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Research Article

Legal Status and Political Legitimacy in Somali Permanent and Transitional Governance since Independence: Between Rule and Anarchy

Abdiqani Ahmed Farah*, Abdifatah Mohamed Khalif

Faculty of Social Science and Economics, East Africa University, Qardho, Somalia

Abstract

The relationship between social legitimacy and legal power/authority in permanent and transitional governance is examined in this essay. In 1960, Somalia gained independence and became known as the Somali Democratic Republic. The dictatorial government of Siad Barre was a major factor in the Somali Democratic Republic's collapse after 31 years of independence and two more administrations. Bringing Somali ethnological clan groups together to rebuild the nation-state has been a major problem for the international community. Institutional fragility is a common feature of transitional societies, where political stability and public trust cannot be sustained by constitutional legitimacy alone. This study examines how formal state institutions—primarily the federal government, federal member states, traditional sectors, and international and national organisation or groups that are socially embedded actors—negotiate governance authority in contexts of political transition, post-conflict reconstruction, and institutional uncertainty using a qualitative normative approach. According to different perspectives, the introduction of openness, accountability, participation, rule of law, and societal legitimacy often diminishes illegitimate authority. However, a large number of participants agreed that the rule of law is crucial to any government and that violations of its principles can result in arbitrariness and defilements/violations of fundamental rights. However, despite not having a formal constitutional standing, informal governance systems may become more widely accepted in society even though they are not linked to social legitimacy. The paper presents the idea of "legitimacy-fluid governance," which describes the dynamic transfer of power between formal and informal institutions based on societal approval, public trust, and political performance. The study identified the role of the rule of law in guaranteeing good governance and how corruption and power abuse have gravely threatened it, which in turn has an impact on good governance. This study validates that the demise of subsequent governments, whether permanent or transitional, since independence on July 1st, 1960, to the present day, is fundamentally shaped by the dynamic interaction between legal authority and social legitimacy. In conclusion, as the Somali political system has undergone changes across the three stages of governance, the study addresses the proposed definition of legitimacy and the issue of political disorder within the Somali federal government, while also offering satisfactory solutions to the problems identified in the study. In addition, customs and clans have gained strong social recognition over the years, even though they lack formal constitutional standing and operate informally in conflict resolution at both local and federal levels, as clan conflicts transcend the clan-based federal states.

Keywords

Political Legitimacy, Permanent and Transitional Governance, Clan-Based Rebel Groups, Socially Embedded Actors, Legitimacy-Fluid Governance, Traditional Sectors

*Correspondence: Abdiqani Ahmed Farah (a.farah@eauqardho.edu.so)

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1. Introduction

Throughout the traditional, colonial, and modern eras, Africa's political structure had a convoluted evolution. European frameworks installed during the colonial era coexisted with traditional government systems rooted in collective decision-making and customary laws. Efforts to establish new governance systems aimed at attaining economic development and international integration were sparked by the independence movements that emerged in the middle of the 20th century 10]. Over the development of civilization, people created nation-states made up of different ethnic groups and asserted their territorial claims. It is clear that Somalis landed on the horn as a result of the human race's division into related groups. As a result, Somalis had to fight for independence along with their territory when Africa was divided at the ebb tide of the 19th century. In 1960, they experienced a turn of events and became an independent nation known as the Somali Democratic Republic [9]. As a result, It is commonly supposed that citizens of a reasonably just state have a *prima facie* duty to obey its laws. In recent years, however, a number of influential political philosophers have concluded that there is no such duty. On that note, there is more to government legitimacy than elections. The holding of elections alone often does not suffice to render a government legitimate in the eyes of citizens. Questionable or botched elections can do more harm than good to government legitimacy [1], But how can the state be a legitimate authority if there is no general duty to obey its laws as democratic leadership secures political legitimacy by establishing that a government's right to rule is derived directly from the consent of the governed. This process transforms raw political power into accepted authority, achieved through the interconnected actions of political parties, presidential elections, and parliamentary contests.

The modern world is characterized by a variety of forms of organization of socio-political life, which determine the special relationship between the governed/society and the managers/government, as well as the internal distribution of power between the managers: the presence or absence of separation of powers, periodic use of election procedures, universal suffrage, representative mandate, pluralism of opinions, and freedom of expression. Even though the concept of legitimacy is inextricably linked to the rules and procedures necessary for the effective exercise of power in a democratic manner [17].

Because of legitimacy, individuals believe that decisions and regulations should be respected, and they willingly abide by them out of duty rather than fear of penalty or expectation of reward. An authority, organization, or social structure's legitimacy is a psychological characteristic that makes people associated with it feel that it is acceptable, legitimate, and just. Since it is difficult to exercise influence over others based only on the possession and use of power, legitimacy is crucial to the effectiveness of authorities, institutions, and institutional structures. During times of scarcity, crisis, and conflict, like those Somalis have endured throughout three decades of transitional governance, obtaining voluntary agreement from the majority of people—often out of a sense of duty—increases effectiveness. Legitimacy has a long history in social psychology and social theory, and it has become more significant in recent studies of the dynamics of social, legal, and political institutions [3].

