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Somalia: Failed State or Nascent States-System?

FOI Somalia Papers: Report 1

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Sammanfattning

Denna rapport behandlar ordningsproblemet i Somalia och har som syfte att utröna vilka faktorer som upprätthåller den nuvarande statslösa situationen. En viktig aspekt av rapporten är att betona skillnaderna inom det område som omfattas av den legala entiteten Somalia. I norr har två statsliknande entiteter vuxit fram, Somaliland och Puntland, medan södra och centrala Somalia präglas av våld och frånvaro av en effektiv politisk ordning. Denna kontrast mellan fungerande de facto stater i norr och en icke-fungerande de jure stat i söder är central för att förstå de politiska förhållandena i Somalia idag.

Rapporten genomför en nytolkning av Somalia som ett slags statssystem i vardande, en förståelse som ersätter den tidigare dominerande diskursen om Somalia som en "failed state" – en misslyckad stat. Tolkningen av Somalia som ett statssystem i vardande får konsekvenser för omvärldens politiska målsättningar i landet: en strävan att stärka stabilitet och skapa ett normreglerat system i syfte att bygga fred ersätter strävan att vidmakthålla och/eller återupprätta den gamla statsstrukturen.

Analysen av de politiska konflikterna i Somalia efter grundandet 1960 visar att idén om den suveräna staten är en viktig konfliktdrivande faktor. Om denna skulle överges skulle chansen öka att minska det politiska våldet i såväl omfattning som styrka. Detta i sin tur skulle öka möjligheterna för stabilitet i den vidare regionen.

Nyckelord: Somalia, Statsformering, Afrikansk säkerhetspolitik, Afrikas horn

Summary

This report deals with the problem of order in Somalia, one of its purposes being to ascertain the factors that sustain the current condition of statelessness. An important aspect of the report is to emphasise the differences within the area encompassed by the legal entity of Somalia. In the North, two state-like entities have evolved, Somaliland and Puntland, while southern and central Somalia are marred by violence and the absence of effective political order. This contrast between functioning de facto states in the north and a non-functioning de jure states in the South is central to understanding the political relations in Somalia today.

The report conducts a reconceptualisation of Somalia as a nascent states-system. This understanding seeks to replace the hitherto dominant discourse of Somalia as a 'failed state'. The interpretation of Somalia as a nascent states-system begets consequences for the political ambitions of external actors: a striving to enhance stability and to construct a system of political interaction based on norms in order to build peace replaces the emphasis on retaining and/or resurrecting the old state structure.

The analysis of the political conflicts in Somalia after 1960 in the report demonstrates that the idea of the sovereign state is an important driver of conflicts. If this idea were to be abandoned, then the chances of decreasing the extent as well as the intensity of the political violence increase. In turn, this would increase the possibilities for stability in the wider region.

Keywords: Somalia, State-formation, African Security Politics, the Horn of Africa

Table of Contents

Preface

What is Somalia? A failed state? The sum of an ancient clan-system? A safe haven for militant Islamists? A humanitarian disaster? The bases of operation for notorious pirates? Several states? A consequence of proxy wars? The many faces of Somalia seem to constantly elude the consciousness of the international community. And yet we cannot avoid Somalia, one minute threatening the fabric of world security, the next upsetting global trade.

When the Swedish Defence Research Agency's (FOI) Africa Group in September 2008 decided to address some of the issues associated with Somalia, it soon became apparent that no one model, narrative or description would suffice. The French philosopher Gilles Deleuze once rejected the hierarchical structure in favour of the non-structured organisation, consequently naming the book where he put forth his theory *Milles plateaux (A Thousand Plateaus)*. It is perhaps in the post hoc light of Deleuze that the four papers in FOI's Somali series best are to be understood. Instead of seeking unity in an explanatory model, four thesis-driven perspectives have been chosen: A historical investigation of the state of Somalia, by Peter Haldén, a descriptive report of the Somali Islamist networks, by Magnus Norell, an economic perspective on the Somali piracy, by Karl Sörenson, and a sequential analysis of the Ethiopian and Eritrean involvement in the Somalia conflict, by Mathias Krüger. Hence, instead of attempting to explain Somalia, this report series adds yet another plateau.

The FOI Somali papers were commissioned by the Ministry of Defence.

November 2008   *Karl Sörenson*

Editor of the FOI Somali Papers

Implications for Policy

General and Conceptual

- State-building and peace-making are two distinct goals that are not necessarily mutually supportive. External actors may have to accept that there are direct conflicts between creating a unitary state in Somalia and establishing a stable order with a minimum of violence.

- Historically processes of state-formation have involved large-scale violence and similar dynamics are visible in Somalia.

- Insistence on the preservation of a single state in Somalia is likely to be a driver of violence, not a pacifying factor.

- As long as Somalia remains intact as recognised as a single entity by the international community, it will be an attractive prize and as such it will be contested by various clan-based factions. Hence, if external actors want to limit or stop large-scale violence in Somalia, the idea of a united Somalia may have to be reconsidered and what are now sub-state actors must be supported.

- Changing the conceptual focus from failing state to nascent state-system enables a political shift from 'state-building' to 'systems-building'. This shift in turn may entail changes in the military strategy of any inter-vening parties from an unbounded 'deep-battle' type of warfare to a boundary or frontier maintenance strategies.

Systems-Building

- Give any and all possible support to Somaliland to help support it as a viable entity

- Develop strategies to support the consolidation and viability of Puntland into a viable entity. This support should be decoupled from the SRRC leadership and instead directed to clan elders and other community leaders.

- Concretely, support the integration of traditional institutions and leaders into Puntland's institutional structure. The goal being a system similar to Somaliland's *beel* system.

- Supporting governance at the levels where it is most effective, i.e. Somaliland, Puntland and local communities in the south is the most effective and efficient way of countering the security threats mostly identified with 'state failure' e.g. terrorism and organised crime.

Acronyms

AMISOM	
ARPCT	Alliance for Restoration of Peace and Counter-Terrorism
AU	African Union
DRC	Democratic Republic of Congo
ICRC	International Committee of the Red Cross
IGAD	Intergovernmental Authority on Development
OAU	Organisation of African Unity
OLF	Ogaden Liberation Front
RRA	Rahanwein Resistance Army
SNM	Somali National Movement
SRRC	Somali Restoration and Reconciliation Council
SRC	Supreme Revolutionary Council
SSDF	Somali Democratic Salvation Front
SYL	Somali Youth League
TNG	Transitional National Government
TFG	Transitional Federal Government
UIC	Union of Islamic Courts
UNITAF	Unified Task Force
UNOSOM I	United Nations Operation in Somalia 1992-1995
USC	United Somali Congress

Map of Somalia

1   Introduction[1]

Many national security statements, doctrines, documents and strategies point to 'state failure' as a serious security problem, particularly in the developing world.[2] 'Failed states' are seen as problematic in themselves but also as drivers of other security threats, such as regional instability and terrorism. In this discourse, the state is seen as a necessary prerequisite for security, stability and peace. This kind of thinking is a strong strain in Western political philosophy, harking back to Hobbes whose normative philosophy of the state explicitly argued that the sovereign state was a solution to the 'perpetuall warre' otherwise facing men.[3] To an increasing extent the prevention or rectification of state failure has become seen as a legitimate and pressing security concern. Whether by military or civilian means (or an admixture of both) 'state-building' has become a political field in itself.[4]

No place seems to accentuate these worries and validate the solution more than Somalia, the epitome of the failed state and the insecurity that state failure brings.[5] This seemingly intractable security issue has in the autumn of 2008 entered into the most intense combat and worst humanitarian situation since the early 1990s. Since the collapse of the Siad Barré and of the Republic of Somalia in 1991, a great number of analyses, scholarly and otherwise, have been made in order to understand the reasons for 'state failure' in Somalia. Correspondingly, a large number of external efforts have been made in order to reverse 'state failure', i.e. to inaugurate 'state building'. The means have ranged from military intervention (in 1992 and 2006) to UN-sponsored conferences. So far all have been unsuccessful.

A closer examination of Somali history shows that order has not been absent in the country since 1991 and that the Republic of Somalia showed signs of 'failure' long before its complete demise. In the north, two state-like entities, Somaliland and Puntland, have been established but not internationally recognised. In the south, where the lion's share of combat has taken place since 1991 and where current hostilities are taking place, several processes cast doubts over the idea that 'state failure' is synonymous with the absence of order. The

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[1] The author wishes to thank Dr. Mats Utas at the Nordic Africa Institute for his valuable comments, questions and recommendations. Without them, this report would have been intellectually poorer. Any faults and omissions are, as always, the author's own.

[2] USA 2006:15, 44; EU 2003:6, 7; Försvarsberedningen 2007 46:63, 108

[3] Hobbes 1996:144-145

[4] Chandler 2006

[5] A google search of the combination of "Somalia" and "failed state" rendered 1.970 000 hits on October 20, 2008

character and intensity of combat has varied considerably between 1991 and 2008, ranging from large-scale inter-clan warfare to small-scale intra-clan fighting. These changes resemble historical changes in the character of international systems.

An international system refers to the kind of units, dominant kinds of warfare and social and political norms governing the interaction between large-scale social actors. Two historical examples are the absolutist (ca 1648-1914) and modern international systems (post 1945) which varied greatly in terms of actors, norms and the prevalent kind of warfare. Such changes are analogous to the shifts in the Somali post-state system between 1991 and 2006. In contrast to the static image sometimes conveyed by standard accounts, contemporary Somali affairs display a substantial dynamism as the country oscillates between periods of intense violence where the rules of interaction are contested and periods with more restricted violence and rule-governed interactions. [6]

During the latter periods, a number and variety of local structures of governance has emerged. Along the coast, what can be likened to a loose system of city-states have sprung up. In Mogadishu itself, business interests had established relative stability prior to the current conflict. These regional and local projects for order are quite varied in character but most share one thing: The resistance to the creation of a unitary state. The most state-like of these projects, Somaliland, remains staunchly committed to its own statehood and stalwartly opposed to the resurrection of the Republic of Somalia.

This situation forces us to re-orient our perspectives and to alter our research questions. On two accounts this paper takes a converse position of previous analyses. (1) Instead of taking the sovereign state as its starting-point and inquiring as to the reasons for its failure and collapse, this paper will inquire about the processes of formation and maintenance as well as viability of some of the kinds of orders outlined above. This inquiry includes the formation of the state-like entities Somaliland and Puntland as well as to some extent the poly-centric order in the south.

(2)The paper avoids making the prima facie assumptions of, on the one hand, a connection between the sovereign state and order and, on the other hand, between the sovereign state and peace and security. The first choice entails a study of order in other forms than within the confines of the sovereign state. The second entails viewing 'state building' and 'peace making' as two distinct projects. I understand state building as a project to establish a specific kind of order and peace building as efforts to end violent armed conflict. The official

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[6] Menkhaus 2003:406, 411

statements, doctrines, documents and strategies referred to above usually conflate or equate them. By separating them, the interplay, tensions and ultimately tradeoffs between these two projects as policy goals can be analysed and understood. The paper concludes that state building efforts, particularly when pursued by outsiders, have the tendency to undermine peace building, in other words, to increase violence. Hence, policy-makers will face a trade-off between these two goals as continued insistence on the goal of establishing a sovereign state, particularly within the borders of the Republic of Somalia, will continue to fuel violence. Somaliland and possibly Puntland seem to be exceptions to this 'rule'.

In order to capture the dynamic nature of the post 1991-period, this paper uses a diachronic approach and traces processes between 1880 and 2008. The formations of order in Somalia are followed from the colonial period, through the attempt to establish a state –in hindsight half-heartedly– between 1960 and 1991, over the period of intense high-level fighting in 1991-1995, to the relative calm and order in 1996-2004, and finally to the current phase of intense warfare involving Somali actors and Ethiopian forces 2006-2008. In a longer historical perspective, the Somali state between 1960 and 1991 emerges as an episode, as a project among many others, not as a reified entity. Through this method a genealogy is established whereby critical events and changes are identified. An alternative choice would be to try to identify structural variables that explain the situation, such as clan structures, poverty or radical Islam. Doing so tends to portray these factors as time-less and unchangeable instead of products of specific historical circumstances and political choices.

Through this historical narrative, the themes raised above are addressed. (1) The shifts in the prevalent norms that govern how Somali political actors interact with each other, peacefully as well as with the use of force ; (2) the establishment of state-like entities; (3) the viability of different orders, e.g. what sustains the current state-less order; and (4) The trade-offs between state building and peace-building.

1.1 Delimitations

The reader will find that several highly topical issues pertaining to Somalia are only dealt with in a rather cursory manner in this paper. Other reports in the FOI Somalia papers series deal with issues such as Islamism,[7] piracy,[8] and the

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[7] Norell, M. (2008) *Islamist Networks in Somalia*, FOI-R--2609--SE

[8] Sörenson, K. (2008) *State Failure on the High Seas – Reviewing the Somali Piracy*, FOI-R--2610--SE

involvement of external actors[9]. This paper focuses exclusively on what may be called the political history of Somalia from the colonial era to the present day. Experts on Somalia may find the treatment of a highly complex society in this paper superficial, with many details omitted or overlooked. In the choice between a parsimonious and synthetic account on the one hand and a detailed and minute account on the other, I have chosen to err on the side of parsimony for the sake of intelligibility. One such delimitation is that the paper does not deal with the local projects for order that have been established in many parts of Somalia since 1991, some of them successful. The paper does not deal with the system of customary law and order, the *heer*, and its potential as a base of order. No field studies inside Somalia have been undertaken for this study, which naturally limits the possibility of analysis on the level of actors, their identities, motives and plans. Such investigations lie outside the purpose of this paper, which is rather oriented towards structural analysis.

