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Traditional Authorities in Northern Somalia: Transformation of positions and powers¹

Markus V. Höhne²

Abstract

This paper shows the ways in which the positions and powers of traditional authorities in the Somali context have changed over the last 150 years. I argue that in analysing these developments the concept traditional authority has remained useful. By examining its components 'traditional' and 'authority' against their wider historical and social background, transformations of this institution of power become obvious. Viewing changes over time leads to a better understanding of the roles traditional authorities play in contemporary Somali politics, as well as to possible comparisons with other cases of resurgence of traditional institutions in Africa and elsewhere.

¹ I am deeply indebted to my informants discussing topics with me that were sensitive in the local context. Particularly Garaad Cabdiqani received me several times with great patience. I am very sorry to hear that he died on 9th February 2006. *Allah ha u naxariistee Garaad Cabdiqani Garaad Jaamac.*

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Introduction

Traditional institutions such as chieftaincy play important roles in many African states today. Their holders are involved in politics and development cooperation on the local, national and international level (van Rouveroy van Nieuwaal/van Dijk 1999; Klute 2004; von Trotha 2001; Nyamjoh 2003; Lentz 1998; Buur/Kyed 2005). This paper focuses on traditional authorities (TAs)³ in northern Somalia. I believe that, despite the appropriate criticism on their unreflective application, the terms ‘tradition’ and ‘traditional’ remain useful if they relate to the emic perspective in a particular social setting. Thus it can be understood how “a variety of actors [use the terms] in contemporary, local, national and international contexts” (Buur/Kyed 2006: 20). The matter becomes more complicated, however, because notions of tradition and traditional refer to the past. This invites invention, redefinition and reproduction from the contemporary point of view (Buur/Kyed 2006: 21). Nevertheless, when it comes to questions of acceptability and legitimacy, not everything can be manipulated, invented or imposed (van Dijk/van Rouveroy van Nieuwaal 1999: 2). To understand this point, we have to shed light on the relation between legitimacy and traditional authority.

Weber defines traditional authority as legitimated by sacred traditions. For him, socialisation into a certain community with certain traditional rules lies at the heart of the relations between authorities and subordinates/followers. “Gerontocracy” and “primary patriarchy” are, according to Weber, the original types of this form of authority.⁴ Central to both types is that the authority of elders or family-heads is based on rules regarding age and inheritance. At the same time their rule has to be oriented towards the interests of their subordinates; the authorities do not control an administration separated from their community. Weber speaks of “*Gehorchenwollen der Genossen*” (italics in the original), therefore: the *will* of the subordinates/followers to obey/follow is decisive for this form of authority. Nevertheless, the subordinates/followers cannot opt out arbitrarily, because all belong together as one group defined by tradition. The authorities, as Weber emphasises, are also bound by tradition (Weber 1964: Vol. I, 167-170).

This brief extract out of Weber’s complex thinking about domination and authority⁵ is most interesting regarding the dialectical relationship between authorities and followers. It goes together well with what, following Kurtz (2001), has become common knowledge in political

³ The corresponding expressions in Somali are *hoggaamiye dhaqameed* or *madax dhaqameed*, which can be translated as “traditional leader/guide” or “traditional head”.

⁴ Out of Weber’s comprehensive remarks I highlight only those that are most relevant for my point in general and for the Somali case in particular.

⁵ See Schnepel (1987) for a discussion of the flexibility and systematic ambiguity of some of Weber’s concepts related to domination and authority.

anthropology, that power is nothing static, and that particularly in societies with no or weakly institutionalised positions of authority, leaders “must continually earn the support of their followers. If they fail, they are easily replaced” (Kurtz 2001: 49).

Regarding the use of the notion of tradition/traditional in this paper it must be recalled that it comes from the Latin word *tradere*, which can be translated as “pass something [over]” or “hand something [over]”. This points to the active, process-oriented aspect of tradition, which connects the present with the past in a dynamic way. The dynamic of traditional institutions is also highlighted by van Dijk and van Rouveroy van Nieuwaal (1999: 4), who argue that chiefs “mediate the link between past, present and future.”

Against this background, the following characteristics define TAs: they are contemporary actors in various fields, such as politics, economy, law; their acts and roles are perceived as having a link to the past; on this basis they are accepted as legitimate by their followers. A further important aspect is that there is an emic term for TAs. Far from neglecting change, this definition, however, entails a conservative element. Followers, who together with TAs form a community, do not approve everything as traditional and legitimate. How community is defined, how accountability is shaped and legitimacy is gained in “relations of authority” (Zambrano 2001: 978) – what the relevant traditions are that bind authorities and subordinates/followers – has to be seen in the locally and time specific context of the field site.⁶

This paper examines the transformation of positions and powers of TAs in northern Somalia. It draws on historical and ethnographic material. To understand the present situation of TAs in northern Somalia, which is at least partly characterised by impasse and dilemma, as became obvious during my field research,⁷ it is important to look carefully at the developments from the pre-colonial period to the present. In the pre-colonial period, TAs, such as aqils (*caqil*; pl.: *cuqaal*), sultans (*suldan*; pl.: *saladiin*), garaads (*garaad*; pl.: *garaado*) and ugaas (*ugaas*; pl.: *ugaasyo*)⁸ were involved in ‘pastoral politics’. Their main task was the regulation of access to and use of important resources such as water, pasture, land and caravan-routes, involving only relatively small groups of pastoral nomads and agro-pastoralists in their respective local settings. In the late 19th and early 20th century, TAs were co-opted by colonial powers. Later they were, at least officially, systematically marginalised

⁶ This point becomes also clear from Lentz’ case studies differentiating “the chief”, “the mine captain” and “the politician” in northern Ghana. She mentions that nowadays “the chief” has to gain government recognition in addition to legitimacy in his community (Lentz 1998: 54).

⁷ I stayed in northern Somalia from July to September 2002, and then again, with brief interruptions, from September 2003 to December 2004.

⁸ The collective term for them (excluding aqils) is *isim*, pl.: *isimo*. For the sake of readability I will use the common anglicised versions of the titles of TAs in the singular and plural.

by the post-colonial elite. However, TAs gained new prominence during the civil war in the 1980s, which climaxed in the collapse of the Somali state. In northern Somalia, comprising today the self-declared Republic of Somaliland in the northwest and the autonomous region of Puntland in the northeast,⁹ they became central figures in processes of peace making and state building. At the same time they got involved in political conflicts. I argue that particularly their engagement in high-level or state politics did not only vest new powers in the hands of TAs, it also came with a cost. In the Somali context, similar to what Geschiere (1993) observed for parts of Cameroon, the cost was the erosion of popular legitimacy.

In the following I will discuss recent literature dealing with political change and the “resurgence of indigenous structures” (Englebert 2002: 1) in Africa. Subsequently, the transformation of positions and powers of Somali TAs is presented in a detailed historical overview ending in 2004. In the conclusion the findings from the Somali case are situated in the wider African context.

Political Change and Contemporary Roles of Traditional Authorities in Africa

Analysing the current political situations in Africa, von Trotha asserts that “Africa became an laboratory for new forms of governance – for better and for worse” (von Trotha 2001: 5).¹⁰ Assessing the development of governance in Africa since colonial times and especially accounting for the escalation of violent conflicts in the last decades, he comes to the insight “that the expansion of the occidental state as a form of governance has transcended its zenith” (von Trotha 2001: 11). His conclusion is that especially the partial or complete dissolution of the monopoly of violence in a number of states points at the failure of the state as an European concept in Africa. Nevertheless, this is in von Trotha’s eyes also a starting point for the development of new and maybe more appropriate forms of governance (von Trotha 2001: 22 f.). In a similar endeavour Forrest analyses the “process of ‘state inversion’ in which states decay in varying stages over time”, which culminates “at its most severe levels in the disintegration of the central government” (1998: 45 f.). As the analysis goes on, this author envisions two possible future directions: the “non-state politics” path, and the path towards state-reconstruction. In both directions, existing social and political structures are important, and traditional forms of authority may replace central governments or may form the basis of government-reconstruction (Forrest 1998: 54 f.). Boone (1998) contributes to this discussion by highlighting the diversity of the situation in Africa. While some states are disintegrating,

⁹ Two maps showing the current political and clan divisions in northern Somalia can be found in the appendix of the text.

