Somalia: State Collapse, Terrorism and Piracy

Edited by
Brian Hesse



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The situation in Somalia today embodies some of the most pressing issues in international relations. How should the international community deal with the collapsed state that is Somalia? From the presence of al-Qaeda operatives to pirates, to what extent is Somalia a threat to global peace and commerce? Which aspects of Somalia's economic, social and political landscape can be considered successful, and how do these 'success stories' reflect some of the more problematic issues the country faces?

This book sheds light on all of these topics and more. The book is written to appeal to a wide audience, from specialists in international security, development and/or humanitarian issues, to students and casual readers. Its six contributing authors, with their focus on current events mixed with historical perspective, ensure readers get varying views of what is happening today in the Horn of Africa.

This book was previously published as a special issue of the *Journal of Contemporary African Studies*.

Brian Hesse is an Associate Professor of Political Science at Northwest Missouri State University, USA. He is also a seasonal African Safari Guide for the US-based company Cowabunga Safaris. In addition to articles in the *Journal of Contemporary African Studies*, *Current History*, *International Journal*, the *Journal of Asia-Pacific Affairs*, *African Studies Review* and other publications, Dr Hesse is also author of the book *The United States, South Africa and Africa: Of Grand Foreign Policy Aims and Modest Means*.

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Introduction: The myth of 'Somalia'

Brian J. Hesse

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A myth can either be a false belief or an idealised conception. This introduction demonstrates why 'Somalia' is both.

'Somalia' in abstract

'Somalia', a number-seven-shaped country on the north-eastern horn of the African continent, has long been a contested concept, even amongst Somalis. For example, at independence in 1960 when British Somaliland and Italian Somaliland united to form The Republic of Somalia, some Somalis agitated for a much larger version of a country. Their country, a 'Greater Somalia', would have included Somali brethren in what is today Djibouti, eastern Ethiopia and northern Kenya. Indeed, it was in part with an eye to expand the contours of 'Somalia' that the Mogadishu-based dictator General Mohamed Siyaad Barre invaded the Ethiopian Ogaden in 1977/78. After suffering some 25,000 casualties in less than a year and losing the war, an array of opposition forces rose up, all intent on overthrowing the Barre regime. It ultimately fell after many bloody years, in January 1991. Thus began a definitive fragmentation of 'Somalia'.

In the wake of the Barre regime's collapse some three million Somalis (out of an estimated population of between 6.8 to eight million in 'Somalia') declared unilateral independence in May 1991; they continue to build their independent Republic of Somaliland in the northwest. In the northeast some 1.5 million Somalis declared their own autonomous state of Puntland in 1998; in the intervening years they have elected four presidents, the most recent having assumed office in January 2009. In the middle and south of Somalia various 'autonomous states' have been declared – Galmudug State in 2006, for example – albeit they have tended to look and function like much of the rest of the anarchic south, known for its shifting, often violent, patchwork of clan-based fiefdoms. And, of late, variations of yet another type of Somali nationalist have risen up: one wishing to forge a 'historic Somaliland' in the name of Islam. Presumably these Islamists' geographic vision bears little resemblance to the distinctly shaped 'Somalia' of most maps.

The fact that the 'Somalia' of most maps endures owes much to the international community. From the United Nations down through its member states, including those in the African Union and the Arab League to the besieged Transitional Federal

Government of Somalia in Mogadishu, the official line is that the territorial integrity of 'Somalia' is inviolable and indivisible. Granted, this tenet often tends to be self-serving: many states were products of less than organic processes themselves with borders drawn by, say, colonial powers; the governments of such states fear that a fractured 'Somalia' might encourage separatist movements within their own countries. Regardless, the prevailing view is this: that a majority of Somalis can be and will be united in a viable state one day. Such a view belies the fact that in the modern era Somalis have nearly always lived with a dizzying array of flags, but rarely united under one of their own.

An allegorical flag

The official, internationally recognised Somali flag consists of a five-pointed, white star on a field of light blue. Each of the star's points represents one of five parts of the Horn of Africa where ethnic Somalis live. But over the Ogaden, it is Ethiopia's flag which flies. In the Northern Frontier District, it is Kenya's. In former British Somaliland, the flag of The Republic of Somaliland now predominates. In Djibouti, it is that sovereign country's standard. And in a fifth part of the Horn, the part that used to be Italian Somaliland (that is, the north-eastern parts of Somalia to southern Somalia), even here the Somali national ensign is rarely seen, replaced in some instances by the banner of Islam.

As for the field of light blue on the Somali national flag, it is a similar shade to the blue on the United Nations' flag. When the Somali national flag was created in 1954 the blue might have signified hope for an end to the UN's trusteeship era, then being carried out by the United Kingdom and Italy. Later, the field of blue might have come to signify the UN's unwillingness to stop Ethiopian military incursions into, and outright occupations of, Somalia (the latest Ethiopian occupation lasted from 2006 to January 2009, and placed between 8000 and 15,000 forces on Somali soil). Or the field of blue might signify the various UN-blessed military interventions in Somalia since 1992: from America's 'Operation Restore Hope', which reached a peak of 30,000 US and other troops; through UNOSOM II of 'Blackhawk Down' fame, with a multi-national force of 28,000 personnel and 3000 civilians; to the African Union's deployment from January 2009 of up to 8000 peacekeepers, of which just over 5000 were on the ground as of February 2010.

Simultaneously, countless non-governmental organisations (NGOs) have shown their colours in Somalia, from the ACF (*Action Contre la Faim*) to the Red Cross and Red Crescent Societies. Today there are no less than 50 NGOs in the field (United Nations Relief Web 2010; Somalia NGO Consortium 2009), their banners signifying activity and projects the Transitional Federal Government of Somalia cannot do alone, or is incapable of doing at all.

Finally, there are the flags associated with Somali refugees and the Somali diaspora. In Africa large Somali populations are found in Ethiopia, Kenya and Djibouti. In the Middle East significant Somali communities are found in Yemen and the United Arab Emirates, and smaller ones in Saudi Arabia, other Gulf States and Egypt. In Europe, the United Kingdom hosts the largest number of Somalis, while the Netherlands, Norway, Denmark, Sweden and Finland, too, have sizable communities. And in North America one can find substantial Somali communities in the United States and Canada, especially around Minneapolis and Toronto. In total

more than one million Somalis live outside Somalia, or stated another way, about 14% of all Somalis live abroad (UNDP 2009). From abroad the Somali diaspora is estimated to send home between US$750 million and US$1 billion annually (Lewis 2008, 134; Maimbo 2006, 20). The remittances are meant *not* to support 'Somalia' per se, but family- and clan-members. And it is families and clans to which Somalis typically show their highest degree of loyalty.

A clan-driven narrative

In Somali genealogy most Somalis are born into one of six 'big tent' clans. Four of these clans – the Darod, Dir, Hawiye and Isaaq, collectively known as 'Samaale' clans[1] – share the closest linguistic and cultural ties. These historically nomadic clans together constitute somewhere around 75% of all ethnic Somalis. Two more clans – the Digil and Rahanweyn of southern Somalia, sometimes called Digil-Mirifle – together comprise about 20% of all ethnic Somalis. They speak af-maymay, distinct from the af-maxaa of Samaale clans, and have historically practised a more sedentary lifestyle of farming and/or pastoralism. Additionally, and in contrast to the borderline xenophobia of many Samaale clans, Digil and Rahanweyn clans have had a custom of assimilating clansmen, from non-ethnic Somalis to former slaves and their descendants. Indeed, in the Rahanweyn's language their clan's name means 'large crowd'. A divide between Samaale clans and the Rahanweyn and Digil clans is pointedly evident when Samaale clan members use the derogatory word sab (translation: 'ignoble') when referring to some of their Rahanweyn and Digil Somali brethren.

Somalis further classify themselves into subclans, or even sub-subclans and beyond. For example, in the Isaaq clan, which falls under the umbrella 'Samaale' clan structure, there are no less than three (some scholars say as many as eight) subclans: the Habar Awal, Habar Jaalo, and the Harhajis. The Habar Awal are then divided into at least two sub-subclans: the Sa'ad Muse and the Lise Muse . . . and so on. Classification can even extend right down to the household level: if a man has more than one wife, for example, some in the household might stress the clans, subclans or sub-subclans associated with one maternal line over another. What is more, not all Somalis agree to which lineage lines other Somalis belong. Somali genealogy presents individuals with a seemingly infinite number of ways to affiliate with, or disassociate from, fellow Somalis – which may be the point.

Whether one is looking at those in a day-to-day nomadic existence in a semi-desert, day-to-day existence in an urban area of a failed state, or day-to-day existence as newly-arrived émigrés in a foreign land, Somalis need to have durable yet malleable ways to negotiate limited opportunities and limited resources. The Somali lineage system accomplishes this.

Whereas outsiders usually see an *impractically* complex, shifting system of genealogy, many Somalis see a *practically* complex, shifting one. Has a water hole or grazing area become too small for the number of clansmen using it? A subclan or sub-subclan can break away and assert control over it. Has another clan come to monopolise an area of commerce, to the detriment of all others? A number of subclans can pool their resources to start their own rival enterprise. Have members of a particular household established themselves in London or Minneapolis? A new arrival of the same lineage can tap these distant relatives for advice and support.

What cannot be debated is the consequence and prominence of such fraternal schisms, evident in the traditional Somali greetings: 'Is it peace?' and 'What is your lineage?'

An old story today told

An argument could be made that today's clan dynamics amongst Somalis were largely established in pre-colonial times, when nomadic realities worked against state formation. For example, how does a government form, represent or tax constituencies which are always moving, sometimes across international borders? Says one academic: 'The very idea of the state is totally alien to Somali culture and was unknown before the colonial period. A settled population is needed before any form of state can be established… Nomad society is essentially anarchic' (Prunier 1997). Further, the assertion could be made that most Somalis' nomadic heritage in a near-desert environment produced a sort of enduring 'rugged individualism' in the extreme. As Professor I.M. Lewis notes: 'In the harsh struggle for survival which is a nomad's lot, suspicion is the natural attitude towards those with whom one competes for access to scarce pasture and water. This defence mechanism is extended to all contexts of social interaction and hence becomes a national characteristic' (Carlson 2009). This has been to the detriment of widely-held notions of modern governance, which ultimately require a citizen to defer to a higher sovereign authority beyond one's clan, subclan, and/or sub-subclan.[2]

Of course it could be maintained that it was the colonial- and trusteeship-eras which most exacerbated Somali clannism, and thereby most hindered the formation of a unified Somali state. Most obviously colonial powers sliced up the Somali nation with colonial boundaries. Yet perhaps of equal or greater consequence within British Somaliland and Italian Somaliland, authorities were in the practice of appointing clan chiefs. This caused tensions inside clans because the Somali *shir* custom obligates *all* adult males in a clan to deliberate and decide political and economic affairs by council, rather than by individual chiefly fiat (hence the nineteenth-century British explorer Richard Burton's claims, oft-quoted, that the Somalis are 'a fierce and turbulent race of republicans', based on his observations of *shir*). Relations across clan lines were likewise aggravated due to colonial favouritism, real or perceived, as some clans' chiefs were elevated over others.

Finally, it could be said that the clan-induced groundwork for a failed Somali state occurred in the wake of independence in 1960. In what was to be a unified Somalia, northern clansmen from former British Somaliland (the Isaaq mostly, but also some Dir) came to fill most technical posts. Clansmen from former Italian Somaliland (mostly the Darod and Hawiye, at the exclusion of the Rahanweyn and Digil) came to fill many political ones. Why this happened is sometimes attributed to the educational preparedness the British and Italians meted out before independence. The British, thinking mass education was too uncertain in nomadic cultures, set up only a few schools in their part of Somalia, but schools which offered a high standard of education. A select few Somalis were then sent to British universities. By contrast, the Italians introduced mass education, but at a low standard and with a heavy hand (Somalis were expected to adopt the laws, customs and economic preferences of the Italian state). At independence, then, certain Somalis were better positioned to seize political and economic spoils, but almost always in the company of clansmen.

Consequently, centres of governmental power and authority came to be associated not with the state so much as with clans. Had the filling of governmental positions not been so segregated and the allocation of governmental power more genuinely broad, unified Somali statehood might have been advanced. As it was, the immediate post-independence era was marked less by national unity and more by heightened clan rivalry. This rivalry came to a head in October 1969 when Somalia's president, Abdirashid Ali Shermaake (a Darod), was assassinated. The military ultimately took control and government rule evolved into a dictatorship with Major-General Mohammed Siyaad Barre (a Darod) as president.

Initially Barre's rule was marked with a totalitarian effort to stamp out clannism through an ideological mix of Lenin, Marx, the Koran, Mao and Mussolini, obliquely known as 'scientific socialism'. As part of scientific socialism all political parties were banned except Barre's Somali Revolutionary Socialist Party, the premise being that parties were merely products and tools of clans. People were forcibly settled on communes where clans were deliberately mixed. It became illegal for Somalis to inquire about or refer to a person's lineage, not even at weddings, burials or religious rites. All Somalis were to call each other *jaalle*, or 'comrade'. Traditional institutions were dismantled, replaced by government-appointed officials.

As noted earlier, Barre's rule was eventually challenged after his failed Ogaden campaign. When faced with the prospect of losing power, though, he quickly abandoned efforts to stamp out clannism and instead resurrected and ratcheted up clan differences. But he also continued to outlaw and undermine traditional clan institutions, such as *shir* councils. His goal was to divide, weaken and conquer his opponents while diverting attention away from his regime's failures. Simultaneously he turned inward, to his own clan base – to the point his government came to be known amongst Somalis as MOD: Mareehaan, Ogadeni and Dulbahante, three sub-subclans of the Darod clan to which he, his mother, and son-in-law belonged. These actions were to have lasting consequences.

Historically Somalis have organised themselves into social insurance cooperatives called *diya*-groups (*diya* meaning 'blood wealth'). *Diya*-groups can consist of clans, subclans and/or sub-subclans, but members are always contractually bound to pay or receive damages collectively. Within this framework there is no concept of individuality. So, in the case of murder, a killer is expected to have his *diya*-group deliver just compensation to the victim's *diya*-group. Should compensation not be received, then the victim's kin are expected to exact blood revenge not only on the perpetrator, but also on *any member* of the perpetrator's lineage – which often touches off even more claims and counter-claims for *diya* payments or revenge. As noted above, the Barre regime in its latter years had stressed clan divides yet continued to outlaw *diya*-groups. As a result, when the regime fell in 1991 and Somali clans scrambled to seize what was left of the Somali state, many were killed in the chaos. Barre-inspired rhetoric had primed clansmen to expect such killing from 'others'. Yet the regime had also precluded the formation or adequate functioning of *diya*-groups which could have adjudicated conflicts and maybe mitigated violence. Consequently, cross-clan and internecine clan bloodshed took place on a massive scale.

Undoubtedly clan dynamics continue to drive conflict amongst Somalis, albeit these dynamics are not always obvious to the casual observer. For example, al-Shabaab, Hizbul Islam, Ahlu Sunna wal Jama'a and the Transitional Federal

Government are all players in Somali politics. All purport to be Islamist organisations to varying degrees. Members of al-Shabaab and Hizbul Islam profess a Saudi-inspired version of salafist Islam. Members of Ahlu Sunna wal Jama'a embrace a version of Sufi Islam. The Transitional Federal Government in Mogadishu accommodates a range of Islamist views. As a result, when the BBC published a 15 March 2010 report on fighting in central Somalia, it is perhaps forgivable that editors chose to go with the headline 'Somali Sufi group joins government to fight al-Shabaab' (BBC 2010). The byline elaborated further, stating 'A powerful Sufi Muslim group has joined Somalia's government to tackle the al-Qaeda-inspired al-Shabaab insurgents who control large parts of the country'. What followed was a 144-word article.

Needless to say 144 words is not enough space to explain that Ahlu Sunna wal Jama'a fighters in central Somalia were mostly an alliance of: 1) the Dir clan; 2) the Harehaan (a Darod subclan); and 3) the Habar Gidir, Ayr and Hawaadle (the first a subclan of the Hawiye clan, the last two sub-subclans of the Hawiye clan). In turn, al-Shabaab's fighters in central Somalia were mostly an alliance of Murosade, Duduble, Gaalje'el and Gugundhaab (all Hawiye sub-subclans).[3] Long before the rise of al-Shabaab – that is, well before 'Sufis vs Salafists' became a headline – these various clan interests had vied for control of the Shabelle River Valley, the 'central Somalia' of the BBC piece, because the Shabelle has some of the most productive land in all of Somalia for grazing and agriculture. Throw in a healthy dose of *diya* history, with cycles of cross-clan fighting, internecine feuds and shifting alliances, plus an ongoing drought (the Shabelle River is one of only two permanent rivers in the region), and a considerably more complex story emerges than what was conveyed in the BBC piece.

A Somali epic: Central governance, part 15, version 4.5

It was with an eye towards accommodating Somalis' complex ideological, historical, social, political and economic concerns that the Transitional Federal Government (TFG) of Somalia was founded. Getting to its founding took 13 years and marks the fifteenth attempt since 1991 to restore central governance in Somalia.

The TFG was born in 2004 in hotel conference rooms in neighbouring Kenya, the product of protracted negotiations rather than elections. Reflecting the influence of clans, the TFG adopted, and still utilises, a '4.5 Formula'. Representation in the parliament is evenly divided amongst four main clan groups – the Darod, Hawiye, Dir and Digle-Mirifle – plus five minority constituencies. The minority constituencies include 'minor clans', non-ethnic Somali groups, members of the Somali diaspora, citizens' groups, and various Islamist organisations. In total the TFG's parliament has 550 representatives, having grown from an original 275 members. The TFG has a president, who parliament elects, as well as a prime minister; the TFG Charter is not clear about the division of labour between the two. All members of the TFG from the president down were originally to serve a maximum five-year term, during which time they were to oversee a popular referendum on a federal constitution for Somalia. Having failed to achieve this, the parliament has since voted to extend all terms until 2011.

From its founding in 2004 until June 2005 the TFG had to meet in neighbouring Kenya. From June 2005 until February 2006 the parliament did not convene, and the

president and prime minister vied openly to serve their Darod- and Hawiye-clan bases, respectively. When the parliament finally did convene again in February 2006 it was at last on Somali soil, but from a converted grain warehouse in the western city of Baidoa. During this time it was not the TFG which expanded its writ in Somalia; rather it was the Union of Islamic Courts (UIC). In the first half of 2006 the UIC, a broad umbrella group of moderate to fundamentalist Islamists and Somali nationalists, racked up military victories against 'The Alliance for the Restoration of Peace and Counter-Terrorism' – in reality little more than a coalition of US-backed clan militias. A semblance of peace and stability followed. For the first time in 16 years Mogadishu's seaport and international airport reopened, large swathes of central and southern Somalia fell under a unified administration, commerce surged, and members of the Somali diaspora returned – including many members of the TFG, to Baidoa.

Khartoum-based talks followed as regional actors tried to bring the TFG and UIC together to forge a unity government. Neither side trusted the other. The UIC was suspicious of the corrupt 'per diem culture' of the TFG. The TFG's members suspected they would lose power and patronage in any unity government. At a deadlock, the UIC tried to impose a victor's peace. In pushing westward, towards Baidoa, the UIC came in increasing contact with Ethiopian forces – officially in Somalia as 'trainers' for a nascent TFG national military. As clashes escalated some of the more radical leaders within the UIC began to call for a 'holy war against Christian Ethiopia'. Ethiopian leaders in turn articulated their own radical claims, saying the UIC had extensive links with al-Qaeda and that there was a real danger of a Taliban-like regime appearing in the Horn of Africa. A full Ethiopian military invasion followed and by January 2007 the Union of Islamic Courts had been forced out of power. This paved the way for the TFG to set foot in Mogadishu for the first time since its inception – but only under the protection of upwards of 8000 Ethiopian forces. When Ethiopian forces left Somalia in January 2009 a UN-blessed African Union force arrived in their place. Today the TFG is besieged, controlling little more than a few blocks in Mogadishu. That it has been unable to control much more is not for want of trying.

In January 2009 the TFG parliament saw off the divisive Abdullahi Yusuf (a Darod clan member), the TFG's first president. In Yusuf's place TFG parliamentarians elected Sheik Sharif Sheikh Ahmed – the very chairman of the Union of Islamic Courts they had battled in 2006 and a member of the Hawiye clan (Abgaal subclan), the clan whose members disproportionately comprise al-Shabaab, the main insurgent group now fighting the TFG. In February 2009 parliament and the new president oversaw the induction of Omar Abdirashid Ali Sharmarke as prime minister. In many ways Prime Minister Sharmarke was the TFG's '4.5 Formula' incarnate: his Darod credentials provided clan balance within the TFG's leadership; the assassination of his father in 1969 as the first civilian president of the Republic of Somalia evoked broad sympathy and a historical sense of central governance; his dual-national status as both a Somali and Canadian appealed to Somalis at home and abroad; and finally, he and President Ahmed seemed to prefer to work together rather than against one another, in marked contrast to the president and prime minister who preceded Ahmed and Sharmarke. In March 2009, then, the TFG cabinet adopted a Somali version of Islamic *sharia*. These moves collectively and in quick succession – the removal of Yusuf; the election of President Ahmed; the

election of Prime Minister Sharmarke; the adoption of *sharia* – had interrelated hopes associated with them. First, it was hoped that the moves would sap momentum from the multifaceted insurgency the government faced. Second, it was hoped that the moves would help extend the central government's sovereign reach. They did neither. Today the TFG is 'in residence, but not in power' (Hassan and Barnes 2007). The UN Somalia Monitoring Group has come to a similar conclusion. Indeed, in its March 2010 report the Group observed that the only thing between the surrounded 'bunker government'[4] of the TFG and well-armed insurgents is a mere 500 metres and a thin line of African Union troops to which 'the government owes its survival' (UN Security Council Somalia Monitoring Group 2010, 6, 19).

Of course members of the TFG are not the only ones concerned with survival. The United Nations Office for the Coordination of Humanitarian Affairs says some 3.5 million Somalis are in need of aid and over 1.2 million are internally displaced. Fighting in Mogadishu alone in recent months has led to an exodus of more than 100,000 civilians from in and around the city, with hundreds killed and thousands injured. All told, it makes for the worst humanitarian disaster on the planet.

Parables of predation

The lion, the jackal, the wolf and the hyena agreed to hunt together, and to split their kills. After cooperatively killing a camel, the lion asked 'Who divides the meat?'

The wolf volunteered to divide the meat, as he could count. He promptly cut four pieces, each of equal size, and placed the pieces in front of the hunters.

Angry, the lion swiped the wolf across his eyes with his massive paws and claws causing the wolf to cower in bloodied pain. 'Is this any way to count?' roared the lion.

The jackal intervened. 'The wolf does not know how to count. I will divide the meat'. The jackal then cut three small portions for the wolf, the hyena and himself. He placed the largest, best piece in front of the lion, who promptly collected his share and departed. The wolf, the hyena and the jackal were left with their relative scraps.

'Why did you give the lion such a large piece? Why is he entitled?' asked the hyena.

'I learned from the wolf', replied the jackal.

'You learned from the wolf?' cried the hyena. 'How can anyone learn from the wolf? He is stupid'.

Still nursing his injured eyes, the wolf ended the debate: 'The jackal is right. He knows how to count. Before, when my eyes were open, I did not see. Now, though my eyes are wounded, I see clearly'.

The above Somali parable features four main predators. Likewise, there are four main 'predators' currently arrayed against the Transitional Federal Government (TFG) in Mogadishu. They are:

- al-Shabaab, with militiamen mostly drawn from the ranks of Hawiye clansmen;
- Hizbul Islam, with militiamen drawn mostly from the ranks of Darod clansmen;
- Raas Kaambooni, with militiamen mostly drawn from the ranks of Darod clansmen, but from the Mohamed Subeer subclan; and
- Anoole/al-Furqaan, with militiamen mostly drawn from the ranks of Darod clansmen, but from the Majeerteen, Warsengeli, Dhulbahante sub-subclans of

the Harti subclan of the Juba River Valley (collectively referred to as 'Harti Waamo' in the Juba Valley).

While events dictate which insurgent group might correspond to what animal in the 'Parable of the Predators', it is clear some, probably most, desire a lion's share of opportunity, power and influence. Shared scraps – whether in a '4.5 Formula' or some other form – hold little appeal. In fact, some insurgents' desire to exert unrivalled control goes beyond trying to subjugate obvious enemies. At times it means they have sought to overpower sometime- and would-be allies, as has been seen in Kismayo.

From 2008 until late into 2009 Raas Kaambooni militiamen in the port city of Kismayo seemed to be allied with both Hizbul Islam militiamen *and* al-Shabaab militiamen. With regard to the latter, a deal had been struck where Raas Kaambooni forces and al-Shabaab forces were to take six-month turns controlling the city port, thereby benefitting from its lucrative import and export activity. But in October 2009 al-Shabaab leaders reneged on the arrangement. In response Raas Kaambooni fighters mobilised to take the port by force. Fearing inter-insurgent fighting would damage efforts to defeat their common enemies, Hizbul Islam's leadership appealed to Raas Kaambooni's leaders for calm. Instead, Raas Kaambooni leaders broke with Hizbul Islam's leaders *and* commenced an attack on al-Shabaab militiamen (Insidesomalia.org 2009a, 2009b; IRIN 2009; AEI Critical Threats 2009).

Parallels most certainly can be drawn between what happened in Kismayo in late 2009 and what occurs in 'The Parable of the Predators': the port could be represented as the camel in the story; Hizbul Islam's leadership as the jackal; Raas Kaambooni and al-Shabaab militiamen as aspiring lions. But setting aside a Somali tradition of symbolic storytelling, most explicitly the events show in microcosm key Somali social, political and economic dynamics in that: a) clannism proved capable of trumping nearly all else as Darod fought Hawiye, trumping even the ostensible solidarity Raas Kaambooni and al-Shabaab militiamen professed to share in terms of a common salafist religious ideology; b) clan solidarity proved susceptible to subclan schisms, as seen when Darod clansmen in Raas Kaambooni split with their Darod brethren in Hizbul Islam and; c) the TFG exerted little to no influence on matters, indisposed or impotent, say, to take advantage of the insurgents' infighting.

Ultimately it is 'c' which most concerns many in the international community. A hope exists that the TFG, with its inclusive '4.5 Formula', the right leaders and correct action, can get past the historic Somali excesses associated with 'a' and 'b'. Yet this could be as futile as trying to divide a camel equally amongst unequal predators. If past is prologue, Mogadishu-based central governance going forward might prove just as unfeasible as it has in past decades. This begs the question: what if the TFG in Mogadishu falls? What then?

A complete dissolution of Mogadishu-based central governance would not necessarily lead to absolute anarchy; for example, there will continue to be functioning governments in the northwest and northeast, in Hargeysa, Somaliland and in Garowe, Puntland. But elsewhere in 'Somalia' there could be a 'radical localisation of politics' (Nurhussein 2008, 10). Under such a scenario governing authority could potentially revert more fully back to traditional sources: the *shir* and the *sheikh*. In the former, law and order stems from collective clan discussions (especially amongst elders) and consensus. In the latter, law and order is derived from

the legal precedents of learned religious figures, historically adhering in Somalia to the more moderate Shafi'i school of jurisprudence rather than an ultra-conservative salafist school. As Ken Menkhaus explains in his book *Somalia: State collapse and the threat of terrorism*, the 'law and order Somalia enjoyed prior to the late 1980s – and Somalia was unquestionably one of the safest places in Africa – was a reflection of the social contract more than the capacity of the police (or of a central government)' (Menkhaus 2004, 32–3). Conceivably a localising trend with a corresponding increase in law and order would then allow for an easing of the massive humanitarian crisis many Somalis now face: internally displaced persons and refugees could return home; land could be put back into more productive use; commerce could better take place.

But what if what if absolute anarchy does reign? Could 'Somalia' become a hive of terroristic activity? There is a reason Osama Bin Laden went from Sudan to Afghanistan in 1996 rather than from Sudan to Somalia; perhaps he realised in 1996 what became evident in Kismayo in late 2009: that amongst Somalis clannism tends to trump nearly all else, including religious solidarity. Still, if Bin Laden gave a pass to Somalia then, some Islamic militants are being enticed to fight 'the enemies of Islam' there now. For example, on 22 July 2009 Islamic militants posted a 42-minute audio segment on http://www.alqimmah.net. In the segment African Union forces were cast as infidel invaders. Listeners were then urged to support jihad against them (UN Security Council Somalia Monitoring Group 2010, 29, 51–2). In this light it is arguably 'the other' – embodied in everything from African Union troops to US military aid – which motivates many actual and would-be fighters. If overt foreign influences were removed from the equation it is quite likely an anarchic 'Somalia' would force most Somalis to look inward rather than outward. The precedent here is what happened in the mid-1990s when the last UN forces pulled out.

And what if Somalis or the international community come up against an outward-looking radical or an internationally-threatening despot? What if a Somali-based Osama Bin Laden character, or a modern-day General Mohamed Siyaad Barre, emerges from the ashes of 'Somalia'? It should be remembered that such leaders tend to have limited tenures in Somali politics. Bring to mind General Mohamed Farrah Aideed, the warlord of 'Blackhawk Down' fame. He more than any Somali is often credited with doing the most to force an end to the United Nations' and United States' military interventions in Somalia between 1992 and 1995 – all with an American bounty of US$25,000 on his head. In June 1995, after the last UN forces withdrew, Aideed declared himself president of Somalia. By 1 August 1996, though, he was dead from gunshot wounds sustained in inter-clan fighting.

Recall, too, what occurred in 2006 when the Union of Islamic Courts brought a degree of peace and stability to central and southern Somalia, but then elements of the UIC started to impose a *sharia* system banning Sufi Islamic practices specifically, and those allowed under the Shafi'i School generally, calling such practices 'unIslamic'. Many let it be known they were not going to tolerate such prohibitions and claims. 'Our clan has agreed to defend our land, and we will fight the courts hiding under the cloak of Islam and trying to fool our people' one man was quoted as saying at a rally of thousands (Lacey 2006).

More recently some al-Shabaab leaders have been challenged because of their support for extreme and indiscriminate acts of violence. The first hints of dissent came in the wake of an al-Shabaab-orchestrated suicide bombing at the Shamo Hotel in Mogadishu on 3 December 2009. The operation killed four government ministers. It also resulted in the deaths of 19 others, some of whom were medical students whose graduation the ministers had come to celebrate (Hassan 2009; Geoghegan 2009). In response, a dissident branch of al-Shabaab leadership emerged, one named 'Millat Ibrahim'. These leaders made it a point to say the Shamo Hotel attack was excessive (UN Security Council Somalia Monitoring Group 2010, 15). That such a dissident branch came into existence within al-Shabaab suggests at a minimum the most extreme leaders are incapable of exercising total control over their organisation. At most Millat Ibrahm's emergence might be a harbinger of the marginalisation of more radical elements. Either case might portend a change in the predatory order Somalis have so long suffered.

The myth of 'Somalia'

So what is a person to make of 'Somalia'? Authors to follow provide various insights. Apuuli Phillip Kasija, in 'The UN-led Djibouti peace process for Somalia 2008–2009', gives a detailed account of the emergence of Somalia's current unity government 'with the largest representation of Somali society so far', but why this has not guaranteed a stable and functional national government. Mohamed Ibrahim explores whether there is a growing connection between Somalia and global terrorism in his eponymous article 'Somalia and Global Terrorism'. In 'The Fourth Point', Donavan Chau examines the influence of ethnic Somali populations outside of Somalia on politics within Somalia itself, focussing specifically on Kenyan Somalis. Said Samatar, via 'An Open Letter to Uncle Sam', mines historical experience in order to offer cautionary advice to the United States and international community on how to respond to today's al-Qaeda-linked Somali insurgents and Somali pirates. J. Peter Pham provides a detailed overview of the political economy of Somali piracy and its connection to state failure in 'Putting Somali Piracy in Context'. Finally, in 'Where Somalia Works', this author (Brian Hesse) makes the case that select parts of the Somali economic, social and political landscape work quite well, yet paradoxically, also reflect some of what is most wrong with Somalia. In sum, a myth by definition can be either a false belief or an idealised conception. Given what is written above and what follows 'Somalia' most certainly is both, if not more.

Notes

1. Samaale is the mythical founder of the Somali people.
2. In Somali history there were sultanates which looked quite state-like. However, these sultanates rarely extended sovereignty beyond the sultan's own clan, and traditional clan dynamics still trumped nearly all else.
3. For one of the better comprehensive breakdowns of current clan dynamics in Somalia, see the UN Security Council Somalia Monitoring Group's report from March 2010, http://www.un.org/sc/committees/751/mongroup.shtml and http://daccess-dds-ny.un.org/doc/UNDOC/GEN/N10/246/89/PDF/N1024689.pdf?OpenElement.

4. For a TFG minister's personal, first-person account of what 'bunker government' life is like see 'Life inside Somalia's bunker government', *Foreign Policy*, 5 March 2010.

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The UN-led Djibouti peace process for Somalia 2008–2009: Results and problems

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The UN-led Djibouti peace process for Somalia came to a climax at the end of January 2009 with the election of Sheikh Sharif Sheikh Ahmed as the president of the new unity government. The negotiations took place outside Somalia and excluded some of the most important players in Somali politics. The Djibouti process was protracted and resulted in 'winners' and 'losers', among the former being Sheikh Sharif and Sheikh Madobe, and the latter former President Abdullahi Yusuf and Prime Minister Nur Hussein 'Adde'. Ultimately, this UN initiative continues to run into difficulties because it excluded important Somali groups who continue to wreak havoc on the ground in Somalia by violent means.

From May 2008, under the auspices of the United Nations Political Office for Somalia (UNPOS), members of the Transitional Federal Government (TFG) of Somalia and the moderate wing of the resistance movement Alliance for the Re-Liberation of Somalia (ARS) started meeting in the town of Djibouti to find a way forward in rebuilding the collapsed state of Somalia. The negotiations between the two sides led to the conclusion of several agreements and declarations culminating in the election of Sheikh Sharif Sheikh Ahmed as the new president of Somalia.

This article discusses whether the UN-led Djibouti peace process has been a success, detailing some of the issues that characterised the process, and offers reflections on the preconditions of efficient international intervention in the Somali crisis. It sequentially presents a recent history of Somalia, the African Union Mission to Somalia (AMISOM), agreements reached between the TFG and ARS, the process and reasons surrounding the election of Sheikh Sharif as president, and concludes that notwithstanding the fact that the clear winner from the UN-led process was Sheikh Sharif Sheikh Ahmed, the (self-imposed) exclusion from the talks of the two main militant groups, the al-Shabaab[1] and the Hizbul Islam[2] has

complicated the functioning of the new TFG administration in Somalia under Sheikh Sharif. Both insurgent groups refuse to negotiate with the TFG.

A recent history of Somalia

The collapse of the Somali government and state was occasioned by the overthrow in January 1991 of the dictator Mohammed Siyaad Barre. Since 1991, Somalia has gone militarily from warlord clashes through almost regular warfare (Weber 2008, 16). The separate opposition movements which collectively destroyed the Barre regime were sectarian themselves and had no reconstruction programme (Sabala et al. 2008, 147). Meanwhile, both regional and international communities, desirous of stability, have been searching for ways to help reconstitute the Somali state by working towards the institution of a functioning government in Mogadishu. The Djibouti process that began in May 2008 is the fifteenth attempt by the international community at re-establishing the Somali state.[3] Other notable peace initiatives[4] which can be cited include the following.

