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A REFLECTION PAPER

INTERCONNECTED MOMENTS AND ACTIONS THAT FORMED THE CURRENT IMAGE OF SOMALILAND'S SOCIAL CONTRACT

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ABSTRACT

Both popular views and theoretical characterizations of Somaliland's remarkable peace building trajectory following the collapse of Somalia in 1991 remain polarized, even after the 2001 constitution, which ushered in a multiparty system, was adopted. Somaliland had been hailed by local and many international actors as a developmental and peaceful state until the continued postponement of elections, coupled with the 2023 security and political developments from Las-Anod. This paper uses the concept of 'political identity' as a lens to both elucidate the Somaliland social contract and shed light on its polarisation. This concept aims to unpack the dichotomy between the pursued peace and development agendas and the lack of corresponding institutional reforms, as well as to explore the factors that have shaped the social contract amidst the country's post-1991 evolution and present-day dynamics. The paper is informed by data drawn from interviews with key Somaliland decision and opinion makers sketched from across Somaliland. These include parliamentarians, government officials, political parties' leaders, members from the 2023 political associations, former ministers, and civil society groups. The interview questions focused on two strategic thematic areas: what we can learn from Somaliland's 30 years' experience; and why reforms to the political and the economic models have failed to date. The comparison of the opposing opinions between the different political leaders interviewed exposes a fundamental tension at the heart of Somaliland's state-building model. Somaliland's aspiration for unity is at odds with its obsession with identity politics. This strategic paradox calls to question the long-term sustainability of Somaliland's social contract model and its statehood ambitions.

CONTENTS

1. CONTEXTUAL BACKGROUND

A social contract is the process by which everyone in a political community, either explicitly or tacitly, consents to state authority, thereby limiting some of her or his freedoms, in exchange for the state's protection of their human rights and security and for the adequate provision of public goods and services[1]. From the wider literature, social contract authors ask whether people would cede authority (i.e., the obligation to obey) to a governing body in exchange for social order. Hobbes, Locke, Rousseau, and Kant did not see such an agreement as a historical act; rather, they saw it as a philosophical device. However, their thoughts are grounded on assumptions about how humans behave, on what they consider legitimate authority, and on fundamental principles on which to build a stable political order[2].

More recent academic literature on Africa's social contracts emphasizes the central role of civil society and the distributional function of the state. Acemoglu, et al. (2005) investigates the experiences of some of the public economic and political institutions which have been preyed upon by political leaders. The continuous evolution of social contracts is also illustrated by North et al. (2009); they see conflict and violence as the primary challenge to social contracts, mainly when influential as well as powerful groups use or threaten violence to gather resources and wealth. These groups manipulate economic interests using party politics or the political system to create rents, which encourage powerful groups and individuals to use whatever means to sustain the flow of resources and wealth, including violence.

The World Bank has been leading discussions revolving around social contracts in Africa. The World Bank's regional strategies as well as other international development institutions' strategies have increasingly included social contract terminology. For example, in 2019, the Independent Evaluation Group (IEG) produced an evaluation report discussing the social contract objectives for the World Bank's engagement[3]. In the publication, more than 21 Systematic Country Diagnostics (SCD) were identified to understand and analyze the effect that inequalities, poor service delivery, and weak institutions have on social contracts. Similar to other African countries, in Somaliland, despite

decades of reforms promoted by external development actors, development paths are becoming increasingly unpredictable.

Somaliland declared independence in 1991 and has since remained stable, led by democratically elected governments. While the government provides a few basic services such as education and roads, significant challenges remain. Among these are the high unemployment rate and the allocation of most of the national budget to security-related functions. Over the past two years, inter-clan violence, election crisis, continuing drought, and the global economic crisis have combined to create a major humanitarian emergency in the eastern regions of Somaliland. While higher order conflict in Somaliland is political, violence at the community level is driven by clan competition over dwindling resources.

Poor resource management has stretched a fragile ecosystem to its breaking point. As a result, clans often fight over natural resources such as water or land. Non-state actors – clan elders, religious leaders, women's associations, youth groups, the private sector, and civil society organizations – are key players in Somaliland[4]. They have attempted to bridge the governance gap left by the state and have taken on many of its functions, from conflict resolution, to education, to humanitarian relief. These actors are the backbone of Somaliland's informal governance system. Their attitudes and behavior play a decisive role in shaping Somaliland's future and drive the content of whatever formal political structures ultimately emerge. Importantly, no government will be able to endure without their constructive support and engagement.

Somaliland has reached a critical juncture. A closer analysis of the pressures on, and potential pitfalls for Somaliland's transition to full statehood, is urgently needed. Representation, participation, and accountability are all inadequate. Laying down a framework that offers a clear understanding of Somaliland's social contract and the associated terminology is a necessary preliminary step to quantifying them. The social contract framework needs to reflect the agreements between the individual, community, and the state on their mutually interconnected roles and responsibilities. The current Somaliland constitution was aimed at facilitating this objective, but the level of representation and participation during its inception and subsequent referendum process is questionable.

In this paper, I will attempt to review the interconnection between identity politics and social contracts with special reference to the post-1991 history and contemporary circumstances of Somaliland. Clannism is a reality, reciprocally affecting politics and the economy of Somaliland. Clannism

dynamically changes in accordance with vertical and horizontal cleavages; thus, the intra- and inter-clan relations, coupled with the competition for limited resources in the state and market, result in exclusionary and political clannism in Somaliland. In this testing period, Somaliland's clan system and its interconnection with development and social cohesion should be understood, in the contemporary context of Somaliland's democratisation. Specific attention should be paid to understanding the effects of the increasing clan conflicts, exclusionary politics, increasing corruption and decline of trust in the state, on the state-building process.