¹⁰ All translations from German to English are mine.

others are becoming more stable. Quite obviously, as Boone points out in her article, the reactions to post-colonial changes have been diverse. With the end of the Cold War they culminated in the dramatic decrease of external patronage for regimes in formerly strategically important countries. For a better understanding of the dynamic developments in African politics today, it is important to focus on “new forms of social mobilization and new patterns of state-society relations that have emerged” in different cases (Boone 1998: 130). Even if she concludes that “postmortems on the African state are still premature” (Boone 1998: 141), this does not contradict von Trotha, who talks about the definitive failure of the state in Africa. What brings both analyses together is that they emphasise the dynamics and the innovative potential of politics in Africa, often more visible in other contexts than in urban centres and capital cities (Boone 1998; von Trotha 2001).¹¹

One aspect of these dynamics and innovation is the “resurgence of indigenous structures” in African politics over the last 15 years (Englebert 2002: 1).¹² From a political science point of view, Englebert asks what determinants can be found for the resurgence and what factors shape the form and the role of traditional institutions. In the subsequent discussion he clarifies that there is no mono-causal explanation for this resurgence. A number of different determinants and factors have to be considered: the political culture of the traditional systems, the influence of colonial administrations, the strength as well as the weakness of state administrations, the failure of nation-building, (externally imposed strategies of) democratisation and economic decentralisation ranging from World Bank to NGO politics, and the globalisation of information and resource flows via internet and remittance-companies (Englebert 2002: 8-14). Without going into the details of this discussion, I want to highlight two key points of Englebert’s conclusion:

Firstly, “[i]n many cases, rather than existing *sui generis*, resurgent traditional institutions have become contingent structures with their salience dependent on the strategies of local elites vis-à-vis exogenous factors” (italics in the original). Secondly, “although tradition has indeed retained a broadly legitimate appeal among African citizens, this legitimacy does not necessarily translate into the realm of modern politics and development” (Englebert 2002: 16). These findings are particularly important for understanding the developments in Somalia outlined in the following. Here, the ‘exogenous factors’ are the politics of the colonial and

¹¹ A similar thought is expressed by Förster (2004: 15), when he states that currently observable forms of statehood are “something substantially new for which we still lack appropriate concepts and the character of which we still cannot fully identify.”

¹² For a discussion of different forms of this resurgence see e.g. Lentz 1998; Förster 2004; Hagberg 2004; Hagmann 2005.

post-colonial regimes as well as of the newly established governments of Somaliland and Puntland.¹³

Traditional Authorities in the Somali Context

Pre-colonial and Early Colonial Times

In the accounts of travellers and colonial officers who visited northern Somalia in the 19th and early 20th century, Somalis were presented as warlike people always ready to question authority. It was said of different clans¹⁴ living in the north of the Somali peninsula that they have either “no chief” or they have a “nominal sultaun [sultan], who possesses, however, but little influence or power over his savage subjects” (Cruttenden 1849: 54; 61). Existing sultans had, as Baldacci (1909: 64 f.) describes, to defend their position almost continuously against competitors descending from their own family-groups. A sketch of the history of the Majeerteen Sultanate presented by Baldacci shows that such competitions sometimes protracted over generations. Referring to a certain family-group inside the Majeerteen-clan the author writes: “These, to this day unwilling to submit to any restraint whatsoever, do not recognise the authority of the present Sultan, nor do they pay any tribute” (Baldacci 1909: 65). A British colonial officer travelling in British East Africa recalls his first meeting with Somalis, when one of his native police corporals warned him in the face of an approaching caravan: “Somalis, Bwana, they no good; each man his own Sultan” (Drake-Brockman 1912: 112). This disregard for authority, however, did not lead the European observers to a completely negative perspective on the ‘savage’ Somalis. Burton, who produced one of the most famous and influential accounts of Somali culture, society and history characterised the people¹⁵ as a “fierce and turbulent race of republicans” (Burton 1987 [1856]: Vol. I, 122).

These early writings reveal that there were TAs in Somalia but that they did not have a very stable position. Only rudimentary descriptions of their roles were presented. Several authors (Burton and Speke¹⁶ as well as Baldacci) indicate that TAs, which were roughly distinguished

¹³ Somaliland seceded unilaterally from the rest of Somalia in 1991; since then it has claimed international recognition as an independent state. Puntland was established in 1998. It is in its self-definition an autonomous region of a future federal Somalia.

¹⁴ The older accounts did name clans and genealogies to some extent. But only in the second half of the 20th century I.M. Lewis (1961) described the Somali society as based on a segmentary lineage system in which individuals take their position according to their (sometimes fictive) patrilinear descent. Lewis differentiates groups according to the levels of segmentation (from top to bottom) as clan-families, clans, sub-clans and *diya*-paying groups.

¹⁵ Here Burton refers especially to a clan called Isa (Ciisa) living in present-day northwest Somaliland and Djibouti. The quotation gained a more general scope when used by I.M. Lewis (1961) as a motto for his classical ethnography on northern Somali society.

¹⁶ Lieutenant Speke joined Burton on the trip to the Somali peninsula. His diary was summarised by Burton and included in “First Footsteps” as Appendix I.

into elders on the one hand and sultans/garaads/ugaas on the other, were involved in settling conflicts. Conflicts arose mainly over the control of local resources, such as pasture, water, harbours and trade routes, often escalating into blood-feuds (Burton 1987 [1856]: Vol. II, 74; Drake-Brockman 1912: 148 f.).¹⁷ “In case of murder, theft, or dispute between different tribes, the aggrieved consult the sultan, who, assembling the elders, deposes them to feel the inclinations of the ‘public’. The people prefer revenging themselves by violence, as every man thereby hopes to gain something” (Burton 1987 [1856]: Vol. II, 142). According to Burton and Speke, war ended when the parties involved were tired of it. But there were also peaceful ways of discussing and negotiating problems. “The elders and men of substance settle local matters, and all have a voice in everything that concerns the general weal: such, as for instance, as the transit of a traveller” (Burton 1987 [1856]: Vol. II, 143). In these meetings, called *shir* in Somali, all men were basically equal; although, as Burton points out, rhetorical skills were an important asset adding value to one’s speech (Burton 1987 [1856]: Vol. II, 87).

With regard to the two categories of TAs mentioned in the older sources, elders were clearly the more common authorities. “Every kraal has its *oddai*¹⁸ (...).” He is “superior to his fellows in wealth of cattle, sometimes in talent and eloquence, and in deliberations he is assisted by the Wali or Akil (...) – elders obeyed on account of their age” (Burton 1987 [1856]: Vol. I, 122). By contrast, the number of sultans/garaads/ugaas was very small, as is most clearly revealed by Cruttenden (1849).

