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INSTITUTIONALIZING PEACE: CONSOCIATIONALISM AS A ROADMAP TO STATEBUILDING IN SOMALIA

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DECLARATION

This research project is my own work and has not been presented in any other institution of learning for the award of a degree or any other certificate.

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This research project has been submitted for examination with my approval as the University of Nairobi supervisor.

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ABBREVIATIONS

AMISOM	African Union Mission in Somalia
AU	African Union
DPKO	United Nations Department of Peacekeeping Operations
EAC	East African Cooperation
ICU	Islamic Courts Union
IGAD	Inter-Governmental Authority on Development
LAS	League of Arab States
NSC	National Salvation Council
NSS	National Security Service
OAU	Organisation of African Unity
OIC	Organisation of Islamic Conference
RRA	Rahanweyn Resistance Army
SAMO	Somali African Muki Organisation
SDM	Somali Democratic Movement
SNA	Somali National Alliance
SNM	Somali National Movement
SNU	Somali National Union
SRC	Supreme Revolutionary Council
SRRC	Somalia Restoration and Reconciliation Council
TFG	Transitional Federal Government
TFI	Transition Federal Council
TNC	Transitional National Council
UN	United Nations
UNHCR	United Nations High Commissioner for Refugees

UNITAF   Unified Taskforce

UNOSOM   United Nations Operations in Somalia

UNPOS   United Nations Political Office for Somalia

UNSC   United Nations Security Council

US   United States

ABSTRACT

This study explores how to institutionalize peace in Somalia. It analyzes the various peace efforts that have been initiated by the international community since the fall of the government of Siad Barre in 1991 and identified their shortcomings. It thus intends to answer the following questions: Why has it been so difficulty to institute an official government that exercises authority over the whole Somalia? Why has past peace initiatives not worked? How can lasting peace be institutionalized in Somalia? How has the international community's influenced the architecture of post-conflict state reconstruction in Somalia? The study uses the consociationalism theoretical framework and argues that stability can be reached in divided societies through the adoption, development and institutionalization of a power-sharing model which aims at taming and restructuring intrinsic fault lines. It further posits that consociationalist principles often provide minority groups with considerable autonomy and it departs from other forms of decentralization by ensuring representation along non-territory specific lines, where minority groups are guaranteed representation in government regardless of territorial cohesion. The study tests these hypotheses using qualitative method, especially structured focused comparison and process tracing using Somalia as the case study. The findings support the theoretical argument.

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CHAPTER ONE

THE CONFLICT INCUBUS: WHAT WAYS FOR A PEACEFUL SOMALIA?

1.0 Introduction

1.1 Background to the Problem

Somalia, like many an African country, has for over two decades been confronted by discontents, mutating from a civil war in the 1980s, through state collapse, clan factionalism and warlordism in the 1990s, to a globalised ideological conflict in the first decade of the new millennium. The Country has been reduced to a strife-torn and impoverished nation. Since the fall of the government of Siad Barre in 1991, Somalia has not had an effective government that exercises authority over the whole nation. In the same year, Northern Somalia declared its independence from the country and named itself Somaliland. While it is a relatively peaceful place, Somaliland is yet to be recognized as a country by the community of nations. In 1998, Puntland declared itself an autonomous region within a future federal Somali republic.

Admittedly, these acts of attempted secession have played a pivotal role in disrupting peace in Eastern and Horn of Africa regions. The situation is further compounded by global terrorism. After Afghanistan, Iraq, and Syria, Somali has been frequently mentioned as a cauldron of terrorism, not forgetting its dubious characterization as a failed state. All put together, the disintegration of Somalia into five fairly autonomous regions resonates strongly with the histories of the rest of the artificial states which make up the geographic continent of Africa.

In this sense therefore, Somalia provides a basket case of failed efforts to bring about peace through inclusion. Noteworthy is the fact that since the collapse of the Siad Barre

government, there have been more than a dozen efforts to establish stable government. The inclusion of various factions and grassroots civil society groups has yet to produce sustainable rule without the backing of military force provided by the African Union or neighbouring Ethiopia, Kenya, Djibouti and Uganda. Experts have pointed out that, despite the lamentations of Somalis in the diaspora, it is impossible to have a dialogue on Somalia and any future government without there being profound suspicion that any interested group has its own agenda. The ideal of inclusiveness to a degree that satisfies everyone has led only to unsustainably bloated governments, interminable peace processes, and a seemingly endless cycle of 'transitional' governments: Arta Djibouti (2000), Mbagathi (Kenya, 2002–04), and Djibouti City (2008) – all considered '*inclusive*' by proponents at the time but nonetheless subsequently denounced by their detractors as illegitimate and non-representative.

The fundamental question that this research seeks to explore is there a mechanism through which the dream of a peaceful and strong Somalia state can be fulfilled? A lot of research has gone into the question of why countries experience civil war while others remain peaceful and on the phenomena of civil war recurrence. Experts have for a long time opined that security guarantees and power-sharing arrangements improve the prospects of lasting peace in post-conflict countries.[1] The reasoning and motivation behind the approach to power sharing between belligerents is two-fold. Firstly, it is assumed that power-sharing institutions once established promote democracy in divided societies.[2] Secondly, scholars argue that they reduce commitment problems and insecurities between the warring parties. Therefore, they

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[1] Lyons, Terrence. 2004. Post-conflict elections and the process of demilitarizing politics: the role of electoral administration. *Democratization* 11 (3):36 - 62; Walter, Barbara F. 1997. The Critical Barrier to Civil War Settlement. *International Organization* 51 (03):335-364; Paris, Roland (2004), *At War's End : Building Peace After Civil Conflict*. Cambridge / New York: Cambridge University Press; Paris, Roland. 2004. *At War's End : Building Peace After Civil Conflict*. Cambridge / New York: Cambridge University Press.
[2] Norris, Pippa. 2008. *Driving Democracy: Do Powersharing Institutions Work?* New York: Cambridge University Press.

generate higher chances for peace in post-conflict societies. While the former contention relies on Lijphart's theoretical concept of consocialism, the latter is mainly based on an observed positive correlation between power-sharing agreements and instances of lasting peace.[3] Scholars have largely focused on the effect on peace periods and on the incentives why warring parties agree to power sharing but we do know little about the stability of power sharing in countries that have experienced civil war.

Conventionally, power sharing only appears on a government's agenda under some form of pressure: armed struggle (guerrilla fighters), the possibility of a coup, opposition pressure, civil disobedience and protest marches, media pressure, regional political pressure (AU, African development communities like IGAD), and foreign pressure (including sanctions). Such duress, in whatever form, is undeniably the evolutionary motive for political and other change. Without it there would have been no development from one-party government to representative democracy. As long as the disadvantaged are not empowered to exercise pressure unjust government structures will prevail. That seems to be the pattern of African governments. The mechanism of negotiation is invoked when it becomes apparent that business cannot proceed as usual and negotiation appears to be the best option. From this one infers that fairness and justice are not the foundation of government but concessions made under protest and pressure. Ethics (political justice) is therefore not the basis of (government) power but a product of prolonged struggle.

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[3] Hartzell, Caroline/Matthew Hoddie. 2003. Institutionalizing Peace: Power Sharing and
Post-Civil War Conflict Management. *American Journal of Political Science* 47 (2):318-332; Mattes, Michaela/Burcu Savun. 2009. Fostering Peace After Civil War: Commitment Problems and Agreement Design. *International Studies Quarterly* 53 (3):737-759; Jarstad, Anna K./Desiree Nilsson. 2008. From Words to Deeds: The Implementation of Power-Sharing Pacts in Peace Accords. *Conflict Management and Peace Science* 25 (3):206-223.

Power sharing is increasingly becoming "the international community's preferred remedy for building peace and democracy after civil wars."[4] Indeed, power-sharing arrangements were used by international negotiators in the conflicts in the Balkans in the 1990s and early 2000s, as well as in such diverse areas as Afghanistan after 2002 and Iraq after 2003. In particular, the use of power-sharing in ethnically divided societies that have seen violent conflict over identity and between the political representatives of groups and their armed forces has become the leading approach in international peace-making. This, however, is not necessarily the result of the unconditional success of power-sharing; rather, there seems to be no alternative to some form of power-sharing arrangements in post-ethnic conflict societies.[5]

1.2 Statement of the Problem

In a region where the vast majority of the population is poor and where patronage is the defining element of political life, the informal inclusion of political elites is a common and essential feature. The practice manifests many of the key elements of coalition politics, proportionality, and moderation which power-sharing advocates say are essential to success. Across time, timely interventions by outside powers appear to have been important in recent efforts to facilitate peace in places such as Kenya, Zimbabwe, and Burundi where politics has broken down. But externally led efforts to bring peace through power-sharing have at times proven to bring forth surprising and often undesirable externalities.

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[4] Donald Rothchild and Philip Roeder, "Dilemmas of State-Building in Divided Societies", in Philip Roeder and Donald Rothchild (eds.), *Sustainable Peace. Power and Democracy after Civil War* (Cornell University Press, Ithaca, NY, London, 2005), 1-z6, at 5.

[5] The main alternatives are partition, which is generally rejected by international law and most third parties, or conventional majoritarian democracy, which parties to a conflict would not agree to for fear of being disadvantaged in peace-time. See Caroline Hartzell and Matthew Hoddie, "Institutionalizing Peace: Power Sharing and Post-Civil War Conflict Management," 47(2) *American Journal of Political Science (2003),* 3 12-332; James Fearon, "Separatist Wars, Partition, and World Order." 13(4) *Security Studies* (2004), 394-415.

One such externality involves the manipulation or 'instrumentalization' of peace processes by belligerents. Experts, most notable of which is Danny Hoffman, observes that no war exists in isolation. Rebels in even the most remote regions of Africa are aware of the manner in which their actions elicit the attention of outsiders who are justifiably repelled by the negative consequences of violence and will pay a price to achieve it.[6] Thus, even while interventions and the subsequent peace processes – which involve power-sharing as standard, even fundamental, elements – fail to reshape patronage politics in meaningful ways, it has provided new opportunities for local players to manipulate the political system to its benefit.

