THE EMERGENCE OF A SOMALI STATE: BUILDING PEACE FROM CIVIL WAR IN SOMALILAND

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ABSTRACT

At a time when Somalia is widely viewed as a political and humanitarian disaster, it is significant that the north-western territory of Somaliland has installed a comparatively stable government and held a series of elections that have been declared ‘relatively free and fair’ by observers. This article considers a key period in the establishment of the current system of state, from the 1991 collapse of the Siyaad Barre regime to the 1993 conference in the northern town of Borama which saw the transition from an interim military government to civilian administration. While the Borama conference did not end conflict in Somaliland, it resulted in an interim constitution that eventually enabled a more lasting peace, along with popular elections for local government, President, and Lower House of Parliament. The article argues that the success of the 1991–3 process was built on a set of deeply embedded social norms that emphasized the importance of dialogue between antagonists; a willingness to accept that the most complex grievances would be set aside indefinitely to avoid the contentious process of negotiating compensation payments; the opening of space for the intervention of mediators; and a sustained commitment to consensus building in preference to divisive voting. In short, local resources have been employed effectively in the cause of achieving a lasting peace and what appears to be a viable system of democracy.

SOMALIA IS FREQUENTLY CITED AS THE PARADIGM OF A FAILED STATE. Rotberg uses the term to describe a territory that is ‘tense, deeply conflicted, dangerous and bitterly contested by warring factions’ and ‘ hospitable to and harbouring non-state actors – warlords and terrorists’, thus justifying

a focus on Somali territories (amongst others) that is predicated on the need to ensure the security of neighbours and richer and more influential powers. Kaplan went further in conjuring up a world on the brink of imminent collapse, in which he described a Somalia characterized by ‘less and less politics’ as the state continues to fail.² Current concerns with piracy off the Somali coast and a humanitarian crisis largely precipitated by unconscionable violence in and around Mogadishu are taken as proof of the continuing applicability of these assumptions.

However, even a cursory review is sufficient to show that the situation in the southern and central areas is not replicated throughout the erstwhile Democratic Republic of Somalia. The area in the north-west was a British protectorate from 1887 until 1960, when it united with the newly independent ex-Italian territory in the south and east. In 1991 it unilaterally declared independence as the Republic of Somaliland after the collapse of the Siyaad Barre regime. In the years since, Somaliland has resolved incrementally a number of internal tensions and conflicts, and has established a thus-far stable state.³ Successes at a local level have also occurred in other Somali areas, most notably Puntland, but Somaliland has been the most successful in establishing a broader and more durable stability on the basis of such localized agreements.⁴

Meanwhile, there have been sixteen major, externally funded peace conferences for Somalia as a whole, most of them hosted externally. Thus far, all have ended in failure. By contrast, Somaliland has maintained a policy of non-involvement in most of those conferences, pursuing instead an internal, parallel process of negotiation and debate. That process has not been uniformly successful; renewed conflict flared on several occasions, and complex and deep-seated disagreements persist to the present time. However, in contrast to the situation in the south and elsewhere in the Somali territories, Somaliland’s success is notable. Maria Brons argues that ‘peace and security in Somali society will be best served by strengthening those emerging nirvana fallacy’, Foreign Policy Analysis 2, 4 (2006), pp. 343–60; Jennifer Milliken and Keith Krause, ‘State failure, state collapse, and state reconstruction: concepts, lessons and strategies’, Development and Change 33, 5 (2002), pp. 753–74; Robert I. Rotberg, ‘Failed states in a world of terror’, Foreign Affairs 81 (2002), pp. 127–41.


³ The remit of this article does not extend to an examination of the form of that state or the political science of its evolution. The period under review covers the first three years in the contemporary process in Somaliland, ending with a transfer of power from a military administration to a civilian one, and the adoption of an interim constitution in the form of a National Charter. The foundation laid at that stage enabled further consolidation and the eventual, although not immediate, sustained cessation of conflict.

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political structures that already have the firm backing of their inhabitants’; however imperfect the reality, Somaliland manifestly offers great insight into just such a set of emerging and largely popularly supported political structures.

Nevertheless, the rubric of the failed state has so comprehensively permeated the thinking of foreign governments, and therefore the approach of the multilateral and bilateral agencies who set a significant portion of the agenda throughout the Somali territories, that engagement with Somaliland has been limited to support for discredited transitional governments. It seems perverse that Somaliland’s failure to win international recognition should limit examination of what has been a largely successful, if uneven, process of conflict resolution, peace building, and state building.

Many of the processes employed throughout the Somali territories are grounded in traditional institutions of conflict and resource management, yet a large part of the value in any analysis lies in avoiding the temptation either to dismiss that tradition for its innate conservatism, or to engage in trite romanticization. This article reviews a particular period in contemporary Somaliland history with the aim of highlighting specific features of conflict resolution and state-building activities, noting in the process the successes and failures either of the traditions themselves or of the manner of their application.