A sultan/garaad/ugaas had at least in some respect an outstanding position. Burton mentions that “the Isa own nominal allegiance to a Ugaz or chief (...). He is generally called ‘Roblay’¹⁹ – Prince Rainy – the name or rather title being one of good omen, for a drought here (...) justifies the change of a dynasty” (Burton 1987 [1856]: Vol. I, 122). This highlights the important role of a sultan/garaad/ugaas as responsible for the general well-being of his people. In Somalia in general, and particularly in northern Somalia, which consists mostly of semi-desert, rainfall is the most important resource for people who live as agro-pastoralists or as pastoral-nomads herding sheep, goats and camels. It matches well with this outstanding position of sultan/garaad/ugaas that succession, as emanates from the remarks by Baldacci

¹⁷ A well-informed account on conflict among Somalis in the past can be found in “Spared from the spear“, issued by the ICRC (International Committee of the Red Cross). The field research for that study was conducted by a group of well-known Somali scholars and poets. Here “camels and horses”, “grazing and water”, “women”, “pride and arrogance”, “farms”, “religious sects” and “culture” are presented under the headline “causes of conflict” (ICRC 1998: 11-21).

¹⁸ *Oddai* – written in modern Somali orthography “*oday*” – is translated as “old man, elder, chief” (Hashi 1998).

¹⁹ This term can literally be translated as “with rain”.

and Burton, was a complex and conflict-ridden issue (Baldacci 1909: 63-65; Burton 1987 [1856]: Vol. I, 168; Vol. II, 52; see also Drake-Brockman 1912: 80 f.).

It is clear that in pre-colonial and early colonial time authority was limited. Legitimacy was dependent on the art of elders and sultans/garaads/ugaas to satisfy the needs of their own people. The positions and powers of TAs were always threatened by a strong tendency towards independence and recourse to self-help among Somalis.

Expansion of Colonial Rule

The structures of the existing political system were influenced by the expansion of colonial rule in northern Somalia in the first half of the 20th century. In the 1870s Egypt established the first colonial administration on the shores of the northern Somali coast. In their very restricted sphere of influence “they sought to manage the appointment of Somali clan sultans, and in order to secure some degree of control over the smaller clan segments appointed headmen (Aqils) to represent them” (Lewis 2002: 43). Burton already mentioned aqil as a kind of elder. The word derives from the Arabic root ^ع-^ق-^ل (عقل) which stands for “wise”, “intelligent” (Lewis 1961: 200). Therefore it seems that this position was not ‘invented’ by the Egyptian administration. What was new about it was that under colonial influence the position became linked to an external power. Through this connection the aqil was no longer entirely dependent on the approval of a close-nit local community. This implies a change compared to Burton’s observation: “He [the elder] is obeyed only when his orders suit the taste of King Demos²⁰” (Burton 1987 [1856]: Vol. I, 122).

When the British took over control from the Egyptians in the late 1880s they successively established a system of indirect rule. But the expansion of this rule was hindered by an anti-colonial uprising between 1899 and 1920. Therefore, only from 1920 onwards could this system really be installed, not only along the small coastal strip close to the city of Berbera, which was the centre of the early British administration, but also in the interior of northwestern Somalia. Lewis mentions that “titular clan leaders and the elders of lineages were in many cases officially recognised by the administration and granted small stipends (...) these leaders, usually known by the Arabic title ‘Akil’, provided the link between District Commissioner and the people of his district” (2002: 105). Central to aqil as a position under the British is that it was introduced as head of the *diya*-paying groups. These are groups defined by patrilinear descent (*tol*) and social contract (*xeer*). Group members jointly pay and receive ‘blood-money’ (Arabic: *diya*; Somali: *mag*) in case of homicide. Lewis characterises *diya*-paying groups as “the most stable political units in a shifting system of agnatic

²⁰ “*Demos*” is the Greek word for “people”.

attachment” and the “basic political and jural unit[s]” (Lewis 1961: 6). It is obvious that the British tried to gain control on this level.

From further descriptions by Lewis, who is the primary source on daily life in northern Somalia in the middle of the 20th century, it can be seen that the roles of TAs in general did not change much. They were mainly concerned with keeping peace on the local level, negotiating between groups in conflict, and, especially the sultans/garaads/ugaas, ritually and politically responsible for the prosperity and the well-being of their people and their stock (Lewis 1961: 197-213). Lewis refers to the limited coercive power of TAs in northern Somalia, who nevertheless have an important social role to play: “Although only a *primus inter pares*, the clan-head is a symbol for and focus of agnatic solidarity of his clan” (Lewis 1961: 205, italics in the original). On the level of the general (male) Somali population, the ‘egalitarian’ attitude prevailed. In meetings (*shir*) on different levels of segmentation all matters within a group or between groups were discussed. Here “all men are councilors and all men politicians” (Lewis 1961: 198; see also Lewis 1998 [1955]: 97).

According to Lewis, the British colonial administration was quite modest in general. The reasons for this were the serious problems the British had with defeating the anti-colonial uprising from 1899 to 1920 and the very limited economic and political interests the Empire had in northern Somalia (Lewis 2002: 101-105). One might therefore conclude that the colonial influence on the existing political system was minor. By pursuing, however, the argument that legitimacy lies at the heart of relations of authority and TAs have to be legitimate first and foremost in the eyes of their people, two points have to be highlighted:

Firstly, *aqil* was not an unproblematic position. It put its holders between their people and the colonial administration. Quite often this resulted in loyalty conflicts, for example when an *aqil* was expected by the British to arrest a criminal who belonged to the *aqil*’s own group and whom his relatives did not want to hand over to the colonial administration (Lewis 1961: 201 f.). Secondly, sultans/garaads/ugaas and *aqils* gained additional political weight, especially through their contact with the colonial administrations. They were the ones with whom colonial powers concluded contracts and who could extract crucial resources from these connections to stabilise and centralise their authority over their people (Lewis 1961: 208 f.). This seems²¹ to be most obvious in the case of Maxamuud Cali Shire, who was sultan of the Warsangeeli-clan from around 1907 to 1960. Sultan Maxamuud was an ally of the British in fighting the above-mentioned anti-colonial uprising. Therefore he was supplied with firearms

²¹ I refer here to a very interesting article that I unfortunately have to cite as “Anonymous n.d.”. I found it in northern Somalia. It was obviously published in a journal, but neither the author’s name nor the journal’s name and date are indicated. Nevertheless, I take this article as a reliable source, because it fits well with oral accounts of the events I could collect during field research.

and was even recognised in a friendship-treaty as a sovereign entity to which the normal rules of the British protectorate were not applicable. In 1920, when the anti-colonial uprising had been defeated, the Warsangeeli-sultan, who had established himself with the help of the British as a powerful ruler in the northeast of the Protectorate, was perceived as a threat by his former allies. To break his power the British deported him to the Seychelles. On his return eight years later his local power base had shrunk. He continued his rule as a highly respected, but nevertheless clearly subordinate ‘subject’ of Her Majesty, the Queen, who even decorated Sultan Maxamuud with a medal when meeting him in 1954 in Aaden (Anonymous n.d.).

To sum up: in colonial times the position of aqil has been stabilised as an intermediary authority between elders and sultan/garaad/ugaas. Furthermore, as the practice of appointment, recognition and giving of ‘small stipends’ to aqils and sultans/garaads/ugaas indicates, the structures of legitimacy, which lie at the heart of the relations of authority, were changed. TAs in northern Somalia became at least partly accountable towards and dependent on external powers. Skilled leaders could profit from this incorporation into the colonial system by extracting additional resources (mostly money and firearms) from the colonial administration to stabilise their local rule internally while at the same time trying to remain politically independent from the colonial powers.

