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The national peace building policy of Somaliland: Undoing what has worked?

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Part of the foundation of Somaliland’s stability over the last three decades has been its localized customary, clan-based peacebuilding mechanism. This may now be at risk. The ongoing institutionalization of Somaliland’s peacebuilding structures through the National Peacebuilding Policy (NPP) reflects many features of a liberal peacebuilding milieu and legitimizes state-building models shaped by international development partners rather than local conflict resolution actors. This article posits that the key policy objective of institutionalizing the peace building in Somaliland threatens to undermine an existing and dynamic tradition with proven efficacy. Rather than promoting peace, the NPP’s layering of government peacebuilding capacities at district, regional, and national levels could endanger peacemaking efforts by truncating local capabilities and hitching these to governmental structures reliant on external funding. Rather than retaining proven localized practices, this institutionalization undermines volunteerism, creates unnecessary costs for the state along with new opportunities for political clannism, extraversion, and rent seeking, which threatens to undermine what Somaliland has achieved thus far.

Key words: Somaliland, peace building, liberal peace building, conflict transformation.

INTRODUCTION

In mid-2021, the self-declared Republic of Somaliland witnessed a rare occurrence for a post-conflict society. The ruling party Kulmiye suffered losses in local elections that saw activists for and members of socio-politically marginalized groups elected to mayorships and parliamentary seats, and Kulmiye accepted the election results and went back to governing. Although preparations for upcoming elections are currently facing inner challenges, the local elections marked the latest iteration of democratic exercises that span an almost three-

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A decade-long peace- and state-building process. Far from complete, with a reduction in representation, for women, and followed by a controversial expulsion of displaced communities in its contested eastern regions, Somaliland’s peace- and state-building nevertheless stands out among fragile and conflict-affected states (FCAS) and territories. It presents a crucial case to interrogate the efficacy of externally-led or externally-supported peace- and state-building undertakings (Njeri, 2019; Ingiriis, 2021; Walls, 2014).

This is not to say that the emergence of Somaliland as a political entity out of Somalia’s state collapse and the internecine war was entirely bereft of outside assistance, but this assistance was actively and specifically sought after by local community and political leaders, and it did not constitute the principal influx of resources. These stemmed largely from Somaliland’s business elite and diaspora and funded several peace conferences and the integration of militia fighters into emergent security and armed forces (Walls, 2014).

Past scholarly debates have oscillated between a greater emphasis on bottom-up processes to prevent escalation of violent conflict and establishment of a durable and self-sustaining peace, and a more state-centric amalgamation of peace- and state-building, sometimes with the explicit intent to establish Western-style liberal democratic government institutions. The latter gained further traction since the onset of the ‘War on Terror’ (Njeri, 2019). Somaliland is frequently presented as perhaps the purest existing version of a locally owned, bottom-up process in which peacebuilding preceded state-building, whereas the Federal Republic of Somalia is cited as an instance of the obverse. For Somalia, successive conferences intentionally coupled peace- and state-building and involved significant external involvement and funding (Njeri, 2019; Ingiriis, 2021).

The more recent developments in Somaliland are indicative of two key components of the state-centric vs. bottom-up debate which, in practice, has already begun to blur its distinctions. International partners approach state-building with growing focus on incremental institution building at the local level and accompanying, locally grounded peacebuilding to contain conflicts over who controls or is part of these institutions. The two components that are central to this gradual merger are representation and institutionalization and the former matters for the design of peace building processes.

Who is eligible to participate and who represents whom? This question is especially pernicious for externally funded processes in which international partners set the criteria for participation and often see elites and would-be elites jockey to qualify for a seat at the table, to access attendant resources and obtain a potential say in governance and resource allocation going forward (Menkhaus, 2003; Menkhaus, 2018). The choice of representatives also crystallises the distinction between locally vs. externally-driven processes, as well as their potential complementarity. Whereas international actors tend to stress the inclusion of ‘civil society’, which is important, communities may look to leaders who are idiosyncratic to each culture and community. In Somaliland, these comprise especially elders (suladaan or aqiiil) and religious leaders (ulama).

The institutionalization of peace building is often part of the transition to or advance of state-building. However, where customary and state institutions are not necessarily compatible or are interwoven with power dynamics that are still conflictual, this linkage can compromise the sustainability of peace agreements. It is important to note that ‘institutionalization’ can be misleading. Customary and religious peacebuilding and peacekeeping practices are often de facto already institutionalized but may not be perceived as such for want of documentation, offices, or other paraphernalia external actors tend to associate with institutions that are part of state bureaucracies and governments.

Any actors setting up and overseeing the transition from peace- to state-building or prioritise one or the other must walk several tightropes. They must set the terms but ensuring participants’ ownership. They must choose whom to include and which positioning to incentivize. And they must find a way to preserve locally rooted, legitimate, and understood peacebuilding mechanisms. They must embed these into an increasingly capable and complex state apparatus and ensure that funds are dispensed with adequate transparency and accountability. Finally, they must be mindful that this can conflict with systems of monetized patronage and patronimialism that are often predominant in FCAS without a sufficiently diversified local revenue base (Schmidt, 2008; de Waal, 2014).

Somaliland has recently embarked upon such a tightrope as it introduced its National Peacebuilding Policy (NPP). The NPP sets out a hierarchy of peacebuilding bodies and demarcates roles, responsibilities, and reporting structures. This article examines process and policy outcomes after tracing the main literature and concepts of peacebuilding, as well as the development of peace and state-building in Somaliland. It sheds light on a critical juncture at which a fledgling government seeks to consolidate its democratic moorings and open itself to greater external influence, which may run the risk of undermining the locally appropriate and grounded peacebuilding that rendered this process possible in the first place. Seeing as this move from locally-driven peace and state-building to more ‘classic’ institution-building is largely unprecedented, the discussion both adds to the understanding of
peacebuilding and state-building as such, and informs policy and facilitation of the peace process in Somaliland.

**METHODOLOGY AND STRUCTURE**

This article is based on several interviews one of the authors conducted as part of this case study, and a wide literature review, both academic and grey. Both authors work in the field of justice sector reform in Somaliland and have extensive knowledge of the available literature. This, as well as additional reading, has allowed the authors to contextualize, validate, and expand the limited scope of primary data, as well as to craft the transdisciplinary lenses through which Somaliland’s National Peacebuilding strategy is assessed – spanning political science, international relations, peace and conflict studies, and Somaliland’s history.