The process divides reasonably coherently into a number of chronological sequences, of which I shall review two consecutive phases. The first of these begins with the conclusion in early 1991 of the civil war against the regime of Siyaad Barre and culminates in the Burao conference held between April and June 1991, at which independence was unilaterally declared. The second starts with the collapse of the Somali National Movement (SNM) immediately after the Burao conference, and ends with a conference held in Borama in the first half of 1993, which saw the election of a civilian government. The Borama conference is today considered one of the most successful of Somaliland’s reconciliation meetings, and although it did not end the cycle of conflict and negotiation that had started prior to the grand conference in Burao, it laid the foundation for the period of sustained stability that has prevailed in recent times.

A Somali basis for conflict resolution

It would be inappropriate to discuss peace-building efforts in Somaliland without first considering customary Somali socio-political systems. These have evolved considerable sophistication, and can hardly be dealt with

adequately in the context of this article. However, a brief summary of some key points is an essential minimum.

Social relations in Somali society are based on a system of customary contract known as xeer, adjudicated by ad hoc committees of elders, often assembled as needs require. The most fundamental contracting group is the mag,6 or ‘bloodwit’ group, the members of which act as guarantors of the good behaviour of fellow members on pain of having to share the burden of compensation should the latter be judged the guilty party in a dispute.

Each mag group is represented by one or more informal leaders or ‘aaqil—a term which is sometimes translated as ‘chief’, but primarily signifies an influencing, negotiating, and chairing role, rather than one which grants the incumbent authoritative power. During the time of the Somaliland Protectorate, the British administration attempted to co-opt the role by paying a stipend to ‘aaqils (the more correct plural would be ‘aaqilo) in return for work on behalf of the colonial administration. A similar practice had earlier been employed on a more limited basis by Egyptian administrators, and quite probably before that.7 It was also continued and adapted by subsequent Somali governments. This resulted in a burgeoning number of ‘aaqils, and also in the politicization of the role. However, these external influences on the social system were relatively less pronounced in the north than in the south, where the Italian administration had much grander plans for the ‘modernization’ of their colony.

There is a clear hierarchy of traditional roles, but all retain an emphasis on negotiation, mediation, and facilitation that is consistent with that of the ‘aaqil. A number of titled elders sit at levels above ‘aaqil, and the terms used differ slightly from clan to clan. Generally, though, garaad, ugaas, and suldaan all refer to positions of greater seniority than the ‘aaqil.8 Typically, the system is heavily biased against individuals who assume too much direct authority, while according considerable autonomy to those who act as mediators or facilitators. It is therefore misleading to describe Somali society as acephalous or, conversely, as strongly hierarchical.

When disputes arise, the onus falls first on the heads of the families involved (if the dispute is between two families) or else on the ‘aaqils of affected mag groups to attempt to negotiate a settlement. If the problem proves intractable, a mediating group might step in. The membership of that group would need to be sufficiently senior and independent of the immediate problem to command the respect of the protagonists. The individuals may be

6. The Arabic term diya is preferred in much literature on the subject, but the Somali term mag is used in this case.
from the clans or sub-clans involved, or they may be external to them. This
group is sometimes referred to as a guurti, a term that has more recently
been institutionalized and, many would argue, politicized in the Somaliland
context through its application to the Upper House of Parliament. There is
also room for additional mediation at the instigation of an even more loosely
defined group of respected individuals formed with the specific purpose of
mediating particularly difficult conflicts. The generic term ergo, or simply
‘delegation’ is sometimes used in this context.

Somali customary law is based on a series of commonly recognized prin-
ciples. It is not rigid, as there is explicit recognition that too great a level
of specificity in law will fail to provide the flexibility necessary for dealing
with the vagaries of day-to-day life. The principles have evolved around the
dual focus of protection of the rights of the individual to life, liberty, and
property as well as commitment to family and clan. In the context, the
related processes of adjudication, mediation, negotiation, and consensus
building, carried out with a commitment to transparency and in good faith,
are the critical mechanisms for the application of recognized principles.
Rhetoric and oratory are prized skills, as the ability to persuade others of
the veracity of an argument contributes directly to the achievement of more
advantageous agreements.

Underpinning each of these roles and its relationship to a constituent
population is the segmentary clan system. Members of mag groups are gen-
erally drawn from several lineage groups, all able to trace their ancestry back
between four and eight generations to a common founder. There are a
great many Somali terms relating to clan and sub-clan units, including raas,
jifo, jilib, qolo or xolo, rer, and tol. These terms can be used somewhat
interchangeably, and perhaps the best approach is to adopt the more ex-
licitly arbitrary terms ‘sub-clan’, ‘clan’, and ‘clan family’, while the rather
inelegant ‘sub-sub-clan’ may be used with reference to any unit smaller than
a recognized sub-clan.

Using this typology, Somaliland is dominated by two clan families: the
numerically dominant Isaaq, who are distributed throughout central Soma-
liland and Ethiopia, and the Daarood, who live in the eastern sections of
Somaliland as well as in neighbouring areas. Two smaller clans, Gadabuursi
and ‘Iise, live in western Somaliland (see Figure 1).