Post-colonial Developments

As in other African countries, the aspiring political elite in Somalia was concerned with uniting the population and overcoming so called tribal or clan divisions when taking over the state from the colonial powers. Referring to the rise of Somali political nationalism and to the establishment of the first Somali parties in the 1940s, Maxamed Ibrahim Ciigal, Prime Minister of Somalia from 1967 to 1969, wrote: “The once arrogant, overpowering influence of tribal loyalties was replaced by national political consciousness” (Egal 1968: 222).²² In 1960, when the British Protectorate of Somaliland and the Italian Trusteeship Territory (ranging from northeast to southern Somalia) became independent and united to form the Republic of Somalia, allegiance was for the majority of the population still based on clanship (Lewis 2002: 166).²³ “Nationalist leaders saw only too clearly how clan differences and jealousies had in the past facilitated the partition of their people by foreign powers” (Lewis 2002: 167). In this context, nationalism in its specific Somali form of ‘pan-Somalism’ served as an overarching ideology. Its aim was the unification of all Somalis living on the Horn of

²² Egal is an anglicised version of Ciigal.

²³ Clanship in the Somali context is based on factual and fictive patrilinear descent. In Somali “clan-politics”, however, affinal and matrilinear ties are also of great importance. They provide links between different patri-groups, because after marriage the woman keeps her patrilinear identity and affiliation to her father’s group.

Africa under one government.²⁴ Combined with the official disregard for ‘tribalism’, nationalist politics were also designed to eclipse the role of TAs. These politics climaxed under the regime of General Siyad Barre, who came to power in a *coup d’état* in 1969. Combining pan-Somalism with socialism, the new government launched a number of social and economic reform programmes and especially targeted ‘tribalism’. “[T]ribal leaders were officially abolished, or at any rate re-christened ‘peace-seekers’ (s. *nabad-doon*), and became theoretically bureaucrats capable of being posted to any part of the country” (Lewis 1994: 157). In general, descent and kinship should have been replaced by nationalism based on friendship and patriotism. A subtle and powerful security apparatus was established to supervise and control directives (Lewis 1994: 155-157). Nevertheless, tribalism was far from ‘dead’ in post-colonial Somalia. Already in 1960, Lewis pointed out the difficulties of ‘modern’ political leadership in the Somali society, in which members of the nationalist, religious and urban elite opposed ‘tribalism’ while at the same time many of them were involved in politics favouring their own descent groups (Lewis 1960: 55-60). The democratic system of government from 1960 to 1969 finally collapsed under the burden of dozens of parties. Their constituency consisted of patrilineal descent groups competing for a ‘piece of the cake’, which then was supposed to be shared among the close relatives (Bongartz 1991: 27; Lewis 1969: 352-354). Under the rule of Barre (1969-1991) it soon became obvious that the socialist, later simply military dictatorship could not do without clan-affiliations and clan-politics. In the second half of the 1970s it was an open secret that Siyad Barre gave important key positions in the government and the military to people from Marrexaan, Dhulbahante and Ogadeen. These were the clans to which he was related on his father’s side, his mother’s side and by marriage (of one of his daughters) respectively. Also on the level of everyday social and economic relations, descent and relations between descent groups were far from unimportant or forgotten. This was especially true for the nomadic context (Lewis 1995: 165-171).²⁵ Here it is important to bear in mind that in Somalia ‘the city’ (*magaaladda*) and ‘the countryside’ (*miyiga*) were socially and economically intertwined. On the one hand people told me that they – while being students in the cities, especially Moqdishu, where they often stayed with relatives – regularly went to the countryside in their holidays. There they learned about ‘their culture’, enjoyed ‘the good life’, or just looked after their family’s livestock.²⁶ On

²⁴ Due to colonial partition, Somalis live, apart from Somalia, in Djibouti, Ethiopia and Kenya.

²⁵ In interviews I conducted during field research, many older people who have been living in the former Somali capital Moqdishu at first told me that clan was not important for them in the 1970s and 1980s. But later a number of stories showed that even in the “old days” (under the regime of Siyad Barre) these persons had at least a basic knowledge of their personal genealogies and that of others.

²⁶ During field research I realised that people draw a clear distinction between *reer miyi* (verbally: countryside-dwellers, meaning: pastoral-nomads) and *reer magaal* (city-dwellers). *Reer magaal* often display a notion of *reer miyi* as “un-civilised” in a sense of uneducated, warlike/violent, and in general rather “rough” people.

the other hand it was the job of an aqil or another TA to travel from the remote areas to the capital Moqdishu in order to organise passports and visas for men in his family group. These men would then go abroad, find a job and send money home to support their families and relatives.

This shows that despite the ‘anti-tribalist’ policies of the post-colonial governments kin-based structures of Somali society and with them TAs stayed in place. Nevertheless, their character and role was influenced and changed by their incorporation into the state. It is doubtful that TAs, especially in the countryside, where the state never had absolute control, were actually reduced to ‘bureaucrats’. Nevertheless, compared to pre-colonial and early colonial times, they clearly lost a considerable amount of freedom and authority to decide on matters related to their community. At the same time, kinship became more important on the level of the clan. In pre-colonial and colonial times power struggles happened mostly between smaller groups, integrated on a low *diya*-paying group level of segmentation. The bones of contention were mostly local resources. In post-colonial times, the resources of the state were contested on the much higher clan level of segmentation. This means that the stakes were higher and many more people were (potentially) involved.

Traditional Authorities and Civil War

With the defeat of Somalia in the so called Ogadeen-war (1977-78), the pan-Somali politics collapsed and Siyad Barre looked vulnerable for the first time since his coup. With the Somali Salvation Front (SSF), later renamed Somali Salvation Democratic Front (SSDF), and the Somali National Movement (SNM), the first two Somali guerilla fronts were established in 1979 and 1981, respectively. The SSDF was largely based on the support of the Majeerteen-clan with its stronghold in northeast Somalia. The SNM was dominated by members of the Isaaq clan-family which inhabits northwest Somalia (Prunier 1995: 4f; Lewis 2002: 252 f.). In the competition for funding and military support from Ethiopia and Libya, the SSDF was more successful. The SNM had therefore to rely mostly on money provided by the Isaaq business community in northwest Somalia and sent from the diaspora. This diaspora had developed in the 1970s, when a substantial number of Somalis from the north went as labour migrants to the Arab peninsula. Prunier (1995: 5) writes: “Most of the Somali expatriates in the Arab petromonarchies were Isaaq and their remittances supported a fairly prosperous economy in the North.” These resources were often collected among the members of larger or smaller family groups and channelled through TAs on the local level (Lewis 1994: 202). The

Nevertheless it became clear from all interviews, that the “real” Somali culture is the culture of *reer miyi*. Quite often the life of the pastoral-nomads was idealised by city-dwellers as “healthy“, and the people living in the countryside were said to be “honest”.

TAs of the Isaaq clan-family were also involved in raising logistical support for the movement and in the recruitment of fighters. Most of the work was done secretly. However, in 1983 Sultan Maxamed of the Arab clan of the Isaaq clan-family was the first high-ranking TA who left Somalia to Ethiopia and openly cooperated with the SNM. In 1988 the largely Isaaq-inhabited city of Hargeysa was bombarded and most of the population fled to Ethiopia. There several dozen Isaaq-elders and sultans established a permanent council called *guurti* to assist the guerillas (Interviews Hargeysa October 2003/October 2004).