The orthography of Somali names varies in the literature, for example customary law is sometimes spelled *heer* in some sources and *xeer* in others. In cases of doubt, I have chosen the most frequent spelling.

1.2 A Note on Somali Clans and Their Taxonomy

As anyone with even the most cursory acquaintance with Somali affairs knows, the clan is a central category in Somali society. The basis of the clan structure is patrilineal kinship (*tol*), that is, descent traced through the male line back to a historical ancestor (e.g. Darod, Isaaq etc.). The kinship unit that forms the basis for identity and action is always situational and relative. People of Darod descent will identify themselves as such in opposition to people from the Isaaq, Hawiye, Dir, Digil and Rewein clans. Within and among the Darod, divisions into Majerteen, Ogaden, Marehan, Dhulbahante, Warsengeli and so on become relevant sources of identity and action.[10]

Traditionally, the smallest active group is the group of closely related kin who, according to customary law (*heer*), accept the solidarity of blood vengeance. This group, sometimes referred to as the diya-paying community, pays and receives blood compensation (*diya*). Should compensation from the members of another diya-group not be forthcoming, this group has the duty to pursue blood

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[9] Krüger, M. (2008) *Power Play on the Horn: Impact Ethiopia-Eritrea Relations on the Somalia Conflict*, FOI-R--2611--SE
[10] Lewis 1993:47

vengeance.[11] It is beyond the means and purpose of this report to ascertain the extent to which diya-communities matter. Traditionally, policy is decided by clan elders, *odayaal*, on all levels of aggregation. Today the authority of elders varies, particularly as they sometimes are challenged –as in Puntland– by politicians who have earned the laurels on the battlefield.

Consequently, the social fabric consists of many groups of different sizes that can be aggregated into larger units or disaggregated into smaller ones depending on the circumstances offers many clues to why Somali society presents such a multifaceted organisational picture to the observer. It is important to stress however, that it is problematic to view any of these kinds of organisations, e.g. *diya*-communities or clans, as the primordial group or level. Put in simpler terms, the idea that one can identify a particular level which is the one that 'really' matters is probably misleading. Categories like class and ethnic distinctions are also highly important for the motives and identities of actors.[12] What is important to note is that clan has become a very powerful category that can be used for political mobilisation. Particularly so since many people fear that if other groups mobilise along clan-lines, they will be targeted on a clan basis. The historical narrative below demonstrates that clan as a political category has a history and that it has been reinforced as a locus for identity and political action by successive regimes, each time compounding the difficulties in creating a unitary polity in Somalia.

Since clans, or *diya*-groups for that matter, cannot be seen as primordial, that they cannot *per se* be blamed for the high degree of violence. What is significant, however, for Somali society is the capacity of groups to fragment into smaller units that still remain capable of collective action. This capacity to fragment or 'mutate' may account for the pattern of violence, although not for violence in itself. For the large-scale political violence, explanations lie on a political level and must be uncovered genealogically, that is through the sequence of historical events and actions. For the smaller-scale violence other factors are important such as the prevalence of weapons, in particular small arms which ensures that many of the groups will be armed. The long duration of conflict in Somalia ensures that they will be battle-hardened.

One of the things that makes Somali politics difficult to understand is not only that Europeans are unused to thinking in terms of clans and lineages but also the

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[11] Lewis 1993:48

[12] There have been vigorous debates among Somali specialists about the relative importance of clans, or as the author of this paper would like to specify, the clan-level. See the exchanges between Besteman, Helender and Lewis. See Besteman 1996, Helender 1998, Besteman 1998, Besteman 1998b, Lewis 2004.

number of clans and how they relate to each other.[13] Somali clan structure is often presented in a three-tiered structure (see figure below). Three clan-families (the Saab, the Irir and the Darod) are the highest level of aggregation. Below that we find five, or six, groups that are variably referred to as 'sub-clans' or 'sub-families'. On this tier we find the groups Digil, Rewin, Dir, Isaaq, Hawiye and Harti. Below that, further sub-divisions exist. For example the Mijerteen, the Dolbahane and Warsangali are part of the Harti group.[14]

A first move of clarification is taxonomical –what to call the different groups? Most reports and articles do not follow a consequent taxonomy. In order to make an intelligible presentation of the Somali clan structure I will take my cue from philological systems of taxonomy and use the following taxonomy: I will refer to the first tier in the figure below as 'clan-family', the second tier as 'clan-group' and the third tier as 'clan'. This categorisation is purely made for the purposes of intelligibility and does not lay claim to an objective presentation of the Somali clan system.

In fact, all categories on the same tier are not of equal political salience. The most obvious example is that a greater sense of community or commonality has developed among the clans of the Darod clan-family. In contrast, a similar commonality does not seem to have developed between the clan-groups of the Irir clan-family, e.g. the Dir, the Isaaq and the Hawiye. It is beyond the means and purposes of this paper to expatiate in detail on why this is so. However, the cohesion and political distinctness of the Isaaq can be traced to repeated histori-cal experiences of being targeted by other groups as a community and likewise fighting as a community. In addition, they have an institutional heritage since their homeland was created a as a distinct political entity, British Somaliland. As we shall see below, these factors help us understand why why Somaliland has developed into a cohesive entity and why it has chosen an opt-out strategy from the rest of Somalia.

The final point I want to make to the reader in relation to the taxonomical chart below is however that it cannot be relied upon as a blueprint for understanding Somali politics. Rather it is, like other maps and charts, a means of orientation rather than explanation. Explanation rather lies in the distinct historical trajecto-ries undertaken by different Somali groups and territories.[15]

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[13] The puzzlement of many American and European observers is one of history's ironies since the logic of clans was initially introduced as a heuristic tool by European anthropologists at the turn of the century, like Evans-Pritchard.

[14] Lyons and Samatar 1995

[15] The chart is taken from Lyons and Samatar 1995

Approximate Chart of the
Somali Clan System
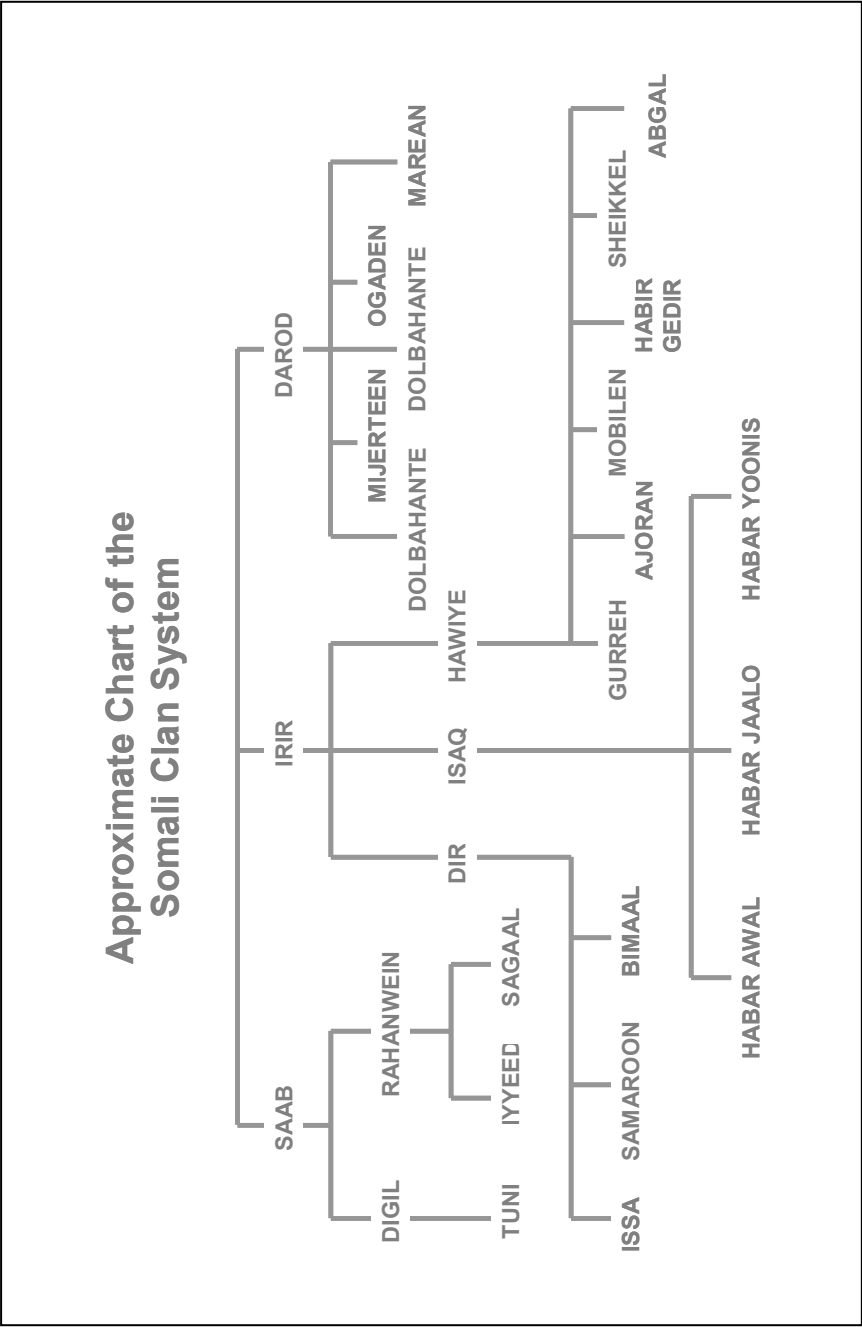
2   Theories of Order within and beyond the State

Somalia is almost invariably understood as a case of 'state failure,' indeed it could be argued that it is the paradigmatic case around which an entire category has been built, encompassing cases like Liberia, Sierra Leone and the Democratic Republic of Congo (DRC). It is indisputable that the project to build and sustain a modern state, with internal and external sovereignty as its defining characteristics has failed in Somalia. Continuous framing of Somalia as a case of 'state failure' is an analytical strategy with definite limits, however.

Firstly, it does not advance our knowledge since it only restates the obvious. Secondly, a negative definition of a subject matter only in negative terms, i.e. in terms of what it is not, gives us few clues as to the operating logics, intentions, interests or, in the case of Somalia, structures, of that object. Thirdly, many works in political science dealing with Somalia are written from a 'problem-solving perspective' rather than analytical or critical.[16] The objective in mind is of course to try to find a viable means of changing the situation in Somalia, sometimes including its substantial Diaspora communities, but the majority of works with this ambition starts out from the 'failed state' perspective which almost invariably directs the search for change towards ways of creating a modern, sovereign, Weberian state.

This paper starts out with a different angle. Instead of taking the modern sovereign state as a universal norm for political organisation and assuming that it is the only imaginable alternative, the paper approaches Somalia as a socio-political order. Doing so entails an investigation of the structures and logics that sustain the current order as well as those that may change it. "Order" in this sense is not used as a normative concept, with denotations of a desirable state of affairs. Rather it is used as a positive description of a set of organisations whose actions are governed by informal and formal rules and exhibit a certain degree of regularity.

Broadly speaking, we can distinguish between the 'political' and the 'social' problem of order. The first one is about establishing normatively desirable principles or ends and getting people to work towards them, through persuasion or other means. The second one is about creating 'stable patterns of behaviour whether cooperative or conflictual'.[17] The social problem of order is thus the

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[16] Cox 1986
[17] Wendt;1999:.251

wider one, and it is in this sense that I use the term order. This perspective offers two novelties in relation to Somalia:

One, Somalia is often portrayed as the antithesis of order, as the epitome of political chaos and anarchy. This has been true in relation to the political problem of order for most of its history since 1960. It has however, intermittently, not been true in relation to the social problem of order since 1960, and not even since 1991. Two, the Realist tradition of International Relations has tended to argue that shared ideas and norms, usually associated with the political problem of order, cannot be held outside of the sovereign state.[18] Not all who have commented on Somalia can be labelled Realists in the IR sense of the term, nor need to subscribe to all their tenants. Nevertheless, the failed state debate has to a high extent been coloured by the conflation of the political and social conceptions of order and by the idea that order requires a (sovereign) state. This paper starts out from the position that a sovereign, Weberian or 'Westphalian' state is not necessary in order to have order in the social sense of the word, in fact it is one specific type of 'order' or 'stable patterns of behaviour'. The extent to which a political order is possible outside the state is also debatable, as is the question whether and how this could be achieved without or beyond the state in the territory covered by the legal entity of the Republic of Somalia. That, however, is beyond the reach and aims of this paper.

A discussion of different kinds of order beyond the state, which encompass different actors in possession of the means of violence enables us to see nuances in Somalia's post-1991 history and to envision a broader variety of solutions and futures for Somalia. As a schematic model Alexander Wendt distinguishes between three kinds of social order in which no superior, coercion-wielding authority exist. He calls these three 'cultures of anarchy' the 'Hobbesian', 'Lockean' and 'Grotian' orders. [19] For the purposes of this paper only the former two concern us. The 'Grotian' order pacific and governed by institutionalised rules to such an extent that it is too different from the current Somali situation to be of any greater heuristic value. The 'Hobbesian' and 'Lockean' ones are not, however, which is why they merit closer examination. The three cultures each have distinct organisational logics, based on the basic ideas on international politics of a certain philosopher.[20] Although these cultures do not strictly corre-

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[18] Wendt 1999:252

[19] 'Anarchy' in this sense has a specific technical meaning. The Greek compound, 'an' (αν) – 'archia' (αρχία), translates literally into English as 'without' – 'leader', the latter implying overall leadership. In International Relations theory, anarchical orders are often equated with international, i.e. inter-state, systems. As I will expatiate further below, there is significant explanatory mileage to be gained from seeing Somalia in this way.

