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## Local Governance: Concepts and Roles of the Contemporary Society in Somalia

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This article presents a comprehensive examination of the historical and contemporary dynamics of governance in Somalia. It begins with a review of the country's socio-political landscape, highlighting the impact of the civil war, the emergence of clan-based territories, and the rise of non-state actors. The article then traces the evolution of Somali governance from independence to the present day, emphasizing the transition from a centralized authority to a federal system. The role of external stakeholders in Somalia's reconciliation and recovery process is thoroughly analyzed, drawing attention to the complex influences of international and regional actors. A key focus of the article is the formation of the third tier of government in Somalia, the district council, under the Wadajir framework. The challenges faced by this newly established entity, including clan-based conflicts and a fragile revenue system, are discussed in detail. At the same time, the potential of the district council in fostering improved local government actions, encouraging community engagement in development and ensuring fairer resource distribution is underscored. The article concludes with a forward-looking discussion on the prospects of inclusive governance and local empowerment in Somalia's future. This comprehensive analysis serves as a valuable resource for scholars, policymakers, and practitioners interested in Somali politics and governance.

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## INTRODUCTION

The roots of the Somali conflict can be traced back to the year 1897 when Somalia was partitioned among the colonial powers of Britain, France, and Italy. Subsequently, in 1948, the Ogaden region was handed over to Ethiopia by the British. Following the year 1960, Somalia underwent three distinct phases of political development. In the same year, the British Somaliland protectorate and Italian-administered Somalia achieved independence and merged to form the United Republic of Somalia. During the initial decade of independence, a democratic constitution was established, paving the way for the successful political integration of territories that had unique colonial and clan traditions. The constitution enabled a clan-driven multiparty political system, which formed the foundation for building and governing cross-clan coalitions (UNDP, 2012).

Furthermore, in addition to the aforementioned unifications, Djibouti, which was previously under French colonial rule, and the Northern Frontier District of Somalia, a region primarily inhabited and governed by the British in Kenya, gained their independence. The Ogaden region was also ceded to Ethiopia by the British. As a result of these events, experts frequently refer to the idea of the "five Somalis." It was in October of 1969 that Mohamed Siad Barre orchestrated a military coup, effectively establishing a highly centralized totalitarian regime, while simultaneously endeavouring to eradicate clan behaviour, albeit without success. In support of the Ogaden guerillas' secessionist movement in Ethiopia, Siad Barre contributed to the escalation of full-scale warfare in 1977/78 (Lewis, 1995).

Somalia has undergone multiple instances of armed conflicts beginning in 1988. The preliminary phase

(1988-1992) was distinguished by a civil war, which initially occurred between government forces and clan militias and subsequently among rival clan militias from 1991. The military government's overthrow in January 1991 provoked violent unrest, causing extended anarchy and warfare. In 1991, the Northwest region of Somalia declared independence, resulting in a devastating legacy. After a two-year UN peace enforcement mission (UNISOM) failed in 1993-94, Somalia initiated a long phase of "neither war nor peace" from 1995-2006, which was characterized by intermittent armed clashes, low-intensity war, and chronic insecurity (Menkhaus, 2018).

Despite the tumultuous circumstances, it is important to note that Somalia is not devoid of law and governance. In fact, the country is marked by significant disparities, particularly between the unstable south-central regions and the relatively secure north. Notably, two regions in the north, namely Somaliland and Puntland, managed to avoid the brunt of the conflict during the 1990s and have since achieved internal, social, and political coherence, culminating in the establishment of separate administrations. Somaliland declared independence in 1991, while the Northeast region proclaimed itself semi-autonomous as Puntland in 1998 (UNDP, 2012).