Reno argues convincingly that because the SNM financial and military resources were to a large extent raised within close-knit descent networks, TAs “exercised greater control over finances and political processes of this group [SNM], compared with others involved in Somalia’s conflicts” (Reno 2003: 24). This author continues that in southern Somalia, where the civil war escalated in the late 1980s and early 1990s, guerillas and militias were to a much lesser degree controllable by TAs. This was, according to Reno, related to the fact that the south was overrun by fighters who did often not originate from this area. They felt less accountable for atrocities committed against the local communities. Furthermore, the control over rich farmland, harbours and airstrips in the south allowed militia-leaders and warlords to finance their fighting independently from TAs and even against them and the local communities (Reno 2003: 22 ff.). Within the SSDF, TAs were clearly less influential in controlling guerilla politics than in the SNM. This was due to the fact that the SSDF had until its dissolution in 1986²⁷ strong external support from Ethiopia and Libya. In addition, the faction was led by the military officer Cabdullahi Yusuf, who was notorious for his authoritarian and bloody style of leadership (Prunier 1995: 6). The SNM had a more democratic organisational structure, in which civilian chairmen were elected for two years by the SNM-congress (interviews Hargeysa, Jan. 2004). Something similar to the SNM-*guurti* was never established in the SSDF.

These developments during the 1980s show that TAs were drawn into and actively participated in the Somali civil war. After the regime of Siyad Barre was forced out of Moqdishu in January 1991, the guerillas in the south did not make peace, but continued fighting – now among each other – for the control of political power and economic resources. In the following second phase of the civil war, which concentrated on Moqdishu and the surrounding regions, the state completely collapsed. However, the further developments revealed a deep north-south-divide regarding the roles and the powers of TAs. While TAs were mostly involved in continuous fighting, siding with warlords and bandits or becoming

²⁷ The SSDF-leader Cabdullahi Yusuf was imprisoned by the Ethiopians in late 1985. Subsequently, the SSDF dissolved. Many of its fighters went back to Somalia, where Barre had promised them amnesty.

their victims in the south (Human Rights Watch 1995: 22 ff. and 44), they became important actors in peace and state-building in the north. At the same time, TAs had to deal with political and military conflicts emanating from opposing programmes regarding the political future of Somaliland and Puntland.

State-building and Conflict in Northern Somalia

Secession of Somaliland

The war between the Barre-regime and the SNM was conducted with increasing brutality during the 1980s. Atrocities were committed on all sides following the logic of clan-family-affiliations and clan-affiliations. After Hargeysa had been bombarded in 1988 the fighting became a war between the Isaaq and the other clan-families and clans allied with Siyad Barre.

When the SNM took over the northwest in early 1991 tensions between the Isaaq on the one side and the Gadabuursi, Ciisa, Dhulbahante and Warsangeeli²⁸ on the other side were high, because the latter had fought for Barre until his fall. In this situation the SNM which had after its victory over the Somali National Army become the most superior military power in the region, proposed peace-negotiations. Several small-scale peace-conferences took place on the local level all over the northwest. The conferences followed the model of *shir* outlined above. An innovation was that beside TAs also representatives of guerillas and militias²⁹ as well as intellectuals played important roles in the negotiations. Alongside with these local-level processes of reconciliation, well documented in Farah and Lewis (1993), a national conference³⁰ called *shir beeleed* (verbally: community conference, but here: national conference) was held in spring 1991 in Burco, a town in the center of northwest Somalia. Here the secession of Somaliland in the borders of the former British Protectorate was declared on 18th May 1991.³¹ Without going into details about the developments leading to secession it is important to note that the conference in Burco was the starting-point for new political powers which TAs gained since then in Somaliland. It led, however, also to serious questions about their credibility, as will be exemplified with regard to the position of certain TAs in and in-between Puntland and Somaliland.

²⁸ The Gadabuursi and Ciisa belong to the Dir-clan-family living in the far west of northern Somalia. The Dhulbahante and Warsangeeli are connected to the Darood clan-family via an ancestor named Harti. They live in the center of northern Somalia (see appendix, map 2).

²⁹ In 1989/90 many of the non-Isaaq clans in northwest Somalia established their own clan-militias so as to defend themselves against the SNM in view of the increasing dissolution of the National Army in the region, which they had so far supported.

³⁰ The model of the local conferences was just expanded in scope.

³¹ The Republic of Somaliland has not yet gained international recognition. Without much help from the international community, basic social and political structures were rebuilt in the country (Cabdiraxmaan 2005).

New Positions and Powers

In the 1990s the political role of TAs became institutionalised in the Republic of Somaliland. In 1993, a national charter was adopted at the second Somaliland-conference, which served as a constitution. In this charter the *guurti* was defined as one chamber of a bicameral parliament, consisting of the House of Elders (*golaha guurtida*) and the House of Representatives (*golaha wakiiladda*). At the most recent national conference in Hargeysa in 1997 the national charter was replaced by a provisional constitution. In May 2001 a final version of the constitution was approved in a public referendum by the majority of the population of Somaliland (Cabdiraxmaan 2005: 60 ff.).

The Articles 57 to 79 of the constitution (*dastuurka*) deal with the House of Elders. Concerning the “eligibility for election to membership of the House of Elders” Article 59 states two important conditions, besides being a Muslim, a citizen, and so on:

- 1) “His age must not be less than forty five (45) years.”³²
- 2) “He must have good knowledge of the religion or be an old man who knows the values of good behavior” (Constitution of the Republic of Somaliland 2001).

To understand the second provision better, we have to look at the original Somali text of the constitution. There is written: “*Inuu yahay qof Diinta aqoonta fiican u leh, ama oday dhaqan-yaqaan ah*” (Dastuurka Jamhuuriyada Somaliland 2000). Whereas the first part of the sentence about religion is translated properly in the English version of the constitution, the second part should to my understanding be translated differently. According to Hashi (1998) “*dhaqan*” means on the one hand “culture; heritage; custom; tradition; folklore; legacy; anthropology [!]” and on the other “manners; behaviour; character”. The word “*yaqaan*” is the third person singular masculine of the verb “to know”. Therefore, one could translate “*dhaqan-yaqaan ah*” as “somebody who knows behaviour”, or as “somebody who knows culture/tradition”.³³ With respect to the roles of TAs presented above it makes more sense to me to translate “*dhaqan*” with “culture” or “tradition”. The correct English translation of the above mentioned Art. 59, 2) would then be: “He must have good knowledge of the religion or be an old man/elder who knows the culture/tradition.”

The most important powers and duties of the House of Elders, as regulated in Article 61 are: enactment of laws concerning religion (*diinta*), culture/tradition (*dhaqanka*) and peace

³² Due to the fact that average life-expectancy in Somalia is 47 years, according to recent UN-statistics (UNDP 2001), this is quite old.

³³ At a *shir*, for example, reference to culture and tradition is made in the form of proverbs, poems etc., which help the speaker to attract attention and to find support for his position.

(*nabadgelyada*); review of laws that already have passed the House of Representatives with the exception of the budgetary law; advising and assisting the government and enquiring the performance of its duties.

A member of the House receives a salary and allowances (Article 65) and enjoys immunity (Article 66). An important aspect regarding the legitimacy of the members of the House is that so far no election as specified in Article 58 has taken place. As I heard in interviews, the men sitting in the *golaha guurtida* have been selected by the President of Somaliland and by influential figures in their clan, especially sultans/garaads/ugaas. These ‘top-down’ decisions did not always find the approval of the local constituency of the *guurti*-members.³⁴

In 1998 representatives of all Harti clans, lead by the Majeerteen and followed according to group size by the Dhulbahante and Warsangeeli convened on a large *shir* in the city of Garowe. Here, with TAs figuring high in the negotiation process, Puntland was established as Harti-administration.³⁵ Even if the administrative framework of this new de facto state did not include a House of Elders as it existed in Somaliland, TAs still played important roles in further political developments. For example in 2001, when the term of the first government of Puntland ended and the acting President refused to step down from his office, TAs were involved firstly in supporting the constitution, and secondly, after war between the followers of the old and a newly elected President escalated, in easing the tensions.

