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The Impact of the Role of Traditional Leaders on Politico-Governance in Somalia: Present Realities and Past Reflections



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EXECUTIVE SUMMARY

In the politically collapsed system of Somalia, the people have lent trust to the office of traditional leaders owing to the tradition's respect to the office. In the light of this natural or circumstantial inclination, a lion's role has been given to the elders' office in the efforts of seeking solutions for the political problem throughout most of the last 27 years. The supposed institution is positioned today as the bedrock for improving governance and political systems in the country. But there are lingering concerns with the way in which the role is handled. Number of issues ranging from historicity, integrity and capability of the holders of the office has long been questioned.

The prevailing assumption on what is considered to be the traditional leadership reduces the historical, multi-dimensional socio-political system to a simple single chieftaincy institution. There is a lack of clarity in the way it is linked with history. Has there always been one type of governance institution in Somalia which is represented today by the elders' office collectively? The new type of the relationship between the elders' office and the politicians have also long been a phenomenon of questionability. In fact, the relationship creates confusion or even corruption in responsibility meeting. It causes apparently the gap between the expectations of the elders' office and its actual performance. The gap has an impact at least on the administrative and socio-political developments in the country.

Key Findings

- Historically governance systems of the Somalis consisted of two main categories: clan-oriented chiefdoms with little commanding authority on the citizens; and better-functioning statehood-oriented sultanates. The former has mainly been generating their authority from an honorific status. The latter were authoritative, but not authoritarian. They had established revenue sources and security forces. They have had the ambition to expand and to confront with the non-clan invading forces. The chiefdoms hadn't. Growing from a city-state governed by non-clan elders over a millennium ago, one of the sultanates, Awdal, didn't actually turn only to be a national state but also to be an empire in the Horn of Africa.
- Today's traditional office holders or elders can be best compared to the former clan-oriented chiefdoms due to the lack of real authority on the citizens. One obvious exception is that most of today's elders live in the cities and strongly involve in the politics with having an uncontrollable number of members.
- The elders mostly work under political patronage, in one way or another, as they established a kind of mutual clientage with the politicians.
- To save guard this adaptive special interest, the elders' office is not fully prepared to pressure the politicians for the emergence of public power, and effective legislative and judiciary systems.

Overviewing the types and the roles of the of governance institutions of pre-colonial Somalia, this study explored the current situation of the elders' office with comparing it to the former. The findings include that today's elders' office does not functionally represent its corresponding pre-colonial office; the former consisted of clan-oriented decentralized chieftains and statehood-oriented authoritative sultanates; there are thus historical and functional diversities in the background of the various components of today's office; the office lacks the ability of having primary relevance for reforming the Somali statehood; and with the alliance of incumbent politicians, it may become an obstacle to developments of effective judiciary system and public power or democracy in the country which primarily determine the requirements for the demanded change.

However, the role of the traditional leadership is still a national heritage and it has some relevance in what is good today for survival. And that is the nature of Somali politics, strange things going along with remarkable ones. As an approach of a research method, the author has utilized the existing records and informed experience with continual field observation and engagement in the Somali sociopolitical and socioeconomic landscapes.

- This type of alliance undermines the democratic process of the country and alienates the political role of ordinary citizens.
- The elders' office isn't in a better position for the process of forming a strong democratic state than that of the ordinary citizens as the office is politicized, personalized and proliferated.

The paper recommends the following selective points from the main recommendation at the end of the study:

Since Somalia is going to have functioning national and regional governments with a system of rules, the role of the elders must be confined to sociocultural issues. The sociocultural of the elders must be defined and have an accountability measurement. The elders must understand that the legislative and, judiciary roles are beyond their primary roles. The judiciary system must take its role to stop from the politicians to use the elders as political middlemen at the expense of public political rights. The general public must have a will and commitment in contributing to realization of a system of check and balance in the country.

1. BACKGROUND

What constitutes the qualification of being a traditional leader in Somalia? Do we have in mind for that a chief of a nomadic community or a head of state or state-like entity? There is no, in fact, an easy answer because it appears that the approach of understanding the topic has been mishandled and confused. Our supposed traditional institution, which is typically a system of nomadic chiefdoms, was not the only governance system of pre-colonial Somalia. It is, thus, necessary to understand the nature and the roles of all historical governmental forms, and not only of our today's imagined traditional governance one. Before we deal with the current situation of a traditional office, we thus need to have an idea about the historical nature of the office's varieties and duties.

1.1 Titles and Duties

We do not intend here to outline the pre-colonial government history of Somalia but to give a brief example of the historical picture of what is termed today "the traditional leaders". The term "traditional leaders" is applied today to diverse levels of political or social leading positions ranging from 'boqor' (king), a leader of a transregional community, to 'oday' (elder: a leader of a number of families). Accordingly, there are many titles in today's traditional leadership which stand for the main chief such as 'boqor', ugaas, garaad, sultaan, imaam, islaam, wabar, beeldaaje, and malaqaq. They also include duq, caaqil, islaw, and nabadoon – for sub-chiefs; and samadoon for sub sub-chiefs, among others.

The oldest and most historic title is boqor (king). The culture has been dealing with the designation but we don't know who has originally used it. Was there a national boqor or boqors in ancient times? However, there is one unique case in which the term has politically been employed in our times. The designation apparently shares an origin with 'boqola', a title used by Dullay people, Somali affinities in southern Ethiopia. Another historic and commonly used title is 'ugaas'. Ugaas is a chief of a large community which usually occupies a number of districts or even a whole region. For example, across the nation, the communities of Gadabursi, Ciisa or Issa, Marrexaan, Ceyr, Xawaadle, Gaaljecel, branch of Abgaal, Dhulbahante, and Ogaadeen or Ogaden are all headed by ugaases for generations variously. Beyond Proto Somali, the title may originate from Cushitic heritage as might be indicated by the Abyssinian title, nagaash or negus; and Harari title, magaas, which are apparently borrowed from Cushitic.

Over time, particularly during the Islamic era, other titles have emerged such as garaad, sultan and imaam. For instance, the title of the king of the northwest-based, medieval Awdal Empire was Sultan. But the title of the

provincial leaders in the empire was mostly 'garaad'. The use of garaad originates from the Northeast, particularly from Sanaag because of mass migration from Sanaag to Awdal during the first half of the last millennium. But it has widely been used also in Awdal. Provincial governors, clan chiefs, military generals, and sometimes district commissioners and ranking military officers were all garaads. Among the Awdali clans, only the large Xarle community was headed by a sultan.