(a) Djibouti I and II

The Djibouti I and II processes were called by President Hassan Guled Aptidon of Djibouti soon after Siyaad Barre was overthrown in early 1991. These meetings, supported by Egypt, Italy and Saudi Arabia, brought together representatives of various movements, such as the Somalia Patriotic Movement (SPM), United Somali Congress (USC), Somali Salvation Democratic Front (SSDF) and Somali Democratic Movement (SDM). However, the Somalia National Movement (SNM) representing the self-declared Republic of Somaliland[5] and the USC (Hawiye Habr Gidir) wing of General Mohammed Farah 'Aideed' declined to attend the meetings. Aideed derided the whole Djibouti process and rejected Ali Madhi Mohamed's interpretation of the Djibouti II accord as acknowledging his claim to the post of interim president (Menkhaus 1997, 47). After Siyaad Barre had fled Mogadishu at the end of January 1991, the USC leadership had unilaterally, without consulting other opposition groups, appointed the wealthy hotelier Ali Mahdi Mohamed as interim president of Somalia on 29 January 1991. The appointment had been interpreted by the other groups which had fought against the Siyaad Barre regime as a power grab (Issa-Salwe and Ciisa-Salwe 1994, 82) and had resulted in armed clashes between Mahdi's supporters and those opposed to him. General Aideed stated that Ali Mahdi had been appointed 'on (*sic*) the instigation of Siad Barre' (Abraham 2002, 71) and stated that '... Ali Mahdi was nothing but a continuation of Siad Barre regime indirectly' (ibid). In the end, Djibouti I and II processes, which could have set the stage for the recreation of a state authority in Somalia, were stillborn (Menkhaus 1997, 47).

(b) The Sodere process

The other notable national reconciliation conference for Somalia was the Ethiopian-organised Sodere process. Riding on the tide of anarchy in Somalia, the Organisation of African Unity (OAU) had established the Mechanism for Conflict Prevention, Management and Resolution (CPMR) and elected Ethiopian Prime Minister Meles

Zenawi as its first chairman. In April 1992, the Heads of State and Governments of the Intergovernmental Authority on Development (IGAD) formed a Horn of Africa Standing Committee on Somalia and elected Ethiopia as its chair. This formed the basis of Ethiopia's mandate to broker peace in Somalia. However, it has also been claimed that Ethiopia was encouraged to assume the lead role in mediating the Somali dispute by the United States, to promote its policy of 'African solutions to African problems' (ibid).

The Ethiopian-organised Sodere process for Somalia took place more than one year after the withdrawal of the peace-keeping forces of United Nations Operation in Somalia (UNOSOM II). After the withdrawal of the US troops in early 1994 (and the UN troops later that year) due to costly battles and many casualties without any result as well as the ongoing sabotage of the humanitarian mission, there had been a total loss of interest in Somalia. As Abraham (2002, 131) has observed, '... none of the countries that were involved in Operation Restore Hope were willing to burn any more fingers, or to waste lives or resources'. Nevertheless, African states remained concerned about the situation and decided that it was incumbent upon them to help resolve the problem, for Africa in general and the OAU in particular (ibid, 132). Somalia's immediate neighbours in the Horn region felt the same.

In October 1996, under its mandate as conferred by the OAU and IGAD, the Ethiopian government brought together representatives of 26 Somali clan organisations at Sodere, a resort town in Ethiopia. Following six weeks of talks, the 26 clans signed a reconciliation agreement (also called the Joint Declaration) on 3 January 1997.[6] The highlight of this agreement was the establishment of a National Salvation Council (NSC), composed of 41 members selected from the 26 clans participating at the conference. The NSC was tasked with making preparations to establish a Transitional Central Authority (TCA) or a Provisional National Government (PNG) of Somalia.

Sodere was a watershed in a number of ways in the history of mediation in Somalia. First, it constituted the first constructive dialogue among the paramount Somali political players after the withdrawal of the UN peacekeeping forces in Somalia. Secondly, it brought together virtually all the clan faction leaders. Thirdly, it was the only process so far that was based on the concepts of power sharing and inclusiveness. Nevertheless, while Sodere received endorsement from countries and organisations within and outside the region, it also ended in failure, for a number of reasons. First, and most importantly, the Somali National Alliance, the faction led by Hussein Mohammed 'Aideed' (son of General Mohammed Farah 'Aideed', who had died in 1996) did not participate in the conference. So while there was a broad spectrum of representation from 26 clans, one of the most important players in Somalia politics was excluded.

Secondly, when the NSC was established it operated out of Addis Ababa, which became its headquarters. This resulted in many Somalis perceiving the NSC as an 'instrument of Ethiopia'. In fact it has been claimed that Ethiopia's meddling in Somalia is the most important and persistent factor in the perpetuation of the Somali conflict (Elmi and Barise 2006, 39). Elmi and Barise (2006, 39) further contend that Ethiopia undermined the two most important peace accords, Sodere and the Arta Agreement of 2000 (see below).

Thirdly, when the agreement reached at Sodere was in the process of being implemented, Egypt, to assert its influence in Somalia and to undermine Ethiopia, convened another meeting of the Somali groups in Cairo in 1997. The agreement reached was signed by only three warlords, namely Ali Mahdi, Osman Ali 'Atto' and Hussein Mohammed 'Aideed'. The Egyptian initiative failed for a number of reasons: it was not inclusive, it was perceived as strengthening the position of the Hawiye clan-family while weakening the representation and political clout of the Darod clan; and some of the main faction leaders such as General Gebyo and Colonel Abdullahi Yusuf withdrew from the conference, accusing Egypt of attempting to hijack the Sodere process (Abraham 2002, 249–51). With the demise of the Sodere process, a new initiative to bring peace to Somalia was announced by Djibouti.

(c) The Arta process

The Arta process began in 1999 when President Omar Guelleh of Djibouti made a statement to the UN General Assembly outlining his plan to end the Somali conflict. Guelleh promised to hold a national reconciliation conference in which Somali civil society and traditional leaders would participate (Elmi and Barise 2006, 40). He stated that the warlords would be invited provided they promised to respect the outcome of the conference.

The Arta process brought together some 3000 Somalis, and thus came to be 'the largest Somalia-owned peace conference ever held' (ibid). Traditional leaders, civil society organisations, intellectuals and businessmen came together 'to forgive one another' and to establish a national government. The conference elected over 900 delegates who later appointed a 245-seat Transitional National Assembly (TNA) whose members enacted the Transitional National Charter (TNC). The new transitional president elected by the TNA (Abdiqassim Salaad Hassan) in turn appointed a prime minister (Hassan Abshir Farah) to head the Transitional National Government (TNG).

The TNG was to last for three years, up to August 2003. However, invoking sections of the 1960 Somalia constitution, President Abdiqassim extended his tenure of office (Kamudhayi 2004, 109). This government faced many difficulties because while it had been elected by members of civil society groups and traditional elders, together with professionals and academics among others, the other crucial group of actors, the armed groups, did not participate (ibid).[7] Thus, these groups effectively blocked and confined the activities of the TNG to a section of Mogadishu.

The TNG was also hindered by the activities of Ethiopia, which mistrusted its connections (see also Le Sage 2002). Whilst the Arta process had been open and transparent and had also received the support and endorsement of IGAD and Arab countries, Ethiopia was reluctant to accept and support the outcome of the conference (Elmi and Barise 2006, 41).[8] While convincing some of the warlords including Colonel Hasan Mohamed Nur of the Rahanweyn Resistance Army (based in Baidoa) to abandon the TNG, Ethiopia publicly stated that the Arta process was not complete (ibid). Thus it organised all the groups/factions and personalities opposed to the TNG, resulting in the formation of the Somalia Restoration and Reconciliation Committee (SRRC).[9] Elmi and Barise (2006, 42) maintain that the prime motivation for Ethiopia becoming the main 'spoiler' in Somalia's peace and reconciliation efforts was '...(trying) to keep the

Somali people divided and weak (so as) to eliminate any threat to Ethiopia from Somalia'.

(d) The Nairobi process

The TNG was succeeded by the Transitional Federal Government (TFG), which was established in Nairobi between August and October 2004 after protracted talks by a wide array of various Somali factions and facilitated by the IGAD.[10] The TFG was established using the '4.5 formula', according to which power was to be shared between the four main clan-families of Somalia: Hawiye, Darod, Digil-Rahanweyn and Dir; together with the minority clans, which constitute the 0.5. The negotiations leading to the establishment of the TFG involved the enactment of a Transitional Federal Charter (TFC) as a transitional constitution.

After finally being constituted in October 2004, the TFG operated from Nairobi for three months because the security situation in Somalia did not allow it to operate from there. When President Abdullahi Yusuf finally relocated to Somalia in June 2005 under heavy Kenyan pressure, the TFG could not exercise effective control over the country, as the warlords consolidated themselves in power. In addition, by early March 2004 two rival camps had emerged within the TFG. One was led by President Yusuf and Prime Minister Ali Mohamed Ghedi, and the other was composed of parliamentarians and cabinet members mainly based in the capital and principally from the Hawiye clan (International Crisis Group 2006, 4). Two issues divided the government: the location of the capital from where the TFG would function, and the proposal to invite peacekeeping forces to support the TFG. Whilst the president and his allies pushed for the TFG to operate from the provisional capitals of Jowhar and Baidoa due to the insecurity in Mogadishu, the Mogadishu-based parliamentarians and cabinet members perceived this to be a plan to isolate them. They also opposed the deployment of peacekeepers for fear that President Yusuf would use them to pacify their turf, Mogadishu, which would be tantamount to a declaration of war. Disagreements notwithstanding, it is clear that the election and stationing of the TFG in exile did not solve the chaotic situation in the country, as it did not establish an administration on the ground that could exercise control.

In the first half of 2006, a new force, the Union of Islamic Courts (UIC) formally emerged in Somalia after defeating the Alliance for Restoration of Peace and Counter Terrorism (APRCT), a motley coalition of warlords in and around Mogadishu. The APRCT was sponsored by the USA (through the CIA) to counter the threat of Islamic radicalism, to apprehend foreign terrorists involved in the 1998 US embassy bombings in Nairobi and Dar-es-Salaam and thought to be hiding in Somalia, and to prevent suspected al-Qaida elements taking root in Somalia.[11]

The UIC started to become a functioning and operational force in 2005, and was mainly supported and financed by the business community in Mogadishu who were tired of losing profits to the many roadblocks manned by clan militias (Weber 2008, 15). By June 2006 the UIC had managed to take over power in Mogadishu by defeating and neutralising the warlords there and rapidly extended its influence to the south and central parts of the country (Seifert 2008, 29).

While not enjoying any form of democratic legitimation, the UIC nevertheless provided a higher level of security and a modest economic upsurge. The UIC, for the first time in 17 years, united and managed to get rid of clan-based warlord rule

(ibid, 17). The courts gained control over the port in Mogadishu and re-opened it for business. They arranged road cleaning and garbage collection in Mogadishu, and people were able to walk the streets without the fear of being attacked, shot or robbed (ibid). For many Somalis, the UIC appeared to be the long-sought solution to years of state collapse (Menkhaus 2007, 371).[12] The downside of their rule was the imposition of a strict Islamic code and their opposition to 'un-Islamic behaviour'.

Ethiopia had been against the UIC, first, for fear of the radicals in their midst and second, it did not want to see a strong Islamic state next door. Fears within Ethiopia were aggravated by some of the UIC's leaders raising the 'Greater Somalia' policy again, thereby fuelling Ethiopian fears of the loss of the Ogaden (Seifert 2008, 35). The two factors – the religious and territorial threat – led to a more active engagement of Ethiopia in Somalia, probably encouraged by the USA.[13] After the ICU, driven by radical elements, had threatened to attack Baidoa and demolish the TFG there, Prime Minister Zenawi officially initiated the military intervention of his country in the Somali conflict on Christmas Eve 2006. As the UIC were relatively militarily weak, they were not able to fight back the combined forces of Ethiopia and the TFG. By New Year 2007, the last stronghold of the UIC, the city of Kismayo, was captured. Many leaders of the UIC were scattered and arrested, and others were killed.

After the routing of the UIC, the TFG, which had hitherto been based in the town of Baidoa, was able to enter Mogadishu, 'riding on the coat-tails of the Ethiopian forces, and assuming control over key government buildings under heavy Ethiopian protection' (Menkhaus 2007, 382). The prime minister of the TFG since February 2007, Nur Hassan Hussein 'Adde', asked the Ethiopian troops to remain in Somalia to support the government in restoring law and order. In September 2006, the African Union (AU) had already decided to send a peacekeeping mission to Somalia which should have been under the auspices of IGAD (Seifert 2008, 36). To this we now turn.

The African Union Mission to Somalia (AMISOM)

When the TFG was established in October 2004, it could not be installed in Mogadishu because of the bad security situation. As a result, at the sidelines of the fourth Ordinary Session of the Assembly of the Heads of State and Government of the AU meeting held at Abuja in January 2005, the IGAD Heads of State and Government (IHSG) reviewed the security situation in Somalia. In their meeting, IHSG took a decision 'to provide security to enable the newly established government of Somalia to relocate back home'.[14] The contemplated IGAD mission to Somalia was named 'IGAD Peace Support Mission in Somalia' (IGASOM). Subsequently, the IGAD ministers of defence met in Entebbe, Uganda, and drew up a deployment plan of the mission. The mandate of the mission was spelled as: 'to provide support to the TFG in order to ensure its relocation to Somalia, guarantee the sustenance of the IGAD peace process and assist with the re-establishment of peace and security'.[15]

From the start, IGASOM ran into a number of difficulties. First, the fact that the Agreement that establishes IGAD did not provide authority for the organisation to undertake a peace support mission in a member state. Secondly, the IGAD

Secretariat lacked the capacity (both human and financial) to handle a peace support operation. Thirdly, and most importantly, IGAD member state Eritrea, in tense relations with co-member Ethiopia after their 1998–2000 border war, objected to the deployment. On 7 February 2005, the AU Peace and Security Council (AU PSC) at its 24th meeting had in its communiqué 'authorised the deployment of IGASOM to provide support to the TFG in order to ensure its relocation to Somalia, guarantee the sustenance of the IGAD peace process, and assist with the re-establishment of peace and security by helping in the formation of the Somalia police and army'.[16] However, due to the difficulties cited above, IGASOM could not deploy.

On 14 June 2006, a significant policy shift occurred with the deployment of an international peacekeeping force in Somalia. In direct response to the UIC's takeover of Mogadishu, the TFP approved the deployment of foreign peacekeepers with 125 votes against 73.[17] In fact President Yusuf had been pushing for this since the beginning of his presidency, but the TFP had been too divided on the matter.[18] Subsequently, in July 2006, for the first time ever, the UN Security Council (UN SC) indicated its willingness to consider the AU's request for a peace support mission (to be implemented under IGAD) and to adapt the arms embargo to allow for the development of a security sector (that is, military assistance) under the TFG.[19] Nevertheless, while the conditions on the ground and the political environment remained unfavourable for the deployment, the UN Special Representative for Somalia also strongly advised against the deployment.

The UN SC finally gave a green light to the AU and IGAD to deploy a force in Somalia in December 2006. In its ambitiously worded resolution, the council authorised IGAD and member states of the AU

> to establish a protection and training mission in Somalia, to be reviewed after an initial period of six months by the Security Council with a briefing by IGAD, with the following mandate: to monitor progress by the TFIs and the Union of Islamic Courts (UIC) in implementing agreements reached in their dialogue; to ensure free movement and safe passage of all those involved with the dialogue process; to maintain and monitor security in Baidoa; to protect members of the TFIs and Government as well as their key infrastructure; and to train the TFIs security forces to enable them to provide their own security and to help facilitate the re-establishment of national security forces of Somalia.[20]

The council also partially lifted the arms embargo imposed on Somalia by its Resolution 733 of 1992 so that the authorised force would receive supplies of weapons and military equipment, and technical training and assistance.[21]

Subsequent to receiving the authorisation of the Security Council, an AU technical evaluation mission visited Mogadishu in mid-January 2007 and consulted with the TFG on the planned deployment of a peace support mission. This was, however, made possible by the defeat of the UIC by the Ethiopian forces in December 2006–January 2007. The AU PSC formally authorised the deployment of the African Union Mission to Somalia (AMISOM) at its 69th meeting held on 19 January 2007. AMISOM was to be deployed in Somalia for a period of six months with a mandate; 'to provide support to the TFIs in their efforts towards the stabilisation of the situation in the country and the furtherance of dialogue and reconciliation; to facilitate the provision of humanitarian assistance; and to create

conducive conditions for long-term stabilisation, reconstruction and development in Somalia'.[22]

On 20 February 2007, the UN Security Council formally authorised the deployment of AMISOM. The council authorised the member states of the AU to establish for a period of six months a mission in Somalia, which would take 'all the necessary measures' as appropriate to carry out the following mandate:

> to support dialogue and reconciliation in Somalia by assisting with the free movement, safe passage and protection of all those involved in the national reconciliation process; to provide, as appropriate, protection to the TFIs to help them carry out their functions of government, and security for key infrastructure; to assist, within its capabilities, and in coordination with other parties, with implementation of the National Security and Stabilisation Plan, in particular the effective re-establishment and training of all-inclusive Somalia security forces; to contribute, as may be requested and within capabilities, to the creation of the necessary security conditions for the provision of humanitarian assistance; to protect its personnel, facilities, installations, equipment and mission, and to ensure the security and freedom of movement of its personnel.[23]

The council in addition 'urged member states of the AU to contribute to the above mission . . . ' By March 2007, only Uganda and Burundi had come forward to contribute in total 2710 troops to AMISOM (AMISOM 2010) of the envisaged total of 8000.[24]

Officially, Uganda had advanced three reasons for its motivation to contribute troops to AMISOM. These were: being a member of IGAD, AU and the UN. Thus it was responding to a call of these bodies to help stabilise the situation in Somalia; the remuneration and associated benefits of Uganda's soldiers were guaranteed with regard to allowances, feeding, medi-care and compensation in case of injury or death; and its participation in AMISOM was to be budget neutral as all the costs were covered by the AU.[25] On the other hand, according to the current Burundi Defence and Former Combatants Minister, General Germaine Niyoyonkana, Burundi participated in AMISOM because when Somalia was still a functioning state, it trained a number of Burundian military personnel.[26]

Other countries had promised troops for the AMISOM operation. These included Nigeria and Malawi. Hitherto, Nigeria has not carried through its promise. According to officials at the AU, Nigeria has been reluctant to contribute troops to AMISOM because it does not think the allowances that will be paid to its soldiers will be equal to the level of a UN operation.[27] Malawi made a firm offer to contribute troops, but local politics complicated President Bingu wa Mutharika's decision actually to send troops to Somalia. In 2004 Mutharika had been candidate for the United Democratic Front (UDF) and was elected president of Malawi to succeed Bakili Muluzi. However, soon after the elections he fell out with the UDF, which resulted in his losing his majority in parliament. Thus when he promised troops to the AMISOM operation, he did not have majority support in parliament, which declined to support his proposal. Consequently, Malawi could not send the promised troops. In 2009, Mutharika was returned with a majority in parliament, but up to now he has not carried through his promise possibly due to the increasingly volatile military/security situation in Somalia. Thus in the end, AMISOM remained an under-subscribed peace support force. By May 2010, Uganda and Burundi

had deployed slightly over 5000 troops of the required maximum of 8000 (AMISOM 2010).

The emergence of the Alliance for the Re-Liberation of Somalia (ARS)

After the defeat and scattering of the UIC in January 2007 its leaders regrouped in Eritrea and Yemen.[28] The reconstituted UIC finally transformed itself into what came to be called the 'Alliance for the Re-Liberation of Somalia' (ARS) in September 2007. The ARS was formed in the aftermath of the TFG's National Reconciliation Conference in Mogadishu with the stated aim of 'fighting the Ethiopian and TFG forces' (ICG 2008, 10). Other than the two well-known leaders of the former UIC – Sheikh Sharif Sheikh Ahmed (the Executive Committee Chairman of UIC) and Hassan Dahir 'Aweys' (the head of the *Shura*, or consultative council of UIC), the ARS was a broad coalition of Islamists, disaffected TFG parliamentarians and diaspora representatives.[29] Its central committee was composed of 91 members.

Even before losing power, the UIC was divided into the 'moderate' faction headed by Sheikh Sharif, and the 'hard-line' faction led by Sheik Aweys.[30] Attempts had been made to arrange peace talks between the UIC and the TFG. In fact according to Menkhaus (2007, 376), 'the hope in international diplomatic circles was that the moderate wing of the Islamists would be brought into dialogue with the TFG, with the aim of negotiating a more inclusive government'. Several rounds of talks were arranged in Khartoum, Sudan, but they did not achieve much success. The hardliners in the UIC made provocative moves to undercut the talks (ibid). So with the formation of the ARS, the differences that had characterised the UIC continued. The moderates in ARS found living with the hardliners in Eritrea very hard. Thus the majority of them, led by Sheikh Sharif, decided to relocate to Djibouti.[31] It could be argued that the break-up of the ARS reflected the divided opinion of those who wanted to hold peace talks with the TFG and those who wanted to continue fighting until an Islamic state was established in Somalia. This paved the way for the start of another 'peace and reconciliation conference' for Somalia, with the principal parties in this conference initially being the TFG and the ARS-Djibouti (hereinafter ARS-D).[32]

First round: Laying the foundation for negotiations

In August–September 2007, the prime minister of the TFG, Nur Adde, had held several rounds of consultations with Hawiye clan leaders in Mogadishu. The prime minister subsequently drew up a six-point reconciliation plan that envisaged the opening up of all inclusive talks without preconditions with the Islamist opposition and subsequently a power-sharing formula (International Crisis Group 2008, 8). In addition, the plan envisaged the full disengagement of the Ethiopian troops; cessation of hostilities and a ceasefire; disarmament, demobilisation and reintegration of militias (DDR); a power-sharing arrangement and a peacekeeping formula. The plan, which was overwhelmingly endorsed by parliament with 230 out of 275 members voting in favour (ibid), prepared the ground for the Djibouti process.

This process was to have four rounds of negotiations between the TFG and ARS-D, resulting in three agreements. The process was initiated against the

backdrop of mounting Ethiopian military woes, the escalating insurgency, the worsening humanitarian crisis and especially the TFG's inability to consolidate and extend its authority. Thus there was 'a genuine consensus that the only way forward was a peace process involving the Islamists and eventually leading to a power-sharing accord' (ibid, 23). The overall aim of the architects of the process was 'to create a powerful alliance capable of stabilising Somalia, marginalise the radicals and stem the tide of Islamic militancy' (ibid).

The first round began on 9 May 2008 and lasted for a week. The atmosphere was highly charged, with delegates refusing to meet face to face, let alone stay in the same hotel. The ARS-D feared that its participation would be portrayed as tacit acceptance of the TFG's legitimacy. It presented the following key positions: an Ethiopian pullout with a clear timetable and an international guarantee; accountability for war crimes, justice, compensation, reparation; a multinational peacekeeping force with predominantly Muslim troops; and, a power-sharing deal which should be discussed after Ethiopian pull-out.

The TFG had three key positions: that it was the legitimate and internationally recognised government; that the Ethiopian pullout was contingent on a political settlement and the deployment of a multinational force; and, that the opposition must lay down its arms and renounce all forms of violence. The two sides made claims and counter-claims with the ARS claiming that it controlled '95%' of South-Central Somalia and that it was more legitimate than the TFG. The latter counter-claimed that it was the constitutionally legitimate government, and thus had veto powers over the process (ibid). In the end, both sides were made to tone down on their rhetoric and put to work their designated chief negotiators Abdirahman A. Warsame for ARS-D and Ahmed Abdisalaan Adan for the TFG.

Second round: 9 June agreement

The second round of negotiations began on 1 June 2008 and progressed without any major hitches other than the ARS-D's demand of a timetable to withdraw the Ethiopian troops from Somalia. At the end of this round of talks, the two sides agreed to sign an agreement whose aim was to: ensure the cessation of all armed confrontation and a political settlement for a durable peace; promote a peaceful environment; avoid a security vacuum; facilitate the protection of the population and the unhindered delivery of humanitarian assistance, and a call for the convening of a reconstruction and development conference.[33] The parties agreed to

> the termination of all acts of armed confrontation by the ARS and its allies, and TFG and its allies within 30 days;[34] request the UN to authorise and deploy an international stabilisation force from countries that are friends to Somalia excluding neighbouring states within 120 days; and the withdrawal of the Ethiopian troops within 120 days after the deployment of sufficient numbers of UN troops.[35]

The agreement made the withdrawal of the Ethiopian forces contingent on the deployment of the UN forces, which according to the International Crisis Group (2008, 23) 'became the subject of much debate among Somali critics, who argued that it was designed to give Ethiopia enough room to wiggle out of its withdrawal commitment'. Nevertheless, the motivation for the two sides agreeing to sign the

agreement, according to one commentator, seems to have been: (a) on the part of the TFG 'the hope of preserving some semblance of credibility to add to the shaky international recognition it enjoyed', and (b) for the ARS-D 'the wish to achieve a negotiated withdrawal of Ethiopian forces propping up the TFG in preparation for a new power-sharing agreement'.[36] The agreement generally was received with scepticism because the ARS-D did not have the capacity to deliver on the ceasefire due to its diminished military role. Further, there was no prospect of the deployment of the multinational stabilisation force within 120 days in Somalia (ibid).

The 9 June Agreement proposed the establishment of two committees: the Joint Security Committee (JSC)[37] and the High Level Committee (HLC),[38] which became seminal in the establishment of the new political dispensation in Somalia. The JSC was tasked with following up of the security arrangements as proposed in the agreement[39] while the HLC was to follow up on the political co-operation between the parties and concerns over justice and reconciliation.[40] Whilst these two committees were formal structures under the agreement, they became important vehicles for unpacking the broad agendas that came out from plenary discussions, and continued with discussions both during the official rounds of negotiations and outside them.

Third round: 26 October joint declaration

The third round of negotiations started on 25 October and ended on 26 October 2008 with the signing of the Joint Declaration on the Modalities for the Implementation of the Cessation of Armed Confrontation. The accord broadly dealt with two specific issues: declaration of a ceasefire and the relocation of the Ethiopian troops. It provided for a phased security arrangement in which a ceasefire would begin on 5 November 2008, followed by the deployment of a joint ARS-D/TFG force in Mogadishu and other sectors by 10 November 2008. To complement these arrangements, the accord envisaged a 10,000 strong joint ARS-D/TFG police force to be trained and equipped by the international community. AMISOM together with the joint ARS-D/TFG force would fill the security vacuum left by the departing Ethiopian troops, whose phased withdrawal was envisaged to begin on 21 November 2008.

The 26 October declaration looked hopeful but, as has been observed, 'the discrepancy between the balance of forces on the ground and the political talks between two protagonists who control very little, made implementation problematic' (ibid, 24). The Ethiopian troops began withdrawing from the cities of Beledweyne and parts of Mogadishu on schedule, as envisaged by the declaration.

Round four: 25 November agreement

This round of negotiations began on 22 November 2008 with a workshop on the issues of Justice and Reconciliation in Somalia. The Working Group at the workshop was composed of representatives of the international community (drawn from selected member states including Djibouti, Kenya, Sudan, the United Kingdom and United States). It also included international and regional organisations (the AU, IGAD, League of Arab States, United Nations High Commissioner for Human

Rights, United Nations Political Office for Somalia, and international non-governmental organisations such as the Centre for Humanitarian Dialogue). Then, of course there were members of the ARS and TFG, Somali civil society, and a cadre of experts.

The HLC conducted its business in parallel to the Working Group on Justice and Reconciliation. On 25 October, the HLC announced that it had agreed on the guiding principles as a framework to the establishment of a unity government and an inclusive parliament. The agreed principles included addressing the issue of impunity through the unity government and the establishment of mechanisms to ensure political, financial and moral accountability of the unity government.[41] The 25 November Agreement envisaged the enlargement of the parliament by an extra 275 seats, with 200 allocated to the ARS-D while 75 would go to members of the civil society, including women, business community and the diaspora; that the new, all-inclusive parliament was to elect the new leadership; and an extension of the transitional period by two years.[42] The parties also accepted that all agreements reached at Djibouti would be embedded as amendments in the TFC.

The 25 November Agreement, whilst being dismissed as 'unworkable' by some commentators, was also viewed with suspicion by incumbent President Abdullahi Yusuf (International Crisis Group 2008, 24). Having the faction of the TFG aligned to his opponent, Prime Minister Nur Adde, negotiating in Djibouti made President Yusuf believe that the process was aimed at eroding presidential control and making his impeachment more real. It should be remembered that in the second half of 2008, relations between President Yusuf, Prime Minister Adde and parliament speaker Sheikh Madobe became strained. This partly stemmed from the perception by Abdullahi Yusuf that Nur Adde was appeasing the Islamists through the Djibouti process, and the president also questioned the leadership style of the prime minister. According to the International Crisis Group (2008, 5) 'the president's allies, who all along had been benefitting from opaque governance that thrived on cronyism and nepotism, became wary of Nur Adde's determination to instil a culture of accountability and transparency in state finances and other government business'.

Relations between Yusuf and Adde became strained to the point that the Ethiopian government called the two together, with Madobe, in Addis Ababa. Here they reached an agreement entitled the 'Roadmap for the Implementation of the Understanding among the Leadership of the Institutions of the Transitional Federal Government of Somalia', 25 August 2008 (hereafter 'The Addis Ababa Roadmap'). In the agreement the three agreed to work together in, the establishment of the Benadir Administration,[43] revenue collection, reorganisation and administration of the security forces, ensuring the withdrawal of the Ethiopian troops, and implementation of the Djibouti Agreement.

When the Addis Ababa Roadmap failed to stem the intra-TFG conflicts, this prompted IGAD to call the parties to order. On 29 October 2008, the IGAD Assembly of Heads of State and Government met in Nairobi and issued a stern declaration on Somalia. The IGAD leaders expressed their

> profound concern regarding the political paralysis in Somalia contributing to the continuing deterioration of the security situation in the country as well as to the near hopelessness of the existing situation with respect to achieving the objectives of the

> transition period as evidenced in the complete failure to establish institutions of governance only nine months before the end of the transitional period.[44]

In addition, they regretted 'the lack of unity and unhelpful competition among the leadership of the TFIs as their working at cross-purposes has been the principal factor that has allowed the deterioration of the security situation in the country, and led to lack of progress in the national reconciliation effort'.[45] Despite the IGAD leaders' call for the TFIs to work together, disagreements between President Yusuf and Prime Minister Nur Adde continued.

Fed up with the inter-TFIs squabbles, the IGAD Council of Ministers met in Addis Ababa on 18 November 2008 and decided 'with immediate effect to impose targeted sanctions including travel bans and freezing of assets among others, on all those in and outside Somalia who had become obstacles to the achievement of peace in Somalia'.[46] The council called on the AU and the UN to do the same. The UN SC and the AU PSC endorsed IGAD's position in resolution 1844 of 20 November 2008, and at its 163rd meeting held on 22 December 2008,[47] respectively. However, the threat of sanctions did not end the intra-TFIs conflicts, particularly between the president and prime minister.

The IGAD Council met again on 21 December 2008 and this time expressed its support for Prime Minister Nur Adde while condemning President Yusuf for attempting to appoint a new prime minister.[48] Whilst noting with serious concern the continued lack of unity among the leadership of the TFIs, the council decided to impose sanctions immediately on President Yusuf, his new PM and his associates.[49] The council further supported the intention of the government of Kenya to take action in the form of targeted sanctions against Somali leaders considered to be obstacles to the Somali peace process (including President Yusuf). This decision appeared to have partly accelerated the resignation of President Yusuf. It is well known in the region that the president could not survive without travelling to Nairobi for medical attention.

Prior to tendering his resignation, Yusuf travelled to Nairobi and met the USA Assistant Secretary of State for African Affairs, Jendayi Frazer. The details of the meeting were not made public but it is reported that Frazer pressed the president to acknowledge that if Yusuf could not work with the prime minister, then he had no alternative but to resign. On 29 December 2008, President Yusuf tendered his resignation to the speaker of parliament and thereafter left Mogadishu for Puntland. This event marked in earnest the beginning of the process that led to the establishment of the new government of national unity for Somalia.

There are a number of reasons why Yusuf had to go. From the regional perspective, clearly he had become an obstacle to the peaceful resolution of the Somali conflict. He had failed to meet his obligations, such as agreeing to new ministers appointed by the prime minister and lending support towards the implementation of the Djibouti Agreement as spelled out in the Addis Ababa Roadmap.[50] Further, at the 29 October 2008 IGAD leaders meeting in Nairobi, President Yusuf acted in a belligerent manner. He had intimated that he was not ready to compromise with the 'terrorists' as represented by the ARS-D. In fact, thereafter, he even disowned the declaration that was issued at the end of the meeting which he himself had signed.

Internally, the position of the president became untenable. He clearly stated that he could not work with Nur Adde who had the confidence of the transitional parliament, the region, and international community as a whole.

The election of Sheikh Sharif as president

With the resignation of President Yusuf, a new president had to be elected within the stipulated 30 days. The Djibouti process resumed towards the end of January 2009 with the aim of electing the new president of the transition. In accordance with the November 26 Djibouti agreement, the new president would have to be elected by the expanded transitional parliament. However, for this to happen, the original parliament composed of 275 members would have to sit and amend the TFC to cater for the new dispensation. Two issues emerged. First, there were questions about whether it should not be the original parliament to elect the president as there was not enough time to gather the original 275 members to amend the TFC to cater for the new members of parliament from the ARS-D. Secondly, the speaker of the TFP, Sheikh Madobe, had insisted that the election take place in Baidoa, the seat of the TFP.

On the first issue, UNPOS organised charter flights to bring to Djibouti as many of the 275 original members of parliament as possible. In the event, about 250 members of the original transitional parliament made their way to Djibouti. This paved the way for the process of amending the TFC to begin.

Secondly, UNPOS and the AU argued that the security situation in Baidoa was not favourable for the transitional parliament to meet there. Indeed, this argument was buttressed by the fact that soon after the Ethiopian troops withdrew from the town, it was taken over by the al-Shabaab insurgents. This convinced the speaker, who was by then the acting president, to agree to Djibouti being the venue for holding the election.

Prior to the election, the original members of the transitional parliament made amendments to the TFC.[51] Having agreed on the amendments, especially the one dealing with the expansion of the TFP, and extending the mandate of the new parliament to 2011, the ARS was requested to submit the names of its proposed MPs to the Special Representative of the UN Secretary General (SRSG) in Somalia. In all, more than 170 names were submitted. Before participating in the voting for the president these MPs were sworn in before the original members of the TFP and the international community.

The submission of the candidates' names for the presidency to the Election Committee (composed of some TFP MPs and UNPOS) and chaired by Abdirashid Mohammad Hidiq took place on 29 January 2009. Sixteen candidates put their names forward. The list included, among others, names of existing TFP members, the son of former President Siyaad Barre, a Somali of Ugandan descent (in fact he was a third generation Somali), Nur Adde, and of course Sheikh Sharif. The quorum of the MPs present was established to be 420 members.

Of the 16 candidates for the presidency, two pulled out before the election, while three pulled out just before the voting. This left the stage for 11 candidates, including Abdi Hassan, Ali Hashi Doore, Awad Hashi Asharo, Hashi Mahmood Ahmed, Mohamed Osman Eden, Ali Khalif Galayr, Yusuf Umar al Athari and Muse Maalim Yusuf. But clearly the favourites from the way they were received in the hall where the

election was taking place were Nur Hussein Adde and Sheikh Sharif. After tallying the votes of the first round, those with above the 50-vote mark were: Nur Adde (59), Masla Mohamed Siyaad (60), and Sheikh Sharif (215). With the votes declared, all the other candidates save for Masla Siyaad and Sheikh Sharif remained in the race. The second round of voting went on up to 3a.m. on 31 January 2009. In the end, Sheikh Sharif won with 293 votes, to Masla Siyaad's 126. Two votes were spoilt.

There are a number of observations that can be made on this election. First, that it was a transparent process. The voting happened as follows: the name of the MP to vote was called, he/she stepped forward, got his/her voter's card validated, was then given a ballot, and finally he/she voted and dropped his/her ballot into a glass vote-box in the hall. All could see from the first step to the last. Ballots were recorded by having the speaker of parliament pull a ballot from the box, note the name, then hand the ballot to his deputy who read the name of the candidate aloud for all to hear. Again, the tallying of the vote was done in front of all, voters, observers and candidates alike.

