Building Peace at the grassroots level: the role of inside mediators in peace process

A Comparative qualitative study on mediators’ involvement in peace building processes in fragile states

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Abstract

Inside mediation through individuals or institutions emerged from the conflict situations become an alternative way to end armed conflict as it is regarded to have more local legitimacy with a higher sense of ownership. Surprisingly, researchers in peace and conflict studies have shown more interest to mediation processes dominated by outside mediators, while little has known about the conditions that contribute to success of inside mediators. This thesis aims to contribute to this understudied research field by answering the question; under what conditions do inside mediators contribute to the ending of armed conflict in fragile states? In this thesis, I focus on the role of customary leaders, a form of inside mediators.

The point of departure of this research question will be the distinction between mediator’s involvements (Inside vs outside) and how their presence contribute to different outcomes. The variances will be explained with reference to two contending concepts of success and failure of mediation processes. Success of mediators’ involvement can be measured by focusing on the following three areas; the initiation of peace process, conclusion of peace process and the sustainability of peace outcomes. The causal argument suggest that mediation processes dominated by inside mediators are more likely to end armed conflicts, as they have more local legitimacy that can engender a higher level of ownership, and sustain peace agreements as the actors feel engaged the peace process. By testing this theory, this thesis applies the structured focused comparison method by selecting three cases of Southern, northwest and northeast regions in Somalia that have developed differently. The empirical findings of this thesis supports the hypothesis tested, as mediation processes dominated by inside mediators in Northeast and North-West regions displayed a higher level of local ownership and legitimacy than the Southern regions. Finally, further researches on inside mediators success in a different countries is suggested in order to know the level of inside mediators’ effectiveness in ending armed conflict.

By testing this theory, this thesis applies the structured focused comparison method by selecting three cases of Southern, North-West and North-East regions in Somalia that have developed differently. The empirical findings of this thesis supports the hypothesis tested, as mediation processes dominated by inside mediators in North-East and North-West regions displayed a higher level of local ownership and legitimacy than the Southern regions. Finally, further researches on inside mediators successes in different countries is suggested in order to increase availability of knowledge on the levels of inside mediators’ effectiveness in ending armed conflict.
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- **APD**: Academy for Peace and Development
- **AU**: African Union
- **BRAC**: Bari Region Administration Council
- **CSO**: Civil Society Organizations
- **ESC**: Emergency Security Council
- **IDP**: Internal Displacement People
- **IGAD**: Inter-governmental Authority on Development
- **LPI**: Life and Peace Institute
- **PDRC**: Puntland Development Research Center
- **RRA**: Rahanweyn Resistance Army
- **SNA**: Somali National Alliance
- **SNF**: Somali National Front
- **SNM**: Somali National Movement
- **SRC**: Supreme Revolutionary Council
- **SSDF**: Somali Salvation Democratic Front
- **UCDP**: UPPSALA Conflict Data Programme
- **UNDP**: United Nations Development Programme
- **UNITAF**: Unified Task Force
- **UNOSOM**: United Nation Operation in Somalia
- **UNPKF**: United Nations Peacekeeping Forces
- **UNSC**: United Nations Security Council
- **USC**: United Somali Council
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1. Introduction
Inside mediation through individuals or institutions in conflict situations has become an alternative way to end armed conflict as it is regarded to have more local legitimacy with a higher sense of ownership. Surprisingly, researchers in peace and conflict studies have shown more interest to mediation processes dominated by outside mediators, and therefore little is known about the conditions that contribute to success of inside mediators. This thesis aims to contribute to this understudied research field by answering the question; *under what conditions do inside mediators contribute to the ending of armed conflict in fragile states?* In this thesis, I focus on the role of customary leaders, a form of inside mediators.

The point of departure of this research question is the distinction between mediators’ involvement (inside vs outside) and how their presence in peace processes contribute to different outcomes.

The causal argument suggest that mediation processes dominated by inside mediators are more likely to end armed conflicts, as they have more local legitimacy that can engender a higher level of ownership, and sustain peace agreements as the actors feel engaged in the peace processes. From this theoretical argument, in order for mediation process to be successful, inside mediators needs to be trustful and respected individual/group that are perceived as neutral by the conflict parties. From this theoretical assumptions, the hypothesis is that mediation processes that involve more inside mediators are likely to be successful to end armed conflict than mediation process dominated by outside mediators. Success of the mediators’ involvement can be measured by focusing on the following three areas; the *initiation* of peace process, *conclusion* of the peace process and *sustainability of peace outcome* over a period of five years after the peace agreement is signed.

The complexity of many armed conflicts appeals for a greater variety of mediators’ involvement and this argument challenges the old assumption that it is the involvement of outside mediators only that can successfully bring about sustainable peace. Proponents of those who argue that successfulness of mediation has nothing to do with outside mediators include Svensson and Lindgren (2013:5). In order to empirically test the above hypothesis, this thesis employs the *structured focused comparison* method- it is a method that explains a specific event being studied in a particular time period( George and Bennet 2005: 67).

In addition to that, the ‘most similar’ case technique will be used as it’s the best way to compare multiple cases that have various commonalities except the independent variable that
is expected to produce different outcomes. This thesis selected three regions in Somalia (Southern, North-West and North-East) that have developed differently after the collapse of the central government. This thesis thus, assesses how the involvement of mediators in these regions contributes to bring about durable peace, despite the commonalities of the conflict nature. The focus will be within the timeframe of 1991 to 1998, as this period presents the time where the differences of these regions mainly developed.

The study utilized secondary sources such as academic research journals, NGO reports and peace conference reports etc.

The main findings shows that mediation processes dominated by inside mediators in North-East and North-West regions displayed a higher level of local ownership and legitimacy which contributed to bringing about durable peace. Further researches on inside mediators’ successes in different countries is suggested in order to increase the availability of knowledge on the levels of inside mediators’ effectiveness in ending armed conflict.

After the introduction, the next section presents previous researches on mediations involvements and conditions that contributes to their success. The third section discusses theoretical arguments and hypothesis to be tested. Section four describes the research design and operationalization of the key concepts. Section five, six, and seven presents the empirical data collected on both the involvement of mediators and conditions necessary to bring about durable peace. Section eight discusses the analysis of the case empirics- a separate analysis for each case will be conducted and thereafter, a comparative analysis involving all the cases. In addition to that, this section further describes the extended analysis and assesses alternative explanations and limitations as well as potential bias. Finally, section nine provides conclusions and summarizes the main findings as well as provide suggestions for future research on this research field.
2. Previous researches
The world has experienced a series of State based and non-State conflicts\(^1\) since the end of World War II, which has posed threats to the international peace and security. Mediation becomes the best form of conflict resolution that is commonly used by individuals, states and organizations to bring about peaceful resolutions of conflict. There is no single definition and approaches of mediation agreed in the academia but, this thesis want to borrow the definition of mediation from Giessman and Oliver; as ‘a political process in which conflict parties (stakeholders) agree to accept one or more third actors who are not party to the conflict, who enjoy the trust of the disputants, and who are considered potentially supportive in overcoming the deadlock triggered by a stalemate in the conflict’ (2009: 3).

Regarding the importance given to mediation, the UN Secretary-General Ban Ki-Moon framed mediation into the ‘tool box of international policy frameworks’ (Security Council Report 2009, 1). Several international attempts to conflict resolutions failed to end conflicts. Evidences shows that, only 25 percent of all mediation efforts from 1989 until 2002 were successful (HLP 2004, 34). Likewise, one in every four conflicts becomes successful with the help of mediation. Another comparative study of ‘434 international crises that occurred between 1918 and 2001 showed that the probability of formal agreement is more than five times greater when a crisis is mediated (48.35 percent) than when it is not (9.97 percent)’ (Beardsley et al. 2006).

The study by Giessman and Oliver (2011:184) presented a number of factors for this recent revitalisation of interests in mediation, which have their roots in numerous intertwined developments; first of all, the need to address internal, asymmetric conflict: Since the end of cold war, the nature of conflicts changed globally as the conflict involved by state and non-state actors. Asymmetric conflicts ‘have become a cause and are at the same time also a result of a spreading fragility of states’ (Giessman and Oliver, 2011:184). Secondly, the limits of peace keeping: the failure of peacekeeping operations from ‘lack of success in crucial cases’ increased the international burden and reduced their credibility. While the concept of mediation, on the other hand, ‘leaves the initiative for conflict resolution with the conflict

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\(^1\) Definitions:

a) State based conflict; An armed conflict is ‘a contested incompatibility that concerns government and/or territory where the use of armed force between two parties, of which at least one is the government of a state, results in at least 25 battle-related deaths in one calendar year’ (UCDP).

b) Non-state; Armed conflict” is also referred to as “state-based conflict”, as opposed to “non-state conflict”, where none of the warring parties are a government( UCDP)
parties. It does not intend to impose fixed template solutions but builds on interests of the conflict parties in seeking compromise and practising collaborative action’ (Giessman and Oliver, 2011:185). Thirdly, *Shifts in normative approaches to human rights violations:* the development of human right protection increased the moral and legal responsibilities of the international community to intervene domestic political, social and economic issues. This ‘changing mind-set has gained considerable political momentum and has led over time to an increasing acceptance of legitimised interference into internal matters where human rights are neglected or people are oppressed’(Giessman and Oliver, 2011:185). Fourthly, a *broader and more transformative understanding of mediation:* Mediation ‘has come to be considered less of a tool for bringing about formal agreements between conflict parties, but rather for facilitating more constructive and cooperative behaviour in order to open up perspectives for a resilient, less confrontational and more enduring relationship through a transformation of relations between the parties in conflict’ (Giessman and Oliver, 2011:185). There are hopes for mediation to ‘“break the long-standing cycles of violence that haunt many war-inflicted countries” (HLP 2004, 60).

In addition to that, for mediation to be more successful, three things needs to be taken into considerations; first of all, the third party should come with the interest and willingness of the conflict parties, as Giessman and Oliver argue that conflict parties don’t choose to go the negotiation table until they think it may serve their interests better than keeping the war going (2011:190). Sometimes they accept mediations for the purpose to obtain more international supports than its opponents. Second, third party mediator must be impartial from the eyes of the conflict parties. Evidence shows that mediators’ impartiality contributes to successful mediation outcome as the parties’ confidence and trust increases (Svensson &Lindgren: 2013). Third, mediators must support parties to find solutions. The United Nations guideline on mediations (2012:8) elucidates several points necessary for the effectiveness of mediations processes; *Preparedness* - effective mediations needs holistic preparation, not only for the logistical preparation but also for the approach of dealing with the conflict parties, media and other stakeholders of the process. *Consent* - the process must depending on the consents and willingness of the conflict parties. Experience shows that mediation processes imposed externally does not work in the long run and leads to a failures with the possibility of recurring wars/conflict. *Impartiality:* the mediator must be neutral from the process and should not have or show material interest in the outcome. As shown by many studies, mediators fail because their work seems to be biased against one group to another and this leads to lose of trust of the
party that is feeling short changed, and therefore a failure of the process. *Inclusivity*: mediation process must be inclusive and engage all the key actors and this will be beneficial for the acceptance of the process outcome. Some mediators ignore the important role of non-warring actors such as civil society, faith based institutions and customary institutions towards the peace process but, statistics shows that peace agreements reached between 1989 and 2004, the involvement of civil society reduced the risk of failure by 64% (Nilsson, D. 2012: 243-266).

*Ownership*: the conflict actors must sincerely feel that they own the process and commits to work towards the implementation of the process outcome. If the outcome represent their political demands, security guarantees and material interest, then there will be minimum resistance from the conflict actors. Mateos argue local ownership concept can be considered as an important aspect to safeguard the sustainability and the legitimacy of peace building processes (2011:1).

The current literature shows that mediation in conflicts has long been undertaken by outside third party mediators such as United Nations, regional organizations and other multilateral organizations. Svensson and Lindgren (2013) argue that mediation is dominated by outside mediators, while there is a group of mediators, called insider mediators that are neglected in the current available literatures.

Same argument is offered by Oliver P. Richmond and Roger Mac Ginty (2015) by pointing out the failures of outside mediations. Evidence shows that 40% of the mediation dominated by the outside mediators have faced serious difficulties or did not achieve any results (Fisas, 2013). This failures can be explained differently but, I argue that, non-involvement of inside mediators could possibly be the main factor that has contributed to the ineffectiveness of the mediations processes. This is partly because, outside mediators have very limited knowledge of the local context and the root causes of the conflict.