TAs are not only integrated into internal politics in Somaliland and Puntland. They are also involved in the conflict between them. Puntland includes the regions Sool and Sanaag, inhabited mostly by Dhulbahante and Warsangeeli. At the same time these regions are perceived by the government in Hargeysa as an integral part of Somaliland, because they were part of the former British Protectorate. This territorial conflict is related to opposed political programmes. Puntland has the explicit political aim to re-construct Somalia as united state in the borders of 1990. Thereby its policy collides with Somaliland’s claim for independence and leads to serious conflict in northern Somalia. In October 2004 military forces from both sides clashed in the Sool region. In the aftermath of the clash, TAs on both sides met with their respective governments and advocated publicly for peace (Höhne 2005: 55-60).³⁶

Even from this very brief overview it can be understood that TAs have gained enormous powers in Somaliland and Puntland. In retrospect it becomes clear that their roles and responsibilities changed dramatically over the last century. Starting from dealing with matters concerning close-knit communities defined by patrilinear descent (*tol*) and social contract

³⁴ One informant in Sanaag region called the representative in Hargeysa the “funny members of parliament”.

³⁵ Majeerteen, Dhulbahante and Warsangeeli belong to the Harti clan-federation of the Darood clan-family.

³⁶ This was, of course, not the only reason for the following standstill of the fighting. However, the involvement of TAs was crucial to prevent the further escalation of violence immediately after some soldiers got killed and their families were ready for revenge.

(*xeer*) in narrow local settings, they arrived at shaping national politics between state failure and state reconstruction. At the end of the 20th century their roles were no longer limited to negotiating rights over the use of water, pasture, land and caravan-routes in a narrow local setting. Their additional tasks were to channel international money flows in form of remittances, to cooperate with a guerilla movement and, finally, to be a vital part of the government of a self-declared republic struggling for international recognition. Reno highlights this last aspect, stating: “Leaders in Somaliland and Puntland contend with international laws and norms that hinder the creation of new politics” (Reno 2003: 2). Here it is important to note that TAs in northern Somalia were not empowered by a state, which ‘suddenly’ discovered that in processes of democratisation and economic liberalisation, local leaders would be important partners to whom bits of power could be delegated (as seems to be the case in some other African contexts). Particularly in Somaliland, and to a lesser extent in Puntland, the state-administrations *ex post facto* accepted and partly legalised existing power-positions that had developed during the times of civil war, state-collapse and state reconstruction. This does not mean that these new roles are unproblematic regarding the relationship between authority and legitimacy.

The ‘Old Men’s Burden’ and the Discontent of the Masses

In the following I will elaborate on the situation of TAs among the Dhulbahante-clan. I will not focus on the Dhulbahante sitting in the *guurti* in Hargeysa, but on the roles of some of the garaads³⁷ in wider politics in northern Somalia and how these roles influence the positions and powers of these garaads in their community.³⁸

At the conference in Burco mentioned above the two highest-ranking garaads of Dhulbahante, Garaad Cabdiqani and Garaad Suleiman, were present.³⁹ As I have heard in Hargeysa quite often when discussing the recent history of Somaliland, these two garaads representing ‘the Dhulbahante’ have ‘signed’ (*way sexeexeen*) the secession of Somaliland, which was a part of the wider peace and reconciliation agreements discussed and approved at this conference. But the majority of the people living in Laascaanood, the capital of the Sool region, which is predominately inhabited by Dhulbahante, told me that these garaads did *not*

³⁷ The title garaad is most wide-spread among Dhulbahante. The clan-heads among Isaaq mostly have the title of sultan. For various reasons, these titles came to be used in a rather loose manner all over northern Somalia, including ugaas, which was in the past the title for Ogadeen-clan-heads and Boqor, which was for a long time exclusively held by the Majeerteen-clan.

³⁸ In this paper I cannot give a full description of the multi-faceted character of TAs. I am only concerned with their political roles in the context of state collapse and state re-construction. Other aspects, such as the economic, religious and educational background of the individual persons occupying positions as TAs are important, but have to be analysed elsewhere.

³⁹ High rank is constructed according to the number of forefathers of a current TA who held such a position before. With regard to his line of forefathers (*silsilad*) Garaad Cabdiqani is the most senior Dhulbahante-garaad.

agree to the secession of Somaliland from Somalia. And even if they or at least one of them did, people continued, they did not have the backing of their community to do so. To understand the relation between traditional authority and legitimacy involved here, I will focus on the historical point of departure for these contradicting statements and then come to more general problems of TAs of the Dhulbahante-clan today.

From interviews with a number of people, including Garaad Cabdiqani and high-ranking former SNM-members, the following picture about the situation in Burco in May 1991 emerged: The inter-clan relations in the northwest were very tense when the meeting started. Virtually everybody was armed and even the peace delegations had to include some armed men who stayed in the background. The SNM, of course, was the superior force. As Garaad Cabdiqani recalled, the situation inside Burco town and the atmosphere of the talks were tumultuous. When the SNM central committee discussed the agenda, consulting with the TAs representing the various clans living in northwest Somalia, everybody could agree on peace. But the issue of secession was even controversial within the SNM. Leading figures inside the Isaaq guerilla movement wanted to wait for the fighting in the south to end and then come to a solution together with their allies and ‘brothers’ there.⁴⁰ But the situation in Moqdishu deteriorated and in April, as Garaad Cabdiqani explained,

“we saw that it was impossible to reach an agreement with the people of the southern regions. We decided to establish an administration for the northern region. (...) While we were in Burco, big demonstrations happened in the large towns of Hargeysa, Burco and Berbera. There was no other choice than to say: ‘Yes, we accept.’ At this moment we were not convinced about secession, but no one could say ‘no’.” (Interview, September 2002)

This version of the events was confirmed by my informants from the Isaaq side as well. The demonstrations of ‘ordinary’ Isaaq, civilians and SNM fighters, finally even forced the SNM central committee to declare independence, partly against the will of its leadership.⁴¹ To grasp the situation of the Dhulbahante-garaads in and after the conference in a more comprehensive manner, it is important to know that Garaad Cabdiqani was involved in negotiating peace between Isaaq and Dhulbahante since 1989. Garaad Suleiman, however, was involved in organising the ‘defense’ of Dhulbahante against the SNM, as I was told. When both garaads came together to Burco, the issues at stake also included personal rivalries between them. Garaad Cabdiqani was in a better position and finally proved to be *the* Dhulbahante-garaad,

⁴⁰ In 1989 the SNM had forged an alliance with the United Somali Congress (USC), the Hawiye guerilla front fighting against Barre in the south. The last SNM chairman, Cabdiraxman “Tuur” was even personally close to the USC-leader Maxamed Faarax Caydiid through marriage-relations.

⁴¹ The claim for secession was partly an outcome of the SNM leadership’s own propaganda in the 1980s to rally support for the armed struggle. It was also connected to fresh memories of atrocities committed by “the southerners” against Isaaq in the north and to horror-news arriving from Moqdishu in these days about massacres, lootings etc.

not least by agreeing on secession. Therefore, he ‘signed’ the Burco agreement. About Garaad Suleiman I have heard that he finally stayed away from the conference, or at least from the agreement. When he came back to Laascaanood in May 1991 he gave a radio-interview and said that the agreement was on peace *only*.

The differences in the strategies and positions of Garaad Cabdiqani and Garaad Suleiman can be interpreted as complementing one another. While one accepted the ‘inevitable’ and was ready to cooperate with the SNM (the superior force) to build a regional administration, the other just agreed on peace between the clans, but generally remained aloof. This range of positions displayed by the two highest representatives of Dhulbahante, if deliberate or not, surely helped to calm intra-Dhulbahante conflicts and accusations. In 1991 the majority of the community in Sool was certainly not ready to secede. They had just stopped fighting on the side of the last President of Somalia against the SNM/Isaaq.