12. The Gadabuursi and ‘Iise are often collectively referred to as belonging to the Dir clan family (for example, in Lewis, A Pastoral Democracy). However, in line with the comment above on the difficulty of establishing a clear typology of clan, there is some argument over whether this grouping is justified in terms of culture and descent. Many definitions of the Dir clan family suggest a dispersed grouping that includes a range of disconnected clans, inhabiting
The Isaaq and Daarood are both comprised of a number of clans. In the case of the Isaaq, these include the Habar Awal, who in turn divide into several sub-clans, the biggest of whom are Sa’ad Mussa and ‘Iise Mussa. The Habar Je’lo and the Habar Yoonis make up the remainder of the three clans who dominate the Isaaq family. In their turn, the Habar Yoonis are often associated with the numerically smaller ‘Iidagalle under the title Garhajis. The Isaaq family also includes a number of other groups, although for the purposes of the case studies reviewed here, this level of detail is sufficient.

The clans of the Daarood group who reside in Somaliland are predominantly referred to under the title Harti – like the Garhajis, they occupy an intermediary level between clan and clan family. The Harti include (amongst others) the Majerteen in Puntland, and the Dhulbahante and Warsangeli, the majority of whom live in Somaliland.

Clan affiliation is derived from agnatic (patrilineal) lineage, and traditionally all Somalis are able to trace their ancestors many generations back. In that sense, social structures, determined by kinship, can be relatively fixed. However, at every level groups form and abandon alliances with those from other lineages, as needs require. While affiliation is therefore critical, relationships between groups tend to display a significant degree of fluidity.

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Figure 1. Major Clan Areas in Somaliland and Neighbouring Territories. Adapted by the author from FSAU, ‘Clans: Northern Regions’ (Food Security Analysis Unit (Somalia), Nairobi, 2005).

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a number of locations throughout the Somali territories. Some (generally non-Isaaq) even categorize the Isaaq as members of the Dir family.
While loyalty to clan is usually strong, it can be compromised through alliance to groups of more distant kinship where circumstances dictate. One, though by no means the only, means of consolidating exogenous alliances is through marriage, and consequently there is an informal yet frequently pivotal role for women, who can act as go-betweens between their clan of birth and the one they entered through marriage. While Somali women have long played a vital role in facilitating communication, mobilizing resources, and applying informal pressure in favour of specific outcomes, the formal socio-political process is overwhelmingly the preserve of men. All adult males are entitled to speak at meetings, and most decisions are made on a consensus basis. The word of elders and respected individuals undoubtedly carries more weight than is the case for other members of the community, but the system is nevertheless characterized by a high degree of male egalitarianism. This is the basis on which Ioan M. Lewis titled his seminal text *A Pastoral Democracy*, although the style of democracy is more akin to the direct democracy of ancient Athens than it is to contemporary representative democracy.

1990–May 1991: ceasefire and independence

Before returning to the period that is the focus of this article, a brief note on the events that immediately preceded it is necessary. The civil war in Somalia effectively began in 1982 when the Somali National Movement (SNM), established in London the previous year, moved its operations to Ethiopia. Dominated by the Isaaq, the SNM nevertheless fostered ties with a number of other insurgent groups over the course of the conflict. One of those with whom they had agreed specific terms, in this case including plans for the period after the fall of the regime, was the United Somali Congress (USC) of Mohamed Farah Aideed. Siyaad Barre also attempted to utilize clan affiliation in his favour by co-opting the support of the non-Isaaq clans in the north in his fight against the SNM. This worked to some degree, and many though not all of the Harti (in Somaliland, the Dhulbahante and Warsangeli) and Gadabuursi identified with the government.

Increasing state repression, including the wanton destruction of the principal towns of Hargeisa and Burao in 1988, had the effect of consolidating opposition amongst the Isaaq, and it was clear by early 1990 that the regime had lost control of much of the north-west. It was at this point that the Dhulbahante, at the instigation of their premier garaad, Abdiqani, renewed contact with the SNM and, in a series of meetings in the towns of Qararro,
Gowlalaale, Dannood, and Gashaamo in the Ogadeen area of Ethiopia, they agreed a ceasefire. Talks between the Dhulbahante and the SNM continued after the fall of the regime at the start of 1991, and both parties agreed to participate in a conference arranged for late February 1991 in the port town of Berbera, to which all the northern clans would be invited.15

In the west, the Gadabuursi had also made some effort prior to the end of the war to reconcile with the SNM, with at least one Gadabuursi elder, Jama Rabile, travelling to Ethiopia to seek discussions. Although this initiative did not result in an immediate truce, it gave the SNM leadership some hope that the Gadabuursi were ready to agree terms.16 In January 1991, in one of the final acts of the northern war, SNM militia had pursued retreating government forces to the town of Dilla, where they fought a ferocious battle.17 SNM militia had then continued into the main Gadabuursi town of Borama. However, because the SNM leadership believed that the Gadabuursi wished to seek peace, they withdrew their units within 24 hours to allow discussions to take place without the shadow of occupation. Their confidence was rewarded when a brief initial meeting in mid-February in Tulli, just outside Borama, agreed that Gadabuursi delegates would attend the Berbera conference and then resume bilateral talks once it had finished, this time in Borama itself.18

From an SNM perspective, these meetings were an expression of the resistance movement’s explicit policy that they were fighting the government of Siyaad Barre, rather than the other clans.19 Unsurprisingly, however, those who had affiliated themselves with the Siyaad regime were uncertain as to whether this policy of rapprochement would be carried through, so its effective implementation was seen as important evidence of good faith on the part of the SNM.