Although the authors, as practitioners, have both access to and knowledge of the grey literature on peacebuilding in Somaliland, there is one important limitation. At the time of research and to the authors’ knowledge, no official records of the NPC’s operations existed. The authors found no minutes of meetings, official statements, or any other publications by the committee or on its behalf. This renders any assessment of its efficacy rather difficult. Hence, this paper analyses the Somaliland Peacebuilding Policy architecture as it is intended rather than how it has performed in practice to gauge what the likely impact of this pivot on peace- and state-building in Somaliland will be.

This article proceeds by first providing an overview of the conceptual, theoretical, and historical scaffolding, discussing approaches to peacebuilding in theory and Somaliland’s history with it in practice. Special attention is then paid to how Somaliland’s communities balanced vertical exclusion (elite bargains vs. popular participation) with horizontal exclusion (relative participation of different social groups, that is, women, youth, ethnic minorities, members of major/marginalized clans, elders, religious leaders, etc.), before mapping out the National Peacebuilding Policy and its institutions. The article then sets out three obstacles the new policy introduces, and argues that whereas Somaliland is at the point of transitioning its focus from peace- to state-building and expands the space for horizontal inclusion, the policy risks jettisoning the dynamism and communal grounding that have anchored its uniquely successful peacebuilding process.

**Peace building: perspectives and approaches**

The damage that conflict and violence inflicted upon trade, institutions, and wider human development is immense. The violent cataclysms of the twentieth century marked an apogee of such destruction. They also precipitated an eclectic and transdisciplinary effort to come to terms with the dimensions of suffering, poverty, and destitution, as well as refine the categories of groups that suffer violence and exclusion disproportionately (Autessere, 2010). The resulting paradigms—peace and conflict studies, peacebuilding, conflict resolution, reconciliation, and transformation—remain evolving spaces of debate, discourse, and contestation (Paris, 2012).

The first steps towards a more precise demarcation of ‘peacebuilding’ entailed Johan Galtung’s distinction between ‘negative peace’ (the cessation of direct violence) and ‘positive peace’ (thriving social cooperation; Galtung, 1996), and the United Nations (UN) approach to peacebuilding, enunciated in 1992 and 2007. The UN distinguished peacebuilding from peacemaking and peacekeeping as aiming at, in the words of former UN Secretary-General Boutros Boutros-Ghali: “identify[ing] and support[ing] structures” to “[build] both human and institutional capacities” (Boutros-Ghali, 1992: 204; Bellamy, 2010; Barker, 1990; Smith et al., 2011). Practitioner John Paul Lederach (1997) expanded the focus to transforming relationships in a bottom-up and context-specific learning process, which went beyond conflict resolution to engage post-conflict societies at multiple levels: grassroots, community leadership, and political leadership.

Conflict transformation looks to generate pathways and mechanisms for the disagreements, animosities, and contradictions that drive the conflict to unfold non-violently through deliberation or other innovative ways, anchored in pre-existing communal and social values, structures, and beliefs. It does not aim to remove contradictions but to remove the violence in their manifestation (Kelman, 2010). The emphasis on non-violent valves for conflicts is compatible with the reconciliation component of traditional conflict resolution, which pursues peaceful coexistence and even collaboration and cooperation among former enemies (Boutros-Ghali, 1992; Autessere, 2010). Both transformation and reconciliation seek to facilitate a human encounter “to express to and with one another the trauma of loss and their grief at that loss, and the anger that accompanies the pain and the memory of injustices experienced” (Lederach, 1997: 26).

In her discussion of Somaliland’s trajectory, Njeri (2019:2) observes that, following the onset of the ‘Global War on Terror,’ international peacebuilding has taken the obverse approach: a state-centric, “formulaic universal template” that seeks to impose Global North-Western patterns of “civilized governance” onto societies in the Global South. In line with Ingiriis’ (2021) comparison of
state-building in Somaliland and Somalia, she takes issue with this 'liberal peacebuilding' template focused on state institutions, democratic systems of governance, rule of law, and a market-oriented economy and therein echoes not only practitioners but also notable scholars in their critique of a "single paradigm-liberal internationalism" (Paris, 1997:63; Odendaal, 2012).

Brief consideration should be given to the exogenous pressures, obligations, and interests that cement state-and institution-centric peacebuilding and thus the global environment for peace processes. International donors, their foreign policy, and their political budget allocations processes tend to determine or at least influence peacebuilding policies and strategies. They are rarely driven by the needs and context of the fragile or conflict-affected society (FCAS) in question, but by domestic considerations, resource needs, and—at least among North-Western donors—the discursive might of "securitization, democratization and state-building, rule of law, human rights, civil society, and socioeconomic development" (Richmond, 2012: 327).

The central government in states that emerge from conflict, however, is either weak in institutional capacity or entirely absent. Although local resources, commitment, and social authorities can carry bottom-up processes for a while, further integration into international value chains and markets are prone to eventually prioritise external funds over domestic power-sharing, and leaders can be tempted by personal gains or start to rely upon rents from external funds for their political survival in a context of transactional politics. This asymmetry implies that the involvement of externals donors and international organizations can enable rent-seeking and dependency at the expense of local ownership and legitimacy—which, of course, are nonetheless prominent terms in each strategy and programme design (Richmond and Pogodda, 2016).

Along with Njeri, scholars, and practitioners increasingly question whether or not this peacebuilding policy package might be inappropriate for post-conflict contexts. It comes with predetermined processes, lists of stakeholders and local actors (Phillips, 2013), and the rule of law spectrum that includes a prefigured understanding of human rights and gender (Rigual, 2018). Yet, in these contexts, groups vie for relative rather than absolute power in a polycentric system of governance, and idiosyncratic religious and/or customary norms and authorities are often central (Weible and Sabatier, 2017; McFate, 2019; de Waal, 2014; de Waal, 2015). The conceptions of human rights and good governance that underpin liberal peacebuilding may be perceived as alien if introduced without consideration for existing beliefs and practices, be it human rights founded in Islam, such as the Cairo Declaration of Human Rights, or the political independence of customary authorities. Ignorance of these circumstances and norms is likely to result in failure of process and loss of trust (Bulhan, 2004).