[20] Wendt 1999 s.258

spond to a single epoch but recur during world history, some periods have a greater affinity to a specific culture. Wendt characterises the Westphalian era after 1648 as a Lockean culture in which states accept each other's right to exist and international conflicts are viewed in terms of conflicts between equal rivals.[21] This culture is distinct from the Hobbesian one that dominated in Europe before 1648 but saw a resurgence during the revolutionary wars 1792-1815 and during the two world wars.

Wendt emphasises that the different cultures entail different role constructions. Hobbesian cultures tend towards identity constructions where the 'other' is seen as an enemy to be vanquished and whose legitimacy is doubtful.[22] Conflicts tend to be fought over the constitutive rules of the system. In Lockean ones, by contrast, the constructions of 'self' accord a greater respect for the other and construct him as a 'rival', whose right to exist and legitimacy are not questioned. There is also a certain recognition that the others' interests are legitimate. Conflicts are not fought over constitutive rules but within them. The theoretical construction of three cultures of anarchy is an obvious oversimplification and is a doubtful guide to European history as a whole. Nevertheless it is quite useful as a heuristic tool and it will be used to distinguish between different periods in Somalia's history after 1991. It will also be able to identify more realistic targets and aims for Somalia.

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[21] Wendt 1999:270
[22] Wendt 1999:270

3 Somalia 1880-2008

Traditionally the main dividing line in Somali society is between groups of a pastoral-nomad descent, the *Samale*, and those of sedentary-agricultural descent, the *Sab*. Most Somali, around 60% belong to the former group, while those of the Rewin clan-family (Digil and Mirifle clan-groups), belong to the latter.[23] Historically and to some extent today, the sedentary clans have been considered inferior by the pastoralists who see themselves as 'true' Somali. Indeed, the identity of the Somali state has been constructed around the image of the nomad Somali. The two groups speak different versions of Somali, as distinct as Portuguese and Spanish. The clan system of Somalis of pastoralist descent has a more exclusive character, being based on lineages. In contrast, that of the Rewin is more open and the basic unit of identity and self-help is the village.[24] The descendents of the traditionally settled communities are found mainly in the south between the Juba and the Shabelle rivers. Their marginalised position, lack of military means and fertile lands have often made them vulnerable and afflicted in conflicts between better armed and organised groups.[25]

3.1 The Colonial Period: 1880s-1960

In relation to modern statehood the beginnings of Somali history can be traced to 1839-40 when the British occupied the post of Aden on the Southern tip of what is now Yemen in order to secure a base for contact with India. The base at Aden grew and soon demanded more supplies of foodstuffs than could be supplied by the meagre hinterland of Aden. Therefore British attention soon turned to the northern Somali coast and established trade links with pastoralists in order to secure a supply of cattle and sheep. In 1884 the Anglo-Somali relations were formalised in a series of treaties with the clans of the area, in effect establishing Somaliland as a British protectorate.[26] Somaliland was inhabited by three major clans: the Isaaq (c.66 per cent), the Darod (c.19 per cent) and the Dir (c.15 per cent).[27]

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[23] Brons 2001:.94-95

[24] Brons 2001:99-101 Many reports and article use the name *Rahanweyn* for the Rewin. 'Rewin' is what the agricultural people call themselves in Southern Somali, while Rahenweyn is a Northern Somali word roughly translatable as 'big crowd'. Brons 2001:101

[25] This judgement is applicable to the pre- as well as post- 1991 situation, although their plight worsened during the early 1990s. Brons 2001:264-265

[26] ICG 2003:2

[27] IGC 2003:2

In the 1890s the Italians established a presence in Southern Somalia and in 1893 a formal colony. In the south, they came into contact with agricultural communities and highly advanced urban communities as well as pastoralist communities.[28] Earlier the British had been joined by the French who had established a base to the north of the British protectorate in what is now Djibouti. Somali clans in the west were brought under Ethiopian rule as emperor Menelik established suzerainty over the Ogaden region in what is now eastern Ethiopia. The southernmost of the Somali were over time incorporated into the British colony of Kenya.[29]

No unified Somali political entity existed prior to the colonial period and it is from the late 19th century that traditions of state structures in the different parts of what is now the legal entity of Somalia began to deviate from each other.[30] In Somaliland, the British ruled with as little engagement as possible preferring 'indirect rule' to deeper engagement. The Dervish revolt of 1899 required a substantial military effort to quell, led to slightly greater British engagement in Somaliland. Still the system of 'indirect rule' continued. In effect, this meant that the British preferred to rule through local clan chiefs and their system of authority, which was left largely intact, rather than to introduce a more developed colonial administration. It was perhaps of consequence to later developments in Somaliland that the revolt of 1899 divided rather than united the clans of protectorate. The Isaaq sided with the British, while the two Darod sub-clans, the Dhulbahante and the Warsengeli, joined the rebellion.[31] Apart from creating a historical precedent for much later conflict, the rebellion in 1899 may have (although this is admittedly speculative) contributed to creating greater clan cohesion in the north-west, particularly among the Isaaq.

Italian Somalia and British Somaliland were both drawn into World War II as Italian forces briefly occupied Somaliland before being driven back by the British who instead placed Somalia under military administration. In 1950,

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[28] For a description of the pre-colonial history of Somali coastal cities see for example Kassim1995:29-43

[29] Lyons and Samatar 1995:11

[30] Admittedly, the following narrative does not account for differences that can be traced to pre-colonial factors, such as the existence of sultanates in the south.

[31] As the International Crisis Group notes (2003:3), this division still prevails in Somaliland. The Dhulbahante and the Warsengeli inhabit the regions of Sool and Eastern Sanaag, respectively. These two regions were not fully under the control of the Somaliland government until 2003, opposed the independence of Somaliland and was engaged in fighting with the Somaliland government. The Dhulbahante, Warsengeli and Marjarteen are all part of the Harti clan group, which is a part of the Darod clan-family. The Majarteen are identified as the principal clan in Puntland, which borders Somaliland. Hence strife between Harti clans and the Isaac clan (which belongs to another clan family) which we now see in the Somaliland-Puntland conflict have far-reaching roots.

Somalia was returned to Italian trusteeship under a United Nations resolution that determined that the country would be granted independence in 1960. Originally, the British had no such plans but Somali pressure for independence (as well as, one might surmise, developments elsewhere in Africa) led to a change of plans and Somaliland was set on the course to independence. In 1957 the Somali Legislative Council was created and reconstituted in 1959 to include twelve elected representative. In 1960 an executive branch was formed and elections held. Independence was formally granted on 25 June 1960 after the Somaliland Council of Elders had given their approval the previous month.

3.2   The Republic of Somalia: 1960-1991

On 1 July 1960, the Somalia, the territory entrusted to Italy, was granted independence and five days later the two entities merged into the republic of Somalia through an Act of Union. Relations between the north-west (Somaliland) and the rest of the country were highly unequal in the Somali republic. Political institutions, such as the National Assembly, were dominated by Southerners who also held the posts of Prime Minister and President as well as other senior ministerial positions. Even more problematic was the South's dominance of the officer corps of the national army.[32] The economy of the Republic of Somali also became dominated by the South, impoverishing the North and further fuelling discontent with the Union. Inequalities in the top tier of the government were addressed somewhat by the appointment of Mohamed Haji Ibrahim Egal, the leader of Somaliland's independence movement, to the position of Prime Minister in 1967.[33] Throughout the era of the Republic, the North and the South remained quite distinct and popular support of the merger of the two colonies in a single state quickly waned.

Internally, Somalia quickly developed the traits of a 'predatory state' in which membership in the state regime provided a rapid and efficient means of enrichment, either on a personal or a clan base.[34] The aptitude of Somalia's regime in securing foreign aid might have been a contributing factor. Despite the corruption, factionalism and clientilism that dominated politics, Somalia remained a formal democracy until 1969. The largest party emerging out of the

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[32] Lyons and Samatar 1995 p.12 Originally, leadership over the republic would have been rotated between the north and the south, between Hargeysa (the capital of Somaliland) and Mogadishu (the capital of Somalia), but these plans came to nought. A small army revolt against the inequalities between north and south broke out in 1961 but was quickly put down.

[33] Egal was later to become highly important in the Somaliland that declared its independence in 1991, becoming its first president.

[34] C.f. Buzan and Waever 2004:229, Clapham 1996:56ff

1964 elections was the Somali Youth League (SYL), originally with 69 out of 123 seats -later to be expanded to 92 as other deputies joined the SYL to share the spoils.

In international affairs, irredentism and the idea of establishing a 'Greater Somalia' that would incorporate Djibouti, Ethiopia's Ogaden region and Kenya's Northern Frontier District, was a paramount goal from the outset.[35] To this end, the regime supported insurgent movements in Ethiopia and Kenya and sought foreign support to create an army for external expansion. In 1963, an offer of assistance came from the Soviet Union to establish an army of 10, 000 men. The first full-scale war between Ethiopia and Somalia broke out in 1964 and ended in a swift Ethiopian victory.[36]

In the 1969 election, more than 60 parties appeared. To defend its hold on power, the SYL used funds from the national treasury and employed the National Police Force in order to secure its victory.[37] The existence of formal parties should not obscure the fact that the candidates mainly sought to further clan interests. In most cases clans had supplied the financial means necessary to campaign and expected returns of their investments. Appealing to clan loyalties was initially a means used by the candidates in parliamentary elections to optimising their chances of winning. It is significant that even at the starting-point of Somalia's existence as a modern state the clan structure was not only affirmed by modern political structures but actually reinforced. The SYL won a majority in the election but within a few days almost all other parliamentarians had joined the party in order to be in a better position to secure funds. In 1969 Somalia was thus a one-party state but with little party discipline since the SYL was a means for individuals to plunder the state. Behind the parliamentarians stood the clans which were becoming increasingly powerful and increasingly salient as vehicles of identification and collective action. Not for the last time in its history, Somalia was an entity characterised by many layers of different organising principles that it would be difficult for outsiders to choose between in understanding its politics.

The predatory one-party state of the SYL did not even last a year. In October 1969, a group of military leaders calling itself the Supreme Revolutionary Council (SRC) led by Major-General Siad Barré had staged a coup d'état following the assassination of the President. The SRC embarked on a rapid process of modernization of the country, adopting 'scientific socialism' in 1970 as its guiding principle and aligning Somalia with the Societ bloc. Modernization in this sense entails creating a system of education, including a script for the

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[35] Meredith 2005:465
[36] Meredith 2005 p.466
[37] Lyons and Samatar 1995 p.13

national language, infrastructure –including sanitation-, organizing a traditional subsistence/merchant economy into a national economy linked to public finances. Ostensibly promoting national unity by promoting a pan-Somali ideology, Siad Barré's reign was itself heavily clannish in character, resting on the support of the Marehan, Dhulbahante and Ogaden clans (belonging to the Darod clan-family). The regime manipulated and strengthened clan rivalries in order to undercut the possibility of opposition. Thereby, the clan structure was strengthened by the one-party dictatorship just as it had been by the flawed experiment with liberal democracy.

The ideology of 'Pan-Somalism', whose express goal was to bring all people of Somali descent into a single national state, naturally had severe international repercussions. A significant number of Somalis, belonging to the Darod clan-family, lived in the Ogaden region of eastern Ethiopia. Somali nationalism and irredentist ideology were important tools in holding clan rivalries in check.[38]

International developments were also to become important for Somalia. In 1974 a coup d'état had taken place in Ethiopia, whereby the ailing emperor Haile Salassie had been ousted from power by Colonel Mengistu. The country had been cast in considerable disarray during the last years of the emperor's reign, with famine, civil strife and rampant mismanagement. The situation was hardly improved after the downfall of the old regime. Mengistu soon turned to revolutionary socialism, nationalising banks, companies and all rural land.[39] This move endeared him the Soviet Union and even more so to Cuba, who began to support the regime and prefer Ethiopia to its former client, Somalia. Representatives of the old establishment soon rose in revolt all over the country. The most serious challenge to the revolution was territorially based, however, as the Eritreans and the Tigray province intensified their struggles for independence. Somalia supported the Oromo Liberation Front in the South of Ethiopia and began to infiltrate the region and supply the insurgents with weapons.

In mid 1977, the Ethiopian army had lost control over the countryside in Eritrea, a programme of 'red terror' had been unleashed by Mengistu all over Ethiopia which contributed to the chaos and dissolution. Seeing this state of weakness in its neighbour Siad Barré decided that it was time to act and declared war. Somali forces were initially successful, capturing most of Ogaden in two months. In November of 1977, Mengistu's and Barré's erstwhile backer, the Soviet Union intervened on the former's behalf. A massive air- and sealift brought hundreds of armour, aircraft and artillery to Ethiopia. Together with a contingent of 17,000

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[38] Meredith 2005 p.466
[39] Meredith 2005 p.244

Cuban soldiers, they provided sufficient support for Ethiopia to decisively defeat Somalia in 1978.[40]

The military disaster led to serious political repercussions within Somalia. Two major rebel groups emerged in 1978. Immediately after the Ogaden war, a group of army colonels belonging to the Majerteen clan (Darod clan family) staged a coup attempt that quickly failed. In response the regime launched communal reprisals against all members of the clan, with killings and the destruction of wells and livestock –the lifeblood of a pastoralist community–. Out of this campaign of clan repression the Somali Democratic Salvation Front (SSDF) was formed. Originally it encompassed several clans, but soon developed into an exclusively Majerteen movement. One of its leaders was Colonel Addullahi Yussuf who had participated in the failed coup.[41]

In the north-west the Somali National Movement (SNM), based on the Isaaq clan group in former British Somaliland emerged in 1981.[42] The origins of the SNM lay in the conflicts that ensued when members of the Ogaden clan (Darod clan-family) who were supportive of Siad Barré fled from Ethiopia and resettled in the north. The Barré regime was openly supportive of the quarter of a million refugees and discriminatory against the 'native' Isaaq. Not only were the refugees given preferential access to social services and international aid but also arms that were often put to use against Isaaq civilians.[43]

Together with the failing economy and the loss of regime legitimacy after the defeat in the Ogaden war the renewed discrimination awoke grievances from the 1960s over regional inequality within Somalia. Both SSDF and SNM were supported by and operated out of Ethiopia. The major groups the Majerteen clan and Isaaq clan-family that had been fighting the Barré regime in the 1980s (as SSDF and SNM) and also suffered heavily at the hands of the regime were subsequently those that were most successful in forming territorial entities in the 1990s, Puntland and Somaliland, respectively. Furthermore, in the north-western and north-eastern parts of the country no external interventions took place after 1991.

