

Title

The intersection of tradition and modernity: governance in Somaliland

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Abstract

This study critically examines Somaliland's unconventional journey to statehood post-Siad Barre's regime, challenging the notion that the absence of centralized governance leads to chaos. Employing a mixed-methods approach that combines primary data from interviews with a comprehensive literature review, the analysis highlights Somaliland's effective use of indigenous institutions in state-building since 1991. Central to this process is the 'Beel' system, facilitated by the Guurti (Council of Elders) and the Borama Conference, merging traditional and modern governance mechanisms. Despite facing criticisms over clan representation, administrative efficiency, gender inclusivity, transparency, and democratic values, this system has been pivotal in maintaining peace and fostering state development. The study underscores Somaliland's resilience and stability, illustrating the innovative governance model's role in its unrecognized statehood status.

Key words

Beel, Borama, Guurti, Somaliland

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Introduction

After Siad Barre's regime fell in the early 1990s, Somalia reverted to traditional governance amid the central state collapse. Customary laws resumed control, leading to diverse state reconstruction efforts and international involvement with limited success. In contrast, Somaliland used traditional institutions, notably the *Guurti*, to forge a somewhat successful hybrid governance model, despite lacking broad recognition.

Unveiling the essence of Somali traditional governance institution

To fully grasp the intricately woven socio-cultural and political framework of Somalia, it's essential to start with a fundamental understanding of its clan system. The Somalis are in a relative homogeneity to ethnicity, religion, and language. The societies are related, speak the same language, and share the same Islamic orientation. The three pillars of Somali social and political frameworks consist of kinship or decent, social contracts (*Xeer*), and traditional authority (*Guurti*) (Mohamoud, 2023)

Within Somali culture, kinship and political affiliations are intricately linked to the clan system, which is structured around patrilineal descent. An individual's clan membership is ascertained through genealogies, subdivided into sub-clans and clan families, representing the apex of political segmentation. Affiliations are governed by genealogical proximity, a measure of relational closeness through shared ancestry. Central to Somali social organization is the "*Dia*-paying group," a collective responsible for compensating victims' families in cases of injury or death, underpinning clan-based governance. (Abdisamad, 2021).

Xeer, a Somali customary law, embodies societal norms aimed at fostering security and social justice within and beyond Somalia. It operates on widely accepted principles that safeguard personal freedoms and outline obligations to family and clan. *Xeer* splits into *Xeer Guud*, the universal laws across the nation, and *Xeer Sokeye*, family-specific laws for clans or sub-clans, covering everything from universal law to specific clan regulations and legal procedures (Abdile, 2012). Rooted in centuries-old oral agreements among clans, *Xeer's* longevity is attributed to its crucial role in conflict management and resolution through negotiation, mediation, and arbitration, traditionally conducted in communal gatherings (Muyonga, 2022). Despite influences from European legal concepts, *Xeer* has persevered, primarily focusing on communal defense, safety, and clan unity. It ensures the protection of rights, especially regarding property and customary entitlements. However, its authority has been challenged by colonialism, the establishment of modern courts and statehood, and the competition with Sharia law, leading to a diminished role of clan leaders and traditional institutions.

The *Guurti*, a council of clan elders, embodies a pivotal governing structure within Somali society, enforcing laws

and adjudicating judicial decisions through customary law. This council, composed of esteemed elders recognized for their wisdom and knowledge, operates as the apex political assembly and primary decision-making entity within clan dynamics, devoid of hierarchical organization. It is instrumental in overseeing various clan-related matters, including marriage, resource distribution, trade, and conflict resolution, through consensus-driven deliberations during the *Shir* (Hussien, 2014).

Menkhaus's (2006/07) concept of "governance without government" highlights the resilience of Somali society in maintaining social organization and order through indigenous institutions like the *Xeer* and *Guurti*, amidst perceptions of anarchy in failed states. These traditional systems, entrenched within the socio-cultural milieu, underscore the capability of age-old institutions to fulfill security and societal needs, manage public order, and foster social cohesion without the revival of a centralized state apparatus.