This paper contains four sections. The first section provides a background to the study, while the second section is a literature review on social contract, its use in Africa and in the development sector. The third section describes the typologies-based Somaliland current social contact, including its application, influences, and challenges. Finally, section four concludes the paper by discussing ongoing applications and potential transformative frameworks for Somaliland's social contract, and future research areas.

2. SOCIAL CONTRACT: A CONCEPTUAL FRAMEWORK

Statehood and citizens involvement in Western countries have been shaped by the social contract theory for centuries[5]. Within the development community and outside of that context, the theory has limited application[6]. In the 1960s, a number of African countries gained independence, and the challenge of state-building and governance was addressed by many African scholars, amidst widespread political turbulence, civil war, military rule, and state failure[7]. In recent years, most international development institutions, including the World Bank, have begun incorporating more socio-political factors into their engagement with African countries. A social contract lens is becoming increasingly popular for analysing a country's context[8]. There are three current debates in international development that have been affected by this approach: understanding of the challenges to development, the development and implementation of context-fit policies, and resilience to conflict and political unrest[9].

Looking at the available literature, the paper adopted the OECD (2009)[10] definition of a social contract. The OECD (2009) defined a social contract

as "a dynamic agreement between state and society on their mutual roles and responsibilities". The citizen-state bargain, social outcomes, and the contract's resilience are the three core characteristics of the social contract that the OECD (2009) definition mentioned. Firstly, by emphasizing that social contracts are agreements, even if they are often implicit ones, the definition introduces the idea that some form of bargaining is involved, as well as bargaining positions and bargaining power between the parties to a social contract. The process through which state and non-state actors interact in designing and implementing policies within a given set of formal and informal rules is shaped by, and in turn, shapes power relations.

Secondly, the definition implies that the policies that result from the citizen-state bargain influence the observed and experienced social outcomes by highlighting the roles played by the actors and their responsibilities toward one another. To put this into context, policies, plans, programs, and laws represent the contents of the social contract and have an impact on how resources are managed and allocated.

Finally, by recognizing the dynamic nature of the agreement, the definition also conveys the idea that social contracts are always changing and evolving. In order to understand social contracts, we must also consider how they develop over time and their level of resilience. The above definition provides the three-level concept upon which the analysis of Somaliland's social contract was based.

3. SOMALILAND'S SOCIAL CONTRACT: REALITIES AND ISSUES

The social contract theory, which emphasizes the relation between the state and the citizenry, does not translate seamlessly to Somaliland's study. On one hand, Somaliland was shaped by British colonial legacies, as well as the paths to independence including the clan-led liberation movements and negotiated settlements. On the other hand, Somaliland's main social contract document, the Somaliland National Charter, which later became the 2001 constitution[11], was not adapted for some important aspects of the context, such as the juxtaposition of customary clan leaders

serving as relays between the state and citizens.

In a practical sense, the social contract in Somaliland is not only between the state and individual citizens but also between individuals and their clan communities, which determines the relationship between communities and the state. Of course, the Somaliland state is in its post-1991 contemporary configuration. While traditional rulers have been replaced by appointive or democratic systems of government in many Somaliland regions, community sanction still underpins state authority at the local level. Non-elite urban Somalilanders, for instance, remain subject to clan authority if they wish to retain their land rights under the informal reality of the community contract. Individuals owe allegiance to their clan community, and the clan community has a contract with the state.

Transitioning from the 1997 Somaliland national charter (signed by clan leaders) to a 2001 constitution is fraught with ambiguity, as it often fails to accommodate societal and political concerns. In the transition process, practical and realistic ways to manage clan-motivated political identities were not provided with sufficient specificity and rigour. This transition is marked by uncertainties surrounding the scope for broad societal consensus. As participation in the constitutional referendum was confined to areas controlled by the government in 2001, ambiguity arose from reconciling diverse perspectives. After the 2001 constitutional referendum, no attention was paid to the nuanced and intricate undertakings that required negotiation and deliberation.

Several high-level politicians and leaders have in the past five years called for constitutional amendment and the revisiting of Somaliland's social contact. In any future initiatives to improve Somaliland's social contact, there is need to introduce a general understanding of the "idea of an agreement" particularly the bargaining mechanism between the clan, citizens and the state.

Framing the Analysis of the Somaliland Social Contract.

A major branch of the literature related to social contracts coming out of Somaliland is centred around the idea and the influence of identity politics on the country's social fabric. The political and party leaders use their influence and state resources to secure the loyalty of certain clans. Since Somaliland began operationalizing the identity politics approach as a substitute for state and inclusive institution building, numerous public sector failures were witnessed: Limited tax revenue, privatisation of public offices, market distortions, and short-term investment horizons. This is also aggravated by

the fact that an unprecedented number of Somalilanders are facing food insecurity due to conflict and changing climate conditions[12].

