



## Reconceptualizing State Building in Africa (III)

### Below and Beyond the State: Incorporating Non-State Systems to Build Stronger States

by Mark Massey

This series<sup>1,2</sup> urges a fundamental reconsideration of traditional state building approaches. As the second article argued, these traditional approaches perpetrate two fundamental mistakes: 1) they reproduce centralized, top-heavy states when they should cultivate decentralized, local governance; and 2) they ignore the very systems that millions of Africans choose over the state. This third article expands upon this by exploring the implications of “non-state systems,” i.e. non-state structures, networks and complexes that provide economic, social and/or political services in cases of state collapse/failure. The emergence of such systems is an overlooked and under-researched trend. Analysts typically dismiss them as temporary, criminal offshoots of anarchy. But this is premature and erroneous. These systems are often emerging orders that challenge fundamental assumptions about state-society relations. The article identifies a number of non-state complexes across Africa, with a focus on Somaliland in Northern Somalia. Though Somalia is assumed to be a vacuum of violent anarchy, Somaliland’s extra-state “governance without government” is organically evolving from the bottom-up and is surprisingly peaceful and democratic—especially when compared to conflict-torn Southern Somalia. This article hopes to highlight both the dangers and potentials such systems hold. Thus far we have ignored these non-state complexes to our own detriment. However, they could greatly facilitate effective, bottom-up, decentralized state building.

#### *Disengagement from the State*

State autonomy has never been a given. In consolidating its authority, the state competes with other social agents (economic strongmen, religious institutions, tribal networks, secessionists, warlords, etc.) who may have differing opinions on how to construct order. When the government fails to conclusively establish its control of order, authority and resources are dispersed among these various other groups. This is where non-state systems of order emerge. These systems vary in form. They include tribal structures, subnationalist movements, religious institutions, warlordism, illegal conflict-trade markets and various combinations thereof. They can be violently predatory (e.g. conflict-trade networks in the DRC) or relatively peaceful and legitimate (e.g. the Western Saharan governance structure).

One sees this pattern often in Africa. Many social scientists have long been tracking African populations’ growing disengagement from the state.<sup>3</sup> More than two decades ago, anthropologists noted these disengagement processes’ potential to create “innovative organisms capable of achieving self-sufficiency and generating new experiments at communal definition”

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<sup>1</sup> <http://smallwarsjournal.com/blog/2011/01/reconceptualizing-state-buildi/>

<sup>2</sup> <http://smallwarsjournal.com/blog/2011/01/reconceptualizing-state-build2/>

<sup>3</sup> see Azarya & Chazan (1987) and MacGaffey (1987, 1991).

that could hold “the seeds of a more massive realignment of power relations predicated on the dispersion of state functions to... collectivities that the state claims to represent.”<sup>4</sup> In short, vast populations are ignoring state structures (that in many cases are barely present anyway) and operating their daily lives within local structures of authority and order. That many of these “innovative organisms” outlast the state through collapse and warfare makes their durability vis-à-vis the state more noticeable. The fact is, despite numerous cases of failure, collapse and warfare, Africans have survived through alternative social and economic networks. Analysts must learn to see below the state (to the informal, non-state systems that function before/during/after the state’s reign) as well as beyond the state’s collapse (to those that organically evolve in its wake).

### ***Systems Below the State***

Traditional, pre-colonial structures (tribes, religious communities, etc.) have persisted across Africa, particularly in remote, periphery areas, even if (perhaps *because*) they were officially ignored in the rise and fall of modern states. Many of them can “easily be seen as developing grass-roots democratic systems growing from their traditional political patterns [and] their vital community associations.”<sup>5</sup> A recent report argues that successful decentralization programs must incorporate such structures: while previously viewed as “a historic burden on the road to modernity, it is now widely recognized that... traditional structures are often more legitimate than the modern state.”<sup>6</sup> It continues: “It is an illusion to think that it is possible to build a functioning state without close cooperation of the traditional leaders... [this] is not a risk, but rather a decisive factor for success.”<sup>7</sup> Indeed, the relative “success” of Mozambique’s post-conflict government is partly attributable to its incorporation of tribal structures.<sup>8</sup>