While there exists a near-universal agreement amongst scholars that the Somalia conflict is not beyond intractability, many peace processes have failed to deliver a lasting or permanent solution. Admittedly, the conflict is acute and exceedingly complex, but certainly not beyond intractability. Earlier attempts have consistently focused on state-building approach by mediation processed and have persistently failed. This study shall posit that owing to the unique situation in Somalia, focus should now shift to structural rearmament and state-building should only be considered an integral part of peace-building once an appropriate structural governance model has been discussed, accepted and installed. This study shall add to the discourse on the matter by offering a governance model which it believes could be the solution to the problem of protracted conflict.

1.3 Research Objectives

The research seeks to inventorize the peace processes, investigate factors for their repeated failure and make appropriate recommendations for a lasting peace solution. It also examines

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[6] Danny Hoffman, 'The Civilian Target in Sierra Leone and Liberia: Political Power, Military Strategy, and Humanitarian Intervention', African Affairs 103 (2004) pp.212, 214.

the root causes of the conflict, and suggests the best possible option for resolution of the conflict.

1.4 Research Questions

1.0   What are the key stakeholders to the Somalia conflict and by what criterion are they identified as such?

2.0   Why have the preceding peace processes failed?

3.0   What lessons can be drawn from the past failures and employed to bring about a lasting solution to the Somalia conflict?

1.5 Hypothesis

    a) **The Somalia governance problems is not beyond intractability.**

    b) **Consocialism remains the best promise as yet for a peaceful Somalia.**

The approach that this study shall adopt (the "*whats*" and the *"whys"*) shall comprise:

1.6 Significance of Study

The study shall provide a useful resource for inter-governmental policy formulation on conflict resolution in Somalia, given the centrality of conflict resolution in the entire region's foreign policy priorities. It is also an integral part of the security sector programme of the (Inter-Governmental Authority on Development (IGAD). The study also aims to contribute to the discourse on conflict resolution in Somalia. Additionally, the challenges and opportunities presented by the unique Somali political, social and economic system shall be identified and

discussed in the study. Lessons learned can be utilised as a resource for future diplomatic interventions in conflict resolution and management.

At least at a theoretical level, consociational solutions remain efficient political forms that could promote inter-communal coexistence and mitigate severe post-conflict sequels. They can also help stabilise extremely divided societies that have otherwise no chances for steadfastness. In societies ravaged by serious identitarian struggles and organised along steep cleavages, a power-sharing democracy could help to some extent transmute stigmatising differences into elements of integration – even if temporarily. Moreover, the flexibility of the model which lays emphasis on elite crafting leaves much room for political creativity and engineering.

This study therefore is significant as it recommends consociational democracy – not as a universal elixir for all plural societies – but as a tailored solution applicable to specific cases, and specifically to Somalia, a country whose political, economic and social problems have in the past appeared to be beyond intractability. The numerous potential benefits that would assail cessation of the Somalia conflict notwithstanding, other positives that would accrue include reduction of the proliferation of small arms in the countries making up the Horn of Africa. Additionally, it would ameliorate the plundering of marine resources and constrict avenues for the thriving of piracy within and near Somalia waters of the Indian Ocean.

1.7 Conceptual Framework

The search for a democratic model that helps stabilise and pacify deeply divided societies has inspired a plethora of writings which redefined traditional meanings of democracy and

system typologies. In these writings, assumptions that democracy could only be reconciled with majoritarian models have been revisited and challenged. Considered as harbingers of a new democratic typology, eminent studies, for example, Dalder, have argued – especially from the 1960s on – that it was possible to engineer stability in inherently unstable and deeply divided societies, and that the quintessence of democracy in such societies could be safeguarded through a balanced division of power and through ingrained modes of coalescence.[7]

According to these studies commonly based on the concepts of consociation,[8] power-sharing and negotiation, Western-style models and majoritarian party-systems do not fit multi-ethnic states divided along ethnic, linguistic or religious lines. This is why an alternative model, which bridges the gap between fragmentation and stability, should be applied to these fragmented societies.

While Lorwin in 1971 used the expression "segmented pluralism"[9] to describe this approach, Lehmbruch in 1967 referred to it as "proportional" or "concordant" democracy.[10] The most popular expression "consociational democracy" was developed by Lijphart as an alternative typology to centripetal and centrifugal democracies.[11]

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[7] For an account on the evolution of the consociational approach, see Hans Daalder "On the Origins of the Consociational Democracy Model," Acta Politica 19 (1984): 97-116.

[8] Defined in Merriam Webster Dictionary (1913) as "intimate union; fellowship; alliance; companionship; confederation; association; intimacy".

[9] Val R. Lorwin, "Segmented pluralism," *Comparative Politics* (1971): 141- 175

[10] Gerhard Lehmbruch, Proporzdemokratie: politisches System und politische Kultur in der Schweiz und in Oesterreich (Tübingen, Ger.: Mohr, 1967); "A Non-competitive Pattern of Conflict Management in Liberal Democracies: The Case of Switzerland, Austria and Lebanon"in Consociational Democracy: Political Accommodation in Segmented Societies, ed. Kenneth McRae (Toronto: McClelland and Stewart, 1974) 90-97.

[11] See for example Arend Lijphart, "Consociational Democracy," World Politics 21(1969): 207- 225.

Defined as a political mode in which political elites aim at establishing a political culture characterised with accommodation, consociational theory purports that stability can be reached in divided societies through the adoption, development and institutionalization of a power-sharing model which aims at taming and restructuring intrinsic fault lines.

Noteworthy is the fact that the smaller European countries – the Netherlands, Belgium, Switzerland, and Austria – constituted at first the crux of consociational studies. These territories first considered as unexplored territories were depicted later on as fortunate examples of power-sharing democracy.

The power-sharing model was later extended to plural societies in the Third World, such as Lebanon, Malaysia, South Africa, Ghana and India. This theory acquired with time a universal and prescriptive touch, and was analysed from different angles.[12]

First, power-sharing was depicted as a pattern related to the nature of cleavages and communal segmentation in a plural society. The analysis of segmental pillars and their cleavage lines sheds light on aspects of division and integration in a segmented society.[13] Second, consociationalism was directly linked to elite behaviour and to what Lijphart calls 'the self-negating prophecy'. Aware of underlying centrifugal threats, political elites can purposefully create channels of cooperation and manage destabilizing structures that threaten to fling the system into unruly waters. In other words, elites develop and internalise conflict-regulating strategies so as to counteract the dangers of division.

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[12] See for example Andre Kaiser, "Types of Democracy: From Classical to New Institutionalism," Journal of Theoretical Politics 9 (1997): 419-444.
[13] See Lorwin, "Segmented Pluralism."

Third, the consociational mode has been associated with past patterns of bargaining and accommodation. Thus, power-sharing trends can be traced back to traditions of negotiation embedded in history.[14]

Despite the multiplicity of approaches, Lijphart's model based on elite behaviour has been considered as one of the most popular theoretical benchmarks adopted by consociationalists. It should be however underlined that the writings of other consociational theorists[15] deserve equal attention if sufficient light is to be shed on the theory and the multi-faceted variables that serve to define it.

According to Lijphart, the voluntary variable of elite coalescence replaces the variable of political culture in a consociational model. Defining this democratic genre as a "government by elite cartel designed to turn a democracy with a fragmented political culture into a stable democracy,"[16]Lijphart is credited with introducing the factor of political engineering through which segmental leaders could deliberately alter the course of events and transform cleavages into pillars of integration.

For consociational democracy to succeed, Lijphart outlined four fundamental requirements premised on elite active behaviour and accommodation: Leaders should be aware of the dangers lurking beneath the system; they should commit to preserving the system; they should be able to surpass segmental cleavages at the top; and they should be able to work out appropriate solutions to various communal problems.

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[14] See Hans Daalder, "On Building Consociational Nations: The Cases of the Netherlands and Switzerland," in Consociational Democracy: Political Accommodation in Segmented Societies edited by Kenneth McRae, 107-124. Toronto: McClelland and Stewart, 1974; "The Consocational Democracy Theme," World Politics 26 (1974): 604 621.

[15] I cite particularly Lehmbruch's differentiated approach to consociational democracy and his concentration on historical factors and negotiation patterns as well as sustaining requisites that help preserve consociational trends in deeply divided societies.

[16] Lijphart, Democracy in Plural Societies: A Comparative Exploration, New Haven: Yale University Press, 1977.

Lijphart also came up with a list of favourable factors to consociational democracy which he considered as tentative. According to him, these favourable conditions could contribute to the genesis and sustenance of a power-sharing democracy, yet even if they are absent, the model could develop. These factors hinge on the number of ethnic groups, their size, their degree of fragmentation, the impact of external dangers, overarching loyalties, socio-economic differences and traditions of compromise on internal cohesion.

Consociational democracy is generally defined in terms of four broad power sharing devices: a grand executive coalition representing different societal segments, a mutual veto which allows groups to reject decisions detrimental to their interests, proportionality rules as the governing principle in political representation, civil service appointments, and allocation of public funds, and segmental autonomy in educational, linguistic, cultural and legal affairs.

In his recent writings, Lijphart considers grand coalition and segmental autonomy as the two core components of consociational democracy, and argues that proportionality and mutual veto act as complementary characteristics which improve the quality of power-sharing and enhance inter-communal cooperation and cultural autonomy.

Consociational prerequisites, factors and tools help delimit and differentiate the model, which, in spite of these indicators, remains a flexible typology able to take on different institutional and political structures.

Lijphart also highlights that consociational democracy does not aim at reducing pluralism but at recognising it so that it evolves into a constructive element of democracy. Even though he

first concentrated on the Dutch example of pillarisation, he tackled later various consociational cases in Europe and in deeply divided societies of the Third World. Arguing in 1977 that the consociational approach should be considered as a serious option for multi-ethnic societies, he identified Lebanon's and Malaysia's power-sharing model as yardsticks against which prospects for the emergence of power-sharing democracy in other societies could be assessed.[17]

With time, Lijphart's model acquired a normative, empirical and prescriptive value which conferred to the model a universal and 'absolutist' touch. Hence, one of Lijphart's most famous arguments is that consociational democracy becomes necessary in extremely fragmented states as no other democratic alternative could be seriously taken into consideration.

In exploring the possibility of consocialism as a viable e solution to the Somalia problem, the study shall use the following independent variables: (a) institutionalized power-sharing arrangements; (b) recent interethnic conflict; and, finally, (c) international involvement in the possible design and implementation of power-sharing arrangements.