The examples of communities that have been using 'garaad' are Dhulbahante and Warsangali in Northeast, and Geri and Jid-Waaq in historical Awdal. These communities are the first known people who employed the title from the thirteenth century apparently. In the Northeast or Raas Casey region, present-day area of Punt State, the title was sultan but it seems that in late medieval time the term boqor was introduced for the locally-powerful but transregionally-nominal leaders of the area, who have also recognized the authority of the sultan of Awdal.¹

After garaad and sultan, imam and later 'islaam' were employed. Imam first appeared in Awdal. When in 1527 Ahmed Ibrahim (Guray) assumed the powers of the state from the traditionally-ruling house of Walasmac Jabarti, he was given the title 'imaam' as a powerful premier. Meanwhile, powerful leaders of Ajuuraan establishment in central parts of Shabeelle valley adopted the title probably from Awdal. After the defeat of Ajuuraan imaamate in the mid 1600s, the leadership of Abgaal in the northeast of Muqdisho, who led the defeat, apparently adopted also the designation from Ajuuraan.

The term 'islaam' has been employed by only two large communities in the Northeast from the seventeenth century for a level of ugaas. These ugaas-like leaders have still been principally under the sultan of Raas

Caseyr or Bari, which is also known as sultanate of 'Mijertein, Harti or Darod confederacy', as it was claiming the jurisdiction or exerting considerable influence over these communities in a varying degree, with the spiritual imprint of a Dir factor also.² Other communities in that region have recently employed the sub-clan title 'beeldaaje' for ugaas level also.

Although it is not necessary to be adopted by a head of a large community, malaq was also a historic term. It is mainly used in the Inter-riverine region. However, authoritative leaders in that region were not using the term. For instance, during the 1800s, the most powerful leader in Lower Shabeelle was 'sultan' of Geledi, whilst the leader of the important district of luuq in central Jubba was 'garaad'. Malaq is also used Afars (as malaaka), Somali affinities on the Red Sea coast and inland. The term 'wabar' is also used in Hiiraan-Jowhar region as a community leader. Here or there, you may hear some other names such as qudt in Bosaso and qaadt in old Awdal. Although some titles might be used in a specific area, that does not mean they are not acquainted within other regions. Qudt in Bosaso and qaadt in Awdal, and garaad in luuq are examples. The term malaq also got its way into Harar, Awdal, in the 1600s. Likewise, although wabar is active only in central Shabeelle communities, it also appears in the Northeast. In an old song by a girl who was praising her clan, it says, 'Wadalmoggaa wabar ehey – we Wadalmogge, are wabars'; (Sayid Muxammad Cabdalle Xasan also describes his horse as a powerful wabar).

Usually, ugaas, garaad, sultan, imaam and islaam have been interchangeable in status. But sultan and garaad in the case of Awdal, were authoritative leaders; while ugaas, islaam, and imaam in Abgaal case, have been regarded as more spiritual than political leaders, (though there is no big difference today among their jobs). Approximately, we may categorize the traditional leadership into four ranking levels as follows:

1. *Boqor (king) – only one case is known.*
2. *Ugaas, garaad, sultan, islaam, imaam, malaq, wabar = chief, leader of a large or medium-sized separate community, independent or assistant of category number (1).*

3. *Islaw, duq (pl. duqow), caaqil, nabaddoon = sub-clan chief, assistant of category number (2) and perhaps also number (1).*
4. *With these also: samadoon, oday or waayeel (elder) – common names sometimes formalized; waxgarad (wiseman): assistants of the former levels; aftahan, codkar or geed-ka-hadal (speaker of the community).*

Collectively, the first two categories are usually called Isimo or Duubab which means 'crowned', and also Guurti (pl.) which means designated elders. However, these days the general public mostly calls all the rankings of Duqow or Odayaal (**Elders, senate**). The focus has been in category one & two. During the era of colonial and Somali governments, they were earning stipend payment. Like the Arabic term, sheikh, the Somali words of oday, caaqil, and duq are used for different meanings such as old man, elder, or community leader. Just they were assistants of the above-addressed leaders. But their position has been formalized from the colonial era in order to weaken the position of the formal traditional leaders in 'divide and rule' tactic. The terms nabaddoon (peace supporter) and samadoon (assistant of the former), were introduced by the government of 1969-90 in order to de-politicize the status of duq or caaqil. These titles do not include task titles which are as follows:

Military leaders like *abaandule (general), heegan (officer).*

Thought-authorities like *wadaad (religious teacher or scholar); 'aw' cleric or elder; buuni (learned person > professor); gabyaa (poet); abwaan (storyteller or tradition expert); xiddiga-sheeg (expert of the traditional solar calendar).*

Business titles like *abaaan (master, patron); Damien (sponsor). And livestock managing titles such as affair, hotrod, and af-hayeen (herding supervisor).*

Some terms such as duq, hormood, afhayeen, and heegan may also be used today for other tasks for which they have not exactly been used traditionally. In short, ugaas, garaad and sultan are the most common titles for the higher leadership; and of the three, ugaas is traditionally more standardized. In this work, we, therefore, take ugaas as the standard title for clan-based chieftains while sultan is used for less clanal authoritative leaders in accordance with their historical usage.

1.2 Ambiguity in Addressing the Issue of Odayaal

Within this background of the varieties among the Somali - pre-colonial entities, it appears today that we put viable state or states and nomadic chiefdoms on the same position because of at least three reasons.

Firstly, the surviving descendants of the pre-colonial political and social leaders are treated or they treat themselves today as traditional leaders, in order to secure a regained power, regardless of the size of the entity that they trace back. But the question is, for example, what does boqor Burhaan of Qardho stand for today: a descendent of clanal chieftain or a viable regional sultanate? No academic or institutional answer seems to be available.