Currently, Somalia finds itself at a critical turning point. The nation has been embroiled in a prolonged and intricate conflict, resulting in stark contrasts throughout the country. The south-central regions have been plagued by years of violent conflict and lawlessness, while the northeast and west have achieved a tenuous semblance of peace and stability. This divide serves to underscore both the potential for progress and the significant amount of

work that still remains to be done to ensure that all Somalis can enjoy a path towards development and peace (UNDP, 2012). It is clear that there is no one-size-fits-all solution to Somalia's challenges. The south-central region's association with failed states has contributed to its ongoing struggles, while the northwest seeks independence and the northeast pioneers the federal system in Somalia. The Somaliland region's pursuit of recognition serves as an added incentive for domestic performance legitimacy, highlighting a notable contrast with the chronically troubled south of Somalia (Menkhaus, 2014). Despite some recent stability, the primary goal of international recognition as an independent country remains unachieved.

### **Objectives of this Paper**

The main objectives of this study are;

- To comprehend a review of concepts and roles of contemporary society in Somalia.
- To analyse the roots of Somali governance from independence to date
- To examine the role of the external stakeholders in the Somali reconciliation and recovery process.
- To elaborate on the formation of the third tier of government in Somalia, the district council, challenges and opportunities.

### **THE BEGINNING OF THE SOMALI COLLAPSE**

In April 1978, the Majeerteen group attempted a military coup, which proved unsuccessful but marked the first significant expression of dissent. Subsequently, the group formed the Somali Salvation Democratic Front (SSDF) in 1981. The Isaq SNM (Somali National Movement) guerrillas successfully liberated the Republic of Somaliland, leading to civil war when the Majeerteen and SSDF, in addition to Aydeed's USC (United Somali Congress) overthrow in Mogadishu in 1991, established a nationwide regime of gun-rule.

(Lewis, 1995). It is notable that this occurred during Somalia's war with Ethiopia in 1977/78. Three years following the failed coup, a faction from the same clan founded the initial opposition in exile known as the SSDF, followed by the SNM and later the USC, which toppled Barre's regime. Analysts assert that the nation then divided into two directions: the northeast (Puntland) and the former British colony, Somaliland, gained stability, while the south and central regions entered into a prolonged period of destruction and destabilization.

Since 1991, there has been an emergence of powerful local interests with vested interests in the continuation of state weakness or failure. This has resulted in a self-perpetuating state failure in Somalia. A potent business community has arisen, expressing fear that a revitalized state would impose taxes, heavy regulations, or even nationalization. The first claim posits that Somali political culture, with its history of statelessness, nomadism, and clannism, presents a hindrance to the development of formal political institutions (Menkhaus, 2014). The country's prolonged fragility has further exasperated the decline in stability and the establishment of law and order. It is widely believed that the rise of Islamist extremism in Somalia can be attributed to clan conflicts, which provided fertile ground for the formation and growth of extremism.

### **The Transition Period**

In the aftermath of the collapse of the state in 1991, the first genuine endeavour to reconstruct state institutions occurred through the reconciliation conference that took place in Arta, Djibouti in 2000 (World Bank, 2020). Since 2000, the Transitional National Government (TNG) has encountered difficulties in establishing itself in Mogadishu. In 2002, a conference resulted in the establishment of the Transitional Federal Government (TFG) and the formation of the interim federal administration (Avis & Herbart, 2016). During the same year, President Abdikassim Salad Hassan was elected during the Djibouti reconciliation conference. Although this peace process led to the proclamation

of a Transitional National Government, its functionality was not realized, and it remained largely unrecognized by most of the world (Mankhaus, 2018). The significance of legitimacy lies in its ability to convert power into authority, thereby facilitating non-coercive rule. In fragile situations, a lack of legitimacy undermines productive engagement between the state and society, resulting in weakened state capacity and contributing to fragility. Weak governance and ongoing internal conflicts are typical characteristics of many states in fragile situations (OECD, 2010).