Methods

The qualitative methodology underpinning this research centers on a combination of semi-structured interviews and comprehensive documentary analysis, aiming to elucidate the intricacies of Somaliland's journey towards statehood through the lens of the intersection between traditional and modern governance structures. Semi-structured interviews were conducted with a purposively selected sample of stakeholders, including government officials, traditional leaders (elders), civil society activists, and academics. These interviews were designed to gather in-depth insights into the subjective experiences, perceptions, and interpretations of individuals who have been directly involved in or have witnessed Somaliland's state-building processes. The interviews were audio-recorded, with participants' consent, and later transcribed verbatim to facilitate thorough analysis.

Findings and Discussion

By synthesizing insights from qualitative interviews with key stakeholders and a comprehensive review of documentary evidence, this section elucidates the mechanisms through which traditional institutions—embodied by the *Guurti* system—and contemporary governance practices coalesce, engendering a robust framework for peace, stability, and governance. In doing so, it challenges conventional paradigms of state-building and offers a novel lens through which the intersections of tradition and modernity in the context of Somaliland's path to statehood can be critically assessed.

Grassroots governance: the foundation of state (re) building in Somaliland

Despite significant societal changes over three decades, elders remain vital in crises due to their respected authority

and ability to ease tensions. In political disputes and leadership conflicts, the *Guurti* is the sole trusted mediator, essential for maintaining peace and stability in Somaliland (M. Ahmed, personal communication, September 21, 2023). It's crucial to highlight that the collapse of the state did not lead to a passive return to the pre-colonial past, as though the whole post-colonial political reality had been erased, as some proponents of the social contract perspective naively presume. Additionally, the traditional authorities did not simply re-emerge "out of the blue," spontaneously assuming roles in political matters and governance following the collapse of the central government institutions. The groundwork for their participation had been laid long before the state's actual collapse, particularly during the initial decade of the Somali National Movement (SNM) war with Barre's regime, which began in the early 1980s. The Somali National Movement (SNM) was founded in 1981 by members of the Isaaq clan, aiming to overthrow the repressive regime of Siad Barre. Through guerrilla warfare tactics and significant military operations, particularly in the late 1980s, the SNM significantly weakened Barre's control, contributing to his regime's collapse in 1991. The SNM was instrumental in the declaration of the independence of Somaliland in May 1991, laying the groundwork for the establishment of a self-declared, yet internationally unrecognized, sovereign state. The government in Somaliland does not depend on a clear capability of the *Weberian* notion- the use of physical force to uphold its power but rather strives to maintain peace through negotiating and conceptual intermediation with non-state entities that can amplify its power to enforce. The *Weberian* concept of the state, articulated by sociologist Max Weber, defines the state as an entity that possesses a monopoly on the legitimate use of physical force within a given territory. This perspective emphasizes the state's unique authority to enact and enforce laws, maintaining order and resolving conflicts through its control over the means of violence.

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

By their customary charge to settle disputes and maintain peace, the *Guurti* led the reconciliation process. In the years between '1990 and 1997, the *Guurti* generally organized around 39 clan reconciliation conferences', (N. Farah, personal communication September 16, 2023), which fulfilled a variety of functions that included: the restoration of peaceful relations between communities affected by war; formation of a moderately steady security regime whereby law and order have increasingly fallen within the ambit of the partially-decentralized government; and establishment of local and national institutions of governance. These *Guurti*-led national reconciliation conferences greatly helped initiatives for constructing the state to commence. It

had effectively organized conferences and rebuild trust among the various clans. Despite facing numerous challenges, Somaliland was able to restore peace and order by collaborating with traditional authorities and engaging society at the grassroots level to occupy the void created by the downfall of Barre's central state institutions. Ironically, the indirect rule of the British in Somaliland may have contributed to the continuation of traditional governance authorities and the culture of the society that has survived to this day. By preserving its institutions, Somaliland has been able to maintain a desirable level of peace and stability.

The successive clan conferences played a crucial role in establishing and reinforcing a viable governance institution that enabled the reconstruction of Somaliland using local resources. As a result, Somaliland has been described as "an oasis of stability in an otherwise chaotic Somali regional environment" (Jhazbhay, 2007, p.126). The newly established Somaliland government led by the SNM was unable to establish control and instead became embroiled in a battle for control among competing political actors within the Isaaq clan, 'particularly over the management of the Berbera seaport' (A. Hassen, personal communication June 25, 2022), which was a crucial economic asset and a significant source of government revenue. This power struggle eventually devolved into an armed conflict among the militias of their respective clans. However, the intervention of traditional authorities brought an end to the war, which also marked the end of the SNM government and the SNM movement as a whole. The Gadabuursi traditional authority played a particularly important role in convincing Isaaq elders to negotiate among themselves to broker a ceasefire, (Farah and Lewis, 1997). The Gadabuursi, also known Samaroon, is a Somali clan primarily residing in the Awdal region of Somaliland, as well as parts of the Somali Region in Ethiopia and Djibouti. This clan plays a significant role in the social and political fabric of Somaliland, contributing to the region's cultural diversity and participating actively in the governance and administrative processes, while also maintaining strong cross-border kinship ties that enhance regional stability and social cohesion.