International actors seeking to consolidate peace and democracy in disrupted states such as that of Somali federal government and federal member states, states have increasingly recognised the critical importance of establishing the rule of law. Yet rule of law practitioners in the UN system and elsewhere have struggled to achieve this goal. With the establishment of a new rule of law coordination and resource group in the UN Secretariat, it is important to consider the potential for, and limitations on, external actors in nurturing rule of law transformations. This policy brief draws on the experience of UN transitional administrations in Cambodia, East Timor and Kosovo to suggest factors for consideration in formulating rule of law strategies [11].

In Somali context, for three decades' transitional governance has become one of the most critical issues in political and legal discourse due to the tensions created by clan-based federal states that predicated institutional instability, democratic regression, armed conflict, and transitional constitution interpretations respective status. On that note, in this protracted period of political transition, respective administrations, particularly the federal government, often face profound challenges in maintaining social order while simultaneously establishing legitimacy among citizens. These transitional periods create a fragile political environment in which legal authority may formally exist but lacks sufficient public trust and societal recognition. Consequently, governance becomes situated between order and disorder, where institutional legality and social legitimacy continuously compete and interact [7, 12].

That is, one can have growth without democracy, and social development without increases in either state capacity or democracy. It is possible to have an illiberal democracy, and a liberal autocracy, and both democracies and autocracies can experience either low or high growth. While a rudimentary state is a necessary precondition for economic growth, rule of law, and democracy, it is also possible to have some or all of the latter three conditions in a weak state.

1.1. Aim of the Study

The decline of the civilian government from 1960 to 1969, along with the visible deterioration of the Somali parliamentary system, created adverse world opinion and raised serious doubts about whether the Somali government truly represents the people. In 1959 elections were held to decide the first post-independence Somali government. The election was, however,

rigged against the Greater Somalia League party, which was an anti-Italian SYL splinter group [18]. That predicated the weakening of state capacity, rule of law, and democracy [16]. The dictatorial government of Siad Barre and his Supreme Revolutionary Council was a major factor in the collapse of the Somali Democratic Republic after 31 years of independence and two more administrations as the Cold War drew to a close and Somalia's strategic importance was diminished, and Siad barre subsequently became increasingly totalitarian. As a consequence, the resistance movements, supported by Ethiopia's communist Derg administration, sprang up across the country [13, 14]. When the regime had been toppled bringing Somali ethnological clan groups together to rebuild the nation-state has been a major problem for the international community. In the effort, the first transitional federal government since 2004 and the federal member states were constituted, then transformed into a permanent one in 2012. Therefore, this paper examines, since the first Somali republic has been constituted, the relationship between political legitimacy of rule of law and legal power/authority in both permanent and transitional governance within unitary and federal government environments based on the study's key questions.

1.2. Data Collection Procedure

Adopted questionnaires were used to gather data in order to guaranty the study's objectives, since they were the most straightforward method for gathering the appropriate data given the nature of the investigation. The 119 surveys were distributed and collected by hand in order to guide the respondents; this resulted in a 100% response rate; nonetheless, they required an explanation of the questionnaires. Respondents are asked to rate their degree of agreement, satisfaction, or frequency on ordered multi-point scales (often between 3 and 7 points) in order to gage experiences, attitudes, opinions, or perceptions. Subjective feelings were subsequently converted into quantitative data, leading to more nuanced inquiries. The data was analyzed using population statistics and then presented in tables.

2. Result

As far as key participants' demographic characteristics are concerned, 74 (62.25%) of the total respondents were male, while 45 (37.8%) were female. According to the above, the majority of the respondents, which constitute 12.6% of the respondents, are within the age bracket 21-30 years; 18.5% of the respondents are within the age bracket 31-40 years, 31.1% of the respondents are within the age bracket 41-50 years, and 37.8% of the respondents are above the age bracket 50 years-Please note that the study specifically chose participants who were older than thirty in order to ensure that their responses were reliable. This shows us that the age of the majority of the respondents lies above 50, with a p-value of 8.82x10-2 at 95% CI when tested on single-factor ANOVA. Based on the marital status of surveyed participants, the majority of the respondents, 78 (65.5%), were married, 33.6% were single, and 0.8% widowed. This shows us that the marital status of the majority of the respondents are married. Again, when tested the academic qualifications of the respondents, the results indicated that the majority hold bachelor's degrees, accounting for 32.8% of the total respondents, with a significance level of $5.3X10^{-18}$; the second cohort (26.9%) got masters degrees of different fields of studies; the third group of the respondents got no former education (21.8%), the fourth and the penultimate group hold secondary certificates, which represents 12.6% of the respondents, while the fifths groups of the participants of the study were PhD holders, and that represents 5.9% of the respondents, and they account the smallest group of the participants Table 1.