Secondly, our understanding of traditional leadership in Somalia envisages that there is one form of leadership system. It is clear that there has been no adequate knowledge about the variations and details of the system due to our colonial-injected approach of dismembering the Somali history as only pastoralist-based social experience. Even those tend to understate the merits of the traditional ruling system of the Somalis have felt an existence of diverse governance formations and recognized the academic shortcomings for a substantial understanding of the system. In consideration of existence of both quite advanced sultanates, and rural chieftains “that the ‘chief’ is a much less developed institution” than the former, I.M. Lewis, who has summarized the European accounts of 1850s-1920s on these traditional systems, has suggested “It is extremely important that competent research should be devoted to establishing

the theoretical nature of the office as well as its practical administrative functions.”³

Thus despite the fact that we are not supposed to deal with a single, simple entity, we are still continuing to presume that there is one set of a traditional leadership system. The shortcomings of this arbitrary approach to the issue require to be pointed out.⁴

Thirdly, although the social orientation in ugaasate system and political orientation in the sultanate system is obvious, the two roles have always been overlapping. It is sometimes difficult to draw a line between the political and social roles of the office both in the past and the present. The case of Awdal is a good example. F. Alvares of Portugal, who was in Abyssinia in 1520-26, tells us that the people of Awdal hold their sultan for saint because he has always been waging war on Abyssinia.⁵ This statement is quite in exaggeration due to the existence of other evidence which state that the sultans were politically challenged, and even the sultan in question was assassinated in 1518 in a public mutiny.⁶ However, the statement addresses the necessity of satisfaction of politico-religious requirements on the part of the sultans. Across the nation, there have neither been exclusively-political leaders nor exclusively-community sheikhs. The mix of religious and political functions is a common human experience around the old world, and it’s not only a Somali phenomenon. So understanding the issue of diversity in Somali case isn’t only a relevant still but also necessary.

1.3 Diversity amongst the Entities

The main differences between their roles were the nature of the office’s duty, location and the source of the income. The location determines the source of income and the type of duty. It is characterized by being pastoralist, semi-urban, urban-related, or urban. Usually, the leaders were living in their own wealth.

Generally, we can divide them into two broad categories: clan-based chieftains which were led by ugaases so we can call them ugaastoyo or ugaasates; and statehood-oriented entities which were led by modified ugaases who have preferred to adopt sultan as a title. So we can call the latter sultanates. The term ‘sultan’ was apparently introduced to the political system of Somalia in the early Islamic period to express a position for a more powerful leader than the ugaas. But the sultans were still

eschewing to claim a position of boqor by one reason or another.

Of the pastoralist clan-oriented chieftains, the chiefs were only receiving occasional offerings from the general public through honorific or spiritual approaches. Their primary duties were settling difficult legal cases or differences among the community, blessing important social events, administering contacts to the partners of other communities, and perhaps declaring war if the community’s security is in danger, though in the regular circumstances they were maintaining a pro-peace attitude. The pastoralist ugaasates have had no means to pay workers or to form formal institutions such as revenue source or security force. Since there was no payment, the clan’s military force could ignore the position of the

ugaas and other elders when it comes to conducting an act of violence against another community. The pastoralist ugaases have not been prepared to initiate programs of social or political changes. Their jurisdiction has been confined to a certain clan so they have had a hard time to develop an understanding of the political issues in regional or national context.

For the urban-related or urban-based sultanates, the scenario was quite different from the former. The authorities were collecting revenue from major business transactions. They were nominating their political or administrative agents and aids and were paying government expenditures. They were using contingent, police or military organization. The payment could have been in money, food, clothes, animals or other stuff. And they were also controlling commercial centers or caravan routes, and handling foreign relations. They have had a better-established court. Their courts were mainly centered on a town, village, or certain location in a rural area. If based on rural area, they had been

connected with a town or trade activities at least. There could have been a diverse population at their court at one time or another. Such population could consist of administrators, workers, advisors, friends, and visitors from various clans. They have had an ambition of forming a kind of larger state.

These entities include sultanate of Awdal, sultanate of Muqdisho, sultanate of Raas Caseyr or Bari, the imamate of Ajuuraan; and the nineteenth century amirate of Baardheere, Geledi sultanate of Afgoye, Gasargude garaadate of Luuq, and Saylac government of Sharma'arke Cali. The pro-Sharia, statehood-oriented forces of the 19th century such as Baardheere amirate, the Xaaji-Cali-led movement of Bari, and later the Darvish movement also belong to this category. This was not the case for the pastoralist ugaasates. Comparatively, the rural chieftains were dealing with everyday sociopolitical needs of a rural community. But the comprehensive politics and transnational economic activities were controlled by the cities.

1.4 Examples of the Governance System of the Sultanates

Both convergence and divergence have existed in the governance form of these sultanates. Barawe, for instance, was a republic ruled by a council of respected elders according to Portuguese accounts of 1505.⁷ Marka, to the south of Muqdisho, probably preferred to remain under the leadership of such a council. Awdal⁸ and Muqdisho⁹ had been transformed from the republic form of Barawe by mid-1200s while Bari had been growing from chieftain to sultanate. In other words, these sultanates developed from small Islamic entities which were led by community elders to more organized states that have had a capacity to deal with different political situations including external relations for they were controlling coastal outlets.

In Muqdisho, Ibn Batuta reported in 1330 an existence of sultanate, whose governmental structure was almost similar to that of the proto-modern states, a government with ministers, parliament, and judiciary system, a military organization with generals, revenue system, and protocol of external relationship.¹⁰ The case of Awdal was exceptional. Awdal was controlling or accessing to vast territory. It was dealing with a huge slave and international trade system, war booties, gold, advanced caravan system, and diverse communities. In other words, Awdal was a remarkable state under an elite government that had been led by a powerful ruling house, and none of the other systems in the nation can be compared to it because it was a national state. Although it collapsed in the late 1500s, representatives

of its political legacy survived until 1886. Though we refer to it here for some examples, dealing with its relatively-detailed governmental system and its historical influence and relationship with other entities in Somalia is beyond the scope of this work.

The example of revenue sources for the expenditures is, however, provided by the Sultanate of Bari. The main source was termed in European records as taxes or tributes,¹¹ but clearly, it was a kind of Islamic taxation. It was mainly the function of zako or dago collection, a mandatory annual Islamic charity on agriculture, livestock and business activities. Here, agriculture is significantly represented by aromatic products.¹²

Along with this, there were other kinds of revenues. A trial of a man accused taking booties of a foreign wrecked ship, without informing the boqor or sultan was documented in 1882 by Revoil, a French explorer, who visited the region before that time.¹³ This was apparently drawn from the oral code of law that says, 'bad ka soo bax boqor baa leh' – sea-thrown products should be referred to the King", through his agents, for taxation. Traditional sea-thrown things include pearls and ambergris for example. So this was also part of the sultanate revenue. And that was possibly the case of Muqdisho. The ranking position after the sultan had been called 'naa' ib', Arabic word which means deputy. Naa' ib was both representative and administrative position. Community representatives

and provincial or district agents of the sultan could both be qualified to be called *naa' ibs*.