No prior research has been done before the work of Wehr and Lederach (1991, 85-98) who categorised mediators into *outsider-neutral and insider-partial* mediators through their work in Central America peace processes where the role of inside-partial mediators have emerged. Insider-partial mediator is characterised as being trusted and respected individual or group of people that brings with them a higher legitimacy from the warring actors who have seen them as neutral. Armed conflict can be defined as a ‘contested incompatibility which concerns government and/or territory where the use of armed force between two parties, of which at least one is the government of a state, results in at least 25 battle-related deaths’ (UCDP). As part of Wehr and Lederach (1991, 85-98) recommendations for extending the understanding of insider partial mediators, Svensson and Lindgren further elaborated this concept from the perspective
of being an important way of bringing indigenous resources to a peace process and that they can complement external mediators by mitigating the bargaining problem of information failure (2013: 698). They also found that the insider-partial mediators significantly increase the likelihood of negotiated agreements being successful as they have credible carriers of private information between the parties (2013:700). For insider partial mediator to be successful, Svensson presents in his study that inside mediators are better placed to understand information problems during the bargaining negotiations between the conflict parties, as they have; (1) more access to obtain information, positions and demands of the conflict parties as well as the capacity to influence them compared to outside mediators; and (2) insiders have significant reputation concerns as they will continue to interact with the conflicting parties after the intervention whereas outsider mediators often leave the situation without building the social and political relationships of the conflict parties and increases the chances of recurring the conflict(2012: 24).

Insider mediators’ involvement allows for the performance of multiple roles by mediators, one of which is to outcome supervisor in order to make sure the sustainability of the peace outcome (UNDP report, 2014:9). They can be able to influence the nature of the relationships of the conflict parties and develop proposals in which every party feels victorious. Sometimes it is difficult for mediators to establish such a win-win solutions, but due to their local knowledge, inside mediators better placed to create such environments. Involvement of inside mediators has been demonstrated to be an effective mechanism in dealing with complex situations. One of the core responsibility of mediators is to critically analyse internally (such as conflict root causes, interest and positions of the warring parties) and externally (regional involvement and perspectives) to be able to understand the root causes of conflicts. Mediators’ role can be vary depended on their mandate, skills, personalities they bring to their work (Wehr and Lederach 1991, 85-98).

A study by Svensson and Lindgren found that inside mediators’ involvement is as very low as 4% in the armed conflict, and 9% in civil war compared to outside mediations that constitutes 96% and 91% respectively (2013: 714). Regarding this gap, this thesis focuses on the role of customary leaders, a form of insider mediators. In failed countries like Somalia, customary leaders have filled the “vacuum” left by fragile states and influenced much considering the role they have played. Evidence shows that the increased role of customary leaders can contribute to long lasting peace in Africa (Sklar, 1999) and improve governance and development (Englebert, 2000).
Berghof Foundation for Peace Support (BPS) defined insider mediators as ‘individuals that have in-depth knowledge and experience of the conflict situation and have close relationship to the parties’ (2009:4). The traditional understanding of insider mediator’s role was conceived to be the informal peace processes but currently, they also work in formal process due to the unproductiveness of outside mediations. The focus here is on customary leaders as a forum of insider mediators. Customary leaders, in this study is in reference to chiefs, clan elders, Sultans and kin-ship based leadership that have a long history of conflict resolution and conceived to be peace custodians.

Despite the significant role of customary leaders in conflict resolutions, surprisingly they have received very little attention from the scholarly community in both academia and practitioners. This thesis seeks to fill this knowledge lacunae and contribute to the field in twofold. First of all, there has been some literature on faith based institutions as inside mediators such as Appleby, R. Scott. 2001; Bercovitch, Jacob, and Ayse S. Kadayifci-Orellana.2009; but this thesis focuses on the role of customary leaders as a form of inside mediators and their capacity to bring durable peace via their unique influences. Second, previous literatures on mediation have mainly emphasised the role of outside mediators; and the few researches on inside mediators have also focused on faith institutions and civil societies while, this study represents the first research to systematically explore the role of customary leaders, an area of research which so far has only received limited attention.
3.0 Theoretical framework

This section presents the theoretical arguments of inside mediators by conceptualizing the suggested variables of legitimacy, local ownership and how this would led into a successful mediation process (es) by inside mediators.

![Diagram of mediation process]

Figure 1. Causal argument

3.1. Conceptualization of local ownership

The concept of local ownership has widely been used in the humanitarian sector for many years and its official recognition as a key concept in peace building came into being in 2001, when the former UN Secretary General Kofi Annan noted that sustainable peace and development ‘can only be achieved if it considers participation of the local people while the external actors main role is to facilitate the process through a conducive manner where the local people can feel engaged which in turn would increase elements of sustainability of peace and development’ (Pearly, 2013:1).

This is because, local ownership gives the key stakeholders of the conflict (warring parties, women, IDPs, refugees, etc.) leading roles in the peace process, an important input towards attaining lasting peace. By engaging the conflict stakeholders in the process of designing of agenda and outcome can increase the recognition and acceptance of the outcome by the actors with less resistances and increase the local ownership (Pearly 2013:2). Therefore, local ownership can contribute to the sustainability of the peace outcomes.
In conflict transformation process, insider mediators play crucial roles in peacebuilding activities as they are fully engaged in the entire processes (Reich, Hannah 2006:7). As conflict takes place within certain societies or states, it is important for the conflicting parties to get solution for their differences but that does not always happen and here is where the role of third party mediators have to start in order to support them to find a solution. Mediation dominated by outside mediators are less effective, in comparison with those involving local actors, that have to be integrated into the design and decision making processes, in order for the process to work.

To understand the local ownership concept, two things needs to be explained - Who are the locals as well as their level of engagements; First of all, I argue that local ownership seems to be a vague term with no clear definitions of local actors which makes it very difficult in its conceptualizations. Local actors can be the warring and non-warring parties, but earlier mediators focused and ignored other actors who could also be beneficial to the peace processes. Civil society has emerged as key actor in peace building while others like communities affected by wars such as Internal Displaced People (IDPs) and refugees in the camps get less attentions in the current peace building frameworks. Nilsson found in her study the relationship between the involvement of civil society organizations in peace negotiations and the likelihood of durable peace’ (2012). This is because, peace processes needs to include the people who have been affected by the conflict and living with its consequences such as Internally Displaced People and people living in the refugees whose exclusion from the process may otherwise alienate them (Barnes 2002 and Donais, 2009).

Mediation processes that are more local ownership can relatively be successful. Such ownership refers to the extent in which the demands of conflict actors and other stakeholders are represented in the peace processes and that the actors feel comfortable to the terms of peace agreement. It is less likely that the peace outcomes will be opposed given this kind of local ownership. The argument of this thesis is that, if peace processes are to be sustainable, the stakeholders of the conflict must be actively engaged. Of course ownership can be impossible, if there are hidden agendas by the warring actors and perhaps, it is one of the challenges criticised by the liberal peacebuilding framework as it appreciates and acknowledges in a limited way of the local contexts. Giving more attention to the concerned stakeholders can create a sense of ownership. Local ownership comes when the demands of the stakeholders are represented in the peace agreements and this makes them to accept their responsibility as enablers of peace (Boughton and Mourmouras 2002).
In summarizing the above arguments, no single definition of local ownership concept has been agreed by the scholars due to the difficulty to identify what is really mean or who are the local actors. This thesis has the operational definition of local ownership as a process where the warring and non-warring actors are being involved in the process equally, and decisions taken agreed upon by all the actors to increase local ownership.

Local actors have to be recognized as core elements in peacebuilding processes rather than mere beneficiaries or spectators to be excluded. This thesis postulates that mediation needs robust local ownership in order to bring sustainable peace. Mediation processes that have strong local building through local participation engenders higher local ownership and therefore are likely to be sustainable.

Another important factor that needs a keen attention is the time factor of the mediation process. Modern peace building have been criticized as not considerate to the process, rather the focus is on outcomes. In the course of peace negotiations, warring parties usually have conflicting demands and positions, so for them to have a conducive environment, there is need for far more time for the mediators to make their demands. Boege argues that the process of conflict transformation – ‘can be very time-consuming – tends to be more important than solutions – all the more so as in traditional contexts any ‘results’ achieved are only of a temporary nature anyhow as they are subject to renegotiations and revisions’ (2006:12). Menkhaus argues that customary peace building tend to be more process-oriented than product-oriented, unlike the liberal (2000: 198). Therefore, they spent more time to analyse the conflict, interests and positions of the warring parties.
Inside mediation process

<table>
<thead>
<tr>
<th>Focuses</th>
<th>Nature of the peace process</th>
<th>Higher local ownership</th>
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<tbody>
<tr>
<td>• On confidence building between the conflict parties</td>
<td>• Process-oriented</td>
<td>• Increases the ownership of the peace outcome</td>
</tr>
<tr>
<td>• Social pressure techniques to bring parties into the negotiation table</td>
<td>• Consensus decision making</td>
<td>• Less resistance to the outcome</td>
</tr>
<tr>
<td>• Applies customary laws and procedures of conflict resolutions</td>
<td>• Encouragement of the conflict/non conflict parties and other stakeholders such as; local leaders, business people, NGOs</td>
<td>• Higher commitment to endorse peace agreements</td>
</tr>
<tr>
<td>• Use restoration rather than punishment</td>
<td>• More time consuming</td>
<td></td>
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<td></td>
<td>• Community financing process</td>
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Table 1. Conceptualizing local ownership

3.2. Conceptualization of legitimacy

There is a likelihood of higher legitimacy, if there is a higher local ownership in the process. Involving key conflict actors in the process could substantially increase the legitimacy of peace outcome. In more complex situations, engagement of all actors is quite challenging especially in processes led by the outside mediators who have little knowledge on the local context. Legitimacy in general, can be the acceptance of a political authority. Max Weber classifies legitimacy into three broad types of legitimate authority based on; *rational grounds* (based on a belief in the legality of patterns of normative rules); *traditional grounds* (based on an established norms of exercising traditional authority); and *charismatic grounds* (resting on devotion to the specific and exceptional sanctity, heroism or exemplary character of an individual person, and of the normative patterns or order revealed or ordained by the charismatic authority’) (Ramsbotham & Wennmann, 2014: 15).

Hanberger (2003; 270) defines ‘legitimacy as the product of satisfying felt needs and solving perceived and observed local problems’. There is no particular definition agreed in the academia, but this thesis applies this definition as it is relevant to the context and circumstances in which this study wants to address. Therefore, higher level of participation by the conflict parties increases legitimacy as well as the acceptance of the peace agreement (Ramsbotham & Wennmann, 2014: 14). Often times, however, due to the chaotic situations, the question on who is representing who becomes very challenging to answer especially when it comes to the
population impacted by conflicts who can’t participate in the negotiation processes. Some scholars might argue that civil society can be the ideal groups that can represent the affected war populations who can’t participate in the process and as a result of that, their involvement improves the prospect of ownership of both the negotiation and the outcome (McKeon, 2004:5). Mainly there are two dimensional version of legitimacy consisting of political systems input- focuses on how much the actors of the conflict parties are being engaged and output legitimacy which is on the other hand, related to the peace agreements being reached (Scharpf 1997: 18-36).

Mediations dominated by outside mediators encompasses limited legitimacy and the local communities view them as external invasions, and such understanding creates challenges during bargaining discussions as well as the implementation of the peace agreements. Improving legitimacy requires critical assessment of the conflict actors’ demands and positions in order to be able to find solutions that could lead the parties to accept the peace agreements. Non-warring actors such as civil society, IDPs and refugees must be involved in the mediation process, in order to promote the legitimacy of the peace outcomes. Under-estimation of some conflict actors can seriously jeopardize the peace initiative, as they feel the process has left them and therefore, the feeling that they are not on the table of negotiations presents to the peace process legitimacy hitches. Peace negotiations must engage all actors as far as possible that have the political legitimacy and support by their respective factions to reach an agreement (Wanis-St John 2008, 4).

Ramsbotham & Wennmann asserts that outside mediators who apply international norms of conflict resolution can find it difficult to generate sustainable legitimacy unless the norms are embodied and grounded in local values, beliefs, traditions and customs (2014: 16). They also add that using the international universal values, rights and frameworks with little willingness to localize or contextualize the values rights and frameworks, the probability of developing sustainable peace is very low(2014:16). Therefore, it is very important to contextualize the process by incorporating the local structures and mechanisms of conflict resolutions.