Somaliland provides an example of a peace process rooted in local beliefs and practices that, incidentally, gave rise to institutions more akin to those in the Global North-West than those built with external support. Following from Njeri’s critique of Somaliland as a crucial counter-case to liberal peacebuilding, this article seeks to add further nuance by focusing on the selection of participants in Somaliland’s formative peace process, and more recent state-building, the creeping in of ‘formulaic’ and state-centric elements, and the partial reproduction of exclusionary patterns inherent to liberal approaches to peacebuilding. Even more than a success story of bottom-up peacebuilding, this article argues that a closer look at Somaliland’s ‘homegrown’ peacebuilding and its exposure to international peace and state builders can provide insight into its vulnerabilities, inescapable compromises, and potential for further inclusiveness and sustainability.

The foundations of the Somaliland peacebuilding architecture: a brief overview

With parliamentary and local council elections in 2021, Somaliland has strengthened its still-growing reputation of stability rather than internecine conflict (Bulhan, 2015; Al Jazeera, 2021). De Waal reflects that this state of affairs is driven by three factors: a shared experience of survival after quasi-genocidal attacks and mass displacement, a majority that shares kinship ties under the Isaaq clan umbrella, and a business community dependent on stable, uncontested management of Berbera port for exports and thus disinterested in funding multiple factions competing for rent and revenue (de Waal, 2007; de Waal, 2015; on the political manoeuvring that was part of Somaliland’s state formation: Balthasar, 2013).

While state collapse in 1991 triggered a descent into civil war in southern Somalia, Somaliland’s clan elders with support from diaspora and business owners took responsibility for peacemaking and clan reconciliation (Omaar, 2010). They were able to gain the support of the various clan militias whose members had fought the previous government under the umbrella of the Somali National Movement (SNM) (Omaar, 1992). Crucially, they also succeeded in halting revenge killings and infighting, which, despite two intermittent relapses into armed contestation, allowed for the planning and implementation of wider peace building conferences (Bulhan, 2004).
These conferences accommodated discussions of governance, peacebuilding, conflict resolution, and state-building, led by each clan’s nominees. This reflects Somali customs of dispute settlement, during which the deliberation of issues at hand (isayoo, also is-haysasho) is used as a vehicle to build the goodwill and trust needed to tackle more deep-seated, intractable grievances and hostilities (eed) (Ware, 2021).

It is useful for contextualized understanding to briefly map out the peace process. The peace talks began in Burco, still under SNM leadership (Bradbury, 2009). The conference initiated a lengthy process of confidence-building among the Somaliland clans that met setbacks and renewed bouts of inter-communal violence along the way. It also established a space for clan leaders to negotiate what kind of governance and state structure would be best suited for their emerging de facto state of Somaliland. Here, the contrast to externally incentivized and convened processes already comes to the fore. Participation was voluntary, funded principally by local communities and Somaliland diaspora, with some smaller-scale support from INGOs and UN agencies during its later stages. Women played a logistics role (Walls et al., 2008).

The conference was led and facilitated by a committee largely made up of members of the SNM leadership, amended with traditional elders, religious leaders, and business owners to ensure broader clan representation (Ford et al., 2002).

In Burco, the committee announced independence, the first cabinet, and Abdirahman Ahmed Ali ‘Tuur’ as the first President of the self-declared Republic of Somaliland (Omaar, 1992). Two years later, another conference in Borama adopted a roadmap for the formation of state institutions, the guiding principles and framework of the Somaliland National Peace Charter and current constitutional structure of Somaliland, and paved the way for the transition of power to the new President Mohamed Ibrahim ‘Egal’ (Drysdale, 1994).

The hand-over from Tuur to Egal was not uncontested, both between the two leaders’ major clans and by other clan groups who had already criticized the power-sharing and decision-making arrangements at Burco (Bryden, 2003). The first years of Egal’s presidency were embroiled in recurrent clan conflicts that stemmed from these misgivings. Still, the relatively unanimous support from business owners allowed for comprehensive integration of clan militias into the nascent military and security forces (Walls, 2014). Egal was also able to draw on support from the region’s major clan elders of the Golaha Guurtida (or, as it has become known in popular parlance, the Guurti, meaning ‘council of elders’, but referring to the second chamber in Somaliland’s bicameral parliamentary system). These elders not only side-lined other candidates at Borama (de Waal, 2015), but also decided to extend President Egal’s term by another one and a half years to avoid violent conflict (WSP, 2005).

The Borama conference was followed by several smaller regional or intra-clan conferences to iron out lingering differences, and to involve representatives of not-yet included clans in the nascent institutions. The intermittent breakdowns and eruptions of violence had spurred the realization that uninvolved communities presented potential spoilers to an agreement that could not be permitted to fail. Rather than relying solely on the effort to integrate armed fighters into a sizeable security sector, peace committees were deployed to settle conflicts more efficiently (Bryden, 2003).

Whilst these processes were ongoing, the Guurti convened another national conference in Hargeisa. To avoid renewed conflict (Omaar, 1992), the Hargeisa Peace and Reconciliation Conference 1997 strived for and achieved greater participation and outreach than its predecessors. Although some clan representatives criticized the extent of government control over the selection of representatives and information sharing, President Egal was confirmed for another five-year term and Dahir Rayale Kahin was elected as vice president. Parliamentary membership and the Somaliland National Peace Charter were amended, and a draft provisional constitution was introduced (WSP, 2005).

Several observers credit these conferences with moving from is-haysasho to eed, some interim clashes between parties notwithstanding (Bulhan, 2004; Omaar, 1992). Especially in Berbera and Burco, these clashes triggered renewed displacement, destruction, and a cycle of revenge killings (Omaar, 2010). Although the government’s reach remained thus limited, it now comprised a president and vice-president, two chambers of parliament, an appointed cabinet of ministers, and some early appointees to the new judiciary – as a result of a process with elders in the front seat – although it fell short of a conclusive peace and did not furnish clear provisions for peace enforcement (Omaar, 1992; Omaar, 2010).