Table 1. *Demographic Characteristics of the Respondents.*

Response	Frequency	Percentage	P-value
Sex of respondent			
Male	74	62.2%	$1.9x10^{-9}$
Female	45	37.8%	
Total	119	100%	
Age of respondent			
21-30	15	12.6%	
31-40	22	18.5%	
41-50	37	31.1%	
above 50	45	37.8%	$8.82x10^{-2}$
Total	119	100%	

Response	Frequency	Percentage	P-value
Marital status			
single	40	33.6%	
married	78	65.5%	$5.4x10^{-11}$
widowed	1	0.8%	
Total	119	100%	
Highest education level.			
Bachelor degree.1	39	32.8%	$5.3X10^{-18}$
secondary education4	15	12.6%	
Master Degree2	32	26.9%	
Phd5	7	5.9%	
no former education3	26	21.8%	
Total	119	100%	

The legal status and political legitimacy of rule of law versus anarchy under Somali transitional governance, or any other form of governance, are being investigated based on the study's key questions. Tables 2 through 12 present the answers provided by the respondents. A predetermined scoring system is used to gradually categorize the respondents' choices. The participants were asked to share their thoughts on the competence of the first democratically elected government, based on the mandate given to them by the plebeians. The findings indicated that almost all participants agreed on most questions designed to assess public satisfaction with the services provided by the executives. The participants strongly saw in the same page on creating jobs with a significance of $1.4x10^{-5}$, when test on single factor ANOVA @ 95% CI, and delivering services such as education, healthcare and justices post hoc test indicated that there is no significance difference among the aforementioned services. Nevertheless, they disagreed that the government of the day, which was democratically elected, the fight against corruption, and that subsequently predicated the misuse of the public coffers. Also, nepotism existed in recruiting the government civil servants. There is no significant difference among the three of them with a significance of $1.31x10^{-1}$ at 95% CI (Table 2).

Table 2. *democratic leadership achieved after independence.*

After independence, what do you think democratic leadership (parties and the election of the president and members of parliament) accomplished?

Value	Frequency (F)	Percentage (%)	P-value
It created jobs	24	20.17%	$1.4x10^{-5}$
It was a good government	21	17.65%	
It provided health services	19	15.97%	
It provided good social services	17	14.29%	
It provided education and justice	16	13.45%	$1.31x10^{-1}$
Prevention of corruption was strong	13	10.92%	
There was no misuse of public property or favouritism in hiring	9	7.56%	
Total	119	100.00%	

Regarding the demise of the first elected Somali nation-state and the subsequent military rule to later face opposition from clans that became rebel groups, the participants are given two choices to deduce the main causes of both administrations' downfall. As a result, over half (70, 58.82%) believed both failed to govern the country as expected by the populace, as they both failed to provide adequate public services and thus failed to gain legitimacy from the people, expressing rule of law not binding with a significance of $7.7x10^{-7}$. While 49 (58.82%) put the root cause of both types of governance demise in the pursuit of Greater Somalia/Somali weyn (Table 3).

Table 3. *the root causes of the demise of two type of Somali administrations since independence.*

What caused the 1960 government - which had held two elections - to fall and be overthrown by the military? And what led the military government to face opposition from clans that later transformed into clan-based rebel groups?

Value	Frequency	Percentage	P-value
The government failed to govern the country well, did not provide adequate public services, and failed to stablish that rule of law to be binding thus, gain legitimacy from the people	70	58.82%	$7.7x10^{-7}$
The pursuit of Greater Somalia and the emphasis placed on building a strong military	49	41.18%	
Total	119	100.00%	

When fielded what led to the collapse of the revolutionary government commanded by Mohamed Siad Barre, which held control for 21 years. With the exception of the lack of private property rights for citizens, the majority of participant responses were equally split and there is no significance difference among them ($3.2x10^{-4}$) @ 95% when test on single factor ANOVA. Most of them claimed that one of people's fundamental rights was the civic freedom to form commercial partnerships; the absence of legal rights for individuals to engage in politics or oppose the government; the absence of both political and civil liberties; and the absence of both.

Table 4. *The collapse of the military junta led by Mohamed Siad Barre in 1991, which ceased power in 1969.*

What led to the seizure of power by the revolutionary government commanded by Mohamed Siad Barre, which held control for 21 years, and its subsequent collapse in 1991?

Value	Frequency	Percentage	P-value
Lack of civil freedom for citizens to enter into business agreements	24	20.17%	$3.2x10^{-4NS}$
Lack of legal rights for citizens to oppose the government or take part in its political power	23	19.33%	
Lack of civil liberties and political rights	22	18.49%	
Absence of public recognition and trust applied equally; the law not enforced equally, and the government not fully governed by rule of law	20	16.81%	
Lack of private property rights	16	13.45%	
Procedural justice: a fair way of resolving disputes between two or more citizens; each side given the chance to defend their case, the government responding appropriately to citizens' grievances, and providing explanations based on individual circumstances	14	11.76%	$4.93x10^{-4}$
Total	119	100.00%	