Unfortunately, mediation processes involving outside mediators mainly fail to consider the importance of the local people and their contributions as well, and such underestimations reduced the legitimacy of their involvement before the eyes of local people outside of the delegates of the peace processes. Same problems can be experienced, if the conflict parties feel less involved in the process in terms of designing the content and the structure of the mediation processes. This might generate dissatisfactions over the processes which eventually leads to a
total failure of the whole process. Highly legitimate mediation processes consider both the international and local norms, and it must give special considerations to the sensitive issues such as the understanding of parties’ political demands, and other material interests. As Ramsbotham & Wennmann argues developing knowledge and understanding of the local context requires a long-term presence and trust built on personal relationships (2014:17).

In summarizing the legitimacy argument, it is important to know that higher legitimacy of peace processes need for higher degree of local legitimacy. Therefore, any mediation can possibly fail if it lacks the local recognitions and acceptance of the peace outcomes majorly due to lack of involvement of local people and recognition of local values and norms. The involvement of local structures is very important to the mediation process and of course, any process that lacks the cooperation of social structures in the conflict areas such as customary leaders, faith institutions, civil society organizations, community based organizations, can face serious challenges thereby hindering the peace process.

Therefore, the more peacebuilding actors recognize the right of communities to maintain and develop institutions based on their local contexts and cultures, the more positive and successful the peacebuilding outcome is (Richmond 2013; 2014). Peacebuilding practices that do not resonate with the relevant structures of legitimacy at the local level will appear misplaced and imposed, and can lead to non-cooperation (Richond 2013; 2014; Mac Ginty 2011).

<table>
<thead>
<tr>
<th>Representation/higher inclusivity</th>
<th>Responsive to the local context</th>
<th>Increases the legitimacy of the peace process</th>
</tr>
</thead>
<tbody>
<tr>
<td>• Involved higher number of different actors in the process</td>
<td>• Presence of social pressure mechanisms</td>
<td>• Higher likelihood of outcome recognition and acceptance by the parties</td>
</tr>
<tr>
<td>• Have broad support from their constituencies</td>
<td>• Highly sensitive to the local norms and values</td>
<td></td>
</tr>
<tr>
<td>• Highly incorporative with local structures</td>
<td>• Emphasizes trust-building of actors</td>
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<td></td>
<td>• Applies indigenous mechanisms of conflict resolutions</td>
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Table 2: Conceptualization of legitimacy
3.3 Constructing the hypothesis
In order to understand how mediation can be successful, we need to have a theoretical understanding on what role(s) the mediators play. In any mediation process, ‘parties have private information at the same time incentives to hide or cheat about this information, and given such circumstances, they become unable to reach mutually beneficial deals short of war—that is, negotiated settlements’ (Fearon 1995; Reiter 2003). Mediators’ can fill the information problems gap between the conflict actors through confidence and consider the different security demands (Kydd 2004). In mediation there is a lot of problems and challenges that needs to be addressed by the mediators. This is to say that, inside mediation that is characterised by trusted individuals or groups who bring with them the dividends of higher legitimacy from the warring parties can bring peace.

By adopting the above presented theoretical arguments, I argue that the involvement of inside mediators in a more local ownership- characterised by higher local legitimacy and reputational incentive for honest negotiations increase the likelihood of negotiated agreements than processes that engage outside mediators.

**Hypothesis:** *mediation processes with more involvement of inside mediators are more successful to end conflict than mediation processes dominated by outsider mediators.*

There is no doubt about the success of mediation, if the processes are representative and present the interests and values of conflict stakeholders. This can be characterised as legitimate since the outcome of the process is mutually agreed by all the parties. These can be seen as the key conditions necessary for the success of peace mediation processes and results by inside mediators. Based on this argument, mediation process involving inside mediators is highly inclusive and widely owned by all actors in the conflict can be successful and result to sustainable peace, locally owned.
4. Research design

4.1 Method and case selection
This section presents the methodological choices guiding this research, to empirically test the suggested hypothesis. In doing that, the method of structured focused comparison method seems to be very effective for this study, as the research seeks to increase the understanding of a particular phenomenon in relation to a specific timeframe. The method is ‘structured’ so that, the researcher develops some generic questions to be asked in each case, in order to be able to standardize the data collection and research findings (George and Bennet, 2005:67).

The method is also “focused” in that, it focuses only on certain aspects of the historical cases being studied. This type of method have several advantages: first of all, it allows to comparison of cases that are similar with different outcomes. Second it also enables control of other factors (except the single independent variable that is to be tested) that are influencing the observed outcomes.

In order to obtain comparable data, the study will ask similar questions in every case study as they are representatives of the larger population of the mediation processes through the use of rules of inference, with the aim of making a modest contribution to knowledge-production on the conditions making inside mediation processes successful.

4.2 Case selection
This study selects three regions (Northwest, Eastern and Southern regions) in Somalia\(^2\), that have developed differently in terms of peacebuilding i.e., two regions were greatly experienced involvement and engagement of customary leaders as part of inside mediators while the other region was mainly dominated by outside mediators. Selection of Somalia as a case study has a particular interest for academia and practitioners; first of all, the findings of this thesis will increase the understanding of the international community on the complex situation in Somalia. Secondly, the findings will provide evidence based alternatives of peacebuilding approaches that would help the regional and international efforts to finding a lasting solution to the Southern regions of Somalia conflict-a region that has been unstable for more than 25 years.

\(^2\) The information about the three cases will be discussed in detail on the empirics section of this study where you can get the nature of the conflict, actors and the dissimilarities in terms of conflict resolution.
The most-similar case technique will be used as this thesis seeks to test the suggested hypothesis (confirmatory). Thus this presents the best option for the comparison of one or more cases that have various commonalities except the independent variable that is expected to produce different outcomes. This type of technique requires that certain specifications are made to ensure the standardization of the data, and therefore, this thesis will use the following factors to measure the suggested variables, on the basis of the presence or absence of local ownership and legitimacy variables in the mediation process. Such specification of variables will lead to asking of general questions in every case in order to obtain comparable findings.

<table>
<thead>
<tr>
<th>Case</th>
<th>Explanatory variable (Independent variable being tested) X1</th>
<th>Other explanatory variables (X2)</th>
<th>Outcome</th>
</tr>
</thead>
<tbody>
<tr>
<td>A</td>
<td>1</td>
<td>1</td>
<td>?</td>
</tr>
<tr>
<td>B</td>
<td>0</td>
<td>1</td>
<td>?</td>
</tr>
</tbody>
</table>

*Table 3: Most-similar research design (Gerring 2006: 132)*

The chosen cases are characterised in most-similar situations in terms of conflict nature, ethnicity (with polarized clan affiliations) and the cultural norms except the observed explanatory power (involvement of mediators) which are likely to be the factors that contributed to the variations of these regions. More specifically, the case selection is based on the variation of dependent variable, i.e. the North-West and North-East regions have predominantly involved inside mediators with more local ownership and legitimacy while the Southern regions are characterised by outside mediators with lower ownership and legitimacy.

Table 4, illustrating the variations of case selection.

<table>
<thead>
<tr>
<th>Case</th>
<th>Intensity of armed conflict</th>
<th>Type of mediators involvement</th>
<th>Level of case success or failure of conflict resolution</th>
</tr>
</thead>
<tbody>
<tr>
<td>North-West regions</td>
<td>High</td>
<td>Inside mediators</td>
<td>High</td>
</tr>
<tr>
<td>North-East regions</td>
<td>High</td>
<td>Inside mediators</td>
<td>High</td>
</tr>
<tr>
<td>Southern regions</td>
<td>High</td>
<td>Outside mediators</td>
<td>Low</td>
</tr>
</tbody>
</table>

*Table 4: Case selection*
4.3 Structure of analysis
This section presents the empirical data of the selected cases that operationalizes the suggested variables in a common structure as the research method shows. This allows studying of the collected data and, similar type of questions will be asked to maintain consistency of the analysis. First of all, a brief background about the nature of the conflict and the initiation of peace processes will be presented. Second, the role of customary leaders and their involvement as inside mediators will then be discussed. Thirdly, the peace process focusing on how the process was facilitated by the inside mediator will follow. During the analyses of these cases, local ownership (level of inclusivity of actors to the peace processes) and legitimacy (how far the conflict parties recognized and accepted the peace processes) of these mediation process will be given more considerations.

The discussion on the capacity of customary leaders to bring about durable peace will be a dichotomous analysis, i.e. the presence/or absence of peace agreements and how the peace outcomes are maintained by the mediators will be the specific areas to be examined. The assumption is that mediation processes can be termed as successful, if the warring parties accept to sign and commit to implement the peace agreement through the support of mediators. It can be termed as having failed- if the mediators are unable to convince parties to reach peace agreement. Other considerations will be given to the mediators’ capacity to maintain peace outcomes. In view of the above explanations, this thesis’ argument is that mediators can be termed to be successful if they have the capacity to bring parties to reach and implement a peace agreement for five years, after the establishment of the peace agreement.

This structure substantially presents a method of structured comparison that requires control of variables except the one to be tested. The structure will provide framework for thorough analysis of each case, thereby reducing possibility of biasness. After discovering the main part of the cases analyses, the alternatives and possible limitations related with the theory, research design and empirics of the thesis will be presented in detailed manner.

4.4 Operationalization of research question
This section presents the operational definitions of inside mediators’ role in conflict resolutions. In order to capture the empirical analysis of the suggested variable, this thesis will establish a set of indicators that can help to measure the independent and dependent variables respectively. This will allow for the capture of the main arguments carried by these variables and also ensure minimization of the biases, and guide the flow of the analysis. Therefore, the
independent variable will be measuring the involvement of mediators that have high local ownership and legitimacy that have enabled there being sustainable peace for a period of five years of time, after establishment of peace agreement.

**Independent variable: inside mediators’ involvement**

In order to analyse the independent variable, one thing needs to be underlined i.e., customary leaders are termed here as inside mediators throughout this thesis. These types of mediators have been acknowledged recently on their effectiveness to end many armed conflicts. Unlike outside mediators, they often possess deep understanding of the history of the conflict parties and deeply grasp the complex nature of the society they are emerged into. In addition to that, they may have useful experience of the roots causes of the conflict, warring parties’ interests and demands, which help them to bring actors into the negotiation table with the expectation of ending the conflict.

The independent variable of this thesis will be analysed as a dichotomous variable; which means that the involvement of mediators can be examined through the presence or absence in the mediation process. Special observations has been given to the type of mediators’ involvement (i.e., inside versus outside) and the nature of the mediation process, i.e. whether the process of engagement is inclusive of the key actors and how this contribute to increase the local ownership and legitimacy. In order to remain consistent and reduce biases, the following questions will be used to measure the value of the independent variable;

(1) Does inside mediators initiate and dominate the control of the peace processes? (2).Was the nature of the mediation processes inclusive thereby leading to higher local ownership and legitimacy? For a case to be successful, mediation processes must be initiated by inside mediator(s) with more local ownership and legitimacy.

<table>
<thead>
<tr>
<th>Indicators for independent variable</th>
</tr>
</thead>
<tbody>
<tr>
<td>Research Question</td>
</tr>
<tr>
<td>1. Does inside mediators initiate and dominate the control of the peace processes?</td>
</tr>
</tbody>
</table>
2. Was the nature of the mediation processes inclusive thereby leading to increased local ownership and legitimacy?

b) Presence or absence of high local ownership and legitimacy in the peace processes

Table 5. Indicators of independent variable.

**Dependent variable: level of mediator’s success**

The concept of success is relatively difficult to quantify, if there is no specific set of indicators that would guide it. Like the independent variable, the nature of the dependent variable analysis will be dichotomous by using the following questions;

1. Did the parties successfully sign the peace agreement as a result of mediators’ involvement in the process?
2. Up to what level has the peace outcome(s) been sustained at least for five years after being signed?