1.8 Operational Definition of Key Terms

The spread of power-sharing around the world has been matched by a dilution of the definition of power-sharing. Anything from inclusive government, described as consensus democracy by Lijphart, to temporary coalitions after the end of civil conflict has been called

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[17] See Lijphart, Democracy in Plural Societies.

power-sharing.[18] This study will take a more restrictive view of what constitutes power-sharing, as it believes that the more inclusive definitions have led to a blurring of the concept and added little to its conceptual clarity: A model form of democracy in which nations can coexist peacefully under one state, and has as its fundamental elements regional autonomy; proportional representation; grand coalitions and minority veto rights.

Resolving conflicts by power sharing may include three different analytical aspects – political, territorial and military. Political power-sharing is defined as the guarantee of a considerable electoral, administrative or executive proportional representation for the conflict opponent by the incumbent or new government. Territorial dimension of power sharing is understood as the guarantee of more autonomy in the regional or federal segments of the state and military power-sharing when insurgents are integrated in the national army or a new army.[19] Economic power-sharing provisions are excluded.

1.9 LITERATURE REVIEW

1.9.1 Causes of the Somali Conflict

The discourse on the Somalia conflict has taken an approach which speaks to the desire to create a central government, and with it bring an end to the anarchy that has ruled country across space and time. Some experts have delved into the possible or actual causes of the conflicts.[20] According to Coleman, a severe imbalance of power between parties in which the

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[18] See *ibid.;* Pippa Norris, *Driving Democracy, Do Power-Sharing Institutions Work?* (Cambridge University Press, Cambridge, 2009), 19-20.

[19] Hartzell, Caroline/Matthew Hoddie. 2003. Institutionalizing Peace: Power Sharing and Post-Civil War Conflict Management. *American Journal of Political Science* 47 (2):318-332.

[20] Osman, A. (2007), Cultural Diversity and Somali Conflict, Myth or Reality? *African Journal on Conflict Resolution,* 7.2:93-134 at 127.

more powerful parties exploit, control or abuse the less powerful.[21] Dweck and Erhlinger opine that prejudice as evidenced by the internecine clan rivalries, is the root cause of the conflicts.[22] Others, like Deustch attribute the same to oppression,[23] a perception historically personified by the conflicts between the Marehan sub-clan of the Darod clan on the one hand and Habr Gidir sub-clan and Hawiye clan on the other hand.

1.9.2 The Promise of Consocialism

While there seems to be cross-sectional empirical evidence, for example those by Spears and Lijphart, to prove that power sharing makes peace more durable, an important question that has been neglected from a comparative perspective is, under which conditions are power-sharing agreements successful or under which conditions do they fail? In many instances, conflict recurred within 2 years. [24]

The literature on the concept of power sharing is divided along two separate strands of research on the related goals of democracy in all societies and conflict management in post-conflict societies.[25] The former is associated with the works of Arend Lijphart and the

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[21] Coleman, P.T.(2006), Cooperation and Competition, Chapter One, in J. Bercovitch, V. Kremenyuk & I. W. Zartman (eds), the Handbook of Conflict Resolution, Washington DC: Sage Publications,p.534.

[22] Dweck, C.S. & Ehrlinger, J.(2006), Implicit Theories and Conflict Resolution, Chapter Fourteen in M. Deutsch, P.T. Coleman & E.C. Marcus(eds), San Francisco: Jossey-Bass, p. 317.

[23] Deutsch, M.(2006),Cooperation and Competition, Chapter One, Dweck, C.S. & Ehrlinger, J.(2006), Implicit Theories and Conflict Resolution, Chapter Fourteen in M. Deutsch, P.T. Coleman & E.C. Marcus(eds) San Francisco: Jossey-Bass, p. 317.

[24] As Spears contends, Indeed, many high-profile experiences in power-sharing governments have been failures. African governments and opposition groups do engage in inclusion, but, owing to the non-institutionalized nature of African politics, it is almost always directed toward more limited short-term objectives such as regime survival or material reward that comes with participation in peace processes. Surveying Africa's experience with power-sharing, this article argues that inclusion continues to be a fragile basis on which to build peace. For details see Ian S. Spears (2013): Africa's Informal Power-Sharing and the Prospects for Peace, Civil Wars, 15:1, 37-53.

[25] Jarstad, Anna K./Timothy D. Sisk, (Hg.). 2008. *From War to Democracy*. New York:Cambridge University Press.

obstacles to establishing a functioning democracy in ethnic-divided societies.[26] Lijphart strictly opposes majoritarian rule since it carries the risk of civil strife within the society.[27]

Besides the main argument − power sharing as means of promoting "good" and stable democratic regimes − the underlying assumption is that power sharing also produces peace.[28] While the works of Lijphart and Norris in the 1960s put a strong emphasis on democratic representation and elections, the literature of conflict-management tackles the question of what political strategies and institutions sustain peace in post-conflict societies and hinder the recurrence of civil wars.

The latter strain of literature is more important for the research question. Scholars like Hatzell and Hoddie focus on three questions analyzing power-sharing agreements. First, do they contribute to longer peace periods and if so, how? Including power-sharing provisions in the agreements helps to reduce this commitment problem as well as insecurities, argue Hartzell and Hoddie.[29] They examine *de jure* power-sharing concessions included in the peace agreements (political, territorial, military and economical) as the independent variable for lasting peace. The results indicate a positive effect of the power-sharing arrangements on peace periods. In a similar study Mattes and Savun draw upon the bargaining theory of war arguing that political power sharing reduces fears on both sides, and combined with third party guarantees, reduces fear among the conflict parties. Using a similar research design

[26] Lijphart, Arend. 1968. *The Politics of Accommodation. Pluralism and Democracy in the Netherlands*. Berkeley: University of California Press.
[27] Ibid.

[28] Norris, Pippa. 2008. *Driving Democracy: Do Powersharing Institutions Work?* New York: Cambridge University Press.
[29] Hartzell, Carolin A./Matthew Hoddie. 2007. *Crafting peace: powersharing institutions and the negotiated settlement of civil wars*. Pennsylvania: Pennsylvania State University Press.

they find strong empirical support for a positive result − positive in the sense of lasting peace − of power-sharing institutions in 48 countries.[30]

Therefore, power-sharing provisions offered by the incumbent party send a clear signal to insurgent groups to stop fighting, acknowledge their political requests by peaceful means and help overcome the security dilemma.

Secondly, there has been an extensive discourse on situations when power-sharing agreements are offered to rebel parties. Svensson analyses power-sharing arrangements included in peace agreements and suggests that biased mediators seek to protect their side's interests through power-sharing institutions.[31] The results suggest that government-biased mediation efforts are associated with favourable outcomes for the government, e.g. amnesties, whereas rebel-biased mediation efforts seem to result in political-power agreements securing them a share of political power. Gent analyses the military balance between government and rebel combatants and finds support for his hypothesis that powerful rebels are more likely to be offered a power-sharing agreement.[32]

Third, the question of which conditions power-sharing agreements support stable power-sharing agreements in a post-conflict environment is raised.

[30] Mattes, Michaela/Burcu Savun. 2009. Fostering Peace After Civil War: Commitment Problems and Agreement Design. *International Studies Quarterly* 53 (3):737-759.
[31] Svensson, Isak. 2007. Bargaining, Bias and Peace Brokers: How Rebels Commit to Peace. *Journal of Peace Research* 44 (2):177-194.
[32] Gent, Stephen E. 2011. Relative Rebel Strength and Power Sharing in Intrastate Conflicts. *International Interactions* 37:215-228.

In this framework, Mukherjee argues that the outcome of the conflict determines whether power sharing is successful or not.[33] He distinguishes between power-sharing negotiations with complete – military rebel or government victory – or incomplete – military stalemate – information about the government's military capacity.[34] The results predict that political power-sharing arrangements offered after military victory by the government or the insurgents increases the period of peace. When power sharing is offered after military stalemate the probability of peace failure becomes more likely.[35] Two other studies are concerned with the question of whether power-sharing agreements are more successful when they are actually implemented in the post-conflict country, rather than just being promised or planned. One small-N study by Hartzell and Hoddie suggests that the implementation level of military power-sharing agreements affects the likelihood of durable peace and that support exists for it more often in these situations.[36] Jarstad and Nilsson argue that not all types of implementation of power-sharing provisions are equally costly and important for the prospects of peace.[37] The implementation of territorial or military arrangements bears higher economic and logistical costs than do political power sharing pacts and "it is easier for parties to walk away from a joint government than to abolish territorial or military pacts."[38]

Are all power sharing negotiations successful? As Spears points out, power-sharing agreements are negotiated at a particular moment in a given military context and the balance

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[33] Mukherjee, Bumba. 2006. Why Political Power-Sharing Agreements Lead to Enduring Peaceful Resolution of Some Civil Wars, But Not Others? *International Studies Quarterly* 50 (2):479-504.
[34] Ibid.

[35] Ibid, p. 500.

[36] Hoddie, Matthewand Caroline Hartzell. 2003. Civil War Settlements and the Implementation of Military Power-Sharing Arrangements. *Journal of Peace Research* 40 (3):303-320.
[37] Jarstad, Anna K./Desiree Nilsson. 2008. From Words to Deeds: The Implementation of Power-Sharing Pacts in Peace Accords. *Conflict Management and Peace Science* 25 (3):206-223.
[38]Ibid; DeRouen, Karl/Jenna Lea/Peter Wallensteen. 2009. The Duration of Civil War Peace Agreements, *Conflict Management and Peace Science* 26 (4):367-387.

of power between the belligerents may be in flux.[39] Not only are power-sharing agreements hard to implement, once they are in place, they cannot guarantee their intended outcomes.[40] Further there is a collection of theoretical approaches and cases studies from scholars concerned with the potential incentives of power-sharing agreements which actually promote the establishment of insurgents and spoiler groups.[41]

The general agreement among writers of the comparative studies is that power-sharing makes a positive difference in terms of establishing peace. The more power shared the better. They need to be implemented to actually work.