The Arta peace reconciliation conference is widely regarded as the inaugural conference that yielded tangible outcomes, culminating in the establishment of the first Transitional National Government subsequent to the collapse of the central government in 1991. The Mbagathi peace agreement from 2002-04, which facilitated the formation of the Transitional Federal Government (TFG), can be viewed as a continuation of the outcomes from Arta. This accord established the foundation for the tenuous and partial peace that is currently prevailing in Somalia (Mankhaus, 2018). The formation of the Transitional Federal Government (TFG) in 2004 was entrusted with the responsibility of laying the groundwork for a national government over a period of five years. The peaceful handover of power from the TNG to the TFG heralded the end of centralized government and the dawn of federalism. However, the issue of Somaliland's self-determination or its integration into greater Somalia still remains unsettled. Prior to the Mbagathi agreement of 2004, Somalia was an entirely failed state with no recognized government (Mankhaus, 2018).

The transitional government which lasted for seven years from 2004 to 2012 was unsuccessful in developing administrative capacity, despite considerable external efforts directed towards capacity building (Menkhaus, 2014). The insufficiency of the government's capacity and the futility of capacity-building initiatives could be attributed to the inappropriate selection of clan

representatives for political office. To legitimize the selection of clan representation and to support the transitional government institutions, the 4.5 formula was introduced, despite the inclusion of former warlords and individuals associated with violence (World Bank, 2013). By the middle of 2008, Al-Shabaab had taken control of most of southern Somalia and a significant portion of the capital. Ethiopia and the Transitional Federal Government (TFG) were under siege. In late 2008, Ethiopia and other external actors brokered a deal, replacing the ineffective and polarizing Abdullahi Yussuf with former Islamic Courts Union head Sharif Sheikh Ahmed, who returned from exile in Eritrea to lead the TFG (Mankhaus, 2018).

### **External Actors in Somalia Transitional Processes**

The transitional processes that ensued after the Mbagathi peace conference were not exclusively spearheaded by Somalia, as external actors also played pivotal roles at Mbagathi, particularly after surmounting their own internal rivalries. Among the external entities that supported the negotiations, the European Commission emerged as the most active player. While the United States was supportive, it kept its involvement modest owing to the limited resources allocated to Somalia at the time. At the outset of the talks, the UN political office for Somalia did not have a noteworthy role, but its significance grew, especially following the formation of the Transitional Federal Government. It is sometimes erroneously emphasized that the securitization of state-building was a dominant external factor in the Mbagathi peace process (Mankhaus, 2018).

External assistance played a significant role in the entirety of the transitional process, with involvement stemming from various factors. Following the 9/11 attacks, the United States identified "ungoverned spaces" as potential sites for exploitation by Al-Qaeda and other terrorist organizations, thereby prioritizing state-building as part of a broader national security strategy. During

the years 2002-04, Somalia has not deemed a significant jihadist threat, except for a limited number of East African Al-Qaeda cell members transiting through Mogadishu (Mankhaus, 2018).

The absence of law and order in Somalia presented an opportunity for extremist organizations to expand and establish safe havens for their growth and the spread of their ideology. In 2006, a battle erupted in Mogadishu between a Hawiye clan militia and the Islamic Courts Union (ICU), a group of Sharia courts that provided law and basic security in certain neighbourhoods of the capital. The ICU emerged victorious over the militia-supported groups and took control of Mogadishu by June 2006, extending its authority over much of southern Somalia and bringing levels of security and governance that had not been seen in nearly two decades (Mankhaus, 2018). With the aid of Ethiopian troops, the Transitional Federal Government (TFG) regained control over much of the southern conflict areas by 2007, after seizing power from the ICU. The ICU subsequently fractured into more extreme factions, such as Al-Shabaab, which is still fighting against the TFG and the African Union Mission in Somalia (AMISOM) for control of the region (Avis and Herbert, 2016).

The emergence of Al-Shabaab and the associated risks altered the circumstances considerably. In 2017, there was a heightened global commitment to ensure the triumph of the TFG, with the United States, United Nations, and United Kingdom governments increasing their involvement (Mankhaus, 2018). Strategies were formulated for long-term engagements and the establishment of peacekeeping troops. The political situation in Mogadishu underwent a significant transformation when the Ethiopian forces withdrew from Mogadishu and the majority of southern Somalia in early 2009, making way for a 20,000-strong African Union Peacekeeping force (AMISOM) (Mankhaus, 2018).