These questions can be used to assess the main arguments represented in these variables, so that at the end of the analysis we can understand whether the attempts of peace-building by inside mediators are successful on the basis of the above mentioned indicators or not. Regarding the normative understanding of successful mediation, there must be conclusion of peace agreements signed by the warring parties which stands for the ending of conflict. In deeply divided societies, reaching agreements over conflicts are often difficult enterprises that require holistic participation and integrated approaches that can place pressure on the elite groups to find solutions. So for peace agreements to be achieved, social pressure to the conflict parties is very vital in the mediation efforts. The success of mediators will be assessed on the basis of the capacity of their influence to the conflict actors to sign peace agreements (Q1). The maintenance of peace agreements by mediators will be another area of assessment. Therefore, for a mediation to be successful, mediators shall have to safeguard the implementation of peace agreement by the parties for at least for five years with no conflict recurring (Q2).
### Indicators for the dependent variable

<table>
<thead>
<tr>
<th>Research question</th>
<th>Indicators</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Did the parties successfully sign the peace agreement as a result of mediators’ involvement in the processes?</td>
<td>• Availability of successful peace agreements signed by parties</td>
</tr>
<tr>
<td></td>
<td>• Level of acceptance and recognition of peace agreements by the parties</td>
</tr>
<tr>
<td>2. Up to what level the peace outcome(s) been sustained for at least five years after being signed?</td>
<td>• Implementation of the peace agreement</td>
</tr>
<tr>
<td></td>
<td>• End of armed conflict</td>
</tr>
<tr>
<td></td>
<td>• Increased trust between/among the parties</td>
</tr>
</tbody>
</table>

Table 6: indicators for dependent variables.

#### 4.5 Time frame and Data collection

In order to test the suggested hypothesis, this thesis will focus on the time-period of 1991 (This will be the departure point of this study as it was the time the central government of Somalia collapsed and subsequent peace attempts of these cases established to resolve conflicts) to 1998. Thus, the relationship between the inside mediators involvement and their success to end armed conflict will be measured in the following time frame; the initiation of peace processes and conclusion of peace processes through signed agreements, and sustainability of the peace agreement.

The level of success of mediators’ involvement will be determined by how they overcame the encountered challenges within the five years. In addition to that, five years will similarly be the test period to assess the successfulness of these cases. The data sources of this study are characterised in terms of secondary information from academic research journals and NGO reports related to these cases.
5.0 Empirics:

5.1 General background about Somalia

This section presents a brief background about the conflict in Somalia from a general perspective, then it goes into the details of the specific context information on the three regions (Southern regions, North-East and the North-West regions of Somalia) focusing on their different peace building processes. The Republic of Somalia came into being on 1st July, 1960 after the North-West and Southern regions of Somalia gained their independence from Britain and Italy respectively, with the aspirations of a greater Somalia. The newly independent state adopted a democratic governance system and conducted regular democratic elections for the first seven years through transfer of power. Despite the democratic practices of transfer of power, there were intense dissatisfactions over the power sharing arrangement from the North-West regions who were being marginalized from senior government positions. Along with this marginalization, the government was characterised by poor governance, corruption, poverty and tribalism, and all these ills jeopardised the government’s legitimacy.

Figure 2: Map of Somalia depicting the three regions (Source: Iqbal Jhazbhay, 51)

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3. ‘Although unified as a single nation at independence, the Southern and the north were, from an institutional perspective, two separate countries. Italy and Britain had left the two with separate administrative, legal, and education systems in which affairs were conducted according to different procedures and in different languages. Police, taxes, and the exchange rates of their respective currencies also differed. Their educated elites had divergent interests, and economic contacts between the two regions were virtually non-existent’. Helen Chapin Metz(1992). *Somalia: A Country Study*. Washington: GPO for the Library of Congress, 1992.
Another challenge that was faced by the newly independent state was the Somali territorial unification project of “lost territories” whereby the Somali government attempted to create a Greater Somalia and this brought about border dispute between Somalia, Ethiopia and Kenya. Many of the Somali people living in other countries (Ethiopia and Kenya) started to join the newly formed Somali state while the Somali government showed support for their self-determination (UCDP). Four years after independence, Somalia fought with Ethiopia over the Ogaden region and battles over this region became particularly contentious and inter-state conflict broke out between Somalia and Ethiopia intermittently in the course of three decades in 1960, 1964, 1973, 1983 and 1987 (UCDP). Like many other Africa countries, Somalia went under military rule in 1969 after the military seized power through a bloodless coup.

The military administration demolished democratic governance systems and replaced them with autocratic ones under the leadership of the Supreme Revolutionary Council (SRC) lead by General Mohamed Siad Barre. The military administration disenfranchised the North-West part of Somalia through political and socio-economic strategies and schemes, further isolating the region from mainstream governance. The situation worsened after the defeat of Somalia in the Somalia-Ethiopia war of 1977, where the regime established a fierce policy against the North-West region (Somaliland), this making it crystal clear that the regime was out-rightly against the region. The military regime resorted to use of clan politics where the president’s close relatives dominated the system (in contradiction to its ideology), leading to the system becoming increasingly repressive and intolerant towards other clans (UCDP). The repressive strategy of the military regime resulted to the establishment of clan based resistances against the government.

The first rebel movement was Somali Salvation Front (SSDF) established by Lieutenant Colonel Abdillaahi Yuusuf Ahmad. The military regime destroyed and burned the constituencies of this rebel movement in North-East Regions ( currently named Puntland autonomous of Somalia) and killed 2000 people, estimated 50,000 camels, 10,000 cattle, 100,000 sheep and goats’ (Chapin H, 1992). Somali National Movement (SNM) was established in 1981 by a group of North-West elites based in London. During the war between SNM and the government, an estimated 5,000 people were killed between May 27 and the end of December 1988 (Chapin H, 1992).

Two opposition rebels groups were formed; SPM (Somali Patriotic Movement) and USC (United Somali Congress) in 1989 (UCDP). There was little cooperation between these rebel
movements militarily, but all had one goal in common, i.e. the removal of the military regime of Siad Barre from power. That dream came in reality in January 1991, when SNM captured the North-West regions and subsequently, the USC troops seized the capital city of Somalia-Mogadishu, and forced the president to retreat to his family village of Garbaharay. In the wake of the defeat of Siad Barre’s regime by the rebel outfits, the country was faced by a dire power vacuum as the rebels groups lacked a cohesive and comprehensive long-term plan of governing Somalia. This subjected the country to a bloody civil war. Due to the varying nature of the civil war in these three regions, the following section presents the nature of civil wars from the perspectives of each of the three regions, following which is the involvement of customary leaders and how the processes were maintained by the respective mediators.

5.1 North-West regions of Somalia: Civil war and initiation of peace process

Soon after the overthrow of the military regime, the people in the North-West regions named Somaliland\(^4\) started reconciliation processes that brought together the different opposing clans during the war against the military government\(^5\). The most noted reconciliation conference among these clans was the *Brotherhood Conference in Buroa* 1991 (Duale. Bobe, 2004:1). This conference invited the representatives of the main clans (*See figure 2*) in the country to discuss about the future of their country.

In this conference, it was agreed that more efforts should be directed at establishment of peace and approval of ‘a common political program’. A framework on how this was to happen be not entirely clear (Renders, 2012: 91). All the northern clans participated on a voluntary basis (Duale, 2007b, 41), and funding came primarily from the communities and diaspora of the people of these regions (Duale. Bobe, 2004: 1), with women playing a substantial role in fundraising and logistical organisation (Shukri H. Ismail, 2007e; Duale, 2007b).

Notably, tension between the sub-clans under the *Isaaq* clan emerged as a result of clan based militias who were not loyal to the weak government in this region by capturing the control of the main economic power sources of the country such as the ports and airports. Most of these conflicts occurred within the SNM clan-affiliated militia factions (*Isaaq* clan). Some militia

\(^4\) Somaliland and Somalia were under British and Italian rule, respectively, before they gained independence separately and entered into union in 1st July 1960 and formed Somali Republic. Somaliland declared its independence after the collapse of Somali republic in 1991, and yet suffering to get recognition from the international community. *Center for policy Analysis*: The deadlock of Somaliland and Somalia talks. Adam, Hussein (2008): Briefing Paper No. 1.

\(^5\) Isaaq clan who is the majority of the clans in these regions were against the government while, Gadarbursi and Harti (*Dhuhahante and Warsangeli*) were supported to the military regime.
groups established checkpoints along trade routes to extort passers-by and others took control of key public infrastructure, particularly ports and airports, within their clan territory as a means of extracting revenue (Philips S. 2013:55).

Figure 3: Major Clan structures in the North-West regions (Somaliland)

In addition to that, there were other underlying factors related to the conflict that included the succession for the presidency, as the mandate of the president was due to expire in 1992 (Gilkes 1992: 13). The situation worsened when several ministers of the government mainly from other contending clans were sacked from the government. The political tension turned violent in January 1992. This was the first civil war and was between Habar Yunis (Garhajis) and Habar Awal/Issa Musa militias in Borao and was triggered when the President (from Habar Yunis clan) started a disarmament programme to establish a national military force which the other clans viewed as a tactic of empowering his clan (Philip S. 2013:55). This resulted in violent clashes in Buroa which resulted to the death of 300 people (Philip S. 2013:55 and Balthasar 2013:4). The January violence was followed by another in March 1992, which was characterised by large-scale violence in Berbera town, when the government attempted to secure the port and its revenues, which had come under the control of the Issa Muse sub-clan that opposed the Garhajis-dominated government and led to eight months of severe public infrastructure damages (Renders, 2006:207) and the losing of lives of about 1,000 individuals from both sides (Bradbury, 2008). The fight over resources became increasingly characterised
in clan terms as elites on both sides mobilised support from within their clans – in turn helping to spread the conflict to clan-lands farther afield’ (Philips, S. 2013:55).

Besides these civil wars, many scholars believed that the Buroa conference had restored relations between the Isaaq and other northern clans (Gadarbursi and Harti) but failed to heal the grievances within the SNM leadership and among the Isaaq clans that had developed during the war (Bradbury, 1997: 17). As a result, the government was deprived of its primary source of income in the form of levies and taxes, and opposition to the government had grown to encompass groups from a diverse array of clans’ (Gilkes, 1992: 13-14).

There was an attempt of UN peacekeepers deployment to the North-West region (Somaliland) to tackle the escalating security situation in the regions but this failed as a result of the resignation of the UN special envoy to Somalia Mohamed Sahnoun (Renders, 2006). Non-Isaaq clans, taking advantage of their neutrality status, started to mediate on the clan based conflict. Generally, third clan interventions is a common practice of indigenous conflict resolution in Somalia. The first peace conference brokered by the customary leaders as a form of inside mediators happened at Sheikh in 1992, where the customary leaders succeeded to end this conflict. As Philip S. argue the ‘main objective of this conference was to consolidate the peace settlement between the combatant clans and the delegates had also hoped to agree to more generalizable agreements that could be discussed in the next conference in Borama’ (2013:55).

In a more explicit way, below section presents the role of inside mediators: how the customary leaders facilitated the process, special emphasis being given to the degree of inclusivity and the legitimacy of these peace processes (Sheikh and Borama conferences).

**5.2. The mediators: customary leaders as inside mediators**
Response to the escalating civil war by the customary leaders from the non-warring clans was by volunteering to mediate, leveraging this on their independence, in an attempt at ending the underlying cause of the conflict especially the control of public assets (APD, 2002: 20). These inside mediators comprised of 30 customary leaders who received their mandate from the weak government and the warring parties as well (APD, 2002: 20). The dynamics of reconciliation in Somaliland ‘revolve around the complex interplay between the forces of modernity,
represented by the Somali National Movement (SNM— a post-colonial liberation-cum-
resistance movement aimed at ridding Somaliland of Barre’s military garrisons) and the
indigenous forces of tradition vested in the North-West region’s clan leadership’ (Adam, 2003;
Drysdale, 2000).

After the defeat of the administration of Siad Barre, the SNM leadership provided the
customary leaders a place of honour and [resumed] their open-handed work with almost
ordained honesty…” (Drysdale, 2004: 5).

Jhazbhay argues that the cooperation between the SNM leadership and the customary leaders
came about as a result of the armed struggle imposed on the North-West region and the need
for the exiled SNM to root itself firmly in the region in order to mount a successful military
resistance. In this way, the region’s clan elders became the midwives of Somaliland’s rebirth,
consciously or unconsciously’ (2009:54). The involvement of customary leaders in conflict
resolutions dates back during the war against the military regime, where they were the SNM’s
main support base. He also add that the peace building initiative shifted to the clan leaders as
the SNM legitimized them to intervene in the escalating security situation in the North-West
Somalia after the end of the war (2009:59). The involvement of customary leaders as inside
mediators increased and became almost the only available mechanism towards the political
conflict resolution after the collapse of the military regime, as the SNM called a meeting of the
elders of all non-Isaaq clans “to reconcile any potential differences between them and the Isaaq
clans –as agreed upon by all liberation movements before the end of the war-of-liberation”
(Davies, 1994:15).