With bilateral ceasefire agreements in place with each of the primary non-SNM-aligned northern clans, the next step was to consolidate these and to move on to a collective discussion on the creation of administrative capacity. The SNM was clearly in control of the northern regions, so it fell to them to host and fund multi-clan conferences of reconciliation. The first of these was held in Berbera, which was selected both because it is an Isaaq city (and therefore an appropriate setting for an SNM-hosted conference), and because it escaped the devastation wreaked on Burao and Hargeisa.

16. Ibid.
Funding for both conferences was provided by the SNM, through their diaspora-based support networks.

The Berbera conference achieved two things: first, it generated a collective confirmation of the bilateral ceasefires between the SNM and the Gadabuursi and Harti. Second, it was the context for agreement that a second conference would be held in Burao, again involving all the clans of the ex-British Protectorate. The Burao conference was always intended as a much grander affair than the earlier meetings, and its title reflects this status: Shirweynaha Walaalaynta Beelaha Waqooyiga (the Grand Brotherhood Conference of the Northern Clans). The town was chosen for its symbolic presence at the centre of (Isaaq) Somaliland, in spite of the fact that it had been extensively destroyed during Siyaad Barre’s bombardment in 1988.20

The conference was scheduled to commence on 27 April, with the first part of the proceedings taken up by a meeting of elders representing all of the main northern clans. This was followed by a meeting of the SNM Central Committee, who were to debate and adjust, reject, or endorse the recommendations of the meeting of elders.

The elders met for a week and agreed a list of six resolutions, the most dramatic of which was the first: a declaration that the northern regions would establish a separate administration without links to Mogadishu. This declaration needs to be placed in context. It had never been SNM policy to establish an independent state in the north, and many members of the leadership were against the idea, believing the northern regions too war-ravaged and weak to survive on their own.21

However, there had long been a growing enthusiasm for the notion amongst the grassroots. While independence in 1960, and union with the south five days later, had both been greeted with enthusiasm, disillusion had set in early. There was a perception that non-Isaaq had been preferred when posts in the new government had been allocated, and within eighteen months northerners had rejected a referendum on a unifying constitution, and British-trained officers had attempted a coup. The sense of disappointment was compounded when Djiboutians rejected unification with Somalia in a 1967 referendum.22 The Ethiopians had already ruled out return of the Haud, and the Kenyans had made it clear they would not entertain secession of the Somali north-east, meaning that the Djibouti decision represented the

22. The referendum confirmed Djibouti’s status as a French territory, the result of a similar but disputed vote in 1958. Many Somalis felt that the 1967 poll reflected a bias towards the Afar population of Djibouti, but, nevertheless, the result represented a major setback to ambitions for Somali reunification. See Ioan M. Lewis, A Modern History of the Somali, fourth edition (James Currey, Oxford, 2002), pp. 181 and 203.
death for the foreseeable future of the dream of reunification of the Somali-speaking areas. In an echo of post-independence hope and disillusion, the 1969 coup by Siyaad Barre was also initially welcomed in the north, but optimism faded as the Mogadishu regime centralized its operation and began to implement unpopular policies with scant northern consultation. Siyaad’s 1977 attempt to wrest the Haud from Ethiopia through invasion was again initially popular, but when it failed many blamed him, and once again support ebbed.

Consequently, when on 31 January 1991 – in contravention of agreements between the USC and SNM – Ali Mahdi announced the creation of a USC-led government for ‘the whole of Somalia, from Zeila . . . to Ras Kamboni’, the ghosts of past unsatisfactory experiences loomed large. By the time of the Burao conference at the end of April, public sentiment in the north had consolidated overwhelmingly in favour of independence. As the elders met in the first session of the conference, people from around the country, including many SNM militia, gathered. There was a sense of expectation, and a significant latent threat of volatile consequences should the decision not support independence. This groundswell of support for self-determination was not confined to the Isaaq. By that time the Gadabuursi had also decided to promote the cause, and although the Dhulbahante were split on the subject, many were supportive, including their most senior garaads.

In the event, the intensity and breadth of public opinion swayed the Central Committee. In fact, concerned that the elders’ resolution was not worded strongly enough, the Committee rewrote it to make the declaration of independence more unequivocal. No longer simply the creation of a separate administration, the new resolution declared that the northern regions would revert to the sovereign status they held at independence from Britain on 26 June 1960 and the Chair of the SNM, Abdirahman Ahmed Ali ‘Tuur’, assumed the role of President of Somaliland for a period of two years.