Borama's breakthrough: crafting cohesion in Somaliland

The Grand Borama conference, held from January to May 1993 and organized by elders, was a pivotal moment in Somaliland's political evolution, drawing 150 representatives (Aguilar, 2015, p.249) from all regional clans and approximately 2,000 intermittent participants (CSS, 2017, p.4). Borama is a key city in the Awdal region of Somaliland, serving as its capital and a central hub of education, culture, and politics. It holds historical significance in the Somaliland body politic, notably as the site of the Borama Conference in 1993, which was pivotal in establishing the contemporary governance structure of Somaliland, including the formation of the House of Elders, thereby playing a crucial role in the peace-building and state formation processes of the self-declared republic. This nearly four-month event culminated in the consensus on a charter, serving as an interim measure due to the time constraints preventing the drafting of a

constitution. Participants' living expenses were largely self-funded, with negligible external assistance, despite UNOSOM's pro-unity stance and declared support for democracy offering no aid (APD, 2009, p.50). This conference was crucial for Somaliland, resulting in the creation of a Peace Charter and a National Charter, the latter acting as a temporary constitution that established a bicameral legislature, including a *Guurti* or House of Elders, and laying down a legal framework based on traditional *Xeer* for maintaining law and order.

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

Additionally, the Peace Charter enhanced security measures and formalized the traditional elders' role in peace efforts, gaining acclaim for inclusively engaging non-Isaaq clans in organizing the conference. *'The Gadabuursi acquired a more significant stake in Somaliland due to their role in ending the civil war, thereby disproving the notion that Somaliland was solely an Isaaq-driven political entity'* (O. Khalid, personal communication, November 16, 2021).

Funded mainly by local sources, the conference participants recognized the importance of time efficiency, engaging in extensive debates aimed at reaching consensus on various issues for more legitimate and enduring outcomes. Rather than defaulting to majority votes, deadlines were set for contentious matters to ensure all parties reached a mutually acceptable agreement, emphasizing the value of unanimity over quick decision-making. There was a general tendency that *'voting causes fighting; we better reach a consensus'* (I. Yisuf, personal communication, September 17, 2023).

During the conference, Mohamed Haji Ibrahim Egal was chosen as President, with Abdirahman Aw Ali serving as Vice President (APD, 2009, p.55), representing the Isaaq and Gadabuursi clans, respectively. The initial plan was for this arrangement to last just two years; however, due to the civil war's state of emergency and a parliamentary extension, it continued until 1997. Egal was a prominent figure in Somaliland politics, serving as the Prime Minister of Somalia in the late 1960s before becoming the President of Somaliland from 1993 until his death in 2002. His leadership was marked by efforts to rebuild the war-torn region, establish governance structures, and seek international recognition for Somaliland as a separate entity from Somalia, significantly contributing to the region's stability and governance framework. This was an effective political and social reconciliation, with the elders playing a significant role in facilitating social reconciliation, encouraging public trust, and overseeing the transition from the SNM to a civilian administration peacefully in 1993. The formalization of the

Guurti within the government empowered them to ratify, reject, or oppose amendments to legislation approved by the House of Representatives, except those related to state finances, evaluated based on their alignment with Somaliland's traditions, religious beliefs, and security requirements, of which the *Guurti* members were the guardians.