Abdulahi's(2022)[13] and Tahir's (2023)[14] reviews mention that over the past decade, Somaliland experienced a complex body of challenges in relation to state-building and governance, including wideN88spread political turbulence, clan conflicts, and recently, the conflict in Las-Anod, a regional city close to the Somaliland - Puntland border. This literature (and the present reflection paper) acknowledges that Somaliland's political settlements are heterogeneous, and its development trajectory has been uneven. This rejects the notion of a "growing democratic entity" and marks Somaliland as a young country that is witnessing a testing period bearing a systemic state deficit, policy failure, and poor governance in favor of a far more nuanced understanding of the inequality of state capacities (asymmetrical state capabilities which vary across sectors), and uneven regime shifts toward democratic governance.

This is further described by the work of Clair's (2021)15, and Tahir's (2023)16. The enormous scope of their work aims to address "what is happening" within the vast diversity of political networks of Somaliland and how public institutions are moulded to serve individual interests. They adapt descriptive social outcomes resulting from the roles agreed upon through the citizen-state bargain. In this paper, the social contract in Somaliland is assessed through three outcomes: service delivery, inclusiveness, and responsiveness. These outcomes aim to serve as the lens through which the realities and issues of Somaliland's social contract are examined, offering an understanding of the extent to which the government provides essential services, promotes inclusivity, and responds to the needs of its people.

1. Service Delivery

The first social outcome, service delivery, measures the state's involvement in providing public services, public goods, and redistribution of wealth. Identity politics have mainly influenced this. Politicians in Somaliland mobilize constituents along clan and subclan lines. By using this tactic, clans whose representatives/ members achieve success in elections gain material and symbolic advantages. The instrumentalization of the Somaliland clan system of identity politics is a notorious fact of life in Somaliland. The voting patterns in Somaliland's presidential elections in 2010 and 2017 were strongly influenced by clans.

Furthermore, they coordinate efforts to direct public funds and services (including government and donor development projects) to regions and districts they wish to foster ahead of the next election. Most of the service delivery in Somaliland processes implies that clan bias in the provision of

public services is a common divisive approach by the government. Interviews with parliament members and civil society groups confirmed that Somaliland governments devote more resources to areas and regions clans closer to the leader's clan. Page 7-12 explains how each of these undermines the social contract's service delivery objective.

2.   Participation and Inclusiveness

The second outcome, participation and inclusiveness, measures whether the social contract is geared toward benefitting the broad population or a select few. This aims to measure participation and inclusiveness at two levels; equal opportunity, and the rule of law, measured as the absence of an abuse of power or corruption. This outcome can also be expressed as a spectrum, going from an extractive social contract to an inclusive one. Somaliland has been on the wrong side of the spectrum.

This wrong side of the spectrum can be described as Somali National Movement (SNM) - centric, and an effect of the politicised clan conferences started by Kulmiye party leadership. Zierau (2003)[17] Andrew (2013)[18] and Abdulahi and Mydlak (2023)[19] cover the ways in which SNM was broadly established, shaped by the influence of the clan system in Somaliland's state-making. Further, they spoke to several key concerns: the continued role of so-called customary law and customary institutions and chiefly powers, the tensions between clans in Somaliland multi-clan regions, the incomplete character of citizenship, and the entrenched tensions and separation politically between town and villages, both claimed its ownership by a clan. These practices powerfully established overlapping forms of authority in Somaliland (chieftainship, local government), and the enduring significance of the Somali customary system in understanding political change.

One of the people's frustrations under the central government of Somalia between 1969-1991 was the concentration of not only power and administration but also services at the centre, making people hopeless or travelling to the capital desperately to access public services. In the last decade, some of Somaliland's public policies are no different. The highest government positions are headed by one clan, the same clan that headed the SNM and led the re-independence of Somaliland from the rest of Somalia. More than 65% of the national budget is spent on Hargeisa. The rest of the country (regions and districts) is desperate to see administration and services available at the localities. Ministries, agencies, and departments have unchallenged authority to allocate and spend budgets however they see fit. Today, Citizens must travel to the regional capital, if not to Hargeisa, for simple administrative things such as applying for the National Identification

Card (ID). All citizens are required to obtain a national ID in-country.

3. Responsiveness

The third outcome, responsiveness, measures how open the state is to diverse opinions and/or its use of repression to silence them. A key piece of literature of this outcome is related to securitizations and militarization of the Somaliland police. The recruitment of police and army forces along tribal lines has been a practice in many countries with diverse ethnic backgrounds[20]. While this approach may seem appealing in terms of fostering a sense of belonging and loyalty among tribal communities, it comes with a host of disadvantages and challenges that can have serious implications for national security, unity, and justice. The recruitment formula for the police and army in Somaliland is unknown, but the indoctrination and politicization of the police and army have become increasingly problematic in recent years. For example, there have been questions as to whether the police are a force that must be guided by the rule of law and civilian command, and, therefore, must serve independently, or whether it is an army force that must be used by the top political figures.

In addition to diminishing public interest in the profession, the public's perception of law enforcement creates a significant barrier to effective recruitment for the profession. There are many reasons why young people view police differently than their parents do, including scrutiny of police actions, cell phone recordings of police interactions with the public, media coverage, and popular portrayals of police in the entertainment industry. The national conversation has shifted towards politicised commands and high-profile use of force incidents in the past few years. It has also become more common to mention clan names of police officers and members of the armed forces who have died in the line of duty. It became a contentious issue for the public to see police commanders involving themselves in press releases on politics; it blurred the line between law enforcement and political engagement.

