

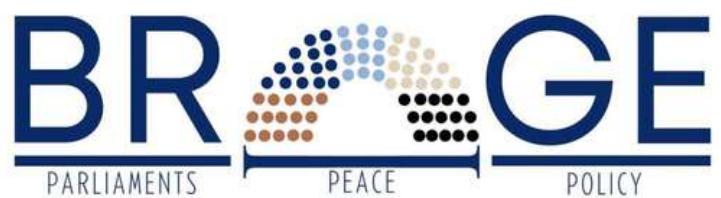
# Parliament & Public Policy Quarterly

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Volume 01, Issue 1

September 2025

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Bridge Research and Innovation for Democratic Governance and Enhanced Peace (BRIDGE) is an independent, non-profit think tank based in Addis Ababa, Ethiopia. Registered under the FDRE Civil Society Organization Proclamation No. 1113/2019, which specializes in parliamentary affairs, peace, and development in the IGAD region.



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To advance democratic governance and enhance peace through evidence-based research and innovative policy analysis.



## Vision

To be a leading research hub and trusted source of analysis on parliamentary affairs, peace, governance, and development in the IGAD region.



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## Parliament and Public Policy Quarterly

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Parliaments and Public Policy Quarterly is a quarterly journal published in January, May, and September, focusing on legislative institutions in Africa, with a particular focus on IGAD member states.

Parliaments and Public Policy Quarterly aims to deliver timely and accessible summaries of parliamentary activities. Their thematic focus includes contemporary legislative developments and debates, as well as the representation and oversight functions of parliaments. Designed to enhance transparency and public engagement, the publications will distil complex parliamentary processes into digestible insights for citizens, scholars, and civil society. The publications will be empirically grounded and policy-oriented, yet accessible to a general audience.

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# The House of Elders: Somaliland's Stabilizing Institution and Democratic Challenge

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Dr. Nasir M. Ali<sup>1</sup>

## Abstract

The Republic of Somaliland's hybrid governance model, integrating traditional clan-based authority with modern democratic institutions, represents a distinctive approach to state-building in a post-conflict context<sup>1</sup>. The House of Elders (Guurti), the upper chamber of the bicameral parliament, plays a pivotal role in legislative oversight, conflict mediation, and the enhancement of state legitimacy. This article critically evaluates the Guurti's contributions to stability while highlighting its democratic deficits, including the absence of transparent elections, tendencies toward gerontocracy, and resistance to progressive reforms. Drawing on historical analysis, comparative perspectives, and recent developments, it argues that while the Guurti has been instrumental in maintaining peace, its unelected status and conservative orientation threaten Somaliland's democratic consolidation. Constitutional provisions for indirect elections must be implemented to reconcile tradition with democratic principles. This study contributes to scholarship on hybrid political orders in fragile states, emphasizing the need for institutional evolution to sustain governance efficacy.

A key component of Somaliland's distinctive hybrid governance model, which combines traditional authority with contemporary institutions, is the House of Elders (Guurti). This article examines its crucial role in legislative review, conflict resolution, and state legitimacy. It also highlights challenges, including a lack of transparency in the electoral process, gerontocratic tendencies, and potential roadblocks to progressive legislation.

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Although the Guurti remains a crucial stabilizing force, the analysis concludes that, to maintain tradition and democratic values, constitutional provisions requiring its election rather than appointment must be implemented.

## Introduction

After withdrawing from the union of 1960 and from Somalia in 1991, the Republic of Somaliland has established a remarkable record of stability and democratic governance in a region prone to instability. The House of Elders (Golaha Guurtida), the upper house of the country's bicameral parliament, is a crucial institution in this political structure.<sup>2</sup> The Guurti, which was founded as a contemporary version of the traditional Somali clan-based elder councils, played a significant role in the 1990s peacebuilding and state-formation initiatives in Somaliland.<sup>3</sup> Serving as a supreme council of the country, the Guurti's mandated duties include extending the terms of the lower house, the president, and the local councillors when deemed necessary.<sup>4</sup> In addition, the Guurti reviews the lower house legislation and plays a significant role in mediating disputes.<sup>5</sup> Bases to critically analyse the House of Elders' perennial significance as a source of social cohesiveness and cultural legitimacy, therefore, this article delves into the dual nature of the Guurti.