Rebel and subnationalist movements may also be useful building blocks. The “Mouvement des Forces Démocratiques de la Casamance” (MFDC) in the Casamance region of Senegal is an illuminating case. The MFDC as a non-state social/political/economic complex could contribute to a more stable, legitimate Senegalese state if properly and fairly integrated. The MFDC has five key attributes that suggest this potential.<sup>9</sup> First, the MFDC built its popular legitimacy not by forcing its mandate upon regional populations, but by slowly yet extensively constructing an alliance based, local-level political network connecting yet respecting the norms and autonomous structures of various villages/communities. It is in itself a functioning model of decentralized autonomy from which the central government could learn. Second, it is surprisingly multi-ethnic in its constituency. Third, this network effectively and profitably operates the region’s natural resource market, suggesting an aptitude for post-conflict economic management that would probably surpass that of the current central government. Fourth, the MFDC has developed extensive organizational and communications systems that could form the basis of an integrated post-conflict political-administrative infrastructure. And fifth, though the rebels are prepared to use violence in their rebellion, one should not assume that they are predisposed against a peaceful, democratic post-conflict order.

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<sup>4</sup> Azarya & Chazan (1987), pp. 128-9

<sup>5</sup> Wunsch (2000), p. 502-3; for other examples across Africa, see Olowu & Wunsch (2004); Yoder (1998); Heywood (1998); Crook & Manor (1998); Forrest (2007).

<sup>6</sup> Lutz & Linder (2004), p. 4

<sup>7</sup> *Ibid.*, p. 26

<sup>8</sup> *Ibid.*, p. 29

<sup>9</sup> The following key attributes are highlighted and expanded upon by Forrest (2007).

The MFDC is not the only movement in Africa with such potential. The Western Saharan, Eritrean, Oromo (Ethiopia), Somaliland and Southern Sudanese movements share, to varying degrees, similar attributes: multi-ethnic, decentralized (even democratic) networks with organic legitimacy operating extensive organizational and communications infrastructure.<sup>10</sup>

### ***Systems Beyond State Collapse***

African societies' responses to state collapse are challenging fundamental assumptions in theories of the state. Many of the economic systems—such as conflict economies and warlordism—thrive precisely because of the state's breakdown and thus oppose its restoration. However, it is difficult to adequately measure the effects of these systems. This is troubling because in many African cases, the informal economies match or even dwarf the formal ones. The formal economy is estimated to account for only 50% of actual GNP in Mozambique, 40% in Kenya, 10% in Angola, while Somalia does not even have an official economy.<sup>11</sup> Nonetheless, it is the platform from which and through which donors construct aid programs. This misses the fact that the South is reintegrating itself into the global economy through informal shadow markets as much as—in some countries more so than—formal ones.<sup>12</sup>

The problem is tellingly expressed in two quotes from development officials. When asked about these informal economies, a senior World Bank economist asserted, we “simply don't deal with those things, they are not issues we are concerned with” while a senior UNDP economist replied that “like most formal agencies, we are bound by mandate to dealing with formal economic arenas only. To compound matters, classical and contemporary economic theory simply does not have the capacity to deal with such questions.”<sup>13</sup> Aid agencies hesitate to research and incorporate informal systems, citing unreliable, sensational data and dangerous collection methods.

But we must understand these economic systems as intertwined with emerging political complexes that are challenging the fundamental basis of state sovereignty.<sup>14</sup> As conflict/development expert Mark Duffield concludes, what analysts mistake for “complex political emergencies” are actually “emerging political complexes.”<sup>15</sup> However, they are difficult to track because they involve fragmented and overlapping forms of sovereignty. Most analysts fail to see this because it does not match the traditional course of economic/political development they are used to. They thus reinterpret this reality to fit their established schema, simplistically painting informal systems as criminal deviance rather than altogether different emerging orders. If states are to establish more stable, legitimate foundations, they must abandon this blinding teleology. This is particularly important because many of these non-state systems are illiberal and violent while many are more benign. State builders must be able to differentiate between and within systems if they are to incorporate the more positive, progressive ones and counter the oppressive, violent ones.