The entire hiring process of the Somaliland police and army forces are scandalous. Clan leaders are requested to submit names of individuals when recruiting police or army officers. Hiring security forces based on clan affiliations created a fertile ground for bias and discrimination. This is the case within all the security apparatus including the national army, their budget, and high-ranking positions. Those individuals are loyal to their clans' interest rather than the presiding commander. A division like this weakens national integration efforts and leads to problems such as the formation of the Gacan Libah militia group, whose members left the national army/police

to join clan militias[21].

This view is in line with the general political standard of SNM and subsequent Kulmiye party, where everything is viewed through the clan lenses. In the party's last three general assemblies (GA), they distributed seats through a clan formula. The majority of the GA representatives come from clans that form the voting base of the Kulmiye party, a scenario that other political parties such as Waddani adopted after it worked temporarily for Kulmiye for the last two elections. In the past ten years, this clan oriented political view has been escalated to the administration of police and public offices.

4. INCREASING POLARIZATION

In general, Somalilanders' perspectives on their country's trajectory following the declaration of Somaliland statehood remain polarized[22]. The country has been praised for its relative peace and political stability in an otherwise volatile region. Polarization persists in the scholarly debate on Somaliland as well. Theoretical characterizations of post 1991 Somaliland have been dramatically divergent. Through its national development plans, Somaliland has been acclaimed as a 'developmental state', and one with 'high modernist' ambitions. At the same time, this claim has been declaimed as identity politics, influenced by elite clan members and Somali National Movement (SNM)[23] members who are schooled, trained and ideologized under Somalia's Siyad Barre regime[24].

a) Somaliland's asymmetrical Election process and fallouts

Somaliland is experiencing bitterly divisive elections campaigns. In the current Somaliland president's words, winning the elections literally means "having resources, pride and power[25]." It is an integral part of politics in Somaliland, as well as in many African countries, including Kenya, Sierra Leone, and Nigeria, to have a winner-takes-all system. There are widespread perceptions that those who win presidential elections only have access to the lucrative benefits of political power due to widespread political patronage. Due to Somalis' egalitarian nature, which permeates every aspect of life, Somaliland's defiance of the winner-take-all approach unfolds quickly. The tendency is to never accept a clan's claim to supremacy, regardless of the circumstances.

The House of Representative elections in Somaliland in 2005 marked a significant milestone as citizens exercised their right to directly elect members of the House of Representatives. However, this noteworthy achievement was overshadowed by the pervasive influence of clan dynamics, which played a crucial role in both the selection of candidates and the subsequent election process. The impact of clan affiliations became evident as elders and clan leaders exerted their influence, shaping the narrative of the elections. Consequently, elected representatives operated under the prevailing assumption that they owed their positions to the endorsement of their respective clans, implying a loyalty that went beyond individual merit. The intertwining of clan loyalties and political positions set the stage for a system where representatives felt beholden to the interests of their clans, thus influencing their decision-making and actions within the parliamentary framework.

In post-2005 Somaliland, administrative and party politics have undergone significant changes compared to the pre-2005 era. Previously, party politics were based on political ideologies rather than clan affiliations, with a focus on eliminating identity politics through policy development. However, in the post-2005 period, political parties increasingly align with clan groups, and clan considerations influence party structures at all levels. Clan names and coalitions have become prominent, forming new identities and alliances among previously divided groups. A rejuvenated name (Garhajis) and clan coalitions (Jeegaan) are established, often made up of people who were divided by deep gorges or regions and had a hard time if they tried to meet, but who were considered the same clan or kinship related.

To finance election campaigns, parties rely on a mix of funding sources, with clan members and business groups playing a significant role. Clan members contribute to uphold clan pride and secure contracts and networks when their party is in power, while business groups finance parties in exchange for tax exemptions and opportunities to grow their businesses with state support. This shift in funding dynamics reflects the evolving political landscape in Somaliland.

As we approach the 2024 presidential election in Somaliland, the stakes are higher than ever. It has taken the two major political parties no end of expense, patronage, or trick to win the presidency. There has already been a lot of positioning and repositioning among politicians of all kinds for the pre-election spoils. In a way, this is like a ritual before an election. Losing elections is seen as a sign of being reduced to a spectator rather than a partner in governance, which is why this series of calculated manoeuvres is so widely practised. It is not uncommon for key opposition politicians

to be co-opted by the ruling party through token positions in cases where they are not oppressed or forced underground. The spoils system makes the opposition irrelevant, undermining not only the democratic process but also the people's trust in the government.

This mentality hinders rather than solidifies democracy, as illustrated in a recent interview with the former Minister of Education, who accused the government of President Bihi of "applying a cruel and crude brand of clannism, patronage, and nepotism". He further added that since 2018, more than 75 percent of appointments (Bihi made 276 presidential nominations in total) and 80 per cent of public tenders have been awarded to members of selected clan groups in Somaliland (Isaq clan), particularly subclans that are strongholds of the ruling party. The perception exists regardless of whether this is true or not. This is an indication of how leaders are seen by the public and how accountable they hold them during, and after, elections. Political leaders and voters put their clan affiliations and patrons' interests before their nation's interests, which results in gross underdevelopment.

b) Basis of polarization

The polarization around the country's political direction is, in part, a legacy of the SNM leadership and the subsequent Kulmiye Political Party. These deeply divided Somalilanders and these divisions have persisted and shaped Somaliland's narratives on their country's progress in the re-independence aftermath. It is also, in part, simply a function of different normative priorities. Advocates of democracy, civil and political liberties, reconciliation, and justice find many gaps in Somaliland. Human rights NGOs and many foreign academics are critical of the last two Somaliland governments when judging elections, representation, and freedom of speech and expression. In contrast, those who value socio-economic development, bureaucratic competence, and a conducive business environment express admiration for the country.