## The Guurti: between traditional legitimacy and democratic deficit

The House of Elders, or the Guurti, embodies Somaliland's governance opportunities and challenges in a complex way. Above all, the Guurti offers unmatched social cohesiveness and cultural legitimacy. Somaliland effectively co-opted potential sources of opposition

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<sup>2</sup> Haldén, Peter (2008). *Somalia: Failed State or Nascent States-System?* Stockholm: By Swedish Defence Research Agency.

<sup>3</sup> Murithi, Tim (2008). "African indigenous and endogenous approaches to peace and conflict resolution". In: Peace and Conflict in Africa (ed). New York: Zed Books.

<sup>4</sup> According to Article 83(5) of the Somaliland Constitution, the Guurti may extend the President's and Vice President's term of office if a security crisis prevents a timely election. The extension must be proportionate to the estimated time required to restore security and hold the election.

<sup>5</sup> According to Article 61(2) of the Somaliland Constitution, the Guurti may review bills passed by the lower house, with the exception of financial matters. If the Guurti wishes to amend or reject a bill, it must return it to the lower house within 30 days of its receipt by the Speakers of the Guurti, accompanied by a statement of its reasons.

and ensured that less powerful clans had a stake in the political system by integrating traditional clan leadership into the official state structure. This inclusion and accommodation of small clans into the state has been essential to preserving the tranquillity and stability that set Somaliland apart from its immediate neighbour, Somalia.<sup>6</sup>

It is necessarily important to note that the Guurti serves as a mediating and stabilizing institution in Somaliland.<sup>7</sup> Settling high-level political disputes has been the Guurti's most potent function. To prevent conflicts from worsening, it has, for example, frequently stepped in to mediate disagreements between the legislative and executive branches, as well as between the executive and opposition parties, to help reach agreements during divisive elections. Although the role of Guurti in politics is controversial, its function of prolonging governmental terms during political deadlocks has frequently been acknowledged as an essential step to prevent a power vacuum.<sup>8</sup>

Furthermore, and very importantly, the Guurti acts as a conservative check on the swift changes in legislation. The House of Representatives, the lower house, is subject to populist tendencies and is directly elected. With its focus on custom and tradition, the Guurti serves as a guardian and a reviewing body that ensures laws are discussed from a long-term national-interest, cultural, and religious-compatibility standpoint, especially when it comes to issues related to religion and custom.<sup>9</sup> On another note, the lack of transparency in the electoral process is the biggest obstacle. The constitution requires indirect election of members, but this has never been done. Members were appointed at the Borama grand conference in 1993 and have essentially extended their own terms

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<sup>6</sup> Ahmad, Aisha (2012). Agenda for peace or budget for war? Evaluating the economic impact of international intervention in Somalia, *International Journal*, (Spring 2012), pp. 313–331.

<sup>7</sup> McPherson-Smith, Oliver (2021). Better Off Alone: Somaliland, Institutional Legacy, and Prosperity, *The Journal of the Middle East and Africa*, Vol. 12, No. 2, pp. 203–224.

<sup>8</sup> Richards, Rebecca (2015). Bringing the Outside in: Somaliland, Statebuilding and Dual Hybridity, *Journal of Intervention and Statebuilding*, 9 (1), pp. 4–25.

<sup>9</sup> According to the Somaliland Constitution, the Parliament is a bicameral legislature comprising two distinct houses: the directly elected House of Representatives and the House of Elders (Guurti). Members of the lower house are elected by popular vote as stipulated in Article 40, while members of the Guurti are selected by clans based on their knowledge of traditional customs, norms, and religious values.

indefinitely. The house's democratic legitimacy is weakened by this self-perpetuation, which also draws criticism that it is an unaccountable body that is holding onto power.

One of the practical challenges facing the Guurti is the gerontocratic form of selection, in which a deceased Guurti member is replaced by his immediate family members, for example, his older son, if any, or his brother. In addition, there is no actual representation of women, young people, who are the majority of the current Somaliland population, or professional expertise among the appointed members, who are primarily older men. At the same time, the Somaliland population is increasing rapidly, especially among the younger generation, both male and female. The Somaliland House of Elders seems irrelevant if they didn't think twice about changing the chamber's composition.