The customary leaders held two main conferences (although there were other minor
assemblies) in Sheikh and Borama towns of Somaliland7 for the aim of ending the conflict and
planning for the future of the country as well. Some may say that these conferences provided
or laid the basis of the long stability of this region as the processes were characterised by more
local ownership from the stakeholders of the conflict which in turn promoted the legitimacy of
the peace processes.

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6 Somali National Movement (SNM) was one of the first movements established against the
military regime in Somalia and mainly dominated by the Isaaq clan in the northwest Somalia
and later declared the secession from the rest of Somalia.

7 The paper uses Northwest regions and Somaliland as an interchangeable terms and same as
Northeast region and Puntland as well.
5.3 The process: local ownership and legitimacy
The customary leaders organized two important clan conferences in the towns of Sheikh and Borama, in order to resolve the conflict and discuss the future of the self-declared country of Somaliland. The peace mediation efforts to solve the conflict were characterised by customary leaders in the form of inside mediators. The first peace conference happened at Sheikh town in 1992, where large number of delegates from the warring clans attended along with the non-warring clans. Weeks of tough discussions over the disputed issues of the management and control of the public properties led to the parties agreeing that “all the public facilities and state properties such as ports, fuel depots, airports, government factories, roads, etc. are state properties and their access should not be denied to the people of Somaliland and their management/ control is the responsibility of the central authority” (Farah and Lewis, 1993: 54).

The communities represented at Sheikh Conference agreed to disarm the local militias and also started to return seized properties, and exchanged prisoners captured by the parties during the war (APD, 2002: 20). The gains in regard to general agreements on the management and control of public properties was referred to further conferences wherein the clan leaders participated in deliberations on key governance issues in a more formalised manner(Philips, S. 2013: 56). Interestingly, the principles agreed at the Sheikh conference served as the basis for the deliberations at the Borama Conference and these were consolidated in a Peace Charter and National Charter for Somaliland, both of which further enmeshed the clan leaders in the fabric of national governance (Philips, S. 2013: 56).

The Charter was employed as the constitution of Somaliland until the new provisional constitution was introduced later in 2001 (APD, 2002: 20). The Charter also established a ‘hierarchy of appeal’ in which community elders were made formally responsible for mediating disputes as inside mediators for disputes that involved more segments of the ‘clan chain’ (Interpeace, 2008: 53).

The customary elders were formalized as a political organ in the government and become the upper house of the parliament. This House of customary elders, or Guurti in Somali language, is widely recognised within and outside of Somaliland as having been the most important group of actors in the peace-building process, although as an institution it has since been significantly.

In summarizing the above discussions, first of all, we must know that the customary leaders in many countries such as Somalia, have a moral legitimacy and power to solve conflict as they have the mandate of their respective clans. In the framework of this understanding, peace
processes led by customary leaders always have more grasp on ownership of the local people and this guarantees them their genuine involvement in the processes. As the process is led by trusted and neutral individuals as inside mediators, which the warring parties consider as insiders, elements of trust, honesty and openness characterises mediations efforts.

These characteristics provide the customary leaders higher degree of legitimacy. In addition to that, in the context of the peace conferences in North-West Somalia, there was also a higher sense of ownership. Philips, S. argue that the conference made important progress towards formalising principles for the management and resolution of violent conflict under the understanding of ‘either you have your land or you have your people’, and which in context implied that ‘each clan is responsible for whatever is committed in their territory’ (2013:56). This ‘principle had been applied in local contexts previously but this was the first time that it was adapted to serve as a general principle for future negotiations towards reconciliation’ (Interpeace: 2008:48).

On the other hand, the local community was ‘overwhelmingly responsible for funding the Borama Conference and this constituted a considerable financial burden for the hosts, as they were obliged to provide food and shelter for some 2000 participants over a five-month period’ (Philips, S. 2013: 55). Philips add that the ‘delegates were quite aware of the imposition being placed on their hosts – as opposed to international donors – and of the reciprocation that would likely be expected of them… and the local funding of the conference helped to remind participants that time could not be wasted’ (2013:56). Like many other inside mediations, the ‘Borama conference took a keen interest on consensus decision making by the parties rather than a majority vote and was therefore, time consuming – the conference lasted more than five months – but it was felt by participants that consensus was more likely to achieve a legitimate and durable result’ (Philips, S. 2013: 55).

In terms of inclusivity, both conferences engaged a large number of delegates based on clan representations. The principle of clan balance was a very important factor in these conferences and this was achieved through the use of clan system of proportional representation. As much as the notion of ‘willingness’ may sometimes substitute proper analysis of causation in political narratives (Hudson and Leftwich, 2013), the way that these conferences were conducted point to the fact that those involved had very strong incentives to find ways to cooperate with one another. Philips notes that it was hard to escape the conclusion that one of the most powerful incentives for success was the agonising example of a ‘failed’ peace process in the Southern
Somalia (Philips S. 2013: 57). Philips further indicates that the fluidity of the timeframes allowed local actors to deliberate and find consensus, without being pressured to simply put key issues to a vote in order to finalise proceedings and declare a successful outcome (2013:57). This fluidity of time-frame was an enabler in ensuring the contentious array of issues were comprehensively debated upon, and that all parties had their chances in ventilating their feelings.

One of the shortcomings of these conferences was the male domination nature of the clan delegates where very few women presence was recorded. Even though women did not actively participate in the deliberations, their pressures always appeared in the conference debates through the voices of male delegates and in other forms. Philips S. indicates that women provided logistical support for the conferences, such as cooking, cleaning, and raising money, and also helped to create the political space within which negotiations could occur in a variety of innovative ways, including the public composition of poems urging men not to exclude them from the peace process (2012:49).

In fact, the patriarchal norms of the Somali societies have a direct impact on the role of women’s socio-political engagement. Women play very important role in conflict resolutions by using their dual-clan identities as a peace messenger to build relationships between the warring clans. Shukri Harir, one of the women activist that was advocating for the participation of women in these conferences, when interviewed by Philips S. (2013) said that the clan structures undermine the role of women to work politically within family and clan units and, at times, this can be translated into the public sphere, although the translation process is often performed by men.

Another female activist interviewed by Philip S. made similar argument, indicating that when men are discussing issues, they accept input from their wives and they come to women when they need solution but then when they get the solutions they deny their contributions… when the problems are solved, the women are out again. (Philip S. 2013:49). Women’s exclusion didn’t affect the peace processes as they were passive in the battle field, although proud of and had a strong sense of ownership in the success of Somaliland’s peace processes (Philip S. 2013:49).

The peace progress in this region have worked as the involvement of customary leaders succeeded in bringing the parties to sign the peace agreements and to end their political differences. As confirmed by Haji Abdi Hussein, a member of the upper house (Guurti), he
said during an interview with APD that clan elders steered the new state through a series of reconciliation conferences that laid the basis for the stability that exists in Somaliland today (2010:1). They also played the roles of external actors to safeguard the implementation of peace agreements. Evidence shows that House of Elders (Guurti in Somaliland) has succeeded in ending conflicts at both local and national level. However; in 2008, the international community intervened in the electoral crises between the political parties where the House of Elders seemed to have failed to resolve the matter as they kept extending several times the terms of the incumbent government.

5.4. The outcome: Peace agreement and sustainability
Both Sheikh and Borama conferences produced peace agreements. In reference to the conflict parties, the customary leaders as a third-party actors played supervisory role by monitoring the implementation of the peace agreements. The outcome of Sheikh Conference was the handing over of all the public properties to the government. This agreement is in force to-date and the government is fully responsible and in control of the public places with no incidents of conflicts. In addition to that, the Borama Conference formalised the role of customary leaders in Somaliland’s political system and the formalization of their responsibilities went beyond their customary leaders’ functions as it included them as inside mediators and peacemakers (Lewis 2010: 147). Such formalizations of customary leaders has allowed them to have political leverage to influence the national decisions as they are part of the government structure.

Since the Borama conference in 1993, the customary leaders, who currently are members of the upper house of Somaliland parliament, have become the prime agents for dealing with the socio-political disputes at both regional and national levels. The politicisation of customary leaders transformed their cultural positions into a political organ in the government system that has a political mandate to intervene both on clan based conflicts and in the states institutions. The upper house of parliament, composed of 82 members, has majority of them are being customary leaders, i.e Sultans and chiefs, etc whose selection is based on their clans constituencies, and they have formal political power that legitimizes their peace-building initiatives. Figure 4 below shows the hierarchy to building a durable peace.
6.0. North-East Somalia

6.1. Civil war and initiation of peace process

The collapse of the central government of Somalia left political and security vacuum in this region which led to eruptions of a number of civil wars. Young militia gangs emerged in this region due to the weak security situation who looted and killed the elite people including the former government officials and innocent civilians (Adan and Amina, 2007:13). In addition to that, a serious leadership conflict among the top officials of Somali Salvation Democratic Front (SSDF) led to the faction splitting into two groups in 1991. This splitting seriously damaged the effectiveness of the organization and engendered security threats. The people in these regions mobilized themselves especially the remnants of Somali Salvation Democratic Front (SSDF) members, who did fight against the military regime, to defend and address lawlessness and insecurity, and safeguard their people from further attacks by United Somali Congress forces, from the Hawiye clan (Adan and Amina, 2007:13).

There were other security threats emerging from the presence of an Islamic organization called *al-Itihaad* in the region. This organization was part of the struggle by SSDF against the military regime in the late of 1978s, and there was no signs of disagreements between Al-ithihad members and the political elites of SSDF until the two sides differed in the management of...
Bossaso port which was strategically an important place for income generation. The confrontation between the SSDF and Al-Itihaad resulted to the elimination of Bari Region Administrative Council (BRAC) which turned into an emergency security committee led by Colonel Abdullahi Yusuf. The BRAC was a “smaller administration run by eight-member governing committee and fifty-seat parliament…none of these seat-holders were traditional clan elders, but were civic representatives of constituencies which move beyond clan delineations” (Adan and Amina 2007:51).

The purpose of the Emergency Security Committee (ESC) was to take over the management of the Bossaso port from the Bari Region Administration Council dominated by the Al-Itihaad groups and protect the frequent attacks of the USC in north Mudug (Adan and Amina, 2007:18). This fuelled the conflict between the Al-Itihaad and the SSDF leadership as the Al-Itihaad forces were angered at losing the management of the port and considered this step as an action against them (Adan and Amina, 2007:18). Subsequently, the conflict was intensified when the forces of Al-itihaad captured two strategic towns of Garowe and Bosasso port of these regions and which the SSDF perceived as a sign of aggression. As a result of a series of meetings organized by the SSDF/ESC mass popular mobilisation and heavy fighting ensued which left hundreds dead as SSDF regained control (Adan and Amina, 2007:18). Another violence that was experienced in these regions in the period between 1991 up to 1993 was the war between USC (Hawiye clan dominated militias) and the SSDF (Darood clan) in Mudug that affected the lives of thousands of people living in those regions (Adan and Amina, 2007:18).

Despite sharing a neighbourhood, the Hawiye and Darood clans have long been embroiled in long standing grievances which dates back to the colonial era and later was heightened by military regime. Between the period of 1991 and 1993 of Addis Ababa Reconciliation Conference, there were at least twelve major armed conflicts between the USC and the SSDF militias in the towns of Gaalka’yo and Mudug (Adan and Amina, 2007:18).

6.2. The mediators: customary leaders as inside mediators
According to the peace building efforts of this regions, customary leaders played crucial roles as custodians of peace. They were instrumental for conflict resolutions between the clans and later extended into regional and national levels as well. Their roles in mediation of conflict existed even before the modern system was introduced by using customary laws, an oral tradition of principles and procedures of conflict resolutions that are acknowledged and accepted by all Somali clans. In the context of North-East Somalia (later become Puntland state...
of Somalia), the customary leaders were the only structure that had total legitimacy from the people of these regions after the collapse of the central government of Somalia. By having this privilege, customary leaders become very influential in the socio-political context of the country. As a result of that, customary leaders got moral authority and political power to influence national issues as they represented their clans and constituencies (Shuke, 2009:58). Shuke also add that the ‘customary elders and the power that they command vary considerably within Somali society, and in the past two decades the hallowed place of elders has gone through significant changes’(2009:59). In the absence of the state, elders become central to most of Somali-led peace processes.