**Vertical and horizontal exclusion**

Peace processes must generally balance elite-level bargains (vertical ex/inclusion) for effectiveness and broad social participation (horizontal ex/inclusion) for legitimacy and sustainability. Documentation and accounts available from this process testify to the extent to which the process was locally owned, which, together with the Guurti, makes Somaliland stand out as an example of a locally grounded pathway for the non-
violent deliberation of differences (Eubank, 2010: 13)\textsuperscript{2}

The armed conflicts in Berbera and Burco, as well as the successful de-escalation of disputes at the Burco, Borama, and Hargeisa Conferences, had highlighted the need to retain elders’ mediation and reconciliation roles as part of the new government’s infrastructure (Mol, PBCSP, 2012; Bradbury, 2009). This also meant that what Walls, Schueller, and Ekman identified as the principal barrier to women’s inclusion, the clan system, was anchored more deeply. The passages are worth quoting at length: 1997 saw the end of a seven-year sequence of conferences that ushered in a period of sustained peace and has supported a series of popular elections. However, the patriarchal nature of this system remains entrenched, with women largely excluded from formal political decision-making (...). Somaliland’s political settlement continues to be underpinned by clan, which in diverse ways has been incorporated into state-building and political decision-making processes. This dual governance system places customary kinship structures alongside local councils, and legislative, judicial and executive branches of ‘formal’ government (...). Our gendered analysis of the current Somaliland political settlement concludes that the clan system supports a stable but non-inclusive political settlement. This situation is sometimes supported by Islamic teachings on the appropriate role of women, although at other times, Islam offers an argument for greater gender inclusivity than is allowed by the customary system. Ultimately, it seems clear that the primary cause of the lack of gender inclusivity lies with the continued predominance of the clan system rather than with religious interpretation or some other causal variable. (Walls et al., 2017: 26)

In their analysis, the authors nevertheless stress that clan homogeneity and elder mediation were essential for the stability of the settlement. They cite Phillips’ (2013) findings that Somaliland’s ‘vertical exclusion’—the focus on elites, excluding other social strata—was conducive to short to medium-term stability. They also note that Phillips did not employ a gendered lens and therefore does not highlight the extent to which this vertical exclusion contained aspects of ‘horizontal exclusion’—the focus on one social group, such as men, at the expense of others, such as women. Focusing on clan elites meant focusing virtually exclusively on men.

This is not to say that women had not been involved at all. They played important roles in the organization and facilitation of talks, background negotiations, fundraising, and dispute resolution (Malito, 2017; Wall et al., 2017). They quote the chairperson of the now-governing Kulmiye party women’s wing, Anab Omar Ileye, that it was the women involved in bringing opposing factions back to the table who first suggested an Upper House of Elders, modeled after the British House of Lords, which ultimately became the Goolaha Guurtida. Women were part of proposing such solutions, and were pivotal in rendering non-violent deliberations possible, but within these negotiations were relegated to observer status and excluded from decision-making entirely (Wiuff Moe, 2011; WSP, 2005). That no woman candidate in Somaliland’s recent elections was successful illustrates the extent to which this gendered kind of horizontal exclusion has become engrained in Somaliland politics.

By tradition, elders are men. Decisions on behalf of the clan or inter-clan agreements are made by an assembly of male clan members. Less visible but equally exclusionary, the methods elders employ to resolve disputes disadvantage women, because they prioritise the avoidance of retaliatory violence between kinship groups over the safeguarding of individual and especially women’s integrity. Women are traditionally denied access to customary justice proceedings or negotiations or require male representation. As survivors of sexual violence, women do not receive the compensation that is paid to their male relatives instead. In some cases, survivors may be forced to marry their rapist. Somaliland’s courts, police, and Islamic Arbitration Centres are not yet a position to effectively supplant elders as principal guarantors of peace and arbiters of grievances, and the Guurti has yet to reassess its mandate or composition (Gundel and Dharbaxo, 2006; Le Sage, 2005; Burcikova and Mydlak, 2020).

Such a reassessment may be overdue. Many new conflicts and sources of insecurity fall outside elders’ traditional remit and entail a complexity that elders have little precedence to look to or provisions in the customary framework, the xeer. Sexual violence presents one such case, which elders are also legally barred from adjudicating, with limited practical implication. Growing urbanization, land price appreciation due to returning diaspora and sunk investments by elites, corruption, and mismanagement of land (Walls et al., 2017), and increasing extraction of minerals and rare earths, as well as potential exploration of hydrocarbons, along with pre- and post-election violence have all cast traditional mediation practices as ineffective and time-consuming and ultimately increase the demand for a functioning government-led approach (Bradbury, 2009).

Already in 2006, the Guurti issued the ‘Elders

\textsuperscript{2} “The bottom-up hybrid peace that emerged in Somaliland consisted of the fusion of local structures, practices, values and identities that were a result of an ‘inclusive’ participatory process, which supports MacCinty’s alternative conception of peacebuilding as one that explores indigenous approaches to conflict resolution and localised responses to conflict” from Njeri (2019, 6). For documentation, see: Eubank 2010.
Declaration’ to prohibit revenge killings. Compliance would drastically reduce elders’ socio-political relevance. As of now, however, the Somaliland judiciary is not sufficiently coherent and well-equipped to provide a reliable alternative. The resulting default to elders sustains the spectre of inter-clan conflict as it ensures that all disputes assume a clan dimension (MoI, PBSCP, 2012). This is because, in the above-cited assessment’s words, the current “political settlement is based on male superiority, female subordination and, most importantly, a patriarchal clan-based system underpinned by patronage networks” (Walls et al., 2017: 52), but is still needed to stave off even more destructive direct violence as long as state security institutions are unable to contain it.

Yet, everyday dispute settlement by elders differs from peace conferences in that they remain at the level of is-haysasho and leave eed largely untouched. The continued primacy of this method paradoxically maintains the constant possibility of new clannist violence because each dispute, regardless of how mundane, that is brought to elders assumes a clan dimension. The reliance on elders for conflict resolution thus perpetuates itself and the horizontal exclusion of especially women that comes with it.

