Eastern African Journal of Humanities and Social Sciences
Vol. 5 No. 2 (2026): ISSN (Online): 2958-4558
DOI: https://doi.org/10.58721/g24ebm94
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Article History
Received: 09.03.2026
Revised: 14.06.2026
Accepted: 21.06.2026
Published: 30.06.2026

Keywords
Colonial borders
Hybrid governance
Somaliland
Statehood

How to cite:
Abdiweli, M. H., & Akoth, S. O. (2026). Somalia's Paradox of Cultural Sovereignty and Nation-State Identity. *Eastern African Journal of Humanities and Social Sciences, 5*(2), 207-219.

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Abstract
This paper examines Somalia's paradox of cultural sovereignty and nation-state identity through a longitudinal comparative-historical analysis spanning 1960 to 2026. Despite claims of exceptional cultural and linguistic homogeneity, the state of Somalia can be described as that of persistent fragility. The paper is based on a study that investigated this paradox through three analytical lenses — colonial boundary-making, governance malformation and state collapse, and cultural sovereignty as an adaptive precursor to statehood — situated within theoretical frameworks drawn from nationalism studies (Gellner, 1983; Anderson, 1983; Smith, 1991), postcolonial state theory (Mamdani, 1996; Herbst, 2000), and the de facto states literature (Jackson, 1990; Caspersen, 2012; Coggins, 2014). Using a qualitative case study methodology, the paper draws on documentary evidence, comparative literature, and critical engagement with recent developments in the self-declared Republic of Somaliland, treated here as an analytically separate, contested polity that has governed itself since 1991 and actively pursues international recognition of its statehood, including the 2025 Awdal crisis, the Erigavo peace conference, and the December 2025 Israeli bilateral recognition. It demonstrates that cultural sovereignty — embodied in clan councils, the Xeer customary law system, and hybrid governance structures such as the Guurti — functions as a resilient yet conditional form of political order. Somaliland is advanced as the paper's central counter-narrative: its institutional design and the 2024 Somaliland-Ethiopia Memorandum of Understanding show flexible sovereignty to be viable on account of its grounding in participatory legitimacy and adaptive traditional institutions. Crucially, the paper argues that these institutions are not merely reproduced but actively reworked through everyday practice, as Somali actors negotiate, contest, and move beyond inherited clan and colonial structures. The paper concludes that sustainable African nationhood must move beyond colonial-era state boundaries and integrate culturally legitimate, decentralised governance structures, while engaging the normative risks this entails.

Introduction
Somalia presents one of the most instructive paradoxes in African political development: a state of exceptional cultural and linguistic homogeneity that has nonetheless remained politically fragmented for much of its post-independence history. Its population is overwhelmingly Somali-speaking, Sunni Muslim, and organised through clan genealogical networks — conditions theorists of nationalism associate with cohesive statehood (Lewis, 1961; Gellner, 1983; Anderson, 1983). Yet these foundations have coexisted with intense clan rivalries, recurrent conflict, and the prolonged absence of centralised

authority (Kapteijns, 2018). The paradox turns on how imposing a Western-modelled nation-state onto a decentralised Somali order disrupted long-standing mechanisms of self-governance. Colonial boundary-making, explored in Section 3, is the foundational catalyst: the partition of Somali territories by Britain, Italy, and France forced a foreign administrative logic onto an acephalous structure, planting the legitimacy crisis that would define Somalia's post-colonial trajectory.

This paper employs a longitudinal comparative-historical methodology, analysing the period from independence in 1960 to 2026 through a qualitative case study design integrating documentary sources, scholarly literature, and recent Somaliland developments — the 2025 Awdal crisis, the Erigavo peace conference, and the December 2025 Israeli recognition. It is framed within social transformation theory, a framework for analysing how structural changes in political culture, institutional design, and legitimacy unfold over time (Buju et al., 2021; Castles, 2010). Without claiming it is the only valid lens — political marketplace theory, legal pluralism, and rational choice offer complementary insights — the paper argues it better captures the adaptive quality of Somali governance institutions than approaches focused on formal state-building metrics alone.