The pattern established in this sequence of small bilateral meetings designed to resolve immediate local issues, leading to larger conferences dealing with more complex issues, was repeated throughout the process of peace building in Somaliland.

May 1991–May 1993: military administration, discord and election

Once the restoration of sovereignty had been declared in Burao, the newly independent but internationally unrecognized country experienced a period of optimism, economic growth, and stability. However, it was not long before rifts began to appear within the SNM. One of the immediate causes was the large number of young, armed militia members with little to occupy their time. Squabbles began to break out, with a notable instance in Burao between militia identifying as members of Habar Yoonis and Habar Je'lo.31 The situation worsened in February 1992 with a week’s fighting in Burao.

Resolution was achieved through the initiative of three separate groups: the Dhulbahante Garaad Abdiqani despatched a delegation from Laas ‘Aanood led by Mohamed Ali Shire;32 members of the ‘national guurti’33 travelled from Hargeisa; and a Gadabuursi group led by Sheekh Mussa Goodaad travelled from Borama.34 All three groups consisted of respected elders, and working together they were able to assume a successful mediation role.

However, this was not sufficient to prevent the development of a more protracted crisis in Berbera a few weeks later. The government had attempted to secure control of revenues from the port, but what began as a political conflict driven by presidential concern for state income, assumed a clan characteristic. The port at that stage was controlled by one of the Isaaq clans who had long lived in the area, the ‘Iise Mussa (part of the Habar Awal). In his efforts to seize control of the port, the President first ordered militia drawn largely from the Sa’ad Mussa (also Habar Awal) to take control of the port but they refused to fight fellow Habar Awal. He then turned to his own clan militia, Habar Yoonis. This was seen by many as an attack by that clan on the ‘Iise Mussa,35 and seems in hindsight to have marked a political miscalculation on the part of the President. Fighting in Berbera continued, with periodic stand-offs, for some six months, before the anti-government militia (who by then represented a multi-clan alliance) finally succeeded in driving government forces out of the area.36

32. Mohamed Ali Shire was highly respected amongst the Dhulbahante, and had been a member of the Supreme Revolutionary Council (SRC), the heart of the Siyaad Barre government. Interview, Saleebaan ‘Afqarshe’, 21 August 2007.
33. This was the council of elders or guurti established by the SNM, augmented by representatives from the non-SNM.
Paradoxically, the fighting in Burao and Berbera had the effect of reassuring the non-Isaaq clans that Isaaq domination would not occur in the ‘new’ Somaliland, thus bolstering support for independence within those groups. This realization, coupled with the success of Gadabuursi and Dhulbahante mediators in Burao, led to further engagement in the wake of the Berbera conflict. This time, a Gadabuursi delegation assumed a lead role, joined by a number of others. Eventually, both parties accepted that all major transport infrastructure, including Berbera and Zeila ports and Berbera and Hargeisa airports, would be placed under government control. That group also gained agreement from all parties that, as the financial and human cost of the fighting had been high, no attempt would be made to calculate compensation for people killed or property destroyed. However, prisoners would be returned, as would undamaged, looted property. It is notable that this principle of ‘forgetting’ grievances rather than calculating and enforcing compensation payments was applied in each of the Somaliland peace-building processes. The term xalaydhalay is sometimes used to signify the wiping clean of past grudges, with relations between antagonists rebuilt without retention of the memory of perceived injustices. The term literally means ‘he was born last night’, as a newborn enters the world without resentment.

Once again, a cycle had started with conflict, which was resolved by a consensus covering the essential elements of a ceasefire, the return of property, and an agreement to waive compensation rights for fatalities and damage incurred during the fighting. As with the sequence leading up to the Burao conference, the next step was to bring all the northern clans together for a meeting which would agree the terms on which future conflicts would be resolved. It was therefore agreed that a follow-up meeting would be held in the town of Sheekh at the end of October 1992. Prior to the Burao conference, the SNM had clearly been the strongest party, and hence it was they who had organized and hosted the meetings. With the Tuur government and therefore the SNM severely weakened in the wake of the Berbera conflict, they were no longer able to assume that responsibility. Instead, the national guurti, who had been part of the successful mediation following the Burao conflict, stepped into the gap. Essentially they were the Isaaq elders gathered by the SNM under the same title to assist with resource mobilization during the war. However, their numbers had been

38. Interview, Habane Dheere, 3 September 2007.
39. Ibid.
40. The word duudsi (denial) is preferred by some.
42. Interview, Siilaanyo, 11 April 2007.
boosted after the Burao conference by representatives from the non-SNM clans, and it was this expanded guurti that assumed a central role during the Sheekh meeting. Once again, Garaad Abdiqani sent a delegation led by Mohamed Ali Shire, who, with Gadabuursi and Isaaq members of the guurti, played a significant role in chairing and organizing the meeting. As is the custom, the meeting was chaired by a committee (shirguddoon), composed of members from each of the main northern clans, with respected Isaaq elder Haji Abdi Hussein ‘Waraabe’ as overall chair.  