The Somaliland peace building policy

The Somaliland government has set out a National Peacebuilding Policy (NPP) to surmount these obstacles and guard the progress made by successive democratic elections (ICG, 2015), a challenge beyond elders’ expertise as peacekeepers (Fadal, 2011). Initially, this policy had envisioned an institutional framework and apparatus for more effective coordination at the village, district, regional, and national levels, as well as between resolution, prevention, and peacebuilding efforts. A deepening of coordination was also needed to solidify Somaliland’s pluralist justice sector, which encompasses elders practicing the customary xeer sometimes with formal state sanction (Omaar, 2010), religious scholars (ulama and sheikhs) resolving family disputes according to shari’ah, and state courts nominally but not yet consistently applying state law. Finally, the NPP set out to establish guidelines and roles for conflict prevention and dispute resolution to overcome the ad hoc nature with which committees and elders had been operating, as well as to address the increasing involvement of multiple international partners in Somaliland’s trajectories, organizations, and states (MoI, PBSCP, 2012).

Most policy formation processes span a period of years, especially in a politically fragile and infrastructure-poor place that requires high levels of sensitivity to context (Weible et al., 2012). The SPP, however, was developed in a short time, and consultations were limited to urban locations (MoI, PBSCP, 2012). It was prepared by a cross-ministerial government committee headed by the Ministry of the Interior’s (MoI) Department of Peace building and supported by the United Nations Development Programme. The committee reviewed existing documentation, laws, policies, regulations, and directives, held public consultations, and conducted focus group discussions and key informant interviews with community leaders and civil society actors. But the process unfolded according to externally imposed project targets and deadlines that limited the scope of its outreach and the number of people able to provide input. Figure 1 shows the Somaliland peace building structures. The outcome covers a wide range of areas: capacity building for government branches, peace education for communities, and a conflict early warning system. At the core of the NPP are the institutions mandated to support, implement, and guide its components. These include joint committees of elders and government officials that are tasked with advising regional councils and mediating where needed (MoI, PBSCP, 2012). The new infrastructure is overseen by the National Peace Committee (NPC), which is chaired by the Minister of the Interior and comprises delegates from the Ministry of Justice, Ministry of Planning, Ministry of Social Development and Labour, Ministry of Education, Ministry of Public Works, and the Guurti, including elders and religious leaders. The national, regional, district and village-level committees that fall under the NPC’s and the MoI’s auspices are intended as a two-way street, channeling information and input from the village level upward. Table 1 map out articular institutions of interest.

The NPP institutions and provisions complement the existing peacebuilding framework, notably Article 57 of the Somaliland Constitution, which delineates the responsibilities of the Guurti as the Upper House of parliament; Article 14 of the Local Governance Law No. 23/2001, which endows the Regional Governors with oversight over regional development and the in the preceding Article stipulated Regional Development Councils that also act as mediators; and the MoI’s Peace building Unit, which oversees peacebuilding and security more widely. Successful coordination thus largely depends on the Peacebuilding Unit’s capacity and commitment, and, if done effectively, presents considerable potential for improved peace- and thus also state-building (MoI, PBSCP, 2012). This is also because the NPP decentralizes peacebuilding and conflict

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1 This observation is not the authors’ alone but stems from one of the author’s extensive work with Sif Heide-Otosen and Juuso V.M. Miettunen, for which the author is immensely grateful.
resolution to villages and communities, thus at least nominally harnessing the grounding in local, indigenous structures and norms that has been credited with the success of Somaliland’s last decades. Yet, the NPP has not been without challenges, starting from the day of its ratification. Most significantly, the implementation at the village and community level appears to proceed only slowly, with insufficient visible government commitment. Government response to local conflict remains slow and seems to bypass the NPP infrastructure. For instance, in April 2019, President Muse Bihi declared a state of emergency for three districts in the Sanaag region after one civilian and two soldiers had died in suspected revenge killings. In Ceel Afweyne in 2020, where armed conflict threatened to escalate with much wider political significance, the government was slow to react and mobilize its institutions and prerogatives (ICG, 2018).

The lack of local uptake may also reflect the limited consultations during the NPP’s development, a mere five public consultations and three workshops, documented in reports. Communities in conflict show little awareness of the NPP and thus do not call upon it when seeking support or mediation. The lack of a comprehensive legal framework for the resolution or management of conflicts equally falls short of the Policy’s aim to improve coordination among Somaliland’s pluralist actors, ceding the stage to elders who continue to practice traditional methods (Eubank, 2010).

Another challenge that imposes urgency on the consolidation of Somaliland’s approach to peacebuilding and its maintenance stems from rapid urbanization and is an economic one. Traditionally, communities support elders and fellow mediators with small payments and in-kind contributions, providing camels and goats for sale and food. As elders move to urban areas, expenses involved in mediation become more complex. At the time of writing, the NPP framework contains no provision for budgets to ensure that the mandated actors are able to fulfill their roles, which risks blunting the NPP’s impact even if political will and social commitment were to ensure its purchase among conflicting communities.

**Obstacles to peace building in Somaliland**

Somaliland pursued a peace building project while Somalia insisted on state building project [sic!] before
anything else. (…) Somaliland now practices top-down political approaches, while Somalia has been shifted from a top-down to a bottom-up approach (Ingiriis, 2021:5-6).

Ingiriis’ comparison of trajectories could be read as suggesting that Somaliland’s peace process has laid the groundwork for the very state-building Somalia embarked upon at the Mbagathi Conference. There, Somali elites achieved a clan-based power-sharing formula and federal state-building model, with little to no popular participation.

After the 2020 parliament elections had been repeatedly postponed in Somalia and ultimately reverted to previous elder-delegate-selection models, the turn to the local and bottom-up programming appears to intensify.

However, Ingiriis intersperses this observation with a caution. Rather than Somalia simply being late to the proper sequencing, as a conflict transformation lens might suggest prima facie, he points out that: “when one starts with peace building, one ignores state building [sic!] and vice versa” (Ingiriis, 2021: 5). He does not comment on whether this implies that Somaliland is abandoning the thus far highly promising locally grounded approach that he, Njeri, and others extol, nor on whether it embraces instead the ‘formulaic’ template that they critique. This is the question posed in this discussion of the NPP framework, which follows and is divided into three arguments: the NPP not only falls short of buttressing customary methods but introduces non-constructive ambiguity; the NPP leaves both vertical and horizontal exclusion largely unchanged; and the NPP opens space for extraversion and other rent-seeking politics the general avoidance of which had been a key component of Somaliland’s success story.

### Obstacles to conflict transformation

Somali elders command social authority by two factors: they are elected by their community members based on integrity and skill, and they work voluntarily. Traditionally,
only expenses are covered for elders. Elder leadership in peace processes and peace committees, even if not entirely community-driven but established and funded by international (non-)governmental organizations, thus presents an opportunity for genuine local ownership of peace, development, and policy processes.