The country's status as a pariah or paragon in terms of the country's unity continues to ebb and flow in the contest between these competing narratives. In a striking example of this polarization and these differing priorities, several clan conferences and clan - based alliance building initiatives were undertaken by former SNM leaders and the Kulmiye Party. The Kulmiye-Party-led government came into power through these clan-oriented engagements and alliances. These are marked as the divergent retorts from the Somaliland's reconciliation national peace charter and subsequent constitution. The Somaliland consensus-based conflict resolution and peacebuilding processes are undermined by the politically motivated clan conferences.

Over the past decade, there have been numerous clan conferences with the aim of supporting specific political parties or resolving conflicts between prominent leaders from the same clan. These efforts were undertaken in efforts to maintain the unity of particular clans. Some notable examples include the Gar-adag Habar-jeclo clan conference, the Hoodaale 1 assembly, and the Dan iyo Duco of Habar Awal conference, as well as the Gacan-libah Habar-Garhajis clan conference. The situation was further complicated by a government minister's speech expressing joy at the resurgence of the Jeegaan Clan Coalition, which occurred in the presence of then-President Mr. Silanyo. This was followed by the Burao Habar-jeclo and Habar-Awal political alliance, symbolized by the traditional elders shaking hands. These clan conferences and declarations had a detrimental impact on social cohesion and the fabric of society, as clans started viewing one another as their primary competitors.

Moreover, within this setting, a prevailing ethos emerged, one that actively nurtured and encouraged a political paradigm where the party, in conjunction with their loyal clan of supporters, embraced a "winner-takes-all" strategy, solidifying their dominance and influence over the political and development landscape.

An entire generation has now passed since the re-independence. This is a reasonable time in Somaliland's trajectory to pause and assess this persistent polarization and its implications for the country's long-term social and political stability. Given the continued unrest in several locations of Somaliland's eastern regions, the sustainability of peace is an issue of central concern in Somaliland.

The relationship between social contract on the one hand, and differences along clan lines on the other hand, periodically receives attention from major policymakers and leaders in Somaliland. For example, in September 2021 while addressing the public in Hargeisa, Mayor Abdikareem Moge[26] argued that Somaliland is heading towards a weak national identity; he further mentioned that "when clannism becomes the dominant currency of politics, countries are torn apart".

Weak governance poses a threat to a social contract for several reasons, many of which have been extensively explored by Mbaku[27]. One key reason is that it tends to undermine trust in government institutions. As discussed earlier, levels of trust in government agents, such as the police, are generally low in Somaliland. This can give rise to difficulties in several areas, such as financing public services. Citizens generally tend to be less willing to pay

taxes to their government as they do not have trust that the government will spend it in worthwhile ways.

c) La Isu Joojin Maayo and Waa Waa Markayagii attitudes

The Waa Markayagii[28] approach is gaining strong momentum in Somaliland politics[29]. Somaliland has several clans and sub-clans. Clans have certainly fared well when they produce top leadership; first, the Habar-jeclo under Silanyo, then the Habar-awal under Muse. The question was whether the cycle would be broken under the current Muse regime. Earlier efforts, including Muse's first cabinet nomination which seemed to be the start of a new era in 2017, have been thwarted. Despite initial enthusiasm that there would be a change, the corruption was so deeply entrenched that too many powerful interests obstructed real change; disappointingly, even foreign (aid-giving) governments and institutions (such as the World Bank) undermined efforts at rooting out the problems.

In the context of recent political competition in Somaliland, the notion of *"La Isu Joojin Maayo"*[30] does not just imply a situation where the party loser ends up in political opposition, as is characteristic of plurality winner-take-all electoral systems[31]. In Somaliland, in the past two decades, a number of issues have emerged.

First is the fact that usually, the winner takes all the glory and gains; programmes and projects are directed to clans from the winning/ruling party. Moreover, the winner-takes-all approach has the tendency of heightening inter-clan tensions in Somaliland as political competition and issues are already formulated along clan lines. This is particularly an issue when a clan purportedly uses the military[32] to acquire land from neighbouring pro-opposition clan minorities and to pursue political objectives. This has the tendency of setting various clan groups against each other and ultimately decreasing the likelihood of maintaining of peace and security in specific districts and villages that fall under the imaginary clan boundaries. Such politics, if left unchecked, and given the complex cocktail of development and security challenges in Somaliland, could derail the sustainability of democratic gains[33], development strides, and the maintenance of peace and security in Somaliland.

For the most part, winner-takes-all politics has the tendency of increasing the cost of losing elections for political parties in any country or political system. In Somaliland, such a situation and the perceived impact thereof on the future of political parties also have implications for the nature of political participation and competition. Opposition parties end up becoming

desperate to win power by all means and at whatever cost[34]; whilst the government/ruling party, mindful of the cost of losing elections, prepare to maintain power by all means and at any expense[35]. Such entrenching tendencies have the possibility of motivating losers to reject results and contribute to election-related violence and conflict[36].

It is well documented by Tahir (2023), that the winner-takes-all approach has negatively impacted Somaliland's national development through the introduction of compartmentalisation of political experiences and citizens' development ideas, as well as the progressive initiatives of different political clans. This is such that once an individual or clan is not affiliated to a regime in the ruling party, the likelihood of their expertise and ideas being utilized towards the achievement of national development goals become limited, if not altogether absent.