1.9.2.1 Towards a Power-Sharing Formula

Amid a growing literature emphasizing inclusive governance in multiethnic societies, two early works continue to stand out: Arthur Lewis's *Politics in West Africa* and Arend Lijphart's *Democracy in Plural Societies*. Lewis provides the most eloquent justification for the need to share power in ethnically plural societies. He identifies two meanings of democracy: 1) Everyone affected by a decision should have the opportunity to participate in making that decision, either directly or through representatives; and 2) the preferences of the majority should prevail. Lewis also identifies two types of society—a class society and an ethnically plural society—and argues that the form of democracy must be appropriate to the type of society. For example, a competitive party system is appropriate to a class-based society in that it allows the larger poor and middle classes the opportunity to avoid domination by a smaller wealthy elite. Such a system, however, is entirely unsuitable for an ethnically plural

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[39] Spears, I.S., Africa: The Limits of Power-Sharing, *Journal of Democracy* 13.3 (2002) 123-136 at p. 127.

[40] Ibid.

[41] Tull, Denis M./Andreas Mehler. 2005. The hidden costs of power-sharing: Reproducing insurgent violence in Africa. *African Affairs* 104 (416):375-398; Lemarchand, René. 2007. Consociationalism and Power Sharing in Africa: Rwanda, Burundi, and the Democratic Republic of the Congo. *African Affairs* 106 (422):1-20.

society because, by enabling those with the largest number of votes to win, it necessarily excludes or wastes the votes of the losers. If a losing group will never attain a plurality, its votes will never influence political decision making in an environment where electors consistently vote along ethnic lines.

For nations that are attempting to forge a broader national loyalty, Lewis argues, such a political system, which fails to accommodate all political interests, is counterproductive and likely to generate unrest. What he proposes in its place is a coalition government that all major parties are free to seek and have representation in.

1.9.2.2 Consocialism and its Discontents

Even though the consociational approach is considered as an ambitious typological construct applicable to unstable societies usually threatened by internal discord, war or partition, the model has been severely criticised for various methodological, theoretical and empirical reasons. These critiques have obliterated the value of the model and drew attention to its impractical and inoperable sides.

According to Spears, an examination of recent high-profile peace processes in Sierra Leone, Angola, and Rwanda suggests that power-sharing is a surprisingly unstable form of government that, even at the best of times, provides only a short-term reprieve from violent conflict. Other than as transitional remedies, power-sharing agreements are virtually unworkable. He argues that in the aftermath of civil war, power-sharing agreements are difficult to arrive at, are even more difficult to put into practice, and when implemented rarely stand the test of time. Indeed, the problem with power-sharing is even more

fundamental: It does not resolve conflict but instead may only temporarily displace it or disguise disputants' more malevolent intentions.[42]

Spears contends that there is much that is intuitively appealing about power-sharing, and it is no surprise that it is repeatedly proposed as a form of post-conflict governance. Since each group is given a slice of power and access to state resources, disputants should find, at least in theory, less to fight about. Moreover, since recent efforts at power-sharing have also included provisions that allow each group to contribute its own troops to an integrated military, a semblance of group security is sustained.[43]

However, the most damaging criticism revolves around Lijphart's 'self-negating prophecy'. It is generally argued that the enlightened role of the elite is amplified beyond bounds. Furthermore, the variable de emphasises historical and structural determinants which might play a more decisive role when it comes to establishing the power-sharing model. Various analysts have thus pondered whether some cultures are internally pre-disposed to power-sharing and whether there are multi-ethnic configurations in which consociational solutions are inevitably doomed to collapse.

The consociational model has also been criticised for its lessened democratic element. Some observers questioned whether the power-sharing model built on elite supremacy and predominance over the followers really takes into consideration important democratic criteria. Furthermore, controversial debates hover around the normative and prescriptive values of the model. Successful consociational cases, in which solid links between stability

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[42] Spears.

[43] Ibid.

and democracy have been empirically tested, are indeed rare. This draws one's attention to the limited and narrow margins of the model's applicability. However, its promise for Somalia stems from the reality that the other models of democracy that have been attempted have failed to bring a lasting peaceful solution.

Another reservation is that the adoption of power-sharing devices may exacerbate inter-segmental conflicts and tensions instead of dampening and pacifying them. This critique applies for instance to the deeply divided Iraqi society in which the enforcement of federal structures after the 2003 war without an efficient and parallel approach to conflict-regulation has exacerbated and politicised inter-religious animosities.

Moreover, the claim that elites are always enlightened and that they act in the best interest of their society is controversial. Hence, Lijphart's variable of elite engineering cannot provide a sufficient tool for crafting stability in a deeply fragmented society. An arising question is whether consociational models only work when inter-segmental conflicts and hostilities are not acute. In this case, it is not the elite variable that facilitates consociational engineering but the existence of deeply embedded mechanisms of inter-communal bargaining.

Besides, a power-sharing democracy seems to function only when the surrounding environment is relatively tranquil. In deeply divided societies situated in agitated regions, consociationalism is more bound to external variables than to domestic dynamics. The example of Lebanon in which domestic allegiances are manipulated by external affiliations in a highly turbulent region is telling.

Furthermore, Lijphart's argument that deeply divided societies have the option between consociational democracy and no democracy at all has been challenged by various political scientists. Some have advanced the thesis that a kind of 'control various political scientists. Some have advanced the thesis that a kind of 'control model' whereby one group dominates could also induce stability.[44] Others argue that increasing overarching loyalties and introducing vote-pooling cooperative measures could enhance inter-segmental cooperation, and stabilise the society without introducing the consociational model *per se*.

Also, the power-sharing theory has been criticised for its exaggerated use of impressionistic notions that have not been tested empirically. Many analysts argue that Lijphart's model is not really reliable, and that the case studies he chose to verify his claims remain selective. Because of the weak scientific character of the model, consociational theory lacks precise tools of verifiability and has a rather restrained predictive potential.[45]

A major inconsistency in the consociational theory is the unclear relationship between Lijphart's favourable factors and the model itself. The conjectural and unbinding character of these factors makes them devoid of meaning and applicability.

Upon examining a certain case, one cannot really ascertain to what extent favourable factors have contributed to the emergence and maintenance of consociational models, for these factors, according to Lijphart, may or may not have been decisive. What adds confusion to the status of the favourable factors is that various scholars emphasised different conditions or

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[44] Ian Lustick, "Stability in Deeply Divided Societies: Consociationalism Versus Control," World Politics 31 (1979): 325-344.
[45] For a sharp critique of Lijphart's method, see M. P. C. M. van Schendelen, "The Views of Arend Lijphart and Collected Criticisms," Acta Politica 19 (1974): 19-55.

prerequisites which determined consociational experiences. In addition, unlike Lijphart who argues that these favourable conditions are not binding, others lay emphasis on the determining character of the conditions, and assert that these factors are necessary to fashioning power-sharing.[46]

These analysts downplay Lijphart's voluntaristic stances that rely on the elite variable, and elaborate on the crucial and determinative status of prior or concomitant conditions without which the 'self-denying prophecy' might falter. An additional confusing question relates to the vague positioning of the elite variable. If favourable factors, as Lijphart claims are not binding, how does one predict elite behaviour or motives in order to evaluate the prospects for consociationalism? In short, the fact that there are no reliable indicators to measure and evaluate the feasibility and performance of consociational democracy weakens the application of power-sharing models.

The relationship between democracy and consociationalism is another controversial aspect that needs to be addressed. The theory does not say much on the democratic components of consociationalism and on the dynamics of power-sharing trends. In most studies, democracy is taken for granted as an accompanying feature, yet it is well known that there could be consociational elements in a non-democratic regime.

In the light of these critiques, one is compelled to revisit the prescriptive potential of power-sharing democracy, and its applicability to deeply divided societies. The danger of portraying the model as the only solution to post-conflict fragmented states should be taken into consideration. Also, more scientific and empirical analysis needs to be invested in order to

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[46] See Adriano Pappalardo, "The Conditions for Consociational Democracy: A Logical and Empirical Critique," European Journal of Political Research 9 (1981): 365-390.

investigate the link between different kinds of cleavage lines, their degree of intensity and consociational outcomes in different divided societies.

1.9.3 METHODOLOGY

1.9.3.1 Research Design

The study strives to examine more diligently how different actors (e.g. counter-elites, the masses, interest groups) and intra-communal divisions in various case studies would contribute towards shaping the consociational configuration in Somalia. It will also analyse the structural features that may make up and influence consociationalism from below in a country such as Somalia, instead of considering the model as an elite-imported choice from above and dwelling on the variable of elite behaviour at the top and in the institutional realm. In this regard, it will employ a two-fold method of comparison. First, it will seek to audit the successes or otherwise of the past peace processes. In so doing, the study will test the proposed hypotheses for variables that foment the conflict in Somalia, and suggest a way out of it.

1.9.3.2 Data Collection Instruments

1.9.3.3 Primary Data

The study utilized primary and secondary data. Primary date was sourced from key informants in unstructured interview. Secondary data was obtained from literature and documents available.

1.9.3.4 Secondary Data

The researcher intends to survey literature available in the field of conflict resolution and mediation as well as consocialism as a tool of governance in conflict-prone nations.

Secondary sources dealing with the sub-discipline of conflict studies and analysis of scholarship on Somali conflict shall be of great benefit to the study.

1.9.3.5 Scope/Delimitation of Study

There abound limitations to doing a literature based study. Perhaps the most obvious problem will be the fact that the work primarily relied on secondary data and therefore there was little control over the quality of the primary data upon which they were predicated. In order to overcome this problem all the research included in the study was scrutinised in terms of trustworthiness and authenticity.[47].

1.9.4 Organization of Chapters

This proposal constitutes Chapter one.

Chapter Two shall play receptacle to the historical background to the conflict.

Chapter Three shall give an account of the Somalia peace process, their strengths and failures.

Chapter Four shall discuss the concept of Consocialism as a panacea to the Somalia problem.

Chapter Five shall comprise conclusions and recommendations. This Chapter shall play host to a critical evaluation of the study, their implications of the peace efforts on the future of Somalia as well as proposals aimed at resolving the conflict. Recommendations shall also be made concerning the theoretical approach to the conflict.

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[47] GUBA, E and LINCOLN, Y (1994). Competing paradigms in Qualitative Research. In: DENZIN, K and LINCOLN, Y (Eds.). *Handbook of qualitative research*. London: Sage, 105-117

CHAPTER TWO:

ANATOMY OF THE SOMALIA CONFLICT

2.1   Introduction

This Chapter gives an account to the historical background to the Somalia conflict.