The conference agreed a list of principles designed to avoid future conflict, and to enable quick resolution when necessary. Central amongst these was the tenet that each clan must assume responsibility for actions taken in its own area. On this basis, clans were to ensure security and the provision of a basic administrative capacity in areas they traditionally occupied. Again, this principle had been used on occasion in the past; the innovation at Sheekh was to agree that it would be applied in all instances in Somaliland in the future. The conference confirmed acceptance that undamaged, looted property would be returned and that prisoners would be exchanged.

The Sheekh conference concluded in early November 1992, and in spite of its success in confirming the ceasefire after Berbera, the government remained severely weakened. Tuur’s term as interim President was due to expire in May 1993, two years after the Central Committee meeting in Burao which had appointed him. Technically, the Central Committee should have overseen the process of transition to a civilian government. However, the intra-SNM discord of Burao and Berbera had rendered the Committee dysfunctional and by this time they were unable to gain a quorum.

In an effort to overcome this stalemate, the President took the surprising step of asking the newly invigorated and expanded guurti to assume responsibility for mediating between government and opposition. In taking this action, he effectively transferred responsibility for negotiating a transition to civilian government to a traditionally based (and civilian) guurti. This unilateral move did not strengthen his position, but it did ultimately enable a peaceful transfer of power, and it had the effect of hastening the institutionalization of the guurti as an organ of government.

Consequently, they assumed responsibility for organizing the next major conference, intended to commence early in 1993. As outsiders to the intra-SNM conflicts of the preceding two years, the Gadabuursi had offered to host the meeting in Borama, and they played a significant role

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44. Interview, Maxamed Saleh, Hargeisa, 9 September 2007.
45. Interview, Habane Dheere, 3 September 2007.
47. Interview, Duale, 7 April 2007.
in organization and facilitation both through the *guurti* and apart from it. Fundraising efforts were intensive, with significant contributions made by diaspora and local communities and businesspeople, as well as some contributions in cash or kind from international agencies and NGOs. The *guurti*, elders from each clan, and women’s groups were all active in mobilizing the necessary resources. The Borama community provided accommodation and security, with the 150 official delegates staying and meeting at the Sheekh Ali Jowhar School on the outskirts of town. Between 700 and 1,000 visitors crowded into Borama’s hotels and guest houses, stayed with friends or family, or were billeted in the households of strangers.

The declared purpose of the conference was to determine the ‘destiny’ of Somaliland. There was much debate as to what this might cover, and in the end it was decided that decisions would be organized in two consecutive phases. The first agreed a security framework under which future conflict would be avoided or resolved before it escalated. This portion of the conference generated the Somaliland Communities Security and Peace Charter (Axdi Nabadgaladyada ee Beelaha Soomaaliland), more commonly known simply as the Peace Charter. The second phase dealt with issues of national governance, and the transition to civilian administration. This component generated a National Charter (Axdi Qarameed), effectively a national constitution, as well as providing the forum for election of a new government, with Haji Ibrahim Egal as President.\(^{48}\)

From an operational perspective, each clan had been allocated quotas of delegates prior to commencement, reflective of their numerical and political strength, and broadly based on previous formulae adopted by the SNM and in the selection of the first post-colonial parliament in 1960.\(^{49}\) All the major northern clans were represented, and as a result of representations from the Warsangeli and ‘Iise, the Habar Yoonis and Habar Awal agreed to transfer some of their allocation to those two. In the end, the Isaaq clans had 90 delegates, with two-thirds of those split almost equally between the three biggest (Habar Awal, Habar Je’lo, and Garhajis); the Harti received 30 between them, and the Gadabuursi and ‘Iise shared the remaining 30.\(^{50}\)

However, as important as voting allocations were, little was decided by vote: the vast majority of decision making was by consensus. The conference lasted more than four months, and throughout that time, semi-official debates and meetings were constant. They assumed various forms, from

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more formal chaired meetings where two or three parties would be invited to take part in a debate on a given issue, to direct negotiations between clan or sub-clan representatives, as well as myriad qaad-chewing\textsuperscript{51} sessions.\textsuperscript{52} The voting ‘weight’ available to each clan was known by all and it informed the debate. By the time the vote itself was taken on any important decision, the outcome was pre-determined. The sentiment was captured by Abdi Waraabe when he observed: ‘Voting is fighting; let’s opt for consensus.’\textsuperscript{53} In fact, many issues were not settled in time for their scheduled vote, so the assembly chair would employ a delaying tactic such as falling ill at an appropriate moment, causing the session to be postponed and allowing additional time for agreement.\textsuperscript{54}

The major decision on whether to maintain a powerful executive President and a legislative Parliament, or to change to a parliamentary system, was the subject of strenuous debate, with the conference split fairly evenly between the two camps. That issue too was eventually decided on a consensus basis, when the Gadabuursi agreed to accept an executive/legislative split.\textsuperscript{55}