The second observation that can be made is that Sheikh Sharif got more votes than the number of ARS-D MPs who voted. This means that there are members of the original TFP who voted for him[52] and therefore the TFP was divided whilst the ARS-D voted as a bloc. The expansion of the TFP thus partly contributed to the defeat of Nur Adde.

Thirdly, the biggest loser in this election was Nur Adde. He was first appointed prime minister of the TFG on the resignation of former Prime Minister Ali Mohamed Ghedi in November 2004. Previously he had served as a customs officer, attorney general and secretary-general of the Somali Red Crescent Society. He is known to hold moderate views on practically everything. However, sections of the TFP considered him to be too weak,[53] as he really did not have a base among his Hawiye clan. During the presidential election, sections of the international community and the region supported his candidature, although none came out to say so in the open. In the end, Nur Adde lost because some members of the TFP accused him of having negotiated the TFG out of power. Some members of the TFP openly questioned the wisdom of Nur Adde accepting the ARS-D getting 200 seats in parliament when it was not the only opposition group.

The failure of 14 attempts

Clan affiliation has been the biggest obstacle to the attainment of peace and the Djibouti peace process was not devoid of such Somali politics. Faction leaders have deliberately used 'clanism' (preferential treatment of one's own clan members) as a political weapon and have, often brutally, insured that other forms of identity do not occupy political space (Little 2003, 12). It should be recalled that the various clans coalesced to fight the dictatorship of Siad Barre. However,'once the common enemy was deposed, the rebel forces led by Mohamed Aideed, Ali Mahdi and others, fragmented into clan-based groups that disagreed on everything' (Kamudhayi 2004, 108). This underlined the failure of the previous 14 attempts since 1991 at forming an effective government.

Over the years, Somalis have been divided between those who have alleged that their clan or sub-clan is under-represented in government, and those that believe that the previous governments maintained clan and regional balance. Since Abdullahi

Yusuf is from the Darod clan, at Djibouti it was openly opined that the next transitional president should not come from that clan. This partly explains why Masla Siyaad, the son of former dictator Siyaad Barre, a Darod, lost the election to Sheikh Ahmed, a Hawiye. As has been noted, the Darod–Hawiye mistrust and rivalry have disfigured Somali politics since independence (International Crisis Group 2008, 3). The two clans have co-operated or forged temporary alliances, but even at the best of times their relationship is one of uneasy détente.

With the election of Sharif Ahmed, the Hawiye clan finally got its wish of ruling the country. It is the clan which largely opposed the government of Abdullahi Yusuf and the Ethiopian occupation in the strongest of terms, as the bulk of the UIC and later the al-Shabaab leadership and fighters were drawn from the clan. The clan's dominance of Mogadishu has placed it in a position to determine how any government that is established in Somalia functions. Thus, the Hawiye leadership has over the years acted on the unspoken assumption that its occupation of the capital gives it the right to rule over the entire country (Menkhaus 2007, 363). This happened at the expense of other long-settled groups in the capital that could make similar claims, including the Reer Hamar or the Darod, who were chased out in the mid-1990s.

Previous peace initiatives failed because they were limited in inclusivity of the Somali stakeholders including political, traditional and religious leaders; warlords, business people and civil society, although it should be recalled that in *any* settlement or initiative discussed or reached so far, there were always (clan) groups that felt excluded. According to Nyunya (2007), 'the initiatives followed a warlord-centred approach and were therefore dominated by warlords'. The assumption was that warlords were the critical actors to be reconciled and that all other groups would then follow automatically. The results were disastrous, because warlords were largely interested in benefiting from the war economy by controlling their fiefdoms, or in controlling the presidency.

Furthermore, some of the initiatives adopted the 'building blocks' approach (bottom-up). The assumption was that clan rivalry is the main cause of the Somalia conflict. Thus the solution lies in a peace conference to reconcile the clans. While this approach worked in north-western regions in the Burco (1991) and Boramo (1993) conferences which led to the secession of Somaliland; and the Garowe conferences (1998) leading to the establishment of Puntland, the building blocks approach has not yet been replicated successfully in the southern and central parts of Somalia.

Another reason to explain the failure to establish an effective government in Somalia has been the intervention by foreign countries in the affairs of the country. In addition to the immediate neighbours,[54] many countries outside the region have interfered in Somalia, although usually at the request of Somali players. The complexity of the Somalia conflict lies in the fact that apart from the internal forces, there are external actors that have an interest in the outcome of conflict itself. Three examples can be cited. First, it has been claimed that Egypt is to safeguard its Nile designs through the conflict in Somalia (by bogging down one of the riparian states, Ethiopia, in Somali affairs) (Kamudhayi 2004, 120).

Second, Ethiopia and Eritrea have used the Somali conflict to fight proxy wars. This assertion has been supported for example by Dowden (2009, 122): 'Ethiopia and Eritrea have used Somalia as a battleground, each backing opposing camps'. Dowden further asserts that 'a divided, weak Somalia suits Ethiopia, its old rival'

(ibid). Between 1998 and 2000, Ethiopia and Eritrea fought a bitter border war which only ended when the two countries signed the Algiers Agreement in November 2000. However, tensions between the two continue to simmer, as Ethiopia refused to withdraw from the disputed area of Badme despite the 2002 decision of the Ethiopia–Eritrea Boundary Commission of the Permanent Court of Arbitration (The Hague) which ruled that the area belongs to Eritrea. When Ethiopia invaded Somalia in December 2006 to overthrow the UIC, Eritrea found a perfect excuse to continue supporting the latter. Eritrea's support of Somalia armed insurgents against the TFG has continued ever since, as evident from all reports of the UN Monitoring Group on Somalia.

Thirdly, there is the role of the United States. The US first intervened directly in Somalia when in December 1992 it launched 'Operation Restore Hope' to help deliver humanitarian assistance in Somalia. This operation called the Unified Task Force (UNITAF) was mandated to create a protected environment for conducting humanitarian operations in the southern half of Somalia.[55] UNITAF lasted up to May 1993 when the UN deployed a peacekeeping force called the United Nations Operation in Somalia (UNOSOM) of which the USA also was part. In October 1993, while fighting General Aideed's men, the United States lost 18 military rangers, after which it started withdrawing its forces. This also led the UN, under heavy pressure from America, to finally terminate UNOSOM in the first half of 1995 (Menkhaus 1997, 43). However, the withdrawal of the USA from Somalia did not terminate its influence there. When the US was attacked by al-Qaida on 11 September 2001, the Bush administration was fast to link the attackers to Islamist elements in Somalia. This partly explains America's support of the formation of the APRCT to counter the Islamist threat.[56] When President Abdullahi Yusuf became stubborn, it also took the intervention of the US to force him to resign.

It can be concluded that every peace initiative in Somalia has been carefully watched by immediate and far-afield neighbours to make sure that any Somali administration that emerges does not damage their interests. Efforts to rebuild the Somali state have thus been marred by both brutal internal opportunists and external actors who can act as spoilers.

Conclusion

The Djibouti peace process was the fifteenth attempt at crafting a working government for Somalis since 1991. The process (conducted through a number of rounds) resulted in an agreement with the support of the UN supporting a new administration which would serve as a transitional government up to August 2011, when general elections are expected to be held. The Djibouti process resulted in many political casualties, among whom were Abdullahi Yusuf and Nur Adde. The greatest winner in the process was undoubtedly Sheikh Sharif and his ARS-D group. Another winner no doubt was Sheikh Madobe, who could keep his job as speaker of the TFP.

Two things have to be noted in conclusion about the conduct of the process. First, like all the previous attempts at crafting a government for Somalia, it excluded a number of armed groups, including al-Shabaab. This is a complicated matter. In conflict resolution theory it has been said that the exclusion of parties from a peace process must be addressed lest those excluded become spoilers.[57] But

al-Shabaab and Hizbul Islam categorically refused to be part of any negotiated process with the TFG or any foreign party, wanting to impose and push through their own radical Islamist agenda through violent means.[58] Al-Shabaab and Hizbul Islam, then, are likely to continue to undermine any and all agreements (Harris and Reilly 1998, 69) – even when they turn their weapons on each other, as they have in the past year

Secondly, the Djibouti process resulted in the formation of a government basically unable to expand its authority beyond Villa Somalia in Mogadishu, seat of the presidency. The current Somali government has had little relevance since it was established, and has brought few benefits if any to the majority of the Somali people. This has been a recurring theme with all Somali governments that have been established since 1991. The AU intervention in Somalia has not helped the efficacy of the TFG due to a shortage of troops. As a result, AMISOM has no presence beyond some parts of Mogadishu. Accordingly, every recent meeting on Somalia organised by the AU and IGAD, has included an agenda item calling on member states to contribute troops to AMISOM. Such calls have mostly gone unheeded. The Djibouti peace process, while confirming the exit of the Ethiopians, confirming the international recognition of the TFG, and significantly broadening its base with the largest representation of Somali society so far, has not guaranteed a stable and functional national government. In that respect, the Djibouti process has not been a success.

Notes

1. Al-Shabaab means 'The Youth'. It was the militia of the Islamic Courts Union in the early 2000s, and mostly made up of young combatants.
2. Hizbul Islam brings together four factions namely: the Alliance for the Re-Liberation of Somalia (ARS)-Eritrea faction led by Hassan Dahir 'Aweys', the Ras Kambooni group (led by Hassan Abdullah Hersi 'al Turki'); the Jabhatul Islamiya (Islamic Front) and the Muaska Anole (Anole Group). All these groups have one thing in common – they fought against Ethiopia's occupation of Somalia between December 2006 and January 2009.
3. Garowe Online, Somalia: 11 killed in southern region battles, 30 March 2009 at http://allafrica.com/stories/200903310237.html (accessed on 30 March 2009).
4. I am highlighting these not because they are more important than the others, but because I want to posit that every Somalia national reconciliation conference has been characterised by two common facts: non-inclusivity/perceived non-inclusivity, and external initiation.
5. The declaration of independence was made on 17 May 1991.
6. For full details of this agreement, see Abraham (2002, 132–39).
7. The other reasons which have been cited for the failure of the TNG include: the Arta process ignored the interests of regional stakeholders such as Ethiopia and Kenya; that the Arta process was predicated on the 1960 Somali Constitution, which thus failed to take into consideration the fact that the awareness levels had radically changed and that the clans were more informed than they were in terms of political representation.
8. Also Ethiopia's Prime Minister, Meles Zenawi, attended the inauguration of the TNG.
9. In addition to helping in the formation of the SRRC, Ethiopia also supplied groups opposed to the TNG operating in Mogadishu, Lower Juba, Bay, Bakool, Gedo and Hiran with ammunition, weapons and landmines; it strengthened the regional state of Puntland; and after the 11 September 2001 attacks on the USA, it attempted to label TNG leaders as pro Bin-Laden extremists.
10. For a detailed discussion of the negotiations, see Ochieng Kamudhayi (2004, 107–23).

11. According to Menkhaus (2007, 368), the APRCT was formed in February 2006 by a group of nine Hawiye clan-militia leaders and businessmen, including figures such as Bashir Raghe, Musa Suude and Mohamed Qanyare. Without a functioning central government to work with in Somalia, the United States opted to forge a partnership with non-state actors on counter-terrorism monitoring and rendition.
12. In addition Menkhaus has noted that UIC popularity was due to other factors, including, for some Somalis, the appeal of Islamism as an attractive alternative to clanism; the UIC's conflation of Islamic rhetoric with pan-Somali nationalism and anti-Ethiopianism. Somalis from the Habr Gedir clan were especially supportive of the UIC as a vehicle which advanced their clan's political interests, albeit under the guise of Islam; the UIC's dramatic success as a military and political movement also attracted many supporters seeking to ensure that they were on the winning side; and the ability of the UIC to present itself as a 'big tent' movement encompassing a range of moderate and hardliner Islamists also helped it win supporters especially among more secular Somalis.
13. Menkhaus (2007, 378) has argued that the conflict between Ethiopia and the UIC became inevitable when the hardliners of the UIC embarked on an increasingly strident and systematic campaign seemingly designed to provoke tensions with Ethiopia. This included: repeated calls for jihad against Ethiopia; irredentist claims on Somali-inhabited territories of Ethiopia; appeals to the people of Ethiopia to rise up against the Meles government; the forging of close links (including receipt of arms and military advisors) with Eritrea; and the provision of logistical support and bases to two armed insurgencies opposing the Ethiopian government, the Oromo Liberation Front (OLF) and the Ogaden National Liberation Front (ONLF).
14. See *Report of the 24th Session of the IGAD Council of Ministers*, Nairobi, Kenya, 17–18 March 2005.
15. Ibid.
16. See *Decision of the 24th Meeting of the PSC*, PSC/PR/Comm. (XXIV), 7 February 2005.
17. Swiss Peace, *Fast update: Somalia-Semi Annual Risk Assessment*, February to July 2006, p. 6.
18. Ibid.
19. Ibid.
20. UN Security Council Resolution 1725 (2006), S/RES/1725 (2006), 6 December 2006, para. 3.
21. Ibid, para. 5.
22. Peace and Security Council, Communiqué of the 69th Meeting, PSC/PR/Comm (LXIX), 19 January 2007, para. 8. The Council noted that AMISOM shall be 'adequately equipped to project the appropriate posture and shall undertake the following tasks: to support dialogue and reconciliation in Somalia, working with all stakeholders; to provide, as appropriate, protection to the TFIs and their key infrastructure, to enable them carry out their functions; to assist in the implementation of the National Security and Stabilisation Plan for Somalia, particularly the effective re-establishment and training of all inclusive Somalia security forces, bearing in mind the programs already being implemented by some of Somalia's bilateral and multilateral partners; to provide, within capabilities and as appropriate, technical and other support to the disarmament and stabilisation efforts; to monitor, in areas of deployment of its forces, the security situation; to facilitate, as may be required and within capabilities, humanitarian operations, including the repatriation and re-integration of refugees and the resettlement of IDPs, and to protect its personnel, installations and equipment, including the right of self defence'. The council further decided that 'AMISOM shall comprise 9 infantry battalions of 850 personnel each supported by maritime coastal and air components, as well as an appropriate civilian component, including a police training team; the initial deployment shall involve at least 3 infantry battalions, with adequate arrangements for additional battalions to follow quickly; AMISOM shall be deployed for a period of 6 months, aimed essentially at contributing to the initial stabilisation phase in Somalia, with a clear understanding that the mission will evolve to a United Nations operation that will; support the long term stabilisation and post-conflict reconstruction of Somalia; the concept of logic support for

AMISOM shall be based on self-sustenance by the Troop Contributing Countries (TCCs), based on the model of the African Union Mission in Burundi (AMIB)'.

23. UN Security Council Resolution 1744 (2007), S/RES/1744 (2007), 20 February 2007.
24. The breakdown was as follows: Uganda 1860 and Burundi 850 troops.
25. See Uganda Parliament Report of the Committee on Defence and Internal Affairs on the Deployment of Troops in Somalia (undated), (on file with the current author).
26. Address by General Germane Niyoyonkana at the Consultation Meeting of African Union member states on support to Somalia TFG organised by the IGAD, AU and UN, Serena Hotel, Nairobi, 6 June 2009. (On file with the current author).
27. Interview with Francis Matsanga, UN Humanitarian Planner, AMISOM, Nairobi, 6 November 2009.
28. Annette Weber (2008, 17).
29. In addition, there was the former speaker of parliament of the TFG Sharif Hassan Sheikh Aden, and former TFG Deputy Prime Minister, Hussein Mohammed Farah.
30. According to Menkhaus (2007, 371), the UIC was unquestionably a very broad, loose coalition – ranging from traditional *Sufi* figures like Sheikh Sharif to hard-line *Salafists* (a term connoting identification with the Wahhabi branch of Islam) like Hassan Aweys to committed jihadists in the *al-Shabaab* militia).
31. The hard-line minority of about 15 persons led by Hassan Aweys remained in Asmara up to late 2009. Aweys returned to Somalia that year.
32. It should be noted that Civil Society Organisations (CSOs), women and business community groups, among others, have now joined the process. In order not to confuse the reader I will throughout use ARS-Djibouti to mean the faction of ARS that has joined the TFG.
33. Agreement between the Transitional Federal Government and the Alliance for the Re-Liberation of Somalia (ARS), 9 June 2008 (hereafter: The 9 June Agreement), para. 3. It should be noted that while the agreement is dated 9 June 2008, it was finally signed on 19 August 2008.
34. Ibid, para. 6.
35. Ibid, para. 7.
36. R. Cornwell, Hopes for a settlement in Somalia fade, Institute of Security Studies (ISS), Pretoria, 1 August 2008. http://www.iss.co.za/index.php?link_id=22&slink_id=6410&link_type=12&slink_type=12&tmpl_id=3 (accessed on 23 February 2009).
37. The 9 June Agreement, para. 8 (c).
38. Ibid, para. 9.
39. The JSC was set up to implement the Transitional Security Arrangements (TSA) with 15 TFG and 15 ARS members, co-chaired by the UN and AU. Its specific responsibilities are: to make recommendations on the modalities of the phased withdrawal of Ethiopian forces (completed); implement the ceasefire and cessation of hostilities between the TFG and ARS; establish a TFG-ARS force to act jointly to observe, verify and monitor compliance with the agreement, facilitate unimpeded humanitarian access and assistance including the protection of humanitarian workers, and investigate reported breaches in the agreement and bring findings of those investigations before the committee for decision; finding appropriate, peaceful solutions in the event of the breach of the agreement; and preparing recommendations for the restructuring and reform of the Somali armed forces.
40. In the context of its work, the HLC is specifically tasked with the bringing on board of those groups outside the Djibouti process; address constitutional development, transitional justice and impunity, monitor the implementation of political co-operation and assist in managing disputes.
41. Decisions of the High Level Committee Djibouti Agreement, 25 November 2008, para. 4.
42. Ibid, para. 5.
43. This was another cause of friction between President Yusuf and Prime Minister Adde. On 30 July 2008, Nur Adde dismissed the governor of the Banadir region and mayor of Mogadishu, Mohammed Dheere. President Yusuf reversed this decision by declaring the PM's action 'un-procedural'. The Attorney General declared the PM's action 'unconstitutional'. Subsequently, on 9 September 2008, President Yusuf issued a decree appointing a 10-person temporary administration (for 15 days) of the Banadir region

headed by Ibrahim Sheikh Muhiyadin replacing the one composed of seven persons that had been appointed by Prime Minister Nur and headed by Mohamed Omar Habeb. See *Presidential Decree JS/XM/227/09/08*, Mogadishu 9 September 2008 (on file with the author).

44. Declaration of the 13th Extra-ordinary Session of the IGAD Heads of State and Government, Nairobi Kenya, 29 October 2008, para. 3.
45. Ibid, para. 4.
46. Communiqué of the 30th Extra-ordinary Session of the IGAD Council of Ministers on the Prevailing Political and Security Situation in Somalia, Addis Ababa Ethiopia, 18 November 2008, para. 11. As one of the drafters of the communiqué, I suggested this language.
47. AU Peace and Security Council, *Communiqué*, PSC/MIN/Comm.4 (CLXIII), 22 December 2008, para. 10. The PSC went further and requested the chairperson of the AU Commission to establish a committee of experts to work out the modalities of the implementation of the sanctions, including elaborating and updating on a regular basis the list of targeted individuals and entities, as well as monitoring their implementation, and to submit the envisaged list to the council for endorsement. The AU PSC again reiterated this position in its communiqué issued at the end of its 177th meeting on 11 March 2009 where it recalled its decision endorsing targeted sanctions imposed by the 30th Extra-ordinary Session of the IGAD Council of Ministers held at Addis Ababa, Ethiopia on 18 November 2008 against all those hindering the on-going efforts towards reconciliation, peace and stability in Somalia. The council requested the AU Commission to work with all relevant stakeholders, including the UN to establish a list of individuals and entities on whom the sanctions are to be imposed and on the modalities for the implementation of the sanctions. See PSC, *Communiqué*, PSC/PR/COMM. (CLXXVII), 11 March 2009, para. 12.
48. Communiqué of the 31st Extra-ordinary Session of the IGAD Council of Ministers on the Prevailing Political and Security Situation in Somalia, Addis Ababa Ethiopia, 18 November 2008, paras 3 and 4. The appointment of Mohammed Mahmud a.k.a. Ga'madheere as 'Prime Minister' was also rejected by Nur Adde and many members of parliament. Having been threatened with sanctions, Ga'madheere had no alternative but to 'resign'.
49. Ibid, para. 4. IGAD's position was supported by the AU PRC in its communiqué of 22 December 2008 where it affirmed its full support to Prime Minister Nur Adde and his new cabinet. The council condemned President Yusuf for violating the TFC by appointing a new 'prime minister'. The council requested all member states and the larger international community not to recognise the 'prime minister' appointed by President Yusuf and any other individual associated with that appointment.
50. President Yusuf was always lukewarm about the Djibouti process. He viewed the process as aimed at eroding presidential control. In late November 2008, he visited Libya and it is reported that he wanted to shift the process away from Djibouti so that he could gain control of it. For a discussion on this see International Crisis Group (2008, 24).
51. The amended articles include: 29, 30, 32 and 45.
52. In the corridors of the election hall it was said that MPs allied to former President Abdullahi Yusuf and former Prime Minister Ali Mohammed Ghedi were under instructions to vote against Nur Adde.
53. For example, at the opening of the Djibouti talks on 24 January 2009, a section of the TFP openly heckled him as he made his remarks.
54. I have discussed the interventions of Ethiopia and Djibouti, supra.
55. In accordance with UN Security Council Resolution 794, 3 December 1992, S/RES/794 (1992).
56. See supra.
57. See generally Harris and Reilly (1998).
58. As a consequence, the United States has labelled al-Shabaab a 'terrorist organisation'. See United States Department of State, Designation of al-Shabaab, *Press Release*, 18 March 2008.

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Somalia and global terrorism: A growing connection?

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The lack of internal order in Somalia has left the country vulnerable to the rise of hard-line Islamist groups, most notably al-Shabaab. Al-Shabaab purports to be committed to global jihadism, has self-professed connections to al-Qaeda, and of late, has proved able to capture and control territory. Consequently, al-Shabaab and other like-minded Somali radicals are viewed as a threat to the Somali Transitional Federal Government, to Somalia's neighbours, and to the broader international community, particularly the United States and other Western countries. However, it is argued here that al-Shabaab's particular rise to prominence is partly a factor of the policy follies of regional and international players in Somalia. Morever, despite the threat the organisation poses, al-Shabaab quite likely faces implosion.

The historical and regional context of the rise of radical Islam in Somalia

The nineteenth century is when Great Britain, Italy, France and Ethiopia claimed the Somali-inhabited territories of the Horn of Africa and divided them into five distinct political jurisdictions (Goleman 2004).[1] Despite attempts to reunite all areas of Somalia, only two Somali territories actually managed to merge: British Somaliland, which became independent on 26 June 1960, and Italian Somaliland, which achieved independence just four days later. The two states agreed to unite a day later, on 1 July 1960.

Under the authoritarian regime of Mohammed Siyaad Barre, Somalia's political and economic development stagnated and the president inordinately favoured members of his own Darod clan family over others. Barre was tempted to invade Ethiopia in 1977 to conquer the Somali-inhabited Ogaden. This venture failed dramatically and led to a national crisis, and eventually contributed to internal dissent and civil war, notably between the north and the south. In 1991 his regime collapsed and the country fell into a state of disarray and violent clan-militia warfare. A central state only emerged in northern (ex-British) Somaliland, where the former British territory reconstituted itself and also rejected a new union with the south.

There have been over a dozen Somali national reconciliation efforts over the last two decades to reconstitute the state that existed when Barre came to power (that is, the Somalia of most maps). From June–July 1991 the Djibouti talks produced Ali Mahdi as interim-president but this appointment was rejected by Mohamed Farah

Aideed, resulting in an explosion of armed conflict. From 1996–1997, the Sodere Conference in Ethiopia strengthened Ethiopia's role in Somali affairs and saw the introduction of the '4.5 formula'.[2] At the same time, a rival peace process was organised by Egypt, known as the 'Cairo Conference', in an effort to undermine the Sodere process. From January to March 2003 the Addis Ababa National Reconciliation Conference was held, and it was at this stage that Ethiopia introduced itself as the power broker in Somalia.

Three transitional authorities have been established in Somalia since 2000. The first, the Transitional National Government (TNG) was established in August 2000 at a peace conference in Djibouti, and was headed by President Abdiqasim Salad Hassan. This administration did not last long after it began to show Islamist tendencies. Concerns about the TNG's Islamist and other dubious ties (as claimed by Le Sage 2002) and the threat of terrorism provided much of the impetus behind an initiative of Somalia's neighbours, acting within the framework of the regional Inter-Governmental Authority on Development (IGAD) to replace the floundering TNG with a more reliable partner. In October 2004, the long negotiations between various clan factions, civil society groups, diaspora representatives, intellectuals and politicians, including some 'warlords', were conducted in Kenya under IGAD auspices. They were the most inclusive negotiations to that date (although Somaliland declined to participate) and established a Transitional Federal Government (TFG) for Somalia, first based in Kenya, later moved to the town of Baidoa and later were besieged in Mogadishu.

Year after year of reconciliation talks and transitional bodies has not resulted in governance. The resulting vacuum has allowed for the rise of Islamists, too often in negative ways. In the mid-1990s, for example, Islamic courts began to emerge to resolve, say, business disputes. They were an answer to lawlessness and insecurity in the absence of state courts and effective clan-elder mediation. But the writ of such courts extended only so far and violent extremists were accordingly able to reside and independently operate in Somalia. Indeed, in recent memory no less than three high-profile foreign terrorists[3] have used Somalia to recruit, train, hide, and smuggle weapons – most notably for the 1998 attacks against the US embassies in Kenya and Tanzania, and a 2002 attack in Mombasa, Kenya (Bruton 2009, 79–96). Somalia's lack of a functioning central government, unpatrolled borders, and unregulated arms markets made it a useful platform for such actions aimed at foreign interests elsewhere in the region, as noted first by al-Ittihad al Islami under Hassan Dahir 'Aweys' (a former colonel in the Somali army), and then elements of Islamic Courts Union (ICU).

It was the ICU which, in 2006, issued an ultimatum to the TFG, then located in Baidoa, that it would be attacked if it would not surrender. This action provoked the TFG to ask Ethiopia for military assistance, Ethiopia fearing a Somalia controlled by the ICU would pose an irredentist threat to it. In a three-week offensive, considered by nearly everyone in Somalia to have been condoned by the United States, Ethiopian forces defeated and dispersed the ICU. However, the ICU's militia, al-Shabaab, led by radical Muslim militants and hard-line clerics, went on to reconstitute itself and started a terrorist/liberation resistance campaign with foreign support. Al-Shabaab also began to employ militant 'crusader' language to exploit and evoke primitive fears of powerful outsiders, claiming the TFG relied entirely on protection provided by foreign 'infidels'.

Is Somalia a terrorist hotbed?

Al-Shabaab has been able to spread its influence through southern Somalia in two main ways. First, it has been able to exploit the weakness of the TFG and the popular resentment directed against both the Ethiopian troops after their 2006 invasion and the later presence of the African Union Mission in Somalia (AMISOM) army. It also employs fear, repression, and a violently-imposed Islamisation (stoning, cutting off limbs, executions) (Schiemsky et al. 2006). The latter tactics of al-Shabaab are contrary to the historical tendencies of Islam in Somalia.

Somalis are traditionally moderate Sufi Muslims (Lewis 2002), accepting music, dance and meditation. Since the sixteenth century, three main brotherhoods have come to predominate in Somalia: the Qaadiriya, with its Uweysiya, Rizaqiya and Zayliya branches; the Ahmediya, with its Dandarawiya, Saalihiya, Rashidiya and Marganiya branches; and the Rufa'iya. Qaadiriya and Rufaciya can be qualified as the 'Sufi brotherhoods' to which most Somalis adhere. The Ahmediya is reformist: it proclaims a faith 'purified' of all its emotive manifestations and is austere (tobacco, coffee, khat are forbidden, dress must respect very strict codes). Yet even Ahmediya have historically given wide berth to the strict, Saudi-inspired, Wahhabi interpretation of Islam, as propagated by hardline groups like al-Shabaab or yesteryear's al-Ittihad al Islami movement. For example, the al-Islah movement, an Ahmediya movement, swears off violence and is a member of the Peace and Human Rights Network in Somalia, adhering to internationally recognised principles of human rights and gender equality. This said, the message of non-violence has a hard time competing against the message of jihad al-Shabaab propagates.

To keep jihad going in Somalia is al-Shabaab's stated objective. For this purpose, it uses not only recruits from the impoverished local population, paying them monthly salaries, but also uses recruits from the Somali diaspora. Such recruits come from such eclectic places as the United States and the battlefronts of the Afghanistan–Pakistan region. Indeed, the Tablighi Jamaat (TJ) of Pakistan has had a long history of contacts with Muslim communities in Somalia and East African countries, just as it has had contacts with the Muslim populations in Chechnya and Dagestan. Though the TJ itself does not indulge in acts of terrorism, it plays an important role in facilitating the ideological motivation of the population on behalf of al-Qaeda.

Although evidence linking al-Shabaab to al-Qaeda first appeared to be largely circumstantial (Menkhaus 2004), the allegations are serious enough to merit a brief review of al-Qaeda's involvement in Somalia over the years and the scope of its current presence. In the 1990s, al-Qaeda never purported Somalia to be a major base of operations. Even now many analysts have questioned the true extent of the ties between al-Qaeda and al-Shabaab. Menkhaus (2008), notes that 'no Somalis appear in al-Qaeda's top leadership, and until 2003, no Somali was involved in a terrorist plot against a Western target outside of Somalia'. But US actions have possibly played a part in bringing some Somalis and al-Qaeda closer together.

For example, the United States – purportedly acting through the CIA and the private military company Select Armor – in the beginning of 2006 was, according to Prendergast and Thomas-Jensen (2007, 59) 'handing suitcases full of cash to warlords on the streets of Mogadishu', the estimated cash flow said to be $150,000

per month. The outcome of these efforts was the formation in February 2006 of an 'Alliance for the Restoration of Peace and Counter-Terrorism' (ARPCT, sometimes referred to as ATA: Anti-Terrorist Alliance).[4] The rationale for the Bush Administration's support of the ARPCT was spelled out by then Assistant Secretary of State for African Affairs Jendayi Frazer, who outlined a policy based on the fact that the US '. . . will work with those elements that will help us root out al-Qaeda and to prevent Somalia becoming a safe haven for terrorists, and we are doing it in the interest of protecting America'.[5] U.S. policy subsequently emphasised the capturing or killing of persons who it believes have been involved in international terrorist attacks and tries to deny Somalia as a safe haven for al-Qaeda operatives. Unfortunately a lack of understanding by US officials of the intricacies and complexity of both the issues and of factional allegiances in Somalia has only led to further confusion and anti-foreigner feelings.

These feelings played a part in the ICU's ability to oust the former warlords of the ARPCT from Mogadishu in June 2006. The ICU in turn also showed a lack of understanding of Ethiopian security concerns with regard to Somalia and overplayed its hand by threatening the TFG in Baidoa with destruction. The subsequent Ethiopian invasion in December 2006 and its two-year presence in Somalia saved the TFG but was deeply unpopular. It also led to the emergence of a new twist in Islamic resistance in Somalia: 'asymmetric warfare' in the form of suicide terrorism.

Al-Shabaab militants started suicide terrorism in Somalia on 18 September 2006, well before al-Shabaab proclaimed its loyalty to al-Qaeda in September 2009. From September 2006 until December 2009, a total of 13 al-Shabaab suicide attacks took place; two came in 2006, four in 2007, two in 2008 and five in 2009. Targets included Ethiopians, local TFG government members and any one perceived as associated with them, such as the 3500–4500 peace-keeping troops of the African Union, present in Mogadishu from early 2007 (when they were deployed just before the total pull-out of the Ethiopians). In conjunction with the use and rise in suicide attacks is the notable influx of foreign fighters into Somalia. Well known is the episode involving some 20 young Somali Americans who went to Somalia to join al-Shabaab (Gettleman and Connors 2007; Gordon et al. 2007) the largest known group of US citizens to join a foreign terrorist group. Included among them was Shirwa Ahmed, the first known US suicide bomber, who took part in al-Shabaab's October 2008 bomb attacks in Somaliland and Puntland, claiming dozens of innocent lives. Most of these young men appeared to have been radicalised at home, in the United States, particularly in the Minneapolis/St. Paul area.

Al-Shabaab's rise and radical tactics have not gone totally unchallenged. In early 2007, the so-called Alliance for the Re-liberation of Somalia (ARS) was formed to continue the resistance to the Ethiopian military presence and the TFG. Sheikh Sharif Sheikh Ahmed, former head of the ICU Executive Council and then part of the ARS, supported negotiations with the TFG and other opposition groups. Hassan Dahir 'Aweys', former head of the ICU's Legislative Council, remained staunchly against any reconciliatory moves. Aweys's goal was not reconciliation. Rather, it was to establish an Islamic state governed by shari'a law in all of 'Greater Somalia'. To this end he claimed: 'We will leave no stone unturned to integrate our Somali brothers in Kenya and Ethiopia and restore their freedom to live with their ancestors in Somalia' (Hassan 2006). To try to isolate Ahmed, Aweys allied with even more

radical elements – elements such as Aden Hashi 'Ayro' and the like who wanted their 'Somali struggle' to be part of a *global* jihad (Rabasa 2009).

The ARS thus split in two in 2007: ARS-Djibouti, headed by Sheikh Ahmed, who favoured negotiations and formally signed a ceasefire agreement with the TFG on 18 August 2008, and ARS-Asmara, headed by Hassan Dahir 'Aweys', who rejected any co-operation with the TFG. Aweys' group eventually morphed into the Hizbul–Islam front in 2009 (a coalition of four radical-Islamist groups). In the absence of any more moderate influence such as what Ahmed might provide, al-Shabaab became even more linked to the military leadership of Ayro and the executive chairmanship of radical Islamist 'Sheikh' Ahmad Abdi Godane. Consequently, when on December 2008 a broadened Transitional Federal Government was formed in Djibouti, and then in January 2009 when Sheikh Ahmed was elected its president, one type of Somali Islamist was pitted against some of the most radical Somali Islamists.

US foreign policy towards Somalia: Confused, lack of nuance

The United States military base in Djibouti was established as part of the East African Counter-Terrorism Initiative, with a primary focus on boosting the capabilities of the states of the region to resist radicalising, violent Islamist influences (Kean et al. 2005). It is the only one of its kind in Africa. The aims and outcomes of the Initiative have diverged, however, for a number of reasons.

Faced with the rise of the Islamists around mid-decade, the United States threw its lot in with the so-called Alliance for the Restoration of Peace and Counter-Terrorism (ARPCT). This move caused great damage to US credibility in Somalia since many in the ARPCT were warlords who had reportedly fought against the US in 1993, before and during the Black Hawk incident. These men continued to prey upon Somalis and wreak havoc through their 'war economy', but now, it appeared, the United States was rewarding them for doing so.

Of course most Somalis realised the US cared less about how its ARPCT erstwhile allies treated innocent civilians and more about how the warlords helped them deal with, say, al-Qaeda operatives implicated in the 1998 bombings of the US embassies in Nairobi and Tanzania, then residing in Somalia. Though the US managed to eliminate the perpetrators of the bombings – Aden Hashi 'Ayro'[6] in 2008 and Saleh Ali Saleh Nabhan in 2009, as well as some of their Somali accomplices – the methods used also caused civilian casualties. For example, a 2009 US aerial bombardment of fishing villages in the most southern coastal tip of Somalia cost at least 70 innocent lives. All told, US support for ARPCT thugs and its blunt tactics alienated countless, if not most, Somalis. Former US security advisor John Prendergast (now at the International Crisis Group) said as much in 2009 when he noted that while short-term advantage might have been gained, US actions had set long-term conditions for the growth of further terrorist threats in Somalia. Ted Dagne, a leading Africa analyst for the Congressional Research Service, came to a similar conclusion.