The nature of the chamber is practically conservative, resisting progressive reform policies and initiatives about the politics of inclusion and political modernization; however, the Guurti's major achievement is maintaining the country's peace and stability, which is a strength. In contrast, the Guurti's role as a check on the policies passed by the lower house can sometimes impede the innovation and adaptation of policies crucial to the state's development.

Despite being a measure of stability, the Guurti's role in extending the terms of the branches of government, including its own, creates a risky precedent that runs counter to democratic customs and principles. Though it is constitutional that the Guurti has the right to extend the terms of the government organs, such as the president, the lower house, and the councillors, there is a valid question: what does it mean for democracy when an unelected body determines the legitimacy of other branches of government, it creates a vicious cycle that gradually erodes public confidence in the political system as a whole.

## Conclusions and future directions

The Somaliland House of Elders is still a two-edged sword, to sum up. It has been essential to the country's success and is a vital source of stability, cultural authenticity, and conflict resolution. Its future credibility and Somaliland's democratic aspirations are

seriously threatened by its unrepresentative composition, opposition to reform, and lack of electoral legitimacy.

By implementing the following recommendations, the Guurti can transform from a traditional relic into a vibrant, respectable, and functional institution that continues to defend Somaliland's distinctive fusion of democracy and tradition by reforming itself. Therefore, several recommendations need to be addressed, these include:

1. Putting constitutional electoral provisions into practice by giving top priority to creating a transparent, indirect electoral system for the Guurti to restore the legitimacy of the house.
2. Furthermore, and very importantly, implementing term limits by stopping the current practice of self-extension and guaranteeing frequent member turnover, and a rigorous system of terms must be created and followed.
3. Making the house inclusive and accommodating to all citizen members is crucial. This includes increased participation of women, young people, and civil society experts in the clan-based selection process.
4. Lastly, but not certainly least, clarifying the Guurti's mandate is important. This means avoiding using it as a tool for political gain rather than true national interest, and its function, particularly in extending governmental terms. This should be more precisely outlined in legislation.

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# Reclaiming Representation: Reforming Somaliland's House of Representatives

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Sihaam A. Mumin<sup>1</sup>

## Introduction

When Somaliland reclaimed its independence in 1991, it inherited not a functioning state but the rubble of one. Amid the ruins, the nation's leaders faced a profound question: how could peace and self-governance be sustained without external recognition or support? The answer lay in local ingenuity. At the 1993 Borama Reconciliation Conference, traditional elders, political figures, and intellectuals resolved that reconciliation would only endure if rooted in legitimate institutions.<sup>2</sup> The outcome was the creation of a bicameral parliament that combined traditional authority and popular representation. Within this hybrid framework, the House of Representatives was designed to embody democratic governance, a chamber where citizens' voices would be expressed through elected lawmakers, entrusted with legislation, oversight, and budgetary control. From its inception, the House symbolized Somaliland's determination to translate reconciliation into representative statecraft.

## Foundations of Democracy

The early years of the House of Representatives were defined by institution-building and experimentation. Its establishment under the 2001 Constitution enshrined principles of

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<sup>2</sup> Somaliland National Reconciliation Conference (Borama, 1993): Final Declaration and Institutional Framework.



separation of powers, limited government, and public accountability.<sup>3</sup> Guided by a three-party system, enshrined in Article 9 of the Constitution, the House became the arena through which Somaliland sought to balance political pluralism with national cohesion.

The 2005 parliamentary elections, the first of their kind in Somaliland's history, represented a watershed moment. Voters chose representatives from across the six regions, marking a transition from consensus-based politics to electoral legitimacy. The results produced a diverse and competitive legislature, catalysing debate, oversight, and citizen engagement as never before.<sup>4</sup> Yet, while this democratic opening was historic, the path forward would be far from linear.



*The House of Representatives<sup>5</sup>*

## Democratic Gains and Governance Challenges

Over time, the promise of parliamentary democracy became strained by recurrent election delays, mandate extensions, and executive dominance. Prolonged postponements weakened legislative credibility and diminished the House's oversight role. In practice,

<sup>3</sup> Constitution of the Republic of Somaliland (2001), Articles 38–53.

<sup>4</sup> Somaliland National Electoral Commission (NEC), Parliamentary Elections Report, 2005.