When tested for the participants to make a choice yes/agree or otherwise, the system of Mohamed Siyad Barre and his Supreme Revolutionary Council (SRC) suspending the 1960 constitution, abolishing the Supreme Court, dissolving Parliament, and banning all political parties, and afterward ruling by military decree and scientific socialism, over two third, 80 (67.2%) expressed it was wrong to suspend the aforementioned pillars of modern nation-states existence with a p-value of $5.85x10^{-14}$ @95% significance. By the same token, when given to pick a choice on if the participants agree or otherwise on if the transitional governance is fundamentally shaped by the dynamic/constant interaction between legal authority and social legitimacy, again over two third (71.4%) agreed, while mere 28.6% said otherwise with a significance of $2.15X10^{-18}$. Again, the question of constitutional legality alone is insufficient to establish sustainable governance because institutional authority lacks public trust and societal recognition was fielded and the response was 68.1% answered yes, while the rest said no with a significance of $4.97X10^{-14}$. Therefore, they are asked if the transitional societies operate within a fragile political environment where governance continuously oscillates between institutional order and social disorder. And 85(71.4%), over two third of the participants, agreed, while only 34(28.6%) expressed otherwise @ 95% CI. On the issue of constitutional legality alone is insufficient to establish sustainable governance because institutional authority lacks public trust and societal recognition, 68.1% agreed that is the case with a significance of $4.97X10^{-14}$, while the rest expressed otherwise. Therefore, since the matter is as aforementioned in the preceding question, therefore that transitional societies operate within a fragile political environment where governance continuously oscillates between institutional order and social disorder. On that note, 73.1% agreed it with a p-value of $2.25X10^{-20}$, and highly significance number of the respondents agreed. On the question of if Legal authority remains essential for maintaining institutional continuity, constitutional accountability, and administrative coordination, but cannot function effectively when detached from the social realities, cultural expectations, and participatory aspirations of society, the answer given by the participants of the survey almost concurs the above question (74.8% said yes) with significance of $1.38X10^{-21}$. The following up question that gives the participants to either agree or not the aforesaid question, was that a government that rely excessively/only on procedural legality or coercive enforcement often encounter legitimacy crises, public distrust, and governance instability, and overwhelming majority (90, 75.6%) agreed with a p-value of $2.75X10^{-24}$ while mare 24.4% of them expressed otherwise.

Table 5. *Supreme Revolutionary Council (SRC) suspending the 1960 constitution ruling by military decree and scientific socialism.*

Do you agree with Mohamed Siyad Barre and his Supreme Revolutionary Council (SRC) suspending the 1960 constitution, abolishing the Supreme Court, dissolving Parliament, and banning all political parties, and afterward ruling by military decree and scientific socialism?

Value	Frequency	Percentage	P-value
Yes	39	32.8%	
No	80	67.2%	$5.85x10^{-14}$
Total	119	100%	

Transitional governance is fundamentally shaped by the dynamic/constant interaction between legal authority and social legitimacy.

Value	Frequency	Percentage	p-value
Yes	85	71.4%	$2.15X10^{-18}$
No	34	28.6%	
Total	119	100%	

Value	Frequency	Percentage

Constitutional legality alone is insufficient to establish sustainable governance because institutional authority lacks public trust and societal recognition.

Value	Frequency	Percentage	P-value
Yes	81	68.1%	$4.97X10^{-14}$
No	38	31.9%	
Total	119	100%	

Therefore, transitional societies operate within a fragile political environment where governance continuously oscillates between institutional order and social disorder.

Value	Frequency	Percentage	P-value

Yes	87	73.1%	$2.25X10^{-20}$
No	32	26.9%	
Total	119	100%	

Legal authority remains essential for maintaining institutional continuity, constitutional accountability, and administrative coordination, but cannot function effectively when detached from the social realities, cultural expectations, and participatory aspirations of society.

Value	Frequency	Percentage	P-value
Yes	89	74.8%	$1.38X10^{-21}$
No	30	25.2%	
Total	119	100%	

Governments that rely excessively/only on procedural legality or coercive enforcement often encounter legitimacy crises, public distrust, and governance instability.

Value	Frequency	Percentage	P-value
Yes	90	75.6%	$2.75X10^{-24}$
No	29	24.4%	
Total	119	100%	

Again, on the same note, the following question was fielded to ascertain the position of the research participants on the matter at hand and asked how one views the one-man rule system that the government was based on and if the democratic system of parliamentary and presidential elections that existed before the military took control of the country's rule fared better, and if it was better, in what way was it better? On the first part, 75.6% agreed that prior to the military seizing control of the nation, the democratic system of presidential and legislative elections performed better with a significance of 1.32 $X10^{-23}$, while only 29(75.6%). On the second part of the question regarding in what ways was it effective, just over half (59.7%) said Social services such as education and health was better. Never the less, they expressed concerns on The rights mentioned above, such as personal rights and citizens' rights, and public trust and the legitimacy to remain in power with a significance of $2.68X10^{-10}$ when tested on single factor ANOVA.

Table 6. *The one-man rule system that the government was based.*

How do you view the one-man rule system that the government was based on? Was the democratic system of parliamentary and presidential elections that existed before the military took control of the country's rule better? If it was better, in what way was it better?

Value	Frequency	Percentage	P-value
Yes	90	75.6%	$1.32\ X10^{-23}$
No	29	24.4%	
Total	119	100%	

10b. If it was better, in what ways was it effective?