In 2006 the US condoned Ethiopia's military campaign to dislodge the ICU Islamists from power in Somalia, with the Pentagon providing Ethiopia with aerial reconnaissance and satellite surveillance support (Remonet 2007, 1).[7] But with this they may well have contributed to transforming the Islamists into a terrorist foe,

since US air strikes targeting high-level members of the ICU's al-Shabaab wing appears to have radicalised the wing even further (Hanson 2009). Perhaps this should not be surprising.

US foreign policy and political Islam today are deeply intertwined. US policy-makers, particularly since 11 September 2001, have largely treated political Islam as a global threat similar to the way that 'communism' in any form was once perceived to be so. They have made little effort to distinguish between radical and moderate Islamists. However, just as US foreign policymakers eventually moved from their ill-informed and paranoid approach to communism to more nuanced and pragmatic policies, so hopefully they will learn that there are marked differences amongst Islamists, and act accordingly. If the US does not learn such a lesson, it is likely destined to face unintended consequences, much as it has in the past.

Unintended consequences of US policies toward Somalia: A requiem

The following are some of the negative outcomes of US and UN policies towards Somalia:

- In 1993 the US operation Restore Hope, which had a humanitarian and a military side, ended in failure when the US withdrew after the Black Hawk incident, which came after a failed hunt to arrest or capture warlord general Mohammed Farah 'Aidid'. Admiral Jonathan Howe, who headed the United Nations Operation in Somalia (UNOSOM) in 1993–1994, implied that the role Aidid and his warlords played in the civil war and the famines of 1991–1993 rendered them unworthy of high political office. Howe in June 1993 ordered Aidid's capture, claiming he was the main opponent to change. The background of this effort was the deadly Aidid-ordered attack on UN troops a few days before, which resulted in the massacre of 24 Pakistani and 54 UNOSOM people. The failed attempt to arrest Aidid triggered four months of deadly clashes, including the Black Hawk incident where 18 American soldiers were killed. It created a foreign policy disaster for the Clinton Administration and severely damaged the UN operation in Somalia. The US retreat marked an admission of policy failure and also generated more suspicion and mistrust among Somalis about the motives for US involvement in Somalia.
- In 2003 Saudi Arabia suspended the operations of one of its largest official charities, the al-Haramayn Foundation in Somalia, following US allegations that its funds were being used to support terrorist groups – specifically al-Qaeda. While this fact was later shown to be true, it impacted on incomes, remittances and social programmes supported via al-Haramayn, leaving some 2600 orphans on the streets of Mogadishu (Africa Report 2005). This was a policy that seriously hurt the Somali community more than those the US wanted to deal with, weakened the Transitional Government's authority, and created animosity towards America and other external actors in Somalia.
- In 2004, Sheikh Sharif Sheikh Ahmed had become one of the leading figures in the Mogadishu Islamic courts. His closest allies included Hassan Dahir 'Aweys', one of the founders of the Islamic Courts Union, and Aden Hashi 'Ayro' (see above), who Washington alleged had connections with the

al-Qaeda network and had fought in Afghanistan in 2001. After the ICU's defeat in the Battle of Jilib and the ICU's abandonment of Kismayo, Sheikh Ahmed fled towards the Kenyan border, where he was detained with three other Somalis by Kenyan police on 21 January 2007 near Hulugo. He then met the US ambassador to Kenya for talks regarding co-operation with the TFG. This was followed by a sequence of events that ultimately led to Sheikh Ahmed becoming the current president of Somalia. Friend and foe of the US were somewhat at a loss as to why one of the chief leaders of the ICU was now favoured to be included in the TFG with America's blessing.

- Ethiopia's invasion of Somalia to oust the ICU had an unintended consequence. The ICU had already exhausted the patience of most Somalis and dissolved quickly before the onslaught of TFG and Ethiopian forces, its leaders scattering in southern Somalia or fleeing to Eritrea. Ethiopia was forced to occupy Mogadishu to support the TFG, and its presence ignited a complex insurgency. The Ethiopian military occupation was violent and often brutal and contributed to further disintegration of Somali society. Somalis generally believed the US gave tacit support for the occupation, mostly out of their fears of an ICU connection to global terrorists, but possibly to strengthen their strategic control over the Strait of Bab al-Mandeb, a key oil transit waterway between the Red Sea and the Indian Ocean. In any case, the Ethiopian occupation also fuelled anti-Americanism in the country. Responding to these developments, jihadists from the Middle East and as far away as Malaysia arrived to help al-Shabaab. They brought with them suicide bombers and sophisticated tactics such as remote-controlled bombs. By the time Ethiopian forces withdrew in early 2009, al-Shabaab's influence had spread.

These and many other failed US and UN policies created an atmosphere of mistrust and animosity. US law enforcement officials contend that al-Shabaab would hit US or other Western targets outside Somalia if it could. There is speculation that al-Shabaab has sent dozens of Somali Americans and American Muslims through training conducted by al-Qaeda. At least seven have already been killed in fighting in Somalia. There is a valid concern about the possible rise in violence against US and other Western interests because of the growing Somali population in the diaspora, but at this point the extent of the connection is hard to verify.

Somalia continues to pose a serious threat to American interests due to the alleged presence of active al-Qaeda elements. The US East Africa Counterterrorism Initiative (EACTI) has dedicated sizeable resources to improving police and judicial counterterrorist capabilities in Kenya, Uganda, Tanzania, Djibouti, Eritrea, and Ethiopia. Despite all these efforts, the number of al-Qaeda elements apprehended seems to be insignificant (Atran 2009).

The conflict in context: Meanings of jihad

Somalia's radical Islamist fronts – al-Shabaab and Hizbul Islam – claim to be conducting a jihad against all non-Somali, non-Muslim forces, ideas and influences in the country and beyond. Here it appears that they have usurped an exclusively violent meaning of jihad. But jihad has to be properly understood. For

contemporary Islamists, jihad is neither simply a blind nor bloody scramble for temporal power nor solely a door through which to pass into the hereafter. It is rather seen as political action in which the pursuit of immortality and martyrdom is inextricably linked to a profound endeavour to establish a just community on earth. It is more than anything else a form of political action which aims to realise God's plan on earth and immortalise human deeds undertaken in its pursuit. The ultimate focus of jihad centres on the conviction that human beings must change so that they may change the world. From this perspective, jihad can be viewed as a revolutionary process with stages that proceed from the spiritual to the temporal realm of politics (Euben 2002). These elements are surely present in Somali radical-Islamists' thinking but take an almost exclusively violent form on Somalis and foreigners alike.

Western conceptions that view jihad in terms of destruction and suffering inflicted by religious fanatics on unsuspecting innocents are hereby confirmed. But such a view portrays jihad as a pure and simple repository of bloody-minded impulses. These conceptions ignore the political dimension of the action and the appeal they may have on sections of the wider public in Somalia. Over the years, the meaning and significance of jihad has been influenced by prevailing social, material and political conditions. Today, it reflects a changing understanding about the scope and meaning of worldly actions and therefore has a complex and, in some instances, contested meaning.

The definition of jihad can include all of the following: personal striving to achieve religious piety, or for Islamic authenticity; resistance against colonialism; and justification for terrorist activities against perceived (Western) perpetrators of aggression. Western foreign policies toward Somalia or other Muslim countries in crisis should recognise the variety of conceptions of jihad and the complex of conditions and motivations that lead some groups to adopt them.

Al-Shabaab and the Somali pirates: A nexus?

The nexus between al-Shabaab and Somali piracy is complicated. Unsubstantiated reports claim that in May 2008 pirates delivered a shipment of explosives and missiles to Hassan Abdulle Hersi (a.k.a. Hassan al-Turki), a veteran jihadist loyal to al-Shabaab. It is also claimed that between 20 and 50% of the ransom money pirates receive is given to al-Shabaab.

To the extent that there is a connection between pirates and radical Islamists it mostly seems to be business relationship. First there is the clan factor. The pirates hail almost exclusively from one particular Somali clan, the Darod, in the central and northern parts of the country. Al-Shabaab, however, is made up of Somalis of various clans, but especially the Hawiyeh, from Mogadishu and southern Somalia. Second, there is the issue of 'rent'. In 2009, pirates found themselves needing to operate out of ports taken over and controlled by al-Shabaab, whose geographic reach had grown. While al-Shabaab might prefer to be paid cash for allowing the pirates to use their ports, they were also open to being compensated through the acquisition of weapons. Pirates, in turn, needed al-Shabaab to have enough weapons to provide protection for captured ships and crews until ransoms could be extracted. Pirates also had the boats necessary to move weapons from places such as Yemen.

The piracy problem in Somalia today recalls the days of the Barbary piracy on the Algerian coast in the late eighteenth to early nineteenth century. United States

shipping in the Mediterranean was seriously threatened, forcing the US to develop a navy. As Christopher Hitchens (2007) recounts in his article 'Jefferson versus the Muslim Pirates':

> When they inquired by what right the Barbary states preyed upon American shipping, enslaving both crews and passengers, America's two foremost envoys were informed that 'it was written in the Koran, that all Nations who should not have acknowledged their authority were sinners, that it was their right and duty to make war upon whoever they could find and to make slaves of all they could take as prisoners, and that every Mussulman who should be slain in battle was sure to go to Paradise'.

This piracy against American shipping ended in 1815 with the destruction of the mainland bases of the pirates. The US Marine Corps, which was then also sent in, still has the line 'to the shores of Tripoli'[8] in its hymn.

This episode provides an eerie portent of the development of the piracy trade along the Somali coast today, with one important difference. The origins of piracy should be seen in the context of state collapse, poverty, overfishing and the inability of Somali fishermen to make even a modest livelihood from fishing in their own waters. The pirates' motivation is not religion, but rather survival.

Religion as a political agenda and motivation for violence

In the context of Somali pirates and al-Shabaab, the limits of the legitimate use of violence within the Muslim tradition (that is, in self-defence) have surely been transgressed, but until there is stability and surety of fishing rights and respect for the rule of law, it is unlikely that the attackers will give up. Islamist ideology is taking over and redefining the agenda to such an extent that al-Shabaab has repeatedly claimed that democracy and other 'Western' forms of government or thoughts are all 'un-Islamic', that any negotiations with the TFG or anyone else is not an option, and that that offensive jihad will go on through any (that is, violent/terrorist) means.

Many voices in the Muslim world, however, reject these views and condemn outright terrorism, especially suicide terrorism. One of the more influential Muslim scholars in Britain, Tahir ul-Qadri, recently (2010) issued a *fatwa* banning terror attacks and bombings, insisting that there is no justification for terror acts in the name of Islam. He states that radical Islamists cannot claim that their suicide bombings are 'martyrdom' operations, nor will they become heroes of the Muslim *Ummah*. He asserts that they will only become 'heroes in hell', for that surely is where they are heading. It echoes a distinction made by one of the early leaders of the Christian church, Augustine of Hippo, who in the fifth century discounted suicide as an option for those seeking salvation. In both cases, the point is that it is *not* possible to 'convert an evil act into good'.

In March 2010, renowned mainstream Muslim scholars from across the world issued a comprehensive religious declaration categorically condemning terrorism in Somalia and calling for peace and reconciliation in that war-torn country. This is the first time that authoritative and globally renowned Islamic scholars collectively addressed the issue of Somalia. The conference was convened by the Global Centre of Renewal and Guidance (GCRG) in Dubai under the auspices of the Islamic scholar Sheikh Abdallah Bin Bayah. It was attended by: Sheikh Sharif Sheikh

Ahmed, the president of Somalia; the United Nations Special Representative to Somalia, Ahmedou Ould Abdullah; and by Abdullah Alim, Deputy-Secretary General of the Organisation of Islamic Conferences (OIC). This religious declaration on Somalia directly challenged and undermined any religious justification for violence used by extremists in Somalia (and indeed globally). It stated that obeying legitimate state authority is an Islamic obligation. This principle applies in Somalia, where the current Somali TFG government is based on the consensus of a large part of the Somali people and recognised by the international community. The conference suggested that the current violence in Somalia is against the Somali people and its government and cannot be considered to be a jihad in the *non-violent* sense of personal striving and improvement.

An unholy end

Somalia continues to be a country that inspires images of violence, chaos, disorder and abject poverty. For the past two decades, various clans and sub-clans have been deadlocked in a violent struggle for power and dominance. The lethal use of force has become the culture in resolving disputes between rival clans, groups and governments. Recent events, such as the Ethiopian intervention and alleged al-Qaeda presence, have further exacerbated the conflict and fuelled the already volatile and dismal state of Somalia.

The insurgency in Somalia appears to be widespread. But its breadth is helped by the poor performance of the TFG in developing integrated security, political and development capabilities. In other words, even a weak and divided insurgency could continue to plague Somalis for many years to come. Yet as weak and ineffective as the TFG is, the primacy of al-Shabaab (and Hizbul Islam) should likewise be questioned. Al-Shabaab now faces real challenges from within Somalia. The Ahlu Sunna wa'l-Jama'a movement, based on a more traditional Sufi interpretation of Islam, has challenged al-Shabaab and has had some success in the south because of its ability to bring positive community development. Public sentiment, already disenchanted with al-Shabaab's extreme shari'a policies and repression, is therefore turning. Internally, al-Shabaab faces political infighting amongst its leaders, and is constrained by the constant need to negotiate access to new funds. Externally, al-Shabaab is being undermined by the Muslim community's newfound willingness to condemn terror in all its forms.

Unless al-Shabaab develops pragmatism that could drive it to transform itself into a political party, change its current leadership and revert to the earlier ideology of the Union of the Islamic Courts, it risks implosion due to its inability to capture durable popular support, govern effectively, or to bring about improved conditions for the general population. In other words, al-Shabaab will likely face an unholy end.

Notes

1. A Somali poet, Farrah Nuur, had this to say about this predicament of Somalia's dismemberment:
   The British, the Ethiopians, and the Italians are squabbling,
   The country is snatched and divided by whosoever is stronger,

The country is sold piece by piece without our knowledge.
And for me, all this is the Teeth of the Last Days!

See Goleman (2004). See also http://www.cal.org/CO/somali/shist.html.

2. A shrewd formula designed to enable fair power-sharing among the large Somali clan-families. However, it appeared to be a controversial and discriminatory policy at the cost of smaller clan and minority groups (the 0.5) and was later seen to create more problems among the Somalis than it solved.
3. The three men accused of involvement in the August 1998 bombings of the US embassies in Kenya and Tanzania, which claimed 250 lives, were: Fazul Abdullah Mohamed (from the Comoros Islands); Abu Talha al-Sudani (a Sudanese); and Saleh Ali Saleh Nabhan (a Kenyan). All have been linked to al-Qaeda as operatives.
4. See also: Mission Mogadishu. *Africa Confidential* 47, no.18: 2 (2006); International Crisis Group: *loc. cit.* (note 156); Prunier (2006); McGregor (2006); Tomlinson (2006).
5. McGregor: *loc. cit.* (note 157).
6. He was killed in a missile strike in the town of Dhusamareb on 1 May 2008.
7. Shortly after Ethiopian troops crossed into Somalia in late 2006 to dislodge the ICU regime in Mogadishu, the Pentagon's Joint Special Operations Command quietly sent operatives and AC-130 gunships to an airstrip near the Ethiopian town of Dire Dawa. From there, members of a classified unit called Task Force 88 crossed repeatedly into Somalia to hunt senior members of an al-Qaeda cell believed to be responsible for the 1998 American Embassy bombings in Kenya and Tanzania.
8. In 1805, the United States government refused to continue to pay off Barbary Coast pirates. When negotiations for a treaty failed, President Thomas Jefferson assembled an expeditionary force of marines to respond. Lt. Presley O'Bannon and his marines marched across 600 miles of the Libyan Desert to successfully storm the fortified Tripolitanean city of Derna and rescue the kidnapped crew of the USS Philadelphia. The marines' victory helped Prince Hamet Bey reclaim his rightful throne as ruler of Tripoli. In gratitude, he presented his Mamluk sword to Lt. O'Bannon. This famous sword became part of the officer uniform in 1825, and remains the oldest ceremonial weapon in use by United States forces today. The Battle of Derna was the marines' first battle on foreign soil, and is notably recalled in the first verse of the marines' hymn: 'From the Halls of Montezuma to the shores of Tripoli, we fight our country's battles in the air, on land and sea'.

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The fourth point: An examination of the influence of Kenyan Somalis in Somalia

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The consequences of insecurity in Somalia to the government of Kenya and its citizens is well documented: massive flows of refugees since the collapse of the Siyad Barre regime in 1991; cross-border violence including poaching, cattle-rustling, kidnappings, and trafficking of illegal goods; and, lately, threats of attacks and jihad from al-Shabaab, the terrorist group which is aligned with Osama bin Laden and, therefore, al-Qaeda. The lack of security and a viable government in Somalia continue to threaten the sovereignty and security of Kenya. As policymakers, military officials, and academics attempt to find solutions to the failed state of Somalia, another dimension of the problem (but also a potential avenue for useful exploration) warrants academic attention and insight – namely, examination of the ethnic Somali populations outside of Somalia and their influence on the politics (and lack thereof) within Somalia itself. This article offers an initial analysis of one subset of the Somali people outside Somalia, Kenyan Somalis.

Introduction

What role have Kenyan Somalis played in Somalia, in the past and presently? Surprisingly, little has been written regarding this topic. Somalia's influence on Kenya, on the other hand, has received much attention, particularly the long history of pan-Somalism and the desire to establish a Greater Somalia (absorbing parts of Kenya, Ethiopia, and Djibouti).[1] Moreover, literature has exposed the plight of the Somali refugee and exiled communities within Kenya, the estimated numbers of which range from 125,000 to over 300,000 since 1991.[2] A major challenge and, indeed, the focus of this article is to isolate the Kenyan Somali population – that is, Kenyan citizens of Somali ethnicity as well as those Kenyan ethnic groups which associate themselves directly with ethnic Somalis – and to determine their influence in Somalia, not the reverse (that is, Somali influence and involvement in Kenya). Attempting to answer such a central question requires a multidisciplinary exploration of the political, socio-economic, and strategic dimensions of the Kenyan Somali population. Fundamental questions include: how many Kenyan Somalis are there? Where are Kenyan Somalis located? What do they do, and what influence do they possess, how and why?

Before delving into these and other questions about the Kenyan Somali population, it is useful to quote the doyen of Somali studies, Professor I. M. Lewis,

'Events over the last decade suggest that the large Somali community in Northern Kenya, the fourth point in the star emblem, tends to follow its own star and to be quite firmly integrated into Kenya. As long as the conditions in Kenya are markedly better than those in neighbouring states, it seems reasonable to suppose that this situation will continue' (Lewis 1989, 578). The Somali flag, which Professor Lewis cited, is pale blue with a white five-pointed star in the centre, representing the political areas that contain Somali people: Djibouti (formerly French Somaliland), British Somaliland and Italian Somaliland (which together form Somalia), Ethiopia's Ogaden region, and Kenya's Northern Frontier District.[3] With Professor Lewis's words in mind, this article will determine the extent to which Kenyan Somalis do indeed follow their 'own star' and whether or not they are 'firmly integrated' into Kenyan society. The article begins with an overview of the political history of Kenyan Somalis; it moves on to an analysis of the locations and roles of Kenyan Somalis in Kenya. With historical, political, and socio-economic foundations, the article then undertakes an exploration of the influence of Kenyan Somalis in Somalia and concludes with an assessment of the findings.

The historical presence

To understand the Kenyan Somali presence today, it is prudent to discuss, however briefly, the pre-colonial and colonial periods in Africa which witnessed the southward movements of the Somali people. The precise dates of migration (or waves) of the people now called Somali is debatable.[4] What is not is the fact that 'all Somali ultimately trace descent patrilineally from noble Arabian lineages' (Lewis 1960, 214). What this means is that ethnic Somalis claim to bear much more likeness and affinity to Arabs rather than Africans.[5] Certainly the 'passionate attachment of the Somali to Islam' would support such a claim; however Somalis are not and were never proto-Arabs (ibid).[6] These qualities, their cultural distinctiveness and religious affiliation, bear mentioning as they are reflected in the Kenyan Somali population.

Ethnic Somalis eventually reached territory within what became the British East Africa Protectorate by the last decades of the nineteenth century.[7] Due in large part to their 'prowess in fighting and in assimilation', Somalis in British colonial territory struggled with internal strife, often over scarce water resources and grazing lands, and were less than co-operative under British administration, either directly or indirectly complicating official policies (Castagno 1964, 168). Early attempts to contain the Somali were unsuccessful, whether the Somali-Boran line or the Anglo-Italian Agreement, which involved the British secession of an area known as Jubaland to Italian Somaliland. Time and again, the Somali population defied European political conventions and boundaries, which should have been readily apparent given their traditional pastoral way of life.

Without delving into the details of colonial administration policies, what emerged within British colonial territories from the end of the nineteenth century to the Second World War were distinct communities of Somalis in Kenya.[8] From urban settings like Nairobi to the desolate Northern Frontier Province (later, the Northern Frontier District or NFD), Somalis attempted to carve out their own political identity and physical space. These early Kenyan Somalis campaigned, using both violent and non-violent means, to be recognised as non-native, non-Africans for social, political, and economic purposes. Examples of early political organisations

included the Iashaakia Shariff Community (which met on a monthly basis in the Eastleigh neighbourhood of Nairobi), the Darod Ismailia Committee, and the Darod Welfare Association. Throughout, whatever their intent, Kenyan Somalis struggled to find a common, unified voice to present to the British, largely due to the framework of their clan-based segmentary culture.[9] On the other hand, the British tolerated Kenyan Somali political consciousness, so long as it did not impinge on London's strategic objectives in East Africa.

A shift in Kenyan Somali political organisation occurred after the Second World War. The Somali Youth League (SYL) began agitating for the unity and rights of all Somalis across the Horn of Africa as well as promoting advancements to Somali health, education, and religion.[10] Initially receiving recognition from the British administration, the SYL was banned in late 1948, along with all other political parties, because of its direct opposition to British policies, establishment of separate courts, and even formation of militant youth groups. Short-lived, the SYL demonstrated that Kenyan Somalis, particularly 'the younger elements', could overcome traditional clan allegiances for a common purpose, pan-Somalism (Turton 1972, 139). Because of its origins from and ties to Mogadishu, however, detailed discussion of the SYL as a mass movement is unnecessary in the context of this article. Nevertheless, the SYL was an early example of the political potential of Kenyan Somalis.

In July 1960, when both had become independent, British Somaliland merged with Italian Somaliland to form the sovereign nation-state of Somalia. This was cause for excitement among the Kenyan Somalis in the NFD, especially after the British ban on political parties was lifted and Kenyan Somali organisations formed anew. A number of Kenyan Somali political parties formed, but the most influential and active in terms of membership was the Northern Province People's Progressive Party (NPPPP) which sought secession and union with Somalia as its aim.[11] The NPPPP managed to fuse together Kenyan Somalis beyond what the SYL was able to accomplish, in terms of members, geographic locations, and status within local Kenyan Somali communities. With the momentum of the new nation-state of Somalia, the NPPPP and its secessionist allies made repeated calls to the British to hold a referendum in the NFD to decide the fate of the territory. While the calls were heard and the British government made attempts to ameliorate the situation, the forthcoming independence of Kenya posed a serious problem – for all sides. It was clear that the future leaders of independent Kenya, Jomo Kenyatta and Oginga Odinga, both black Kenyans (the former Kikuyu, the latter Luo), had no interest whatsoever in fragmenting an independent Kenya.

Before the final lot was cast, the British left a sliver of hope to secessionist Kenyan Somalis by announcing the formation of commissions to conduct field research and assist in determining the future of the NFD. Between December 1962 and March 1963, however, the NFD Commission and Regional Boundaries Commission recommended an administrative division of the NFD that would have a similar degree of local autonomy afforded to the other regions in Kenya.[12] Apparently, the commissions' findings were in direct contradiction to the British pledge to pro-secessionist Kenyan Somalis not to make changes to the formal arrangement of the NFD.[13] Disappointed and understandably livid, Somalia broke diplomatic relations with the United Kingdom as Kenyan Somalis rioted and engaged in political violence across the NFD and, to a lesser extent, in Nairobi. Kenyan Somalis were killed by police; a British

district officer was also slain, which forced British authorities to place military and security services on alert (Castagno 1964, 180). After Kenyan Somalis refused to participate in elections, the stage was set for enhanced hostilities between the Kenyan government and its defiant Somali population.

After gaining independence in December 1963, the new government in Nairobi declared a state of emergency in Northeastern Region (later, Northeastern Province). A *shifta* (Swahili for bandit) insurgency began which demonstrated the penchant for Somalis to use violence for political ends. Because Kenyan Somali *shifta* received support from Somalia, including weapons and supplies, Nairobi broke diplomatic relations with Mogadishu. Kenyatta's nascent government, with assistance from British military and security services, engaged in a counter-insurgency campaign against the *shifta*. As with the SYL, however, the *shifta* insurgency was another case of Somali influence in Kenya, which is the reverse of the focus of this article.[14] Analysis of the details of the insurgency and counter-insurgency is unnecessary to gain an appreciation of the Kenyan Somali perspective at the outset of the establishment of the Kenyan republic: they were on the wrong side of history vis-à-vis the British, and they were now on the wrong side of the border between two sovereign nation states, Kenya and Somalia.

The *shifta* insurgency eventually waned in the late 1960s, with creative counter-insurgency policies and external third-party mediation; however, guerrilla activities flared up sporadically in the 1970s as well as the 1980s. As Kenyatta tightened the screws on the government in Nairobi and the Cold War struggle set in, Kenyan Somalis remained outside the political spotlight. This was due to the general lack of education within the Kenyan Somali communities of Northeastern Province, which dated back to British colonial era policies, and the lack of employment opportunities in Kenya's emerging capitalist economy, the former being the more detrimental (Turton 1974a, 362). The marginalisation of Kenyan Somalis, socially and economically, continued as a result of their historical association to irredentist pan-Somalism, their religious position within Kenyan society (Islam being a minority), and their geographic isolation directly attributable to their distinct pastoral lifestyle. Despite their difficult circumstances, however, Kenyan Somalis viewed residence in quasi-democratic Kenya as far more desirable than in Somalia, which in 1969 became an authoritarian socialist regime under Siyad Barre with the usual Somali clan-based characteristics. For Kenyan Somalis, Kenya became the lesser of two evils.

The subordinate status and political under-representation of Kenyan Somalis did not improve as the Kenyatta era gave way to the Daniel arap Moi era in the late 1970s. Early in Moi's administration, one event did bring a Kenyan Somali to the fore. By subverting a 1982 attempted air force coup, a Kenyan Somali military officer, Lieutenant-General Mahmoud Mohamed, was brought into Moi's inner circle and the Kenyan public's attention. Events shortly thereafter, however, cast a long shadow over the general population of Kenyan Somalis. In February 1984, in an attempt to disarm rival local groups, Kenyan security services rounded up suspected male Degodia (a Kenyan Somali sub-clan of the Hawiye) and brought them to an airstrip outside Wajir town. Accounts of what happened next remain controversial, but several thousand Degodias were killed and several thousand more were left destitute (Kenya Human Rights Commission 2008, 40). The government declared a state of emergency, isolating what became known as the Wagalla Massacre from the public's eye. The consequence of the killings in Wagalla further ostracised the

Kenyan Somali community from the non-Somali Kenyan population and the government.

If to further antagonise the Kenyan Somali community, in November 1989 Nairobi instituted a procedure requiring all Somalis (Kenyan citizens and resident Somali nationals) over the age of 18 to carry a special, secondary identification card, after a determination of their legal status in the country. In the interests of national security due to the influx of Somali refugees and rising incidents of border violence as the Somali nation state fell into disarray, the cards were meant for official government and civilian business as well as internal and external travel. The procedure was originally intended to last three weeks, but the formal screening of ethnic Somalis in Kenya continued, despite temporary suspensions and protests, until 2002.[15] In addition to further marginalising Kenyan Somalis from the broader Kenyan society, the screening procedure split the Kenyan Somali community itself, as it was led by Kenyan Somali politicians and bureaucrats who were accused of politicising the process (Hiltzik 1990, 29). Though these events were principally about the influx of refugees from Somalia, which was on the brink of chaos, they nevertheless demonstrate further the unequal position of Kenyan Somalis, politically and socially, within Kenya.

After December 2002, the era of non-competitive, single-party rule in Kenya ended with the election of Mwai Kibaki as president. But Kenyan Somalis were caught in an international security environment not of their own choosing. The Cold War ideological struggle had ended, giving way to the new post-September 11, 2001 era and, with it, trepidation over Muslims who were motivated by militant interpretations of Islam to conduct acts of terrorism. Before and after al-Qaeda's 2001 terrorist attacks against the United States, Kenya was also a target of militant Islamic terrorism, with the bombing of the US embassy in Nairobi in August 1998 and the attacks around Mombasa in November 2002.[16] Nairobi, wary of being on the wrong side of the emerging international struggle, sided closely with the US-led global war on terrorism. This meant not only supporting publicly US strategic actions against al-Qaeda in Afghanistan and the invasion of Iraq but also tangible signs of counter-terrorism co-operation, including enhanced military-to-military relations and a renewed focus on the neighbouring failed state of Somalia. Along with historical experiences of prejudice and even repression, Kenyan Somalis became a potential security threat in the eyes of Nairobi, due to their religious affiliation.[17] Thus, the political history of Kenyan Somalis continues to be one mired in historical ethno-religious biases. Yet, in spite of these outstanding challenges, they have carved out a place and position in Kenya.

Locating Kenyan Somalis

The political history of Kenyan Somalis hinted at the numbers and locations of the population. A deeper analysis, however, is necessary, particularly one that disaggregates, to the extent possible, Kenyan Somali communities from legal Somali residents and refugees as well as illegal Somali residents and refugees. Without exploring the segmentary sub-clan structure, though conceding that it exists, conceptually Kenyan Somalis may be separated into two subsets.[18] One is the pastoral community which resides in rural portions of Kenya, especially Eastern and

Northeastern Provinces. Within these 'traditional Kenyan Somalis', as they may be identified, are non-Somali Muslim Oromo groups such as the Boran, Orma, and other so-called 'half-Somalis' (Castagno 1964, 167). Because they associate and believe themselves to be Somali, so too will they be grouped and treated as such in this article.[19] The second subset of Kenyan Somalis is the non-pastoral community which resides in the country's major urban centres, particularly Nairobi and Mombasa. For the purpose of distinction, one may identify these as 'modern Kenyan Somalis'; as aforementioned, Kenyan Somalis have long engaged in non-pastoral commercial activities, requiring them to live in the cities.

Early Kenyan Somalis were used as *askaris* (Swahili for African soldiers or police), gun-bearers, and members of European expeditions into Eastern Africa. They joined the King's African Rifles and East African constabularies as well as performed civilian duties such as clerks and interpreters. Somalis became known as proficient stock-traders (or traders), selling their own livestock as well as those of European estate-holders (Turton 1974b, 326). At the beginning of the twentieth century, large concentrations of Somalis could be found in Nairobi, Isiolo, Nanyuki, and Nyeri. But by far the largest concentration of Kenyan Somalis resided in the large swath of territory in northern Kenya, the NFD. Today, the NFD comprises portions of three provinces in Kenya, including a small segment of Coast Province, a majority of Eastern Province, and all of Northeastern Province. This expanse was necessary for Kenyan Somalis, in the past and today, because of their pastoral way of life; they lived nomadically and semi-nomadically herding camels, sheep, and goats from location to location. Such natural migratory activity often ignored political boundaries that were set in place by the British, Italians, and Ethiopians.

While there were no plans to industrialise the NFD, the very pastoral nature of Kenyan Somalis was recognised early on as a potential impediment to modernisation of Kenya as a whole. For example, while indirectly identifying socio-cultural characteristics of the population, one scholar remarked about Kenyan Somalis maintaining herds and flocks as a livelihood: 'Keeping them alive is a heavy drain on both grazing and water resources. The value to their owners is a matter of prestige and sentiment rather than of cash, since there is no market for these animals' (Parkinson 1939, 162). By the time of independence, Kenyan Somalis' pastoralist pursuits were made even more difficult through natural and man-made circumstances, from persistent periods of drought to inter-communal violence often aided by advances in weapons technology (namely, firearms). As a result, they were forced to diversify to non-pastoral incomes as a way to avoid destitution and, in some cases, death (Hogg 1986, 323–5). The Kenyan government provided support through projects aimed at 'relocating and sedentarising' Kenyan Somalis, some of which were successful on a small scale (Schraeder 1986, 658–9). Regardless of the situation, it became apparent that 'one goal which all Somali shared was to retain or even increase whatever they possessed: guns, access to wells and water, the use of pasture and the ownership of cattle or camels' (Turton 1972, 126). Traditional Kenyan Somalis, thus, did not have a profound economic or political impact inside or outside of Kenya's borders.[20] They remained attached to the land.

In addition to traditional pastoral living, Kenyan Somalis engaged in commercial affairs in urban areas. While livestock trading continued to connect them to their cultural livelihood, Kenyan Somalis gained a reputation as savvy non-pastoral traders and businessmen as well, both in legal and illegal ventures. As a commercial

venture, the exporting of *khat*, a narcotic leaf grown near Nairobi and Mount Kenya, by Kenyan Somali traders deserves particular mention. Its export to Somalia may be valued at between $120 and $180 million; however, its comparative trade value is unclear (Green 1999, 36, 45). Nevertheless, it is a distinctive Kenyan Somali venture (although black Kenyans are the principal growers). Legal Kenyan Somali ventures have included airline businesses to Somali communities throughout the Horn of Africa (*khat* and other illegal goods are also trans-shipped, however), a courier service to Northeastern Province, and numerous cyber cafes (Mutsune 2006, 64–5).

The Eastleigh neighbourhood in the Eastlands area of Nairobi, at one time the monthly meeting location of the Iashaakia Shariff community in the 1930s, stands out as a principal economic centre of Kenyan Somalis. There they have created large-scale businesses in the wholesale, retail, housing, and transportation industries as well as a wide variety of smaller-scale trade networks and businesses, from fruit-stands to electronics stores to guest houses.[21] 'Aside from offering all the goods and services imaginable at the cheapest price in Nairobi, thereby attracting both individual consumers and purchasers from a variety of businesses, the Somalis have also created work for local Kenyans, many of whom are hired as low-wage, unskilled labourers. More lucrative jobs include working on Somali-owned *matatu*s and as mechanics' (Campbell 2006, 407). Facilitating Kenyan Somali trade from Eastleigh and other cities has been the informal banking system, known as *hawala* (meaning transfer in Arabic), which has enabled the transfer of cash in various denominations and in nearly all currencies throughout the world. 'One ironic aspect of the collapse of the state in Somalia is that telecommunications and money wiring services are now significantly better today than in the past', which has benefited Kenyan Somali economic activity as a whole (UN Development Programme 1998, 34).

Whether traditionalist or modern, Kenyan Somalis have clearly made the most of the free market economy in Kenya. Their economic existence has mostly been overlooked, including by astute observers of Kenya, until international attention brought focus to terrorism, al-Qaeda, and Somalia. On the other hand, the issue of tribalism and the politicisation of ethnic identity has long been the centre of attention in the Kenyan political landscape, before and after gaining independence. The numbers within tribal groupings have been politicised as they have helped determine leadership within the central government and, to a lesser extent, in the military.[22] Furthermore, population statistics are inherently estimates, in Kenya and all nation states, attempting to take into account the number of methodological challenges and human enumerating errors. For these reasons, it is difficult to determine the precise numbers of Kenyan Somalis, past and present. Western governments have even excluded Kenyan Somalis from breakdowns of Kenya's ethnic groups.[23] Nevertheless, an approximation of the numbers over time provides a framework from which to explore Kenyan Somalis and their possible influence in Somalia.