Several conceptual tools inform the analysis. Jackson, whose Quasi-States (1990) reshaped the study of postcolonial sovereignty, distinguishes empirical sovereignty (the capacity to govern territory and population) from juridical sovereignty (formal recognition). Krasner's (1999) taxonomy — Westphalian, domestic, interdependence, and international legal sovereignty — treats each dimension as separable, and Boege et al.'s (2008) hybrid political order describes the coexistence of state and non-state logics in post-conflict contexts. Cultural sovereignty, as used here, denotes the cultural-legitimacy dimension of governance capacity: the authority of norms and structures deriving their force from shared cultural identity rather than administrative power or external imposition. Its pedigree spans Indigenous Studies (Coffey & Tsosie, 2001; Simpson, 2014) and Africanist governance research (Menkhaus, 2007; Kapteijns, 2018), and it is not a sufficient condition for statehood.

While Somalia's colonial history and political economy are distinct, the post-1991 period is the central vantage point here. It produced mass displacement, famine, piracy, and the rise of al-Shabaab, yet also abundant evidence of a durable clan-based social order. The paper's claim is deliberately limited: cultural sovereignty is not a substitute for a functioning state, but it can sustain political identity and social governance even in the complete absence of formal institutions.

A clear distinction must be drawn between Somalia, the internationally recognised federal state governed from Mogadishu, and Somaliland, a separate, contested polity in the former British Somaliland Protectorate that has governed itself since 1991 and still seeks the recognition Mogadishu and the African Union withhold. Somaliland is central: since 1991 it has constructed a workable political order, achieved relative peace, and held competitive elections without full recognition. These achievements rest on an institutional design incorporating the Guurti, the council of clan elders, as a constitutional body within a bicameral legislature — the mechanism through which cultural sovereignty was fused with democratic governance, giving Somaliland the legitimacy the formal Somali state has lacked. The paper proceeds through a theoretical framework, comparative analysis of four African cases, and the Somaliland counter-narrative.

Theoretical Framework: Nationalism, Sovereignty, and the Postcolonial African State

The theoretical terrain spans nationalism studies, sovereignty theory, and the comparative politics of the African state, because Somalia's paradox requires all three: nationalism theory explains why cultural homogeneity did not yield cohesion, sovereignty theory locates the gap between juridical and empirical statehood, and African state theory supplies the colonial-institutional account of how that gap was produced.

Nationalism theory and the Somali anomaly

The modernist tradition in nationalism studies, associated with Gellner and Anderson, holds that nations are historical constructs produced by industrialisation, print capitalism, and the standardisation of language and culture (Gellner, 1983; Anderson, 1983): cohesion is an achievement of specific material and institutional processes, not a natural product of cultural similarity. The wider Somali nation appeared to provide the prerequisites Gellner identifies — linguistic homogeneity, religious uniformity, shared genealogy — yet failed to produce a stable nation-state. The ethno-symbolist tradition (Smith, 1991; Brubaker, 1996) argues that national identities draw on pre-existing ethnic symbols, myths, and memories (the ethnie); Somalia's Somali ethnie is precisely the deep foundation Smith associates with durable national sentiment. Yet ethno-symbolic solidarity has not translated into political unity.

The explanation lies in the acephalous structure of pre-colonial Somali society. Clan-based governance was organised horizontally through negotiated consensus among elders, not vertically through centralised authority (Lewis, 1961). Imposing a Weberian state — a centralised bureaucratic order claiming a monopoly on legitimate force within fixed boundaries — onto that culture created a structural mismatch neither modernist nor ethno-symbolist accounts anticipated. The argument is not that colonial borders caused fragmentation ex nihilo — pre-colonial politics was already decentralised and conflict-prone — but that colonial institutions aggravated pre-existing fissures by creating a bifurcated authority structure (Mamdani, 1996) the post-independence state inherited and could not resolve.

Sovereignty theory: from juridical to cultural

Jackson's (1990) quasi-states — postcolonial polities possessing juridical without empirical sovereignty — is the foundational framework for the Somali state's dysfunction: Somalia has retained international legal sovereignty throughout its crises while lacking the capacity to govern. Krasner's (1999) taxonomy adds four dimensions — Westphalian (freedom from external interference), domestic (effective governance authority), interdependence (control over cross-border flows), and international legal sovereignty (mutual recognition) — and Somalia's profiles across them have varied over time and region, which the single-dimension quasi-state concept cannot capture.