Value	Frequency	Percentage	P-value
Social services such as education and health	71	59.7%	
Security	41	34.5%	
The rights mentioned above, such as personal rights and citizens' rights	4	3.4%	
People did not recognize that it held public trust (legitimacy) and the legitimacy to remain in power	3	2.5%	$2.68X10^{-10}$

Total	119	100

When tested whether the transitional governments and the first permanent government established in 2012 lacked legal authority and social legitimacy according to the Social Contract, Compatibility with a community's shared norms and values, Institutions being given the trust and cooperation necessary to function smoothly, rather than relying only on force or coercion, and Widespread public acceptance, and the majority of the respondents expressed that the two types of administration lacked all four matters in an equal footing with a no significance difference among them, $6.50X10^{-2}$.

Table 7. *transitional governments and the first permanent government lacked legal authority and social legitimacy.*

If the transitional governments and the first permanent government established in 2012 lacked legal authority and social legitimacy according to the following?

Value	Frequency	Percentage	P-value
Social Contract	34	28.57%	$6.50X10^{-2}$
Compatibility with a community's shared norms and values	31	26.05%	
Institutions being given the trust and cooperation necessary to function smoothly, rather than relying only on force or coercion	29	24.37%	
Widespread public acceptance	25	21.01%	
Total	119	100%	

When fielded why in the transitional as well as the permanent government in post-civil war period weakens once it becomes disconnected from societal acceptance and trust (social legitimacy), while informal governance structures such as custom and clan gain strong social recognition even though they lack formal constitutional standing, almost half of the respondents (80, 40%) concurred that Formal law derives its real power from public trust and acceptance, not from its written status alone; when government becomes corrupt, unfair, or unjust, people lose trust in it and turn instead to custom and clan, which have earned lasting social recognition through generations of consistent practice, familiar leadership, and their ability to resolve disputes in ways society understands with a significance of $2.9X10^{-25}$. In the same footing Custom and clan gain recognition simply because they are older than formal state law, regardless of how fair or effective they are also features as one of the major reason (30, 25%) legal authority often weakens once it becomes disconnected from societal acceptance and trust. When tested if both aforementioned reasons on a t-Test Two-Sample Assuming Unequal Variances, there was no significance difference between them with a p-value of $8.32x10^{-2}$.

Table 8. *legal authority and informal governance structures.*

The reason legal authority often weakens once it becomes disconnected from societal acceptance and trust (social legitimacy), while informal governance structures (such as custom and clan) can gain strong social recognition even though they lack formal constitutional standing

Value	Frequency	Percentage	P-value
Legal authority is purely a technical/administrative matter, so social trust has no real effect on it; the weakening is caused only by poor law enforcement.	14	11.76%	
Formal law derives its real power from public trust and acceptance, not from its written status alone; when government becomes corrupt, unfair, or unjust, people lose trust in it and turn instead to custom and clan, which have earned lasting social recognition through generations of consistent practice, familiar leadership, and their ability to resolve disputes in ways	43	36.13%	$4.3X10^{-25}$

Value	Frequency	Percentage	P-value
society understands.			
Custom and clan gain recognition simply because they are older than formal state law, regardless of how fair or effective they are.	39	32.77%	$8.32x10^{-2}$ NS
Legal authority weakens only when clan leaders actively work to undermine the government's power.	12	10.08%	
Formal law and custom operate in completely separate spheres and never compete for legitimacy, so the weakening of one has no relation to the strength of the other.	11	9.24%	
Total	119	100%	

Based on The concept of "administration without a fixed identity, but one that changes with the stage/phase" that refers to a form of governance that is dynamic rather than static, evolving based on political performance, public trust, and social acceptance. Which of the following best explains this concept as it applies to the current situation in Somalia, specifically in relation to both the federal government and the federal member states, When asked the participants of the study28 (24%) concurred that an administration's legitimacy is permanent once it gains official/legal status, regardless of later performance, while 35(29.4%) concurred the notion An administration's legitimacy is not fixed it evolves continuously, depending on political performance, public trust, and social acceptance; when it serves justly, delivers services, and remains accountable, its legitimacy strengthens, but corruption, poor performance, or ignoring public needs cause that legitimacy to weaken or collapse. By the same toked 24(20%) Legitimacy is determined solely by the administration's official name or title, not by how it performs. Also, 19(16%) agreed that an administration's legitimacy depends only on military or political power, not on public opinion, while mere 13(11%) agreed the idea that public trust becomes irrelevant to its continued existence Once an administration is legally established with a significance of $6.99X10^{-5}$, Table 8.

Table 9. *Administration without a fixed identity, but one that changes with stage/phase.*

The concept "Administration without a fixed identity, but one that changes with the stage/phase" refers to change that is not fixed but depends on political performance, public trust, and social acceptance. Which of the following best explains this concept in current Somalia on both federal government and federal member states?