Academic sources paint a rough picture of the pre-independence population of Kenyan Somalis. In 1959, for example, approximately 60,000 ethnic Somalis were living in the NFD (Silberman 1959, 651). This estimated population of Kenyan Somalis was less than 1%, if the total population was roughly 7.9 million in 1959 (US Census Bureau 2010). A year before independence, citing the British NFD

Commission, over half of the 200,000 to 390,000 population in the NFD was Somali, which was roughly between 100,000 and 195,000 (Castagno 1964, 167; Lewis 2002, 183). This estimated range of Kenyan Somalis was 1.1 to 2.2%, if the total population was around 8.7 million in 1962 (US Census Bureau 2010). These estimated numbers of Kenyan Somalis indicate a small but gradually rising segment of the total Kenyan population, outside of the mainstream which was growing in the southern third of the country.

After independence, the rising number of Kenyans – including Kenyan Somalis – was monitored by a statistical unit created within the Kenya Ministry of Planning and Development. The unit was later elevated to a department and, finally, a bureau, which illustrates the significance of statistical monitoring in Kenya.[24] The 1979 census, the second such census undertaken by Nairobi after independence, estimated a total of 516,385 Kenyan Somalis, which was about 3.3 to 3.4% of the approximate 15.1 to 15.7 million total number of Kenyans (Nelson 1984, 90; US Census Bureau 2010).[25] Ten years later, when the next official census was conducted, a total of 580,707 Kenyan Somalis was counted, which was between 2.6 and 3.8 per cent of the total number of Kenyans, 15.3 to 22.6 million (Maxon and Ofcansky 2000, 213, 238; US Census Bureau 2010).[26] Before the end of the century, the last official census recorded about 900,000 Kenyan Somalis in 1999 within a total population of between 28.7 to 29.8 million, or approximately 3 to 3.1% (Library of Congress 2007, 6; US Census Bureau 2010). Again, while these figures are mere approximations, they indicate a relatively consistent trend in the numbers of Kenyan Somalis in the country, representing a mean of about 3.3% of the total population in Kenya.

The new century brought additional challenges to the census in Kenya. Due to the sensitive political environment in Nairobi after the December 2007 post-election violence and the militant Islamic rise and subsequent insurgency in Mogadishu, the 2009 national census became both contentious and politicised. Performed in August 2009, the official census report and results were not released to the public. Leaked reports in early 2010, however, cited a total Kenyan population of 39,423,264, within which approximately 2.3 million, or about 5.8%, were reported to be Somalis.[27] This supposed figure, if true, would reveal phenomenal growth in the numbers of Kenyan Somalis, particularly in Northeastern Province. In January 2010, however, it was alleged that 'some officials at the National Bureau of Statistics Bureau and the Ministry of Planning had been involved in manipulating the census data', with specific reference to altering the numbers of Kenyan Somalis (Teyie 2010). Whatever the official numbers may be, this case reveals a heightened awareness, and even concern, of the numbers of Kenyan Somalis by the central government which was historically absent.

Just as prior to Kenyan independence, today Kenyan Somalis remain in a number of districts in the former NFD: Garissa, Wajir, Mandera, Moyale, Isiolo, and Marsabit. In addition, Kenyan Somalis continue to reside in the primary urban centres of Nairobi and Mombasa for commercial purposes. While the geographic locations remain the same, the rise in Kenyan Somalis, numerically and economically, may be altering the political landscape in Kenya which has ramifications with regard to their potential influence in Somalia. There has been a clear escalating trend in the population of Kenyan Somalis in Kenya, from approximately 1% to about 3 to 5% of the total population. This rise, while natural, may result in possible Kenyan

Somali influence across the border as well as influence through policy decisions implemented in Nairobi.

Analysis of influence

The historical, geographical, and social background of Kenyan Somalis has laid the basis for examining the extent of Kenyan Somali influence in Somalia. Fundamentally, such political, economic, or strategic influence may be direct or indirect. This may be explored through analysing the roles of significant Kenyan Somali national leaders, Kenyan Somali public statements, and other identifiable actions throughout Kenyan history. Because of the nature of this examination, however, certain details remain largely unknown but not unknowable. For example, in the immediate pre-independence period, Kenyan Somali delegations made 'frequent' visits to Mogadishu during efforts to negotiate with the British the secession of the NFD to Somalia (Lewis 2002, 186). The precise details of these visits were unclear; but that they were reported and did occur uncovers a level of interaction that warrants investigation. Keeping in mind these challenges, this preliminary examination sheds insight on the role of Kenyan Somalis in Somalia.

The number of early Kenyan Somali political leaders was small. They included Ali Adan Lord and Rashid Abdi Khaliff, both members of the NFD Legislative Council in 1962 (Lewis 2002, 186; Sunday Nation 2005). After Kenyan independence, given the *shifta* insurgency and tense relations with Somalia, Kenyan Somalis did not play a noticeable role in national politics. As Kenya developed into a capitalist nation state, between 1963 and 1979, no cabinet members were Kenyan Somali (Khapoya 1980, 28–32). What this reveals is the lack of political influence of Kenyan Somalis, historically. A possible explanation is that since the *shifta* insurgency, Kenyan Somalis have 'proved one of the most reliable pools of support for KANU,' the Kenya Africa National Union which was the ruling party under Kenyatta and Moi (Jane's Information Group 2007). The reasons for Kenyan Somali acquiescence of the KANU governments may have been due to local circumstances, for example, rising levels in the standards of living since the 1960s. A proper assessment, however, would require further research that disaggregates the population between traditional and modern Kenyan Somalis. After Kenyatta's death in August 1978 and Moi's ascendance to power, a Kenyan Somali did rise to national prominence.

In August 1982, Kenya Air Force officers attempted a coup to overthrow the Moi government, as aforementioned. Kenya Army Lieutenant-General Mahmoud Mohamed, a Kenyan Somali, intervened and brought the Moi government back to control. Demonstrating steadfast loyalty to Moi, Mohamed was later rewarded with a promotion to Chief of General Staff (CGS) in 1986, a position he maintained until 1996. During his tenure as the highest ranking military officer in the country, however, Mohamed was accused of meddling in the affairs of Somalia. Arguably, this was the first such allegation against the top Kenyan Somali national figure. Prior to and during the 1992 US-led United Nations humanitarian operations in Somalia, Mohamed and his brother, Hussein Maalim Mohamed, who was minister of state for defence, were believed to have had a hand in supporting General Sayeed Hersi Morgan, son-in-law of ousted Somali President Siyad Barre. Morgan's forces, which made multiple incursions into Somalia from Kenyan territory, were reportedly armed

and trained by Kenya army officers. Kenyan Somali women may have also assisted Morgan by transporting guns and munitions 'under their robes' (Luling 1997, 297). 'Kenya's hands are not clean,' said one senior Western military official at the time (Sloyan 1992, 15). While President Moi officially maintained a neutral stance for Kenya, Morgan was supported by Kenya through 'large cash payments' from Siyad Barre and his exiled supporters. Evidence remains largely circumstantial, but using the Kenyan Somali Mohamed brothers' military connections for arms and training would have been a logical approach for Siyad Barre and his allies.[28] In mid-1993, 'fresh supplies of weapons from Kenya' were flowing into Somalia, as CGS Mohamed was again accused of 'partisan Somali involvement' (Lewis 1993, 1). If the Mohamed brothers did support Morgan, this demonstrates the first instance of strategic Kenyan Somali influence in Somalia.

Nearly a decade later, conditions in Kenya remained markedly better than in Somalia. Meanwhile, prominent Kenyan Somalis responded to ethno-political charges from across the border. In 2002, a pronouncement by a Somali warlord caused an unusually strong and unified response by the small Kenyan Somali political elite. Husayn Mohammed 'Aydid', leader of the Somali National Alliance, was quoted as asserting, 'We want to bring back the Ethiopian and Kenyan Somalis otherwise you have a divided population who are in the same family' (Sunday Nation 2002). A whole host of Kenyan Somali, from the Northeastern Provincial Commissioner to assistant ministers and members of parliament, lambasted Aydid, reaffirming that Northeastern Province was sovereign Kenyan territory and that Kenyan Somalis had no interest in joining Somalia.[29] In contrast to a decade earlier, there emerged a Kenyan Somali political voice, and they openly and legally responded with public statements to events across the border.

In late 2006 and early 2007 Kenyan Somali youths reportedly fought alongside the Islamic Courts Union, including al-Shabaab, and were killed confronting Ethiopian military forces. Citing intelligence reports, Northeastern Provincial Commissioner at the time Kiritu Wamae stated that over 4000 youth, mostly Kenyan Somalis from Garissa District, enlisted in the cause.[30] Though his claims were initially discounted by local Muslim leaders throughout Northeastern Province, Wamae later stated categorically at a news conference on the Kenya-Somalia border in Liboi: 'Radical transnational Islam, Pan-Somali nationalism and local Muslim leaders involved in Somali politics threatened the country's sovereignty and NEP integration into the Kenyan mainstream and the trend should stop' (Obure 2007). Wamae's reference to local Muslims leaders 'involved in Somali politics' indicates a different level of involvement by a different segment of the Kenyan Somali population across the border, one that possibly reflected grassroots Kenyan Somali sentiment.

Further research reveals that this was not the first occasion Kenyan Somalis had been radicalised and killed in Somalia on the side of Islamist fronts. In the early 1990s a predecessor to al-Shabaab, al-Ittihaad al-Islami (AIAI), had made advances into the Kenyan Somali population. One of the Kenyan Somali leaders, nicknamed Boqolsoon, was killed at a roadblock in Jowhar in mid-1992 while on a visit to Somalia. A Kenyan Somali AIAI leader, Adan Garweyne, who was the owner of Ramadan Hotel in Eastleigh, was killed at 'Eel Waaq in Somalia (International Crisis Group 2005, 8). Before they were killed, both were considered 'Kenyan-based founders' who raised funds for the AIAI cause, to create a Somali government based

on strict adherence to Islamic law (UN Monitoring Group on Somalia 2010, 25). Clearly, grassroots elements of the Kenyan Somali population provided tangible support to militant Islamic and Islamic terrorist groups in Somalia.[31] Whether this was initiated by groups in Somali or by Kenyan Somalis in Kenya is unclear. Nevertheless, the more recent involvement of Kenyan Somalis fighting for al-Shabaab illustrates a natural progression of grassroots Kenyan Somali support and involvement in Somalia, from funds to fighters.[32]

The Kenyan government decided to respond indirectly to this potential rise in grassroots Kenyan Somali militant actions. Initiated in early 2009 by the Transitional Federal Government (TFG) with support from Nairobi, a military training programme began to create a militia for operations in Somalia. Though publicly denied by Nairobi, two training centres were established, at the Kenya Wildlife Service training camp in Manyani and near Archer's Post outside Isiolo. Along with multiple accusations by al-Shabaab and local Kenyan Somali religious leaders, 'Media reports and international non-governmental organisations have alleged numerous irregularities in the management of the training programme, including recruitment of underage youth, of Kenyan citizens, false promises of financial remuneration, and recruitment of refugees' (UN Monitoring Group on Somalia 2010, 56). The practices were confirmed, including by the mayor of Garissa, but the extent of the 'irregularities' remains unclear.[33] 'Kenyan security forces had reportedly trained the recruits as part of a 2,500-member militia of Kenyan Somalis and refugees for a possible TFG assault on al-Shabaab-controlled areas in southern Somalia including the city of Kismayo (Human Rights Watch 2010, 56).

Since the training of Kenyan Somalis and, possibly, Somali refugees was confirmed, conflicting reports have continued to circulate. In late December 2009, for example, Kenyan Minister for Internal Security and Provincial Administration George Saitoti ordered the closure of the Kenya-Somali border to prevent Kenyan Somalis from joining the conflict, on either side, in Somalia (Shabelle Media Network 2009). Three months later, sources revealed a dispute had arisen between Kenya and the TFG regarding where to deploy the 2500-member force, which essentially confirmed the existence of the training programme in spite of repeated denials by Kenyan government officials.[34] This case illustrates the complexity of Kenyan Somali influence in Somalia, from the grassroots level to national political elite. There was clear Kenyan government involvement, perhaps including Minister of State for Defence Yusuf Haji and Commandant of the Kenya Military Academy at Lanet, Brigadier Bashir Yussuf Haji, both Kenyan Somalis. At the same time, average Kenyan Somalis participated in the training, whether knowingly or unknowingly, thus demonstrating the multifaceted nature of Kenyan Somali influence in Somalia.

The Kenyan government may, indeed, have a 'Jubaland policy' in place, which is intended to establish a buffer zone bordering Kenya in Somalia's Juba Valley (UN Monitoring Group on Somalia 2010, 55). As history reveals, this would be consistent with former British colonial policy which used the NFD as a buffer against Ethiopian and Somali incursions, not to mention 'an area of exile' and 'an area of punishment' (Thompson 1995, 11). The extent to which continued border closures and enhanced border security measures serve the interests of Kenyan Somalis is difficult to determine; both will no doubt continue to occupy the attention of Nairobi, particularly with the continuing threats from al-Shabaab. Less ambiguous

is the fact that, historically, Kenyan Somalis have played a role, however minor, in Somalia. Until more recently, their influence has been in the shadows. Since the initial pre-independence pan-Somalism, though, Kenyan Somalis – both national officials and average citizens – have been increasingly involved in the politics and insecurity of Somalia.

Assessment

Based on empirical evidence, there does not exist an overt unified effort, politically or strategically, on the part of Kenyan Somalis to affect events in Somalia. Historically, their influence has been uneven and mostly marginal to Somali borders. But this does not mean such influence could not increase in the future, especially if recent trends continue. Thus, Kenyan Somalis may indeed follow their 'own star', as Professor Lewis wrote nearly two decades ago. They at one time desired union with their fellow Somalis, a short-lived objective perhaps more attributable to Mogadishu than to Kenyan Somalis. Since Kenyan independence, Kenyan Somalis have not sounded the clarion call for the creation of a Greater Somalia precisely because conditions have remained more desirable in Kenya than in Somalia, as Professor Lewis wrote. Within Kenya, they have not demonstrated the wish or the ability to join politically into a unified force, and 'Islam [has] never provided a unifying factor strong enough to overcome inter-clan hostilities which were based on political and economic factors' (Turton 1972, 141). Geographic factors, particularly the urban-rural divide, and the segmentary nature of Somalis, have precluded traditional and modern Kenyan Somalis from coalescing. These distinct Kenyan Somali characteristics have resulted in variegated levels of influence in Somalia, from the efforts of Kenyan Somali national officials to grassroots individuals.

Contrary to Professor Lewis's hypothesis, Kenyan Somalis are not at all firmly integrated within Kenya, whether into the national social fabric or the political landscape. This reality, however, has not prevented Kenyan Somalis from playing a role in Kenyan society or politics. As this article has demonstrated, since the early 1980s elite Kenyan Somalis have been visible in the national political scene, occasionally using their influence across the border into Somalia. Based on historical experience, average Kenyan Somali citizens have generally not involved themselves in Somalia without the external impetus of militant Islamic influence. Politically the exception, moreover, Kenyan Somalis have remained outside of Nairobi's 'problem of containing and accommodating tribal and ethnic particularism', especially amongst the dominant tribes of Kenya – the Kikuyu, Luo, and Kalenjin (Lewis 1967, 106). The extent to which Kenyan Somalis' political voice remains marginalised is dependent on their ability to form unified political and economic bases. Only after such unity is achieved will Kenyan Somalis be included in the tribal and ethnic particularism of Kenya, which may or may not be their desired aim. If Kenyan Somalis do become integrated into Kenya, eventually they may become influential in both national and international events, including those in Somalia.

In the struggle to establish a viable Somali nation state, the Somali community outside Somalia, particularly the Kenyan Somali population, should be factored into this twenty-first century international problem. In many ways, the pastoral nature of Somali people requires such transnational analysis that has heretofore been

non-existent. Literature on Kenyan Somalis certainly deserves more scholarly, detailed focus and attention rather than cursory, superficial passing mention. Including the broader international Somali population in discussions about the future of Somalia has the potential to expand the level of understanding and engagement, perhaps contributing to a more positive evolution from the current state of nearly two decades of conflict. At a minimum, it is recommended that further research be performed to comprehend in depth the nature and character of these communities of Somalis outside of Somalia, whether they are part of the solution or part of the problem.

Notes

1. For a foundational understanding both pan-Somalism and Greater Somalia, read Lewis (1963) and Lewis (2002).
2. There are a number of well-documented reports on Somali refugees in Kenya and their plight, for example Human Rights Watch (2009a) and Human Rights Watch (2009b). For a first-person account of the plight, see Hyndman (1999).
3. According to some scholars, the flag serves to remind Somalis, wherever they might be, that they have 'a duty to unite and form one nation state' (Makinda 1983, 306).
4. Scholarly assessments vary, from the tenth through the fourteenth centuries for the initial wave of Somalis of the Darod and Isaq clans. Additional movements took place possibly in the seventeenth century.
5. I attempt to analyse the distinctness of the Somali people, specifically vis-à-vis Kenyans, in Chau (2010a).
6. I thank an anonymous reviewer for this necessary clarification.
7. The British East Africa Protectorate became officially known as the Colony and Protectorate of Kenya until 1963, when Kenya gained independence.
8. The most detailed account, at least up until the Second World War, of British colonial administration policy toward Somalis in Kenya is Thompson (1995).
9. For an ethno-linguistic analysis par excellence, see Schlee (1989).
10. The SYL was originally the Somali Youth Club, established in May 1943 in Mogadishu. In addition to the NFD, the SYL established branches in Ethiopia's Ogaden and British Somaliland.
11. Other secessionist Somali political parties included the Northern Province Democratic Party, the People's National League, and the National Political Movement, which was based in Nairobi.
12. The NFD was split between the districts of Garissa, Mandera, and Wajir which formed Northeastern Region and Isiolo and Moyale districts, which formed Eastern Region.
13. I write 'apparently' because the NFD Commission Report included in its findings the phrase 'on the premise that there can be no question of secession before Kenya gets independence'. The report is cited in Lewis (2002, 191–2).
14. For an analysis of the strategic dimensions of the *shifta* insurgency, see Chau (2010b). The only full-length treatment of the *shifta* insurgency is Nene (2005).
15. For a critique of the screening procedure, see Human Rights Watch (1990).
16. For more on the attacks in the context of US-Kenya strategic relations, see Chau (2010b).
17. Some analyses refer only to Kenyan Muslims and do not differentiate Somalian Muslims, see for example Terdman (2007).
18. Thus, this article will not explore the sub-clan differentiation between Isaq and non-Isaq (principally Darod) in Kenya.
19. Somali and Oromo groups, both from the Cushitic language family, will be treated as Kenyan Somalis. Somali sub-groups include Degodia, Gurreh, Ogaden, Ajuran, Hawiyah, and Gosha; Oromo sub-groups include Boran, Orma, Gabbra, and Sakuye. Other minor ethnic groups that merge with Somali-Oromos to form Kenyan Somalis include, among others, the Rendille and Boni-Sanye. Supporting this claim that certain non-Somalis see themselves as Somali, see Schlee (1985).

20. For example, by 1989 no Kenyan cattle were being sold in Kismayo (Little 1992, 102).
21. Petroleum is supplied from Kenya to Somalia through Indian-Kenyan agents (Webersik 2006, 1469).
22. For a more detailed examination of the latter, see Chau (2010b).
23. Both the US Central Intelligence Agency and the UK Foreign and Commonwealth Office do not have precise breakdowns of Kenyan Somalis in their country reports (Central Intelligence Agency 2010 and Foreign and Commonwealth Office 2010).
24. The Central Bureau of Statistics is now the Kenya National Bureau of Statistics.
25. The total number of Kenyan Somalis comprised 382,917 Somalis and 133,468 Oromos.
26. The total number of Kenyan Somalis comprised 419,259 Somalis and 161,448 Oromos.
27. The reported total population corresponds with the US Census Bureau's 39 million estimate (US Census Bureau 2010).
28. Indeed, Western intelligence traced a large cache of weapons in Somalia under Morgan's control with serial numbers of small and light weapons which had been purchased by the Kenya Army (Sloyan 1992, 15).
29. The list of prominent Kenyan Somalis included: Provincial Commissioner Mohamud Saleh, Assistant Ministers Yusuf Haji (Office of the President), Mohamed Abdi (Trade and Industry), Adan Mohamed Noor (Environment and Natural Resources), Mohamed Affey (Foreign Affairs) and members of parliament, Dr Ali Abdi (Wajir North), Mohamed Weyrah (Ijara), and Adan Keynan (Wajir West) (Sunday Nation 2002). Affey was later Kenyan special envoy to Somalia (International Crisis Group 2004, 10). Keynan chaired the Parliament's Committee on Defence.
30. For an exception, read an account of the radicalisation of Kenyan Somali Tawakal Ahmed from Isiolo, who was killed in November 2008 fighting for al-Shabaab (Aly 2009, 10).
31. Religious centres in Kenya known for their ties to militant Islamic groups in Somalia include: the Abubakar as-Saddique mosque on 6th street, the Al-Hidaya mosque, Beit-ul-Mal Madrassa and the Masjid-ul-Axmar in Nairobi (UN Monitoring Group on Somalia 2010, 25).
32. Further support to this assertion is the example of Kenyan Somali Liban Elmi from Nairobi, who joined al-Shabaab in 2009, was trained in Ras Kamboni, wounded in combat in Mogadishu, and subsequently returned to Northeastern Province – with an amputated right leg (Baldauf and Mohamed 2010).
33. One account described how Garissa resident Siad Dhaqane unknowingly volunteered for the training but was later told to return home (Ryu 2009).
34. The dispute is between deployment to the Kenya-Somali border area or to Mogadishu (Ryu 2010).

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An open letter to Uncle Sam: America, pray leave Somalia to its own devices

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The al-Qaeda-linked Somali insurgent group al-Shabaab has raised alarm in the United States. The proliferation of Somali piracy, too, has US foreign policymakers concerned. This open letter to 'Uncle Sam' makes a straightforward case: with the pirates, America should mete out collective punishment; with the terrorists, it should do nothing.

Dear Uncle Sam,

Al-Shabaab's rapid expansion throughout southern Somalia seems to have caught you and much of the world by surprise. This alarms you, I understand, because Somalia might become 'a haven for terrorists', especially given al-Shabaab's pledge of loyalty to al-Qaeda. Faced with the unwelcome prospect of an Islamic jihadist takeover in Somalia, your United States government has rushed in with munitions and logistics to the tune of US$5 million to bolster the tottering Transitional Federal Government (TFG), headed by interim president Sheikh Shariif Sheikh Ahmed (Bast 2009, 9). Admittedly, US$5 million is peanuts by your standards, but it signals the beginning of a sliding slope. Your country's advisers have a way of following American money for arms, a phenomenon that foreign-policy wonks refer to as Mission Creep (MC).

The driving force behind your obsession – and indeed the United Nations' obsession – to recreate a central government for Somalia is rooted in the fear that: (i) a stateless – and therefore a presumed lawless – Somalia might become a nursery for Terror International, especially given the various cells of al-Qaeda-linked jihadists lurking there, and in the recesses of rogue nations like nearby Yemen; and (ii) the global nightmare of Somali highwaymen on the high seas will end only when Somalia enjoys a government with sufficient resources to patrol its coastal lines. The former is especially urgent, you say, in view of the fact that the al-Qaeda-connected al-Shabaab Somali terrorists already control large swathes of Somalia, including much of the capital of Mogadishu. Let's speak to each of these concerns individually.

First, the issue of restoring a central government. The effort to recreate a Somali central government is already under way, with 'MC' seeming to have ballooned into Mission Go For It. The press and the internet are abuzz these days with news reports of a coming massive international commitment to Somalia. Led by your US government, Uncle Sam, the new initiative forecasts committing enough financial resources to the rickety regime of the cleric Sheikh Shariif Sheikh Ahmed to reverse the steady losses it has lately suffered at the hands of al-Shabaab militants (Gettleman 2010, A1). Though the Sheikh's government enjoys UN recognition, it merely controls a few streets of the capital of Mogadishu with the help of the 4000-man force of Ugandan and Burundian peacekeepers. The rest of southern Somalia – the largest part of the country – is in the hands of the al-Qaeda-linked radical al-Shabaab jihadists, from the port city of Kismayu in the extreme south, close to the Kenya border, to central Somalia. The new aid is designed to strengthen the Shariif government by raising a 10,000-strong police force along with arms and numerous kinds of logistical support (Gettleman 2010, A1). Units of the would-be force are, at the moment, being trained in neighbouring countries such as Kenya, Uganda, Ethiopia and Djibouti. The aim is to eject al-Shabaab and restore a united Somalia with a central government. I argue in a forthcoming book that the world community's new campaign to 'fix' Somalia amounts to a 'Fool's Errand' and is destined to dismal failure. Herewith my reasoning.

The definition of insanity

An ancient Chinese maxim defines insanity as 'doing the same thing in the same way and expecting a different outcome (http://empoweredquotes.com/2008/10/13/insanity-alberteinstein-2/)'. In the course of my fieldwork for graduate study in early 1977, I arranged for an interview in a suburb of Mogadishu with the encyclopaedic Oromo informant, Sheikh M. Daadhi, who was more Somali than the Somalis in his perfection of Somali language and culture. During the interview we spotted in a nearby grove a rather wild-looking, half-naked man repeatedly emptying a can of sand into a bottomless barrel. The man, scowling and cursing by turns, kept at his duties for the better part of a day, encouraged and egged on by a crowd of enthusiastic onlookers. The more his labours went unrewarded, the more feverishly he increased the pace of his emptying, humming and hissing. At long last he was so exhausted that he keeled over as stiff and as motionless as, to borrow a Twainism, a 'carpenter's workbench'.[1] I inquired from the great Sheikh as to the meaning of the spectacle. Said he, 'The idea is to over-exhaust the insane man's agitated nerves into calmness'. I asked, 'Does it work'? He responded, 'It almost always does'. He then added, 'It is an effective therapeutic technique'.

Thus do Somalis unknowingly dip into the Chinese psyche! In the nearly two decades since Operation Restore Hope in 1992 – when the UN fielded a coalition force 28,000 strong, the bulk of them representing the pick of your US military might – to Embigathi, Kenya in 2004, the world came to the rescue of Somalia no fewer than 17 times to restore peace and tranquillity to that unhappy country, and to resuscitate the moribund Somali central government. All efforts have been to no avail, failure following failure higgledy-piggledy. Operation Restore Hope ended in a military disaster you might recall, dear Uncle, when the late and unlamented General M. F. Aydiid (who ran me out of town in 1992, but this belongs

to another narrative) turned on the UN forces in June 1993. That was when he ordered the slaughter of 23 Pakistani servicemen, then had their mutilated bodies dumped on the streets. It was a prelude to Bloody Sunday, 3 October 1993 when Aydiid's militia mauled a force of your US Rangers, killing 17. The Clinton administration proceeded to pull out US personnel, a move that was quickly followed by other nations. As for Embigathi, it too ended in the embarrassing spectacle of Somali *hildhibaans*, or parliamentarians, bashing in each other's heads with clubs and chairs in broad daylight, TV cameras and all, before a shocked international community. It was a most humiliating moment for many Somalis, but somewhat telling. The word *hildhibaan* means in Somali 'he who is seared to the bone by the heat of responsibility!' My graduate students reminded me of the irony embedded in the word *hildhibaan* when they asked, 'When your responsibility-seared leaders take to fist-fighting before the world press, how do your ordinary, non-responsibility-seared folks behave?' But, Uncle Sam, I digress.

The cautionary tale in all this revolves around the obvious fact that you cannot force a central government on a people who seem not to want one, or rather a people to whom the notion of a government may well be an alien concept in their cultural traditions. The point is that throughout their long pre-colonial history, Somalis belonged to a class of African peoples social anthropologists refer to as 'individualistic, extremely egalitarian and stateless' (Lewis 1961, *passim*). Such peoples include the Nuer and Dinka of the Sudan, and the Tellenesi of Ghana, in addition to the Somalis.

Somalia holds no monopoly on catastrophic social upheavals culminating in political collapse in the history of post-independence Africa. For two decades (1985–2005), Liberia sank into the bottomless pit of a reign of terror under the brutal Charles Taylor (who is now in the dock before the International Criminal Court). Then in 2005 the world came to the aid of Liberia, giving the Liberians a chance to stand on their feet. They did so in a fair and free election under UN personnel supervision, electing Ellen Sirleaf-Johnson, the first woman president in Africa. Under her able leadership, Liberians are today managing their affairs well, and looking to the future with optimism.

Similarly, Sierra Leone as a state disappeared into a political black hole for two decades (1980–2000) during which a gang of limb-slicing terrorist thugs that went by the name of Revolutionary United Front (RUF) so traumatised the body politic as to stir an international outcry. Then under UN prodding, the British intervened and stabilised the country, thereby giving the terrorised people of Sierra Leone a chance to go to the polls and elect a new president, once again in a fair and free competition, and to make a fresh start. Having at last found peace and tranquillity, Sierra Leoneans now look forward to a future of peace and progress.

In January 2008 Kenya, too, exploded into an orgy of internecine killings after the Kikuyu elite under the leadership of President Mwai Kibaki stole the election from Raila Odinga's Orange Movement party. Accustomed to easy entitlements ever since the days of Jomo Kenyatta, the country's first president, who gave his fellow Kikuyus the fabled White Highlands in the wake of decolonisation, the Kikuyu walked the earth like colossuses.[2] But this time around the Kikuyu could not get away with stealing the election. Massive anti-Kikuyu hostility erupted in which hundreds lost their lives and hundreds of thousands were internally displaced. It took

all the diplomatic skills of former UN Secretary-General Kofi Annan to negotiate a political power-sharing deal between the squabbling parties.

Even Zimbabwe has a hint of hope in the power-dealing arrangement between Morgan Tsvangirai and the tyrant Robert Mugabe who has dragged a once prosperous country through 30 years of nightmarish misrule. Mugabe is fond of defiantly telling the world, 'Only God can remove me'. At 83, he may discover that God might oblige him sooner than he suspects.

Finally, even Africa's proverbial Heart of Darkness – the Democratic Republic of the Congo (DRC) – is miraculously on the mend.

In all these cases, each country learned to stand on its feet when the international community intervened to help them help themselves. Only Somalia, Africa's Cassandra of riddles, refuses to help itself, despite sustained international efforts to help it. The reason for Somalia's seeming destiny to be mired up in clannish feuds and vendettas is not far to seek. The concept of a centralised political system is alien to the indigenous Somali psyche. Thus the Somali state that emerged in 1960 in the wake of decolonisation stumbled along fitfully until it crashed in early 1991 into its component clans. A perceptive Somali professor put it this way:

> We blundered into this so-called central power somewhat like a crew of somnambulists with little idea of what a state was and less of how to run one, the whole thing being something of a mystery to us until we sleepwalked off the cliff.[3]

Given this state of historical statelessness, it is an act of insanity to force a centralised state on a people who neither understand it nor seek to have one. The sooner we concede to reality, the more we are likely to avoid the fate of the mad man encountered above.

A commission of overseers

So far my argument has been that Somalis, both traditionally and under present conditions, have shown themselves to be unprepared to handle the demands of a centralised government, and that it would be an act of lunacy to force an overarching centralisation like the failed one of dictator Muhammad Siyaad Barre on a people who are either unwilling or ill-prepared to have one. Moreover, empirical experience in the annals of African governance shows that it is over-centralisation that breaks up countries, while decentralisation makes for political and economic stability. Still, some sort of a central authority is indispensable even for unwilling Somalia. The imperatives of a passport-issuing office, postal and telecommunications, foreign policy and, above all, the general security of all the four statelets into which Somalia has split make it essential to create some kind of federal structure. To frame the necessary federal authority, I would recommend the setting up of a commission of overseers composed of a representative from each of the four zones under a UN-appointed high commissioner. Such a commission's task would be to take administrative responsibility for the four departments mentioned above, and to arbitrate the likely territorial, political and economic disputes that are bound to arise among the four statelets.

Currently, for example, Somaliland and Puntland are embroiled in a heated dispute with brief but deadly armed clashes over the territory of the Dhulbahante. Somaliland argues that the territory in question was part and parcel of the former

British Somaliland Protectorate, and therefore should belong to Somaliland. Puntland notes that Warsangali clans live in the territory, and the Warsangali are part of the Daarood clan-family, the clan-family which dominates Puntland. Dhulbahante, therefore, should be part of Puntland, to allow the reunion of kinsfolk. It would be the overriding responsibility of the projected commission to arbitrate disputes of this sort.

Further, the commission should represent Somalia in all international arenas, to look out for Somalia's interests globally and, in short, to serve as a federal governing body for the whole country with ultimate political authority for all vital country-wide national interests. It may be objected that to intrude a UN role into the country's affairs would be to compromise Somalia's sovereignty. This is no more than a canard objection. Somalia has already lost all vestiges of sovereignty, and could gain, not lose, by a light-handed UN tutelage.

An easy way to snuff out Somali piracy: Brigadier Smith's method

I realise, Uncle Sam, that your concern with Somalia extends beyond terra firma, to the origin and evolution of the phenomenon of piracy on the Somali coast. Here too are some thoughts.

Two recently published pieces shed some light on how maritime robbery came about as a kind of vigilante response to foreign abuse of the Somali shores (Hassan 2009, 163–201; Egal 2009, 202–18). Abdulkadir Egal's 'Suspected correlation between cancer incidence and industrial and nuclear wastes' and Zainab Hassan's 'Dumping on Somalia: A plea for environmental justice' are of a piece. Egal, a Somali medical doctor, and Hassan, an independent researcher, tell a horror story, notably the wholesale poisoning of Somalia's once pristine shores by foreign interlopers through nearly two decades of indiscriminate dumping of nuclear waste and other hazardous industrial materials. Egal examines the catastrophe from a medical viewpoint, while Hassan does so from that of the environment. Hassan also takes a telescopic look at the recent global commotion over the issue of piracy in Somali waters.

On the Somali side, Egal and Hassan implicate a local warlord along with assorted shady characters in these nefarious business transactions, resulting in the degradation of the Somali coast. Somalia was once reputed as having one of the world's richest tuna fish catches on its shores. From the combination of over-fishing by alien poachers and the pollution of the coastline, the fish population has all but crashed, wreaking havoc on the livelihood of fishers and on the life of the local fishing industry. Worse still, two decades of sustained dumping has thoroughly contaminated large swathes of Somali coast. The result has been an outbreak of alarming, myriad forms of cancer and equally deadly diseases devastating people and livestock alike. Horrendous tales in these reports of fertility afflictions among Somali women proliferate, of large-scale abnormal births, miscarriages, stillborns and infants born with ghastly disfigured features.

Faced with this environmental apocalypse, Somali fishermen and petty merchants – under the urging of the elders of the clans, whose livestock has been decimated – organised themselves into a kind of law-enforcing, Robin-Hood-style coast guard. Using speed boats and armed with RPGs, bazookas and AK-47s, they took to seizing fishing vessels of foreign interlopers and shook them down for 'taxes'. Then the Somalis realised that if they applied the shakedown scheme to all maritime

traffic in the area, their financial catches could multiply. This was the humble beginning of today's booming pirate enterprise.

As Somali piracy became one of the major economic activities in the country, netting US$82 million in ransom payments in 2009 (UN Security Council Somalia Monitoring Group 2010, 35–6), thereby prompting mounting international alarm, evident by a blizzard of publications – commissioned reports, monographs, all manner of essays and commentaries – which have congested the publishing highways, both in print and electronically.[4] To take but one sample, Rubrick Biegon in *Foreign Policy in Focus* writes:

> The recent spike in pirate attacks off the coast of Somalia has generated a great deal of international media attention, including news reports sprinkled with ubiquitous references to Long John Silver, Jack Sparrow, and Captain Hook. As the hijackings have increased in number they have also become more sophisticated, enabling the pirates to seize larger targets. On September 25, (2008) Somali pirates captured the MV Faina, a Ukrainian ship transporting Soviet-era weaponry to Kenya. This was followed one month later by the hijacking of the MV Sirius Star, the largest ship ever captured by pirates.
>
> A Saudi-owned supertanker carrying approximately 2 billion barrels (about US$100 million worth) of crude oil, the Sirius Star was finally released on January 9 for a US$3 million ransom. However, the pirates continued to hold the Faina and its crew near the small port city of Eyl, located in Somalia's semi-autonomous Puntland region. All told, the Puntland-based pirates are believed to be holding at least a dozen seized vessels. Over 300 merchant mariners are being held hostage – though, it should be noted, their treatment has been *less-than-barbaric* by most accounts (Biegon 2009, 1).