The *Beel* system, established by the Borama conference, is pivotal in recognizing kinship as the essence of Somali society, leading to a governance model that blends power-sharing among Somaliland's main clans with the preservation of traditional institutions. The *Beel* system of governance in Somaliland is a traditional form of social organization based on clan families, playing a crucial role in the region's political structure and decision-making processes. It integrates customary laws and clan elders' mediation into the modern state framework, facilitating consensus-building, conflict resolution, and the inclusion of various clans in governance, thereby underpinning the stability and democratic practices observed in Somaliland's unique political landscape. This model promotes participatory governance that embodies democracy's core principles, sidestepping the limitations imposed by Western models. Historical attempts to integrate Western state concepts have often faltered over issues of legitimacy, accountability, and efficiency, with traditional or customary institutions viewed as obstacles to progress. Yet, there's a growing appreciation for these informal institutions' value, suggesting a paradigm shift among scholars and policymakers who previously advocated moving beyond them. Somaliland's *Beel* system presents a nuanced form of consensual democracy that marries traditional clan-based practices with modern governance, emphasizing consensus, inclusivity, and the elders' role in conflict resolution and political stability. This approach offers a compelling alternative to Western liberal democracy, challenging the universality of Western democratic norms by illustrating how governance can draw from indigenous traditions and social contracts. The success of the *Beel* system underlines the potential for various democratic practices globally, showcasing the adaptability and resilience of local governance frameworks in fostering peace and enhancing political engagement, with implications that resonate beyond Africa.

Harnessing harmony: the power of the *beel* system

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

The *Beel* system in Somaliland exemplifies an innovative state-building approach that integrates traditional clan structures with modern governance, reflecting and adapting to the society's socio-cultural and clan dynamics. The legislative inclusion of the *Guurti*, Somaliland's upper house comprised of respected clan elders, highlights the blend of

tradition and modernity, leveraging elders' authority for legislative oversight, conflict mediation, and social harmony. The model ensures inclusivity and representation of diverse clan interests in the political process, enhancing government responsiveness and accountability. Specifically, it fosters a sense of collective ownership and belonging among all clans, including non-Isaaq communities, by formalizing traditional roles within the governance framework. This acknowledgment of clan structures enhances government legitimacy, rooted in indigenous social values, thereby securing public support, reducing unrest likelihood, and bridging traditional and formal governance mechanisms. Ultimately, this inclusive approach strengthens political stability and coherence, underscoring the critical role of traditional entities in national unity and cohesion.

The *Beel* system in Somaliland excels in conflict resolution and peacekeeping by employing traditional mediation and reconciliation methods embedded in the region's societal fabric. Clan elders and leaders, revered for their wisdom, understanding of customary law, and moral authority, play a crucial role in mediating disputes, respected across clan boundaries. Their deep insights into social and cultural dynamics enable them to propose solutions that are culturally relevant and effective. Operating alongside the formal judicial system, this traditional conflict resolution mechanism offers a flexible, consensus-based alternative to the formal judiciary's often rigid procedures. This emphasis on reconciliation and community cohesion highlights the system's effectiveness in maintaining social harmony and enhancing the legal and governance framework's overall efficiency.

Somaliland's hybrid governance model, blending traditional mechanisms with modern state governance, has been crucial in its success in achieving stability and peacebuilding. This model promotes social cohesion and collective security, essential for post-conflict recovery and nation-building. It aligns political and social order with the cultural and historical context of its people, boosting state governance's legitimacy and efficacy. The model's inclusivity and cultural resonance have underpinned Somaliland's ability to maintain peace and stability. Incorporating traditional authority and conflict resolution methods, particularly through the roles of clan elders and community leaders, has established a solid framework for grievance redressal, dispute mediation, and conflict prevention.

Somaliland's government gains legitimacy through its hybrid governance model, deeply rooted in the local culture and traditions. This model integrates traditional governance structures, central to societal organization and conflict resolution, into the state's formal governance framework, honoring and preserving local customs. Such an approach shows deep respect for community norms and values, enhancing public recognition and inclusion. This inclusive method garners public support crucial for sustaining peace and governance in Somaliland. By embedding traditional governance mechanisms, initiatives resonate with the local context, fostering a sense of community ownership and

collective responsibility towards peace and governance success. This approach reduces skepticism and resistance to external interventions by aligning more closely with local realities and sensitivities.

Critics of the *beel* system

The *Beel* system, integral to Somaliland's traditional governance, plays a key role in peace sustainability and state development through clan elders' consensus-building and conflict management. However, it faces criticisms regarding clan representation equity, administrative inefficiencies, exclusion of women from governance, transparency issues in *Guurti* succession, the undemocratic nature of the system, the preference for lineage over merit affecting leadership quality, and *Guurti* politicization affecting its neutrality and effectiveness.