The non-clanal commanding aspect of these sultanates can further be detected. As an example, at the beginning of his revolutionary government, imaam Axmad of Awdal brought under his control by force the powerful clans of Habar-Magade and Marrexaan in Awdal. In Awdal also, if clan chiefs happened to come with the contingent clanal forces for contributing to the defense of the State, the chiefs were required to become military generals for enabling them to lead a mixed force from various clans¹⁴. The requirements for the State duty could not be attained through clanal approach.

The sultan of Bari managed in the early 1800s to organize various clans against a powerful recalcitrant clan in the region. Still, Cruttenden, a British officer, declares in the 1840s that he observed the governance system is run in Bari "in a manly character".¹⁵ Politically, the sultanate showed from 1887-1927 a strong will with attempted or conducted military operations to confront the colonial programs of colonization until it was defeated by Italians in a bloody military campaign including naval operations in 1925-27. In the beginning, its European-aborted military actions were intended to confront against the

Abyssinians after they conquered Harar in 1887.¹⁶ When the garaads of Upper Nugaal and Sanaag encounter the Darvish problem at the beginning of 20th century, they didn't appeal help from the nearby chieftains but from the sultan of Bari.¹⁷ So did the Somalis of Harar area when they encountered the Abyssinian expansion at that time.¹⁸

The other pre-colonial sultanates also show this commanding authority. The garaadate of Luuq initially challenged in the 1830s the expansion of the new powerful pro-Sharia amiirate of Baardheere in central Jubba.¹⁹ After a few years, the job was done by a huge coalition led by Galedi sultanate in Lower Shabeelle.²⁰ This sultanate initially defeated an alliance consisting of Baardheer amiirate, Biyamaal community at Marka, and the well-armed small force of Xaaji-Cali Majeerteen.²¹ During the same period, the sultanate also sent out a force of 8,000 men to Muqdisho in the attempt of controlling a civil war that broke out there.²² And Saylac government of Sharma'arke Cali Saalax was one of these. Sharma'arke, a remarkable leader from Sanaag West, has had a dream in restoring some authority of the lost state of Awdal.²³ These entities were using an army of diversity. Clan-oriented chieftains could not dare to conduct these kinds of operations.

1.5 Relationship of the States

There is no doubt that there was a sociopolitical interconnection among these three sultanates. Abyssinian and Portuguese medieval accounts attest that Awdal leaders were receiving support from Muqdisho²⁴ and Bari²⁵ in relation to Awdal-Amhara conflict. And the King of Awdal appears to be sending out offerings or presents from the war booties to the leaders of other entities all way down to Bari.²⁶ The most obvious and greatest sociopolitical interplay between two of these entities was that between Awdal and Bari²⁷. The tradition also provides an indication of social relations between Bari and Ajuuraan. As Cassanelli noted, there is a tradition placing the origin of Ajuuraan in the North.²⁸ This is, in fact, might be specified by name and community transfer. The ruling branch of Ajuuraan is named Gareen while a section of Bari rulers is called Bah-Gareen which means having a mother from Gareen. A section of Bah-Gareen has also been living for centuries in Hiiraan or central Shabeelle, the very heartland of Ajuuraan rule. A place in the east of Ceerigaabo, Sanaag, is also called Ximan-Gareen. We don't know exact relations among these issues but they are a good indication and can be a base for further investigation. Muqdisho and Ajuuraan alliance

has also been observed.²⁹ And we have mentioned above that the title 'imaam' for Ajuuraan and Abgaal appears to be referring to imaam Axmad of Awdal.

The case of Bari-Interriverine alliance in 1840s is another interesting example of the traditional Somali sociopolitical interlinkages. A section of pro-Sharia movement in Bari led by its founder, Xaaji Cali, and the father of the future founder of Hobyo sultanate came all way down from the shores of the Red Sea through a route even included Zanjibar to the port of Marka. The motive of the long journey of the group was to join and support the forces of pro-Sharia amiirate of Baardheere and Biyamaal Sheikhdome at Marka who were under attack of Geledi-built huge coalition in large area of the region. To build a stronger pro-Sharia state against the coalition, Xaaji Cali mediated and brought together the Baardheere and Biyamaal forces that were not previously on good terms.³⁰ The forces of Baardheere were not themselves contained only of southerners but also northerners whose descendants inhabit today the region of Jubba-Tana.

Of Awdal and the South, likewise, the Makhzumi community who had played a pioneering role in building Awdal State did the same actually in Banaadir. In fact, the descendants of the founders of the southern sub-states i.e. Geledi, Baardheere, and Luuq, traditionally give their origin to Awdal.³¹ Even the Somalis in Jubba-Tana region were observed by a Portuguese explorer as paying

homage to Awdal state.³² Traditions and some records also show that the protocol procedures of their offices were almost in a similar form. Office administration and protocol similarities in medieval Awdal and Muqdisho on one hand, and Bari and Luuq in the 19th century, on the other hand, has been recorded.³³

1.6 Law Utilization

The term 'law' in Somali is 'daw' which means a way. The legal system which regulates and codifies relations, rights and obligations in the society is called 'Xeer'. Xeer is indigenous Somali legal code, originated from proto-Somali with Cushitic base and enriched by the Islamic law, Sharia. The term literally means fencing, surrounding, confining, or containing things in order. In this regard, the philosophy of law and order necessity was remodeled from technical containing tool. In other words, 'daw' means law while 'xeer' means a code of law.

The antiquity of Xeer usage trace back to the beginning of the Somali history. Besides the Somali, the term still marks the tradition-bound governance system of some East Cushitic communities. Arbore who live in southern Ethiopia, northeast of Lake Turkana, are a Macro-Somali member tribe that split more than 3,000 years ago from the main Somali. Xeer (Heyr in Arbore) codifies political, ritual and social organization of the community in a generation-set system which cycles every forty years³⁴. Many other eastern Cushitic people share with the Somalis more key words in Xeer mechanism such as Xaal (code of fines), ergo (envoy, delegation) and shirmo. Shirmo or Xirmo is a legal term which means separating what is inside legal boundary from what is outside that boundary. For example, legally-closed land from public land, king's territory from the public territory, or permitted action from prohibited one.

Procedures of law utilization have either been noted or known through the tradition. In the rural areas, ugaases and their representatives could manage indigenous legal aspects of 'Xeer', but independence wadaads or judges were administering purely-Sharia aspects. In urban areas, independent formal qaadis (judges) were administering a court-controlled legal system. As an example for the independence of this system, in the petty garaadate of Luuq, the garaad could not involve the nomination of the qaadi, as noted by Italian observer prior to 1903. In Raas Caseyr sultanate, besides the Social and economic regulations, protocol codification was part of the legal system. Hence, verbal insults, actual damage of sultan's

property, or any attack on his 'representative figure', were warranting a legal action at a court against the offender³⁵.