Thus the humble affair that began as umbrage over depleted fish has mushroomed into an illicit booming business with diversified components: financiers, global positioning experts, middlemen, foot soldiers and money laundering networks. As a result, a new buccaneering class of Somali pirate elite has emerged, parading their ill-gotten gains in the form of newly-constructed luxury villas, land cruisers, conspicuous consumers with multiple nuptials in such erstwhile humble villages as Boossaasso, Eyl, Hobyo (Obbia), Haradheere, and Gara'ad. Moreover, according to some reports, the pirate elite has lately grown so brazenly flamboyant that a pirate CEO has recently made an offer of humanitarian aid to the Haitian victims of the recent quakes in that unfortunate country (AOL News 2010, 1; Agencia Matriz del Sur 2010)!

Here, Uncle Sam, is where I would like to introduce you to a Brigadier and his interactions with unwieldy Somali characters. Brigadier R. H. Smith was a dashing British army officer who was posted to disorderly Somalia in the aftermath of WWII, when the entire Somali peninsula from Gardafui in what is today known as Puntland to the borders of Kenya came under British tenure (1941–1948). Smith was charged with restoring law and order to lawless Somalia and to stop the internecine killings in clannish feuds and vendettas. Above all, he was to halt the relentless camel rustling amongst the clans. In this wild environment of murder and mayhem, the beleaguered British officer, according to native testimony,[5] came close to a nervous breakdown. Then one day he was struck by an epiphany. To his great enlightenment, he realised that the Western concept of individual guilt and individual innocence was alien to the Somali *weltanschauung*! Instead, he began to appreciate that in Somali customary law and legal sanctions, the principle of collective punishment was paramount. For example, if a man from a certain

lineage is murdered by a member of another lineage, the murderer's guilt was instantaneously transmitted to his entire lineage. Members of the whole lineage collectively became fair game as targets of a flying spear of vendetta. So was their livestock liable to seizure. The aggrieved party was free to mete revenge on any member of the other's clan.

At once Smith began to apply collective punishment to the kin of recidivist trouble-makers, especially camel rustlers. He arrested kindred elders of offending individuals, and captured their camels. The seizure of the camels and then corralling them, sometimes to the point of starvation (camels on which the nomads' livelihood depended) though brutal, had Smith's desired effect. In other words, the method of collective punishment worked. Clan after clan laid down their spears and arrows. And he had the peninsula pacified in 12 short months, making his name legendary in the land. He became the only European, to my knowledge, whose name was so seared into Somali consciousness that it was immortalised in Somali classical poetry, poetry being, in B. W. Andrzewski and I. M. Lewis's informed judgement, the Somalis' 'principal cultural achievement' (Andrzewski and Lewis 1964, 3).

Thus, the great Dervish poet-warrior Ismaa'iil Mire riffed on in a tone of contrastive ironies:

1. *Isma oga Ismiir iyo ninkii, ayro foofsadaye*
2. *Isma oga arbaha weerka iyo, ariga goosmaaye*
3. *Isma oga waraabaha amliyo, awr la laayacaye*
4. *Isma oga atoor qadow bartiyo, uubta loo qodaye*
5. *Isma oga nin urugaysan iyo, eelka kii dhigaye*
6. *Isma oga dhillada uunsatiyo, awga taaibaye*
7. *Isma oga aqoon-xume dhargiyo, malag arsaa'iile*
8. *Isma oga agoon iyo ninkii, aabihis dilaye*
9. *Isma oga askari qooqan iyo, nimaan afbuux siine*
10. *Isma oga abeer qalabliyo, inanka doonaaye*
11. *Isma oga ugaar iyo libaax, adamiyaystaaye*
12. *Waxba gabaygu yuu ila ordine, waxaan ku soo ooday*
13. *La illow nin aakhira tegoo, iilka hoos maraye*[6]

1. To know not each other: the camel seizing Smith and he who carelessly grazes his herd near him;
2. To know not each other: the prowling striped hyena and a flock of straying goats;
3. To know not each other: the lean hungry stripeless hyena and the he-camel not protected by its owner;
4. To know not each other: the dikdik used to nibbling fallen seeds under the acacia tree and the trap thereof set for it;
5. To know not each other: the grievously embittered man and he who is the cause of his grief;
6. To know not each other: the over-perfumed prostitute and the pious ascetic who has renounced the world;
7. To know not each other: the over-satiated fool and the avenging angel of death;
8. To know not each other: the revenge-seeking orphan and the murderer of his father;

9. To know not each other: the armed, over-arrogant rogue cop and the aggrieved civilian who maintains his silence;
10. To know not each other: the camel with a chattering bell and the young man who is looking for it by following the sound of the bell;
11. To know not each other: the stalking hungry lion and the unsuspecting game lazily grazing nearby;
12. Now let not these lines of poetry bolt away with me: here is my conclusion:
13. He who is dispatched by death to the other world is easily forgotten.

Translating a Somali classical poem into English constitutes a daunting task, for the poetic sense and sensibility of the two languages, as well as their physical structural scheme of versifying, are so alien the one from the other. The essential point of interest should be the first line of the poem that enshrines the British officer's name in the corpus of Somali pastoral verse. The pacification of large swathes of dour Somalia must surely have been Smith's crowning achievement.

Are you following this story, Uncle Sam? For a brief period in the 1940s, Smith's method of collective punishment succeeded in taming the rapacious habits of nomadic murder and mayhem, especially the notorious camel raiding and rustling among the clans. That method, in my view, can be used today in effectively putting an end to Somali piracy. Instead of chasing around uncatchable, elusive pirate speed boats over the vast waters of the Indian Ocean, the world's navies should place a spy in all the well-known home bases of these thieves, find out the clans they belong to, arrest their elders and round up their camels. Then the elders should be warned that if ship and crew are not returned safely immediately, they will be taken to a remote island, say Diego Garcia, where they will rot away to the end of their miserable lives. And for good measure, their camels will be sold to the Emirate Arabs, ever so hungry for Somali camel meat, so as to compensate ship owners and crews. To put a fine point on this: if the elders refuse to comply, the threat of maximum harshness as an object lesson should be carried out. I remain convinced that this would work. But do you, Uncle Sam, or others have a stomach for the disagreeable business of collective punishment based on what happens on the high seas?

Back on land, Somali lineage segmentation will do it for you

If I can turn your attention back to land, Uncle Sam, I would like to provide a warning to you: any new involvement beyond piracy in chaotic Somalia is both unnecessary and potentially disastrous. It is unnecessary because Somalia is no territory for Islamic terrorists, despite what your government might be telling you. In fact I would argue that Somalia will never be a breeding ground for Islamic terrorism. Here is why: the Somali polity is shaped to an extraordinary degree by a central principle that overrides all others, namely the phenomenon that social anthropologists refer to as 'segmentary lineage system'. Stripped of the scientific razzle-dazzle with which it is often presented, segmentation, to paraphrase an Arab Bedouin saying, may be expressed as:

> My uterine brother and I against my half brother, my brother and I against my father, my father's household against my uncle's household, our two households (my father's and uncle's) against the rest of the immediate kin, the immediate kin against

> non-immediate members of my clan, my clan against others and, finally, my nation and I against the world.

Segmentation, that is, is a chaotic non-system that divides Somali society into unstable warring segments and that pits practically all levels of the Somali body politic, including the religious level, against one another. This reality enshrines institutional instability as a norm. As a result, segmentation stands as the root cause of the reason the Somalis have repeatedly failed to form a centralised national government for over 18 years now, despite much strenuous trying. The underlying social fabric of the Somalis militates against centralisation but, ineluctably, predisposes them into being extremely individualistic, anarchic and egalitarian with a marked tendency to endless schisms.

Recent history has shown that amongst Somalis, ethnic loyalty easily trumps loyalty to Islam, making it all but impossible for a Somali religious figure to command the absolute allegiance of his followers, if indeed he manages to muster any followers at all. Consider, for example, the structure of the Islamist groups vying for power, including the Ethiopian-backed Ahlul-Sunna wal Jamaa', the priest-politician H. Dahir Awayes' Hizbul-Islam, and the more radical-appearing al-Shabaab. Despite their veneer of Islamic extremism, they are a rickety amalgam of seething ethnic factions. Al-Shabaab itself, despite its militant allure, largely consists of young previously starving jobless fighters who are in it merely for the pay. Thus, what gets al-Shabaab going is the money pouring in from the genuine fanatics – the Wahhabis of Saudi Arabia and assorted Gulf States' Islamists.

Here, however, I must throw in a caveat, Uncle Sam: there are Somali-Somalis and non-Somali Somalis – the latter being Somalis who came as children or were born and raised in America, Canada or Western Europe. These are highly vulnerable to jihadist indoctrination. Having been detribalised and brain-washed by the fiery preaching of Pakistani or Afghani mullahs, they are liable to being seduced by the romantic notion of a global jihad, as illustrated by the recent example of the four Minneapolis, USA, boys featured in a *New York Times* front-page article (Elliot 2009, A1). And last summer two Somali-Australians were arrested for a planned attempt to blow up an Australian military barracks. Might these non-Somali Somalis be organised into 'sleeping cells' by al-Qaeda to be activated at Bin Laden's convenient timing? Still, instead of blundering into Somalia, the US should tighten the screws on Saudi Arabia and the Gulf-States to halt the flow of funds that are fuelling conflicts all over the Horn of Africa, particularly in Somalia.

Curiously, the segmentary law makes success lethal to any Somali group that rises to power and prominence because it works in both centripetal and centrifugal ways. The segments unify as easily against an interfering foreign force as they splinter when left alone. This is the lesson that recent Somali experience teaches. When your US and other forces of the international community intervened to save Somalia in Operation Restore Hope in the early 1990s, America appeared to Somalis to be the new Big Boy on the block. Predictably, the segments banded together behind the late General M. F. Aydiid against America. As mentioned earlier, the result was the disastrous US military reversal on bloody Sunday, 3 October 1993. The story has been much the same since.

When Aydiid in his turn appeared to be the next Big Boy, warlords Muuse Suudi Yalahaw, Muhammad F. Qanyare and others banded together against him; he was

duly fatally wounded. In January 2000, Mr Abdiqaasim Salad emerged from the Djibouti Arta Process as president of the Transitional National Government (TNG); Yalahaw, Qanyare and others likewise brought him down. Then, with the TFG (Transitional Federal Government), it was President Abdullahi Yusuf's turn to be taken down; in 2006, he was forced to step aside in favour of Sheikh Shariif, the current de jure, though not de facto, president. Sheikh Shariif is now hanging on by the skin of his teeth, controlling only a few streets of the capital. Uncle Sam, take note.

If and when al-Shabaab takes over, the segmentary law is certain to sabotage them by inspiring a counter-coalition of clans to form against them, particularly the Abgaal businessmen who are doing brisk commerce at Mogadishu's main port. Conversely, any intrusion, for the time being, of a foreign force into Somalia against al-Shabaab would only serve to legitimise them as a nationalist movement and thus galvanise patriotic fervour in support of them from the Somali masses.

All this is to say, Uncle Sam, is that you have nothing to fear from the plague of Islamic terrorism from Somali quarters for you have a formidable ally in Somali lineage segmentation. It works for you more effectively than any amount of money your CIA can squander on Sheikh Shariif's government. In fact, al-Shabaab looks to have already over-played its hands by imposing a barbaric medieval-type brand of Islam: banning music, soccer games, and television; amputating limbs for petty theft; public stoning to death, as they did in a market place of a 13-year-old girl – who was gang-raped – for adultery.[7] By engaging in these barbaric practices, al-Shabaab has overreached to its inevitable downfall; they are facing a popular uprising, right now, led by moderate Sufi Islamists, Sufism (mysticism) being the dominant traditional mode of Somali Islam. Writes the *New York Times* in a front-page article, entitled 'Somali backlash may be militants' worst enemy':

> For the past three years, the Shabaab, one of Africa's most fearsome militant Islamist groups, have been terrorizing the Somali public, chopping off hands, stoning people to death and banning TV, music and even bras in their quest to turn Somalia into a seventh-century-style of Islamic state … Mogadishu's population sensing a change in the salt-sticky air, is beginning to turn against them … Women who have been whipped and humiliated by morality police for not veiling their faces are now whispering valuable secrets about the Shabaab's movements into the ears of government soldiers. Teenage students outraged that Shabaab-allied fighters hoisted a black flag in front of their school recently pelted the fighters with stones. Defectors are leaving the Shabaab in droves, including one thirteen-year-old who said that he was routinely drugged before being handed a machine gun and shoved into the combat (Gettleman 2010, A1).

This seems to signal the beginning of the end for al-Shabaab, the latest force looking to impose its will in Somalia. America need not apply.

Sincerely yours,

Said Samatar

Notes

1. From Mark Twain, a documentary biography directed by Ken Burns, volume 1, 2001.
2. See review of Michela Wrong's *It is our turn to eat: The story of a Kenyan whistle-blower*, reviewed in the *New York Review of Books*, 14 March 2010, LVII, no. 1: 35–8.
3. Ahmed Nasser Abdi, personal interview, South Orange, NJ, summer 2009.
4. See the bibliography of Andrew Wapner's Master's thesis supervised by this writer, History Department, Rutgers University, March 2010.
5. Mohammad H. Hussein 'Sheeka-Hariir', Fieldnotes interview, 25 February 1977.
6. Said M. M. Shire – more popularly known as Said Suugaan, or Said Culture on account of his amazingly vast collection of Somaliana books, magazines and archival material – kindly gave a copy of Ismaa'iil Mire's poem Osma Oga.
7. In the port town of Kisimayu, 2008.

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Putting Somali piracy in context

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While it is not necessarily the gravest threat to international security emanating from Somalia, maritime piracy has received the most attention among the disorders resulting from that country's two decades of state collapse. The phenomenon is best understood in its proper context in relation to the national politics – or, rather, the failure thereof – among the Somali. Thus the successful strategy will be one that is adapted to the reality of Somali life.

Introduction

No other manifestation of the disorder resulting from the collapse[1] of the Somali state has perhaps received as much attention as the continued proliferation of acts of maritime piracy off the coasts of the benighted land as well as the increased geographical reach and enhanced operational capabilities which the marauders have shown. In 2009, some 214 vessels were attacked and 47 successfully hijacked, with 11 of those ships and nearly 300 crew members still being held for ransom at the end of the year. By way of comparison, the International Maritime Bureau (IMB) reported that less than half that number, 111 ships, were attacked in 2008 – a figure which itself represented a 200% increase from 2007 levels (IMB 2010). Moreover, in response to increased naval patrols in the Gulf of Aden and the Somali Basin, the pirates have shifted their operations to prey on vessels as far as 1200 nautical miles from the Somali coast where, away from any interference, they have seized literally dozens of prisoners at a time (BBC News 2010).

The gravest threat to international security emanating from Somalia probably belongs to the al-Qaeda-linked militant Islamists of the *Harakat al-Shabaab al-Mujahideen* ('Movement of Warrior Youth', al-Shabaab) with their transnational ambitions for a fundamentalist Islamist state in the Horn of Africa, their reach into the Somali diaspora in North America, Europe, and Australia, and their training camps and the safe haven they have provided various radical groups. Nevertheless, it is the pirates who galvanised the international community into the unprecedented deployment of more than two dozen warships to the waters off Somalia. Currently these ships belong to one of three multinational task forces: the United States-coordinated Combined Task Force 151 (CTF-151), NATO's 'Operation Ocean Shield' (originally 'Operation Allied Protector') and the European Union Naval Force (EU NAVFOR) 'Operation Atalanta'. The flotillas are supplemented by

additional vessels from China, France, India, Malaysia, and Russia, among others, which are not formally integrated into any one of the three coordinated naval groups.

That the naval show of force has failed to suppress the phenomenon indicates that Somali piracy cannot be successfully countered without dealing with its roots. This involves the acknowledgment of four closely connected premises. First, maritime piracy is neither an exclusively Somali phenomenon nor is there anything in the national character of the Somali that renders them uniquely prone to engage in the predation of merchant shipping. Second, like piracy anywhere else, Somali piracy is a crime of opportunity. It is an economically motivated activity by 'rational actors'. As long as piracy remains a profitable business, it will continue to flourish. Third, the inherent structure of any piracy, including Somali piracy, frustrates any attempt to stop it merely by focusing on countering suspect pirate vessels at sea. Piracy has always been a land-based crime which happens to manifest itself at sea; pirates will always require a port from which to operate. Fourth, Somali piracy is linked closely to Somali politics – or rather, the failure of national politics in what was, until 1991, the Somali Democratic Republic.

Thus this article will look at how Somalia's spectacular state failure facilitated the rise of Somali piracy. It will then proceed to look at the evolution of the phenomenon in relation to political developments within Somalia since 1991. Finally, it will look at the prospects for addressing the challenge and at least mitigating its impact on maritime trade between Africa, Asia, and beyond.

The collapse of the Somali state

The explosion of pirate activity in the waters off the Horn of Africa that has taken place since the mid-1990s has a direct correlation with the disappearance of anything even remotely resembling a functioning central government in Somalia. In fact, the first incident of piracy recorded off Somalia in modern times, the seizure of the Jeddah-bound MV *Naviluck* and the killing of three Filipino crew members by Somali assailants off Raas Xaafuun, the easternmost point in Africa, occurred on 12 January 1991 – just as the dictatorial regime of Muhammad Siyad Barre was in its death throes. The collapse of the Somali state following the overthrow of the old despot, and the subsequent failure of what, to date, has been no fewer than 14 attempts to reconstitute a central government for Somalia, are the primary reasons why piracy has flourished along the coasts of the country.

Somali social identity is historically rooted in patrilineal descent (*tol*) meticulously memorialised in genealogies (*abtirsiinyo*, 'reckoning of ancestors'), which determines each individual's exact place in society. At the apices of this structure are the 'clan-families'. According to the usual division, the clan-families are five in number: Darod, Dir, Hawiye, Isaq, and Digil/Rahanweyn (also known as Digil Mirifle). The first four, historically predominantly nomadic pastoralists, are reckoned 'noble' (*bilis*) clans, while the Digil/Rahanweyn, who were cultivators and agro-pastoralists, occupy a second tier in Somali society. The latter also speak a dialect of Somali, *af-maymay*, which is distinct from the *af-maxaa* of the former. A third tier also exists in Somali social hierarchy, consisting of minority clans whose members, known collectively as *Sab*, historically carried out occupations such as metalworking and tanning which, in the eyes of the nomadic 'noble clans', rendered them ritually unclean (Lewis 1961).

The pre-eminent living authority on Somali history and culture, British anthropologist Ioan M. Lewis has noted that while 'clan-family membership has political implications, in the traditional structure of society the clan-families never act as united corporate groups for they are too large and unwieldy and their members too widely scattered' (Lewis 1994, 20). Consequently, the clan-families are segmented agnatically by reference to an eponymous ancestor at the head of each clan lineage. Within the clan, the most clearly defined subsidiary group is an individual's 'primary lineage', which also represents the limits of exogamy. Within the primary lineage, an individual's primary identification is with what has been described as the 'diya-paying group' (from the Arabic *diya*, 'blood-wealth'), the basic unit of Somali society. The members of a diya-paying group, who generally trace descent from a common ancestor four to eight generations back, are united by formal political contract (*heer*) in collective responsibility for one another with respect to exogenous actors. If a member of a diya-paying group kills or injures someone outside the group, the members of his group are jointly responsible for that action and will collectively see to making reparation. Conversely, if one of its members is injured or killed, the diya-paying group will either collectively seek vengeance or share in whatever compensation may be forthcoming. Of course, the nature of the clan system is itself very nuanced and, while rooted in blood relationships, is also historically a consequence of nomadic pastoral life, with its need to defend scarce resources, that results, over time, to an openness to the formation of new alliances and, even later, in new identities (Mansur 1995).

Historically the Somali have never had a unified political entity, even in the legends about their most primordial experiences.[2] Modern 'Somalia' was born out of a union between the British Protectorate of Somaliland, which became independent as the State of Somaliland on 26 June 1960, and the territory then administered by Italy as a United Nations trust and which had, before the Second World War, been an Italian colony. The latter received its independence on 1 July 1960, and the two states, under the influence of the African nationalism fashionable during the period, entered into a union, even though, common language and religion notwithstanding, they had never developed a common sense of nationhood. Consequently, by the time Siyad Barre seized power in October 1969, 'it had become increasingly clear that Somali parliamentary democracy had become a travesty, an elaborate, rarefied game with little relevance to the daily challenges facing the population' (Lyons and Samatar 1995, 14).

A year after taking over, Siyad Barre proclaimed the 'Somali Democratic Republic', an officially Marxist state, and tried to stamp out clan identity as an anachronistic barrier to progress that ought to be replaced by nationalism and 'scientific socialism'. Given how deeply rooted clan identity was, it was not surprising that Siyad Barre failed in his efforts to efface the bonds. Ultimately, it was his regime which proved transitory. In January 1991, caught between popular rebellions led the Isaq and Darod in the north as well a Hawiye uprising in central Somalia, Siyad Barre – who had evolved over the course of his two decades in power from a Soviet client into a US ally amid the shifting dynamics of the Cold War (Woodward 2006) – was ignominiously chased out of Mogadishu. By the time of the dictator's flight

> Somalia had fallen apart into the traditional clan and lineage divisions which, in the absence of other forms of law and order, alone offered some degree of security. The general situation now vividly recalled the descriptions of Burton and other nineteenth century European explorers: a land of clan (and clan segment) republics where the would-be traveller needed to secure the protection of each group whose territory he sought to traverse (Lewis 2002, 263).

When, after the collapse of the Siyad Barre regime, the Hawiye leaders whose forces held sway over the abandoned capital, Muhammad Farah 'Aideed' and Ali Mahdi, fell out with one another, the fighting and cutting off of food supplies brought about a humanitarian crisis which provoked global outrage, leading to no fewer than three successive international military interventions to secure more than ephemeral space for the flow of humanitarian assistance, the United Nations Operation in Somalia I (UNOSOM I, April–December 1992), the United States-led Unified Task Force (UNITAF, December 1992–May 1993), and United Nations Operation in Somalia II (UNOSOM II, March 1993–March 1995). Following the withdrawal of the UN 'peacekeeping' forces, events in central and southern Somalia returned to the course they had been on before the brief interlude of international involvement with armed clan factions mobilised by powerful figures – referred to by Somalis with the traditional title formerly reserved for battle leaders, *abbaanduule*, and thus quickly dubbed 'warlords' by foreign journalists – and sustained by the spoils of conflict battling each other for control of territory and such economic assets as existed.

Meanwhile, in the absence of effective governmental structures of any kind, Islamic authorities cropped up in response to problems of crime, religion being a common denominator around which different communities could organise. As the Islamic legal authorities gradually assumed policing as well as adjudicating functions, those authorities having greater (viz, external) resources acquiring greater influence. It should be noted that while the Somali traditionally subscribe to Sunni Islam and follow the Shāfi'ī school (*mahdab*) of jurisprudence which, although conservative, is open to a variety of liberal views regarding practice. Throughout most of historical times up to independence in 1960, while there were different movements within the Sunni Islam in Somalia, the most dominant among the populace were the Sufi brotherhoods (sing. *tarīqa*, pl. *turuq*), especially that of the Qadiriyya order, although the Ahmadiyya order, introduced into Somali lands in the nineteenth century, was also influential (Lewis 1998). Although traditional Islamic schools and scholars (*ulamā*) played a role as focal points for rudimentary political opposition to colonial rule in Italian Somalia, historically their role in the politics of the Somali clan structure was neither institutionalised nor particularly prominent. In part this is because historically *shari'a* was not especially entrenched in Somalia: being largely pastoralists, the Somali relied more on customary law (*xeer*) than on religious prescriptions. Hence, some scholars have argued convincingly that Somali Islamism is largely a post-colonial movement which became active in the late 1980s and, without the collapse of the state and the ensuing civil strife, it is doubtful that militant Islamism would be much more than a marginal force in Somali politics (Marchal 2004).

In the absence of a state and amid the divisions of society, Islam thus came to be seen by some Somalis as an alternative to both the traditional clan-based identities and the emergent criminal syndicates led by so-called 'warlords'. Religion's increased influence has been largely a phenomenon of small towns and urban centres, although

increased adherence to its normative precepts is a wider phenomenon. Islamic religious leaders have helped organise security and other services and businessmen in particular were supportive of the establishment of *shari'a*-based courts throughout the south, which was a precursor of the Islamic Courts Union (ICU) established in Mogadishu in June 2006. Suffice to say the Islamists attempted to fill certain voids left by state collapse and otherwise unattended to by emergent forces like the warlords. In doing so, they also made a bid to supplant clan and other identities, offering a pan-Islamist identity in lieu of other allegiances.

In this context, it might be useful to add a word about the often-repeated claim that when the Islamic Courts Union ruled Mogadishu, the Islamist regime actively fought piracy. There is only one instance where the Islamist forces did anything that could even remotely be characterised as a counter-piracy operation. On 8 November 2006, ICU militia stormed the United Arab Emirates-registered cargo ship MV *Veesham I*, which had been hijacked off Adale, north of Mogadishu on the Somali coast, and arrested its captors. The boat had been hauling a load of charcoal from El Maan, Somalia, to Dubai when it was attacked by pirates. The operation, however, had less to do with any principled opposition to piracy and more to do with the fact that the owner of the *Veesham I*, an expatriate Somali businessman, was one of the key financial backers of the Islamist movement and that his contribution to its coffers would be affected if he lost his vessel and cargo to the pirates. A similar vessel, the MV *Fishana*, hijacked the same week and actually closer to Mogadishu than the *Veesham I* was not rescued – the ICU's concern for maritime law and order apparently did not extend to boats whose owners were not also donors to the Islamist cause.

Given their earlier experiences with Somali Islamism, especially *al-Itihaad al-Islamiyya* (AIAI, 'Islamic Union'), a group established in the early 1980s which sought the creation of an expansive 'Islamic Republic of Greater Somalia' and eventually a political union embracing all Muslims in the Horn of Africa (Tadesse 2002), it was not surprising that, after many of the same extremists emerged in positions of authority in the Islamic Courts Union, that neighbouring Ethiopia took a dim view of the establishment of the Islamists in Mogadishu. The Ethiopians finally intervened in late 2006 to support Somalia's Transitional Federal Government (TFG), which had been established in October 2004 at a conference in Kenya promoted by the sub-regional Inter-Governmental Authority on Development (IGAD). Unfortunately, while the intervention ended the rule of the Islamic Courts Union in the desolate former capital, it also provoked an insurgency spearheaded by the even more radical groups, such as al-Shabaab.

Even after Ethiopian troops withdrew in early 2009, the Shabaab-led insurgency against the TFG has continued, despite the attempt to reconstitute the government with a former leader of the Islamic Courts Union, Sheikh Sharif Sheikh Ahmed, as its president. The problem with the effort, dubbed the 'Djibouti Process' because of the eponymous venue of the negotiations, was not only the fact it was largely externally driven, but that it excluded a number of important actors who consequently acted as spoilers, undermining it. Moreover, the perception, not necessarily inaccurate, that the TFG's actions were dictated to it by its foreign donors enabled the opposition to appeal to the strong xenophobic streak in the Somali character.[3] The United Nations-authorised African Union Mission in Somalia (AMISOM) deployed to protect the transitional regime has been drawn deeper into

the conflict, the peacekeepers from Uganda and Burundi suffer increasing casualties with terrorist attacks like the suicide bombing of 17 September 2009, which killed 17 peacekeepers, including the deputy force commander, Brigadier General Juvénal Niyoyunguruza of Burundi, and wounded more than 40 others. Now in its second year of existence in its current iteration, the TFG is still 'not a government by any common-sense definition of the term: it is entirely dependent on foreign troops . . . to protect its small enclave in Mogadishu, but otherwise administers no territory; even within this restricted zone, it has shown no functional capacity to govern, much less provide even minimal services to its citizens' (Pham 2009a). In fact, not only has the TFG 'failed to generate a visible constituency of clan or business supporters in Mogadishu', its very survival 'now depends wholly on the presence of AMISOM forces' (Bruton 2010, 10).

The rise of piracy

While state collapse is neither necessary nor sufficient to cause an outbreak of maritime piracy, the spectacular failure of the Somali state has certainly facilitated the emergence of the phenomenon by creating the conditions under which the factors which have historically favoured it would accumulate so as to produce the 'perfect storm'.

Geography is the first condition required for the emergence of piracy. As naval analyst Martin Murphy has noted, 'Piracy is sustainable in places that offer a combination of rewarding hunting grounds, acceptable levels of risk and proximate safe havens' (Murphy 2009, 30). Certainly the waters off Somalia are appealing to pirates:

> The Gulf of Aden is the main trade route between Europe, the Middle East, and Asia, with approximately 16,000 ships navigating this area each year. The maritime industry off the Somali coast has grown over the years, and today, the Gulf of Aden serves as host to 12% of global maritime trade and 30% of the world's crude oil shipments. Despite the economic slowdown in 2008 and its repercussions for global trade, the Gulf of Aden remains a vital and busy international lane of commerce. Shippers have few alternatives to avoid this route, as the added cost of navigating around the Cape of Good Hope is quite substantial. Pirates thus have a wealth of potential targets that they use to their advantage (Ross and Ben-David 2009, 58).

In fact, of the 406 actual and attempted attacks on shipping reported worldwide by the International Maritime Bureau in 2009, 137 were attributable to Somali pirates, including 116 in the Gulf of Aden, 15 in the Red Sea, one in the Arabian Sea, one in the Indian Ocean, and four off Oman (IMB 2010).

While favourable physical geography can be conducive to outbreaks of piracy, often overlooked is the need for a social and political geography that likewise encourages the marauders. This is especially true in a society like the Somali where it is well-nigh impossible to truly hide one's business from one's neighbours. As it happens, as Lewis has had occasion to observe, like 'in so many facets of modern Somali life, there is much essential continuity between past and present', with a history of the looting of coastal shipwrecks along what is now the coast of Puntland, some of which was apparently induced by locals, representing 'a significant element in the Majeerteen trading economy, organised by traditional leaders, and may even

have contributed to centralising tendencies in the power structures of the local sultanates' (Lewis 2008, 105).

Beyond the historical antecedents, however, there is no denying the impetus to piracy given by the collapse of the Somali state, which took with it the last vestiges not only of any effective capability to impose a government's writ on the Somali people, but also to assert their sovereignty over the longest coastline in Africa (some 3025 kilometres) with rich fisheries in the adjacent territorial waters and exclusive economic zone. While foreign fishing trawlers – including vessels from nearby Kenya, Saudi Arabia, and Yemen as well as those with far-off origins like France, Japan, North and South Korea, Spain, and Taiwan – have moved aggressively since the early 1990s into Somalia's unguarded seas, the simplistic efforts of some apologists to cast the story in Manichean terms of 'justified' response by poor artisanal fishing communities against poaching (and toxic-waste dumping) by 'evil' corporate interests abroad simply do not hold water. Ken Menkhaus, the prolific analyst of Somalia, has noted:

> [W]hat began as a genuine grievance on the part of local fishermen quickly morphed into an enterprise by militia leaders, who saw an opportunity to earn easy cash by demanding fees from foreign fishing ships for 'licenses' to fish in waters near territory they controlled. Those who failed to pay the fees ran the risk of capture and kidnapping of the crew. The militia leaders overseeing these 'patrols' were utterly unconcerned about the inhabitants of beleaguered fishing communities, who are generally treated as second-class citizens in Somalia. Nor were militia leaders especially aggrieved at the illegal foreign harvesting of Somalia's fisheries. They were simply seizing upon an easy form of extra income, and were in some ways complicit in the foreign ransacking of Somali fisheries. The Robin Hood narrative of Somali piracy as a grassroots form of coastal patrol against rapacious foreign fishing vessels is thus only partly true, and at any rate has long since been overtaken by less noble motives. For scholars exploring war economies, Somali piracy is a textbook case of a shift in the motives of an armed group from grievance to greed (Menkhaus 2009, 22–3).

No matter how contrived, the 'defensive' narrative has had the effect – in combination with more coercive means of persuasion – of creating a social climate in which the actions of the pirates are largely accepted by the populace and acquiesced to by local political authorities insofar as the latter exist at all. It has also impacted the response of the international community to Somali piracy.

State failure also created a legal loophole for Somali pirates. The United Nations Convention on the Law of the Sea (UNCLOS) restricted piracy to the high seas, leaving actions within territorial waters within the criminal jurisdiction of individual states. The problem, of course, was that the Somali state had effectively ceased to exist in 1991. Only in June 2008, with the passage of UN Security Council Resolution 1816 (and its eventual successors), were some of the legal impediments to more effective anti-piracy enforcement removed (Guilfoyle 2008). Nonetheless, while Resolution 1851 in December 2008, whose provisions were subsequently renewed for another 12 months by Resolution 1897 in December 2009, permitted states and regional organisations involved in combating piracy to take action in Somalia with the advance consent of the TFG, to date no state has chosen to avail itself of this provision, leaving intact, as the latter resolution itself noted, 'the primary role of the TFG in the fight against piracy and armed robbery at sea' – one that it is clearly incapable of assuming.

Given the apparently robust position that international law formally takes against piracy, one would expect that, whatever the operational and tactical challenges, legal proceedings against suspected pirates would be relatively smooth. In reality, the opposite has been the case. In mid-December 2009, for example, just as the Somali pirates were concluding a year of record predations, the Royal Netherlands Navy frigate HNLMS *Evertsen*, serving as part of EU NAVFOR, released some 13 Somalis captured earlier in the month. Despite being seized in a speedboat laden with ladders, grappling hooks, automatic weapons, grenades, and other ammunition, the Somalis were put back into their own vessel and given food and fuel after the European Union decided it was impossible to bring charges against them (BBC News 2009). The Dutch treatment of the Somali pirates is by no means atypical. In May 2010, the US Navy released 10 pirates who spent more than six weeks in custody after they were captured by the destroyer USS *McFaul* while hijacking an Indian cargo ship; since no country could be found willing to prosecute the pirates, the Navy transported them back to Somalia (Whitlock 2010). According to the count kept by the US government, some 706 individual pirates were encountered by naval vessels of the ad hoc counter-piracy coalition between August 2008 and December 2009. Of these, 11 were killed resisting arrest, while 269 were turned over for prosecution, with 46 convicted and 23 acquitted so far. Nearly 60% of the pirates encountered, however, were simply released. Given the virtual expectation of impunity even if they are caught, it is no wonder the pirates have not been deterred by the naval forces deployed in operations against them (Pham 2010c) or, however unjustifiable, incidents may occur like the one in May 2010 when the Russian navy cut adrift 10 Somali pirates without navigation equipment or much chance of survival (Hassan 2010).

The juridical challenge quickly becomes a political issue when it admits the possibility of hauling captured pirates before the courts of a willing third-party state like Somalia's southern neighbour, Kenya, which has signed memoranda of understanding with the United Kingdom, the United States, the European Union, and the People's Republic of China to receive and prosecute suspected pirates. Unfortunately, this merely delays the reckoning. While Kenya might serve as a convenient forum for adjudicating the occasional maritime brigandage such as the 10 Somalis which the American guided missile destroyer USS *Winston Churchill* dropped off in 2006 (Bahar 2007), all of whom were tried, convicted, and sentenced to seven years in prison, the East African country's judiciary is simply not capable of processing the large number of pirates currently being captured since the various international naval tasks forces began deploying in the region in late 2008. In fact, in April 2010, Kenya suspended acceptance of new piracy cases and only eventually agreed to evaluate individually any future cases after receiving assurances of increased support from the international community (Agade 2010).