This paper adds cultural sovereignty as a fifth dimension: the governance capacity of community-based institutions deriving authority from culturally legitimate norms. It matters most where the Westphalian and domestic dimensions are weak, identifying the source of order that persists when formal institutions fail. The de facto states literature (Caspersen, 2012; Coggins, 2014; Fabry, 2010; Griffiths, 2016) extends this to polities exercising empirical sovereignty without juridical recognition, and Caspersen's (2012) criteria — effective territorial control, basic public services, and aspirations to recognition — provide the comparative framework applied to Somaliland below.

The bifurcated postcolonial state

Mamdani's (1996) Citizen and Subject is the essential reference for the colonial legacy in Somalia. Colonialism produced two subject positions: the citizen, governed by civil law in the urban sphere, and the subject, governed by customary law in the rural sphere — a bifurcation institutionalised in colonial administration that survived into the postcolonial state as an unresolved tension between civic and customary authority. Herbst's (2000) argument that the core challenge of African statehood is broadcasting power across low-density territory situates Somalia within comparative state-formation theory. Both predict severe legitimacy deficits for the post-independence state, and both were borne out.

Colonial Boundaries and the Fragmentation of Statehood

The partition of Somali-inhabited territories in the late nineteenth and early twentieth centuries created the structural conditions for the post-independence legitimacy crisis. Britain, Italy, and France divided the Horn by strategic and economic interest, disregarding the social, linguistic, and clan-based unity that had long defined Somali society (Lewis, 2002; Samatar, 1989). The result was five administrative units — British, Italian, and French Somaliland, the Ogaden under Ethiopia, and the Northern Frontier District under Kenya — that severed social networks, disrupted trade routes, and fractured customary governance (Woodward, 1999). These boundaries imposed structural barriers to nation-building by forcing communities organised around horizontal clan authority into a Weberian state form requiring vertical, centralised power.

The debate over whether colonial boundaries constitute 'structural barriers' to nation-building is contested. Young (1994) argues colonialism constructed new ethnic identities; Mamdani (1996) that it institutionalised bifurcated authority; Davidson (1992) that it imposed an alien administrative form; Cooper (2002) that the relationship is contingent rather than structurally determined. This paper aligns with Mamdani, because the Somali evidence most directly manifests the legacy of bifurcated authority: colonial administrations entrenched clan hierarchies by incorporating certain clans into administrative and security roles, generating competitive clan politics that persisted into the post-independence state (Hassan, 2013; Menkhaus, 2007). The imagined community of Somali nationhood (Anderson, 1983) was fragmented rather than unified by an infrastructure organising competing territorial imaginations.

Colonial administrations compounded this dislocation by introducing governance hierarchies, taxation regimes, and bureaucratic controls incompatible with the xeer customary law system and clan-based leadership (Besteman, 1999; Kapteijns, 2018). British indirect rule in the north appointed salaried 'official' aqils and grouped lineages into districts cutting across diya-paying units; the Italian administration imposed a residenti and commissari hierarchy and levied taxes through state-appointed chiefs; and both introduced courts that displaced elders' jurisdiction. Each inserted vertical, state-anchored authority where horizontal authority had prevailed, and the elders who had arbitrated conflicts, allocated resources, and organised defence found their authority progressively undermined (Peters, 1997). By independence in 1960, the state inherited not only artificial borders but institutionalised social divisions that would shape subsequent governance (Menkhaus, 2007; Bradbury, 2008; Clapham, 2017).

Governance Failures and the Collapse of the Somali State

Post-independence governance compounded the colonial inheritance. The democratic experiment of the 1960s ended with Siad Barre's 1969 coup, inaugurating a military regime that pursued national unity through scientific socialism and the deliberate manipulation of clan identities rather than inclusive institution-building (Hassan, 2013). The systematic use of patronage to co-opt clan elites and violence to suppress dissent eroded trust in central authority and deepened the divisions inherited from colonialism (Menkhaus, 2007). By the late 1980s this culminated in civil war and the collapse of central government in 1991.