In fact, the role of customary leaders is not limited to clan based conflict rather it is extended into the political arena of Somalia. For example, cooperation between Puntland administration and elders occurs ‘regarding political differences between members of parliament and the president, when clan elders and religious leaders are called in to mediate between the parties in conflict to avert the use of force’ (Shuke, 2009: 59). Without the support of the customary elders, government can’t even take on security matters (Shuke, 2009 2009:59). Generally, customary leaders became the major facilitators and negotiators in Somalia by promoting peace through their social influence and reputation.

The customary leaders handled the conflict by first resolving the conflict between the top leadership of Somali Salvation Democratic front (SSDF) that had seriously damaged the group. As Jane, M.(2000) indicated in her study, the customary leaders, termed as “Isimadda” in Somali ‘resolved this conflict over the leadership of SSDF through a consensus based on appointments of the senior leadership of the SSDF which was still much the same structure as devised by the Bari Region Administration Council’. She also adds that the customary leaders announced that they are the highest authority in the region (2000:52). The second step was the mediation between the SSDF and Al-itihaad which was achieved ‘through a compromise that permitted the group to exist as an unarmed, religious/ social movement and expelled all non-native members including their leader, Hassan Dahir Aweys(from Hawiye clan), who was suspected of using Al-Itihaad as a front to support General Aydiid of USC faction’ (Adan and Amina, 2007:18). Thirdly, the clan leaders in the North-East regions managed to achieve the resolution of the conflict between the two clan militias of United Somali Congress (USC) and Somali Salvation Democratic Front (SSDF) in Mudug region. This region ‘occupies a strategic position as a key trading crossroads in central Somalia and home to diverse clans which makes it susceptible to power struggles and clan clashes between the different groups’(Adan and Amina, 2007:19).
Their involvement as inside mediators become a viable mechanism in the Somalia peacebuilding. A study conducted by Academy for Peace and Development (APD) shows that ‘conflict resolution through customary law has its roots deep in the Somali culture. Ever since the collapse of the former government of Somalia, noted the study, the community elders have taken up the role of governing local issues and in the absence of government institutions, customary conflict resolution have emerged as the only acceptable recourse to resolving conflicts among the communities’ (2008:54). Because the nature of conflict resolution is mainly based on consensus building for decision making through the Somali customary laws, which governs every Somali person (the customary laws have deep root influence to the local people than the modern laws). Similarly, the actors have more trust for the mediators which, in turn, increases the local ownership and the legitimacy of the peace process.

6.3. The process: local ownership and legitimacy
Within the framework of these peace processes there was general agreement whereby the efforts and initiatives were to be led by the countries and populations that have gone through and emerged from violent conflict if they are to be sustainable (Gruener and Hald 2015:2). Customary led peace processes have provided lasting peace in regions like North-East Somalia (Puntland) where the clan leaders dominated the process. Indeed, the customary leaders in these regions were the ones who did initiate these peace processes. For example, the clan leaders initiated mediations in the conflict among the top leadership of Somali Salvation Democratic
Front (SSDF) over the leadership of the outfit. The internal wrangle had resulted to the split of SSDF to two factions, one led by General Abshir and another by Colonial Abdullahi Yusuf.

The customary leaders exerted efforts to reconcile the leaders of SSDF by resolving their differences through consensus building (Adan and Amina, 2007: 24). Due to the vacuum prevalent in these regions, customary leaders have the supreme authority to deal with conflict issues as their prime responsibility is to protect the security and stability of the regions in order to ensure the dignity of the people is maintained. By undertaking their responsibilities, the customary leaders took the initiative of cessation of hostility between the parties through a social pressure mechanisms before the situations deteriorated.

In addition to that, the inside mediators played a crucial role in resolving the conflict between the SSDF and the Al-Itihad militias, a faith based organization that controlled Bosasso port. The root cause of this conflict mainly was economic, whereby each party wanted to control the port for income generation purpose. The customary leaders also facilitated the peace initiative in the conflict between SSDF and USC militias. After years of instability in this regions, the customary leaders of these militias that were fighting in the regions started to initiate peace attempts over the long standing conflict between their clan militias.

In terms of the nature of the process, it was a locally peace-driven process that was mainly based on consensus decision making rather than imposition. When a problem occurred, mostly the clan leaders of the concerned parties would immediately contact the parties concerned about the problem and jointly declared an unconditional cease-fire. If the customary leaders of these clans couldn’t find a solution, then third party clan leaders agreed upon by the warring parties took the initiative to open dialogue. More often than not, there were no disagreements between the clan leaders, because clan leaders are considered as custodians of peace and are independent from the narrow clan politics.

Before the process got started, the customary leaders undertook pre-negotiation talks between the parties in order to know the concerns of the parties without setting agendas or limiting the delegates, unlike the modern peace-building processes. Interestingly, one of the things the local peace processes differ from the internationally supported ones, is the fact that it is inclusive in terms of number but it could be biased when it comes to gender proportionalities. The other major difference is funding; most of these peace processes in these regions since 1998 were community funded processes. Some may argue that the higher local ownership of the local
peace-building processes might be the openness of the delegates where everyone feels part of the process.

Another argument may be because of the local funding nature of these peace processes, there is high moral pressure on the parties to agree and avoid unreasonable selfish demands. For example, in the SSDF top leadership conflict, the customary leaders engaged the different factions to maintain their inclusiveness. Helander (1998) pointed that the meeting was attended by 35 top SSDF leadership from both groups. After the internal conflicts had been resolved the North-East region started the formation of autonomous region named *Puntland state of Somalia* in 1998. This was also as a result of failure of the national peace initiatives of Somalia (since 1991 to 1998). This conference was known as *Garowe community constitutional conference* and was a process led by customary leaders along with politicians, diaspora and religious leaders of the region. The period presented a critical time for the people of the regions to determine their political future. The process was very inclusive as the people of the regions involved in the process numbered more than ‘460 delegates representing different sub-clans and social strata’ (Adan & Amina 2007: 25). A point to note was that the representatives were mainly from the clans with limited considerations for civil society and women. The charter ‘allocated five seats for women in the parliament, one per region, with the implicit understanding that they would be nominated on clan basis rather than by women themselves’ (Adan & Amina 2007:25).

International involvement was very limited either through financing or technical support. There was a project called ‘War-torn Societies Project’ which was subsequently attributed as being an important factor in the success of the process and it culminated in the Garowe Constitutional Community Conference (Adan and Amina 2007:44). Interestingly, the above mentioned factors are likely to have contributed to the ownership of Garowe Constitutional conference as all the parties’ interests were catered for in the charter that was approved and the aftermath nomination of government. Another important factor that might have contributed to the success of these peace processes was the involvement of clan leaders as inside mediators who had higher reputation among the society particularly the warring actors who viewed them as neutral and this neutrality increased their legitimacy to facilitate and control the peace processes. The homogeneity nature of these regions, as it’s dominated by one clan of *Harti* helped to sustain the traditional structures of governance to command respect and authority (Adan and Amina 2007:44).
6.4. The outcome: Peace agreement and sustainability

Critical discussions over the future of these regions were finally concluded successfully as the delegates agreed to the formation of new administration that would represent the people of these regions. It was a community led process, where the clan leaders had the power to facilitate and control the smoothness of the process.

The Garowe Constitutional Community Conference was founded on the inter-related needs that go beyond paralysing stalemate produced by the power struggle within the SSDF leadership, as it ensured common security, and effective agreement for the shared management of the economic resources of the North-East regions from Bosaaso port to the trading centre of Gaalkayo’ (Adan and Amina 2007:55).

This charter also established the type of government adopted, which comprised of three branches, the legislative, the executive and judiciary that are independent of each other. The customary leaders showed strong leadership by controlling the parties’ bargained discussions over the period of the conference. In addition to the crucial role of clan leaders in the peace processes, they also had the political responsibility to maintain the endorsement of the charter.

Figure 6: Peace building in North-East region (Puntland)
7. Southern Somalia
This section is going to present the Southern Somalia case particularly at the onset of the civil war, role of the international communities, how the process was managed and finally, to what extent were the peace processes outcomes maintained.

7.1. Civil war and initiation of peace process
The collapse of the Somali state was a gradual process that began over a decade before the final demise of state authority and institutions in 1991 (Ali and Ibrahim 2008:9). Some may argue that the failure of this state was a result of several factors: the defeat by the Ethiopian government over the Ogaden region in 1977, increased injustice and corruption could also be another factor that might have contributed to the toppling down of the military government. It is the most populated regions of Somalia with multiple clans that experienced deteriorated trust among clans during the peace processes.

Like the other regions, movements based on clan affiliation were established in these regions against the military regime in 1990s. One of these was the Hawiye-dominated United Somali Congress (USC) established in Rome in 1989, whose activities began with mobilization and armed opposition in the central regions and culminated in the capture of the capital, Mogadishu, in January 1991 (Ali and Ibrahim 2008:9). Soon after the overthrow of the military regime, a serious internal dispute over the leadership erupted among the top management of USC which led to the split of USC into two factions, one headed by Ali Mahdi and another by General Mohamed Farah Aydiid.

As Drysdale noted, this dispute resulted in ‘a severe civil war in Mogadishu from November 1991 that resulted in the deaths of over 30,000 people, displacement of several thousand others, and the virtual destruction of what was left of the capital’ (1994: 38). No political alternative emerged to save the regions from the crumbling of its political, economic and social institutions. Ali and Ibrahim notes that rather than provide good governance to Somalia, the ‘rebellion that had removed the military regime from power led to the degeneration of the situation into a ferocious conflict between rival factions that ravaged the whole of Southern Somalia, with competition between clan-based militia for control of the valuable resources of Mogadishu, Kismayo, sea ports, airports and other key public assets’ (Ali and Ibrahim 2008:9).

Throughout Southern Somalia, looting and criminality by armed gangs and militia led to massive displacement, ‘eventually resulting in a catastrophic famine that claimed an estimated 250,000 lives’ (Hirsh and Oakley, 1995). The international media reported the catastrophic humanitarian situation in Southern Somalia that stirred the Security Council to take action of safeguarding the lives of the people who were severely affected by the civil wars. In early 1992,
the UN Security Council established an arms embargo on Somalia and in April formed UNOSOM I, which was ‘expanded by UNITAF in December 1992 as a US-led humanitarian intervention dabbed operation restore hope, deploying 30,000 peacekeepers to Southern Somalia to end the fighting and respond to the war-induced famine’ (Ali and Ibrahim 2008:9).

Due to the escalating deplorable situation in Southern Somalia, the UNITAF was dissolved and handed-over to a multi-national UN peacekeeping force, UNOSOM II, in May 1993 (Ali and Ibrahim 2008:9). The UNOSOM II made efforts of maintaining the security and stability of these regions, although the militia’s troop’s activeness in these regions remained unabated. The UNOSOM II- failed to disarm these militias and this was one of the main critiques labelled against the UN forces. Ali and Ibrahim asserts that besides the security protections, UNOSOM also ‘sponsored over a dozen local, regional and national reconciliations, stimulating some hope for the restoration of governance and peace, but repeated efforts by UNOSOM to broker a national peace agreement between the different factions failed’ (Ali and Ibrahim 2008:9).

Throughout the period of 1991-1995, international efforts continued to broker peace agreements between the rival factions and restore governance structures in these regions, while ‘the neighbouring states, aware of the political and security impact of the lawlessness and violence in Somalia on their own constituencies, were key players, beginning with the first

\[\text{Figure 7: Clan structures in Southern Somalia}\]
Somali national reconciliation initiative in 1991 organised by Djibouti’ (Ali and Ibrahim 2008:10). Since the collapse of the central government of Somalia, subsequent conferences supported by the international community have been organized involving different warlords of the Southern-Somalia to end the conflict.

7.2. The mediators: customary leaders as inside mediators

Very much like the other regions of Somalia, the customary leaders played a crucial role in peace building especially conflicts based on resources sharing such as agricultural land and livestock rather than power sharing conflicts. Several reasons can be articulated for the failures of customary leaders in these regions; first, the emergence and presence of strong warlords that filled the vacuum in the regions undermined the authority of the traditional clan leaders in Southern Somalia (Ali and Ibrahim 2008:13). Secondly, the international efforts towards the restoration of peace in these regions were very much focused on the warlords who were representing their clans.