Somalia has existed for slightly over half a century, but has spent much of that time at war or struggling to retain stability. Split between warlords and Islamic militants, the East African nation faces an uncertain future, with little sign that change is on the way.[48] in origin. They can be traced to at least three 20th century phenomena which are: colonialism, Cold War international relations, and the Barre dictatorship. The interaction of these modern forces in the post-colonial state ushered in the clan conflict of the 1980s and the chaos of the 1990s-2000s.

Ethnic Somalis have lived for centuries throughout the Horn of Africa, practicing nomadic pastoralism in the north and agricultural pastoralism in the south. However, Somalia's political borders were imposed by European colonial powers who partitioned ethnic Somali enclaves into parts of modern day Ethiopia, Kenya and Djibouti.[49]

Parts of the north were administered as British Somaliland, while much of the South became Italian Somalia. When these two former colonies merged to form the independent United Republic of Somalia in 1960, the contrasting colonial, political and economic traditions became a source of divisive tension in the fledgling Republic.[50]

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[48] Menkhaus ,K. *US Foreign Assistance to Somalia: Phoenix from the Ashes?* Middle East Policy Journal, Vol.5, No.1, January 1997, pp.124-49.
[49] Ismail I. Ahmed and Reginald Herbold Green,"The heritage of war and state collapse in Somalia and Somaliland: local-level effects, external interventions and reconstruction", Third World Quarterly, 1999.

[50]Besteman, Catherine, Unraveling Somalia: Race, Violence, and the Legacy of Slavery, Philadelphia, PA: University of Pennsylvania Press, 1999.

An important feature of the past two decades has been the emergence of a variety of Islamist movements seeking to establish an Islamic state in Somalia. These range from traditionalist sufi orders, to progressive Islamist movements, inspired groups like *Al Itihad Al Islamiya* pursuing a regional or global agenda.[51]

2.2   A Brief History of Conflict

Over the past three decades the nature of the Somali crisis and the international context within which it is occurring have been constantly changing. It has mutated from a civil war in the 1980s, through state collapse, clan factionalism and warlordism in the 1990s, to a globalised ideological conflict in the first decade of the new millennium.[52]

In this time the international environment has also changed, from the end of the Cold War to the 'global war on terror', which impacts directly on the crisis and international responses to it. This poses a problem for Somalis and international actors working to build peace. Initiatives that may have appeared to offer a solution in earlier years may no longer be applicable and there is a risk of fighting yesterday's war or building yesterday's peace.

2.2.1 The Impact of Barre Dictatorship (1969-1975)

Somalia's 9-year experiment in post-colonial democracy ended in October 1969, when Major General Siad Barre seized power in a bloodless coup. Barre formed the Supreme Revolutionary Council (SRC) and declared an end to "tribalism, nepotism, corruption, and misrule." The SRC aligned itself with the Soviet Union and denounced U.S. African policy as imperialist.[53]

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[51] Sally Healy, Mark Bradbury, Whose peace is it anyway? Connecting Somali and international peacemaking, Available at <: http://www.c-r.org/accord-article/endless-war-brief-history-somali-conflict#sthash.RaLbuY5c.dpuf> accessed on 10th August 2015

[52] Menkhaus, K: *Somalia: a situation analysis and trend assessment.* Writenet Paper UNCHR (August 2003).
[53] Helen Chapin Metz.

At the same time, Barre set out to radically transform Somali society through "scientific socialism": an ideology that fused Marxism with Quranic interpretation. Publicly, Barre claimed to stamp out the clan system. Yet in practice, the regime ultimately did the opposite. Barre elevated members of his family's clans to the regime's inner circle, a practice that earned his government the code-name M.O.D.—an acronym of the Mareehaan, Ogaden and Dulbahante clans.[54] In the 1970s, Barre formed a new intelligence agency comprised of members of his clan called the National Security Service (NSS). Ostensibly responsible for intelligence and internal security, including monitoring security "offenses," the NSS became known as the "Black SS": a secret police force that used torture and arbitrary detention to suppress dissidents and curtail civil liberties.[55]

2.2.2   The Ogaden War with Ethiopia: 1977-1978

Conquering the ethnic Somali regions of Ethiopia had long been one of Barre's policies. The moment seemed ripe with the fall of Ethiopia's Emperor Haile Sellasie in 1974. Three years later, the Somali National Army invaded and attempted to annex the Somali enclave in the Ogaden region. This proved to be a fatal miscalculation. The Soviet Union and Cuba backed the new Marxist government of Ethiopia and withdrew support from Barre. Soviet aid—once the life-blood of the regime—was cut off.[56]

A column of refugees soon flowed from the Ogaden war and from drought stricken regions in the Horn. The regime systematically resettled Ogaden refugees in camps and settlements in

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[54] De Waal, Alexander, Evil Days: Thirty Years of War and Famine in Ethiopia, Human Rights Watch, 1991.

[55] Centre for Justice & Accountability, Somalia: Atrocities under the Siad barre Regime, available at http://www.cja.org/article.php?list=type&type=287 (accessed 10th August 2015).

[56] Ibid.

the northwest region and supplied them with weapons to help suppress the Isaaq and seize their economic assets.[57]

2.2.3   Imbroglio in the Northwest (1978-1982)

In 1978, military officers from the Majeerteen clan launched a coup attempt. The Red Berets, military special forces, responded by destroying water reservoirs in Majeerteen areas. As a result, an estimated 2,000 Majeerteen died of thirst. Paramilitaries also waged a campaign of sexual violence against Majeerteen women.[58]

The rebellion spread. In 1979, a group of Isaaq expatriates formed the Somali National Movement (SNM), with the goal of overthrowing Barre. By 1982, the SNM were ready to launch an invasion of northern Somalia from their base in Ethiopia.[59]Although the withdrawal of Soviet aid dealt a blow to Barre's military strength, a new foreign partner soon stepped into the breach. With the 1979 Iranian revolution, the U.S. lost a key ally in the Middle East. The proximity of the Horn of Africa to Gulf oil shipping routes gave Somalia a new strategic importance. In order to maintain military bases there, the U.S. government gave Barre's regime $163.5 million in military technology, and four times as much in economic aid from 1980-1988.[60] With U.S. support, Barre's army swelled to number some 120,000 troops.[61] This formidable war-machine would be turned against its own civilians.

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[57] Ibid.

[58] Jane Perlez, "Barrier to Somali Unity: Clan Rivalry", New York Times, , Sunday, August 30, 1992, accessed 17th April 2015.

[59] Besteman, Catherine, Unraveling Somalia: Race, Violence, and the Legacy of Slavery. Philadelphia, PA: University of Pennsylvania Press, 1999.

[60] Besteman, Catherine, Unraveling Somalia: Race, Violence, and the Legacy of Slavery. Philadelphia, PA: University of Pennsylvania Press, 1999.

[61] Ibid.

2.2.4   The Age of Caprice (1978-1991)

Throughout the early 1980s, the Barre regime used increasingly repressive tactics to suppress dissidents from all clans, with particular brutality in the northwest. The Isaaq-majority SNM prosecuted a low-intensity guerilla war against the government throughout this period. Though the SNM also committed human rights violations, the overwhelming number of atrocities were committed by Somali government soldiers.[62]By 1983, as many as 1.3 million refugees had arrived in Somalia.[63] The military defeat against Ethiopia and the refugee crisis strained the Somali economy, particularly in the northern areas dominated by the Isaaq clan, where Barre favored Ogaden refugees over the Isaaq in regional government posts.

By 1987, a segment of the Ogaden clan broke from the government to launch its own opposition group (the Somali Patriotic Movement, or SPM), and leaders of the Hawiye clan formed the Somali National Alliance (SNA). The regime had lost control of most of the country.

After the Ethiopia-Somalia peace agreement in May 1988, the SNM, fearing the collapse of its long insurgency, attacked the major northern towns of Hargeisa and Burao. In what Human Rights Watch characterized as "savage counterinsurgency tactics", the regime responded with the aerial bombing and strafing of northern towns and villages, including the pursuit and slaughter of civilians fleeing on foot. The assault focused on Hargeisa—the second-largest city in Somalia—where bombing sorties flown by Somali pilots and by South

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[62] United States Department of State, Why Somalis Flee: Synthesis of Accounts of Conflict Experience in Northern Somalia by Somali Refugees, Displaced Persons and Others for Bureau of Refugee Programs, August 1989.

[63] De Waal.

African[64] and ex-Rhodesian mercenaries destroyed an estimated 70% of the city.[65] The attack struck residential neighborhoods the hardest and leveled most of the city; over 5,000 civilians were killed. Nearly half a million Somalis fled to Ethiopia, where they remained for years in refugee camps. At least another half million internally displaced persons streamed to other regions within Somalia. [66]

2.2.5 From Cold War to Civil War (1988-1991)

In 1989, a group of Somali exiles from the Hawiye clan formed the United Somali Congress (USC) in Rome. Fatefully, Barre responded by ordering the Red Berets to carry out a renewed wave of violence against the Hawiye and Isaaq populations. USC militias eventually struck back, and, on January 27, 1991, drove Barre out of Mogadishu. At the same time, the SNM seized power in the northwest and declared independence as the Republic of Somaliland. Barre fled the country and, four years later, died a natural death in exile.[67]

The collapse of the Somali state was the consequence of a combination of internal and external factors. Externally there were the legacies of European colonialism that divided the Somali people into five states, the impact of Cold War politics in shoring up a predatory state, and the cumulative effect of wars with neighbouring states, most damagingly the 1977-78 Ogaden war with Ethiopia. Internally, there were contradictions between a centralised state

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[64] Le Sage, A. and Menkhaus, K. J. "The Rise of Islamic Charities in Somalia: An Assessment of Agendas and Impact" *Paper presented at the annual meeting of the International Studies Association, Montreal, Quebec, Canada* 2004 http://www.allacademic.com/meta/p73214_index.html

[65] Besteman, Catherine, Unraveling Somalia: Race, Violence, and the Legacy of Slavery. Philadelphia, PA: University of Pennsylvania Press, 1999.