The causal account of that collapse requires specificity. The civil war had multiple drivers: clan grievance generated by Barre's favouring of the Marehan, Ogaden, and Dulbahante lineages (the MOD alliance) in army commands, ministries, and contracts, the punitive campaigns against the Majeerteen after 1978 and the northern Isaaq in the late 1980s, and the use of clan militias against rivals; elite predation; the post-Cold-War withdrawal of superpower patronage; the legacy of the 1977–78 Ogaden war; and drought-induced pastoral crisis. The sequence is cumulative: colonial

institutions created the conditions for the legitimacy deficit, and the governance failures of the post-independence state converted that vulnerability into disintegration.

Yet within this disunity, cultural sovereignty emerged not as a residual phenomenon but as the primary form of order. The xeer system illustrates its adaptive quality: rather than a frozen set of pre-modern norms, it has evolved continuously in response to urbanised clan communities, the diaspora economy, and the need to negotiate across colonial and post-colonial boundaries. Clan elders mediate and enforce norms as moral figures versed in customary law, their authority legitimised by ongoing community consent rather than formal appointment. This flexibility explains why xeer-based networks have functioned as informal governments where civil conflict made formal authority impossible, as in southern Somalia (Menkhaus, 2007).

Despite their resilience, these systems have limits. Clan elders, the xeer customary law system, Islamic mediation networks, and inter-clan negotiation organised daily life, dispute resolution, and resource distribution across Somali territories (Lewis, 2002; Kapteijns, 2018), with a resilience that predated and outlasted the colonial state. But the same period produced mass displacement, famine, piracy, and the expansion of al-Shabaab: cultural sovereignty sustained order in some spaces and times but was neither comprehensive nor equitable. Somaliland exemplifies a further development — the integration of cultural sovereignty into formal architecture through the 1993 Borama conference, which incorporated the Guurti within a bicameral legislature, making cultural legitimacy a structural component of governance (Bradbury, 2008; Walls, 2015).

Cultural Sovereignty as a Precursor to Statehood

Cultural sovereignty — the capacity of a community to govern itself through internally legitimate norms, social structures, and customary law — has been the primary form of political order in Somali territories during state absence. This capacity is institutional, not merely symbolic: it provides the infrastructure of social cohesion, dispute resolution, and resource distribution that formal statehood typically formalises and extends. In Somalia, that infrastructure comprises clan councils, elders' committees, xeer-based mediation, and inter-clan networks (Lewis, 2002; Menkhaus, 2007). It is distinguished from de facto governance (Krasner, 1999), hybrid political order (Boege et al., 2008), and real governance (Olivier de Sardan, 2011) by its emphasis on the cultural-legitimacy basis of authority.

Cultural sovereignty is also expressed through adaptive economic and social practices: pastoralist networks, joint grazing regimes, water-sharing arrangements, and cross-clan marriage alliances are formalised systems of cooperation that preserved order during state collapse. These show that governance can be organised bottom-up through cultural legitimacy and social trust rather than top-down through bureaucratic authority — a bottom-up statehood in which power derives from cultural values and practical cooperation rather than externally imposed legal status (Kapteijns, 2018). The argument is not that these systems equal a functional state, but that they provide the legitimacy infrastructure on which state-building can draw if formal institutions incorporate rather than displace them.

Somaliland's experiment illustrates this most fully. The 1993 Borama conference produced a constitutional settlement through a traditional guurti deliberative process — a post-conflict constitutional moment drawing legitimacy from cultural sovereignty rather than external imposition or military victory (Walls, 2015; Hagmann & Hoehne, 2009). Located within the comparative literature on post-conflict constitution-making — alongside the Arta process (2000), the Bonn Agreement (2001), and the Dayton Accords (1995) — its distinctiveness is that it was internally generated through culturally legitimate deliberation, a contrast with externally brokered settlements that lack the legitimacy making compliance self-enforcing.