The one partial exception to this aversion to voting was the election of the President and Vice-President. There were four candidates for the presidency, including the incumbent, Tuur. In the event, dissatisfaction with Tuur’s government, plus the perception amongst some of the Isaaq delegations that it was the turn of Habar Awal to hold the presidency, meant that Egal secured 99 of the 150 votes.\textsuperscript{56}

\textit{The foundations of progress}

By any definition, the achievement of a durable peace in Somaliland has been remarkable, and it is possible to suggest a number of foundations for that success which amount to social agreements on points of principle. It is inevitably a somewhat arbitrary process attempting to separate matters of principle from the realities of context, and in this instance, I suggest that the job can be facilitated by considering the issue at two levels: first, the pragmatic decisions on principle that allowed progress to be

\textsuperscript{51} Qaad or khat is a leaf popularly chewed in the Somali areas and in Yemen. The effect is relatively mild but tends to induce insomnia and a sense of well-being, and to suppress appetite.

\textsuperscript{52} Interview, Saleebaan ‘Afqarshe’, 21 August 2007; interview, Garaad, 27 August 2007; interview, Gulaid, 26 August 2007.

\textsuperscript{53} Interview, Saleh, 9 September 2007.

\textsuperscript{54} Interview, Duale, 7 April 2007.

\textsuperscript{55} Interview, Garaad, 27 August 2007; interview, Gulaid, 26 August 2007; interview, Habane Dheere, 3 September 2007.

made given the specificities of the Somaliland situation. These ‘pragmatic norms’ were themselves based on a second level: a raft of more fundamental principles, often but not always, derived from religious tradition. At both levels, the norms in question were traditional and socially recognizable, but simultaneously allowed flexibility. While many Somali social customs remained (and remain) deeply conservative, within the immediate context of the Somaliland negotiations, there was little adherence to tradition for its own sake, yet the general form of a clan- and consensus-based system was retained.

The more pragmatic first-level principles began with an acceptance that negotiations must tackle issues in a methodical manner, starting with immediate local grievances and only moving to issues of future conflict management and governance when issues relating to the past had been dealt with or agreement had been reached that they would be held over for future discussion. The processes leading to both the Burao and Borama conferences displayed this pattern, as did negotiations leading to the Erigavo conference in Sanaag, which occurred in parallel with Borama, and the 1996–7 Hargeisa conference, although these latter two are not reviewed in this article.

With the shift from the overwhelming dominance of the SNM prior to the Burao conference to their weakness and the consequent rise in authority of the guurti, the approach was also forced to accommodate shifts in the locus of power. Where the SNM were the only logical hosts and organizers of the Burao conference, an invigorated guurti was enabled to provide the necessary legitimacy and authority for the Borama conference.

The principle that each clan should take responsibility for the actions of individuals within that clan’s territory similarly represents a pragmatic application of an established principle of responsibility. The norm would be for mag-paying groups to act as guarantors of individual behaviour, but in the post-1991 context in Somaliland, the large number of disaffected, under-employed and armed youth required a more rigidly territorial form of clan-based discipline. Again, as a pragmatic solution, there have been downstream consequences of this change. Formal transfer of authority for security to clan entities complicated the disarmament process at times, institutionalizing a justification for clans to maintain militia that has surely contributed to the recasting of some conflicts in clan terms (for example, that relating to Berbera port).

A further factor, and one that is frequently cited, is the degree to which the process remained locally instigated throughout, and was funded primarily by domestic and diaspora Somalilanders. With fundraising so closely associated with the organization of the conferences themselves, there was

57. For example, see Farah and Lewis, *Somalia: The Roots of Reconciliation*; Bradbury, *Becoming Somaliland*. 
a strong disincentive for participants to prolong proceedings unnecessarily, yet any decision to adjust schedules to allow time for consensus could be made without the need to seek the support of distant sponsors. This was, of course, as much a necessity imposed by a situation in which willing donors were in short supply as it was one of principle. However, the reality that the confidence, commitment and ability necessary for the mobilization of extended support networks existed in the first place is clear evidence of a fundamental willingness to get on with the job at hand with available resources, and therefore warrants mention in any list of principles.

These pragmatic applications of principle were, as previously noted, based on a second level of more fundamental social norms, rooted in a conservative but often flexible system of clan and religious belief. It is not my intention to review broader social, lineage, or religious traditions, but a number of these ‘overarching’ principles became established during or prior to the series of negotiations and conflicts in the 1991–3 period under review, and pertained directly to them. Broadly speaking, four such norms can be identified.

The first relates to the evidence of a commitment to a minimum level of ‘good faith’ between parties, even when debate was heated and perceived injustices extreme. That is to say, however fundamentally adversaries disagreed with each other, they remained willing to talk when the opportunity was offered and perceived as urgent. There is strong basis for this in Somali culture, but this degree of trust, albeit often merely the minimum required for discussion, has been heavily eroded in other Somali areas, so it cannot be taken as a given. The SNM’s policy of non-retribution against clans who had predominantly fought with the Siyaad Barre government was itself a vital expression of such goodwill.