Issues in clan representation in governance

The *Beel* system's approach to allocating executive positions and parliamentary seats among clans, based on a balance and formula set by the SNM, has been critiqued for impeding the development of a fully representative democracy, leading to the marginalization of certain clans. The 1993 Borama Charter's adoption of a seat allocation model similar to the 1960 Legislative Council has sparked controversy, with major clans receiving ten seats each and smaller clans getting fewer, aiming for inclusivity but criticized for entrenching clan-based politics and blocking a shift towards a merit-based, accountable governance system. This allocation method may prevent the rise of leadership based on competence, potentially fostering internal tensions due to perceived inequities in representation, thereby challenging Somaliland's pursuit of a strong democratic framework and its long-term stability and development goals.

For instance, the Garhajis confederation consisted of the Idagalle and the Habar Yunis expressed their dismay with the arrangements of the Borama Conference, which treated the confederation as one clan rather than two (ICG, 2003, p.11). The Garhajis Confederation is a significant political and social alliance in Somaliland, composed of two major clans, the Habar Yoonis and the Eidagale, which are sub-divisions of the larger Isaaq clan. This confederation has played a vital role in the politics of Somaliland, contributing to the region's struggle for independence and its ongoing efforts to build a stable and democratic governance structure, while also influencing the balance of power and political negotiations within the self-declared republic. While conceding the presidency to a member of the opposing clan they had conflicted with (Mohamed Ibrahim Egal of the *Habar Awal*) they also perceived that they were being marginalized within the House of Representatives.

The *Beel* system at times was considered by the Harti clans (Dhulbuhante and Warsengeli) as a mechanism that diminished their traditional level of influence, despite their historical standing as the second-largest and influential clans after the Isaaq during British colonial rule. The Harti clan,

consisting of various sub-clans including the Dhulbahante and Warsangeli, is an influential group in the eastern regions of Somaliland, particularly in Sool, Sanaag, and Cayn. Their participation in Somaliland politics is marked by a complex relationship with the central government, involving negotiations over autonomy, governance, and the integration of their territories into the broader political framework of Somaliland, reflecting the clan's significant role in shaping the region's stability and political dynamics. In the Borama agreement, the vice presidency was assigned to a member of the Gadabuursi clan, while the Dhulbahante were allocated the comparatively less prestigious position of Parliamentary Speaker. While the Harti clans consented to the settlement, they still perceived themselves as marginalized within an ostensibly "independent" Somaliland (ibid). Furthermore, criticism has been directed towards the *Beel* system for its failure to account for the geographical distribution of clans, leading to an imbalanced representation favoring certain regions and disenfranchising clan members residing outside of those areas. Consequently, Harti clan members situated in the central regions of Somaliland tend to receive preferential treatment in the selection process for governmental positions over others.

Silenced voices: the exclusion of women from political leadership

Despite constitutional bans on discrimination and promises of equality, structural biases favoring men in authority remain prevalent in Somaliland. Leadership roles within the *Guurti* and other key decision-making bodies are traditionally male-dominated. The patrilineal clan system excludes women from active political participation, under the assumption that male relatives represent them. However, this representation is passive and limits women's meaningful involvement in governance. The term "*Guurti*" itself suggests male eldership, reinforcing norms that prioritize male authority and sideline women. Such gendered language and norms create barriers for women in politics, hindering their capacity to impact policy and socio-economic development in Somaliland.

The lack of women's representation in the House of Guurti remains a significant issue. Despite concerns about women's traditional wisdom compared to elder men, their unique perspectives are vital and should not be overlooked. Introducing a separate entity within the Guurti to nominate women could offer a solution to their marginalization (A. Hassen, personal communication, September 18, 2023).

Proponents of keeping female participation minimal in the *Guurti* argue against gender inclusion, citing the tradition of male dominance in the House and claiming no established role for women. They believe introducing female participants could upset the institutional balance and disrupt the *Guurti*'s traditional operations and effectiveness.

The evaluation of women's roles in Somali society must be understood against the backdrop of historical and cultural

influences, where traditional norms and practices significantly shape gender relations. These norms are deeply ingrained in Somali culture, reflecting a blend of historical, social, and religious elements. Somalia's patriarchal, clan-based structure, where lineage follows the father's line, positions women as transient members, not fully belonging to either their father's or husband's clan. However, this status allows women to link multiple clans, aiding in community cohesion and acting as potential mediators in peace processes, especially in disputes involving their spouses' clans.