Cultural sovereignty thus re-enacts African nationhood by establishing that long-term order can rest on community-driven governance rather than colonial-era boundaries or the centralised state. Somaliland demonstrates that effective governance is achievable with minimal formal recognition, provided it is grounded in clan power-sharing and local consensus-building (Bradbury, 2008; Walls, 2018). It can be a genuine forerunner to statehood: by entrenching authority in collective identity and daily practice, it creates the legitimacy infrastructure on which formal institutions can later be built.

Comparative Insights from Africa

Somalia's paradox can be fully understood only comparatively, because the relationship between cultural homogeneity and stability is neither automatic nor uniform across the continent. Four cases — South Sudan, Nigeria, Ethiopia, and Sudan — illuminate different dimensions and carry direct implications for Somalia's own clan-based federalism. The selection logic is most-different: if cultural sovereignty performs governance functions across cases with very different colonial legacies, ethnic compositions, and federal designs, the inference that it is a general resource for postcolonial governance is strengthened.

South Sudan achieved independence in 2011 through ethnic self-determination, generating optimism that cultural solidarity would yield stability. It did not: the state descended into civil war within two years, driven by SPLM factional competition between Salva Kiir's Dinka-aligned government and Riek Machar's Nuer-aligned SPLM-IO, the oil-revenue political economy, and the Dinka–Nuer ecology (Johnson, 2016). The trajectory remains unresolved and is a live warning for Horn of Africa state-building. For Somalia, still negotiating clan-based federal arrangements, it shows that ethnic self-determination is insufficient without credible power-sharing and elite accountability.

Nigeria illustrates the potential of federal architecture to manage profound ethnic, religious, and linguistic diversity. Federalism has produced accommodation across Nigeria's fault lines, though at the cost of persistent corruption, resource conflicts over Niger Delta oil, and recurring separatist pressures (Suberu, 2001; Adebayo, 2020). In the debate between consociational (Lijphart, 1977) and centripetal (Horowitz, 1985) approaches, Nigeria approximates consociationalism in its power-sharing architecture but has not achieved the elite accommodation and cross-cutting identities Lijphart requires for stability. For Somalia, it shows that federal architecture can accommodate diversity only when backed by credible revenue-sharing, inclusive representation, and an enforceable constitution.

Ethiopia's ethnic federal system, established in 1994, produced linguistic and cultural autonomy but also tensions between the federal centre and ethnically defined regional states. The 2020–2022 Tigray war — the federal campaign against the TPLF-led Tigray regional state — is the decisive test of Ethiopian ethnic federalism (Vaughan & Tronvoll, 2003; Aalen, 2019). The November 2022 Pretoria Agreement and its troubled implementation illustrate both the fragility of ethnic federalism under elite competition and its susceptibility to instrumental use by dominant groups. For Somalia, which shares this logic in its clan-federal framework, the warning is direct: institutionalising sub-state identities does not resolve tensions of exclusion and resource competition, and may intensify them when the federal government cannot enforce constitutional boundaries.

Sudan — before the 2011 secession of South Sudan and through the 2023 conflict between the Sudanese Armed Forces and the Rapid Support Forces — demonstrates the catastrophic consequences of a centralised state that fails to accommodate cultural and regional diversity (De Waal, 2007). Chronic civil wars driven by the Arab-dominated Khartoum government's refusal to recognise the cultural legitimacy of southern, Darfuri, and other peripheral communities produced patterns of exclusion and violence resistant to suppression and mediation alike. The lesson is clear: cultural-

legitimacy claims can be weaponised for exclusion — Khartoum's appeal to Arab-Islamic identity as the basis of the centralised state was precisely the exclusive cultural sovereignty claim that produces fragmentation rather than cohesion.

Across all four comparators, the evidence supports a clear generalisation: cultural or ethnic homogeneity does not determine stability — institutional design, inclusive governance, and the management of elite competition over resources are the decisive variables. Somalia's paradox is not unique; what distinguishes it is the combination of high cultural homogeneity and acute fragmentation, and the legacy of colonial bifurcation that entrenched sub-state customary authority as the primary source of legitimate governance — the dimensions on which Somalia's federal experiment must be evaluated.