Value	Frequency	Percentage	P-value
An administration's legitimacy is permanent once it gains official/legal status, regardless of later performance.	28	24%	
An administration's legitimacy is not fixed it evolves continuously, depending on political performance, public trust, and social acceptance; when it serves justly, delivers services, and remains accountable, its legitimacy strengthens, but corruption, poor performance, or ignoring public needs cause that legitimacy to weaken or collapse.	35	29.4%	
Legitimacy is determined solely by the administration's official name or title, not by how it performs.	24	20%	
An administration's legitimacy depends only on military or political power, not on public opinion.	19	16%	
Once an administration is legally established, public trust becomes irrelevant to its continued existence.	13	11%	$6.99X10^{-5}$
Total	119	100%	

When fielded the concept that sustainable transitional governance requires balancing the legitimacy of institutions, inclusive participation, and legislation based on society's needs, significant number (42,35%) agreed that Sustainable transitional governance depends on combining legitimate institutions, inclusive participation of all sections of society, and laws that reflect real social needs; when society is consulted and included, it builds trust, reduces conflict, and creates a sense of ownership — without this balance, governance becomes fragile and can collapse with a p-value of $6.25X10^{-12}$ @ 95% CI when tested in single factor ANOVA. In addition, considerable number 27(23%) affirmed that transitional governance succeeds mainly through enforcement capacity (finance and police power), regardless of public trust or participation. While, 21(18%) expressed institutional legitimacy alone is sufficient for governance to succeed, regardless of public participation Table 9.

Table 10. *Institutional legitimacy, inclusive engagement, and laws specific to the requirements of society.*

Value	Frequency	Percentage	P-value
Transitional governance succeeds mainly through enforcement capacity (finance and police power), regardless of public trust or participation.	27	23%	$2.32X10^{-5}$
Sustainable transitional governance depends on combining legitimate institutions, inclusive participation of all sections of society, and laws that reflect real social needs; when society is consulted and included, it builds trust, reduces conflict, and creates a sense of ownership — without this balance, governance becomes fragile and can collapse.	42	35%	$6.25X10^{-12}$
Institutional legitimacy alone is sufficient for governance to succeed, regardless of public participation.	21	18%	$3.87X10^{-1}$NS
Legislation only needs to follow formal legal procedure; it does not need to reflect society's actual needs or circumstances.	17	14%	
Public participation is optional and mainly symbolic governance stability depends only on strong institutions.	12	10%	
Total	119	100%	

When asked if the existed transitional periods create a fragile political environment in which legal authority may formally exist but lacks sufficient public trust and societal recognition, over half (63, 53%) concurred that is the case. While, on the contrary, 17% agreed that Formal legal authority automatically carries full legitimacy during transition, regardless of public trust or societal recognition. But then again few (10, 8%) expressed that Public trust is irrelevant during transitional periods since legal authority is sufficient on its own.

Table 11. *the period of transition that rendered the political climate unstable.*

Value	Frequency	Percentage	P-value
Formal legal authority automatically carries full legitimacy during transition, regardless of public trust or societal recognition.	20	17%	7.9910^{-4}
During transitional periods, formal institutions often lack public trust because they are new and untested, so people continue relying on traditional or social systems they already trust; legitimacy only strengthens when the government shows transparency, delivers justice and services fairly, and earns society's support through consistent action rather than through formal status alone.	63	53%	$1.12X10^{-37}$
Political fragility during transition is caused only by insecurity, with no connection to public trust or institutional performance.	14	12%	$9.77\ X10^{-2}$
Once elections are held, a transitional government automatically gains full public trust and recognition.	12	10%	

Value	Frequency	Percentage	P-value
Public trust is irrelevant during transitional periods since legal authority is sufficient on its own.	10	8%	
Total	119	100%	

Consequently, governance becomes situated between order and disorder, where institutional legality and social legitimacy continuously compete and interact. As a result, over half (56, 47%, with a significance of $1.63X10^{-25}$ @ 95% CI) of the respondents agreed it. On a less tuned answer 18.5% expressed Order depends only on institutional legality, while 17(14.3%) Disorder is caused only by external political fragility, with no connection to legitimacy or public trust. On the other extreme, only 8.4% expressed that Legitimacy and legality never actually compete or interact - they operate in completely separate spheres. Finally, 14(11.8%) of the study participants agreed the notion that states Once an institution is legally established, social acceptance becomes unnecessary for maintaining order.

Table 12. *Legality and social legitimacy contest and interact with governance, which is positioned between order and chaos.*

Value	Frequency	Percentage	P-value
Order depends only on institutional legality; social legitimacy has no real influence on whether a system stays stable or falls into disorder.	22	18.5%	3.78X10-4
Governance sits between order and disorder because legal authority alone is not enough lasting stability requires society's acceptance and trust as well; when institutions act with integrity, deliver justice, and maintain dialogue w ith the people, legitimacy and order reinforce each other, but corruption or loss of trust pushes governance toward disorder.	56	47%S	$1.63X10^{-25}$
Disorder is caused only by external political fragility, with no connection to legitimacy or public trust.	17	14.3%	$8.26\ X10^{-2}$
Once an institution is legally established, social acceptance becomes unnecessary for maintaining order.	14	11.8%	
Legitimacy and legality never actually compete or interact — they operate in completely separate spheres.	10	8.4%	$8.42X10^{-3}$
Total	119	100%	