## THE NEW DAWN FOR SOMALIA

Federalism was established as a foundational principle of state-building and decentralization in Somalia and has taken substantive shape through a process of national delegation and consensus (FCA, 2021). The introduction of federalism as a new form of governance in Somalia has enabled the decentralization and enhancement of service delivery throughout the nation. The emergence of four federal member states--Jubaland (2013), South West (2014), Galmudug (2015), and Hirshabelle (2016) following the model set forth by Puntland in 1998 (World Bank, 2020), represents the most significant change in Somalia over the past five years. Somalia's political development and the decentralization of its government are rooted in an understanding of the two-tier government that existed previously, and are currently characterized by the presence of five federal member states: Puntland, Galmudug, Hirshabelle, South West, and Jubaland (FCA, 2021). Somalia is divided into 13 official administrative regions, as well as five regions in Somaliland that are claimed but not controlled. These regions are further divided into districts that are demarcated territorial areas.

In 1991, Somaliland withdrew from Somalia and pronounced sovereignty. Similarly, in 1998, Puntland achieved self-government within the federal framework of Somalia. These regions have effectively established a degree of stability through grassroots conflict resolution, concentrating on addressing concerns at the local level. Nevertheless, the creation of institutions at the national level has encountered significant obstacles due to the high stakes and the prevalence of both local and external spoilers, as well as corruption (Menkhaus, 2014)

In 2012, the election of Hassan Sheikh Mohamud as the president after the transition was conducted by the appointed parliament, which promised a fresh start. Despite the declaration of a federal government in 2012 and extensive institutional-building aid over two decades, Somalia continues to be ranked as the world's most unsuccessful state

(Meankhaus, 2014). Although some contend that it is still a failed state, since 2013, Somalia has been regarded as fragile rather than failed (World Bank, 2013).

The Federal Government of Somalia (FGS) has made a firm commitment to federalism as the guiding principle for shaping the country's future. To this end, a three-tier federal structure has been formulated and implemented, comprising federal, state, and district levels (World Bank, 2020). In building incremental trust between citizens and the federal, state, and local government, decentralized governance and service delivery are of pivotal importance. Due to its close proximity to citizens, local government, which is the third and lowest tier of elected representative government in Somalia, plays a crucial role in instilling confidence in governmental structures (World Bank, 2020). However, a significant constraint on the government's capacity is the issue of marginalization, primarily caused by power sharing in Somalia. In light of the large numbers of marginalized youth and other citizens, it is essential to establish a solid foundation of democracy, which includes mechanisms institutionalizing transparency and accountability to check corruption, eliminate discrimination, and ensure that people's voices are heard and responded to at all levels (UNDP, 2012).

### **The District Council Formation**

A new perspective is required for Somalia that promotes an all-encompassing society where individuals feel empowered and possess the opportunities and capabilities to enhance their lives (UNDP, 2012). As a result of the civil war, there was a general distrust among individuals, leading to the emergence of clan-based territories. This created limitations on people's movement across clan boundaries due to the fear of reprisal killings. Power has shifted to non-state actors who are often funded by illicit activities and reliant on unofficial armed forces (OECD, 2010). Somalia, a vulnerable state recuperating from a long civil war, has faced the

disintegration of the central government and the transfer of power to administrative regions (Avis and Herbert, 2016). The Federal Ministry of Interior and Reconciliation Affairs created the Wadajir framework for local governance in March 2016. It stipulates the formation of district councils (FCA, 2021). The term "Wadajir," which means unity in Somali, was selected to represent the objective of developing comprehensive governance at the third tier of government. Minority groups in Somalia endure significant discrimination, which results in exclusion from political participation, employment opportunities, and access to justice, among other things (Browne and Fisher, 2013).