[66] Little, Peter D. 2003. Somalia: Economy Without State, Bloomington: Indiana University Press.
Lyons, Terrence, and Ahmed Samatar. *Somalia: State Collapse, Multilateral Intervention, and Strategies for Political Reconstruction.* Washington: Brookings, 1995
[67] Helen Chapin Metz (ed) Somalia: A Country Study. Washington: GPO for the Library of Congress, 1992.

authority, and a fractious kinship system and the Somali pastoral culture in which power is diffused.

Next came the Somali National Movement (SNM) formed in 1982 that drew its support from the Isaaq clan. The SNM insurgency escalated into a full-scale civil war in 1988 when it attacked government garrisons in Burco and Hargeisa. The government responded with a ferocious assault on the Isaaq clan, killing some 50,000 people and forcing 650,000 to flee to Ethiopia and Djibouti.

Somalia's collapse was hastened by the ending of the Cold War. As Somalia's strategic importance to the West declined, the foreign aid that had sustained the state was withdrawn. Without the resources to maintain the system of patronage politics, Barre lost control of the country and the army. In January 1991 he was ousted from Mogadishu by forces of the United Somali Congress (USC) drawing support from the Hawiye clans in south central Somalia.

2.2.6 State Collapse, Clan War and Famine (1991-1992)

Somalis use the word *burbur* ('catastrophe') to describe the period from December 1991 to March 1992, when the country was torn apart by clan-based warfare and factions plundered the remnants of the state and fought for control of rural and urban assets. Four months of fighting in Mogadishu alone in 1991 and 1992 killed an estimated 25,000 people, 1.5 million people fled the country, and at least 2 million were internally displaced.

In the midst of drought, the destruction of social and economic infrastructure, asset stripping, 'clan-cleansing' and the disruption of food supplies caused a famine in which an estimated

250,000 died. Those who suffered most came from the politically marginalised and poorly armed riverine and inter-riverine agro-pastoral communities in the south, who suffered waves of invasions from the better-armed militia from the major clans.

External responses to Somalia's collapse were belated because other wars in the Gulf and the Balkans commanded international attention. The Djibouti government tried unsuccessfully to broker a deal in June and July 1991. UN diplomatic engagement began only in early 1992, when a ceasefire was negotiated between the two main belligerents in Mogadishu, Ali Mahdi Mohamed and General Mohamed Farah Aideed. A limited UN peacekeeping mission – the UN Operation in Somalia (UNOSOM) – was unable to stem the violence or address the famine.

Signs that war was radically restructuring the state came in May 1991 when the SNM declared that the northern regions were seceding from the south to become the independent Republic of Somaliland.

2.3   The Humanitarian Intervention

The Somali civil war erupted at a time of profound change in the international order, as global institutions, with the US at their helm, shaped up to managing an era of 'new wars' and 'failing states'. Somalia was to become a laboratory for a new form of engagement when the international community responded with a humanitarian and military intervention on an unprecedented scale.

In December 1992 the outgoing US administration authorised the deployment of US forces to support the beleaguered UN mission in Somalia. Under US leadership, UNOSOM mustered a

multinational force of some 30,000 troops. Ostensibly launched for humanitarian reasons, the intervention also responded to the challenge that the collapsed Somali state posed to a supposed 'new world order', proclaimed by President George Bush at the end of the Cold War. UNOSOM dominated Somali politics for the next three years.

UNOSOM turned world attention to a neglected crisis and assisted in saving lives by securing food supplies. It facilitated some local agreements that improved security, reopened Mogadishu airport and seaport, and supported the revival of key services and the creation of local non-governmental organisations. It also provided employment and injected huge resources into the economy to the benefit of a new business class.

However, the mission failed to mediate an end to hostilities or disarm factions. UN-facilitated peace conferences in Addis Ababa in 1993 and Kenya in 1994 did not engender a process of national reconciliation and state revival. The mission has been criticised for fuelling the war economy, causing a proliferation of factions and shoring up warlord power structures. Before long UNOSOM itself became embroiled in the conflict with General Aideed, leading to the infamous shooting down of US Black Hawk helicopters in Mogadishu and the subsequent withdrawal of US forces.

Some argue that the seeds of militant Islamist movements were planted in this period. Osama bin Laden, then based Sudan, denounced the UN mission as an invasion of a Muslim country.

2.4   Governance without Government

UNOSOM's humiliating departure from Somalia was followed by international disengagement and a decline in foreign aid. Its departure in March 1995 did not lead to a revival of the civil war, however. Local political processes that had been 'frozen' by the intervention resumed and clans and factions consolidated the gains they had made during the war.

In some areas communities drew on traditional institutions, such as elders and customary law (xeer), to end violent confrontations, renegotiate relations between groups and establish local governance structures as a transitional step to developing public administrations and regional and trans-regional polities.

The most successful and sustained of these processes took place in the secessionist Somaliland state. Elsewhere, the Rahanweyn clans of Bay and Bakool region created a Governing Council to administer their regions. Although this did not survive for long after UNOSOM, it established a precedent for the decentralised administration of those regions.

In 1998 Puntland Federal State of Somalia was established in the northeast as an autonomously governed region (see box 2). In 1999 the Rahanweyn Resistance Army (RRA), with Ethiopian backing, won control of Bay and Bakool regions and also established an administration.

In southern Somalia a variety of institutions emerged, including two 'governments' in Mogadishu, councils of elders, district councils and Shari'a courts, which provided forms of 'governance without government'. While fragile and uncoordinated, these structures

produced an incremental improvement in security, so that by the late 1990s the situation in much of Somalia was described as 'neither war nor peace'.

These developments were driven by a convergence of internal and external interests. There was an internal demand for security, regulation and order from businesspeople, civil society groups and people in the diaspora. This was underpinned by economic recovery, stimulated by diaspora remittances, and renewed inter-clan cooperation and the resumption of inter-regional trade.

Somalis took advantage of the lack of government and the global deregulation of trade to establish successful businesses, including money transfer and telecommunications. Their participation in Salafi commercial networks, and an increase in Islamic charitable funding, spurred the growth of Islamic organisations including welfare charities, Shari'acourts and Islamist movements.

2.5   Building Blocks and Regional Initiatives

The disengagement from Somalia of Western governments resulted in the diplomatic initiative passing regional states and in particular Ethiopia. Addis Ababa's engagement was driven as much by geo-political, security and economic interests as by concern to end Somalia's political turmoil.[68]

Ethiopia was especially concerned by the growth of an armed Islamist group in Somalia, Al Itihad Al Islamiya, with regional ambitions. Ethiopian forces attacked and destroyed Al Itihad

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[68] Helen Chapin Metz (ed) Somalia: A Country Study. Washington: GPO for the Library of Congress, 1992.

camps in the border areas during 1997. At the same time, Ethiopia brought Somali factions together at Sodere and attempted to broker an agreement.[69]

Egypt, Libya and Yemen and the Arab League also made endeavours to broker settlements, but reconciliation in Somalia was actively hindered by competition between these initiatives. After 1998 the breakdown in relations between Ethiopia and Eritrea gave a new impetus to the destabilisation of Somalia. Eritrea supported Somali factions opposed to those aligned with Ethiopia, introducing a new element of proxy war to an already crowded arena.[70]

In the late 1990s regional rivalries were reflected in different approaches to statebuilding. The model favoured by Ethiopia and briefly supported by Western donors was the so-called 'building-block' approach. Taking a lead from developments in Somaliland and Puntland, the RRA administration in Bay and Bakool regions and an all-Hawiye peace conference in Beletweyn in 1999, the approach sought to encourage the emergence of regional authorities as a first step towards establishing a federal or confederal Somali state.[71]

Donor and development organisations hoped to encourage the process by rewarding the areas of stability with 'peace dividends' of aid. Critics of the approach contended that it had limited applicability in the south, encouraged secessionism and was designed by foreign states to keep Somalia weak and divided. The alternative approach, supported by Arab countries,

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[69] Ibid.

[70] Ibid.

[71] Ibid.

advocated reviving a centralised Somali state through a process of national reconciliation and the formation of a national government.[72]

Competing regional interests led to rival peace conferences sponsored by Ethiopia in Sodere in 1996, and by Egypt in Cairo in 1997. These produced two regional administrations: the short-lived Benadir Administration supported by Egypt and Libya; and the government of Puntland Federal State of Somalia.[73]

The Benadir Administration collapsed when its leadership failed to agree on modalities for reopening Mogadishu seaport, while in Puntland a combination of a community-driven political processes and strong leadership produced a functional administration.

Somalis were also divided over the right approach. As the multiple clan-based factions merged into larger regional and transregional polities in the late 1990s, they also mutated into broader political coalitions. One such coalition centred on Mogadishu and the sub-clans of the Hawiye clan-family. Although the Hawiye had failed to reconcile with each other and Mogadishu remained a divided city, but political, business, civic and religious leaders supported the revival of a strong central state in which they would dominate the capital. The other coalition, backed by Ethiopia and led by Puntland President, Abdullahi Yusuf, was dominated by the Darood clan, was anti-Islamist and favoured a federal state.[74]

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[72] Besteman, Catherine, Unraveling Somalia: Race, Violence, and the Legacy of Slavery. Philadelphia, PA: University of Pennsylvania Press, 1999.

[73] Ibid.

[74] Ismail I. Ahmed and Reginald Herbold Green ,"The heritage of war and state collapse in Somalia and Somaliland: local-level effects, external interventions and reconstruction", Third World Quarterly, 1999

In 1999 international support for the building block approach ended when the government of Djibouti initiated a new national peace process.[75]

Various factions began competing for influence in the power vacuum that followed, which precipitated an aborted UN peacekeeping attempt in the mid-1990s. A period of decentralization ensued, characterized by a return to customary and religious law in many areas as well as the establishment of autonomous regional governments in the northern part of the country. This also led to a relative decrease in the intensity of the fighting, with SIPRI removing Somalia from its list of major armed conflicts for the years 1997 and 1998.[76]

In 2000, the Transitional National Government was established, followed by the Transitional Federal Government (TFG) in 2004. In 2006, the TFG, assisted by Ethiopian troops, seized most of the south from the newly formed Islamic Courts Union (ICU). The ICU subsequently splintered into more radical groups, notably Al-Shabaab, which have since been fighting the Somali government and the AU-mandated AMISOM intervention force for control of the country.