3. Discussion Conclusion and Recommendation

3.1. Discussion

The overall aim of the study revolved around the legal status and political legitimacy of the rule of law versus anarchy under Somali transitional governance, or any other form of governance insofar as the diverse administrations Somali people have experienced since independence, based on the study's key questions being investigated. As legal authority generally refers to the ability of institutions to exercise power based on constitutional norms, legal procedures, and formal regulatory systems, the participants were asked to share their opinions on the capacity of the first democratically elected government to inspire public confidence in institutions and political influence, as well as public satisfaction with the services provided by top management, to continuously assess institutional legality and social legitimacy trust in institutions and political influence as well as public contentment with the services offered by the top management to ascertain the institutional legality and social legitimacy continuously [2, 3]. Initially, citizens were strongly satisfied with services such as healthcare and education, believing that the democratically elected government was fighting against corruption; however, this belief later led to the realization that misuse of public funds and nepotism were present in the drafting of government civil servant positions. The finding/phenomenon has become increasingly visible/concurs in countries such as Libya, Afghanistan, Sudan, and Syria,

constitutional reforms and internationally sponsored democratic transitions often failed to establish sustainable political stability because legal institutions lacked deep social legitimacy. Although formal governance structures were created through elections, constitutional drafting, and judicial reforms, many citizens continued to distrust state institutions due to corruption, exclusion, political violence, or external intervention. This demonstrates that legality alone cannot guarantee stable governance in transitional or otherwise political environments [4].

Once again, participants are given two options to determine the primary reasons behind the fall of both the first elected Somali nation-state and the ensued military authority, which later encountered resistance from clans that subsequently turned into rebel organizations. A considerable majority of the study viewed both administrations as failing to govern the country as the populace expected, due to their inability to provide adequate public services and gain legitimacy, which in turn encourages political participation and equitable treatment of all citizens [5], reflecting a rule of law. That is to say, laws must be actively implemented by independent legal institutions and apply equally to all members of society, including the most powerful individuals of the state [15]. While just over half put the root cause of both types (democratic as well as military dictatorship) of governance demise in the pursuit of Greater Somalia/Somali-weyn, in other words, bringing the five Somali territories into one. This signifies that the pursuit of Somali-weyn, is, though further research is to be ascertained if that is the case, is one of the major culprits of the collapse of the existed two as a Somali nation-state.

Furthermore, the participants were tested to provide what lead the seizure of power by the revolutionary government commanded by Mohamed Siad Barre, which held control for 21 years, suspending the 1960 constitution, abolishing the Supreme Court, dissolving Parliament, and banning all political parties, and afterward ruling by military decree and scientific socialism and its subsequent collapse in 1991, and the majority of them stated that people' civic freedom to enter into business partnerships was one of their fundamental rights; lack of legal rights for citizens to participate in politics or to challenge the government; Lack of political rights and civil liberties.

Here, the idea that the legitimization and justification of political authority are distinct from one another could be viewed in relation to the regime's authoritarian rule. The concept of legitimization is generally understood by most protagonists to be the exclusive right of political authority to be acknowledged and obeyed, to impose obligations and demand their fulfillment, and to exercise the monopoly of legitimate use of physical force when necessary. However, there is a school of thought that argues that no political authority can be deemed legitimate if all of its citizens do not voluntarily participate in its decisions and commitments. This could be interpreted as saying that the Somali state's citizens have been denied their fundamental rights for a very long time, and as a result, it is evident that the regime was not legitimate because it was not fully accepted by all of its citizens [6].

The participants also concur that transitional governance is essentially shaped by the dynamic and ongoing interaction between societal legitimacy and legal power. Once more, institutional authority lacks societal legitimacy and civic confidence, making the matter of constitutional legality alone insufficient to produce sustainable governance. As a result, they also agreed that transitional societies function in a precarious political environment where social chaos and institutional order are constantly alternating. Therefore, the matter is that transitional societies operate within a fragile political environment where governance continuously oscillates between institutional order and social disorder. On that note, highly significance number of the respondents agreed that the relationship between the governed and legitimacy is inextricably linked to the rules and procedures necessary for the effective exercise of power in a democratic manner [17]. It has been discovered that the transitional administrations and the first permanent government, which was founded in 2012, lacked social legitimacy and legal authority since the fall of the revolutionary government, which was led by Mohamed Siad Barre and ruled for 21 years, about 36 years ago. This confirms that during periods of political transition, transitional governments often face considerable challenges in maintaining social order and winning the public's trust. Legal authority may exist in principle throughout these transitional periods, but it is not properly respected or acknowledged by society [2, 3]. On that note, as the government becomes disconnected from societal acceptance and trust (social legitimacy), informal governance structures such as custom and clan gain strong social recognition even though they lack formal constitutional standing [7, 8].

Penultimately, the idea of "administration without a fixed identity," which pertains to the current state of affairs in Somalia with regard to both the federal government and the federal member states, implies, as far as the research participants is concerned, that once an administration obtains official or legal status, its legitimacy becomes permanent; however, this legitimacy is not fixed and constantly changes in response to social acceptance, political performance, and civic trust. An administration's legitimacy grows when it acts justly, provides services, and maintains accountability; nevertheless, corruption, or disregard for the interests of the people can erode or destroy such lawfulness. In a similar vein, the administration's legitimacy is based only on its official name or title, not on how well it performs. Additionally, an administration's legitimacy is solely based on political or military might rather than public opinion, and the notion that public trust is necessary for its survival is no longer relevant. following the legal establishment of a government, in a country that is in a political uncertainty such as Somali federal government and its member states, Local communities may rely more on religious institutions, traditional leaders, or community organizations than on official governmental agencies during humanitarian emergencies or political upheaval [8]. Mac Ginty argument could be

relevant in here as state-building models fail to eliminate local practices that hybrid governance systems sustainable transitional governance depends on participation of all sections of society, and laws that reflect real social needs that builds trust, reduces conflict, and creates a sense of ownership — without this balance, governance becomes fragile and can collapse [19].