Generally, important decisions used to have been made through deliberations in shir (conference) chaired by the sultan or ugaas. And in the case of his absence, decisions could still be made but non emergence resolutions should subsequently be ratified by him. This has almost been the case in all entities of the country regardless of their location.

Regarding the way of ascending to the office, it has usually been assumed by inheritance. If the office is vacated, the successor must have been the oldest son of the predecessor. But the council of decision-makers of the community (guurti) may sometimes overstep this law if there is a good reason to do so. They may pick up a younger son because of a serious difference between his personality and that of his older brother or brothers. The whole family may lose the office in some cases if the custom of inheritance is rejected for the sake of accountability. A good example is the case of Issa community in Jabuuti (Djibouti) and Dirirdhabe (Dire Dawa) regions. The current ugaas of this community is the 18th or 19th one. This means that this ugaasate has existed about five centuries. However, the ugaas is elected by a council of elders named gande who are from all sub-clans. Of this community, ugaas is not elected due to his lineage but by virtue of his leadership ability and personal integrity. Therefore they ignore the inheritance rules and the ugaas can come from any sub-clan. The community has then preferred accountability over the rule of inheritance.

The custom might have been rooted in the old culture. This policy actually accords well with a story reported by Almas'udi of Baghdad, alias Arab Herodotus, nearly eleven centuries ago. The historian traveler reported an existence of Cushitic (Somali) kingdom across Jubba-Tana region that was still practicing the indigenous religion in worshipping Waaq, God. Despite its powerful

kings, the general public had an authority to oust the king and even deprive his children to inherit the seat from him if he breaks the supreme law of the state. Hence, although

the kings may have been claiming a special relationship with Waaq, as the historian indicated, the law of the state was over them anyway. ³⁶

1.7 Mutual Contract as Governance Approach

Whether the social or political inclination was the case, these leaders were not ruling the Somalis in white paper. They ruled by a mutual contract and with integrity. In all systems, there has been a sort of relationship of service-obedience exchange. In one of the many poetic statements in the Somali literature that conceptualize the rules of the life, it is expressed the expectation from the king to spend part of his wealth to public causes besides other duties. As a basic principle, the conceptualized expression says:

“Saddax baa boqornimo kaa qaada: Gacan guran, Guddon jaban, iyo Gar eexo – one of three things makes you a failed king: empty hand, weakness in decision-making, and partiality in a verdict.”

Empty hand means here giving nothing to the subjects, particularly the aids, guests, and the poor. Thus, besides the necessity of being fair and strong, the king has to give something and not only take. In exchange of obedience, the statement is suggesting that the king should lose his job not only by breaking the law but also failing to meet the expectations. Other concepts emphasize other requirements which the king needs to meet such as ruling with good attitude and consultation with the general public.

In Awdal, obedience and giving more power to the sultans had been traded with the latter’s obligation to protect the citizens and sustain the sovereignty. This fact might be more explained by the situation of the economically-poorest one of the sultanates, Bari. According to European accounts of 1850s-1920s, Raas Caseyr was a well-functioning sultanate, a situation has already been mentioned by the Portuguese and Abyssinian accounts of the sixteenth century. Environmental protection, for example, was part of this government’s functions. It has been observed:

“Pastureland suffering from over-grazing can be declared closed (hirmo, [xirmo]) at the “Sultans” behest. Flocks driven into a closed area are slaughtered. Similar powers are exercised for the preservation of woodland. Wood-cutting is forbidden by declaring trees hayran [xayiran], and on the opening of a new season a toll seems to be paid.” ³⁷

It is noteworthy here that the political entities around the world at that time could hardly be concerned about environmental protection. In other types of public service by that sultanate, it was noted also “it is the ‘sultan’s duty to dispense aid in time of trouble and to provide hospitality for guests and strangers.” ³⁸

1.8 The Weaknesses

Although therefore the efforts of state-building were emerging at one place or another, this was not an easy job because of personal interest or clan-based resistance. The biggest obstacle to the ambitions of the sultanates was, in fact, clanal chiefdoms. The Ajuuraan imaamate of late medieval time; the Baardheere emirate of early 1800s; and Hobayo sultanate, an offshoot of Raas Caseyr, from 1870s-1920s, were not seen as an agent of state formation but as intruders, and were finally defeated by local alliances (with an exception of Hobyo whose factor was involved by the Italians also). These better-established entities were not also free from internal disturbances. For example, there has been always power shift in Muqdisho and finally, it was destroyed by a bloody civil strife in

the 1830s. Awdal, one of the most powerful states in Africa, could not avoid being frequently disturbed by a revolutionary civil war. This weakness was more obvious at the onset of the colonial rule. Generally, the leaders failed to discern the outcomes of the protectorate treaties. When they learned the betrayal, they began to resist but they did not prepare themselves to confront properly with the well-organized intruders. There was political or technical mismanagement in their programs. The core of the weakness was not because these leaders were politically outdone by the Europeans, but because they were not learning from the mistakes

2 The Present-day Realities

2.1 Somali Answers versus International-System Answer in the Period of Political Turmoil (1990-2018)

After the downfall of the national state in 1990, the indigenous Somali governance system shows the ability of resilience in restoring and maintaining a sort of governance. It has brought itself to the attention of some western observers. Despite an experience of undergoing a destructive civil war with the absence of a central government for over twenty years, still, there is a kind of system working everywhere in Somalia. In northern parts of the country, proto state systems have been formed by the local communities. This relative success is credited to the legacy of indigenous governance system and not to experience from more organized, colonial-produced system, which actually has been the source of state collapse. Additionally, with these indigenous state-building and reconstruction efforts, the international system's approach to the Somali problem has failed. The main reason for the gap between the two approaches is judged to be a misconception in the validity of social contract theory by its Western understanding's constraint.³⁹

Right after the Westphaliatreaty in 1648 which ended the 'Thirty Years' War' and allowed the emergence of some sovereign states in Western Europe, Western social scientists had developed a theory of a 'social contract and state'. The theory urges the necessity of having a government for providing social welfare and security in exchange of obedience by the 'governed'. Generally, early works on the theory were written in the midst of ruinous civil wars or other kinds of political upheavals in Europe. Further, these mental exercises were coming from an experience in a feudal system where the majority of the society was living in a condition of peasantry or serfdom. In the European system, it has not been found something in between the formation of a strong welfare state and a system of feudalism. Still, state formation was slow in many parts of Europe. For example, the states of Germany and Italy were formed in 1870 and 1871 respectively⁴⁰. That has not been the case of the politico-economic liberal system of the Somalis.