The concept ‘local ownership’ permeates the design of and rhetoric around peacebuilding, development, humanitarian interventions, and state-building or stabilization efforts. Its realization in practice is rare (Donais, 2009; McCann, 2015; Ebiede, 2020). Wong argues that a lack of definitional clarity is likely to blunt the concept’s impact on policy, resource-allocation, and approach to conflict resolution or transformation within the liberal peacebuilding model (Wong, 2013). Recent experience has not assuaged these cautions. Instead, efforts to reformulate the field (Richmond, 2012) have been blunted by formulaic top-down approaches (especially a continuation of international donor-driven elite engagement) at the expense of meaningful bottom-up approaches. It stands to question whether ‘the local turn’ in state and peacebuilding efforts, such as that in Somalia, holds promise to achieve a more clearly defined and mapped out application of ‘local ownership’ and locally appropriate conflict transformation in policy and practice (MacGinty and Richmond, 2013).

The Somaliland National peace building Policy has not shown such promise. Instead of a ‘local turn,’ local context and customary practices appear subsumed under a top-heavy institutional structure, geared more towards improving public infrastructure and legal frameworks at the centre than to overcoming challenges to peacebuilding and its maintenance at the periphery (Richmond, 2011; Weible and Sabatier, 2017). Bradbury (1994), in one of the first explorations of ways out of the violence and fragmentation in Somalia, observed that international actors’ emphasis on institutional and legal development in state-building was poised to pay insufficient attention to existing local community structures, arrangements, and norms, which Bradbury warned would undermine local purchase, slow down progress, and ultimately be ineffective at community and district levels. Twenty-seven years on, Mohamed Ingiriis’ verdict appears to bear out this prediction: “The externally-directed state building project in southern Somalia is about building buildings in Mogadishu: it is not about changing people’s lives for the better” (2021:14).

Recent and not-so-recent moves toward ‘localization,’ partnerships, between international and local actors, appear to address this quandary, but much depends on the execution and implementation. Without due consideration of context and how roles, relationships, approaches, capacities, and norms align, collaboration of international or state and local peacebuilding actors is likely to fail (Richmond, 2011; van Brabant, 2010). In Somaliland, context insensitive top-down institutionalization has direct implications for elders and their ability to act as genuine community leaders and mediators external to political processes.

An example of the important differences between superficial and nuanced understanding is the politicization of clan. De Waal (2020) argues that, having just lost a nationalist war against neighboring Ethiopia along with Soviet patronage, Somalia’s military government moved to protect itself against potential coup attempts. Rather than an expression of a primordial segmentary group identity, the division of government and opposition into clan units appears thus as a deliberate undertaking by influential political entrepreneurs who were leveraging clan influence, as well as to mobilize armed units to back up their gambits.

The rapid politicization of the clan also cast elders onto the political stage, in part reminiscent of some colonial policies but especially detrimental to elders’ standing as community leaders and mediators. Different faction leaders ‘appointed’ elders who would galvanize clan members to support them or simply legitimate their claim to represent their clans or sub-clans. This blurred lines between customary mediation for local disputes and government-led processes (Boege, 2011). With clan now eminently political, even small, localized disputes now threatened to draw in government actors and their armed forces – precisely because elders’ position as first responders immediately induces a clan dimension.

The long conflict between the federal member states Puntland and Galmudug over the important dry port city of Galkayo exemplifies this dynamic. The conflict’s origin predates colonial times with competing claims to the area by the Hawiye-Habargidir-Sa’ad and Darood-Hartig-Majerteen clans, and only recently a joint police force and committees have been able to prevent herder clashes in the city’s rural surrounds from translating into full-fledged confrontations between state security forces (Interpeace and PDRC, 2017; Mussa and Hassan, 2020).

This is not to say that elders cooperating with government actors cannot improve mediation and enforcement of agreements, both of which have been part and parcel of Somaliland’s origin story and early support for customary mediation (Bulhan, 2004; Gundel and Dharbaxo, 2006). Past reforms have aimed to supporting elders with conflicts or grievances that exceeded their expertise and precedence, reviewing and documenting local xeer agreements, and rendering customary forums more inclusive to better ground them in the communities they serve. The NPP, by contrast, lifts elders into roles of oversight in government institutions with somewhat ambiguous remit.

The NPP thus not only deepens elders’ involvement in
politics but jeopardizes the very cohesion and local legitimacy that enabled elders to strengthen Somaliland’s peacebuilding process. It also risks deepening political rifts among elders, and veers dangerously close to the many attempts to incorporate customary institutions into the official government architecture, and therefore to jettisoning a conflict transformation approach with genuine local ownership along with the dynamism, autonomy, and affordability that distinguish customary dispute resolution and mediation methods (Paris, 1997; Weible and Sabatier, 2017).

**Obstacles to inclusive participation**

We should recall here the earlier observation that their leadership alongside politicians, military officers, religious leaders, poets, and businessmen (and they were mostly men) who funded the gatherings and demobilization of fighters (Yusuf and Bradbury, 2012; Höhne, 2008) constituted the vertical exclusion that tends to strengthen settlements in the short to medium-term, whereas the implicit horizontal exclusion of women and members of vulnerable and marginalized groups reproduced the patriarchal and discriminatory nomadic legacy inherent in customary practices. It is crucial to understand why the primacy of elders and customary practices entails such horizontal exclusion.

Customary practices in Somaliland have their roots in the nomadic pastoralist livelihoods that endure today, in livestock as the principal export good, in the socio-political importance of elders, and in the social stratification by clan. Elders’ role in the settlement and mediation of all types of disputes as well as during the peace and reconciliation conferences has been discussed at length (Bradbury, 1994). The customary xeer comprises countless locally negotiated procedures that govern relations between two or more clans in a given location, particularly access to resources in one clan’s homeland (deegaan), and compensation catalogues for the more severe violations of the agreement. Although xeer translates to English as ‘there is an agreement between us,’ these agreements follow a general framework, derived from both Islamic and nomadic norms, in the southern inter-riverine areas of Somalia adjusted to the more sedentary agro-pastoralist traditions (Gundel and Dharbaxo, 2006; Cassanelli, 2015; Barnes, 2006; Mydlak, 2020).