Because the study provides an interdisciplinary framework for comprehending governance between order and disorder in Somali transitional societies, it advances governance and socio-legal study [7]. Consequently, governance becomes situated between order and disorder, where institutional legality and social legitimacy continuously compete and interact. As a result, legal authority alone is not enough lasting stability requires society's acceptance and trust as well. In addition, when institutions act with integrity, deliver justice, and maintain dialogue with the people, legitimacy and order reinforce each other, but corruption or loss of trust pushes governance toward disorder.

3.2. Conclusion and Recommendation

Throughout sub-Saharan Africa it is widely accepted in political philosophy and sociology that constitutional legality is only the formal structure of power, but legitimacy—a moral and psychological bond between the governors and the governed—is necessary for lasting rule, whether it is transitional or not. Thus, in Somali context, since independence, In the periods of permanent and political transition, constitutional legality alone is insufficient to establish sustainable governance because institutional authority frequently lacked ethical legitimacy, social acceptance, and popular trust. Transitional societies therefore operate within a fragile political environment where governance continuously oscillates between institutional order and social disorder. This study validates that the demise of subsequent governments, whether permanent or transitional, since independence on July 1st, 1960, to the present day, is fundamentally shaped by the dynamic interaction between legal authority and social legitimacy.

The findings reveal that legal authority remains essential for maintaining institutional continuity, constitutional accountability, and administrative coordination. However, legal systems cannot function effectively when detached from the social realities, cultural expectations, and participatory aspirations of society. Governments that rely excessively on procedural legality or coercive enforcement often encounter legitimacy crises, public distrust, and governance instability. This condition is particularly evident in post-conflict and post-authoritarian states where formal institutions may exist constitutionally but fail to gain meaningful societal acceptance.

Based on more than 66 years of governments, the Somali people believe the constitution is unfair and was either imposed by incumbents or created to shield corrupt elites. Social legitimacy often appears as an informal governance actor in post-civil war administrations, such as religious institutions, community networks based on federal states according to clan lines, customary leaders, and civil society organizations. These actors frequently have greater social trust than formal state institutions.

Finally, the research attempted to illustrate how the proposed definition of legitimacy can resolve the problem of political anarchism in Somali context and provide an adequate answer to the problem raised by the findings. Moreover, the importance of how the criterion of legitimacy could be useful was stressed: how close or how distant the political authorities are to the goal of their government to be legitimate. A regime can be perfectly legal on paper (e.g., following an established constitutional process) but completely illegitimate if they at the same time, the study shows that Their legitimacy derives from social embeddedness, cultural continuity, and collective recognition rather than constitutional codification. Nevertheless, social legitimacy without institutional regulation also carries risks, including legal fragmentation, unequal protection of rights, and weakened democratic accountability.

significant contribution of this article is the concept of "*legitimacy-fluid governance*," which explains how authority in transitional societies shifts dynamically between formal institutions and socially embedded actors depending on political performance, public trust, and contextual stability. By highlighting the fact that legitimacy is constantly negotiated through social interaction and institutional response rather than being set within formal institutions, this idea undermines traditional centralized state administration conceptions [7].

The study also comes to the conclusion that hybrid governance systems are adaptive political arrangements in transitional contexts where traditional leaders are essential for maintaining cultural heritage, settling conflicts, and exercising community leadership. The coexistence of official and informal governance systems is a reflection of the realities of unstable political situations where a variety of actors work together to sustain political stability and social order. Therefore, institutional flexibility that may integrate formal legality with socially grounded legitimacy is necessary for sustainable transitional governance in the Somali context [7, 8, 10].

In conclusion, since legitimacy is often interpreted very broadly [17], it pertains to the Somali political system across the three stages of governance that Somalia has undergone. The research aimed to demonstrate how the proposed definition of legitimacy can address the issue of political disorder within the Somali federal government and offer a satisfactory solution to the problems identified in the study. Sustainable transitional governance requires balancing the legitimacy of institutions, inclusive participation, and legislation based on society's needs. The transitional periods create a fragile political environment in which legal authority may formally exist, but lacks sufficient public trust and societal recognition. Consequently, governance becomes situated between order and disorder, where institutional legality and social legitimacy continuously compete and interact. In addition, customs and clans have gained strong social recognition over the years, even though they lack formal

constitutional standing and operate informally in conflict resolution at both local and federal levels, as clan conflicts transcend the clan-based federal states [8].

Abbreviations

SRC	Supreme Revolutionary Council
UN	United Nations

Author Contributions

Abdiqani Ahmed Farah: Conceptualization, Data curation, Methodology, Resources

Abdifatah Mohamed Khalif: Conceptualization, Data curation, Methodology, Resources

Conflicts of Interest

The authors declare no conflicts of interest.

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