Even if the Kenyan courts were willing and able to cope with all the new cases, the country has its own restive ethnic Somali and Muslim populations whose pre-existing sense of alienation from the rest of the body politic is hardly going to be assuaged by a seemingly endless parade of accused Somalis. And, trying large numbers of Somalis in the courts of a neighbouring country might well permit the pirate syndicates, who have shown themselves quite clever in their use of public relations, to wrap themselves up in the mantle of Somali nationalism and thus broaden their base of support beyond the thousands of individuals already

benefiting, directly or indirectly, from the extensive economic networks which make up the piracy business (Pham 2010b).

The political economy of Somali piracy

All of the geographical, social, and political factors favouring piracy would still not produce the prodigious number of attacks which have occurred if the armed militias and criminal gangs which took up piracy in the aftermath of the UN's 1995 retreat from Somalia had not found the activity highly rewarding – and not just financially. Since the seizure of the Taiwanese trawler MV *Shen Kno II* by the Somali Salvation Democratic Front (SSDF) militia of Darod warlord Abdullahi Yusuf Ahmad in 1997, a capture which was eventually ransomed for approximately $1 million – which he used to embark on a political career that culminated in his disastrous tenure as president of the TFG from 2004 to 2008 – the amounts which pirates can earn for the successful capture of a merchant vessel have spiralled upward. In January 2010, over $7 million in ransom was paid to secure the release of the Greek supertanker MV *Maran Cerntaurus*, which had been captured two months earlier some 800 nautical miles off the Somali coast as it was carrying two million barrels of crude oil from Saudi Arabia to the United States. As one analyst put it succinctly, 'If Somalia provides the perfect environment for piracy, it is the payment of massive ransoms that provides the motivation' (Middleton 2008, 5). Given the dire state of affairs, especially in southern and central Somalia – including continued conflict, the lack of any functional government, continued drought conditions that have wreaked havoc among pastoralists and sedentary farmers alike, and overall limited economic prospects – it is not hard to see how piracy would come to be an increasingly enticing option, especially when its illicit gains are distributed across a wide swath of society. In fact, Somali piracy may bring in 50% more than the livestock exports which are officially the country's biggest earner of foreign exchange (BBC News 2008).

Interestingly, state failure has encouraged an evolution of sorts in piracy. Nearly all Somali pirates have little interest in seizing ships and cargoes for their intrinsic value (as in Southeast Asia), but rather, want to seize ships and cargoes in order to extort ransoms. This is because the former requires functioning ports to offload stolen goods and the development of networks to fence them. In Somalia, while the political landscape – including the lack of law enforcement and the support of local clans and warlords who control the territory where the pirates base themselves – 'encourages kidnappings for ransom that require time, the economic landscape discourages operations that require the movement of goods or people on land or the use of commodities markets or functioning port facilities, as ship/cargo seizures do' (Hastings 2009, 219). In other words, while Somali marauders do not have the means to move captured goods, they do have the time and the political leeway to negotiate for ransoms, a luxury their pirate counterparts in even weak states do not have. The pirates know full well that ransoms become appealing to ship owners when they are faced with direct costs associated with keeping their vessels off-line for extended periods, and that they might have to pay $50,000 per day to hire replacement charter craft (Kraska 2010).

One of the overlooked keys to the success of the pirate gangs is that, amid the near Hobbesian chaos of Somalia, they have succeeded in making a wide variety of individuals stakeholders in the political economy of their maritime predations.

Wealthy Somali businessmen provide the operating capital necessary to acquire and outfit the 'mother ships' and skiffs. They also provide the money to recruit and arm pirate crews. Consequently, it is the wealthy Somali businessmen who reap the largest share of the ransoms. Yet enough cash from ransom payments flows to the rest of society to result in widespread social buy-in. After the major investors are paid off, individual pirates are then paid according to a relatively complex scale based on the role an individual played in a heist. Subcontractors – ranging from the elders of local clans who permit the pirates to operate out of their ports or to bring their captive vessels there, to those guarding a hijacked ship, to caterers who provide food to captors and prisoners alike, to prostitutes who provide diversion while the ransoms are being negotiated – all get a cut of the proceeds, as do corrupt government officials or even Islamists groups who nominally control the ports, access to which is needed by the pirates.[4] The money has fuelled a construction boom, not only in well-known pirate havens like Xarardheere, Eyl, and other ports in Puntland, but in Somali-dominated neighbourhoods in nearby countries, like Eastleigh, in the Kenyan capital of Nairobi. To garner even more support for their activities from the local communities where they have set up their operations, some pirate gangs have even set up exchanges where individuals may invest in their enterprises by providing cash, weapons, or other useful materials (Ahmed 2009). Interestingly, the former head of the UN Sanctions Monitoring Group for Somalia has suggested that pirate gangs are among few organisations in Somalia to cut across clan lines: 'Rather than being a clan-based activity, pirate groups ensure that their members are representative of the most important clans living along the coastline, enabling them to operate all along the littoral zone' (Schiemsky 2009, 40).

Elements for a Somali solution?

Non-specialist readers of most journalistic accounts of events in Somalia might be forgiven for thinking that all of Somalia was racked in endless conflict. The reality is that 'failed state' is an accurate description for only part of the country – the central and southern areas – while alternative centres of power and stability have arisen in other regions (Hesse 2010). The existence of the latter, in fact, challenges a number of widely-held notions about how societies and economies operate, including 'ideas about how politics operate in the absence of a government; how markets function without legal institutions and currencies; and how communities draw on customary forms of identity and organisation to tap markets and weather extraordinary levels of instability' (Little 2003, 162).

After the collapse of the Siyad Barre regime in 1991, elders representing the various clans in Somaliland met in the war-ravaged city of Burao and agreed to a resolution that annulled the northern territory's merger with the former Italian colony and declared that it would revert to the sovereign status it had enjoyed upon the achievement of independence from Great Britain. Unlike other parts of Somalia, conflict in the region was averted when the Somali National Movement (SNM), the principal opposition group that had led the resistance against the Siyad Barre dictatorship in the region, and Isaq clan leaders purposely reached out to representatives of other clans in Somaliland, including the Darod/Harti, Gadabuursi, and Ise. The chairman of the SNM, Abdirahman Ahmed Ali 'Tuur', was appointed by consensus to be interim president of Somaliland for a period of two years by the

Burao conference. In 1993, the Somaliland clans sent representatives to Borama for a national *guurti*, or council of elders, which elected Mohamed Haji Ibrahim Egal as president of Somaliland (Egal had briefly been prime minister of independent Somaliland in 1960 as well as democratically-elected prime minister of Somalia between 1967 and the military coup in 1969). Interestingly, while the apportionment of seats at the two conferences was done along clan lines in a rough attempt to reflect the demographics of the territory, the actual decision-making was by consensus (Bradbury 2008).

Egal's tenure saw, among other things, the drafting of a permanent constitution, approved by 97% of the voters in a May 2001 referendum, which provided for: an executive branch of government, consisting of a directly elected president and vice-president and appointed ministers; a bicameral legislature consisting of an elected House of Representatives and an upper chamber of elders, the *guurti*; and an independent judiciary. After Egal's unexpected death in 2002, his vice-president, Dahir Riyale Kahin, succeeded to the presidency. Kahin, in turn, was elected in his own right in a closely fought election in April 2003. The margin of victory for the incumbent was just 80 votes out of nearly half a million cast and, amazingly, the dispute was settled peaceably through the courts. Multiparty elections for the House of Representatives were held in September 2005 and gave the president's party just 33 of the 82 seats, with the balance split between two other parties. After a series of regrettable repeated delays, elections look likely to take place in 2010.

Although the sovereignty they reasserted has yet to be formally recognised by any other state, Somalilanders demobilised thousands of former fighters, established national defence and security services, and, most extraordinarily, resettled over one million refugees and internally displaced persons (Jhazbhay 2009). More to point, the government of Somaliland and its extremely modest coast guard have kept the region's 740-kilometre coastline largely free of pirate activity, even trying and jailing captured pirates (Bengali 2009).

While they do not have the unique historical, juridical, and political status that Somaliland can claim, the Darod territories in the northeastern promontory of Somalia have also demonstrated the success of the building-block model for the country and the wisdom of working with the deeply ingrained clan identities among the Somali. In 1998, tired of being held back by the constant violence and overall lack of social and political progress in central and southern Somalia, traditional clan elders of the Darod clan-family's Harti clan – including its Dhulbahante, Majeerteen, and Warsangeli sub-groups – meeting in the town of Garowe opted to undertake a regional state formation process of their own in the northeast, establishing in collaboration with the SSDF, the political faction that had represented their clan interests, an autonomous administration for what they dubbed the 'Puntland State of Somalia'. After extensive consultations within the Darod/Harti clans and sub-clans, an interim charter was adopted which provided for a parliament whose members were chosen on a clan basis and who, in turn, elected as regional president, Abdullahi Yusuf Ahmed (Abraham 2002). Following the departure of the region's first chief executive for what was to be his disastrous tenure at the head of the TFG, Puntland legislators chose General Mohamud Muse Hersi ('Muse Adde'), as the new head of the regional administration. After serving one four-year term of office, Muse Adde lost a bid for re-election to Abdirahman

Mohamed Mohamud 'Farole', who was elected in January 2009 from a field of over a dozen candidates.

Unlike Somaliland, which has opted to reassert its independence, Puntland's constitution simultaneously supports the notion of a federal Somalia and asserts the region's right to negotiate the terms of union with any eventual national government (although the region has gradually asserted its distinctive character more and more, adopting, for example, at the end of 2009, a separate flag, coat of arms, and anthem). While Puntlanders have their share of difficulties – many of which could fairly be said to be of their own making – and their political institutions have not yet achieved the advanced level of those in Somaliland, engaging Puntland is nonetheless the condition *sine qua non* for achieving what should be the international community's two primary strategic objectives in Somalia: containing (and gradually weakening) the radical Islamist threat to regional security; and minimising (then likewise, eventually suppressing) the menace Somali pirates pose to merchant shipping. This said, it should be noted that, while the authorities in Puntland have been especially diligent in their efforts to root out religious extremism in their midst, their commitment to the fight against piracy is less consistent. Eyl and Garaad in Puntland, together with Hobyo and Xarardheere in central Somalia, have emerged as the primary centres of pirate activity where 'senior officials are believed to be abetting piracy networks' (Gilpin 2009, 2). Some analysts go even further and worry that the region is 'becoming the pirate version of a narco-state' (Menkhaus 2009, 24). Certainly the assassination in late 2009 of Puntland's chief justice, Sheikh Mohamed Abdi Aware, a jurist known for the tough sentences he imposed on pirates and Islamists, was a setback for the rule of law in the region. Thus it remains to be determined whether or not Puntland authorities are prepared to enter into some sort of a 'grand bargain' with the international community whereby they rein in their pirate constituents in return for political and economic engagement by the international community.

Be that as it may, a broad consensus is emerging among experts who have tracked Somalia for any amount of time that any workable solution to the crisis of state collapse in the country must embrace a 'bottom-up' or 'building-block' approach rather than the hitherto 'top-down' strategy. Moreover, given the ripple effects of continuing lack of governance in the Somali lands, in addition to relations with whatever functional parts of the TFG there might be left in Mogadishu, it makes no sense for the international community not to work with effective authorities in Somaliland, Puntland (assuming a clear break on the part of the territory's political leadership from piracy, as United Nations reports have alleged), Gedo, and other areas. The international community must furthermore engage with traditional leaders, members of the vibrant business community, and civil society actors. These figures both enjoy legitimacy with the populace and have actual security and economic development agendas. Most importantly, they have a proven capacity to implement solutions which address some of the root causes of piracy as well as complement the outside world's goal of containing the spread of disorders which have arisen out of the collapse of the Somali state (Pham 2009b).[5]

While the problem of Somali lawlessness at sea will be definitively resolved only when the international community summons up the political will to address adequately the underlying pathology of Somali statelessness onshore, the truth is that such a process is literally a generational undertaking. That does not mean

that, fatalistically, nothing should be done; rather, what needs to be acknowledged is that while the broader project needs to be attended to, it cannot be expected to pay immediate dividends in terms of improved security along the Somali coastline, for which interim measures will be needed. One proposal, which would both immediately lessen the current threat to merchant shipping in the region and contribute to ameliorating the security situation in support of building governance capabilities in the territory of the former Somali Democratic Republic, is the establishment of coast guards along the littoral. The idea is one which was commended by no less a figure than UN Secretary-General Ban Ki-moon when he advised the Security Council in March 2009 that:

> In the interests of a durable solution to piracy and armed robbery off the coast of Somalia, it is important that local coast guards in the region, where possible, are assisted in ways that will enable them to constructively play a role in anti-piracy efforts conducted off the coast of Somalia and the surrounding region. As part of a long-term strategy to promote the closure of pirates' shore bases and effectively monitor the coastline, I therefore recommend that Member States consider strengthening the capacity of the coast guards both in Somalia and the region.

Most interestingly, the Secretary-General added in this context that he 'encourage[d] Member States to support the continued efforts by the United Nations and its partners to promote the development of local governance . . . in the relatively stable Somali regions of Puntland and Somaliland' (UNSC 2009). A recent report by the Council on Foreign Relations in the United States suggests one possible direction that such engagement might take:

> Development agencies should also seek to create a partnership with Puntland's legitimate business community – probably the only social segment currently strong enough to challenge the pirate networks. The international community could focus on organising the professional community in Puntland into a professional association, providing capacity-building support and engaging the group in a discussion about what can be done to reduce piracy. A program that explicitly ties development incentives in the coastal zones to antipiracy efforts could effectively mobilise a population tiring of pirate promiscuity and excess (Bruton 2010, 33–4).

In short, if the success of Somali pirates has been predicated on the co-optation of the country's clan structure and elders and giving broad segments of the population an interest in their operations, then the key to countering them will be to engage the same local authorities and to give the even larger constituencies a stake in building up security along the Somali littoral.

Conclusion

The commander of US naval forces in Europe and Africa has complained that 'the entire Indian Ocean is becoming a problem of piracy', has conceded that 'we can't put ships everywhere just randomly looking (for pirates)' (Saul 2010), and has suggested that commercial ships arm themselves as a consequence (Entous 2010). Within the territory of the onetime Somali Democratic Republic, the pirates have proven themselves more resilient and, quite frankly, more effective than more than 14 notional, national Somali governments. Nor are the Somalis' neighbours with

their relatively underdeveloped legal and law-enforcement institutions – to say nothing of virtually non-existent naval resources and often-enough corrupt officials[6] – able to do much, although the adoption in January 2009 by nine of them of the (legally non-binding) Code of Conduct concerning the Repression of Piracy and Armed Robbery against Ships in the Western Indian Ocean and the Gulf of Aden (the Djibouti Code) at least hints at the possibility of a more effective framework for regional co-operation (Kraska and Wilson 2009). In short, the challenge of Somali piracy, like that of Somali state collapse, will be remedied only by concerted and sustained effort, tempered with a healthy dose of patience.

Ultimately, any policy adopted must, at the very least, cause no further harm. The most prudent strategy will likely be the one that, by adapting to the decentralised Somali social reality and privileging the 'bottom-up' approach, proves capable of buying Somalis themselves the time and space they need to make their own determinations about their future political arrangements. The trick is that such a strategy must also be flexible enough to allow the international community the ability to achieve their legitimate security objectives, including safe passage for maritime commerce through the waters off the Horn of Africa.

Notes

1. The author concurs with Robert I. Rotberg's distinction between a 'failed state', deeply conflicted and bitterly contested by warring factions, and its extreme version, the 'collapsed state', characterised by a complete vacuum of authority and reduced to 'a mere geographical expression, a black hole into which a failed polity has fallen' (Rotberg 2003, 9). He has argued elsewhere that the one-time Somali Democratic Republic is the example *par excellence* of the latter phenomenon (Pham 2010a).
2. Elsewhere in this collection, Brian J. Hesse argues that 'Somalia' is a highly contested concept, indeed a 'myth'.
3. Apuuli Phillip Kasaija's contribution to this collection describes the 'Djibouti Process' as well as its shortcomings.
4. One of the most hotly debated issues among analysts is the nature of the relationship between Somali pirates and Somali Islamist insurgents. Opinions range from those who believe there is close collaboration, including claims of Shabaab training and financing of particular pirates groups (Schiemsky 2009), to those who are sceptical of any such connections (Stevenson 2010). The truth probably lies somewhere in between with clear evidence of opportunistic instances of co-operation between the two. For example, when the Greek-owned, Maltese-flagged bulk carrier MV *Centauri* was seized in September 2008, its hijackers took it to the southern Somali port of Kismayo where it was guarded by the same al-Shabaab militiamen who controlled the town until its release two months later. Presumably the pirates shared a part of the ransom they won with the local al-Shabaab commanders who certainly did not secure the vessel without some compensation.
5. It is worth noting that while the TFG, like its predecessor entities, has been the subject of diverse expressions of generic support from members of the international community, there has nonetheless been a reluctance on the part of most states actually to accord it *de jure* recognition. While the United States, for example, never formally severed relations with Somalia after the collapse of the Somali state in 1991, neither has it officially recognised any of the 15 transitional governments, including the current TFG. The State Department website merely states: 'The United States maintains regular dialogue with the TFG and other key stakeholders in Somalia through the US Embassy in Nairobi, Kenya'. In fact, the lack of affirmative legal recognition for the TFG is presumed by the introduction in October 2009 of a Congressional Resolution by the chairman of the Africa Subcommittee of the US House of Representatives urging 'the Obama Administration to recognise the TFG and allow the opening of an official Somali Embassy in Washington'.

The clear implication is that the United States Government accords the TFG something less than normal diplomatic recognition as a sovereign. In fact, this point was formally conceded in early 2010 by the Obama administration when, in a brief filed with the US Supreme Court, the Solicitor-General of the United States, Elena Kagan, and the Legal Advisor of the State Department, Harold Hongju Koh, acknowledged that 'since the fall of that government, the United States has not recognised any entity as the government of Somalia'. The brief went on to argue that since 'United States does not recognise the TFG as the government of Somalia, and absent contrary guidance from the Executive Branch, the TFG is not in a position to assume that role in United States courts'. The government moreover advised the court that it 'should not attach significance to the statements of the TFG unless the Executive Branch advises it to do so'. See *Mohamed Ali Samantar v. Bashe Abdi Yusuf, et al.*, No. 08-1555, Brief of the United States as Amicus Curiae Supporting Affirmance, January 2010, accessed at http://www.abanet.org/publiced/preview/briefs/pdfs/09-10/08-1555_AffirmanceAmCuUSA.pdf. While perhaps more explicitly articulated than that of other nations, the US position is nonetheless consistent with the actual practice of the majority of other states, both African and non-African. See *Mohamed Ali Samantar v. Bashe Abdi Yusuf, et al.*, No. 08-1555, Brief of *Amici Curiae* Academic Experts in Somali History and Current Affairs in Support of the Respondents, 27 January 2010, accessed at http://www.abanet.org/publiced/preview/briefs/pdfs/09-10/08-1555_RespondentAmCuSomaliExperts.pdf. The experts' brief was filed by the author along with Professors Lee Cassanelli, Ioan M. Lewis, Gérard Prunier, and Hussein Bulhan.

6. The UN Secretary-General's March 2009 report to the Security Council specifically indicated that the 'mother ships' used by Somali pirates were operating out of the Yemeni ports of Al Mukallah and Al Shishr, presumably with at least the tacit consent of the local authorities, if not their outright complicity (UNSC 2009). Port officials in Mogadishu, who are theoretically answerable to the TFG, have also been accused of facilitating several pirate attacks, including assaults on vessels carrying relief supplies to the Somali population (Iglesias Baniela 2010, 196).

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Where Somalia works

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Somalia is not entirely dysfunctional. Indeed, select parts of the Somali economic, social and political landscape work quite well. Ironically, where the country works best also reflects some of what is most wrong.

A mobile mecca

There are a dozen or so mobile phone companies in Somalia.[1] And with 61 mobile phone subscriptions per 1000 people (Alsoswa et al. 2009, 258), mobile phone penetration rates in Somalia far outpace those seen in neighbouring countries. For example, in Djibouti, Eritrea, Ethiopia and Kenya there are, respectively, a mere eight, 14, 26, and 44 mobile phone subscriptions per 1000 residents. Farther afield, not even Egypt or Sudan can beat Somalis; mobile phone subscription rates in each of these countries, in turn, stand at 54 and 24 per 1000 residents (UNCTAD 2009, 96–7).

Needless to say, running a mobile phone business in Somalia is not easy. When electricity is absent, a company must power its cellular base station(s) through its own efforts, often with expensive, imported generators which consume lots of fuel. Maintenance is never-ending as heat, sand and dust take their toll on equipment. Security fences around a cell phone tower might disappear one day only to reappear the next in a distant village as an enclosure for a person's goats. Wiring inside a base station might be stripped, the copper sold to a scrap dealer. Personnel issues range from a lack of human capital stemming from a poor educational system and emigration (meaning engineers have to be trained and/or brought into an area at great expense), to absenteeism resulting from neighbourhood gun battles. Given such realities, what cell phone company would want to operate in such an environment?

Some of the more prominent operators in the Somali mobile phone market are: Golis Telecom; Hormuud; NationLink; Soltelco; Somtel International; Telcom Somalia; and Telesom. These companies have proved adept at rapidly expanding coverage through the use of 'microcellular networks in a box'. A particularly popular supplier of such systems to Somali mobile companies is LGC Wireless, Inc., a US-based subsidiary of ADC Telecommunications. For around US$100,000 a Somali mobile operator can get a stand-alone, personal-computer-sized 'box' capable of accommodating up to 1000+ cellular subscribers.[2] Expansions

require little technical know-how as one box can be plugged into another, versus needing to be hardwired. Still, providing a service is a far cry from profiting from one. As a result, Somali mobile phone companies have some of the most creative business models anywhere.

Consider the system of flat-rate billing which has emerged. For US$0.30 a minute or less a person can use a local mobile provider's service to call *anywhere on the planet* (Somaliland Press 2010). This practice stems from the reality that the Somali diaspora is scattered to the farthest corners of the globe. A universal, global rate means a customer can call from Somalia to Afghanistan or Zimbabwe for the same rate, at any time; the person knows *exactly* what each minute will cost. At first blush this billing practice might not seem ideal from a company's perspective because margins on most international calls are slim. Still, the flat-billing scheme does make money, through volume. A company with the lowest flat rate tends to get more word-of-mouth references. More word-of-mouth references results in more customers. More customers mean more calls from, say, Mogadishu to Minneapolis, USA. And when Somalis connect, especially with family members, they tend to chat for quite some time.

Somalia's mobile phone companies have business models which take other local factors into account, oftentimes to the benefit of the consumer. Prices do not need to be inflated to generate revenue for advertising on billboards or flyers because so many potential customers are illiterate anyway (hence the importance of finding ways to encourage word-of-mouth recommendations). Likewise, prices do not need to be inflated to cover customs duties and licensing fees; Somalia lacks a central government capable of collecting such things. This said, there are taxes of a kind in Somalia. For example, weapons-laden warlords often demand protection money. But even then, most warlords show restraint in what 'rates' they charge. This is because even the harshest Somali warlord wants to have a working mobile with the best cellular network possible. Charge too much and cellular providers might quit an area – which, incidentally, would be to the detriment of many other vested interests.

With the proliferation of mobile phones in Somalia has come entrepreneurial opportunity. In crowded, open-air markets and around transportation hubs one now finds individuals with multiple mobile phones who buy airtime in bulk and charge a small premium for the cellular-less to make calls. Around them has sprouted a host of other informal enterprises. Self-taught repairmen, equipped with little more than a screwdriver and know-how, rebuild almost any phone. A person with a multi-socket powerstrip recharges customers' phones – or sells modified car batteries and hardware for the same purpose. A person can be hired to type text messages for the illiterate. Yet perhaps the most sophisticated spinoff industry is mobile banking, or 'm-banking'.

Telesom was an early-starter in the m-banking market in Somalia, launching its Zad service in the northwest in 2009. Since then other telecommunication firms have followed suit, most significantly Hormuud Telecom. Hormuud Telecom has the biggest network in central and southern Somalia, meaning its ZAAD m-bank service has the potential to reach more than a million Hormuud Telecom subscribers. Whether one is speaking of Zad or ZAAD et al., all m-bank arrangements follow the same basic pattern. A person wishing to use an m-bank service stops at a 'cash point' – usually a local shop affiliated with a cellular provider – and makes a deposit. A text message confirms the deposit almost instantly, minus a small commission which goes to the shopkeeper. Thereafter, all kinds of goods and services – vegetables in an open-air

market, haircuts or items in a store, tea at a road-side stand – are purchased and provided through the exchange of text messages noting credits to, and debits from, respective m-bank accounts. Furthermore, such m-banking services allow for credit and cash to be transferred over vast distances with relative ease. For example, a person in one part of Somalia might buy a mobile minutes top-up card. Then, instead of topping up his own cell phone, he tops up the phone of a distant 'cellular associate' (again, usually a shopkeeper). Since cellular airtime is a type of currency, the associate then converts the airtime minutes into money, takes a commission, and gives cash to a designated recipient.

On one hand m-banking services like what Telesom and Hormuud Telecom offer seem to work against consumers because customers have to pay transactional fees, plus they incur costs when they use their mobiles (airtime and texts messages cost money). Yet consider the alternatives. In areas with few or no banking services individuals have to spend time and resources travelling to a town with such services, hide money in homes and itinerant camps (for example, up to one-third of Somaliland's residents are nomadic), get money through the conversion of 'in-kind savings' (say through the buying, selling or swapping of livestock, a somewhat illiquid transaction, since oftentimes what is desired is the monetary equivalent of only part of an animal, not the whole animal), or carry lump sums on their person. Each of these options has its own costs, inconveniences and risks associated with them, especially in an insecure environment. This last point was underscored in a March 2010 *Reuters* story entitled 'Mobile transfers save money and lives in Somalia'. A featured shopkeeper is quoted as saying: 'Nowadays, I am able to send up to US$3000 from my phone to people in other regions without the person next to me knowing. It is good for our safety since we live in very violent times and can lose all our money to militias' (Abdi 2010). In this light, m-banking can be considered the best bargain available in many instances.

The business of trust

In many ways mobile banking is a logical extension of some of the most durable, efficient and successful of Somali business practices: those associated with *hawala* and *hagbed*. The former deals with transferring money. The latter deals with the provision of microcredit.

In a basic, traditional Somali *hawala* arrangement, a person wishing to send a remittance from, say, Toronto, Canada to Mogadishu, Somalia approaches a *hawala* agent in Toronto and gives the agent a lump sum of cash. After accepting the cash and taking a commission (typically around 5%), the agent then deposits the balance in a local bank account. At this point the agent contacts an associate on the ground in Somalia informing him of the deposit amount, who it is for, and any other important details, such as whether the money is to be delivered or collected; in the past such information was conveyed via fax or phone, but today is usually done by e-mail or instant messaging. Alas, when a person in Mogadishu tries to collect the money, he or she must prove his or her identity; for example, the would-be recipient might face detailed inquiries about his or her kinship relations or clan lineage. Only after the individual has answered all questions to the satisfaction of the Mogadishu *hawala* agent is the money then handed over.

It should be stressed that in the *hawala* transaction described above no money is physically moved between or amongst agents. This allows for a relatively quick turnaround from when a transaction is started to when it is completed. Sometimes the whole process might take only a matter of hours, but more likely a day. What makes the system work is the running tally *hawala* agents keep detailing how much one agent owes another, with debts to be settled at a later date. Trust is paramount. As Maryam Razavy notes in her article 'Hawala: An underground haven for terrorists or social phenomenon': '. . . The trust that exists between dealers . . . acts to secure any debts and allows the debt to stand without legal means of reclamation. An implicit guarantee exists on payments, because the ostracism resulting from broken trust results in . . . "economic suicide" for the *hawala* agent' (Razavy 2005, 286).

In a traditional Somali *hagbed* arrangement, a group of 10 to 20 individuals, usually women, create their own micro-lending organisation. Members are typically drawn from the same clan or sub-clan, live in the same town or area, and/or work together. Each person pays daily or weekly contributions into a pool, contributions being commensurate to the size of respective incomes. The resulting 'trust fund' can then be tapped for start-up capital for a small business, or provide a line of credit to an existing microenterprise. Social ties, peer screening of who gets into the *hagbed* and consistent monitoring of how the money is being used – what might appear to some as 'gossiping' – minimise the chance for moral hazard, namely that a borrower might use the capital for a reckless business pursuit.

Other dynamics of note in a Somali *hagbed* include Islamic moral strictures and the sharing of individual efforts and abilities. While many Somalis (and Muslims generally) believe it is religiously forbidden to be paid interest for loans, *musharaka* or *qard al-hassan* agreements are acceptable. *Musharaka* in Arabic means 'to share'; in a *hagbed* context this means *all profits* or *all losses* are shared equitably amongst *all individuals* in the group. *Qard al-hassan* is a loan without profit, but requires the borrower to repay all principal in the hope that he or she might include a 'token of appreciation'. Such paid 'appreciation' is at the borrower's absolute discretion, not obligation (thus making it different from charging interest, or *riba*), and likewise is to be shared equitably amongst *all members* of the *hagbed*.[3]

Since every *hagbed* member loses when a borrower stumbles, or benefits when a borrower prospers, individuals are more likely to contribute individual labour and aptitudes to an enterprise. For example, most of the women in a Somali *hagbed* might be illiterate. But one or two might not be, and therefore prove willing to help with keeping business accounts, drafting contracts, typing e-mails, or sending text messages. In turn, the literate *hagbed* members might not be good at marketing or selling. Yet some of the illiterate members might excel in these areas, and prove eager to take on this side of a business. Or a woman might be unable to tend to her *hagbed*-jumpstarted business due to family obligations, say the birth of a child. In this case another woman might prove obliging and cover for the new mother until she returns. In all of these scenarios the *hagbed* provides ways and opportunities for entrepreneurs and small businesses to overcome challenges, of which there are many in Somalia. The basic idea is analogous to the ease with which a single twig can be snapped, but a bundle of twigs proves much harder to break. So it is with a traditional Somali *hagbed*.

With the long history of *hawala* and *hagbed* arrangements in Somali communities, it is perhaps unsurprising that some Somali companies have looked to establish and build their own versions of each – with twenty-first century twists.

Cashing in on connections, literally and virtually

Dahabshiil is but one of about 20 money transfer companies operating in Somalia, but it is the most established and largest. In 2010 the company celebrated its fortieth anniversary. It claims to be the biggest private-sector employer in Somalia, with 2000+ workers in 220 offices scattered throughout the country (Dahabshiil Group 2010). Because of its history and extensive network, international organisations in Somalia as varied as the United Nations, World Health Organisation, World Bank, Oxfam, and Save the Children have relied on Dahabshiil to provide payment services for staff, contractors and local programmes. In fact, Álvaro Rodríguez, the UN Development Programme's Somalia Director was quoted as saying money transfer companies generally, and Dahabshiil especially, provide 'the only safe and efficient option to transfer funds to projects benefiting the most vulnerable people of Somalia. Their service is fast and efficient' (Saltmarsh 2009).

Dahabshiil's entrepreneurial patriarch is Mohamed Said Duale, the company's founder and chairman. His son, Abdirashid Duale, is the company's chief executive. Telling introductions to both individuals, and their Somali business empire, can be found in two different articles. As Tristan McConnell reports in *The Times* (UK) of her meeting with the elder Duale, Mohammed Said:

> The dusty, potholed streets of Hargeysa in Somaliland are filled with battered cars and ambling pedestrians. The tangled birds' nests of wires that cling to every telegraph pole are testament to a boom in telephony, informal stalls line the roads, selling imported goods and Ethiopia-grown khat, a plant chewed as a stimulant – and behind bricks of local currency sit the money changers.
>
> It is a long way from Western Union's pristine headquarters in Colorado or Moneygram's in Minnesota, but not quite a different world. Here, in a perhaps unlikely northwestern corner of Somalia, is the home of a multimillion-dollar financial services company. One, indeed, that almost single-handedly keeps the East African country afloat.
>
> Dahabshiil's office in Hargeysa has the relaxed charm of many a family-run African business. As I arrived, Mohamed Saïd Duale, Dahabshiil's founder and chairman, shuffled by in his sandals, a length of printed material wrapped around his waist and a short, traditional walking stick tucked under his arm. He made his way to a private office on the roof, where he sat cross-legged on the floor in front of a computer.
>
> His company began as a small, informal organisation, helping Somalis to get money to their relatives in refugee camps in Ethiopia, charging a commission as it did so. Now it is an economic linchpin, connecting the wealthy Somali diaspora with the impoverished population at home (McConnell 2009).

Similarly, a journalist for *Sheeko Magazine* (2008) recounts his meeting with the younger Duale, Abdirashid:

> I had never met Mr Duale before ... I was expecting to meet an elderly man in a conservative suit, and with an even more conservative attitude. You can imagine my surprise to be greeted by a friendly young man wearing a casual shirt and trousers. He led me into his plush and comfortable (London) office ... I immediately seized the opportunity to grill him on questions many of you would like to know: namely how does it feel to be a CEO of a global company and of the jet set lifestyle that comes with it? He laughed out loud, and simply confirmed that 'it feels good', but Abdirashid, as he

insisted I call him, was also quick to stress that nothing was handed to him on a plate, that he had to work hard and prove that he was more than capable of taking the lead role (from his father, Mohamed Saïd).

Dahabshiil is a name that has gained fame and respect among Somalis both at home and in the diaspora. The money transfer and banking business of the family-owned company was started in the aftermath of the civil war in Somalia to enable Somali migrants abroad to send money back home, and in the process, earned the family a sizeable fortune. The company was set up by Mohamed Said Duale and like so many other successful businesses set up by entrepreneurs, such as Sir Alan Sugar and Sir Richard Branson, started from not much at all. Dahabshiil has been in business since the early 1970s and has since grown to be one of the largest and most established money transfer companies to have ever emerged from the Horn. Today it has an extensive worldwide network that stretches from North America, Western Europe, to East and West Africa.

The breadth of Dahabshiil's international operations – outside of Somalia the company has 1000+ branches in 44 countries (Dahabshiil Group 2010) – reflects the Somali diaspora itself. In Africa large Somali populations are found in Ethiopia, Kenya and Djibouti. In the Middle East significant Somali communities are found in Yemen and the United Arab Emirates, and smaller ones in Saudi Arabia, other Gulf States and Egypt. In Europe, the United Kingdom hosts the largest number of Somalis, while the Netherlands, Norway, Denmark, Sweden and Finland, too, have sizable communities. And in North America one can find substantial Somali communities in the United States and Canada, especially around Minneapolis and Toronto. In total more than one million Somalis live outside Somalia, or stated another way, about 14% of all Somalis live abroad (UNDP 2009). From abroad the Somali diaspora is estimated to send home between US$750 million and US$1 billion annually (Lewis 2008, 134; Maimbo 2006, 20), with Dahabshiil handling some two-thirds of the annual flow (McConnell 2009).

Volume is key to Dahabshiil's profitability in the remittance market, as is evident in a World Bank-published study entitled 'Remittances and economic development in Somalia' (Maimbo 2006, 24–6). In the study a sampling was taken of 1206 transactions at a London Dahabshiil branch in June 2004. Ninety per cent of those sending money to Somalia sent less than US$200 at a time. Thirty-one per cent of senders remitted no more than US$100 at a time. And while nearly one in two individuals sent money to two different recipients per visit to the Dahabshiil branch, such small amounts hardly resulted in a lucrative payoff since Dahabshiil charged the industry commission average of about a 5% per transaction. Still, 5% of, say, US$600 million in remittance traffic can result in a hefty profit.