The general guidelines include a catalogue for compensation payments that sets a woman’s worth at half that of a man when killed, injured, or otherwise harmed, provisions that prevent women from approaching elders directly and deny their voice and vote in proceedings, and exclude certain groups almost entirely. These comprise especially the ‘occupational castes’ – the Gabooye, Yibir, or Tumaal (Hill, 2010). Such groups and women, alongside children, are generally among the most affected by conflict and civil unrest globally, which the xeer reflects in drawing on Islamic principles and declaring them and the elderly as to be protected from violence during feuds, as biri-mageyda: ‘saved from the spear’ (WSP, 2005; Gundel and Dharbaxo, 2006).

Despite years of lobbying by women’s advocates of the Nagaad Network or outstanding individuals such as former Minister Edna Aden Ismail and Minister Shukri Haji Ismail, this patriarchal power structure remains largely unchanged. The House of Elders, religious leaders, male politicians, and male business owners wield tremendous power, and social norms practiced in everyday life reflect it. The 2021 Parliament and local elections elevated a well-known campaigner for marginalized groups and youth to the position of Mayor of Hargeisa, and a member of the Gabooye was elected to parliament MP with the highest share of votes of all parliamentarians, but not a single female candidate obtained a seat.

Moreover, representation does not immediately change practice. Members of marginalized groups continue to face discrimination, barriers to land ownership, and resistance against any marriage with a member of one of the major clans. Horizontal equality or exclusion is lived, and institutions reflect them.

The NPP does little to nothing to change this. With mostly male ministers and elders at the helm, it offers no provisions that could bridge social caveats and lift thus far excluded groups into positions of responsibility and visibility. This is particularly surprising as support for elders struggling to mediate among shifting, displaced, mobile, urbanizing, and very young communities has highlighted the improvements in reach, traction, legitimacy, and efficiency that greater inclusion can bring (Gundel, 2020). Instead, it appears that the NPP projects and connects across the state, region, district, and village levels the very structures and relationships that elders and mayors considered insufficient in 2006 and called for external support to review and enhance them. Overcoming horizontal exclusion is not a mere advocacy issue. It also holds promise for peacebuilding’s efficacy, which the NPP is designed to enhance, as increasing amounts of evidence show that greater inclusion correlates with success and sustainability of peace agreements (Yusuf and Newton, 2013).

**Obstacles to voluntarism and encouraging external resource reliant practices**

The spectre that has perhaps done the most damage to
state-building in Somalia and that Somaliland had initially bypassed successfully is that of extraversion (Menkhaus, 2003; Menkhaus, 2018). Tobias Hagman (2016:26) in his analysis of ‘Stabilization, Extraversion and Political Settlements in Somalia’ follows scholars Samir Amin and Jean-François Bayart in defining ‘elite extraversion’ as elites converting “dependence into resources and authority” via “coercion, trickery, flight, intermediation, appropriation, and rejection.” The concept thereby expands upon its often used/often-cited brethren rent-seeking and rentierism through its emphasis on the dependence that should disadvantage recipients of external support but is instrumentalized by political and business entrepreneurs for their own gain.

It would add unnecessary length to unpack each method of extraversion in detail given the focus of this paper. It should, however, be mentioned that this form of extraversion is a cornerstone of what de Waal (2014) calls the multi-level ‘political marketplace’ that characterizes governance in East Africa and the Horn: ‘pervasive monetized patronage’ for which conflict entrepreneurs turn public budgets and other rents and revenue into political budgets. These are used to purchase loyalty among other political entrepreneurs, business actors, and armed groups, the latter themselves a form of currency. The ability to invoke shared identity, such as clan or faith, acts as a discount, whereas multiple sources of revenue, such as regional patron states meddling in internal affairs and counterterrorism budgets in search of local partners, drive the price up.

The implications for stability and state-building are evident. De Waal goes so far as to speculate that state-building along liberal, North-Western lines may not be possible in such a marketized environment (2014:4). That Somaliland during its early formation had limited access to the regional political marketplace also poses the question (for further study) as to whether this was due to Somaliland’s specific geopolitical position at the time or whether liberal peace and state-building inadvertently facilitate the capture of rents and institutions, and thus the creation of political budgets and marketplace dynamics.

It would be odd to claim today that Somaliland is not embedded in regional and international dynamics. The main streets in and between Hargeisa, Berbera, Borama, or Burco are seamed by billboards that attribute a clinic to one international non-governmental organization and a school to a Kuwaiti fund. The building of the Sheik district hospital, school, and large resting garden by a Kuwaiti businessman in the Sheik district also testify to the importance of external funds. Berbera port is leased to the Emirati firm DP World and the State of Ethiopia and is in the process of being linked to Addis Ababa by road. This expansion of outside influence and presence in Somaliland poses a test to Somaliland’s peacebuilding model and thus also to its much-heralded role as a counter-case to liberal peace- and state-building.

The logic of the political marketplace, extraversion, and rent-seeking, in general, are not only incompatible but inimical to customary mediation in Somaliland. Aside from some political co-optation during the colonial period (Gundel and Dharbaxo, 2006), elders’ work is local and is voluntary. The Guurti already presents a challenge to this tradition, but its institution as Upper House and somewhat of a check on other branches of government does preserve elders’ independence at least in principle.

The Guurti elders have also not had to face re-elections. Their involvement in the NPP architecture both deepens their institutionalization and increases the expenses involved in their work. For instance, committee members are required to travel to potential conflict hotspots to verify early warning alerts to the MoI and regional governors. Resources for such undertakings are not always available or affordable for local communities, who would be expected to contribute to any elder intervention. Whereas this could present an additional deterrent to engagement in armed conflict, its open questions on funding, possible projectization, and involvement of government budgets that risk turning customary mediation from a value-based activity into an income-generating one.

Scholars have already noted the role of external support in warping traditional peacebuilding methods from locally sustainable into time-limited activities dependent on outside support, pressed into funding cycles, and vulnerable to extraversion (inter alia: Odendaal, 2013). An interviewed elder involved in one of the peace committees voiced such discontent. He noted that one of the reasons he and fellow elders seldom received feedback or acknowledgment of their reports on early warnings was that the MoI’s Department of peace building had been established with project funds, and the project had run out. This one-way flow of information, from the bottom up, reflects the state’s operational style in matters of national security. Moreover, the institutionalization of the hierarchal one-way information flow reinforces the inequality of power between the state and non-state actors. It diminishes local agency in responding to conflict and insecurity.