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<sup>10</sup> Pool (2001); Antil (2002); Menkhaus (2006/07); Forrest (2007)

<sup>11</sup> Duffield (2001), p. 141; Nordstrom (2000)

<sup>12</sup> Duffield (2001)

<sup>13</sup> Nordstrom (2000), fn 40

<sup>14</sup> Duffield (2001), p. 144; Nordstrom (2001), p. 15; Berdal & Malone (2000)

<sup>15</sup> Duffield (2001), p. 14

## ***Somalia's Differentiated Experiences: The Discord of the South and the Ballad of the North***

Somalia is an exploding plethora of failures and prospects. It holds the distinction of suffering the longest stretch of state collapse in the world and is a waste bin of trashed state building efforts. Interestingly, different regions of Somalia have remarkably varying experiences of statelessness that illustrate the diversity of non-state systems.

Southern Somalia is closest to the “Hobbesian nightmare” of violent chaos predicted by classic theories. Warlords run amuck, exploiting economic opportunities and oppressively enforcing their authority. The violence more closely resembles the atrocious, civilian-targeting style warfare associated with new wars.

Puntland, in the northeast, has seen the development of a non-state “clan dictatorship” that nonetheless provides a modicum of peace, order and public services.<sup>16</sup> Though politically repressive, there is no monopoly of violence; clan elders and politicians maintain peace.

Northern Somalia, i.e. Somaliland, on the other hand, is a striking example of a bottom-up, organic, informal response to state collapse that is surprisingly peaceful and democratic. It has developed a rudimentary state structure from the bottom-up that is capable of providing significant levels of governance, public security and social services—including its own constitution, police force, currency and banking systems. It has reconstructed much of its destroyed infrastructure, accepts more returning refugees than it generates and scores higher human development indicator rankings than the rest of Somalia.<sup>17</sup> Somali expert Ken Menkhaus describes this “governance without government” as a “loose constellation of commercial city-states and villages separated by long stretches of pastoral statelessness” connected through “a dense network of communication and cooperative relations” woven by “key local actors... businesspeople, neighborhood groups, professionals, and even some militiamen” whose evolving interests require increased levels of “security, rule of law, and predictability.”<sup>18</sup> He continues: “Informal, overlapping polities loosely held by... clan elders, intellectuals, businesspeople, and Muslim clergy” spurred a “radical localisation” of politics in the 1990s that gradually became “more structured and institutionalised” and enjoy “high levels of legitimacy and local ownership.”<sup>19</sup> In fact, many observe that Somaliland’s system is more responsive and providing to its population than many de jure African states. Foreign policy analyst Seth Kaplan hails it as “undoubtedly... the most democratic political system in the entire Horn of Africa.”<sup>20</sup> It is perhaps the most promising system of organic, bottom-up state building in the wake of collapse. Somaliland declared independence from greater Somalia in 1991, yet the international community refuses to recognize it, preferring instead to prop up the farcical Mogadishu governments.

How did this governance evolve? It emerged from evolving economic and judicial interests of key local actors, in particular, businesspeople. Essentially, the war economy was not as sustainable as supposed and began to give way to new profit opportunities—such as contracts in construction, telecommunications, currency exchange, private security, etc. Profits from these

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<sup>16</sup> Hagmann & Hoehne (2007), p. 24

<sup>17</sup> Bradbury, Abokor & Yusuf (2003), p. 458-9; Bradbury, Menkhaus & Marchal (2001)

<sup>18</sup> Menkhaus (2006/07), pp. 82-7

<sup>19</sup> Ibid., pp. 85-91

<sup>20</sup> Kaplan (2008)

new opportunities began to overtake profits of the old war economy, enticing economic entrepreneurs to shift into these more legitimate markets. These entrepreneurs realized that peace, public order and open transportation were better for their new businesses. This produced incentives for “stability, security and predictability” as peace literally became more profitable than war.<sup>21</sup>