Somaliland: A Counter-Narrative

Somaliland's history since its 1991 declaration of independence is the paper's central counter-narrative. Against Somalia's fragmentation, it has developed functioning political machinery, achieved relative peace, and maintained social stability (Bradbury, 2008) — stability that is structural, deriving from an institutional design that embedded cultural sovereignty within formal governance. The 1993 Borama conference was the founding moment: Guurti elders negotiated alongside emerging political representatives to produce a hybrid system integrating xeer customary law with democratic electoral institutions (Walls, 2015). The Guurti was constitutionalised as the upper house of a bicameral parliament — the precise mechanism through which cultural sovereignty became institutional legitimacy, and what distinguishes Somaliland from every other governance experiment in the Somali context.

Within the de facto states literature, Somaliland is a well-studied case (Caspersen, 2012; Coggins, 2014; Fabry, 2010; Griffiths, 2016), meeting Caspersen's (2012) criteria — effective territorial control, provision of basic public services, and aspirations to full recognition. Locating it within the comparative family of unrecognised states — alongside Taiwan, Kosovo, Northern Cyprus, Transnistria, and Abkhazia — rather than as an exceptional African case reveals both shared and distinctive features. The most distinctive is that its governance legitimacy is grounded in a culturally specific deliberative process: the Borama settlement was internally generated, a participatory legitimacy neither the Dayton nor the Bonn Agreement achieved.

Somaliland's model integrates formal democratic institutions — a bicameral legislature, a directly elected executive, and an independent judiciary — with clan-based power-sharing and customary dispute resolution (Walls, 2015; Hagmann & Hoehne, 2009). The guurti validates legislation and serves as a repository of customary authority, embedding cultural sovereignty within the formal state and producing a hybrid political order (Boege et al., 2008) in which the boundary between formal and customary governance is managed rather than suppressed. Somaliland's economic self-sufficiency — customs revenues, diaspora remittances, and local taxation rather than external budget support — supports the claim that sovereignty and governance capacity can rest on functional capacity and social legitimacy (Farah, 2017).

The limits of Somaliland's model became visible in the 2025 Awdal crisis, in which inter-clan tensions in the west tested the xeer system under urbanisation, diaspora-linked resource flows, and cross-border clan networks extending into Djibouti and Ethiopia (Hivos, 2025; Crisis Group, 2025). The system showed both resilience and limitation: elder-mediated negotiations produced a partial settlement, but the underlying inequities — competition over pastoral land, exclusion of Gadabuursi minority sub-groups, and external diaspora factions — were not fully resolved. The subsequent Erigavo peace conference used diya (compensation) and boundary renegotiation to manage

grievances (AllAfrica, 2025; Horn Tribune, 2025). It formally represented elders, sultans, youth, and civil society, but substantive participation was dominated by primary-lineage elders, with women and minorities in advisory rather than decision-making roles.

The 2024 Memorandum of Understanding between Somaliland and Ethiopia — in which Ethiopia offered diplomatic recognition and investment in exchange for access to the port of Berbera — marks a significant shift in recognition dynamics. It illustrates that recognition can follow demonstrated functional capacity and strategic value rather than the Montevideo Convention criteria alone, raising new questions about the relationship among geopolitical interest, economic interdependence, and the juridical sovereignty norm (Griffiths, 2016; Caspersen, 2012). Its full implications for the Somali federal structure and Horn of Africa order remain contested.

The December 2025 bilateral recognition of Somaliland by Israel marks a further step (Netanyahu, 2025; CNN, 2025; Reuters, 2025). It is bilateral recognition, not the full international recognition that would follow United Nations admission and African Union endorsement, so the introduction's description of Somaliland as lacking full recognition remains accurate. What it demonstrates is that functional governance capacity, combined with strategic positioning, can generate incremental gains independent of formal UN processes. This reinforces the paper's argument that cultural sovereignty and demonstrable governance capacity are the foundations of legitimate statehood: geopolitical opportunity can accelerate the conversion of de facto governance into de jure recognition but cannot substitute for the underlying legitimacy.

