and Uganda. As Adrian Leftwich writes, the close bonds of familiarity formed in secondary schools 'can generate those forms of social capital which can help to both bond and bridge (Woolcock, 1998)... forging networks that later would enhance overcoming collective action problems and conflicts' (Leftwich, 2009). Finally, attaching quality secondary education to students' ability to compete for educational scholarships abroad creates further opportunities to build relationships with individuals who are likely to emerge as leaders in the next generation – something that increasing the number of scholarships would facilitate.

The heavy prioritisation of institutional reform programs among Western donors in post-conflict and developing states attributes tremendous power to the notion that institutional reform can create predictable change and liberal political outcomes. It fails, however, to explain how transforming institutions necessarily predicts what actors will do within those institutions in response to transformations. Likewise, it cannot account for the complex structural and agential dynamics that will ultimately determine the success of such reforms. If donors want to engage effectively in these contexts, they need to take a longer-term view of political transformation to include the conditions that are likely to produce agents willing and able to act in the developmental interests of their communities. This requires a move away from the expectation that benefits will be visible within the timeframe of the current funding cycle, or during the tenure of current members of staff.

Developmental change takes decades or even generations to occur, and is brought about by human action. It relies on agents who are willing and able to respond to, and sometimes create, critical junctures. Foreign development assistance should be about more than fixing institutional gaps using the technical lens of imported and transferable best practice. The case of Somaliland underlines that legitimate institutions are those born through local political and social processes, and that these are largely shaped through the leadership process.

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