The customary leaders played no role in the process- in terms of initiation, agenda and outcome setting; they were mere observers. As Ali and Ibrahim noted in their study the ‘top-down approach employed in the internationally-sponsored peace processes reinforced isolation of the customary leaders through their focus on armed faction leaders as primary interlocutors and “representatives” of their clan constituencies’ (2008:13). There was at least a belief by the ‘promoters of such approach that centralized negotiations between the warlords could resolve Somalia's problems as they were regarded the only partners capable of creating peace’ (Hansen 2003:6). Thirdly, the fragmentation and distrust within the main clan families, which led to smaller sub-clans identifying their own customary leaders to represent them was an issue that worsened fragmentations and distrust (Ali and Ibrahim 20082008).

Combination of the above factors undermined the role of customary leaders in peace-building as actors who supported peace building processes. Many people believed that the top down peace-building-approach did not adequately involve the local people thus they had little influence towards the structure, design and agenda setting processes. Several attempts of peace-building initiatives organized by the customary leaders failed. For example, a meeting in Buuale in 1994 attended by representatives of all the clans of Middle Jubba region at resolving conflicts and establishing a transitional administration in the region ultimately bore no peace fruits (Ali and Ibrahim 2008:18). Failures of customary led-peace mediators in the processes in Southern Somalia, in essence, were reinforced by the peacebuilding concept of building
block approach, backed by Intergovernmental Authority on Development (IGAD) and United Nations organizations (UNOSOM II). This approach was intended to find local solutions, involving traditional mechanisms of conflict resolution led by clan leaders (Hansen 2003:12). The entire peace processes of these regions in Southern Somalia recorded no success of mediation by internal actors, as the inside mediators had very limited space for initiation and facilitation. The international community (UN and regional countries/organizations) dominated the peace processes in these regions.

7.3. The process: local ownership and legitimacy

This section presents how much the peace processes backed by the international actors along with the warlords showed respect and acknowledgment of the local demands and interests by looking at the processes’ inclusivity thereby leading to local ownership and legitimacy.

As mentioned earlier, peace processes in these regions were initiated by regional countries (Djibouti, Ethiopia and Kenya) along with the international communities through UN peacekeeping operation in Somalia (UNOSOM I&II). Following the ouster of the military dictatorship of Siad Barre in 1991, the government of Djibouti made its first peace initiatives aimed at re-establishing a Somali government in June and July 1991. Six warlord factions in the Southern Somalia attended the conference (Ali and Ibrahim 2008:18).

There was huge expectation over this conference since the prominent warlords of the regions attended. Although a peace agreement was endorsed, it failed as a result of strong opposition from the strongest warlords in Southern regions. This triggered a civil war in these regions. Another peace conference was held by Ethiopia in March 1993, and was attended by fifteen warlords. A peace agreement was signed but due to continued fighting in the regions, the peace agreement could not be implemented.

After three years of war, Egypt organized the fourth reconciliation meeting in 1997. This time the number of factions that attended the conference was 28, including the two major military warlords of United Somali Congress (USC) and Somali National Alliance (SNA). An agreement provided for ‘13 person Council of Presidents, a prime minister, and a national assembly but left the country without a national leader’ (AU report; 2012). Despite the huge investment in organising these conferences, none of them brought durable peace.

According to nature of the peace processes, it was purely dominated by outside mediators-regional or international actors who had little knowledge on the dynamics of the conflict.
Although UNOSOM along with Life and Peace Institute (LPI) started with some local peace initiatives, these came to nought due to excessive pressure from the local warlords who dominated the military in the regions. Therefore, the central stake of these conferences was mainly focused on power and resource sharing matters with less efforts on establishing deep down relationships among the warring parties. According to Osman and Ibrahim, as the number of factions ‘grew in the 1990s, convening a new conference became a goal in itself, rather than consolidating what had already been agreed upon’ (Osman and Ibrahim 2010: 1). The argument of this thesis is that if the processes had included the customary leaders, different results would have been attained that were more likely to address real grievances instead of the conferences being vehicles for furthering these interests. The involvement would also have provided impetus for strength and legitimacy of the processes since they were representing their clans.

Unfortunately; the entire peace conferences in these regions focused their attention on the warlords without considering the importance of customary leaders nor the civil society organizations. For example the building block approach was associated with the use of the traditional clan system and civil society, but the ‘relationship was not clearly defined, and so enabled the warlords to exploit building block rhetoric to gain additional funds and power’ (Hansen 2003:4). Hansen adds that the weakness of this approach allowed the warlords amass more power than customary leaders, and therefore peace building efforts became dependent on their interests (2012:4).

Unlike the afore-discussed regions, the issue of inclusivity was very problematic in these peace-building conferences as the number of participants were very limited to the warlords who were not legitimate in the eyes of the public, because ‘anyone who became a prominent leader through a reconciliation conference was seen first and foremost as a representative of his clan’ (Osman and Ibrahim 2010: 1). Such recognitions promoted the number of splinters to rise, who participated in the conferences with the aim of blocking the outcome, for private gain. One may argue that due to this splinters phenomenon and therefore increase of the number of participants in any subsequent conferences, this increased the likelihood of failure in achieving peace. The combination of these factors negatively affected the ownership of the processes as the majority of people felt that the process did not involve them.

Most of these conferences were sponsored externally by the international community which the local people considered as show-off meetings, rather than efforts of peace-building. According to the outside mediators, inclusivity was to focus on the warlords who had military
outfits in the battlefield and that is one of the reasons why the splinters of these militia-groups increased numerically in every other peace conference. No sense of ownership from the local people was demonstrated in the conferences, as they were excluded from the process and these omissions affected ownership of the processes. There was also the problem of legitimacy of these processes as the processes were viewed as outside efforts.

**7.4. The outcome: Peace agreement and sustainability**

Most often, peace agreements have been signed to end hostilities between/among the belligerents and the agreement presents hope for the likelihood of progress for future peace reached by the parties. Agreements can also be totally ignored thus peace failure. For peace agreements to be enforced, two things need to be considered; the difficulties of the environment, and the willingness of international actors to provide resources to maintain the process. Stedman identified different determinants that affect the implementation of peace outcome by arguing that the difficulty of an environment is thought to depend on three variables: *spoilers, neighbouring states that oppose peace, and valuable spoils* (2006:8). All the three variables can explain the failure of peace agreements in Southern Somalia. For example, the warlords tended to spoil the peace processes as they stood to gain economic incentives from the use of violence.

![Figure 8: Peace building in Southern Somalia](image)

As these regions lies in strategic positions, neighbouring countries especially Ethiopia and Kenya sought to extend their interest through supporting clan militias which further complicated the situation. Same is the case in regard to the dispute between Egypt and Ethiopia.
over the Nile River, where the government of Ethiopia disrupted the peace process facilitated by the Egypt in 1997. All these factors had bearing on the sustainability of the peace processes in these regions.

Despite the international support for these peace processes, the international community never used their leverage to pressure the splinters to implement the peace agreements. Although much of the responsibilities of these failures rested on the shoulders of the warlords, there was also some sort of meddling by the regional countries in these peace processes.

The problem of sustaining peace agreements can be associated with the failure of building and consolidating either the confidence building of the customary/locally driven approaches or the coercion strategy of *stick* and *carrot* to pressure the parties. It is therefore the deduction of this thesis that peace processes dominated by outside mediators lack robust local ownership and such failures negatively affected the peace outcomes which increased the predatory violence and prolonging of civil war in South regions of Somalia.

### 8. Analysis: case comparisons-connecting the mediator’s involvement with the level of success

This analysis section focuses on the comparison of the different mediators’ involvement and the degree of their success in the cases for the purpose of assessing the theoretical argument and extending the understanding of this analysis. *Table 7*, presents the outcome of mediation processes by comparing how inside mediators’ involvements and approaches led to the success or failure of the resolution of armed conflicts of the examined three regions.

<table>
<thead>
<tr>
<th>Case</th>
<th>Type of involvement</th>
<th>Degree of ownership and legitimacy in the process</th>
<th>Relative level of success in ending armed conflict</th>
<th>Support for the hypothesis</th>
</tr>
</thead>
<tbody>
<tr>
<td>North-West regions</td>
<td>Dominated by inside mediators</td>
<td>Higher</td>
<td>Higher</td>
<td>Yes</td>
</tr>
<tr>
<td>North-East regions</td>
<td>Dominated by inside mediators</td>
<td>Higher</td>
<td>Higher</td>
<td>Yes</td>
</tr>
<tr>
<td>Southern</td>
<td>Dominated by outside mediators</td>
<td>Lower</td>
<td>Lower</td>
<td>Yes</td>
</tr>
</tbody>
</table>

*Table 7. Outcome of mediators’ processes*
Interestingly, the empirical analysis of all regions seems to be supported the hypothesis. In regard to the first two discussed regions - North-East and North-West, inside mediators initiated and facilitated the peace processes with minimum involvement of outside actors. A number of factors can be said to have contributed to these success; first and foremost; the inside mediators have initiated the mediations in both cases of North-East and North-West regions of Somalia can be empirically aligned to high level of success while the outside mediators connected with less success of ending armed conflict to the Southern regions of Somalia. Second; it also needs to be acknowledged that the inside mediators have historically been considered as a peace custodians in this regions, which legitimacies their capacity of interventions in conflict at a local and national level as well.

With regards of that, warring actors weren’t able to reject the involvement of customary leaders, as part of their unique positions inherited from their positive involvements in the field of peacebuilding. Third; the higher degree of local ownership characterized by the inside mediation can be contributed to effectiveness of these processes. For example, the Garowe Constitutional Conference of the Northeast regions, more than 460 delegates from the different sub-clans have been participated (Adan and Amina 2007: 25). Similar examples can be found to the Borama Conference of the Northwest regions of Somalia participated more than 2000 representatives from different clans (Philips S. 2012:55). Regarding with the mass participation (inclusive nature of the processes) of all the concerned conflict parties would increase the ownership of peace agreements. It also worthy to mention that the local funding of the peace processes can also be increased the sense of ownership of the peace outcomes of these two regions.

Despite community funding nature of these conferences, there was also some funding from the international community to the peace process in North-East regions (Puntland) through the ‘War-torn Societies Project’ which was attributed the successes of the Garowe constitutional community conference. While the Borama peace conference was a totally community funded process. For the North-West regions (Somaliland), customary leaders were legitimised as a political structures of the government (upper house of the parliament), while the North-East regions did have not institutionalize a similar status for the customary leaders. Another observation can be that the peace processes in the North-East region, which is dominated by one clan (Harti) experienced less friction than North-West regions nor the South Somalia, which is characterised by a multiple clans.
The independent variable of the two cases (North-East and North-West regions) supported the hypothesis and can be regarded to be successful. This is because the two regions’ peace processes were based on high ownership with more legitimacy led by customary leaders as a form of inside mediators that was emerged as paramount political actors in the conflict situations.

In addition to that, limited number of civil society and women representations characterised both peace processes in North-West and North-East regions. But due to presence of clan structure system, the influence of other stakeholders were very low as the selection of delegates were based on clan proportions.

In contrast, in Southern Somalia, the involvement of outside mediators in the peace processes of these regions does also support the hypothesis. As it may explain in the following; first of all, the empirical findings shows that the peace processes that has involved by outsider mediators with little involvement of customary leaders fails especially in countries like Somalia. Going back to the theoretical argument of this thesis, the empirics in the case of Southern Somalia’s establishment process appears to validate a lower local ownership and legitimate as the processes were not involved more stakeholders rather than warlords such as customary leaders, civil society organizations and women’s. The warlords escalated the situation as they intentionally continued the wars for an economic purpose or a political bargaining. Second; the incapacity of outside mediators to ensure the inclusivity of the process was another factor that was reduced their legitimacy. Warlords dominated these regions both militarily and diplomatically as they become the sole actors who were involved in every processes. In addition to that, they succeeded to spoil any attempt of peacebuilding that seems to be less stake from their point of view while the outside mediators failed to create a conducive environment that can systematically reduce the power of warlords.