Community leaders, clan elders, religious clergy and civic groups started working with these businesspeople to provide modest levels of judicial order and law enforcement. These collaborations evolved to provide other basic services as well, including taxes, water systems, market regulation, etc. Menkhaus lists three important attributes of these original municipalities: 1) local communities strongly supported them; 2) operated by subclans, they were very local in nature and scope, fostered inter-clan cooperation and proved surprisingly adept at managing inter-clan conflict; and 3) the sharia courts operated in tandem with customary law, producing a hybrid, moderate Islamic legal interpretation.<sup>22</sup> As these networks consolidated and intensified, they developed into legitimate power-players vis-à-vis warlords and war profiteers, eventually becoming strong enough to undermine warlords and buy their militias out from underneath them. These collaborations have made significant progress in muting violence, curbing crime, regulating markets and providing social services.

While this process occurred across Somalia, it concentrated itself in the north. Why? A few contextual factors are decidedly influential and intriguing. One, Somaliland has received little to no international involvement. Two, perhaps because it was internationally ignored, the response has been a deeply society-rooted, internal, bottom-up process led by indigenous actors unencumbered by international demands to adhere to strict models. Three, the leaders and populations have shown a consistent commitment to peace. As a result, this process has produced a decentralized, democratic, highly legitimate system of governance. Four, the bottom-up state and peace building processes have succeeded in the absence of any central monopoly of violence.<sup>23</sup> And five, while incorporating tradition, the system is distinctly modern in that it is radically decentralized and privatized with an internationalized economy.<sup>24</sup>

After securing control in the north and declaring independence, the Somali National Movement (SNM) guerrilla group worked with clan elders (*guurti*) to form a government based on the *beel* (community) structure. This *beel* structure was a “power-sharing coalition of Somaliland’s main clans” based on “consensus decision-making” that “recognized kinship as the ‘organizing principle’ of Somali society” and included minority representation.<sup>25</sup> The clan elders’ command of clan militias proved the basis of Somaliland’s peace enforcement/protection. Incorporation of the traditional clan structures into the government was a critical stabilizing element that helped prevent replication of an authoritarian, centralized government. Whereas the post-colonial regimes opposed clanism as backwards and divisive, the SNM understood its potential for mobilizing support and establishing a more stable democracy.<sup>26</sup>

In hopes of receiving international recognition, Somaliland’s leaders began fusing the *beel* structure into a multi-party democracy around 1999. International observers have since

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<sup>21</sup> The above economic transformation is described in Menkhaus (2004), pp. 158-9.

<sup>22</sup> Menkhaus (2006/07), pp. 85-86

<sup>23</sup> Hagmann & Hoehne (2007), p. 25

<sup>24</sup> Hagmann (2005)

<sup>25</sup> Bradbury, Abakor & Yusuf (2003), p. 460-4

<sup>26</sup> Brons (2002); Bradbury, Abakor & Yusuf (2003), p. 461

found Somaliland's elections to be "among the freest and most transparent democratic exercises ever to take place in the Horn of Africa."<sup>27</sup> Moreover, a coalition in Parliament between two opposition parties in 2005 made Somaliland "one of the only governments in Africa with 'cohabitation' between rival parties in the executive and legislative branches."<sup>28</sup>

## **Conclusion**

One should not overstate the case. Somaliland has its share of unresolved concerns, spats of violence and fears of instability. It is not a *deus ex machina* for the rest of the country. Nonetheless, in the absence of international support and recognition, this region's bottom-up, organic, democratic peace stands in stark contrast to the violent, internationally led, top-down state building failure in southern Somalia. It holds important lessons for the country, the continent and the world. Its story, however, is rarely told. The final article of this series will focus on these lessons. In addition to arguing *why* we need heed these lessons, it will posit *how* to incorporate them, putting forth methods and solutions. Regardless of the international community's stance on Somaliland's independence, it should neither forget nor neglect the efforts of these resilient people who prove that even in the midst of one of the world's longest running conflicts, hope is not lost.

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<sup>27</sup> Bryden (2004), p. 173

<sup>28</sup> Menkhaus (2006/07), p. 92