For example, a cash transfer programme funded by the worldbank provides substantial cash to communities to save life and maintain assets. One of the implementing partners indicated that selection of the target beneficiaries was not as effective as it should have been. As a result, some of the most vulnerable communities were not reached. Selection of the locations was influenced by the leadership of the Ministry of Labour and social affairs in 2018; as a result, the programme provided cash monthly to 20,000 households in Gabiley and Ainabo, a strong voting station for the ruling party, Kulmiye. The Somaliland vulnerability assessment indicates that Gabiley and Ainabo combined host less than 10% of the most vulnerable communities and IDPs in Somaliland compared to Erigavo, Burao and Hargeisa where the most vulnerable communities reside according to Somaliland vulnerability assessment.

A similar trajectory can be witnessed in the Biyoole project[37]. The mismanagement of the water project is glaringly evident in the haphazard selection of areas that are in dire need of water. A former Hargeisa local council member indicated that there is inefficient allocation of resources in the Biyoole water programme which has led to a failure to address the most pressing water scarcity issues. Instead of prioritizing regions suffering from acute water shortages, the project appears to have been influenced by political or other non-essential factors, resulting in water being channelled to areas with less urgency. The former local council member also stated that such misallocation not only exacerbates the suffering of communities in genuine need but also undermines the overall effectiveness and credibility of the development assistance. Correcting this selection process is paramount to ensuring that the water programme fulfils its intended purpose of providing

clean and accessible water to those who need it most.

Similar trends can also be observed elsewhere, for example, in September 2023, the Awdal region submitted a motion in parliament, requesting a comprehensive review of the management of regional development programmes distribution formula (for instance, the Wajaale road route, also known as the Berbera Corridor). It was demonstrated by the MPs from Awdal region that there are politically motivated diversions in some areas. Notably, a government minister from the Awdal region publicly endorsed the concerns of the Awdal MPs; in particular, he attested that resource allocation had been unfairly handled. The Awdal case and similar politically motivated inequalities further exacerbated these concerns, perpetuating doubt and discord between the government and the Awdal region.

This study found that various interest-groups in Somaliland (i.e., clans) would put up with the corruption of others as long as they got their turn at the trough. The clan in power was understood and expected to take advantage of their position while they held it. As former parliamentarians explain, in Somaliland (and, largely, Africa) where clans rely heavily on individual members to provide for large numbers, doing anything less was practically unacceptable. Anyone who was in a position of power or advantage was expected to share that advantage with kin and clan - a disastrous system for any country. It soon became clear that the Silanyo government was going down a worrying road especially after the president suffered a medical condition that required out - of - country medical care[38]. The identity politics was merely passed from one Kulmiye government to the next, with many of the same outside players maintaining the status quo.

d)   Disparities from uneven distributions of resources

This paper does not delve into too much detail about the seedy dealings, especially with the Trafa-gura oil company, the corruption surrounding the annual budget allocations, urban land grabbing by the elite class, the corruption surrounding the award of public tenders, and the Somaliland insurance-company. However, it provides enough detail to make clear the sheer scale of the looting. The problem was in conveying to ordinary citizens the extent of the corruption, as the multi-millions deals in question were beyond what ordinary Somalilander could fathom.

The value of the eighteen contracts in question amounted to 5 percent of Somaliland's gross domestic product, and over 16 per cent of the government's expenditure in 2020-22. With so much money that could be skimmed off the top of the inflated contracts (public procurements), a lot of people had a lot

of interest in not rocking the boat[39]. There is increasing frustration among the public as the accusation and rumors of potential corruption are broadcasted by the local media. The frustration is understandable; the importance of the domination of the Somaliland government by one or two clans becomes obvious as one examines the impact of government programs. By examining the per capita expenditures receipts by districts and Ministerial budgets, one can develop a clear understanding of the relative power and resources held by each clan. Looking more closely at which districts receive development projects and public facilities completes the picture. In Somaliland, the leadership of public administrative entities (agencies, commissions) are often as clan - specific as political roles.

State-society relations are affected by revenue sharing, especially local government revenue, but little is documented and understood about this debate. Discrepancies between regions are often attributed to disparities in development rates, as indicated in the Academy of Peace and Development 2022 report[40]. Law No. 12/2000 permits certain cities and districts to receive 10% of customs revenues, while cities with customs points are entitled to receive 12.5%. However, parliamentary debates in 2022 revealed that the law remains ambiguous. Consequently, certain cities received a supplement (referred to as "Kab") from the Ministry of Finance, in addition to their normal tax collection.

These disparities arise from uneven distributions of tax income, which leads specific cities to reinvest in infrastructure and social services. In contrast, regions with lower tax income encounter challenges in financing essential public services and driving economic growth, perpetuating the cycle of inequality. Addressing these regional imbalances often necessitates a comprehensive approach, which includes equitable fiscal policies, targeted investments, and initiatives to promote economic diversification. Ultimately, these measures work towards fostering more balanced development across all regions.

These events underscore the importance of open dialogue and proactive measures to address the concerns of various communities and regions within Somaliland. Such actions are crucial to safeguarding Somaliland and its social contract from further deterioration.

e)   Civil Society Organisations and Media

Another reality is the shrinking role of civil society organisations (CSOs) in Somaliland's elections. Civil society organizations in Somaliland appear not to be interested in serving as a buffer between the state and society. They

seem not to have fully grasped the political and civil liberties made accessible through democracy. Somaliland's CSOs are politicized, partisan and polarize the society instead of holding governments accountable. Abdulahi (2022) maintains that they divide citizens based on their political affiliations.