In the 1980s, Siad Barré had become a protégé of the West, in particular of the United States and Italy who made provided large amounts of money in foreign aid, military and otherwise. By 1988 the country as well as the regime had

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[40] Meredith 2005 p.247 The Ethiopian army was then turned on the Eritrean rebels
[41] Yussuf is now the President of Somalia and erstwhile leader of Puntland, the Mijerteen-based territorial entity in the north-east of the country.
[42] Meredith 2005 p.467
[43] ICG 2003:5

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become dependent on foreign aid for its survival.[44] Military aid was a particular necessity as civil war raged against both the SSDF and the SNM. In 1988, the Mengistu regime in Ethiopia and the Barré regime in Somalia realised that they had something in common: the need to combat insurgencies within their respective countries efficiently. Consequently, they signed an accord in which they pledged non-aggression and the end of support to insurgents in the neighbouring country. The accord led to intensified fighting in the north of Somalia as SNM forces rapidly advanced to take control over most of the countryside in the area inhabited by members of the Isaaq clan-family. The regime answered with unrestricted aerial and artillery bombardment of Hargeysa and employing loyal Ogadeni militias to attach the civilian Isaaq population.

In 1989, Western economic aid ceased as the Cold War was coming to an end. In the South new armed challenges to the Barré regime arose in the form of Somali Patriotic Movement (SPM) and the United Somali Congress (USC), which was based on the Hawiye clan group. The USC had been formed as an answer to communal punishments of Hawiye civilians by the Barré regime. The tendency of organising violent resistance on the basis on clans and clan-groups was reinforced by the regime's increasing tendency to base support and membership of the army on membership of the Marehan clan (Darod clan-family).[45]

Thus, we see that the practice of viewing politics in a clan-perspective is an interactive process between different groups analogous to an arm-race. From the view-point of trying to create a society corresponding to national borders, this was and still is extremely problematic since it undermines trust in the common polity. The problem is that while recourse to the clan can be interpreted as a response to the lack of trust in common institutions and identities, each such recourse undermines the possibility of building societal trust.[46] Hence particularistic identities in a system characterised by violence is a highly destructive process. The real problem arises, however, when the possibility or indeed will for wholesale 'exit' from the polity, in other words, secession, does not exist.[47] In such a scenario, the prospects of building a common policy or indeed society (for which trust is essential) are nil but so are the prospects of new polities being created. In such cases we are, simply put, left with destruction on all sides but without any constructing corollary to balance it.

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[44] Meredith 2003:468
[45] Lyons and Samatar 1995 p.19
[46] The sociological literature on trust in societies is large, for two central works that give somewhat different views on the matter see Giddens 1984 and Luhmann 1979
[47] Hirschman 1970

Meanwhile, popular protests erupted in Mogadishu, which met with harsh reactions from the regime. A central feature of the regime's response was collective punishment of communities who were seen as the supporters of oppositional movements. During 1990, Somalia's central institutions deteriorated rapidly. The army split into several factions based on different clans. Siad Barré finally fled Mogadishu in January 1991 supported only by a small group of loyal fighters from the Marehan clan (Darod clan-family).[48]

Responses to the collapse of the institutions of the Republic of Somalia varied between the different regions of the country. The SNM controlled the north-west and declared independence as the Republic of Somaliland in May 1991.[49] The SSDF gained control over the north-east, the traditional homeland of the Majarteen clan. From 1991 onwards, the trajectories of the different regions began to diverge. In the south fighting reigned between the forces of Siad Barré and the USC, under the leadership of General Muhammed Farah 'Aideed'. The USC soon split in two different Hawiye factions, each based on a different clan: The Habar Gibir under Aideed and the Abgal under Ali Mahdi Mohammed. During 1991 Mogadishu was divided between the two groups who fought each other ferociously, leaving the city in ruins. To make matters worse, Siyad Barré's troops were still active to the south of Mogadishu, were they fought with Aideed's forces for control over Somalia's most fertile lands between the Jubba and Shebelle rivers. Caught in the middle were neutral clans who had neither armed nor organised themselves, the Rewein groups.

The legacy of the Siad Barré state was a deep distrust of state structures.[50] Interestingly and tragically, he had originally attempted to establish a unitary state, but one that remained clannish in character. Ironically enough, towards the end Said Barré's state was built upon the very foundations that undermined it: Somalia's clan structure.[51] Attempting to build the polity on the clan system may have been a contributing factor to the fact that already by the mid-1980s Somalia fitted the label of a failed state.[52] Strategies of divide and rule may be effective in order to vanquish potential and actual rivals during a limited period, but it provides self-destructive in the long run since it creates very uncertain conditions for governance.

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[48] Lyons and Samatar 1995 p.21
[49] ICG 2003:6
[50] Menkhaus 2006/07
[51] Besteman 1996:590
[52] Menkhaus 2006/07:80

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3.3 War-Economy, High-Intensity Clan Warfare and UN Intervention 1991-1995

The fighting that characterised the early years after the fall of Siad Barré was highly intense and large-scale as big and relatively coherent clan groupings, mostly the Darod and the Hawiye, fought each other.[53] A focus on the major actors in the struggle for Somalia runs the risk giving the impression of a more orderly situation than in fact was (and still is) the case in Somalia. A major part of the problem in 1991 and still today is the rampant banditry in many parts of the country. One little-reported dimension of conflict was the rural-urban divide which exploded into violence in the early 1990s as militiamen from marginalised pastoralist backgrounds took revenge on the townspeople that they perceived as their oppressors.[54] Another is the violence that took place along community lines between marginalised minority groups (e.g. former slave populations of Bantu descent, but now assimilated into the clan structure) and more powerful majority clans in the South.[55] Plunder and pillage became the principal sources of income, transforming the country into a war economy. The situation in the country was made more chaotic and devastating because of the famine, mostly human-induced, that swept the country in 1992.[56]

The grave humanitarian situation in the country brought it into the international spotlight of the post-Cold War era.[57] Already in 1990 all UN officials had evacuated Somalia and the International Committee of the Red Cross (ICRC) was the only major aid organisation still at work in Somalia.[58] In 1992 a ceasefire between Aideed and Mahdi provided the possibility for the UN to re-enter the country. In April 1992 the UN Security Council established the United Nations Operation in Somalia (UNOSOM). The first emissary to arrive was Mohamed Sahnoun who soon won the respect of the Somali actors he met with. Sahnoun strove to use the clan system and to increase intra-clan cohesion and inter-clan reconciliation. However, the UN mission was plagued by inefficiency and Sahnoun's complaints about the lack of funding, staffing and organisation led to his dismissal by the UN Secretary-General Boutrous-Ghali.

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[53] Menkhaus 2003:410
[54] Brons 2001:223
[55] See Webersik 2004. See also Besteman 1996:590-592 for an analysis highlighting class factors in the Somali conflicts
[56] Quaranto 2008:21
[57] I am indebted to Robert Egnell for help with the following section.
[58] Meredith 2005:471-472

The prevailing mood in the international community had soon swung towards a military intervention as a solution to the crisis. Even before Sahnoun's dismissal the United States launched Operation Provide Relief to fly in first humanitarian supplies and later Pakistani peacekeepers into Somalia.[59] In December the UN Security Council Resolution 794 created a UN force with a mandate to create security in order to provide humanitarian relief –UNITAF. The main part of the force was supplied by 28,000 US troops supplemented by contributions from 22 other countries to create a total of 38,000.[60]

UNITAF lasted five months and achieved but achieved only limited humanitarian success. It has been estimated that between 202,000 and 238,000 lost their lives due to famine in Somalia, after the US forces landed in December 1992, around 10,000 lives were saved.[61] UNITAF was considered to be only a temporary measure before the transition to another, even more ambitious, UN operation, UNOSOM II. The handover was in retrospect a bizarre mismatch of means and ambitions. The mandate of UNOSOM was substantially expanded to encompass nation building, general disarmament, security and a process of political reconciliation at the same time as its means dwindled as the majority of UN troops left the country.[62]

Rapidly, the UN force managed to appear like a partisan force in the conflict taking place in Mogadishu. General Aideed perceived UNOSOM as targeting specifically his militia which upset the balance of power between the militias. The tensions and suspicious eventually resulted in open conflict between Aideed's militia and the UN peacekeepers. The open fighting led to a fierce response from the UN and in particular from the US forces still stationed in Mogadishu. UN and US forces fought regular street battles with Aideed's forces for months. What in particular alienated the population of Mogadishu from the intervention force was the raids conducted by American special forces in search of Aideed which accidentally killed large numbers of civilians, including Somali and UN notables. The debacle culminated on October 3, 1993 when US rangers were caught in an ambush that led to the death of 18 rangers and the wounding of 78. The American forces immediately began a withdrawal from Somalia that was completed on 31 March 1994. Other participating countries quickly decided to

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[59] Weiss 1999:81
[60] Hillen 2000:184
[61] Meredith 2005:477 For a detailed account of the UN's failure to stop the famine see Clark 1992/93
[62] Meredith 2005:478, Hillen 2000:187-188

withdraw their own contingents as well as their support to UNOSOM II. By March 1995, the United Nations had left Somalia.[63]

3.4 Projects for Order in Anarchy: 1995-2005

During this period fighting continued in Southern Somalia but it significantly changed character. Instead of destructive country-wide conflicts between large and well-armed groups, it descended into smaller clan-groupings. After 1995 most fighting were "feuds among extended families" not clan warfare.[64] Instead of fighting between clans, conflict now took place within them. Hostilities were also rather local in extent and much shorter in duration. This change in the fighting reflected changes in the economy as looting and pillage were no longer the only or even preferred means of securing resources. As elites turned to other forms of economic accumulation, rather based on non-violent business, the profitability of violence receded.[65]

3.4.1 Somaliland: State-Formation bridging the Traditional and Modern

In 1991 the SNM emerged victoriously over the forces of the republic of Somalia. Quickly they initiated discussions with representatives of the minority clans of the north-west, the Isse, Gadabursi, Dhulbahante and Warsengeli. In April 1991 elders from the northwestern clans convened at Burco in order to establish the peace in the northwest. As events developed, the outcome of the meeting was the declaration of an independent Somaliland due to popular pressure.[66] A brief period of fighting broke out between different fractions of the SNM in 1992, but the conflict was mediated by a delegation of clan elders. The two sides agreed to a national conference in early 1993.

The conference was held in the town of Borama and it can be considered the institutional starting-point of Somaliland as a polity. The conference gathered elders from all clans in Somaliland, Isaaq as well as non-Isaaq, and other stake-holders and lasted a full four months. An important precondition of the success of the conference was the local peacemaking initiatives going up the con-

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[63] The record and probably popular recollection of the United Nations interventions in Somalia in the early 1990s is marred by the human rights –violations by UN soldiers, notably Canadians and Italians. For details see Human Rights Watch 1994

[64] Menkhaus 2004:410

[65] Between 1998 and 2000, the border war between Ethiopia and Eritrea spilled over into Somalia as the two countries supported rival fractions, thereby in effect fighting a proxy war in Somalia.

[66] ICG 2003:9

ference.[67] Interestingly enough, a key role at the conference was played by representatives of minority clans who acted as impartial mediators between different Isaaq fractions.[68] The processes of peace-building and state-building in Somaliland and in the rest of Somalia follow almost diametrically different models, while the former is bottom-up and integrated in local communities and stakeholders, the latter are almost invariably top-down, externally driven and elite-oriented.[69]

The Borama conference created an institutional framework that was to become the heart of the Somaliland polity. Clans and their leadership as well as traditional political institutions were incorporated in the system of governance.[70] This *beel* (i.e. clan) system of government has a President, a Vice President, a Council of Ministers, a Judiciary and a bicameral Legislature. The latter has an upper house of elders (*Golaha Guurtida*) and a house of representatives.

The establishment of independent Somaliland has not been without violence. Dissatisfaction with the power-sharing formula agreed upon in Borama and misgivings about the government trying to extend its control led to a civil war between the clans of Somaliland. The war raged between November 1994 and October 1996.[71] The war was ended by means of a national reconciliation conference (*shir garameed*) which was held between October 1996 and February 1997. The conference, which was held in the capital Harissa, Somaliland, provided stability to the country until 2003. The conference was attended by clan elders who approved a new constitution and a schedule for transition from a clan-based to a party-based political system. Pressure from the Diaspora to democratise has been cited as an explanation for why clan leaders approved of a scheme that weakened their status.[72]

There are suggestions that the Diaspora may have played an important historical role in fostering accountability among the Somaliland elite. In the 1980s, the SNM relied on funding from the Isaaq diaspora in the Gulf, other Arab states, East Africa and the West. This reliance forced the SNM to be accountable to its supporters.[73] Even today remittances from Somalilanders abroad are an important source of revenue, and one may suspect that a certain amount of accountability is expected in return. Pressure from actors who provide funding on

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[67] Ahmed and Green 1999:124
[68] Huliaras 2002:160
[69] Ahmed and Green 1999 p.123-124
[70] Bradbury, Abokor and Yusuf 2003:460
[71] Bradbury, Abokor and Yusuf 2003:461
[72] Hansen with Bradbury 2007:464
[73] Adam 1994:28

an irregular basis to an entity that has moved from a guerrilla movement to a party to a state would be considered compromising to any regular democracy. In this extreme case, I believe that it is necessary to highlight the function that this mechanism plays in creating a policy with some kind of accountability, which is a step in a democratic direction if one considers the alternative development which has faced so many other liberation movements-turned state apparatuses: unaccountable rule that quickly turns despotic.