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[75] Ibid.

[76] In 2007, Menkhaus wrote that '..armed conflict in Somalia has generally subsided since the early 1990s. Armed clashes continue to break out, but are nowhere near the scale and intensity of the fighting that destroyed Hargeisa in 1988–89 or Mogadishu in 1992-92. Menkhaus, FSIP, 2007, 75

In 2011, a joint military operation between the Somali military and multinational forces began.[77] In August 2014, the Somali government-led Operation Indian Ocean was launched to clean-up the remaining insurgent-held pockets in the countryside.

2.6   The Period between 2009 and Now

In November 2010, a new technocratic government was elected to office, which enacted numerous reforms. Among these, in its first 50 days in office, the new administration completed its first monthly payment of stipends to government soldiers, and initiated the implementation of a full biometric register for the security forces, aimed to take place within a window of four months.

On August 6, 2011, Al-Shabaab was forced to withdraw from most areas of Mogadishu. Somali government forces and their AMISOM allies subsequently launched offensives in January 2012 on the insurgent group's last foothold on the northern outskirts of the cityAn ideological rift within Al-Shabaab's leadership also emerged after the 2011 drought and the assassination of top officials in the organization.[78]

 In October 2011, following a weekend preparatory meeting between Somali and Kenyan military officials in the town of Dhobley, a coordinated operation between the Somali Armed Forces and the Kenya Defence Forces began against the Al-Shabaab group of insurgents in southern Somalia. The cross-border incursion had reportedly taken nearly two years of planning, during which Kenyan officials had sought U.S. support. The mission was officially

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[77] Heinlein, Peter (October 22, 2011). "E. African Nations Back Kenyan Offensive in Somalia". Voice of America. Available on youtube.com.

[78] Healy, Sally 2008 Lost opportunities in the Horn of Africa: How conflicts connect and peace agreements unravel. Chatham House paper June 2008

led by the Somali army, with the Kenyan forces providing a support role. In early June 2012, Kenyan troops were formally integrated into AMISOM.[79]

In late September and early October 2012, Somali government troops, AMISOM's Kenyan contingent, and the allied Raskamboni militia captured the strategic town of Kismayo from Al-Shabaab. The southern city was a key source of revenue for the insurgent group and constituted its last major stronghold.[80]

In January 2013, AMISOM's mandate was extended for another year following the adoption of UNSC Resolution 2093. The 15-member UN Security Council therein also unanimously voted to suspend Somalia's arms embargo on light weapons for a one year period. Additionally, the Security Council welcomed the Federal Government's development of a new national security strategy, urging the central authorities to accelerate the plan's implementation, further define the Somali national security forces' composition, and identify capability gaps to assist their international partners in better addressing them.

2.7   Conclusion

From the foregoing, it is manifest that the Somali conflict or crisis has been extensively internationalized for decades. The degree of intermeddling by the country's neighbours, has accorded it an international character. The same has been the case for extra-regional great powers such as the United States and, until the late 1980s, the Soviet Union, who mainly used Somalia and its regional surroundings as parts of a global power game on which their

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[79] United States Department of State, Why Somalis Flee: Synthesis of Accounts of Conflict Experience in Northern Somalia by Somali Refugees, Displaced Persons and Others for Bureau of Refugee Programs, August 1989.

[80] Waldo, M. (2010). "Federalism in Somalia: Birth of Puntland State and the Lessons Learned." Accessed 17th April 2015 . http://horseedmedia.net/2010/10/09/ federalism-somalia-birth-puntland-state-lessons learned

geopolitical rivalry was played out, with little or no concern for the local implications. The end of the Cold War extinguished the competitive motive for US interventionism, its place being first (in the early nineties) taken by a humanitarian motive, couched in terms of a 'new world order,' and then after 9/11 by that of counter-terrorism. Even though the former rationale was altruistic and the latter selfish, the consequences were not all that different, both being profoundly counterproductive, and exacerbating, rather than relieving, the plight of the Somali population.

CHAPTER THREE

AN ACCOUNT OF THE SOMALIA PEACE PROCESS

3.1   Introduction

This Chapter provides an account of the Somalia Peace Process, its strengths and weaknesses. It plays host to an assessment of twenty years of external mediation efforts aimed at ending Somalia's protracted civil war and reviving a central government. It identifies lessons learned, summarizes ongoing debates about the most appropriate mediation approaches, and analyses the range of obstacles and constraints which have prevented successful mediation of the Somalia conflict.

3.2   The Peace Process

Somalia's protracted crisis of civil war and state collapse spans over two decades and constitutes the longest-running instance of complete state collapse in the post-colonial era. A number of national reconciliation conferences have been convened by external mediators in an effort to resolve the crisis. While there have been pockets of success, on the whole, the same has invariably been minimal.

In June 1991, five months after the Barre government was deposed, President Hassan Guleid Abtidon of Djibouti invited the leaders of six armed factions to talks – the Somali Salvation Democratic Front (SSDF), the USC, the Somali Patriotic Movement (SPM), the Somali-

African Muki Organisation (SAMO), the Somali National Union (SNU) and the Somali Democratic Movement (SDM). The Saudi government also played a role, inviting the delegates to dedicate themselves to the agreement in Mecca. The SNM declined to attend, having announced the independence of Somaliland the previous month.[81]

The Djibouti conference was chaired by Aden Abdulle Osman, the first President of Somali Republic, assisted by Abdirizak Haji Hussein and Mohamed Haji Ibrahim Igal, both former civilian prime ministers. The conference, which became known as Djibouti I, opened on 5 June 1991 and concluded a week later on 11 June. A second conference was held in July. The 'Djibouti I' and 'Djibouti II' conferences reaffirmed the appointment of Ali Mahdi Mohamed as the interim president of the Republic of Somalia for two years, but did not end the increasingly violent conflict with General Mohamed Farah Aideed for the leadership of the USC. A lack of comprehensive representation and lack of control over the militias by the delegates guaranteed that the accord reached could not be implemented. General Aideed refused to accept the Djibouti agreement and did not attend the swearing-in ceremony that took place in Mogadishu, justifying his absence on health grounds.[82] However, he later made his position very clear, stating:

> "I refused to extend any recognition to the illegal, illegitimate and self-appointed government of the Manifesto Group headed by Ali Mahdi, since it is nothing but the continuation of Said Barre's regime indirectly".[83]

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[81] In the state of Somalia the 'northern regions' referred to the territory of the former British Somaliland Protectorate.

[82] Ken Menkhaus, Hassan Sheikh, Ali Joqombe, Pat Johnson, A History of Mediation in Somalia Since 1988(2009), The Centre for Research and Dialogue.

[83] Omar, Mohamed Osman Somalia: A Nation Driven to Despair, Somali Publications (New Delhi), 1996, p.2.

Despite the foreign endorsement of the Djibouti accords, a lack of robust international support for these regional efforts has subsequently been recognised as a missed opportunity for preventive diplomacy to deescalate the conflict.[84] From November 1991, the conflict between Aideed and Ali Mahdi turned into a violent confrontation which continued for four months, destroyed the remaining private and public infrastructures, and killing an estimated 25,000 people.[85] It took another year of intense fighting between the multiplying armed factions, a massive refugee exodus, and a famine that claimed the lives of some 250,000-300,000 people[86] and growing concern that the war's trans-border consequences threatened international security, before the international community intervened in a meaningful way.[87]

3.3   *Interventions by the United Nations*

In late 1991, amid increasing media coverage of the Somali war and famine, the outgoing UN Secretary-General Javier Perez de Cuellar decided to re-engage with the crisis. In January 1992 the United Nations Security Council (UNSC) adopted resolution 733 to impose an arms embargo on Somalia - a full twelve months after the government of Siyad Barre had fallen. The UN then launched its first diplomatic initiative.[88]

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[84] Sahnoun, Mohamed. *Somalia: The Missed Opportunities* Washington: US Institute of Peace, 1994. P.10.

[85] Menkhaus, K 'The Crisis in Somalia: Tragedy in Five Acts', African Affairs, Oxford University Press 106/204, 357–390, 2007.

[86] See Hansch, Steven, et al. "Excess Mortality and the Impact of Health Interventions in the Somalia Humanitarian Emergency" (Washington, D.C.: Refugee Policy Group) 1994
[87] Ibid.

[88] Lyons, Terrence, and Ahmed Samatar, Somalia: State Collapse, Multilateral Intervention, and Strategies for Political Reconstruction. Washington: Brookings, 1995.

Under Secretary General for Political Affairs, James Jonah, visited Somalia and persuaded Ali Mahdi and General Aideed to hold talks in New York under the auspices of the UN, the Organisation of African Unity (OAU), the League of Arab States (LAS) and the Organisation of Islamic Conference (OIC). The talks, which signalled the reengagement of the international community in Somalia, produced an agreement on a cessation of hostilities and paved the way for further UN resolutions on March 17 and April 24 that authorized the establishment of the first UN peacekeeping operation in Somalia in April 1992. The mandate of the United Nations Operation in Somalia (UNOSOM), led by the Special Representative of the Secretary General (SRSG), Mohamed Sahnoun, was to maintain a ceasefire throughout the country, promote reconciliation and a political settlement and provide urgent humanitarian assistance. The Resolution also called upon the international community to support the implementation of a 90-day Plan of Action for Emergency Humanitarian Assistance. UNOSOM began its mission in Somalia in April 1992. Initially consisting of fifty unarmed ceasefire monitors, the operation's mandate was revised in August to protect humanitarian convoys and distribution centres and reinforced with a lightly armed force to protect aid deliveries. Sahnoun sought to mediate the conflict but was replaced by the Secretary-General in October 1992 after criticizing the UN for being slow and bureaucratic. The loss of this experienced and knowledgeable external diplomat

came at a pivotal moment in Somalia, and constituted another missed opportunity, as Sahnoun might have been better placed to avoid some of the mistakes subsequently made by UN diplomats.[89]

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[89] Ibid.