The district council serves as the legislative body at the district level and plays a crucial role in facilitating local governance efforts (FCA, 2021). The council's close proximity to the people it serves fosters a heightened sense of accountability and contributes to the improvement of local services. At the local level, governance is widely regarded as advantageous for local stakeholders as it promotes organized markets, adherence to the rule of law, and the maintenance of public order (Menkhaus, 2014). It is important to note that local government is not an independent tier, but rather functions in conjunction with the district council, utilizing a bottom-up and top-down approach to policy implementation.

Decentralization possesses the potential to ameliorate the actions of local governance. However, it is vital to acknowledge that local governmental entities function within a framework of intergovernmental relationships, which can restrict, and even obstruct, their actions (Wilson, 2000). The clan structure and youth, who are manipulated under the guise of safeguarding their clan territories, may not readily embrace the idea of sharing power and resources, particularly when they hold sway over sources of revenue. A staggering 70% of Somalis are below the age of 30 and face impediments in transitioning to adulthood due to their exclusion from social, economic, and political

spheres, as a result of their clan and cultural affiliations, gender, age, illiteracy, poverty, and other related factors (UNDP, 2012).

Decentralization endeavours to involve communities in development, establishing a model that is driven by the government but led by the community, thereby granting communities a stake in their development rather than mere recipients. For state-building processes, it is imperative to create circumstances that facilitate effective and sustainable revenue mobilization, enabling governments to acquire the resources necessary to discharge their obligation of service delivery (Raballand & Knebelmann, 2020). However, in fragile states like Somalia, where taxation legitimacy is usually insufficient, impartiality, transparency, and a clear correlation between taxation and service provision are pivotal in augmenting tax compliance. District councils perform various functions. FCA, which is an implementing partner of Somalia in district council formation, collaborates with the Ministries of Interior at the federal and state levels. FCA recommends several principal district council functions, such as representing and serving the interests of the local populace, being accountable to the people by regularly reporting on their performance, encouraging public participation in the work of the local council, and creating a sense of belonging to the local administration.

### **Challenges that the Governance in Somalia is Facing**

Since 1991, Somalia has had various governments, some of which failed to extend their influence beyond the capital, while others were not fully recognized. At present, the Somali Federal Government is acknowledged, however, it is yet to establish complete control over the nation. A post-transitional government has been in place since 2012, albeit it has encountered difficulties in implementing its authority over the territory or delivering essential security and social services (UNU-Wider 2014). The existence of AMISOM

(African Union Mission in Somalia) indicates that the government lacks the necessary resources to manage and safeguard the country, despite numerous countries providing military training and financial assistance to Somalia.

Despite rapid increases since the establishment of the Federal Government of Somalia in 2012, domestic revenue in Somalia remains low (Raballand & Knebelmann, 2020). The country's economy has been severely impacted by the civil war. Livestock, fishing, and farming constitute the backbone of the local economy. Nevertheless, several individuals involved in these sectors have become internally displaced persons (IDPs) due to conflicts between the government and Al Shabab, inter-clan conflicts, and long-term drought that led to livestock loss.

Following Siad Barre's acquisition of power through a coup d'etat in 1969, Somalia initially relied on Soviet support, which persisted until the mid-1970s. Subsequent to the country's renunciation of socialist ideology, it became predominantly reliant on external benefactors and financial institutions (Raballand & Knebelmann, 2020). Present-day Somalia continues to grapple with centrifugal tendencies, while the contentious nature of federalism remains a topic of inquiry (World Bank, 2020). The particular federalism model that Somalia seeks to adopt is not clearly defined, with prospective models encompassing a confederation, federation, decentralized unitary state, or consociational system, all of which can be supplemented with territorially-based models (Leavy, 1995).

Exclusion significantly curtails capabilities and opportunities, thereby impeding the contributions of young individuals towards peacebuilding and development, as stated by UNDP in 2012. Furthermore, the representation of women in the government has fallen short of the agreed quotas. The elected parliament, following the 2012 election, failed to meet the quota, with only 14% of female representatives. FCA's local governance program

has an overarching objective of promoting women's participation in political and decision-making processes. The female quota has been set at 30% for both national and sub-national levels. In Somalia, taxation is not only a source of competition between the Federal Government of Somalia (FGS) and Federal Member States (FMS), but it also aggravates the ongoing conflict. Informal taxation, particularly at businesses and road checkpoints, generates substantial funds for militant groups, with Al Shabab being the largest, as per the World Bank in 2020 (Raballand & Knebelmann, 2020).