Many factors of different kinds feature in the stability of Somaliland, I will relate them in the sequence of their evolution since their cumulative historical effect can be argued to be of importance to the success of Somaliland:

Firstly, colonial: (1) the experience from British colonialism which strengthened traditional authorities and gave a sense of distinctness. Secondly, political ones pertaining to the 1960-1991 period of discrimination and armed struggle: (2) the legacy of democratic practices within the SNM; (3) the experience of 'northern-ness' and discrimination within the Somali republic; (4) wartime experience, (5) the experience of communal organisation in the refugee camps. Thirdly, political decisions after 1991: (6) the decision to adopt a territorial principle for the organisation of the state; (7) the length of the peace conferences -in comparison with the brevity of those organised by outsiders for southern Somalia; (8) The integration of traditional authorities in peace processes and indeed in the state structures. Fourthly, three factors beyond the direct control of Somaliland actors either in general or at any specific point in time: (9) the comparably good relations between the northern clans; (10) the absence of external intervention, which had strengthened the power of the warlords in the South; and (11) a different resource base.[74]

A further explanation for the stability of Somaliland is the transparency of clan influence. In Somalia, everyone knows that clans will be highly important politically. Hence any political arrangement that does not spell out the influence of different clans will lead to mistrust and eventually dissolution. Somaliland cohesion may also have been strengthened by the threat posed by its eastern neighbour, Puntland.

In 2001 a vast majority of Somalilanders approved of a new constitution and of continuing independence in a general election. Although some figures reported by the government seem dubious, international observers concluded that the election complied with international standards. Somaliland was on the verge of

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[74] Bradbury, Abokor and Yusuf 2003:462

another civil conflict 2002 as tensions mounted between President Egal, and clan sultans. The conflict was averted through mediation efforts by religious, political, business and civil society leaders and by the death of President Egal while undergoing surgery in South Africa.[75] Power was handed over to the Vice President in the manner stated by the constitution.[76] Rather than causing a succession struggle, the death of the elder statesman seems to have galvanised the polity and fostered national sentiment.

The economics of Somaliland in connection with its political stability prompts more general conclusions concerning the security/stability – development nexus. Somaliland has never been a major recipient of development aid. Between 1960 and 1991, the years when it was a part of the united Somalia, it received on average 7 per cent of the total amount of development aid given to Somalia.[77] When taking this figure into consideration the considerable aptitude of the Somali government in security foreign aid should be noted. After its declaration of independence in 1991, very little developmental aid has been forthcoming from the international community to Somaliland. Instead, the entire economy is reliant on the internal private sector and on remittances from abroad.[78] This is unusual by African standards but the fledgling entity remains stable, albeit in a state of poverty. The absence of foreign aid coupled with the political stability begs the question whether this stability has occurred despite or in fact because of the lack of developmental aid?

In October 2007, Somaliland and Puntland engaged in armed conflict over the disputed regions of eastern Sanaag and Sool, which had been occupied by Puntland forces since 2003. Somaliland forces drove out the Puntland militias and assumed control over the region. Territorial rivalry and now experience of armed conflict has probably contributed to the government of Somaliland's strong opposition to the TFG. Its Majarteen leadership threatens Somaliland partly through claims of representing the whole of Somalia, including Somaliland, and through the irredentist claims on parts of Somaliland territory it has made through Puntland.[79]

Somaliland has on several occasions stressed that its organising logic is territorial. Since the basis of the polity is the former British colony of Somaliland the regime has no irredentist claims to govern Isaaq clans living outside this territory. Consequently the conflicts for which the government of Somaliland may act

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[75] Bradbury, Abokor and Yusuf 2003:463
[76] ICG 2003:13
[77] ICG 2003:.5
[78] ICG 2003:7
[79] Morolong 2007:4

as a driver are primarily anti-secessionist, directed against those of the Warsengeli and Dhulbahante who would like to secede, either to join Puntland or to form their own polity, Maakhir. The clans in control over the disputed eastern Sanaag declared semi-independence as a federal state of Somalia.[80] Details about Maakhir are difficult to come by and the reliability of the available information is very hard to ascertain. What is clear is that the declaration was rejected by Puntland and that Somaliland forces now control most of the area.[81] Secondarily, the government is highly likely to resist any attempts to reincorporate Somaliland into a united Somalia with force.

In conclusion Somaliland has established itself as a de facto state with 'positive sovereignty' and with democratic institutions that far outperform most in the Horn of Africa.[82] Politically the entity is a viable one, but the lack of economic development remains a problem.[83] Despite its consolidation, widespread legitimacy among its population and its ability to control its territory international recognition has not been forthcoming. The non-recognition of Somaliland is congruent with the negative sovereignty regime outlined by Robert Jackson.[84] However, in relation to the goal of peace-building in the Horn, it continues to constitute an obstacle.

3.4.2   The Hawiye: Power without a State, Control without Cohesion?

The Hawiye clan-group is based in the south of the country where its clan militias control the formal capital Mogadishu and the fertile territory between the Juba and Shabelle rivers. The business community of Somalia, which has grown considerably in affluence and power since the mid-1990s is dominated by the Hawiye. Although very large (between 20-25 per cent of the population) and powerful, it has been internally dived between different clans and 'warlords' since the 1990s. The worst fighting since the fall of Siad Barré has indeed taken place in the south, particularly in Mogadishu. The war between the US-backed Alliance for Restoration of Peace and Counter-Terrorism (ARPCT) and the UIC in 2006 was the latest incarnation of the perennial intra-Hawiye fights. With the

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[80] Kaplan 2008: 153
[81] Concerning Puntland's reaction see Puntland Opposes `Makhir State'
   http://www.somalilandtimes.net/sl/2007/291/3.shtml access 2008-10-23
[82] Huliaras 2002:174
[83] Srebrnik 2004:221-223
[84] For a discussion of the politics of recognition in relation to Somaliland see Huliaras 2002:167-
   175. Concerning the limited *de facto* recognition that the country has received from Ethiopia,
   Djibouti, Britain, the EU and the US see Kaplan 2008:152-153

victory of the UIC, the Hawiye found a unifying element.[85] Indeed, a striking contrast in Hawiye politics since the 1991 has been between their deep and violent internal divisions and the fact that all projects with the potential of unifying the Hawiye have had the unification of Somalia under a centralised government as their political programme.[86] This trait is shared by the –ultimately flawed– Transitional National Government, the Mogadishu group and the Union of Islamic Courts. This picture is complicated by the strength of the Hawiye businessmen who are in favour of stability but not of a state that might be detrimental to their interests.

The fact that no Hawiye group or clan has attempted to establish a 'purely' regional entity is interesting considering the fact that such projects have been launched by groups representing all other clan-groups at some time or another. This paper cannot provide a full explanation why no project for regional order, apart from local, civil society initiatives has been launched by a Hawiye group. However, the fact that Hawiye are in firm control of Mogadishu, the formal capital might provide some clues. In many African states after decolonisation, the idea of the state has been closely connected to the capital.[87] The corresponding security dynamic has been to seek control over the capital city. With some exceptions most insurgencies in Africa have not had separatist motives but rather sought to capture the state as a vehicle for exploitation and particularistic enrichment.[88] After the end of the Cold War, this predatory pattern, initiated by state regimes has spread to sub-state actors.[89] The motive has rarely been create a new state in a part of the country but to capture the state apparatus or to bypass it and to perpetuate informal control over a certain part of the country.

There are two main reasons why capture of the capital has been synonymous capture of the state. The first is that the difficulties of broadcasting power beyond the capital has entailed that the writ of the state has often halted at the city limits.[90] The second is the insistence on formal statehood rather than de facto control over the territory. Since the 1960s the international community in general and the Organisation of African Unity (OAU) –now AU- in particular have equated control over the capital with control over the country. In several cases, for example both Zaire of the Mobuto-era and the Congo under Laurent Kabila, whoever controlled the capital was recognised as the legitimate government, regardless of all other factors. The international system –or with a more explicit

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[85] Menkhaus 2007:374
[86] Brons 2001:263
[87] Herbst 2000:110-111, Herbst 1996/97:131
[88] Englebert 2007:56; Howe 2001:35-40, 43-44; Stedman 1996:242-43.
[89] Howe 2001:88-92 and Kaldor 2006.
[90] Herbst 2000:139-172

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phrase, the international community of states– has handsomely rewarded political actors in possession of the formal trappings of the state apparatus with foreign aid, investment, status and support. Another example of this practice is Liberia.

This equation of the control of the capital with an entitlement to control over the entire post-colonial state and thus to external means and support may help to explain the tendency for projects that do unite the Hawiye to seek the establishment of a centralised united Somalia. Somali actors are no doubt aware of the connection made by the international community between control over the capital and recognition as the legitimate ruler of the country. Furthermore, the propensity of the international community to recognise quasi-states and to prefer the preservation of colonial borders over secessionism also helps us to understand the extreme proliferation of violence in Somalia, as will be expatiated further in section 4 below.

3.4.3 The Riverine State: A Failed State-Formation Project

In the mid-1990s the Digil and Mirifle clans of the Rewin clan-groups attempted to form a territorial entity of their own in the area between the Juba and Shabelee rivers in southern Somalia. In 1993 and again in 1995 Digil and Mirifle clan elders held congresses where they agreed on the establishment of a common 'governing political authority'.[91] The idea of a Rewin state comes firstly from the distinctness of the agriculturalist Somalis vis-à-vis the clans of a pastoralist background and the fact that the Rewin have been caught between the Hawiye and Darod clans and militias. The Rahanwein Resistance Army (RRA), which was established in 1995 achieved some military victories with the support of Ethiopia in 1999.[92] After serious infighting in 2002-2003, the RRA managed to unite in 2004 to establish a relatively secure control over the Bay and Bakool areas.[93] The original attempt to form a more institutionalised polity to promote the interests of the Rewein failed, but what concerns us here is the fact that secession in some form appealed to Rewein leaders as the way to counter their perennial security plight.

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[91] Brons 2001:260ff

[92] Brons 2001:264

[93] United Nations Office for the Coordination of Humanitarian Affairs (OCHA) Date: 31 Jul 2004 Cited on the Website of Internal Displacement Monitoring Centre http://www.internal-displacement.org/idmc/website/countries.nsf/(httpEnvelopes)/2626D6CA7E7040B5802570B8005 AACE9?OpenDocument access 2008-10-24

3.4.4 Puntland: Regional State-Formation, Irredentism or Unification?

Puntland, occupying the north-eastern part of Somalia is the creation of the Somali Salvation Democratic Front (SSDF) which represents the Majerteen clan. Its leadership has always preferred the re-establishment of a state covering the whole of Somalia. It chose the option of a regional state-formation in 1998 only after the failure of one of the more serious and endogenous initiatives to resurrect Somali.[94] Ten years after its establishment, Puntland has not declared formal independence despite the acquisition of several state-like trappings. Instead it labels itself a regional state within a future federal Somalia. This ambiguity, coupled with the fact that its one-time President Abdullahi Yussuf, is now the leader of the TFG, and that the Puntland militia for some time served as the military protection for the TFG suggests that Puntland is a fallback option for the SSDF/Majerteen leadership, if any project to unify Somalia in which the SSDF leadership would lack a substantial influence would fail. The connection between the TFG and Puntland was further underscored by the fact that its principal source of income in Somalia was customs from the port of Bosaasu in Puntland.[95]

The sources of revenue of Somaliland and Puntland are worth expatiating upon in order to understand their formation as state-like entities. Jeffery Herbst has argued that the absence of revenue from other sources than foreign aid and the export of precious minerals have undermined state-formation in many parts of Africa. In European history, taxation as a means of revenue provided not only income but also created greater cohesion between state and society. As taxation has been absent in many African countries since decolonisation the result has been a 'state regime' that is extremely loosely coupled from society. In this context it may be significant that the most cohesive and societally integrated project of state formation, Somaliland, has had a source of revenue that can be likened to Diaspora taxation. The second most cohesive state-formation project, Puntland, derives its revenue from customs, which do not integrate societal stakeholders in the state as much as taxation but nevertheless forces the govern-ment to maintain certain standards and efficiency within its territory.

Michael Mann's concepts 'infrastructural power' and 'despotic power' may be of use in this context. 'Infrastructural power' allows for a penetration of society by the state and for an intertwining of society with the state. Taxation generates this kind of mutual dependence and integrations. 'Despotic power' is more about

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[94] Brons 2001:267
[95] ICG 2006:8

domination and coercion. It can be exercised without dependence on a society, indeed a decoupling of 'state' and 'society' and a low degree of dependence of the former upon the latter is probably conducive to the establishment of a system of 'despotic power'.[96]

The period of negotiations leading up to 1998 involved clan elders, but they were excluded from the institutional configuration of Puntland.[97] This is a marked difference vis-à-vis Somaliland where traditional authorities were integrated into the polity and its institutions. Not only does this create a greater modicum of stability, it also creates a polity that survives the leaders of the founding moment. Transcending personal rule is the archetypical problem facing early polities, something which will remind European historians of the dissolution of Charlemagne's realm after his death and African specialists of the collapse of Zaire after the demise of Mobuto.