Unfortunately, all the peace initiatives in the Southern by the outside mediators broken down. Some may say that the reason behind this failure is, because the mediators have incapacitate the local people especially the customary leaders like the other two cases, to involve the process and their absences can characterised the failure of this peace processes. And besides the international involvements, they were not show less interest for the conflict resolution of these regions as their involvements empowered economically and politically by the warlords. For example, the UNOSOM I & II, intervention very much focused on dealing with warlords, where they gain money from the renting contractors such as airport, ports and local transportation
owned by the warlords which, on the other hand, improves their economical capability to run their militias business.

Finally, the empirical findings shows the link between the involvement of outside mediators and the peace failures of Southern regions of Somalia, as the processes was barely less local ownership and legitimate. The processes has failed to hold accountable to the local people in which the conflict affected so much than the warlords who have enjoyed the political and military resources around them. Most often, the outside mediators deal with warlords and this privilege increases the number of splinters in the battle field. As Ali and Osman argue ‘peace conferences became an opportunity for new factions and increases the number of factions and prolonging negotiations, while some others attend conferences to block the political ambitions of rivals and destroys the clan cohesions which can be appealed by individuals to gain access to political power for their personal incentives’(2010:1). Despite the expanding nature of splinters, it becomes difficult to endorse peace outcomes and, no reconciliation conference has achieved to bring a durable settlement in these regions as a result of weak outside mediations. The below table 8, discusses the maintenance of peace agreements and how the role played by mediators increase/decrease the sustainability of peace agreements of these regions.

<table>
<thead>
<tr>
<th>Cases</th>
<th>Yes/No of signed peace agreement</th>
<th>Higher/lower maintenance of the peace agreement</th>
</tr>
</thead>
<tbody>
<tr>
<td>North-West regions</td>
<td>Yes</td>
<td>Higher</td>
</tr>
<tr>
<td>North-East regions</td>
<td>Yes</td>
<td>Higher</td>
</tr>
<tr>
<td>Southern Regions</td>
<td>Yes</td>
<td>lower</td>
</tr>
</tbody>
</table>

*Table 8. Level of sustainability of peace outcomes*

In all the three cases there were a peace agreements broken by inside or outside mediators but the question that needs to answer is how these agreements has been implemented and sustained. So in the North-West & North-East regions, according to the peace agreements in these regions seems to be sustained and empirics shows that both regions have supported the hypothesis. Several factors can be explained to the success of these regions; first of all, clan structure system would have been giving the inside mediators the capacity to sustain the peace agreements, because it builds the trust of the warring parties. Second; the trust and reputation of inside mediators from the warring actors could have also been explained to this as well. The inside mediators getting advantage from their prior records of peacebuilding at the community
level, even before the colonial administration and such optimism from the local people elevated them to intervene in national issues since the central government has collapsed.

Explicitly, the customary leaders in these two regions have had the ultimate decisions of these peacebuilding and as part of their historic neutrality status, actor showed their trusted. Besides the positive view of the local people, inside mediators in both regions execute their role in more independent way and achieved to avoid anything that could result to label specific group. Besides the above factors, customary leaders in both regions arose as supreme political actors in the post-conflict periods. For example, North-West regions, Jhazbhay argue that customary leaders have been politicized in Borama conference in 1993 when they were institutionalised as one of the two councils of parliament of the new government (2009:64). The upper house of parliament in the North-West regions comprises of 82 with a pure customary leaders from different clans who have a political legitimacy to check the progress the peace agreement that was been reached in Borama conference. This has given to them to follow up with the National charter developed in Borama before/after it turns into a national constitution of the country in 2001. Same thing has been made by customary leaders in Northeast regions as they are referred to be the highest authority in the region for peace building and national security (Jane, M 2000:52). Legitimising the role of customary leaders in Northeast regions given them to maintain the endorsement of peace accords. All these different efforts made by inside mediators shows how their supervisions in peace agreement endorsements were effective enough than the other region with more in outside mediators.

In Southern regions, there has been peace agreements in every conferences reached by the warlords. Unlikely, these agreements has not been endorsed. Several factors can be characterised to these failures; first of all, the outside international supported mediators were unable to understand the nature of conflict actors. Second; as we said earlier, peace conferences become a political platform for the warlords which subsequently increases their numbers and due to this reason, peace agreements doesn’t implemented anymore as the competition between the warlords getting fierce. Third, lacking local mechanisms or sense of ownership by the local people that supports the international mediations was among the existed challenges. Fourth, there was less international willingness to pressure the parties to implement peace agreements.

The national charter of Borama Conference in 1993, was changed into the national constitution of Somaliland with a favour of 97%.
Lack of intermediary mechanism such as customary or religious institutions can be another factor that was contributed this failure.

Regarding the above analysis, outside mediators failed to bring peace in the Southern regions of Somalia and thereby, supports the suggested hypothesis (i.e. mediation processes dominated by outside mediators with less local ownership and legitimate fail to end armed conflicts).

8.3 Broadening the analysis: alternative explanations
The above presented analysis shows that the empirical findings of these cases are supported the hypothesis. Besides the tested causal arguments, there are other substantial factors that are characterised as part of the factors contributed the conditions of inside mediators’ success and needs to discuss in further. As the success of peace agreements was measured the initiation of the process, type of the mediator’s involvement, and sustainability of the peace process. Therefore, I found that the regional competition over the conflict of Somalia can also be an alternative explanation of the conflict, specifically in Southern regions. The conflict in the Southern Somalia regions can be internal- between clans over the political/resource sharing conflict nor a regional competitions in the countries. As the regional countries, specifically Kenya and Ethiopia meddling the peace processes when it doesn’t represent their interest. The regional interventions become an alternative explanations of the failures of peace process in Southern regions than the other two regions.

Alternative explanations
In most often, regional countries play a substantial role towards the implementation of peace agreements depends on what stakes do they expected from the peace agreement. If the interest belows their expected ones then they try to spoil it through using the local warring actors. Stedman argue that for peace agreements fail to implements, two factors are very important to consider; the presence of spoilers- particularly factions or leaders that oppose the agreement and use violent to undermine and a neighbouring states that is against the peace agreement through using the spoilers (2001: 6). The situation in Southern regions can be characterised both factors (presence of spoilers and neighbouring states).

For this case, the relationship between the regional presence and the failures of peace agreements in Southern regions was very much feasible. Explicitly, Ethiopia was a number one of Spoiler as per its geo-political motives. Generally, there has been a long standing conflict over the Ogadenia region between the two countries like 1964 and 1977. As Ethiopia can be
considered as strong spoiler towards the implementation of peace agreements through the support of warlords in both military and technically. As part of their geo-political interests they convinced two of the warlords in the peace negotiations to withdraw the process while they deliberately supported in militarily against the Cairo Accord and immediately, new civil war started again in these regions. Some people argue that Ethiopia, a well-positioned state at the currently eager to maintain this violent in order to get advantage out of it. Despite the escalating situation in Southern regions, less interest was showed by the international community to interfere, and then Ethiopia become the only external actor that manipulates the entire processes. Despite the armed embargo imposed by the United Nations Security Council resolution of 733(adopted in 1992) in Somalia, unfortunately, warlords have military depended on Ethiopia such as RRA (Baidoa), SNF (Gedo) and the USC (Mogadishu). Kenya have a substantial interventions to the conflict in these regions in Gedo region by supporting the SNF factions in order to get advantage both security, politically and economically.

Finally; there is a great deal of regional interventions on this regions that contributed the failures of these peace implementations.

8.4 Limitations and biases of the study
As per the analysis presented in the above section, a less emphasis has been given to the alternative explanations on mediator’s success. Therefore, limitations and biases based on the decisions made during the case selections, theoretical argument and empirics of the study.

Theoretical limitations
According to the theoretical limitations, critics of this part point out that the expected higher inclusivity of inside mediation was become very low, due to the clan structure system in all the cases based on the presence of patriarchal norms in Somalia where women usually out/excluded at any decision making processes. Although the exclusion of women and civil society from the peace processes doesn’t affect the peace processes, but it can be problematic in the generalizability of inside mediations. Another critique can be the capacity of inside mediators to succeed in high intensity armed conflict. Although countries like Somalia where the customary leaders as inside mediators have been involved the community level conflict resolution in many years through social pressures can be easier for them to resolve but putting these phenomena into other context could be problematic.

Research design
According to the possible limitations and biases on research design, selection of cases in a same country can possibly affect the generalibility of the research findings and could possibly limit
the research findings. Therefore, more cases in different countries or regions can be suggested in order to improve the researcher’s external validity. All the selected cases supported the hypothesis, and due to the same context may contribute the same results, and further researches for the successfulness of inside mediators involvement that has a higher local ownership and legitimacy than those dominated by the outside mediators in a different countries is suggested in order to know the level of inside mediators effectiveness in ending armed conflict. Second the selection of customary leaders as a form of inside mediators involves possible limitation regarding the generalibility of findings.

**Empirical limitations**  
The empirical limitations mainly related to the issues on data accessibility and credibility of sources used. Regarding the availability of detailed information based on the level of conflict becomes very problematic and sometimes mismatched in terms of describing the intensity of the conflict in each conflict reported. Most of the data available presents the general situation of Somalia with little have been separated into a regional basis and collecting empirical data on an individual cases remains very challenge. Another possible limitation could be the involvement of different mediators in the process, requiring different data sources to analyse their involvement in each cases.

**Potential bias**  
The research’s little considerations on the other conflict stakeholders such as women, IDPs and civil society could also be another bias. Due to the small-N nature of this thesis, these limitations does not compromise/affect the external reliability of research findings. Similarly, the findings of this thesis is *internally valid* as the cases are comparable in terms of mediators involvement, although they were developed differently.

9. **Conclusion**  
The conclusion section presenting the summary of the main arguments of this thesis by answering the research question of *under what conditions do mediators contribute to the ending of armed conflict in fragile states?* This thesis is specifically focusing on customary leaders as a form of inside mediators. This type of mediation is regarded as an alternative way to resolve armed conflict as it is regarded to have more local legitimacy with a higher sense of ownership. Surprisingly, researchers in peace and conflict studies pay more attention to mediations processes dominated by outside mediators, while little is known about the conditions that contribute to the success of inside mediators. This thesis examined a research field that was
previously understudied, with the aim of increasing the understanding of customary leaders' role in peace building and their capacity to bring durable peace and the conditions contributing to their success.

This thesis wants to investigate the effectiveness of mediators' involvement in peace processes and how their presence contributes to different outcomes. This variance explained with regard to the level of success and failure of mediation processes. By assessing the success or failure of mediators' involvement, the presence or absence of mediator initiation of, conclusion the peace process, and the sustainability of the peace process was specific areas of measurements. From the perspectives of this theoretical framework, I have hypothesised that mediation processes dominated by inside mediators are more likely to end armed conflicts, as they have more local legitimacy that engenders higher levels of ownership that can sustain the peace agreements as the actors feel engaged in the peace process. This thesis tested three cases, two of them are involved by inside mediators and the other one of outside mediators by applying the structured focused comparison in the 'most similar' methods.

The empirical analysis of this study suggests mediation processes that are more local legitimacy and ownership are likely to end armed conflict. Thus, the peace processes in the North-West (Somaliland) and North-East (Puntland) regions were dominated by inside mediators with higher local ownership and legitimacy that are succeeded to bring sustainable peace, while the level of success of the other region (Southern) dominated by outside mediators remained very low in terms of lower ownership and legitimacy, despite huge money was sponsored the organizing of these peace conferences. Inside mediators in these regions (Puntland and Somaliland) who have expected to have lower capacity to enforce peace outcomes are ultimately display with less resistances by the conflict parties. This is because, for inside mediation to be successful, the conflict actors must see them neutral and have had a higher level of local acceptances that enables them to effectively facilitate and maintain the peace processes. The empirical findings shows that inside mediators are very successful to end armed conflict if the process is more inclusive to all stakeholders and will increase the ownership of the peace outcomes and more likely to accept the parties.

In addition to that, the extended analysis illustrates regional interventions as a sort of spoilers the peace processes and can be considered another potential variable/factor influencing the outcome of the study. The regional interventions is specifically focuses on the Southern regions due to its strategic position, which have a theoretical impact towards the successfulness of the
peace processes in this region. The study challenged the old assumption of outside mediation is being the only effective way that successfully bring about sustainable peace, while suggesting for more research on inside mediators success in different geographical context. Several limitations have been suffered by this thesis, collection of empirical data, contextualization of inside mediators in one hand and the generalibility on the other was the main challenge of this thesis.
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