In our time, a parallel use for the troubled countries like Somalia with top-down approach has been entertained. But the top-down approach was not realistic in the underlying political situation of Somalia. Additionally,

some requirements of the theory like welfare state are not relevant in the Somali socioeconomic system. When the strengths of the Somali approach's answers are concerned, the analysts have primarily in mind the reformation of the two northern local states, and the functioning business and a kind of welfare system in the whole country.

D.K. Leonard with M.S. Samantar has published a 26-page unique article⁴¹ on searching to understand the nature of the gap between the two approaches. Some of their statements are reproduced here in order to have a good idea about the course and the main conclusion of the study. They wrote:

"The polities of Somalia offer important lessons concerning our general theories about social contract ... indigenous system of governance, and the failure of existing international approaches to state reconstruction. Contemporary Somali politics is re-explored here to extract these lessons. The article explores the assumptions embedded in the works of the classic Western social contract theorists in the light of Somalia experience in order to show that the underlying conceptual structure of international state reconstruction work needs to be rethought."⁴²

The gap is characterized by the difference between the socioeconomic structures of the Europeans and the Somali systems. In the West and other 'industrialized states, there are very few governance institutions between the individual and the state'. Without state then, and its social welfare services, anarchy will be the order of the day and the life will not be normal, it is assumed⁴³. But in Somalia, there are many governance institutions between the two such as self-sustaining localized political system, different levels of kinship association, and communal welfare social establishments. The regional states hold political representation; the kinship association controls the laymen's arena, and organized social establishments are led by cadres who control some organized businesses and social services.

The distribution of governance institutions permits many things to work within the absence of an effective central state. For example, social welfare services are a public

responsibility in the Somali reality. It is instituted by a social contract which recognizes rights-holders and duty-bearers in the society on the bases of kinship demands and Islamic-charity requirements. Although it is partly mandatory in Islam, there is no enforcing institution but however, it is done. This makes it a social contract that distributes wealth in society.

The main conclusion of the above-mentioned researchers utilizes the works of the leading modern social contract theorists. But they can hardly find an assumption that can fit with Somali approach. The authors continue:

“The Somali experience restructures much of what we thought we knew about the absence of states. Statelessness does not automatically mean disorder. Structured interactions ... through extended families (or localities), not anarchy, are an alternative to the state ... In reaching these conclusions, we have perused the great modern social contract theorists. We do not suggest that one was more ‘right’ than the others. Instead, we have sought to show that each of these men made an

assumption about the social contract (albeit different ones) that fit poorly with the realities of the Somalis. The treatment of their thinking here elucidates the weighty conceptual baggage that those trained in the West bring to the Somali crisis and the need for the international system to be ready to reconceptualize the social contract for a different person and a different age.”⁴⁴

Further, they recognize that today’s requirements for state reforming in Somalia might be technically compared to that of yesterday’s European state-building necessities with Somalia is more disadvantaged than the latter due to undoing external factors. They conclude:

“it frequently is better to allow for bottom-up, organic, disjointed negotiation of indigenous governance solutions ... than for the international system to impose top-down answers. The former more closely tracks the history of state formation in Europe and the latter is troubled by the inconsistent and not necessarily benign interests of the international actors involved.”⁴⁵

2.2 Contributing Factors

However, they didn’t give the credit of the relative success in state formation in northern Somalia to a special group in the society at least primarily. Rather, they gave that credit to what they called the Somali “social construction”. In fact, the process of the building the two northern sub-states was a contribution of everyone. The technocrats and political leaders drafted the system to use; the general public financed and enthusiastically organized the meetings and conferences; and the role of elders was to bless the conclusion, and particularly, the nomination or election of the new leaders (the process was still sidelining or even eliminating violently the role of pro-Sharia, anti-corrupt, or nationalist groups). In this regard, Leonard and Samantar, and other researchers find that the role of the elders is “facilitative rather than authoritative”, or in other words, it “is due to persuasion and legitimacy, not control of force”. They also find that this role can be even eroded by a Partisan stalemate in the politics.

However, the political leaders with whom elders deal can use, sometimes violently, control of force for their own special interest. This necessitates a condition of cooperation between the two authorities. This necessity of cooperation usually instigates unholy or corrupt alliance between the two at the expense of the public interest, which is the problem of the elders’ credibility. It must be noted that an international factor such as the appreciable refugee resettlement in some western

countries, assisted the Somali answer. But still, we need to know about the details of the ‘structured interactions’ as ‘representatives of the state’. A number of factors have contributed to the existence of representatives which include the following:

First, the concept of social contract is not a product of one unique civilization. Somalis knew it through the indigenous Xeer and the Islamic sharia which explicitly articulates it. The necessity for having a strong central state, which owes the ‘governed’ protection, services and governance by justice in exchange of obedience and safeguarding the state is one of the requirements of understanding the Sharia. Obedience within qualified legal parameters is obligation even within shortage of services or rights. Some Western scholars even appreciate ibn Khaldun’s role (fourteenth century) in developing the theory. Social contract requirements are in the common documents such as the Qur’an and it is part of the common knowledge. The problem then is not a shortage of material or theory, but it is confusion in the governance system which is created by the continuation of colonial legacy with new external interventions through the local elite. This takes advantage of the absence of the public power that can check the elite’s misleading and misgoverning behavior.

Second, the international programs are very expensive, slow and less productive while the locally-tailored

programs are less expensive and more productive per function. For example, compare the benefits of community self-help projects implemented in Goldogob, a city in the west of Gaalkacyo, to the outcomes of one of the well-financed international system's developmental or security programs in Somalia.

Third, attitude or priorities of the community: for example, collective self-controlling capacity, and adopting either offensive or defensive policy have made a big difference. Good collective self-controlling capacity reduces incidents in the community and, in turn, assists in maintaining law and order. Reasonable defensive policies have yielded an attitude of minimizing unnecessary confrontations and seeking to build a system. On the other hand, poor self-control attitude and offensive policies have resulted in releasing more devastating militias, in causing more destruction, and in creating deeper differences.

How much of percentage in community's decisions pertinent to its relationship with another community is based on realistic thinking or self-control and how much of them are based on emotions or negative perceptions? A psychosocial factor has played a significant role in the long-running conflict in Somalia.