By the same token, the second norm, the idea that grievances should be forgotten (xalaydhalay or duudsi) is also not a given in Somali society; it is an option in situations where conflict has been so complex or devastating as to make calculation of mag compensation impossible. When applied, this principle stands in marked contrast to the popular notion that truth telling is one of the essential mechanisms of peace building. As with any approach to finding a basis for peace in the aftermath of conflict, it offers a practical means of resolving immediate disagreements, albeit without removing deep-seated, residual distrust between antagonists. That pattern was plainly evident in areas in Somaliland in the course of the research that informs this article. This form of institutionalized collective amnesia, although heavily criticized in some instances, is recognized as a valid part of many

58. For example, David Bloomfield et al. (eds), Reconciliation After Violent Conflict: A handbook (International Institute for Democracy and Electoral Assistance, Stockholm, 2003).
59. For example, in relation to Zimbabwe, ibid., p. 36.
peace-building processes by others. However, the risks of individual impunity and continued distrust between parties must also be acknowledged.

A third social institution – the involvement of mediating individuals or groups who were sometimes external to a conflict, but nevertheless had a recognized interest in it – was vital in creating opportunities for negotiation. This is generally consistent with the Somali tradition of mediation, in which self-appointed mediators seek to find solutions on a speculative basis, succeeding only when they are able to win the trust and acceptance of reconciling parties. While the SNM were clearly not ‘external’ to the 1991 Berbera and Burao conferences, the Gadabuursi and Dhubabante delegations were – and they were instrumental in resolving the Berbera conflict and in preparing the way for the Borama conference. In fact, external actors often play important roles even when they are not leading the process. For example, at many of the most important conferences, including Berbera, Burao and Borama, the resolutions themselves were drafted and amended by a committee constituted of three non-Isaaq members. Garaad Saleebaan ‘Afqarshe’ (Dhubabante) and Abdirahman Aw Ali Farah (Gadabuursi) were both associated with the SNM, so to that extent straddled both sides. The third member was Mohamed Abdi Ali Bayr (Warsangeli) who was not an SNM affiliate. They were well aware of the importance of their role as a non-Isaaq drafting committee.

The issue of external involvement in Somali peace-building initiatives is a contentious and topical one. The fact that international organizations played so minor a part in the Somaliland process is often cited as a basis for its success. There is considerable support for that position, but it is equally important to note the constructive role that ‘outsiders’ (usually ‘interested outsiders’) have played.

Finally, in terms of norms, it is difficult to over-emphasize the importance of the commitment to building consensus in preference to decision making by vote. Votes were held – often symbolically in the context of a general assembly – but wherever possible decision making was based on negotiation aimed at consensus. It must be acknowledged that a certain ‘tyranny of consensus’ is possible, where a single group can hold out for concessions incommensurate with their relative social or political weight. Indeed, this potential frequently did seem to inform the process of negotiation. Some argue, for example, that the Gadabuursi were only willing to support a presidential system during the Borama conference when they were guaranteed the vice-presidency (needless to say, others emphasize different factors). Ultimately, consensus was really only possible when accompanied by an

61. There is considerable debate within Somali circles about precisely this point, suggesting that those risks are indeed acknowledged.
acceptance that resistance in the face of a clear and apparent majority for an alternative was unacceptable. To that degree, the consensus system remains a form of majoritarianism.

There is one further background factor that was vital to the process but cannot be considered a norm or principle. Continued conflict in the south of Somalia served as a strong and constant reminder of how the situation could deteriorate if permitted. Perhaps it could be argued that this fear served a function akin to that of the external enemy hypothesized as a necessary factor in compelling the formation of a viable state.63 Certainly the effect of southern disorder in focusing northern minds has been so pronounced as to demand a mention.

However imperfect, the process of conflict resolution, peace building and state building in Somaliland in the periods up to and including the conferences in Burao and Borama offers a clear demonstration of a form of consensus-based democracy in practice. By employing a methodical and extended process of consensus building, a series of deeply divisive conflicts were resolved and complex political decisions made – a series of successes that stand in stark contrast to the experience in the south.

The norms and principles that were established in the period under review in this article continue to be employed and adapted in the current political environment. Indeed, if they are to continue to provide a basis for a lasting peace, they must meet challenges as complex as any of those resolved between 1991 and 1993. Observers tend to despair at what often appears a form of ‘crisis politics’ in which problems are not addressed until they reach a level of severity that seems to undermine the system itself. However, a more patient examination of the recent history of that system reveals a degree of resilience suggesting that a sustainable peace is possible in the context of a Somali nation state. At a time when developments in the southern and central Somali territories provide such cause for despair, it is important to recognize and attempt to learn from the different reality that pertains in Somaliland, where local resources have been effectively employed in the cause of achieving a lasting peace and what appears to be a viable system of democracy.