Beyond the Structure: Post-Structuralist Agency in the Somaliland Context

A purely structural reading of the foregoing — clans, Xeer, the Guurti, colonial boundaries — risks presenting the Somali political order as the mechanical output of fixed institutions. Yet the record raises a sharper question: are there actions within the Somaliland context that demonstrate a post-structuralist orientation, in which people move beyond the structures they inherit? Post-structuralist thought (Foucault, 1980; de Certeau, 1984; Bourdieu, 1990) holds that structures do not determine conduct but are continuously enacted and reworked through everyday practice, agency lying in the 'tactics' through which actors improvise within and against inherited forms. Read this way, Somaliland's order appears not as the reproduction of timeless tradition but as deliberate, creative departures from it.

Several concrete actions illustrate this. At the 1993 Borama conference, elders repurposed a customary dispute-settlement repertoire to author a written constitution and invent a novel institution — the bicameral pairing of an elected Golaha Wakiilada with a Guurti upper house, without precolonial precedent (Walls, 2015). The demobilisation of clan militias converted fighters into state security forces, dissolving the structures that had produced the war. Somaliland's 2016 biometric voter registration moved beyond clan headcounts to an individuated franchise, and the peaceful 2010 and 2024 transfers of presidential power broke with the logic of authority by lineage rather than ballots. Women's, youth, and diaspora networks have used civic mobilisation and remittance leverage to press claims the elder-dominated structure marginalises; and the 2024 Ethiopia Memorandum and pursuit of recognition show Somaliland fashioning sovereignty through performance rather than inherited status. Each reworks clan, faith, and custom into something the structure alone could not have generated.

Rethinking African Nationhood

The Somali paradox demands a reconceptualisation of nationhood as it applies to Africa. The prevailing model — in which colonial boundaries, legal statehood, and centralised bureaucratic power define legitimate political order — routinely fails to capture governance realities across much of the

continent. In the Somali context, and in the comparative cases above, legitimacy and authority are frequently embedded not in formal state structures but in local social organisation, clan-based institutions, and cultural norms (Herbst, 2000; Boone, 2003). Cultural sovereignty is not merely as important as formal recognition for stability; in fragile-state contexts, it is often more foundational, because it is the authority that persists when formal institutions fail.

The reconceptualisation has three elements. First, cultural sovereignty should be recognised as a resource for state-building rather than an obstacle: where customary institutions have shown capacity to manage disputes, distribute resources, and maintain order, they should be incorporated into formal designs rather than displaced. This is consistent with the hybrid political order literature (Boege et al., 2008) and the post-liberal peacebuilding agenda (Richmond, 2011), though it requires attention to the exclusionary dimensions of customary authority — for women, minorities, and lower-status clans.

Decentralised governance is a second pillar: granting local communities meaningful autonomy over political, economic, and social activity improves responsiveness and reduces the risk of centralised abuse (Menkhaus, 2014). The everyday practices of peacebuilding are a third: in Somalia, informal networks — clan elder councils, pastoralist systems, local market negotiations, and diaspora remittance channels — are central to maintaining order and managing conflict (Hagmann & Hoehne, 2009), rendering governance an ongoing social process grounded in the negotiation of norms rather than the abstract exercise of sovereignty.

Second, the recommendation for flexible sovereignty grounded in cultural legitimacy must engage its downside cases. The proliferation of separatist claims a flexible norm could enable, the weakening of the African Union's *uti possidetis juris* norm that has prevented interstate conflict, and the question of whether flexible sovereignty entails Somaliland recognition are considerations to be engaged, not waved away. The Montevideo Convention criteria serve functions that wholesale endorsement of flexible sovereignty could undermine. The argument is therefore for graduated, context-specific flexibility: recognising cultural sovereignty as a governance resource does not require endorsing an unconditional right to secession. Taiwan, Kosovo, and Somaliland show that recognition is a political and strategic judgment, not a legal automatism.

Third, Somalia's paradox is one case among several, not a unique paradigm. Yemen, post-2003 Iraq, and post-2011 Libya each present configurations in which sub-national identities interacted with state collapse to produce protracted conflict, with customary and non-state institutions partially filling the vacuum. The distinctive contribution of the Somali case is its degree of cultural homogeneity alongside fragmentation, and the extended period during which customary governance has operated without state support — together providing relatively clear evidence for the argument.