For example, in 2014, the Kulmiye party leadership, with backing from the Minister of the presidency at the time, got involved in the Somaliland National Youth Organization (SONYO) chairman election. The Government's influence on the election of the SONYO chairman had significant implications for the autonomy and effectiveness of the organization. Subsequent governments exerted control over the election of the SONYO leadership, which undermined the independence and impartiality of the organization, and turned it into an extension of the state's agenda rather than genuine advocates for civil society and youth concerns. This influence resulted in funding dependencies, stifling the ability of CSOs to advocate for social and political change independently. Consequently, government interference compromised the essential role that SONYO used to play in fostering civic engagement, addressing social issues, and holding governments accountable.

Moreover, the media's rhetoric contrasts its practice since their professional values do not coincide with the expectations of the people they purport to serve. Some media houses are owned or influenced by prominent politicians, which affects reliability and objectivity of the media content.

5. CONCLUSION

The influence of Siyad Barre's authoritarian and centralized leadership on current Somaliland leaders plays a significant role in the region's political dynamics. While Barre's rule led to Somalia's disintegration, Somaliland declared independence in 1991 and has maintained relative stability. Current leaders in Somaliland adopted elements of Barre's leadership style, such as strong central authority, to assert control and maintain order in a region with a history of conflict and fragmentation. However, this raises questions about the balance between centralized authority and democracy in Somaliland. The polarization within Somaliland, exacerbated by the power struggle between clans on one hand and between the pro-unionists and pro-independence factions on the other, poses a challenge to unity and stability.

One example of the complexities arising from this polarization is the Las-Anod case, which recently drew attention due to the federal government's granting of provisional recognition status to Khaatumo State. This decision holds significant implications for Somaliland's territorial integrity and the delicate balance of power within the region. While some argue that this move by the federal government is a step towards re-establishing Somali unity, it has heightened tensions and intensified debates within Somaliland. The pro-union faction sees this as a positive development, while proponents of Somaliland's independence view it as a direct challenge to their aspirations. The Las-Anod case underscores the urgent need for productive discourse and government-driven programs aimed at bolstering social unity, thereby averting the emergence of analogous intricate problems in other areas, such as Awdal region.

After the constitutional referendum of 2001, the people of Somaliland believed that the development of a fully functioning government after re-independence from the rest of Somalia would improve their lives as well as the status of their country in Africa and in the world. While the formation of a new Somaliland country demanded allegiance, which often meant the abandonment of long-standing social and political systems, there was little benefit flowing from the central government to local areas.

The paper argues that the "winner takes all" and "it's my turn to eat" approaches within Somaliland's political and societal context are eroding the foundational social contract that underpins its stability and development. The citizens' trust in the government, as well as the government's accountability to its citizens, have gradually eroded, halting progress, exacerbating socio-economic disparities, and endangering Somaliland's longterm viability as a self-governing nation. Addressing these challenges is imperative for restoring and strengthening the social contract, fostering political inclusivity, and ensuring sustainable growth and stability in Somaliland. At this point in history, many Somalilanders are beginning to ask whether a three-political parties limit and the continued local emphasis on self-determination might not be a better way to govern the five million citizens living in Somaliland. Rather, reducing clan conflicts and diffusing the interest of clan influence are the way forward. To conclude, the paper recommends:

1. **Trust-building and social cohesion campaign:** Successful trust building and social cohesion campaigns require the president's active leadership, working closely with opposition parties and parliament. A campaign plan must be initiated by the president as soon as possible. The campaign should extend its reach to all regions and districts, leaving no community

behind, with the primary aim of fostering unity and reinforcing trust among the populace. The outreach effort should include meaningful engagement with clan community leaders, as they often hold significant influence within their respective communities and can serve as vital intermediaries. Additionally, a key aspect of this campaign should be the transparent recognition and acknowledgement of past grievances and mistakes, as this is essential to moving forward in a more unified and harmonious way. A comprehensive campaign that brings together the president, opposition parties, business groups, leadership of the political associations and elders can help bridge divides, restore trust, and promote national unity.

2. **Revisiting Somaliland's social contract:** This should involvea critical examination of the evolving relationship between the clans, the government, and its citizens. Somaliland's journey towards statehood, marked by the above-mentioned realities, prompts a re-evaluation of the implicit agreement between its citizens, clans, and the government. As Somaliland witnesses sustained and new realities such as normalized elections delays (House of Guurti and Presidential in particular) and resource allocations through national conferences, assessing, reimagining, and renewing this social contract becomes crucial for sustaining its democratic progress and addressing the challenges of economic development, social cohesion, and political participation.

3. **Rebuilding shared state identity over promoting group identity:** Promoting the rebuilding of a shared state identity over fostering clan or group identities is essential for promoting social cohesion and unity within Somaliland. Instead of emphasizing divisions based on clan affiliations or narrow group loyalties, there is a need for the government to prioritize policies, programmes and practices with a common, inclusive identity centred around the broader state to encourage cooperation, tolerance, and a sense of belonging among individuals from various clans. This approach should start by promoting the idea that we are all part of a larger Somaliland and encouraging collective progress and understanding.