Unlike Somaliland, which has a clear territorial base inherited from the colonial period, Puntland has a less clear base and certainly less clear borders. This is partly a result of the orientation of Puntland as a state-formation based on the Harti clan group of the Darod clan-family. As such the project may be much broader than the territory of the Majerteen clan, the *Migiurtinia*. If, as the dominant trend so far has been, the proto-ethnos of Puntland is extended to the Harti clan group, then it has stakes inside Somaliland since the Dhulbahante and the Warsengeli clans are Harti.[98] It also extends southwards since there are significant a Majerteen population in Jubaland, around the strategic port of Kismayo. As suggested above, this fuzziness is not only the result of a lack of clarity as to the base of the state-project but also of political strategies. By playing 'the Harti card' in the northeast, Somaliland is challenged and possibly undermined. By playing it in the south a bridgehead may be established in the area dominated by Hawiye and the Rewein.

One should however be careful not to deduce too much of a long-term strategy from current developments in and around Puntland. A great deal of politics is rather shaped by the need for continual crisis-management and ad hoc solutions to day-to-day situations. As previously noted, the SSDF leadership has not opted out of the struggle and intrigues over control over a unified Somalia, which is why fuzzy boundaries may be useful. Both the structural and the political reasons make Puntland not only conflict-prone but a source of insecurity and potential

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[96] Mann 1993:59
[97] Brons 2001:273-274
[98] ICG 2004:6 It should be noted that these two clans are internally divided over whether they want to belong to Somaliland or to Puntland.

conflict.[99] A key question for the future of the Somali lands is whether the leaders of Puntland will pursue irredentist policies or not. Consequently, Puntland remains a key to containment and restriction of conflicts.

Readers familiar with European history may see the analogies with the highly conflictual politics of state-formation and national unification, particularly in the nineteenth century. I want to stress that while comparisons are quite off the mark, analogies can help us to grasp the otherwise bewildering struggles over political power. From the mid eighteenth century, Prussia and Austria fought for mastery in the German lands, a struggle that culminated in the nineteenth century with the triumph of a Prussian-led small-German (*kleindeutsch*) solution that excluded Austria from the state-formation. Until 1866 both Prussia and Austria had coexisted along with a number of smaller entities in a confederation system with many state-like traits. In other words, situations where several units with overlapping identities, jurisdictions and interests compete for influence and power and strove to avoid risks within larger systems of a sometimes amorphous nature are neither new nor conceptually alien.

The struggle for leadership in post-1991 Somalia has been fought, on the clan level, between the Darod and Hawiye clans. Unlike the Hawiye, factions representing the Darod/Harti and the Isaaq have managed to consolidate territorial units. The largely Isaaq-based entity, Somaliland, has completely opted out of the struggle for influence and power in the rest of Somalia in order to focus on internal consolidation. In contrast the Darod/SSDF/Puntland leadership has not and remains in the game whose stake is a reunified Somalia.

3.5 The Transitional Federal Government: 2004 - 2005

One of the most significant attempts to bring peace and stability to Somalia was launched in Djibouti in 2000, the Arta Peace Conference. Its result was the formation of the Transitional National Government (TNG). The TNG was a short-lived affair, however, as it was opposed by Somali as well as external actors. Instead of stability, the civil war resumed. Two years after the formation of the TNG, a new conference convened, this time in Kenya under the aegis of the IGAD-group.[100] In 2004, the Transitional Federal Government (TFG) was established. The erstwhile leader of Puntland, Abdullahi Yussuf, (of the

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[99] Brons 2001:277-279

[100] The IGAD was established as a regional international organisation in 1984. Its members are Djibouti, Ethiopia, Eritrea, Kenya, Somalia, Sudan and Uganda. See www.igad.org

Marjerteen / Darod clan) became its first president. It should be noted that Puntland remains President Yussuf's powerbase despite struggles over leadership over the last few years.[101] Almost immediately from the time of its creation, the TFG was seen as a tool for furthering the interests of the Darod clans, particularly by members of the other major clan-group, the Hawiye.

The Kenya process has tried to take clan interests into account by introducing the so-called '4.5. formula' whereby the Dir, Darod, Hawiye and Rewein would each select 60 members to the Transitional Federal Parliament and a coalition of minority clans would select 30 members, giving a total of 250 MEPs.[102] Interestingly the TFG was soon seen as a vehicle for Darod interests, particularly by representatives of the Hawiye clan-group. As a national project, the TFG was to prove as short-lived as the TNG. Its nucleus was the group the Somali Restoration and Reconciliation Council (SRRC) which was led by Abdillaho Yussuf and backed by Ethiopia.

The 4.5 formula obscured the fact that Yussuf and other leading figures in the SRRC dominated the TFG by picking allies loyal to their group from different clan-families.[103] Although elites and cross-clan groups were important, so was still the clan dimension. A number of key posts were filled by members of the Majeerteen clan and people from other Darod clans, alienating many Hawiye, despite the symbolic appointments of Prime Minister Gedi of the Hawiye. The Hawiye clans coalesced instead around the Union of Islamic Courts (where each clan has a court of its own).

Through this historical narrative, we have seen how a number of political decisions have reinforced Somalia's clan structure rather than breaking with it. Perhaps the opportunity for a genuine transition of clan-based politics has been lost. Since clans have become established as the main vehicle for articulating political identities, interests as well as military self-help, it has now become exceedingly difficult to create an institutional structure that does not take them into account. However, if political institutions continue to be based on the clan structure, then they will certainly reinforce it as the main political lens. Trying to combine the modern state, which by definition strives to transcend group interests, with traditional structures of group loyalties (clan, tribe, religious group) is something we see in several parts of the world today: Afghanistan, Iraq and Somalia to name the most violent, problematic and consequential examples.

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[101] Morolong 2007:5
[102] Morolong 2007:10
[103] ICG 2006:3

We have seen above how the government of Somaliland consciously tried to transcend the clan as the principal lens through which political life is viewed. Although it is too early to say anything about the long-term possibilities for success, some major differences between Somaliland and southern Somalia may be noted. Somaliland is dominated numerically by the Isaaq clan group which cohabits with a few minority clans. This situation makes deals much easier than in the south where two major clan-groups, the Darod and the Hawiye, live. The Isaaq clan group achieved a good deal of internal cohesion prior to 1991 through the collective struggle and suffering against the regime of Siad Barré.

In early 2005 the TFG had split into two camps, the Somali Reconciliation and Rehabilitation Council or the 'Yusuff wing' and the 'Mogadishu group'. The latter consisted of actors based in Mogadishu hailing from the Hawiye clan. The Mogadishu group had dominated the Transitional National Government that existed between 2000 and 2002. That attempt at forming a national reconciliation government had failed partly because of the one-sided dominance of Hawiye clans. In 2004 the same mistake, but in the converse form was repeated: a national reconciliation government based in one-sidedly on a single clan, but this time a Darod coalition.[104]

Once more the Darod/Hawiye split came to the forefront of Somali politics. The SRRC and the Mogadishu group were diametrically opposed on many core issues. The SRRC/Darod is backed by Ethiopia, is strongly anti-Islamist and prefers a future Somalia structured along confederal/federal lines. The Mogadishu/Hawiye is backed by the Arab world, is fiercely anti-Ethiopian, has long had a more cordial relation to Islamists and seeks a unified and centralised Somalia with its capital in Mogadishu, the power-base of the Hawiye.[105]

The TFG and the parliament were split over where to place the capital and whether foreign peacekeepers should be allowed in the country. Yusuf had taken the initiative to invite peacekeepers from the IGAD countries in 2004. The IGAD (except Eritrea) was ready to send peacekeepers but the members of the Mogadishu group strongly opposed it, fearing that the foreign troops would be used to further Yussuf's own interests. This stance was due to principled opposition to Ethiopian presence in Somalia as well as to the SRRC's long-standing association with Ethiopia. Despite the controversy surrounding a foreign pressure and the deep polarization the issue caused in the government, the African Union

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[104] Menkhaus 2007:358-359
[105] Menkhaus 2007:359-360, 363

issued a request to the UNSC to give them a go head with deployment, despite the UN weapons embargo on Somalia. The UNSC denied the request.[106]

It should be noted that during this time both the TFG and the Mogadishu groups were deeply internally divided. This is where we have to be careful not to extend the analogies with more cohesive units, like states, too far. The crisis almost resulted in a war in late 2005 as President Yussuf moved a substantial force of Majeerteen clan militiamen from Puntland close to Mogadishu. This was probably a move to balance against the militia of Mohammad Dheere but was initially interpreted as a presumptive takeover. The Mogadishu group and the TFG, however, managed to back down from the crisis.

3.6 The Current Crisis: A Return to High-Intensity Warfare 2005-2008

In late 2005, the TFG, now based in Baidoa, and the Mogadishu Group were joined by a third force, the Union of Islamic Courts, as the most politically significant power-blocs in the south. Of course, these were not the only important actors and certainly not the only armed groups in the south. A plethora of militias existed in the south, controlled by various local strongmen and business actors.

Hawiyee alienation from the TFG was not to become canalised only through the Mogadishu group but also through the Union of Islamic Courts (UIC). Originally dating back to 1990, the UIC had been re-established in 1998 by Sheik Hassan Dahir Aweys. In 2005 the UIC was a coalition of eleven courts, one for each of the Hawiye clans.[107] The UIC was divided between its more moderate elements and the more Jihadist elements.[108] Although based on Hawiye clan courts, the UIC originally strove for a transcendence of the clan divisions through Islam in order to build a stable order in Southern Somalia. In addition to the clan system, Islam is one of the most salient elements of Somali culture, history and identity. Hence attempting to use it as a unifying element in a project for order would seem like a very viable option. Furthermore, histories of state-formation else-where show that theological-legalistic projects have been central to the establishment of political entities from the Roman Empire, to Medieval Rome to China.[109]

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[106] ICG 2006:4-5

[107] For details on the UIC, their Islamist agenda and on links to terrorist organisations, see Norell 2008. Here I will only deal with the UIC as a political actor.

[108] ICG 2006:11

[109] The literature on these issues is very large. For the medieval European case see Kantorowicz 1997

In response to the growing assertiveness of the UIC, the Alliance for Restoration of Peace and Counter-Terrorism (APRCT) was formed in early 2006.[110] The members of the alliance were supported and paid by the US for their support, something that contributed to the unpopularity of the 'warlords' that made up the APRCT.[111] In May 2006, fighting broke out between the APRCT and the militias of the courts, leading to a quick victory for the latter who took control over Mogadishu.

For an understanding of the working of the political system, knowledge of the antagonists, their capacities and the outcome of the conflict are not sufficient. Of equal interest in this case is who did not take part in the fighting. First, many Hawiye clan leaders stayed out of the APRCT. Second, once fighting had commenced in Mogadishu between the APRCT and the UIC, many of the militias of the businessmen did not participate but remained defensive.[112] Third, and surprising many outside observers, the APRCT joined forces with the UIC after their military defeat.

The persistent switching of sides and constantly mutating and shifting coalitions and alliances may seem opaque and even testify to fickleness of the many actors that make up Somalia's political map. This behaviour becomes understandable if it is seen as strategies of adaptation to a dynamic environment and to radical uncertainty. The capacity to switch allegiances as well as the readiness to accept former adversaries into one's ranks can be seen as ways to counter mutual uncertainty and ultimately to ensure the survival of one's own group. A tacit agreement not to fight wars to extinguish the enemy is a practice congruent with avoidance of risk, particularly in a system where none of the involved actors have the capacity for a decisive victory, let alone manage a decisive peace. Such patterns of action are more consistent with a 'Lockean' international culture, rather than with the knock-out contests associated with a 'Hobbesian' one.

The decision of some of the most potent military and economic actors in southern Somalia, e.g. the businessmen, not to intervene in the fighting supports this interpretation and offers further insights into the dynamics of the Somali system. In the language of game theoretically informed IR theory, their actions correspond not to the well-known strategies of 'balancing' or 'bandwagoning' but rather to 'hiding', that is, avoiding taking part in the conflict. However, 'hiding' has connotations of weakness which are not particularly helpful in order to understand the strategies of these strong actors. Once again, risk-aversion offers some clues.

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[110] ICG 2006:11
[111] Quaranto 2008:41, Tomlinson 2008:234-235
[112] ICG 2006: 14

The decision of economically and militarily powerful actors not to participate in what to outsiders must seem like a contest over political power and to a certain extent the kind of political order also tells us something about the position of the political in Somalia today. Since the advent of modernity, the state has held a position of centrality in the social fabric. [113] Indeed centrality is something we take for granted to such an extent that we no longer question it. Evidently, this is not the case in contemporary southern Somalia. Not only does the state, which can be defined as a set of institutions, lack centrality –these institutions have become defunct– but the political, which we can understand as the ongoing processes of regulating social order towards normative ends, seems to have been severely sidelined in the perceptions of important and powerful actors, like the business elite of southern Somalia. This episode also illustrates the opaqueness of politics in Somalia, it is reasonable to assume that substantial dealings had been going on 'behind the scenes' which were difficult for outsiders to get information about.