I argue that the Burco conference can be seen as the first step of two high-ranking TAs towards politics that were beyond their control. The relations with the powerful guerillas and the would-be-administration of Somaliland, also influenced by events that happened far away in southern Somalia, had put them before a dilemma. They had to agree on something (even if it was only paying lip-service to peace) that was not acceptable for their community at home.

Actually, such situations became more and more common among all TAs, not only among the Dhulbahante, in northern Somalia in the following years. In this process of getting involved in state politics, many of these authorities, elders, aqils and sultans/garaads/ugaas, became “like politicians”, as people quite often said.⁴² According to what I heard and what I observed, politicians (*siyaasi*; pl: *siyasiin*) in northern Somalia are often characterised by their selfishness and lack of responsibility for the wider community. They ignite conflicts rather than work for peace, stability and social cohesion. By contrast, TAs are characterised as ‘head’ (*madax*) of their groups, taking the right decisions for their people and working for group cohesion. The latter aspect features prominently in some proverbs: “*Suldan waa sumad qabiil.*” (A sultan is [the] sign of [the] clan) or “*Ugaas waa ood qabiil.*” (A ugaas is [the] fence of [the] clan).

But over the last years, instability and conflict had become more and more the hallmark of TAs in northern Somalia. Alone the Dhulbahante had about 14 sultans/garaads/ugaas in 2004 as compared to four in 1991. These splits are related to the political situation in northern Somalia, especially after Puntland was established in 1998.

⁴² Of course there are still other aspects to the work of TAs in northern Somalia today. Apart from being involved in state politics, many of them continue to deal with pastoral politics and, more or less successfully, negotiate between the different interests of smaller family groups on the local level.

Today, when a new Dhulbahante-garaad is to be chosen, both the Somaliland and the Puntland administration try to influence the outcome in their favour. Usual strategies in this context are corruption, or the sending of ‘special envoys’ who by descent belong to the local families involved in the process of establishing a new garaad, but who also have a stake in Hargeysa or Garowe (the latter is the capital of Puntland). These complex policies and exertions of influence on the national level loosen the bonds between TAs and their communities on the local level. The increasing distance between the people and TAs, which are supposed to represent them, is expressed in derogative terms for TAs, such as “dictators”, “corrupted persons” or “somebody without value”.⁴³

In many interviews it became clear that the ideal of a TA is that he works for the interest of his people. This was tellingly summarised by a man who was inaugurated Dhulbahante-garaad at the end of May 2004. I asked about his position with regard to Somaliland and Puntland politics. He answered: “*daanta beesha waan ku khasban ahay*” (I am bound/forced by the interest of the clan/community). Then he added: “*Siyasadda wax meel fadhi ah ma aha*” (Politics are not stable). I understood these statements as a hint to his ‘programme’ as garaad: not to get involved in the conflict between Somaliland and Puntland. Ironically, his very election clearly pointed to this conflict, because after almost one year of meetings and discussions on the local level among his descent group two garaads were finally elected on the same day. Both were close relatives. One was the candidate of Somaliland, the other of Puntland.⁴⁴ This double-election did not follow the segmentary logic, according to which a group would split into two smaller units along clear cut descent lines, each led by one of the rivals. In the case described here, both garaads claimed to be the leaders of the same larger group. Following corresponded rather to different political positions (pro-Somaliland or pro-Puntland) than to genealogical ramifications.

In the current conflict between Somaliland and Puntland, which in 2004 escalated on a military level, TAs increasingly became politicians in the sense mentioned above. Especially in the contested regions Sool and Sanaag, they have to side with one of the two parties in conflict, as Garaad Suleiman did, who is widely perceived as ‘close friend’ of Cabdullahi Yusuf. The latter was president of Puntland from August 1998 to October 2004. Alternatively, TAs may become rather passive and disillusioned as I could observe in regard to Garaad Cabdiqani. During the 1990s he was at different moments engaged with both, the Somaliland and the Puntland administration until finally he got into conflict with both of them. When I visited him several times in 2003 and 2004, he just sat in his home most of the time listening

⁴³ These are expressions I heard from people when talking about some of their TAs.

⁴⁴ They were third-grade or forth-grade cousins on the father’s side. The relevant kinship terms in Somali are *cilmo adeer saddexaad* or *cilmo adeer afraad*.

to the news on BBC Somali-service covering the developments at the Somali peace conference staged in Kenya between 2002 and 2004. He told me that he hopes Somalia would come back.

In Buuhoodle, a village located in a rather remote area on the Ethiopian border, I encountered a third ‘kind’ of traditional authority among Dhulbahante. There the elders told me that they just do whatever is good for their local community as a whole, regardless of their individual political preferences. That this was not only an empty phrase could be observed. Unlike Laascaanood, where conflicts often have an assumed ‘Puntland versus Somaliland’ dimension, Buuhoodle is a much more stable place. The conflicts that I heard of were perceived by the people themselves as the usual conflicts between pastoral-nomads or attributed to the general instability in times of (state) collapse (*burburka*). This whole situation is in my perception connected to the attitude of Garaad Cabdullahi, who is the head of the local community in Buuhoodle. He left much of the decisions that had to be taken to the elders. This entails a ‘democratic’ element, which was already mentioned in Burton and other early sources, in the sense that elders (including aqils) are closer to the people than the garaad due to their position on a lower level of segmentation. Only when they had come to a solution would the elders call Garaad Cabdullahi to ‘ratify’ their decisions. These attitudes and roles of TAs in Buuhoodle come close to what Burton observed in pre-colonial and Lewis in colonial times.

To sum up it became obvious that many people who were supposed to be followers according to tradition (in this case: descent) were discontent with figures like Garaad Cabdiqani and Garaad Suleiman. This discontent materialised in splits of the community and the frequent creation of new garaads, who again got stuck in the political conflict between Somaliland and Puntland. In Buuhoodle things seem to be different.⁴⁵ Here a rather well-functioning regime of TAs keeps the local situation under control for the benefit of their community. This was appreciated by the inhabitants, who, not without pride, told me time and again: “*Buuhoodle waa meel degen*” (Buuhoodle is a stable place). This is to my mind an achievement stemming from the collaboration of TAs and their people in times without a ‘real’ government.⁴⁶ It can only be achieved when the *claim* of authority matches with the *will* to obey. And the will to obey is very much related to the legitimacy of authority. At least this

⁴⁵ The situations I described regarding Laascaanood and Buuhoodle can only serve as rather superficial comparison here; however, even without going into details the difference regarding the roles and the working of TAs in the two settings is significant.

⁴⁶ During my stay in northern Somalia I very often heard that neither Puntland nor Somaliland are “real” governments. Regarding the governments in Garowe and Hargeysa respectively, people said “*waa maamul*” (it is an administration, in the sense of: regional administration); this contrasts with “*waa dawlad*” (it is a government, in the sense of: a strong government able to implement overarching policies).

seems to be true in northern Somali society, where communities may just split if discontent with their leaders, who then end up as ‘dictators without power’, as one informant in Laascaanood put it.

Conclusion

Englebert’s statement that “legitimacy [of tradition] does not necessarily translate into the realm of modern politics and development” (Englebert 2002: 16) summarises the problems I described regarding the current situation in northern Somalia. The examples I presented were shaped by the special situation of the Dhulbahante, who are spatially and politically located between Somaliland and Puntland. Nevertheless, the following central findings can be generalised for all of northern Somalia:

Firstly, the more intensive TAs get involved in politics beyond their control, the higher is the probability that they have to make unpopular decisions and therefore lose the support of the community they claim to represent.