Fourth, availability of historical political reference: an existence of unambiguous traditional references such as a widely respected office or generally accepted Xeer, has been a political asset for some communities to recreate a system. The stronger the traditional institution, the better it works, if respected, at the time of national government absence.

Fifth, reasonability of the leaders: Warlordism and power mongering attitude have been a common phenomenon across the nation. But in some places, these power-hungry leaders have accepted or have been forced to yield some authority to the traditional leaders who in turn exercise some control over the former through the general public pressure.

Sixth, the capability of certain social units in the society: The areas in which the above-mentioned mechanisms

have not been utilized, at least business and educational functions and localized charities have been put at work. Even in the areas that enjoy the relative stability, those functions are not controlled by the official authorities. These activities are run by certain capable social groups or individuals that are usually ignored by the international system. Neither Somali politicians nor the international system like to deal with these social establishments because they appear demanding locally-designed reformation, accountability, and more sovereignty; whereas kinship associations and state institutions chiefly demand governmental power sharing. But these sides at least resort to these self-organized social establishments for difficult situations such as a natural disaster or complicated security issue. (These social establishments must not be confused with some corrupt NGOs and some unscrupulous business owners who have become an obstacle to the effectiveness of the central government).

Here we see that the mechanism consists of contributions from the traditional institution, the social organizations, and from the state in the northern case. The elders do not thus represent the use of a traditional entity and are not even necessary for the reformation of the Somali state. They just contribute, if equipped, to the process of stabilization.

In the Somali experience, a government with a clan factor automatically invites a system of corruption. Too many governance authorities mean divided loyalty. Accordingly, these authorities show that they operate at the expense of national cohesion and sovereignty. The two northern entities cannot still develop themselves to be viable states. Their role is still confined to security measures for selective areas. Although they have existed nearly quarter a century, many aspects of statehood basics are yet to be introduced. They are struggling with many problems that would not exist or could be easily solved should the country is governed by a strong, single government. A government with a clan factor is not an option.

2.3 Politics Distort the Function of the Traditional Office

Prior to mid-1900s, the number of formal ugaases and sultans was about less than forty across the nation, albeit the matter is due to a relative judgement. This number has long been growing naturally from a very far less number. As a case of the example, there were about three ugaases for the branches of Dir community and about

two of them for the Isaaq community. Various clans in the south have had also their own single ugaases per clan. Almost half of the total number belonged to Hawiye and Daarood communities owing to one reason or another. The number of ugaases for the major sub-clans of Hawiye was around ten, and that of the Daaroods was

not far more than that. There have been no contending sub-ugaases usually but ugaas assistants.

As the largest chieftain-sharing entity in the country which has geographically and demographically been expanding from the turn of the first millennium CE, the Daarood case can be a good example for understanding the natural expansion of the office. Besides the original ugaas, who later turned to be a sultan, major sub-clans of Daarood began to mark their own sub-ugaases or garaads from the 13th century. But still, around 1950 the number of their sub-chiefdoms could hardly be more than ten. Although the chiefs have practically been independent, nevertheless, they have principally continued to recognize and to pay homage to the sultan of Bari, recognition due to cultural legitimacy. The degree of relationship between the sultan and chief has depended on the geographical distance between locations of the two. With that historical picture of a maximum number of ugaases in a certain community for long period, the colonial politics dramatically changed the pattern from the 1950s. Now there are over 200 ugaases and hundreds of sub-ugaases across the nation.

The partnership between the rulers and the elders is generally against the interest of the state and the general public. This partnership or distortion has thus been created in the colonial era. It was reused in the 1980s. But the office has largely been abused and politicized during the era of the Civil War.

Conveniently, life example can induce to fully understanding of this long process of distorting the office's duty. Let us take the case of a powerful community whose territory encompassed from the Indian Ocean to Wardheer area of Somali Galbeed, in order to show how the institution has politically been mutated. Before

2.4 Credibility Compromised

The present-day leaders contribute to the continuation of the distortion. As the rulers don't want to deal politically with the public owing to a will of power manipulation, they allow the elders to process the nominations of parliament members, ministers, mayors, and to some extent the governors and civil service administrators, in the case of the Northeast. The head of the state is even elected by a nominal parliament created by the elders at the behest of the ruler.

In the Northeast or Garowe-based administration, the elders are allowed to get involved in the executive and administrative jobs. Qualification is not a criterion in a government job. The rulers and administrators of these

the colonial rule, this Gaalkacyo-based community was headed by one ugaas that prefers to be called islaam as a vassal entity of Bari sultanate. The islaam was principally paying homage to the sultan of Bari. But the sultan or boqor was badly defeated militarily by Italian fascists in 1927 through the campaign of bringing the region under their control. Consequently, the boqor fled to Berbera, the then base of British administration in the Northwest. British authorities handed over him to Italian authorities, and the aged boqor remained under house arrested in Muqdisho. Thus the islaam of Gaalkacyo lost his supposed boqor. But that was not only what he lost. In the 1930s the Italians began to create sub-clan chiefs with stipend payments. In the case of a Gaalkacyo-based community, over ten of them were fashioned under the proper ugaas or islaam by 1950s. These sub-chiefs or duqow needed to report to Italians and not necessarily to the ugaas. So the ugaas also lost his subjects in a process of 'divide and rule' approach. The former assistants of his now turned to be contenders.

The Somali government began getting weaker by early 1980s. It started to create new ugaases and duqow across the country for political exploitation or they were creating themselves for reaction. The sub-chiefs began to promote themselves to ugaas level. For the case of the Gaalkacyo-based community, today, there are nearly ten ugaases and thirty duqow in the community. They rarely report to the holder of the original office. There are many communities with worse scenario than theirs; whereas there are few others with better cases throughout the nation. So this case should be a fair example in the broader situation. On the other hand, the newly, fully reinstated office of the boqor should deal with nearly fifty ugaases that mostly don't want to be presented by his office at least politically.

states are clients of the elders and, in turn, the elders are the clients of the former. Illegal political patronage is substantially practiced and the general public is systematically deceived. There are two strategies to maintain this unholy alliance.

First, political progress and public empowerment are deliberately avoided and not invested. Rather, resources are oriented to the political patronage. The alliance may allow an existence of arbitrary or unjust judiciary system which is paid by individuals. In fact, the elders are allowed to handle the job of state parliament, judiciary system, police, and municipal court because the government does not show a will to operationalize these institutions.