After conquering Mogadishu, the UIC began a transformation of the city, establishing a unified order for the first time since the 1980s.[114] The also expanded their rule to other parts of the south during 2006. Meanwhile the TFG remained isolated in Baidoa, close to the Ethiopian border.[115] The United States renewed its engagement in Somalia by supporting the loose coalition of 'warlords' who opposed the UIC. In 2006 the US began to securitize the UIC as a regional and possibly global threat in the perspective of the war on terror. Top US officials stated that the UIC was controlled by al-Qaeda and hence were 'terrorists'.[116] Securitisation of the UIC as al-Qaeda affiliated was also done by the TFG in an attempt to curry outside support.[117]

External support was also forthcoming to the UIC from Eritrea, doubtlessly as a counter-move to Ethiopia's opposition to them. The zero-sum logic of Ethiopian-Eritrean rivalry coupled with Ethiopia's strategic position of that risks a two-front engagement in the north as well as to its east, ensured that any enemy of Ethiopia's would find a benefactor in Asmara.[118] However, Eritrean, and Middle Eastern support for the UIC proved a sure way to ensure that Ethiopia and

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[113] Mann 1995:37; Cerny 1990:101
[114] Barnes and Hassan 2007:154-155
[115] *The Economist* June 10th 2006 p.42-43
[116] Quaranto 2008:42
[117] *The Economist* September 30th 2008 p.54
[118] Cf. *The Economist* July 15th 2006 p.40 See also Hansen 2007

America would increase their commitment to the TFG, even leading to military engagement.[119]

Ethiopian intervention begun gradually as troops moved into Baidoa in July 2006, leading to skirmishes with Islamist troops.[120] In December of 2006, fighting broke out between the Ethiopian army, the largely nominal forces of the TFG on the one side and the UIC on the other. Within two weeks the forces of the Courts had been beaten in the field and were being pursued into the marshy wastes of Southern Somalia by Ethiopian tanks and military jets. The Courts' support from Eritrea, their failure of reconciling hardline fractions with a deal with the TFG and lastly, the decision to attack TFG and Ethiopian forces on December 19th had given Ethiopia the pretext for a full-blown overthrow of the Courts. Not without significance, the United States had given Ethiopia a tacit green light to go ahead. On January 7th, 2007, they also offered air support in the form of attacks with AC-130s.[121] The air strikes targeted high-level al Qaeda commanders believed to be responsible for multiple terrorist attacks. The political impact of the US air strikes were to further fuel resentment against America, the TFG and Ethiopia who were seen as part of an anti-Somali alliance.

The Ethiopians have now placed themselves in an uncomfortable 'catch-22' situation. Their presence in Somalia is clearly exacerbating the conflict, hindering the establishment of any negotiated settlement and is beginning to prove rather costly in terms of economic and military resources. However, with-drawing without being replaced by a credible third party force could be highly detrimental to Ethiopia's security interests. To make matters worse Ethiopia's engagement in Somalia since 2006 has all the features of 'mission creep'. They believed that forces under the aegis of the African Union would join and even-tually replace them much earlier.[122] An alternative explanation is that the Ethiopians were trying to force the AU to intervene, something which would be a high-risk gamble.

To make matters worse, civil conflict erupted in Ethiopia's eastern Ogaden region, which is inhabited by Somalis, in the autumn of 2007.[123] The insurgency by the Ogaden Liberation Front (OLF) in Ogaden has led to harsh counter-

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[119] *The Economist* January 6th 2007 p.33-34

[120] *The Economist* July 29th 2006 p,42-43

[121] Quaranto 2008:43 *The Economist* January 13th 2007

[122] *The Economist* April 7, 2007

[123] Dr. J. Peter Pham REGIONAL DIMENSIONS OF THE HUMAN RIGHTS AND HUMANITARIAN SITUATION IN THE "OGADEN," SOMALIA, AND BEYOND Testimony before the United States House of Representatives Committee on Foreign Affairs Subcommittee on Africa and Global Health

October 2, 2007 http://foreignaffairs.house.gov/110/pha100207.htm accessed 2008-10-23

measures by the Ethiopian government. In combination with the escalating conflict in southern Somalia, this conflict adds to the volatility of the region right now.[124] Fighting in the south of Somalia was intense in the spring of 2007, with a lull in the early autumn. Prime Minister Gedi of the TFG resigned and swiftly relocated to Kenya.[125] Fighting escalated in mid November, combining with wide-spread crop failures and droughts created substantial famines.[126]

A mass flight of civilians from Mogadishu began in the spring of 2008. According to official sources, 3.2 million Somali –out of a population of approximately 8 million– are now dependant on food aid from the United Nations in order to survive and around 1 million people are either refugees or internally displaced.[127] Out of Mogadishu's approximately 1 million inhabitants, 300 000 have fled the city and are now camped in its hinterland. The humani-tarian situation is described as catastrophic and the security and political situation is the worst since the early 1990s.

On January 19 the AU authorised the deployment of a force to Somalia, under the acronym of AMISOM, a decision endorsed by the UN a month later.[128] Originally, the force was supposed to number 8.000 men. The force now consists of 2,700 men of which 1,400 are Ugandans.[129] They have so far done little neither to quell the fighting nor to protect the civilians affected by the ferocious attacks by the Ethiopian and TFG troops in Mogadishu. At the time of finalizing this report heavy fighting is taking place in Mogadishu between TFG militias, AMISOM and Ethiopian troops on the one hand and what is best described as a 'complex insurgency' on the other.

TFG and Ethiopian officials claim that they are facing al-Qaeda and other Islamic militants. In a similar but more nuanced vein, *the Economist* claimed that remnants of the UIC joined forces with disaffected Hawiye in fighting the Ethiopian force.[130] In reality the insurgency is made up of many different groups, where clan (Hawiye) militias make up the bulk of the militarily quite successful resistance.[131] We should not forget that the courts were always Hawiye-based, with one court representing each clan. Consequently, the current conflict is a

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[124] Menkhaus 2007:387 See also Human Rights Watch
  http://hrw.org/english/docs/2007/07/02/ethiop16327.htm access 2008-10-24
[125] *The Economist* November 3, 2007
[126] *The Economist* November 17, 2007
[127] *The Economist* September 6th, 2008
[128] Andrew & Holt. 2007: 8 in Hull 2008
A more extensive review and analysis of AMISOM made by Hull 2008
[129] http://news.bbc.co.uk/2/hi/africa/7651776.stm accessed 2008-10-24
[130] *The Economist* April 7th 2007, *The Economist* March 8, 2008
[131] Menkhaus 2007:385-386

'mutated' version of older dynamics, the Hawiye-Darod rivalry being one of the most prevalent ones, now being conducted in a UIC vs. TFG guise.

The conflicts of the past three years have looked like palette of Somali political dynamics. Different and recurring dynamics in Somali politics succeed and overlap each other in cyclical fashion, from inter-elite group strife to inter-clan conflict to Islamist-secular strife to the old Ethiopian (with a touch of American) – Somali rivalry. The Islamists, particularly the al-Qaeda-like *al-shabab*, are not only a new force but possibly a qualitatively new element. Their novelty resides not only in their methods, like suicide bombs which have not been used before in Somalia, but in their allegiance to a style of warfare that is 'Hobbesian' rather than 'Lockean' in nature. Declarations of Jihad –against the Ethiopians, the AU, the West and unbelievers– suggest ambitions of a total winner-takes-all conflict. However, as Stig Jarle Hansen points out, while the leaders are relatively cohesive and aim at global Jihad many of the foot soldiers may be more interested in ousting the Ethiopians and establishing sharia courts within Somalia.[132]

Although many factors in Somalia's conflict history seem to be recurring elements, we should not be blind to the fact that these elements have changed considerably over time. This paper has tried to highlight how the political importance of the clan dimension has been reinforced in different periods, by different actors and for different purposes. Siad Barré strengthened the importance of clan as the primary source of identity and action through his politics of divide and rule, ultimately creating such a divided and clan-based situation that the only ones ready to stand by him were his Marehan brethren. The recent attempt to create a national government, the TFG was also based on clans instead of transcending them.

The second aspect that the historical narrative has sought to highlight is the fact that these political events are not determined, structurally or otherwise. The current crisis was brought about by the inability and unwillingness of the TFG to create a national government in 2004, which sparked the chain-reaction that we have seen unfolding over the past four years. The UIC, upon coming to power in 2006, failed to exploit their position and the confidence they had gained in order to build a more durable order. As the example of Somaliland shows, cycles of violence and zero-sum games can be broken. But, it does get harder and harder the more destructive and bitter the current conflict grows.

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[132] Hansen 2008:20

4 Somalia: Failed State or Nascent States-System?

4.1 Actors Sustaining the Current Situation

In 2003, Menkhaus enumerated three categories of actors with an interest in, respectively prolonging the conflict, lawlessness and state-less conditions in Somalia. This categorisation and the insights upon which it builds are still of use today, although events the past five years entail that it is complemented. Menkhaus original list included three groups: (1) Those who profit from a protracted conflict. This group has diminished in number and importance since the early 1990s. (2) Criminal elements, particularly in smaller groups, have had an interest and a profit motive in combating law and order. This group has also declined in importance, particularly after 1999 as the Somali business community has withdrawn its support. The latter have moved away from the war economy of the 1988-1992 period to engage in more regular business to which criminality and unpredictability are liabilities rather than assets. (3) Risk-averse actors, including both political and business communities stand loose more from the establishment of a state than from its absence.

Several of the attempts to create an internationally accepted government have been interpreted as strategies to secure funds in terms of development aid and foreign investment. Although these efforts have not been successful, they were blocked by actors inside as well as outside Somalia. The business community still is still deeply suspicious of a central state, even if it were to remain a quasi state with little de facto control.[133] Since the project of creating an internationally accepted state is likely to be a vehicle for the appropriation of resources and status by the actors who can get positions in it, any actor who is likely to be left outside the spoils system, of fears that he will be left outside, has a structural incentive to sabotage the arrangement. These actors are, as Menkhaus argues, primarily driven by the desire to avoid the uncertainty and potential loss of resources and influence that centralised state structures could have. Rather than face uncertainty and probable loss, they would rather choose the safer option of maintaining the situation that has hitherto prevailed.

However, actors must be added to the list. 4) External actors with particular vested interests which they will pursue irrespective of the effects on peace-making or state-building in Somalia. Interestingly enough, risk-aversion rather

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[133] Menkhaus 2003:418-419

than a positive attempt to impose a certain idea or scheme of order, seems to drive external actors as well as internal ones. The most significant external actor in Somali affairs continues to be Ethiopia. The primary security threat from an Ethiopian perspective would be a full-blown secessionist movement gaining ground in Ogaden. The secondary one would be the establishment of an Islamic or, in the worst case, a Jihadist state in Somalia. Such an entity would risk inciting dissent, and possibly terrorism and secessionist claims from Ethiopia's Muslims. Also, any stable and centralised Somali state that would be acceptable to Ethiopia would have to foreswear irredentism and pan-Somali ideology in a credible way. This would be very difficult to achieve.

The most important factor sustaining the current state of affairs is not an actor but rather a structural paradigm or a 'regime', namely what Robert H. Jackson has called the 'negative sovereignty' regime that sustains 'quasi-states' in the Third World. Clearly put, the set of ideas that postulate that colonial borders must be upheld at all costs in Africa and that the politics of international recognition ignores de facto control and de facto legitimacy of government as criteria for sovereign statehood.

4.2   The State and State-building Efforts as Conflict Drivers

It is generally assumed that 'the state' is the best tool for preserving peace within a certain territory and consequently that efforts to reinforce or create (often conflated in the verb 'build') a state is the best response to an absence of peace, i.e. conflict. Although true in the ideal case, it has time and again proven to be a tragic misconception in a number of African conflicts. Instead the idea of the state has been a driver and perpetuator of conflict.

It is important to bear in mind the relation the state has had to violence in other parts of the world, when discussing the state and violence in Somalia. In European and Chinese history state-formation has taken place through massive violence as different actors have fought each other for supremacy and eventually established their rule over subject populations. The end result in the contemporary West with highly pacified polities should not obscure the violence that took place in the processes of their formation. While the state in the West has stood for pacification and stability, its establishment did not. Consequently expectations of a formation of a unitary centred entity that monopolises the control of legitimate force out of what is essentially a multipolar system without the exercise of violence and power struggles may be highly unrealistic. Conversely, state-formation in the historical European context was not merely

about successful coercion and military victories but also about the establishment of polities in which key elite groups acquiesced to membership.[134] This double movement of military conquest and of creating a political consensus was historically an extremely difficult project and remains so to this day.

However, there is a limit to which analogies with European history are of heuristic value in order to understand the relation of the state as a form of order to conflicts in Somalia. Instead we must investigate the specific establishment of the international system in Africa after decolonialisation in the 1960s. Soon after independence the leaders of the OAU states declared that no changes of borders would be accepted after decolonialisation. Instead the borders of the colonial era were declared to be unchangeable. The United Nations and the international community have been important in upholding the colonial borders and countering attempts at secession. This agreement established the state and an inter-state system of a specific kind. De facto control and legitimacy receded to the background as criteria for international recognition. Instead, minimal territorial control –often restricted to the capital– and recognition by one's peers was sufficient to be established as a state ruler. Regardless of how unfounded the claim to capacity or legitimacy to rule may have been, states agreed to pretend that these criteria were met.[135] This set of practices established, in the words of Robert H. Jackson a 'negative sovereignty' regime of quasi-states.[136] These states possessed 'negative' sovereignty in the sense that sovereignty was ascribed to them by other states rather than stemming from de facto control.[137]

This regime of negative sovereignty, the recognition of quasi-states and the inviolability of colonial borders help us to understand why "Somalia" still exists despite the total dissolution of centralised state structures and despite the passing of effective power into the hands of regional and local actors and entities. Somalia exists today because the international community recognises it and has decided that it must not disappear.[138] But does it help us to understand the great extent of violence that has taken place in Somalia? My argument is that the regime of negative sovereignty is central to understanding the prevalence of large-scale violence in Somalia. Since recognition and resources (e.g. foreign aid, investments, patron-client support) comes from the outside and not from within, the position of the international community is central. This explanation does not cover all the violence that has taken place in Somali. Some of it can be ascribed

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[134] Cf. Meier 1990:4
[135] Clapham 1996:15, Herbst 1996/97:122, 131
[136] Jackson 1996
[137] See also Doornbos 2002:809
[138] C.f Jackson 1996:168-169

to 'lawlessness', i.e. extremely violent crime and banditry. Some local conflict e.g. between lineage groups or clans can be considered political because they are connected to control over land or people. They are, however, sometimes disconnected from the state level and the violence that it generates.