Secondly, if this process, which could be described as a process of de-legitimisation,⁴⁷ continues, groups split and the TAs end up ‘alone’ (supported only by their immediate kin).

Thirdly, in the course of political conflict in northern Somalia, in which many TAs got involved, their role sometimes changed completely. From being the ‘fence’ and working for the well-being of their community they become spoilers of social cohesion and led their people into conflicts that did not serve the collective interest but the interest of politicians.

Coming back to the more general discussion about tradition and TAs, I suggest that the material from northern Somalia supports the concept of TAs outlined in the beginning of the paper. The roles and the legitimacy of TAs may change. Nevertheless, as the situation in Buuhoodle revealed, there seems to be a conservative factor involved here, in the sense of tradition and being bound by tradition mentioned in the introduction of this article. This does not mean that I want to go back to the ‘since times immemorial’-concept of tradition. But despite all dynamic developments, some values that are not arbitrarily subject to change are involved in the issue of legitimating traditional authority. Therefore, the way in which changes take place is not sufficiently characterised by the fact that TAs sit in the governments of states today. The question is: do the people whom these authorities claim to represent accept this new role? If they do, it is fine – then this will be the “new tradition” (*dhaqan*

⁴⁷ Legitimacy and, related to that, the process of de-legitimisation has to be understood in the concrete context of the case study.

cusub). But if the people do not accept this role, it means that so called TAs will successively stop being legitimate TAs. They will then become politicians or dictators without power.

These perspectives are also reflected in the wider literature on political change and traditional institutions/authorities in Africa. Buur and Kyed state that “the flexibility of the traditional system has formed an important part of its survival through the years of colonisation, war, migration, displacement and natural disaster” (2005: 27). They identify “the question of autonomy of kin-based organisation to make its own decision and follow its own rules for selection of its authorities” as a key problem when the state, as in Mozambique, tries to co-opt TAs with new laws and by delegating new roles to them (Buur/Kyed 2005: 27). Lentz contributes to this argument by referring to the status of chiefs in Ghana: “Their status is regarded as guaranteed by ‘custom’, not by the grace of the government of the day, hence they should not risk their integrity by bending to the wishes of party politicians” (1998: 52). In this sense, the dynamism and innovative potential of traditional institutions may be limited regarding the cooperation with governments or the replacement of state structures.

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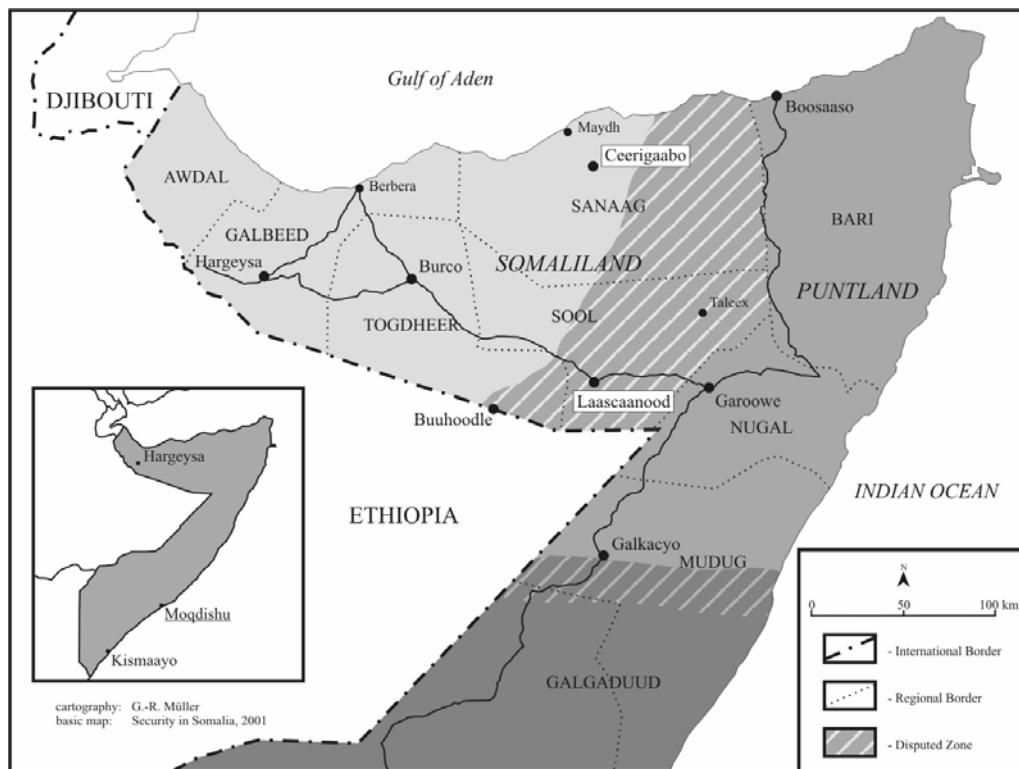
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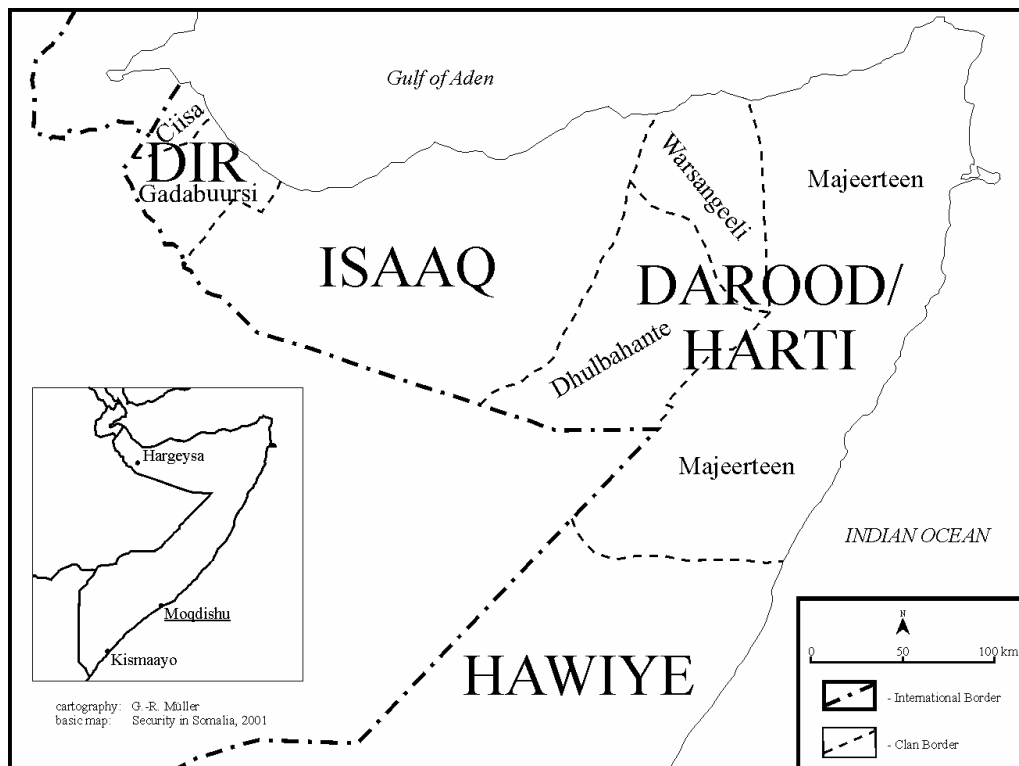
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Appendix

Maps



Map 1: Political divisions in northern Somalia



Map 2: Clan-family-divisions and clan-divisions in northern Somalia

Abbreviations

SNM	Somali National Movement
SSDF	Somali Salvation Democratic Front
SSF	Somali Salvation Front
USC	United Somali Congress