4. **Decentralization of power, resources, and opportunities:** There is a need for a joint initiative between the executive and parliament to promote greater autonomy, decision-making authority, and equitable distribution of resources at the local level, fostering more responsive governance and development. This should aim at undertaking assessment and reviews of the legislation, policies, and practices of the last three decades. The review should also respond to ongoing discussions regarding

the potential amendment to the Somaliland constitution to enhance community involvement, address regional disparities, and empower local governments to tailor policies and initiatives to their specific needs, ultimately contributing to more inclusive and effective governance systems.

5. **Expanding the political space:** As part of the proposed constitutional review process, a fundamental expansion of the current political space should be prioritized to allow for a broader spectrum of opinions and voices. One pivotal change that must be considered is the removal of the existing restriction that limits political participation to just three political parties. Limiting citizens' options and stifling innovative political thinking hampers the representation sequel. By including independent candidates, the constitutional reform can provide a legitimate platform for individuals with fresh ideas and unique perspectives. This shift towards accepting independent candidates can be a game-changer for the political landscape. Not only does it allow those who do not align with the established parties to participate, but also it encourages a diversity of ideologies to flourish. This new environment allows citizens with novel and innovative political concepts to run for office without being constrained by the existing three-party system.

6. **Reforming and de-politization of the army and the security sector:** There is a need for a police force depoliticization. A proper police reform initiative (from force to service) needs to be launched. An independent civilian police oversight and accountability body needs to be established, and judicial power to trail police officers for criminal liabilities needs consideration. This is to make sure that any citizen who suffers either loss of life or property in the hands of a police officer is redressed. To strengthen the social contract, the police should be relieved from the politically motivated operations that may risk their life, provoke civil unrest, and create a negative public perception against police.

7. **De-politization of economic and trade/business opportunities:** Parliament should pledge a new initiative aimed at the de-politicization of the economy, mainly through legislations that criminalize the use of political influences and interventions from government officials and other elite groups to unfairly access economic and business opportunities. The initiative should aim to create a more stable and market-driven economic environment, reducing government interference and favouritism to ensure fair competition and equal access to opportunities for businesses and trade.

About the author:

Hamdi I. Abdulahi is a development professional with experience in multiple assignments and across portfolios on governance, justice, and legal, for government institutions, the United Nations agencies, non-governmental organizations, and research institutions. Hamdi completed his Doctor of Philosophy (PhD) research on apprising plural justice at the United Nations University for Peace. Hamdi also holds double master's degrees, a Master of Arts (MA) in Peacebuilding and Human Security from Coventry University, UK, and a Master of Laws (LLM) from the Kampala International University, Uganda. Hamdi's research interests and publications span both governance and justice. Much of Hamdi's work has been on improving the understanding of social issues, and the performance of government.

Citation.

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ENDNOTES

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21   The Gacan Libah militia, the assembly of military vehicles in Burao, and the incident resulting in the explosion of the Somaliland parliament house, are all suspected to be linked to the political party leaders and officials. However, there is no concrete evidence to substantiate these allegations with one notable exception being the former Kulmiye Ministry of Presidency (and currently the chairperson of Waddani Party) statement. He claimed that the assembly of military vehicles in Burao during President Riyale's tenure was an attempt to pressure Mr Riyaale into holding timely elections. This assertion sparked violence and unlawful actions.

22   This point is cogently made by former parliament member interviewed in Hargeisa in June 2023

23   A flight guerilla army that went to war against the Siyad barre after his long dictator's rule.

24   For the term 'surveillance state', see Claire 2021

25   Post 2017 election press statement recorded in a press statement in Aga-bar in 2018.

26   Hargeisa Mayor, an anti-clannism campaign leader, and with the highest votes in 2021 local election.

27   John Mukum Mbaku (2020) Good and inclusive governance is imperative for Africa's future: *Deepening Good Governance Inclusion, democracy, and security.*

28   *"Waa Markayagii"* is a famous word used to express the "It's our turn to eat" approach.

29   A similar experience is noted by 2009 Michela Wrong's reflections in It's Our Turn to Eat - The Story of a Kenyan Whistle-Blower

30   A Somali word used to express the winner-takes-all approach.

31   Each competing political party is closely associated with a specific clan or sub-clan. Sometimes these political parties, directly (as witnessed during the famous handshake coalition in 2016) and indirectly during the Gar-adag and Gacan Libah conferences.

32   Several allegations were made traditional leader interviewed in El-Afwayn

33   Even though candidates all promise election reform, Election reform might seem far down the list of priorities for a newly elected politician whose party has won elections.

34   Waddani mobilization of protest amid against a direction of the government in 2021, resulting a death and injuries

35   The ruling-party generated continued delays of the Somaliland presidential election.

36   Somaliland presidential elections, 2017

37   Details of the project is available at https://biyoole.mop.gov.so/biyoole-project

38   Details of the president medical conditions are well elaborated in book published by his chief of cabinet and subsequent minister of presidency.

39   It is evident that there is systematic corruption pertaining to procurement and award management in the 2022 annual budget. In particular, the construction of water points (dams) and the purchase of government vehicles clearly demonstrate mismanagement and involvement by government officials. In these procurements, the prices are fabricated and do not reflect market conditions.

40   Academy of Peace and Development (APD), 2022, Somaliland customs revenues and state-building: the impact of local governments' revenue collection and sharing

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December 2023

A REFLECTION PAPER

INTERCONNECTED MOMENTS AND ACTIONS THAT FORMED THE CURRENT IMAGE OF SOMALILAND'S SOCIAL CONTRACT

Hamdi Ismail Abdulahi