Redefining African nationhood must also acknowledge the structural limits of the cultural sovereignty model. As the 2025 Awdal crisis showed, clan-based governance can be a source of conflict as readily as of order when structural inequities go unaddressed, and the exclusion of women and minorities from decision-making in traditional institutions is a documented limitation any clan-based design must confront. Sustainable African nationhood must therefore combine cultural legitimacy with inclusive representation, bridging the gap between formal state systems and the social facts of the communities they govern and supporting locally grounded rather than alien institutional forms.

Conclusion

Somalia's paradox — exceptional cultural homogeneity alongside enduring political fragmentation — refutes the modernist assumption that shared culture yields cohesion. Fragmentation arose from the interaction of colonial bifurcation, predatory post-independence governance, and the horizontal

structure of customary authority. Where the formal state failed, cultural sovereignty — clan councils, the Xeer system, and elder-led mediation — sustained social order, showing that legitimate governance need not depend on statehood. Somaliland shows how this can be formalised: the 1993 Borama settlement embedded the Guurti within a bicameral constitution, and the 2024 Ethiopia Memorandum and December 2025 Israeli recognition mark its pursuit of standing. Comparative evidence confirms that institutional design, inclusion, and elite accountability — not homogeneity — determine stability, while the 2025 Awdal crisis exposes the model's limits, particularly the exclusion of women and minorities.

More precisely, the paper advances three contributions. First, modernist accounts of nationalism (Gellner, 1983; Anderson, 1983) that treat cultural homogeneity as near-sufficient for cohesion are refuted by the Somali case: cultural solidarity does not automatically generate political integration. The interaction between colonial institutional legacies (Mamdani, 1996; Herbst, 2000), post-independence governance choices, and the structure of customary authority determines the outcome — a causal specificity distinguishing the argument from accounts attributing fragmentation to colonial borders alone.

Second, cultural sovereignty — the governance capacity of community-based institutions grounded in shared cultural norms — can sustain social order and political identity in the absence of formal state institutions, as the xeer system and the Somaliland experiment demonstrate. This challenges the assumption that governance requires statehood and identifies cultural legitimacy as a resource state-building can draw upon rather than displace.

The comparative evidence reinforces that ethnic or cultural homogeneity alone is insufficient for a stable nation-state: ethnic self-determination without inclusive institutions produces South Sudan's trajectory; ethnic federalism without centre–periphery accountability produces Ethiopia's fragility; centralised authority that ignores cultural legitimacy produces Sudan's fragmentation, including the 2023 SAF–RSF conflict. Stability requires the interaction of institutional design, cultural legitimacy, and responsive governance.

Third, the Somaliland case shows that functional governance and legitimacy can be constructed through cultural sovereignty and participatory practice rather than juridical recognition. The 1993 Borama moment, the Guurti's constitutional role, the 2024 Somaliland–Ethiopia MOU, and the December 2025 Israeli recognition illustrate a trajectory in which cultural sovereignty has been progressively formalised, with increasing prospects for recognition.

Somaliland's partial success provides a powerful counter-narrative, but the 2025 Awdal crisis and the Erigavo conference reveal both its adaptive capacity and its structural limits: the xeer system and elder-mediated diya compensation managed the immediate crisis, yet the exclusion of women and minorities and the persistence of inequities over land and representation remain unresolved as Somaliland moves into 2026.

The reconceptualisation proposed here treats cultural sovereignty as a resource to be incorporated into governance design rather than an obstacle, advanced with awareness of its normative risks — separatist proliferation, erosion of uti possidetis, the implications for Somaliland recognition — and the qualification that flexibility must be graduated and context-specific. Future research should develop its hybrid-governance design implications, particularly the incorporation of customary authority into formal constitutional arrangements in fragile states, and the gender- and minority-exclusion dimensions of clan-based governance that current policy inadequately addresses. Somalia

and Somaliland together demonstrate that the most durable nationhood is built on the capacity of communities to construct, maintain, and negotiate order, trust, and cooperation from within.

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