Second, at the public complaint, rulers' answers are excuses. The public itself get blamed to be naïve for contributing to political progress. Their contributions to the state building and their patience on waiting for a change are not appreciated. Mistakes and failures are hardly acknowledged on part of the alliance.

In the Northwest or Hargeysa-based administration, the chieftains were promoted to be the Senate of the parliament. For the last ten years, they endorsed two times a government-initiated extension of the presidential term for two different leaders of the state. They have also recently endorsed the military operation of Hargeysa against Garowe, the nationally and internationally-concerned incursion of Tukaraq.

As a result of this patronage behavior in the sub-states, frustration in the general public become part of the life. Undoing youth migration is an obvious example. When

the members of this youth are asked why they are risking themselves in this move, they just answer: there is no justice, no change, no job, and no future. Others don't care and become part of the corruption because they never see a different system for they are either from the rural areas or born during the last thirty-five disastrous years.

This has been the governing approach by the two northern states and the central government, and the newly-formed southern states have now joined the trend without reservation. In this regard, elders contribute to political and economic corruption and development stagnation in the country. Elders then need to stop dilly dallying between the social and political landscapes. Within this condition, the elders are not in a position to help sociopolitical improvements in the country.

2.5 Limitations: Power Lost

Moreover, the elders are now undergoing what can be called a norm of copying and proliferation. In 1960, it was hard for most of the clans to find a qualified person to represent them in the parliament or municipal council. Only supporters of SYL, the National leading part, and Hargeysa-based Northern parties were close to doing that. In contrast, for the national elections of 1968 for 123 parliament members, there were over 80 parts and nearly a thousand candidates. That became an excuse for the coming of the dictatorship government of 1969-90.

Prior to the downfall of that government in Dec. 1990, there were only four of the so-called 'Somali Fronts', the then rebellion movements against the government. But in the mid-1990s there were over twenty of them. There were two regional states in the 2000s. But in 2012, more than 20 of them were claiming that status. From the

1980s, it has been the turn of the clan chiefs to maximize their number in proliferation. Today, almost every month, there is a chief inauguration at somewhere in the country. Under that situation, can they contribute to a national cause?

We have addressed above the four categories into which the office can be ranked. Today category number 3 may claim the role of category number 2, and category number 4 may do the same on the role of number 3. And that is part of the process of compromising, confusing and corrupting the role of this office. The proliferation of the office's job actually undermines the holder's ability to do the job and credibility to be respected. To be sure, the office proliferation is not a new phenomenon. But the new type of proliferation is taking dangerous new dimensions.

2.5.1 Ongoing Case

Let us cite one more intimate example, a continuation of Gaalkacyo-based community case, for how the distortion imposes a serious limitation on the institution's ability to meet the expectations. In the above-mentioned example, we show how the formal ugaas has been incapacitated by the distortion process. The effects of that incapacitation appear in the very immediate surroundings of the ugaas or islaam. Immediate sub-clan of Gaalkacyo ugaas and his partner of Laascaano region, who is also disabled by the power proliferation, have been in bloody conflict for the last ten years. Although the conflict has several times been controlled by mediations, it is triggered frequently by individuals who want to avenge for the previous incidents. The communities are then driven to a new round of confrontations. Ironically, the Laascaano-based community has been fighting during the same period another devastating war against another neighboring clan who also belongs to Laascaano.

Basically, these communities don't want the problem to be continued but circumstantially, warring in masses

with great loss is easier for them than containing the incidents they cause and the spoilers. This might sound like a strange option, but it is one of the situational aspects for humans who have no functioning leadership. These well-rooted leaders have no means to save their cousins and nephews from this meaningless destruction. These means belong to a government, but even local entities can't much help them, because the clans either arm themselves or some of them have a problem with working for a government because their leaders cannot agree on what entity to work with.

Politically, these two chiefs claim that they represent large communities but practically they cannot manage irresponsible, coastally actions of their clansmen. This is not a unique case but a common example of the gap between the supposed expectation from the traditional leaders and their actual capacity. The history does not show that the clan chiefs have had a capacity to stop this kind of human tragedy without the support of formal authorities.



3 CONCLUSION AND RECOMMENDATIONS

There have historically been in Somalia various forms of governance systems. They can be grouped into two main categories: clan-oriented chiefdoms with less commanding authority; and better-established statehood-oriented sultanates with revenue source and security force. The legitimacy of the governmental institutions has been judged in a virtue of fulfilling the requirements of the mutual contract between the leadership and the general public. Today's traditional office holders cannot functionally be equated to the pre-colonial or even pre 1980 traditional entities. The main difference is that the former was free from political patronage and was mainly making decisions on behalf of the people, but the latter works under political benefaction so it does not make the main decisions. Political patronage and office distortion have been practiced since the colonial era, and it was also used in the 1980s, but it has become out of control during the Civil War era. Most of the clan chiefs, within various levels, have become clients of corrupt politicians. As a

result, there are uncountable and mostly uncontrollable clan chiefs in the country today. Most of them don't have the power they usually claim on their community. Another new common aspect among the incumbents is that almost all of them live in the cities and involve politics rather than developmental issues. The practice has deeply affected and corrupted these traditional institutions.

Admittedly, they are consumed by covering the failures of political leadership. They are allowed to deal with daily incidents instead of dealing with social developmental issues. They are dried out by doing police, municipal court, judiciary, and even parliamentary job. But still, they don't mind to keep that problem on their shoulders. In that situation, they may help, but they cannot be a base for the process of building a modern state. And it's difficult to expect from them that they can fully discern all dimensions of reconciliation requirements. It seems that they are losing their role to other sides.

Recommendations



On the basis of our analysis, we put forward the following policy recommendations:

1. The Somali government stands today for the role of the historical authoritative states. Since the role of the present-day elders can be compared to the historical chiefdoms at best, their role must be confined to sociocultural issues.
2. The elders must adequately be explained that today's questionable involvement in the politics and the self-nominations are actions that disqualify their claim of being a legitimate representative of the historical chieftaincy.
3. Since the country is developing a comprehensive legal system, the role of the elders in the sociocultural spectrum must still be reassessed and defined absolutely.
4. Whatever role the office of the elders plays in that spectrum, it must have an accountability measurement.
5. The elders aren't supposed to dilly dully between the decisions at the State House and the basic rural events, so they must not be used as legal and political middlemen who can arbitrate the legislative and judiciary procedures and essence.
6. There must be voluntary efforts on the part of the general public to accelerate and augment an emergence of effective public power that can assist providing the required mechanisms of check and balance and controlling the political behavior of the politicians and the elders.

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