### **Opportunities for Development**

Merely half a decade after the disintegration of the central government in 1991, denizens commenced returning to urban areas, and commercial enterprises gradually proliferated from the city to the hinterlands. After a period of vehement hostilities throughout the 1990s, the most recent years have witnessed a sequence of uplifting transitions, laying the foundation for a more durable political accord (World Bank, 2020). The global community has made myriad attempts to cooperate with Somali stakeholders to proffer peace and stability to Somalia. There have been fifteen well-intended endeavours aimed at reconciliation and peacekeeping (UNDP, 2012). Any triumph that Somalia has accomplished in rejuvenating the nation, which once plummeted into a maelstrom of chaos and a dearth of organization, is partially attributable to the steadfast backing of the global community. Neighbouring countries, such as Kenya and Ethiopia, have also extended support to Somalia. In Kenya, the most extensive refugee encampments are occupied by Somalis who were displaced at different junctures, mainly between 1991 and 2006.

A government was established in Mbagathi, Kenya through the Transitional Federal Charter, with a provisional constitution being adopted in 2012 as the fundamental framework for the Somali justice system (World Bank, 2020). Although the transitional government was successfully hosted by

Kenya, the government encountered challenges from the Islamic Courts Union (ICU) within Somalia. In December 2006, Ethiopia intervened and removed the ICU from power, leading to the exile of its leaders (Mankhaus, 2018). The transition from the Transitional Federal Government to the Federal Government in August 2012 is widely recognized as a noteworthy milestone and an opportunity for leadership to establish credible national institutions in collaboration with the international community (Browne and Fisher, 2013).

### **CONCLUSION**

Over the course of this article, we have explored the complex and multifaceted narrative of Somalia's governance, examined its evolution from independence to the present, and analyzed the pivotal roles of internal and external stakeholders in the process of reconciliation and recovery. We have also delved into the formation of the third tier of government in Somalia, the district council, identifying the challenges it faces and the opportunities it offers for the future. The review of contemporary Somali society revealed a nation that, despite enduring decades of civil war and associated socio-political upheaval, continues to strive towards inclusive and accountable governance. The emergence of clan-based territories, the rise of non-state actors, and the persistent marginalization of minority groups underscore the nation's struggle with internal divisions. Yet, the Wadajir framework and the formation of the district council signal a forward-looking, unity-oriented approach to local governance.

Our analysis of Somali governance from independence to the present day highlighted the country's tumultuous journey through various forms of government and political ideologies. The changing dynamics of power, from a centralized authority to a federal system, bear testament to Somalia's resilience and adaptability in the face of adversity. The external stakeholders, comprising international and regional actors, have played an



indispensable role in Somalia's reconciliation and recovery process. Their efforts have ranged from peace and reconciliation initiatives to military interventions and capacity building. Although their influence has had its fair share of complexities, these stakeholders' contribution to the restoration of a functioning state apparatus in Somalia is undeniable.

Lastly, the establishment of the district council, as a key element of the third tier of government, represents an important step towards decentralization and local empowerment. While fraught with challenges, including a fragile revenue system and clan-based conflicts, it also presents significant opportunities. The council can potentially foster improved local government actions, community engagement in development, and fairer resource distribution.

In conclusion, Somalia's trajectory, while marked by periods of conflict and instability, also showcases a persistent striving towards progress and resilience. With the continued support from external stakeholders and an internal commitment to inclusive governance and local empowerment, the nation holds promise for a future where all its citizens feel empowered and have the opportunities to improve their lives. The journey towards this future may be fraught with challenges, but it is a journey worth undertaking, for it is through such endeavours that societies grow and nations evolve.

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