Marriage can thus serve as a conflict-resolution mechanism. While women's participation in clan politics is limited, there have been instances where women replaced male *Guurti* members, with the first woman appointed in 2012 after her husband's resignation, highlighting the complex roles women can play within this traditional context.

Succession issues in the *guurti*

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

Membership in the Guurti House is currently determined by familial ties, a departure from the original selection criteria that emphasized wisdom, trustworthiness, and credibility. This shift has led to a decline in the House's quality, as the practice of younger members inheriting positions from their predecessors undermines its foundational intent. The current structure is criticized for moving away from its initial promise and for compromising the qualities once deemed essential for membership. (H. Maxammed, personal communication, September 16, 2023).

The opposing viewpoint refuted the aforementioned accusations by contending that deviating from the hereditary process would inevitably give rise to disputes. This argument posited that strict adherence to hereditary succession protocols serves to mitigate potential conflicts within families and safeguard the stability of the *Guurti* institution. Furthermore, while the constitutional stipulation mandates a minimum age of 45 years for *Guurti* membership, instances have been observed where deceased members are replaced by individuals who fall below this age threshold. Consequently, the current composition of the *Guurti* comprises a considerable number of young men who do not meet the specified age requirement.

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

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

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

The perpetuation of this succession model is perceived by a significant segment of observers as eroding the perceived credibility and authority of the *Guurti*, thereby necessitating a critical reevaluation of its composition and selection mechanisms. *'Many of the versed elders have died. The young people are dominating and they know little of customary laws, culture, and general history of Somaliland'* (M. Ahmed, personal communication, September 17, 2023). Partially, the quandary stems from the constitutional lacuna about the succession process within the *Guurti*. Notably, the constitution offers scant guidance regarding the procedure for appointing replacements within this esteemed body. It merely stipulates that "the members of the House of Elders shall be elected in a manner to be determined by law," (Somaliland Constitution, article 58.1) yet legislation delineating the specifics of this electoral process has yet to materialize. This absence of a statutory framework underscores the pressing need for legislative action to codify the modalities governing the selection and replacement of *Guurti* members, thereby addressing the prevailing ambiguity and ensuring procedural clarity in conformity with constitutional principles.

Politicization of the *guurti*

The Borama conference significantly transformed the role of clan leaders in Somaliland's political system, elevating *Guurti* members to prominent positions in national politics, beyond their traditional roles of mediation and peacemaking. This shift in responsibilities has led to concerns over their detachment from community roots and vulnerability to corruption and political bias, marking a move away from

their impartial origins towards political agendas aimed at preserving their power. Successive presidents have exploited these criticisms to enhance their authority, with *Guurti* members often seen as complicit in extending their tenure through political alliances. This transition highlights the evolution of the *Guurti's* influence within Somaliland's governance, from its foundational role in conflict resolution and moral guidance to a more pronounced political presence, despite the challenges of maintaining its traditional respect and authority amid changing political dynamics.

The *Guurti's* dynamics of power and authority have evolved, showing tension between its traditional legitimacy and closer ties to state power, leading to scrutiny over its alignment with the government and a shift towards state-centric authority. This evolution has complicated the integration of traditional governance with modern state structures, potentially diluting the *Guurti's* moral and political independence. The erosion of moral authority, due to perceived government proximity and politicization, challenges its role as an impartial mediator and guardian of societal values. Balancing traditional grassroots legitimacy with modern governance demands is essential for the *Guurti's* continued respect and efficacy in Somaliland. Public perception of the *Guurti's* increasing politicization, including instances of members pursuing political office or aligning with political parties, risks the institution's credibility and effectiveness, suggesting a need for clearer separation between its traditional roles and political involvements.

Conclusion

Somaliland's hybrid governance model, integrating traditional clan structures with modern state governance, showcases a successful approach to state-building in a post-conflict setting. Despite criticisms regarding clan representation, gender inclusion, and the potential politicization of the *Guurti*, Somaliland's governance system highlights the adaptability and resilience of local governance frameworks. This model offers insights into the effectiveness of blending traditional and modern governance structures to achieve stability, peace, and democracy in a region marked by turmoil.

Disclosure statement

No potential conflict of interest was reported by the author.

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