The reporting chain thrusts elders into further ambivalence. Many community members approach elders to contain disputes and prevent them from reaching public, political, and potentially armed dimensions. This can contain localized disputes from spilling over but can also deny victims’ access to justice, particularly survivors of sexual and gender-based violence. It stands to question if elders required to report to government institutions on localized disputes could disrupt the trust...
that underpins these relationships. Some might even appear to no longer represent their own clans where government actors are affiliated otherwise. To then also be disregarded by their official interlocutors because of concluding funding cycles might add insult to injury for many elders’ social authority.

It is also telling that the government-mandated peacebuilding architecture has not appeared to be meaningfully involved in mediation in Ceel Afweyne. This may have been a pragmatic choice and reflects the seriousness of the conflict. Interviewed representatives of the regional governors’ office in Hargeisa explained that the NPP’s architecture has proven cumbersome, weighed down by meetings and more meetings. These meetings include peace dialogues, forums, training, and a variety of workshops, all with a budget and technical support from international development partners.

This could suggest that the Somaliland government does not have full confidence in its own peacebuilding institutions yet. It is most certainly reflective of the transformation of dependence on outside funding into appropriation of resources and expansion of authority that is characteristic of extraversion. Meetings, trainings, and workshops provide a plethora of opportunities for external funds to be sunk. Investments into these sometimes-one-off events gravitate towards operational logistics rather than the design of more long-term courses. Interviewed Somaliland MoI staff members expressed their surprise that elder meetings under the NPP’s umbrella are convened in expensive hotels rather than, as tradition would have it, under not-so-expensive trees.

Trainings in particular are a popular peacebuilding activity, not merely since the NPP’s inauguration. A multitude of trainings are catalogued in different UN agencies and international organizations’ project documentation.4 The meeting held by elders and MoI representatives in Hargeisa in January 2021 did not differ fundamentally. Such meetings are not often at the elders’ request and are not always thoroughly coordinated for timing and content. Past studies, such as that by Watkins and Swidler (2013), have argued that donors favour training as a budget item because the mere holding of training can simultaneously become a performance indicator: the programme said it would hold training and so it did. Content, impact, and relevance become secondary.

Such trainings furthermore move local ownership to the backseat. Staff members working in the regional governor’s office in Hargeisa indicated that most are designed, facilitated, and led by NGO program staff, often relatively young men with few years’ experiences in actual conflict areas. It stands to question how appropriate this format is for elders and other senior community leaders who participate. Answering this question goes beyond the scope of this study, but it certainly presents an important line of inquiry. How, if at all, can such facilitation to bridge customary norms and state-building bypass the dissonance this is likely to create?

The final point here is a prosaic one. Interviewed MoI staff lamented that peacebuilding initiatives that rely on speedy engagement to pre-empt escalation into direct violence are vulnerable to delays under the NPP architecture because of slow disbursement of funds. Customary peace committees that dynamically and quickly respond to early warnings and report to the ministerial counterparts may find themselves waiting three to six weeks until funds and roadmaps are approved and fielded.

In sum, the confluence of increased external involvement (incl. UN agency support and other internationally-funded state-building programmes) and the formal incorporation of peacebuilding activities into the very same government infrastructure does not merely pose challenges to the very strengths of Somaliland’s localized conflict transformation has exhibited. It also invites one of the most volatile aspects of well-funded internationalized liberal peace- and state-building. It risks embedding Somaliland, its elders, and its communities further into the local, regional, and global political marketplace.

Conclusion

Somaliland has reached a critical juncture that awaits FCAS and entities undergoing post-conflict peacebuilding and state-building. A closer analysis of the pressures on and potential pitfalls for Somaliland’s transition is thus instructive for scholars and practitioners alike. One of the few areas in which liberal peacebuilding and substantive external influence were absent, Somaliland has already provided material for various studies into hybrid or localized peace building.

However, not only are peace and state-building in other areas incrementally turning towards localized, bottom-up engagement as top-down state-building stalls. Somaliland’s own experience has not been without upsets or trade-offs, particularly the horizontal exclusion of women, youth, and members of marginalized groups, for its reliance on established but highly patriarchal social authority structures.

This approach has enabled political elites to rely on the

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4 Reviewed training documentation for the period of 2007-2018 shows budget lines for transport, meals, training material, branding and communication costs, accommodation, and consultancy fees for the trainer.
nimble, low-cost, and familiar customary dispute resolution mechanisms, which combined with a strong political settlement has produced short and medium-term stability. Somaliland’s subsequent exposure to external funds as it moves towards more advanced state-building poses a challenge to the traditional role of elders. It jeopardizes the efficacy of established peacebuilding mechanisms, and risks entrenching both vertical and horizontal exclusion rather than overcoming them. The NPP illustrates several of these pitfalls. Customary leaders are further integrated into a resource-intensive and more bureaucratic structure. This slows their ability to respond as they depend on hierarchical processes, elements of which can become entirely dysfunctional as they rely on external funding—funding that may cease based on donor countries’ funding cycles or political priorities beyond the control of Somaliland’s institutions. It also exposes elders further to elite politics that elsewhere have proven vulnerable to rent-seeking when an influx of funds increases. Moreover, anchoring clan-based reconciliation more deeply in government-community interaction runs the risk of exacerbating the marginalization of those already largely excluded from decision-making processes.

In short, the NPP brings Somaliland closer to the pitfalls of traditional liberal peacebuilding, much-critiqued in literature, and increasingly moved away from in contexts where it has already stalled. Instead of decoupling locally grounded, legitimate, and dynamic peacebuilding mechanisms from state-building that must be compatible with the global context administrations operate within; its design subsumes these mechanisms under cantankerous processes with competing priorities. The opposite may be needed. Preserving elders’ ability to reconcile their communities and preserve peace and facilitating their collaboration with—rather than direct inclusion in—increasingly more inclusive and efficient state institutions.

CONFLICT OF INTERESTS

The authors have not declared any conflict of interests.

REFERENCES

Hagmann T (2016). Stabilization, Extraversion and Political Settlements