Other results from the study indicate that most often remitted money was meant to help family and clan members with basic needs, from paying rent and school fees, to purchasing food and water, to buying charcoal for cooking. The authors also pointed out that 92% of all money transfers sampled were sent to urban residents in Somalia because, in the authors' words, 'rural people are more self sufficient', meaning many have no rent obligations or opportunity to go to school (thus ruling out fees), can better sustain themselves due to their likely ownership of livestock, and under normal circumstances, have access to 'free' firewood and water (Maimbo 2006, 24–6). In all likelihood other historical reasons are equally valid as to why so many remittances ended up in urban hands; for example, urban areas are more likely than

rural areas to have the previously-necessary remittance-related infrastructure (such as telephone, fax and e-mail connections). With m-banking, however, remittances are beginning to flow more easily to rural areas, too. Dahabshiil naturally sees opportunity in this on a scale about which most other companies in Somalia can only dream. As noted on the company's Facebook site, Dahabshiil wants to expand its own m-banking services 'to all Somali-speaking areas from Djibouti to Kenya', and more broadly, anywhere with cellular coverage or a good internet connection (Facebook Dahabshiil 2010). Two indications that such ambition is more than corporate hyperbole came in November 2009 and March 2010.

In November 2009 Dahabshiil launched Somalia's first-ever debit card system. Remitters can now send cash more quickly and easily, via a secure website, to an account linked to an encrypted card replete with PIN number and signature authorisations. Remittance recipients, through their 'plastic', can likewise use the secure website, to monitor account balances, the receipt of funds and to opt for SMS alerts. Though cardholders on the receiving end of remittances can use their cards only in select locations in the northwest of Somalia at present (InsideSomalia.org 2009) soon they should be able to use them much more widely. This is because in March 2010 Dahabshiil founded a Hargeisa-based subsidiary company, Somtel International. At a public ceremony marking the launch of the start-up – which included the giving away of free cell phones – its managing director, Hirsi Hassan, stressed that Somtel 'will offer customers a high-speed internet service and cheaper domestic and international phone rates', all through the deployment of the latest in wireless technologies. Such technologies, of course, will be aimed at melding seamlessly with Dahabshiil's debit card system (SomalilandPress.com 2010).

Lest critics say Dahabshiil is solely about growth in pursuit of profit and little else, the Duales do make a point to stress that no less than 5% of all company earnings get donated to charity (Trustfull 2010; McConnell 2009; Sheeko Magazine 2008). This presents a unique opportunity for Dahabshiil especially, and other Somali enterprises more broadly, to establish synergy between profit-making and charitable activities, to build on *hawala* and *hagbed* dynamics, and to use emerging technologies – all to promote the greater good in Somalia. This thought is touched upon in the November/December 2009 issue of *Foreign Affairs* where author Bronwyn Bruton suggests that the power of remittances and microfinance in Somalia could be bolstered through a matching scheme. 'For example', Bruton writes, 'a member of the (Somali) diaspora could be convinced to contribute US$5 of every US$200 he would normally send to his family back to a community-development fund instead, and that amount would then be matched, dollar for dollar, by the international community'. The goal, he notes, would be for Somali community leaders 'to provide Somali youths with alternatives to employment with militias', and in so doing, begin to put Somalia as a whole on a trajectory towards peace and stability. Put another way, the objective would turn two decades' worth of stymied United Nations' efforts in Somalia on its head, emphasising the promotion of development above all else in order to drive peace building and community betterment, rather than the promotion of governance above all else in the hopes of realising either or both. Through the use of Web 2.0 technologies[4], often seen on sites like http://www.Kiva.org (a microfinancing, non-profit organisation focused on development, incidentally), all parties concerned in grassroots development activities

could monitor solicitations, contributions and disbursements in a transparent, accountable way (Bruton 2009).

If much of the above sounds far-fetched, particularly web-oriented ideas and services, it cannot be stressed enough how much 'Somalia' thrives in the virtual realm. In the words of Dahabshiil's CEO, Abdirashid Duale: 'The majority of Somalian people in rural areas do not have access to the internet. If, however, they should need to, they are able to do so by simply contacting a relation in town. Even the smallest towns now have internet access' (Trustfull 2010). Abdelkarim Hassan echoes this sentiment in the online publication *The African Executive* when he writes: 'The average Somali *maryoolay*[5] of today is glued to the internet to get his news and information from a plethora of Somali news sources'. Even the Somali poet Mohamed Hirad has commented on Somalis' obsession with the web in a poem – posted online, of course – where he observes '*Mareegaha xad dhaafka ah, Xasaraddoodu badantahay*'. Loosely translated: 'Mushrooming they are, these (Somali) websites'. Indeed, when a person does a Google search for 'Somalia websites', the search engine returns 2,280,000 results. When a person does a Google search for 'Somali webpages', there are 10,200,000 results.

Some might say Somalis are so drawn to a virtual world because their country is such a failed mess in the real one. Such a view conflates a lack of effective central governance in Mogadishu with a perceived absence of Somali governance anywhere else. In reality, Somalis today are realising a degree of successful governance, in Somaliland and Puntland.

Somaliland: An oasis of (relatively) good governance

In the northwest, some three million Somalis out of an estimated total national population of between 6.8 to eight million declared unilateral independence in May 1991. In the intervening years the citizens of Somaliland have had two presidential elections (in 1997 and 2003), a constitutional referendum (in 2001), a peaceful, constitutional transfer of power upon the unexpected death of a president (in 2002), district council elections (also in 2002), and House of Representatives elections (in 2005). International observers have sometimes deemed these elections to be flawed – mostly because about one-third to half of Somaliland's population is nomadic, and as much as 80% of the electorate is illiterate in places, all of which poses inherent electoral challenges – while confirming there was little evidence of intimidation or fraud.

Additionally, Somaliland's advocates can point to a host of other national achievements, including a government which has: overseen the demobilisation of rival militias, cleared mines and repatriated refugees; facilitated the rebuilding of infrastructure, including functioning clinics, hospitals, schools, universities, power plants, roads and ports (the port at Berbera holds the prospect of being a major export/import point for large, landlocked Ethiopia next door); taken a reasonably hands-off attitude toward business, resulting in private investment and a corresponding growth in entrepreneurial activity (for example, Dahabshiil bases its Somalia-related money transfer operations in Hargeisa, the capital of Somaliland, and Dahabshiil's subsidiary, Somtel International, is entirely based in Hargeisa – see the previous 'Cashing in' subsection of this article); established a central bank and a relatively stable currency, the Somaliland shilling; and, most critically, managed to

keep Somaliland mostly at peace with itself for over a decade. With regard to this last feat, much of it can be attributed to the Somaliland government's ability to move politics away from parochial clannism; one measure of this is evident in the fact that Somaliland's first directly-elected president, Dahir Rayaale Kahin, comes from the minority Dir clan, whereas 80% of Somaliland's citizens are from the Isaaq clan.

All of the above has taken place without formal recognition. Indeed, from the United Nations down through its member states, including those in the African Union and the Arab League to the besieged Transitional Federal Government of Somalia in Mogadishu, the official line is that the territorial integrity of a number-seven-shaped Somalia is inviolable and indivisible. *The Economist* newspaper (2010) pointed out the absurdity of this view:

> A German thinker, Max Weber, defined statehood as 'the monopoly of the legitimate use of violence'. That may be a practical approach but it doesn't end the confusion. Chaotic Somalia spectacularly fails to meet this criterion, yet still counts as a sovereign state. Yet its northern bit, Somaliland, has met this standard with increasing impressiveness since it declared independence in 1991. It has a currency, car registrations and even biometric passports. But only private firms such as DHL, a courier company, link it to the outside world. International postal service requires membership of the Universal Postal Union, which for non-members of the UN need approval by at least two-thirds of that body's members. The African Union refuses to recognise Somaliland's independence because it dislikes changing any African borders.[6] Outsiders hold back until African countries change their minds.

A number of reasons can be attributed to why Somalis in the Republic of Somaliland have been able to build a modest, working state, irrespective of prevailing international views.

First, the actions of the dictator General Siyaad Barre – the last Somali to come closest to exercising sovereignty over all of Somalia – helped forge a sense of Somaliland nationalism. After the Barre regime's ill-fated invasion of the Ogaden in 1977/78, more than one million ethnic Somalis fled Ethiopia and entered 'Somalia'. About half settled in the north, stretching local resources and services. In the hopes of quelling disquiet amongst the refugees, the Mogadishu-based Barre regime doled out aid, jobs and land to the new arrivals. It also armed them, with the hope they might return to 'liberate' the Ogaden. Instead, the new arrivals used their arms on local northerners to take even more aid, jobs and land. In response, the Somali National Movement (SNM) was formed with the declared aim of overthrowing Barre's dictatorship. The resulting civil war culminated in the levelling of the north, especially Somaliland's capital, Hargeisa. No less than 40,000 Somalilanders were killed and 500,000 made refugees. Though tragic, the war united most of Somaliland's citizens against a common enemy and created a collective narrative.

Second, there is Somaliland nationalists' experience with the international community. When the Barre regime fell in 1991, subsequent international interventions did not include Somaliland. To repeat: even now no country on the planet formally recognises the Republic. Consequently, Somaliland does not qualify for any bilateral help that requires such formal recognition – that is much foreign aid and most international loans. This has forced the government of Somaliland, with help from the Somali diaspora, to become largely self-reliant. That their efforts have produced the tangible progress noted earlier – a working state with a generally

growing economy next door to the 'Somalia' most foreigners think of – is a source of unifying, national pride.

Then there is the way Somalis in the Republic of Somaliland have framed their government, particularly with regard to clan considerations.

In January 1993 a 'grand conference of reconciliation' was opened in Borama. Clans, subclans and sub-subclans sent 150 elders to serve as their delegates. What emerged four months later, and what 97% of voters approved of in a 2001 constitutional referendum, was a system which fuses Western-style institutions of government with traditional forms of Somali social and political organisation. Roughly speaking, Somaliland's government has a US-style president and a British-style, bicameral parliament. The constitution affirms separation of powers, and lays out checks and balances. For example, the upper house may refer legislation back to the lower house only once (or vice versa), but if the House of Elders does so with a two-thirds vote, the House of Representatives must then pass the bill with a two-thirds vote of its own – after which the president may veto the bill anyway. Or each house may pass a bill with a two-thirds vote of members, in which case the president cannot refer the bill back to parliament, and failing to get his signature, the bill becomes law after 21 days.

As for other mechanics of Somaliland governance, the president is directly elected for a maximum of two five-year terms, and is expected to draft legislation, set budgets, manage national security, and, with parliamentary approval, appoint cabinet ministers and senior officers of state. The 82 members of the lower House of Representatives, originally apportioned on a clan basis but now directly elected by popular vote, serve five-year terms. Representatives are collectively given the power to: initiate, amend, reject or approve legislation from the president's Council of Ministers; propose votes of no confidence in the Council of Ministers; approve or reject ministerial appointments and the national budget; and impeach the president. A unique feature of Somaliland's parliament is that members of the House of Representatives must belong to one of no more than three political parties. That is to say, in an effort to encourage alliance-building across clan lines in a broader, more nationalistic way, the constitution affirms that Somaliland is to be a multiparty democracy but caps the number of political parties allowed in parliament at three. To become an accredited parliamentary party, a party must get at least 20% of the vote in no less than four of Somaliland's six regions during a general election.[7] Furthermore, the constitution expressly prohibits any political party from being based on regionalism or clannism.

Perhaps the most exceptional feature of Somaliland's government, at least in Africa, is its upper legislative house, the House of Elders, or *Guurti*. All 'communities' in Somaliland – a constitutional euphemism for the various clans, subclans and sub-subclans found in the Republic – are guaranteed one seat. Of the 82 seats available, the president appoints five elders 'on the basis of their special significance to the nation', and communities fill the rest in their traditional ways (for example, through *shir* councils). The 82 elders, in turn, are given constitutional authority to serve as a check on the Somaliland president and the House of Representatives. They are to do this by reviewing all legislation (no bill can become a law without the House of Elders' approval), by returning any questionable legislation when necessary to the lower House or Council of Ministers, and by introducing their own bills on religion, culture and security.

It is easy to laud Somaliland's system of government and resulting governance, especially in a regional context. Freedom House, for example, in July 2009 gave Somaliland a '5' rating in terms of political rights, and a '4' rating in terms of civil liberties (1 is the 'most-free rating'; 7 is the 'least free rating'). By contrast, Somalia received the lowest rating in both categories (that is, '7' ratings), and Somaliland's other immediate neighbours, Ethiopia, Djibouti and Yemen, only mustered '5' ratings across the board. This said, Somaliland's system of government and resulting governance is not without fault or concern. The political rights rating of '5' the Republic earned in 2009 was lower than the '4' it earned from Freedom House a year earlier, in 2008. Freedom House officials were most concerned with the Somaliland government's 'extension of the president's term and the postponement of the presidential election' (Freedom House 2009). The president and election to which they were referring are, respectively, Dahir Rayaale Kahin and the originally-scheduled 2008 contest.

Dahir Rayaale Kahin was vice-president under his predecessor, President Mohamed Ibrahim Egal, who died suddenly in hospital in May 2002. Having first assumed the presidency through peaceful constitutional succession, President Rayaale duly ran for the presidency in scheduled direct elections in April 2003. Out of half a million ballots cast, Rayaale won by a margin of less than 100 votes, a tally the runner-up nevertheless accepted in his concession speech. That same year, the constitutionally-mandated six-year terms of members of the House of Elders were to expire, too. In the wake of such a close, hotly-contested election, Somaliland's parliament allowed President Rayaale to extend the Elders' terms by presidential decree to May 2006.

Between 2003 and 2006, President Rayaale began to face significant opposition from members of the House of Representatives. For example, when it became apparent he was intent on running for president again in the scheduled 2008 elections, some representatives tried to use the Somaliland constitution to raise doubts about the legality of his candidacy. In particular they pointed to Article 88 which says 'No person may hold the office of President for more than twice'. Though President Rayaale had assumed the presidency on the death of President Egal, this still counted as a first term, they argued. His re-election in 2003, then, was for a second term, which should have made him ineligible to run again in 2008. Whether President Rayaale thought such claims were or were not a legitimate threat to his candidacy and presidency, his subsequent actions only raised the ire of opponents more.

In May 2006 President Rayaale again extended the House of Elders' terms by presidential decree, for four more years, but did so unilaterally. The House of Elders duly voted to extend its mandate, essentially aligning itself with the president and thus sidelining the House of Representatives. In March 2008, then, the president issued decrees which declared 13 Somaliland regions where there had only been six, and 16 additional districts to an already existing 41. Members of the House of Representatives cried foul, saying it was a blatant attempt to gerrymander future polls in the president's favour. The House of Elders again seemed to align itself with the president through its silence on the issue, only to complete what appeared to be a quid pro quo: the Elders voted in April 2008, again in March 2009, and yet again in September 2009 to postpone presidential elections, thereby extending President Rayaale's term in office. Their ability to do so was derived from Article 83,

Subsection 5 of the constitution which says: 'If on the expiry of the term of office of the President and the Vice-President, it is not possible, because of security considerations, to hold the election of the President and the Vice-President, the House of Elders shall extend their term of office whilst taking into consideration the period in which the problems can be overcome and the election can be held'. The Elders justified their actions by noting logistical problems in the voter registration process, jihadist threats, and unrest in Somaliland's eastern regions where Darod clansmen, a minority in the Republic, have regional majorities (which is why, in part, Darod-dominated Puntland, Somaliland's eastern neighbour, lays claim to Somaliland's eastern regions).

Even if the presidential elections controversy is resolved – and at the time of writing, the Somaliland government's website, http://www.somalilandgov.com/, was boldly proclaiming 'Somaliland election commission preparing for presidential election' – some might see ominous signs for Somaliland's future: that members of the House of Elders are not above self-serving politics, and Somaliland's much-lauded constitution can, perhaps, be bent to an aspiring despot's wishes. Such thoughts should be tempered. For all the high drama, Somaliland's politicians continue to opt for words and legalistic manoeuvrings over bullets and militias, and their rhetoric is arguably no more shrill than what is heard in, say, today's United States Congress or British House of Commons. Most important to the average person in the northwest, the Somaliland system of governance continues to work well enough to deliver some of what many Somalis elsewhere lack almost entirely: personal security, economic stability, and basic infrastructure, including the aforementioned functioning clinics, hospitals, schools, universities, power plants, roads and ports. And should the international community ever allow it, the Somaliland government just might be allowed to deliver the mail one day, too.

Puntland: Political promise in the wake of piracy

In the northeast of Somalia (east of Somaliland), another experiment in Somali governance has been sustained since 1998. It was then that some 1.5 million Somalis declared their own autonomous 'Puntland State of Somalia'. Subsequently, Puntland representatives wrote and adopted a charter which has allowed for the election of four different presidents, the most recent having been sworn in in January 2009. More recently, in June 2009, the Puntland government proposed a new constitution, to better institutionalise Puntlanders' developing sense of the social contract between their government and its citizens.

Against this backdrop of relative political progress lies clan considerations. Puntland, rightly or wrongly, is sometimes called a 'Darod project'. While the Darod are a majority in Puntland, Darod clan members occupy space far beyond Puntland's claimed borders. Various Darod sublcans and sub-subclans stretch from the northeast of Somalia, south and west into the Ogaden, then south and west again through southwest Somalia into Kenya, with a small pocket near Mogadishu. Theoretically, such a wide clan dispersal means the Darod have an interest in bringing governance to much of Somalia, not just to the northeastern part of it. In reality, the Darod are far from one mind. Some want Puntland to be an autonomous part of a federal Somalia that works. Others want Puntland to begin angling for secession and eventual independence. Still others could care less, as long

as they can continue to use Puntland as a base for trafficking drugs, weapons and people, for kidnapping and counterfeiting – and as the wider world has learned of late – as a place for piracy. That there is not wider consensus reflects the way the Puntland experiment has evolved.

Puntland's creation is associated closely with the Somali Salvation Democratic Front (SSDF) and the blessing of Darod clan elders, sometimes collectively called *Isimo*. The SSDF had originally been founded as a Darod-clan guerrilla movement bent on unseating the Barre regime in Mogadishu. In the years after Barre's fall, it evolved into an organisation advocating a 'decentralised route to unity' for Somalis. In other words, the SSDF's leadership pushed an idea which said any efforts to recreate a centralised Somali state from the top down were destined to fail. Instead, it would be prudent to let smaller autonomous Somali states emerge first, and after that, begin a process of putting Somalia back together again. Though nationalistic on the surface, in reality the SSDF leadership's idea was mostly clan-serving. An autonomous Puntland in the northeast of Somalia was a sure-thing for the Darod (and specifically, the Mijerteyn subclan). Should a working Somalia never materialise, at least the Darod would have their own territory and powerbase. However, if a unified Somalia did one day re-emerge, it would likely be under a framework the SSDF leadership thought they could exploit to their individual, and clan's, advantage. After much SSDF arm twisting, and even more discussion, Darod clan elders likewise seemed convinced.

The Darod elders' collective blessing of the Puntland project came on 5 May 1998. Months of discussions culminated in their 'Garowe Declaration' – a declaration formally proclaiming Puntland as an autonomous state with Garowe as its capital, but also as a state without secessionist ambitions from Mogadishu. In quick order then the elders filled a 66-member unicameral Puntland parliament, taking special care to apportion seats to all sub-clan interests. They also selected the SSDF's leader, Abdullahi Yusuf Ahmed, as a caretaker president for three years, during which time he was charged with negotiating and implementing a Puntland constitution. Finally, in lieu of a constitution, the elders ratified the SSDF leadership's 'Puntland Charter'.

Generally, the Puntland Charter failed to institutionalise consensual-style politics. Though there had been talks of making the parliament bicameral, with an upper house for elders similar to the Somaliland model, and with similar powers, this never came to pass. SSDF officials convinced elders that they could better intervene in politics if they were not 'restricted' to Charter-defined limits. Besides, some SSDF leaders argued, the elders were really the ones who ran parliament anyway. The Charter had created a 'tradition-based system' where clan elders, not common voters, elected parliament's 66 sitting members.

Of greater consequence was the Puntland Charter's failure to create mechanisms to check presidential excesses. Yes, the Charter did appear to give a nod to checks and balances; for example, it gave Puntland's parliament the power to approve or reject the president's proposed ministerial nominees, to ratify or reject agreements and negotiations to achieve a federal order in Somalia, and to impeach the president with a two-thirds vote. But the Charter also gave the president the power to dismiss parliament by fiat. Further, it gave the president the power to declare a state of emergency – which includes the ability to suspend parliament – with no limits on how long or under what circumstances such a declaration could be imposed. In other

words, the Charter all but ensured that the legislative branch was to tread carefully. If not, its members might be out of a job, or worse. Elders, too, had to take care. Beyond the Charter vaguely supporting 'alternative dispute resolution', they had no legally-bestowed powers. Their power within government, such as it was, was to show itself indirectly through their handpicked parliamentarians.

In their defence, Puntland Somalis were not unaware that their Charter could open the door to autocracy. The SSDF, after all, had been founded to fight a dictatorship. But at Puntland's founding, there was less fear of an autocrat and more that the state would be stillborn. Better then to empower a head of state so he could make the case that Puntland should, and would, exist. Ironically, having vested so much power in the office of the presidency, the 'Puntland project' over a decade on came dangerously close to collapsing because of its early occupants.

When the first president of Puntland, Abdullahi Yusuf Ahmed, saw his caretaker term officially expire on 30 June 2001, approximately three years after the elders at Garowe had made him president, he refused to step down. Lacking a constitution (Yusuf had failed to bring one into force, despite this being his primary mandate three years earlier), Darod clan elders turned to the Puntland Charter. As required, they provided a list of presidential candidates to parliament. Parliament, as required, then voted. Their decision was to make General Jama Ali Jama the second president of Puntland. In response Yusuf unleashed his security forces, the Darawish, and the Puntland Intelligence Service (PIS). Two years later, Yusuf was able to battle, literally, his way back into the presidency. An inter-Darod peace treaty followed, and ensconced in office once again, Yusuf consolidated power. On his command dissidents were locked up, the media heavily restricted and the parliament and judiciary quieted. He also turned inward, to his sub-subclan, the Omar Mahamoud, on whom he showered patronage. When Yusuf finally exited the Puntland presidency in 2004, he left for a bigger stage, to become president of the Transitional *Federal* Government of Somalia (now besieged in Mogadishu). As the Puntland Charter required, Darod clan elders once again provided a list of presidential candidates, and once again parliament voted – but this time for a Yusuf ally, General Adde Muse Hersi. Making a Yusuf ally the third president of Puntland was viewed as the best way to ensure peace, because though Yusuf had left Puntland's political spotlight, he was still capable of making his presence felt. For their part, Yusuf and Muse interpreted parliament's move as an abdication of trying to balance and check presidential power. In such an environment, presidential excesses and patronage increased, at the expense of the rest of the state and average citizens. In the words of an International Crisis Group policy briefing entitled 'Somalia: The trouble with Puntland':

> By 2005, corruption in Puntland had permeated every tier of government and become almost a way of life. Its impact on business was particularly devastating. Traders applying for licences to import food, fuel and consumer goods had to pay large bribes. Fishing licences and mineral exploration rights were sold to well-connected firms without open tenders. Livestock export licences went to those able to pay the highest bribes or with powerful, often clan connections. Food, transport and basic goods and services became much more expensive, as traders passed on the costs of doing business. Poverty and malnutrition increased, and ill-advised state interventions made matters worse, including the printing of new banknotes that flooded the money market and created hyper-inflation. These developments, aggravated by severe drought, pushed

> Puntland into a lengthy humanitarian emergency. Crime and corruption soon spiralled out of control. The environment was ideal for criminal syndicates involved in arms smuggling, piracy, human trafficking, kidnapping and counterfeiting (International Crisis Group 2009, 6).

It has been said 'In the end, dictators, however unpopular, despotic and incompetent, rarely fall because they have too many enemies. They fall because they have too few friends' (The Economist 2009). When scheduled presidential elections came due in January 2009, President Muse had lost the friendship of Yusuf and many others. The rift had come when Muse unilaterally signed a deal with Consort Private, Ltd. offering the company exclusive oil exploration rights in Puntland. Yusuf, as president of the Transitional *Federal* Government of Somalia, had said it was actually he who had sole authority to sign such deals. Perhaps bolstered by the breaking of the Yusuf-Muse alliance, and in spite of Yusuf's presence in parliament as 'an observer', the Puntland parliament voted to make Abdirahman Farole the fourth president of their state, the first non-military man to assume the office.

At first glance, President Farole's election seemed to be more of the same in that Farole had previously served as Finance Minister under Yusuf, and had then been Planning and International Cooperation Minister under Muse. Yet Farole had severed ties with Yusuf and Muse years earlier. In fact, Muse had fired Farole after Farole had voiced his criticism of the unilateral nature of the Consort Private, Ltd. oil deal. Perhaps alluding to such autocratic presidential actions – and the corresponding collapse in rule-of-law – Farole promised in his victory speech to replace the Puntland Charter with a Puntland Constitution. In June 2009, Puntland's parliament ratified nearly all 141 articles of a proposed constitution, setting the stage for a popular referendum.

The contrasts between the Puntland Charter and proposed Puntland Constitution are marked. Should the proposed constitution come into effect, the unicameral legislative branch, consisting of a 66 directly-elected representatives serving four-year terms, will see its power enhanced. By contrast, the Puntland president, who is to be elected by the parliament to a maximum of two four-year terms, will see his power constrained. For example, under the proposed constitution, no longer will the president have the power to dismiss parliament, and it is parliament which will retain the power to approve or suspend any presidential declarations of emergency.

As for other aspects of Puntland governance explained in the proposed constitution, it affirms that Puntland is to be a multiparty state, but with no more than a maximum of three legalised political parties. Just as in Somaliland, the logic in having a maximum of three parties is that it will necessitate broad alliances, and in so doing, help Puntland get past parochial clannism. In this vein, the constitution institutionalises aspects of clannism so as to mitigate it. That is to say, the proposed constitution 'recognises and assures the existence and the responsibilities of the Traditional Leaders of the society (*Isimo*)'. It then makes traditional leaders part of the judicial branch of government. But the proposed constitution goes on to say that traditional leaders' rulings apply only if no other resolution can be found 'within the Constitution and Constitutional laws' – that is, anywhere else in the legislative, executive and/or judicial branches – and that they are forbidden from participating in political and religious organisations. The text of the proposed constitution sounds

almost kind when it explains the reason behind this last point. It is not to neutralise clan elders politically. Rather, it is 'to safeguard the dignity and neutrality of the Traditional Leaders'.

With regard to the prickly subject of how Garowe is to relate to Mogadishu, there are mixed signals. The proposed constitution confirms that 'The Puntland State of Somalia' is to be part of a 'Somali Federal State'. By the same token, the proposed constitution says Puntland is an '*independent* integral part of Somalia', and as such, *it is Puntland* which controls its immigration affairs, defence, foreign relations and 'other required issues' – at least until negotiations between 'the Federal Government of Somalia and the Regional State of Puntland' can take place. Yet the proposed constitution fails to lay out criteria as to when or under what circumstances negotiations must take place. Such ambiguity in the document is matched only by the uncertainty surrounding when, or if, the constitution will actually face a Puntland plebiscite. It also means that until a different political order materialises than what the Puntland Charter allows for, piracy might continue to emanate from the autonomous Somali state.

In any given year nearly 20,000 ships pass close to Puntland's northern and northeastern shores, through the Gulf of Aden. In addition to carrying goods between Asia, Europe and the Americas, these ships also carry about 7% of the world's oil production. This makes tempting hunting waters. The International Maritime Bureau's Piracy Reporting Centre notes that Somali pirate attacks – most originating from Puntland – increased by 200% between 2007 and 2008. This was followed by a further 95% rise in attacks in 2009 when compared to 2008. Of the 217 vessels in 2009 Somali pirates attacked, 47 ships were successfully hijacked, a Somali pirate success rate of about 22%. For their efforts, Somali pirates managed to squeeze concerned parties for an estimated US$82 million in ransom payments in 2009 – and still there were 12 vessels and 263 crew members being held at year's end (UN Security Council Somalia Monitoring Group 2010, 35–6). For perspective, the 2009 annual budget *for all of Puntland* was a mere US$17.6 million (AllAfrica.com 2009).

Mentioning pirates, money and the Puntland government in one paragraph is not a non sequitur. In March 2009, the office of UN Secretary-General Ban Ki-Moon released a report that showed evidence of 'complicity by members of the Somali region of Puntland administration in piracy activities'. In March 2010, the UN Security Council Somalia Monitoring Group likewise came to a similar conclusion in a report of its own. Neither report gave full measure to the underlying dynamics. For example, it was commonplace for former President Yusuf to receive a budget from parliament with detailed allocation instructions. Yusuf would take the money, ignore parliament's instructions and instead direct monies to his patronage network. In 2007, when parliament demanded a budgetary audit from then-President Muse, Yusuf's elected successor, ostensibly to see the nature of his patronage network, Muse's response was to dismiss parliament and to govern by decree, presumably so he could continue to dispense funds much like his predecessor. Such shenanigans year after year meant less and less state money for local administration, local development and local law enforcement. From this came easy pickings for illicit syndicates which traffic drugs, arms and people, and yes, hijack ships.

Vested interests in piracy are extensive. Beyond the international players involved – financiers from the Gulf and beyond, *hawala* and insurance agents, accountants,

bankers, money launderers, negotiators, shipping magnates, lawyers, translators, and security consultants, among many others – piracy takes many local players. Criminal syndicates hire fishermen for their boats and/or seafaring skills, many unable to make a living any other way due to foreign boats overfishing and dumping toxic wastes in Somalia's lawless waters. On shore, the criminal syndicates recruit, arm and pay unemployed men to conduct raids. Still other men are paid to guard seized property and crews until ransoms are met. Local businessmen and women are paid to provide support services, from provisioning for Western-style meals for captives, to cooking all meals, to doing laundry and fee-for-service sex. Governmental officials and police officers are paid to turn a blind eye to all, are given a cut to pay off superiors, or facilitate all of the above. Even individuals not directly involved get caught up. Men who make enough money from pirate-related activities can then afford to pay dowries for brides, or to buy cars, houses, livestock and other consumer goods and services – which, incidentally, contributes to inflation in some communities and thereby ends up stressing families not plugged into the pirate-driven economy. It is in this context that President Farole told the BBC in June 2009: 'From the international point of view, piracy may be considered the number one issue. But from our point of view, it is a tiny part of the whole Somali problem – a phenomenon prompted by the collapse of the Somali state' (Greste 2009). Yet Puntland's president seems to be of the mind that in addressing the former, he might be able to curry favour to better address the latter.

To this end, early in his tenure President Farole selectively applied 'soft power' to counter some Puntland-based piracy; a limited amnesty was offered to individuals who publicly renounced the business, for example, and Islamic clerics were encouraged to speak with communities about the immorality piracy fosters (such as prostitution and gross consumption). By early 2010, a shift towards the selective application of 'hard power' had taken place, marked by armed government raids into 'pirate enclaves' such as Eyl and Bargal. A presidential decree centralised all police divisions under the authority of a hand-picked police chief, to facilitate command and control during raids, and Puntland police and soldiers were reportedly given pay raises on the realisation that low wages often drove some to work with pirate syndicates out of economic necessity (Garowe Online 2010b, April 12). Offshore, Puntland authorities began to communicate more frequently and closely with the commanders of foreign navies on anti-pirate patrols (Garowe Online 2010a, April 8). Perhaps as a consequence, Somali piracy attacks plummeted from 61 in the first quarter of 2009 to a mere 35 in the first quarter of 2010 (Reuters 2010). Puntland's government, via its website at http://www.puntland-gov.net/, touted its own quarterly numbers for the first three months of 2010: that 264 suspected or convicted pirates were 'presently detained in correctional facilities across Puntland'; and those who had been convicted in Puntland's courts had all been given long sentences, ranging from three years to life (Puntland-gov.net 2010c, 2010d).

News headlines posted on the Puntland government's website show a clear dichotomy of tone. Headlines such as 'Puntland government continues anti-piracy campaign' or 'Puntland security score intelligence hat-trick, nab 5 men suspected of masterminding terrorism acts across Somalia' sound dramatic (Puntland-gov.net 2010b, 2010d). 'Puntland technical meeting: Municipal finance and public service delivery' or 'European commission-funded agencies meet Puntland state minister for good governance' sound mundane (Puntland-gov.net 2010a, 2010e). Such headlines

may or may not reflect a Somali government functioning well. But they certainly indicate a Somali government which is working.

What's right, what's wrong

Somalia is not entirely dysfunctional. As has been shown, select parts of the Somali economic, social and political landscape work quite well. Ironically, where the country works best also reflects some of what is most wrong. Telecommunications markets are unfettered in Somalia because, quite often, there is no single governing authority capable of providing law and order. *Hawala* and *hagbed* arrangements are so ubiquitous because there is no formal Somali banking system and, in the absence of opportunity at home, many Somalis are compelled to go abroad, rely on receiving a monthly remittance, and/or must have a line of microcredit just to make ends meet. There are countless Somali websites and Somali web pages because Somalis' myriad schisms translate into a desire for many to impose and defend a categorical clan or religious worldview, often with an uncompromising political agenda. Finally, the Republic of Somaliland and the Puntland State of Somalia exist because of what was claimed in this publication's introduction: that 'Somalia' is a myth – by definition a false belief or an idealised conception. Whether the myth will continue depends on how much weight is given to imagination or fact, the two rarely being far apart in the complicated, difficult Somali context.

Notes

1. The author has previously claimed that 'Somalia' as a unified number-seven-shaped country on the northeastern horn of the African continent is mostly a myth. 'Somalia' most certainly is a contested concept, even amongst Somalis. Both statements can be supported by, at a minimum, the Republic of Somaliland's declaration of independence and subsequent development, and the Puntland State of Somalia's autonomous charter, proposed constitution and actions, per what is described in this article.
2. See http://www.adc.com/us/en/solutions/wireless/ for more information.
3. A key point in Islamic finance generally is that those with resources are expected to assume most of the risk and to conduct business with a mind to help those needing the resources. By contrast, many Western financial systems are often accused of not caring whether a borrower succeeds or fails – as long as the borrower can make payments in full to the lender. In this light, there is often thought to be a moral imperative lacking in the Western system.
4. The term 'Web 2.0' is synonymous with web applications that facilitate interaction, information sharing and user-centred collaboration and design. Wikipedia.org – a Web 2.0 entity, appropriately enough – lists examples of Web 2.0; these include: 'web-based communities, hosted services, web applications, social-networking sites, video-sharing sites, wikis, blogs, mashups, and folksonomies'. Wikipedia.org's Web 2.0 entry further posts: 'A Web 2.0 site allows its users to interact with each other as contributors to the website's content, in contrast to non-interactive websites where users are limited to the passive viewing of information that is provided to them'. For more information, see http://en.wikipedia.org/wiki/Web_2.0.
5. Literally *maryoolay* refers to traditional Somali clothing. In slang, *maryoolay* can refer to a person lacking intelligence or sophistication.
6. Many African states were products of less-than-organic processes themselves with borders drawn by, say, colonial powers. Some governments of such states fear a fractured Somalia might encourage separatist movements within their own countries.

7. In March 2008, Somaliland President Dahir Rayale Kahin announced by presidential decree the creation of 13 Somaliland regions where there had been only six, and 16 additional districts to an already-existing 41. Under the 2002 Regions and Districts Law, though, such changes cannot come into legal force until approved by both houses of parliament.

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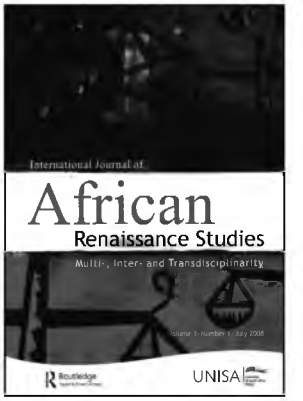
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