A great deal of violence is generated by projects to capture the state or by counter-projects to resist the establishment of a state, either by groups who fear that they would be left outside its exploitative system (e.g. rival clans) or by groups who oppose any state since they are not interested in being neither outside nor inside an exploitative state (e.g. the business community). This paper therefore concurs with Menkhaus' argument that:

> *It is not the existence of a functioning and effective central government which produces conflict, but rather the process of state-building in a context of state collapse that appears to exacerbate instability and armed conflict in Somalia.* [139]

A third category of conflicts, today hypothetical but nevertheless highly likely, would be hostilities between territorial units arising from resistance to establish a centralised state. In the unlikely event that a unified force be established in the south with the ambition to reunite the entire country, then war would be likely to break out between it and Somaliland and possibly with Puntland as well. In this light, it could be argued that the state-building attempts of the Yussuf Group inside the TFG were destructive to the relatively stable stateless order prior to 2005. Instead of presenting a solution, the attempts at state-building actually made conditions in Somalia worse.

Under the negative sovereignty regime the possibility of proclaiming a polity that will be internationally recognised does not really exist. Instead actors are stuck with the colonial entities and the conflicts they generate. As long as Somalia remains intact and recognised as a single entity by the international community, it will be an attractive prize and as such it will be contested by various clan-based factions. The retention of a quasi-state with negative sovereignty is particularly problematic in Somalia's case since no single actor or group is strong enough to militarily beat its rivals and thereby establish unified control over the country. The retention of Somalia as a quasi-state means that it is not only a prize but a latent threat to the groups who risk being left outside the state. In both ways, it acts as a driver of violent conflict.

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[139] Menkhaus 2003:408

This is due not only to internal facts but to external ones. External actors will always be able to lend their support to one actor or another to ensure that a durable unifying force will not arise endogenously. The negative sovereignty regime and Somalia's quasi-statehood allows Somalia's neighbours as well as Western powers to play a game of balancing powers in Somalia. One could make the structural argument that the situation in Somalia as well as the security relations among certain external actors to some extent forces them to play this game.

Some of the security dynamics in Somalia are functions of security relations in the wider region, i.e. the extended Horn of Africa. To some extent the converse may also be true. The possibility to fight proxy wars in Somalia, or at least to support opposing factions may reinforce inter-state tensions and encourage brinkmanship and escalation. Hence the retention of the quasi-state of Somalia could to some extent be a driver of inter-state conflicts in the region.

So far the wider security implications of the state-less condition of Somalia have been seen mainly in the form of 'new threats', i.e. extremism, terrorism and organised crime. These factors are doubtlessly important but they have over-shadowed the extent to which inter-state security dynamics in the Horn of Africa may be emanating from Somalia. These two kinds of threats, terrorism and inter-national rivalry, could be said to stem from different sources and paradigms. The threat of terrorism is often associated with 'failed states'. The inter-state dynamics are in this case rather associated with the quasi-state and its retention by the negative sovereignty regime. The two are distinct but not disconnected problems. I have argued that the violence between rival groups, which is errone-ously subsumed under the label of 'state failure', can be traced to the retention of the quasi state. Effective governance and de facto 'stateness', if not recognised statehood, has proven to be more effective on the substate level in Somalia. Ending the quasi-state regime in Somalia by recognising and supporting entities on this level would decrease and delimit the area of 'state failure'.[140] As suggested by Doornbos, the problems caused by the collapse of a state are probably not best addressed by trying to reconstruct the flawed structure but by creating alternatives.[141]

Supporting more viable entities would also most probably decrease the amount of resources and energy that goes into perpetuating the conflicts in Somalia and hence the degree of violence. By moving away from insistence upon the preservation of the quasi-state we may be able to address the problems of 'state

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[140] Cf. Jeffery Herbst's (1996/97:136-139) arguments about the necessity of recognising states that are actually effective.
[141] Doornbos 2002:806-807

failure' such as terrorism and organised crime.[142] The next section expands on possible solutions.

4.3 Re-conceptualising Somalia as a Regional States-System

Today, what was a state between 1960 and 1991 has in effect become a proto-states-system consisting of Somaliland, Puntland and the South. The conflicts that have raged in the area from the late 1980s can to a certain extent be seen as wars of state-formation. Not only were they parts of a complex of civil conflicts and/or banditry but they were also struggles over what kind of order that should replace the defunct state left by Siad Barré. The Somaliland factions (Isaaq clan) clearly favoured an order with at least two successor states, Somaliland and Somalia, and seem agnostic as to the question of how many units the remaining part of the country should be carved into. As for the Majeerteen clan, under the leadership of Abdullahi Yusuf Ahmed, they first seemed to fight for the preservation of a single unitary Somalia under their control. After 1998, when Puntland declared itself to be an autonomous entity within a federal Somalia, their project for order seemed to be a federal order –or perhaps rather confederal considering how well developed the institutions and state-like trappings of Puntland have become.

It is crucial to point out that the south was not lawless or order-less between 1995 and outbreak of the current conflict in 2006. It is important not to equate order with the existence of a Western centralised state. The business class in southern Somalia benefits from an ordered state of affairs that controls criminality and ensures predictability. However, this does not necessarily require a state, neither of the wide and deep kind prevalent in Western modernity nor (and particularly not) of an exploitative predatory state more common in Africa after decoloni-sation. In these areas the coercive maintenance of order is exercised by 'private' militias and buttressed by customary law. It is apropos this situation that the south has been characterised as 'a loose constellation of commercial city-states and villages separated by long stretches of pastoral statelessness'.[143] What could be described with a somewhat poetic description as a merchant oligarchy has

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[142] The RAND Corporation (2007) identifies 'ungoverned territories' as fertile spaces for terrorist movements. They hinge the idea of an ungoverned territory on a lack of state penetration. If we are serious about wanting to reduce the extent and seriousness of ungoverned territories, we are well cautioned not to identify governance with de jure statehood but with de facto governance. The perilous ungoverned territories may be diminished by identifying and supporting the loci of effective governance, not by supporting unviable edifices.

[143] Menkhaus 2006/2007:86 cited in Quaranto 2008:22

thus established an order reminiscent of pre-colonial conditions in East Africa with a collier of coastal states whose commercial classes had links with the pastoral hinterlands as well as business networks in the wider Muslim world across the Indian Ocean.

I believe that it is best not to compare state-formation in Somali with the formation of a unitary state but with a states-system that varies over time with regard to its norms and to the strategies of different players to gain influence, power and, ultimately supremacy, as well as the strategies of these players to avoid risk, exposure and threats to their survival. The existence of many political units who possess control over the means of organised violence and revenue of some kind and do not bow to any higher authority is the basis for this claim. As in many historical regional subsystems, outside actors have played important roles in Somalia as they have sought to gain influence and power as well as to avoid risks to their interests and / or survival through the use of clients and sometimes direct military force.

This situation presents an analogy to Europe in the early modern era where a multitude of actors that could not defeat each other existed. In this situation, a continent-wide polity, whether we want to call it a 'state', 'monarchy' or 'empire' could not be established. Instead a solution to the (social) problem of order gradually was carved out that was based on sovereignty and more or less exclusive territorial rule. Certainly, that some states, such as France, were stronger than others and hence exercised hegemony over them from time to time could not be avoided. As everyone knows, the establishment of units that recognised each others right to exist and right to exercise governance over their own territories did not prevent violent and costly conflicts, far from it.

Seeing Somalia as a regional sub-system, as a kind of proto-states system, is a pragmatic conceptualisation based on recent history and on the analysis of the factors that sustain this order. It does is not based on any claims about the incompatibility of the Somali clan system and the Western sovereign state. Any such principled arguments can be refuted with reference to the Somaliland experience. This conceptualisation is not only an exercise in historical sociology or in the sub-field of state-formation studies. On the contrary, it entails have substantial political implications as well as implications for military strategic thinking.

Taking leave of the conception of Somalia as a state and of the goal that a single state is the natural condition and desirable end opens up new possibilities of handling the situation. If Somalia is seen as a proto-states system, then the international communities ought to support the developments towards making it a stable one with a 'Lockean' culture, rather than a volatile one with a 'Hobbesian'

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culture based on enmity and oriented towards constitutive struggles. In such a system, antagonists would follow some rules of resembling *ius ad bellum* (the right to wage war) as well as *ius in bello* (rules of war), preferably ones that offer a modicum of protection to civilians. In a Lockean system, antagonists would view each other as rivals, not as enemies. Violence between rivals may certainly be deadly, but we are talking about difference in degrees. Establishing and supporting a system of a Lockean kind as a first step may be the best possibility of creating a solution that is not only stable but more normatively acceptable, for example in terms of human development and human rights.

Instead of imposing a model on contemporary Somalia that seems to drive violence and fuel instability, perhaps external actors should rather encourage existing trends, but try to mould them in realistic directions. Then we would be engaged not in 'state-building' but in 'systems-building' and hopefully also 'peace-building'.

The literature on 'state-building', i.e. Western-assisted construction of Weberian state institutions, tends to focus on internal developments, institutions and dynamics. Attention is rarely given to international dimensions of state-building. As pointed out by Rob Walker the national and the international are two aspects of the same paradigm.[144] States presuppose other states for their existence, logically as well as historically. Long before (western) states developed into the complex and integrated entities they are today they were rudimentary polities in contact with other polities. There is much to suggest that the expansion of state structures and their integration with society were driven by developments taking place not only in other states (i.e. through imitation) but also through the systemic context in which European polities co-existed. That armed competition among polities acted as a driver for measures improving internal administration and efficiency is a well-known and oft-cited example.[145] Less often brought into debate are the processes of socialisation and mutual recognition as states. Spruyt has argued that one of the drivers behind both the consolidation of sovereign state structures and the rise to pre-eminence of the sovereign state vis-à-vis other kinds of political organisation was that states preferred to deal with other states.[146] This propensity of the international system has had very unfortunate consequences in the case of Somalia.

Making an argument that fostering state structures, albeit through encouraging the development of a regional proto-international system instead of through the creation of internal institutions, could be problematic. A wide range of specialists

[144] Walker 1993
[145] C.f. e.g. Tilly 1990
[146] Spruyt 1994

in African affairs have repeatedly argued how badly the sovereign state as a political form fits African socio-political conditions and the harm that the insistence on the sacrosanct position of formal statehood (effectively creating quasi-states) has done. Furthermore, the one area in which African states have resembled sovereign states has been in their external relations, particularly the diplomatic ones. Could then the reproduction of a states-system, in other words of the state on a smaller scale, really be effective in Somalia?

The direness of the situation in Somalia requires highly a pragmatic approach as well as a readiness to 'think outside the box', as it were. This entails an examination of the prospects for social order and peace building on a case-by-case basis rather than according to axioms. As Martin Doornbos has pointed out, the trajectories and reasons for state collapse vary greatly which is why we must proceed from empirical evidence and examination of the situation at hand not from highly generalised statements.[147] For the south, a reconsideration of alternative forms of governance that do not conform to the unitary state is necessary.[148]

In northern Somalia, with Somaliland and Puntland, a more (states-) systems building approach might be feasible. In the south, however, the prospects of success of such a solution seem doubtful. This is due to a number of factors, of which the mixing of clan populations, the low degree of territorialisation of politics –as opposed to the north– and the special conditions prevailing in the cities, particularly in Mogadishu are some of the most salient. It is beyond the purpose and scope of this paper to outline possible political forms for southern Somalia but an important station on the way forward is probably a greater acceptance of statelessness –although not of lack of order. This necessitates a greater international openness for and creativity with regard to alternatives to the sovereign state as a form of rule.[149]

Practically a greater willingness for outside actors to negotiate with elements whose ideologies are considered problematic but nevertheless may represent important 'constituencies', like moderate Islamists, is called for. To conclude by answering the question asked above, the security problems in Somalia are not the same all over the country and therefore different solutions are called for. This paper has argued that a great deal of the large-scale violence in Somalia can be traced to the insistence on retaining the country united and to the 'quasi-state' as a political phenomenon. The first step away from this situation is recognising stateness and governance on the levels where it is most effective and viable.

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[147] Doornbos 2002:812
[148] Herbst 1996/97:139-142
[149] See Herbst 1996/97

4.3.1　Strategic and Operative Implications for International Interventions

Substituting state-building for systems-building also has consequences for Western military strategy as any intervening parties would have to adopt different strategies, operational paradigms and possibly tactics to achieve the desirable political ends. The construction of war and the construction of the ends as well as means of combat (e.g. battle) have varied throughout history. Different political paradigms and constructions of political ends have been accompanied by different actions on the battlefield. Indeed the battlefield itself, the spatial domain in which the military instrument in used, varies with different constructions of the political.

The political paradigm of state-building creates the twenty-first century battlefield without frontlines, where forces engage over large tracts of territory, not only in 'deep battle' but in a large range of tasks. In this kind of operational paradigm strategic, operative and tactical levels will tend to be compressed. If, however, the political configuration can be altered then so might also the operational paradigm. In a system-building venture, where the different antagonists are treated more like states, it is not improbable that a situation more akin to a twentieth-century battlefield can be constructed. In that ideal type frontlines assume a central role. The armed forces of the intervening parties in a systems-building venture might assume strategic and operative roles more akin to twentieth century peace-keeping.

5   Conclusions

Somalia has been a dire security problem since the 1980s, long before the final fall of centralised state institutions in 1991. Now, in the autumn of 2008, the security situation is the worst since the mid-1990s. The attempts by the international community and by regional actors to resuscitate a centralised state have so far utterly failed and there are no signs indicating that they could work in the future. In the light of these failures and of the catastrophic situation in the country new approaches and solutions are clearly called for. Such approaches require new conceptualisations of the situation. This paper has argued that recognising Somalia as a states-system and thereby ending the quasi-state regime might solve or alleviate several pressing security concerns: (1) The violent conflicts in southern and central Somalia; (2) the humanitarian situation in Somalia; (3) inter-state rivalry in the Horn of Africa; and (4) Somalia as a base for terrorist organisations and organised criminal syndicates.

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63

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