<sup>5</sup> Source: <https://somalilandstandard.com/sl-parliament-issues-first-three-month-session-performance/>

budget scrutiny and policy debate often yielded to executive-led decision-making, undermining the principle of checks and balances.

The 2021 parliamentary elections, held after a 16-year hiatus, rekindled democratic hope. Citizens turned out in large numbers, and the contest produced a pluralistic chamber with no single party majority, compelling coalition-building and negotiation. Observers lauded the process as free and fair, evidence of Somaliland's enduring democratic ethos.<sup>6</sup>

Still, the outcome also laid bare deep structural gaps:

- Not a single woman was elected, underscoring persistent gender exclusion.
- Youth representation remained minimal, despite their demographic dominance.
- Clannism, rather than ideology, continued to shape candidate selection and voter alignment.

Without deliberate reforms, these inequities risk perpetuating a democracy that is procedurally competitive but substantively narrow.

## **Institutional Development and International Support**

Behind the scenes, the House has evolved from a symbolic institution into an emerging centre of governance. Over the past two decades, it has established specialized committees, administrative units, and research services to support legislative work. International partnerships have been instrumental in this transformation.

- The United Nations Development Programme (UNDP) has supported digital archiving, legislative libraries, and policy analysis units.
- Civil society organizations, such as the Somaliland Non-State Actors Forum (SONSAF) and NAGAAD Network, have strengthened transparency through public consultations, live-streamed sessions, and advocacy for open data.

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<sup>6</sup> European Union and SONSAF, Joint Observation Mission Report: Somaliland Parliamentary and Local Council Elections 2021.

Despite these gains, systemic weaknesses persist. Committee reports often stall without implementation. Staff turnover undermines institutional memory. The absence of a non-partisan parliamentary research office leaves MPs dependent on external sources for evidence-based policymaking.<sup>7</sup>

## Pathways for Reform

For the House of Representatives to fulfil its constitutional promise, reforms must address both its structural limitations and representational deficits. Five priorities stand out:

1. Institutional autonomy and research capacity. Therefore, the House is expected to establish an independent Parliamentary Budget and Research Office to strengthen legislative scrutiny of government policies and spending.
2. Timely and credible elections are another important point; therefore, codify electoral timelines in law and empower judicial oversight to prevent politically motivated delays and indefinite extensions.
3. Gender inclusion and youth representation are other important issues in Somaliland. Therefore, it is important to introduce reserved seats or quotas to ensure the inclusion of women, youth, and marginalized groups, alongside equitable campaign financing.
4. Transparency and public engagement are another issue; therefore, it is important to institutionalize the publication of committee proceedings, voting records, and plenary debates, and expand civic education on parliamentary roles.
5. Oversight functions are part of the important tasks of the House. Therefore, strengthening committee mandates, resource allocation, and follow-up mechanisms to hold ministries accountable for implementation gaps is necessary.

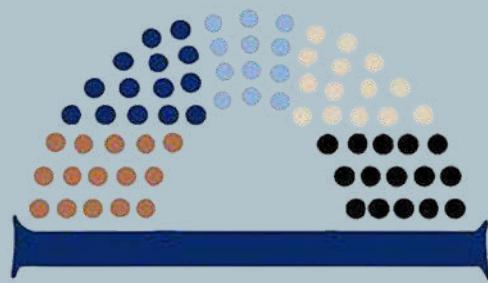
## Conclusion

The House of Representatives stands at the heart of Somaliland's democratic experiment, a forum where the ideals of representation, accountability, and governance converge. For

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<sup>7</sup> International Crisis Group (ICG), Somaliland: Progress, Challenges, and Opportunities (Nairobi/Brussels, 2016).

over two decades, it has helped transform post-conflict reconciliation into constitutional order and peaceful contestation. Yet, stability alone is not enough. A representative body must reflect the society it serves. As Somaliland aspires to consolidate its democracy, the House must evolve into a modern, inclusive, and evidence-driven legislature, one that not only makes laws but also embodies the people's will, diversity, and aspirations. Reforming the House of Representatives is therefore not merely a technical exercise; it is a democratic imperative vital to the legitimacy of Somaliland's statehood and an exemplar for nations seeking to harmonize indigenous governance with constitutional democracy in the Horn of Africa.



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