In December 1992 the international intervention was massively scaled up, when the outgoing American president, George Bush, seeking to use Somalia as a test case for more momentous UN peace intervention in the post-Cold War world, authorised the deployment of US forces to spearhead a multi-national Unified Task Force (UNITAF) to bolster the UN operation and to safeguard humanitarian deliveries. Authorised to 'enforce peace' under Chapter VII of the UN Charter, security initially improved under *"Operation Restore Hope,"* as foreign troops were deployed and heavy weapons were cantoned, although the operation shied away from disarming the factions. On the strength of this unprecedented military and humanitarian intervention force, the UN pressured the Somali armed factions - which had grown to 15 in number - to sign a new accord in Addis Ababa in March 1993.[90]

The UN-brokered Addis Ababa Accord committed the 15 factions (each of which represented a clan) to a national reconciliation process and a procedure for establishing a Transitional National Council (TNC) and government institutions. With this apparent diplomatic breakthrough, the UNSC endorsed a new Resolution (814) to expand the UN's role in Somalia, deploying a total of 28,000 peacekeepers and giving UNOSOM II a mandate to restore peace, law and order and help re-establish a national government – not only the largest peacekeeping force in the UN's history, but also the most ambitious.[91]

Questions of UN and US impartiality were an immediate and enduring preoccupation for Somali factions, who were keenly aware that external preferences could translate into decisive advantages for themselves or their rivals. US and UN policies had the potential to tilt the playing field in ways that helped some and hurt others. Initially, the US delegation led by

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[90] Lyons, Terrence, and Ahmed Samatar. *Somalia: State Collapse, Multilateral Intervention, and Strategies for Political Reconstruction.* Washington: Brookings, 1995.
[91] Ibid.

Ambassador Robert Oakley appeared to be giving General Aideed preferential treatment, in part because Aideed controlled south Mogadishu where the peacekeeping operation was headquartered, and was the only militia leader in a position to disrupt the mission. Indeed, the first US military strikes against a Somali faction were launched against militia of Aideed's nemesis, General Mohamed Hersi "Morgan," in the Kismayo areas in February 1993. [92]

The UN's initial and fateful decision on the key question of who had the right to represent Somalis at the negotiating table – the UN opting to recognize 15 clan-based factions at the peace talks – tipped the scales towards militia leaders and weakened civic and traditional authorities. But in May 1993, when the UN took control over the peace operation (renamed UN Operation in Somalia, or UNOSOM), US and UN officials took steps which worked against militia leaders in general and General Aideed in particular. A perceived bias of United Nations and the United States antagonized General Mohamed Farah Aideed and his Somali National Alliance (SNA) and disputes soon emerged over the interpretation of the Addis Ababa accord. The UN construed it to approve a bottom-up process of local selection of district representatives, while many faction leaders claimed they controlled selection of regional and national councillors. Tensions worsened over the May 1993 Mudug agreement between General Aideed and Col. Abdullahi Yusuf; the UN saw the agreement as a militia alliance intended to weaken its own initiatives, while Yusuf and Aideed presented it as an important and legitimate local peace accord. These tensions culminated in an armed attack on UN forces by General Aideed's SNA in June 1993 in which twenty-four UN peacekeepers were killed. That attack produced an armed confrontation between the SNA and UNOSOM forces, culminating in the disastrous October 3 firefight in which hundreds of Somalis and

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[92] Menkhaus, Ken, "International Peace-building and the Dynamics of Local and National Reconciliation in Somalia," in *Learning from Somalia: The Lessons of Armed Humanitarian Intervention* edited by Walter Clarke and Jeffrey Herbst (Boulder: Westview, 1997), p. 46.

eighteen US Army Rangers died and two Black Hawk helicopters were shot down in Mogadishu. The fledgling US administration of President Clinton, under considerable domestic pressure, withdrew its forces from Somalia in 1994. Other countries followed. In 1994, UN diplomats sought to broker a new power-sharing accord bringing together Somalia's top militia leaders into a coalition government through a meeting in Kenya attended by 16 factions including General Aideed and Ali Mahdi but that effort also came to nothing.[93] UNOSOM withdrew from Somalia in March 1995 having failed to achieve reconciliation and revive Somalia's collapsed state.[94]

Despite its many failings, the UN intervention initially had the trust of the warring parties and the acceptance of most Somalis. The new United Nations Secretary-General Boutros Boutros Ghali, a former Egyptian minister of state, played a key role in bringing world attention to the crisis. The intervention did assist in saving the lives of many Somalis from hunger and starvation. In addition, it encouraged the creation of local non-governmental organizations, employed many jobless people, improved security in certain areas, reopened Mogadishu airport and seaport, and supported education and health services. However, the uncompromising positions of the Somali warlords disrupted any peace efforts by the UN and other counties.The UN's efforts were also complicated by competing goals within the troop-contributing countries and some regional countries, especially Ethiopia and Egypt, which sought to exert their influence on the crisis.[95]

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[93] Lyons, Terrence, and Ahmed Samatar, Somalia: State Collapse, Multilateral Intervention, and Strategies for Political Reconstruction, Washington: Brookings, 1995.

[94] Menkhaus, K(2007), 'The Crisis in Somalia: Tragedy in Five Acts'. *African Affairs,* Oxford University Press 106/204, 357–390.
[95] Ibid.

In the aftermath of the UNOSOM withdrawal from Somalia in March 1995, the Secretary-General established the United Nations Political Office for Somalia (UNPOS) to help him advance the cause of peace and reconciliation through contacts with Somali leaders, civic organizations and the States and organizations concerned. From a base in Nairobi, the UN continued to engage indirectly, monitoring the situation and providing periodic reports for the Secretary General. For the next five years, however, the diplomatic initiative was left to regional countries and the European Union.[96]

3.4   Locally-brokered Peace Initiatives

UNOSOM's withdrawal in March 1995 did not, as many feared, precipitate a return to whole-scale civil war. Violent conflicts did continue,[97] but military clashes became shorter, more localized, and generally less intense. There were several reasons for this. The huge UN military intervention had helped to curtail the intense conflict between the major factions, and those factions and clans that had gained during the first years focused on consolidating their gains. One such UNOSOM supported regional initiative was in Kismayo in 1994, involving the SNA, SPM and SSDF and representatives of nineteen clans from Middle and Lower Jubba regions (with the exception of the Absame sub-clan which signed the agreement later). Another was the 1994 Bardhere peace conference between the Digil and Mirifle and Marehan clans, which sought to address the fighting between these two communities in 1991-92 which

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[96] Le Sage, A. and Menkhaus, K. J. "The Rise of Islamic Charities in Somalia: An Assessment of Agendas and Impact" Paper presented at the annual meeting of the International Studies Association, Montreal, Quebec, Canada 2004
http://www.allacademic.com/meta/p73214_index.htm

[97] Significant instances included Aideed's attack on Bay and Bakool to overthrow the Digil-Mirifle administration and conflict in Mogadishu between Aideed and his former financier, Osman Atto, resulting in the death of Aideed in July 1996; and armed conflict in Somaliland in 1995-6 for the first time since the 1991 proclamation of secession.

had caused heavy casualties, the breakdown of trade and incessant conflicts over pasture and water resources. Since 1994, these communities have co-existed relatively peacefully.[98]

More significantly, while the foreign military and diplomatic interventions in the first half of the 1990s failed to end Somalia's political crisis, Somalis themselves made progress in reconciliation and establishing public authorities. The most successful and sustained of these processes took place in the secessionist Somaliland state, following the SNM's declaration of independence from Somalia in May 1991. The Burao conference, at which independence was announced, was one of numerous inter-clan conferences in Somaliland between 1991 and 1997 that promoted reconciliation, facilitated disarmament, and established political and administrative structures in the former northern regions.[99] Between 1993 and 1994 many other agreements were reached in Somalia, although most of them were short lived. One that survived is the June 1993 Mudug peace accord between the forces of General Aideed and the SSDF, which established a ceasefire between the Haber Gedir and the Majeerteen, the withdrawal of militia from Galka'yo town and the opening of trade routes. UNOSOM also supported the Hirab reconciliation in Mogadishu in January 1994 between elders of the chief rival clans, the Habr Gedir and the Abgal, backed by the politicians of the two clans, which reached agreement to end hostilities, remove road blocks, and dismantle the green line dividing the city. Another significant development was the creation in March 1995 of the Digil-Mirifle Governing Council for Bay and Bakool regions. The Council did not survive

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[98] Ibid

[99] For a detailed description of this process see the 2008 publication Peace in Somaliland: An Indigenous Approach to State-Building, by APD and Interpeace.

the departure of the UNOSOM because Aideed's forces overran Baidoa soon afterwards. It nevertheless established a precedent for the decentralised administration of those regions.[100]

3.5   Regional Initiatives

Until 1995, the United Nations and United States were the leading players and sponsors in Somali national peace talks. The Organisation of African Unity had assigned Ethiopia the lead role in Somalia in 1993 and, after UNOSOM's mandate ended, Ethiopia started to play a much more active role. The diplomatic initiative passed to the so-called 'frontline states' of Kenya, Ethiopia, and Djibouti, under the reformed Intergovernmental Agency on Development (IGAD), whose mandate was revised in 1996 to include peace and security, thus giving the body a mandate to intervene in Somali affairs. The on-going engagement of regional states has been driven as much by their own security and economic interests, as by a concern to end the Somalia's political turmoil, and divisions between these states has become an increasing hindrance to reconciliation in Somalia.[101] The Islamic states of Egypt, Libya and Yemen have also made periodic endeavours to broker settlements, again largely driven by geo-political and economic interests. The influence of competing regional and international interests in Somalia is illustrated by rival efforts in 1996 and 1997 to mediate an accord to establish Somali government at the Sodere and Cairo talks respectively.[102]

In October 1996, the Kenyan president, Daniel Arap Moi, sought to broker an accord between Ali Mahdi, Hussein Aideed and Osman Atto in an attempt to pacify Mogadishu.

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[100] Ibid.

[101] Healy, Sally 2008 Lost opportunities in the Horn of Africa: How conflicts connect and peace agreements Unravel. Chatham House paper June 2008

[102] Ibid. See Healy, Sally 2008.

President Moi's efforts were soon upstaged when Ethiopia convened a much larger national conference in Sodere. The Sodere talks, which stretched from November 1996 to January 1997, involved some 41 Somali leaders, representing 26 factions, and included Colonel Abdullahi Yusuf, Ali Mahdi Mohamed, General Umar Haji Mohamed 'Masale', General Mohamed Said Hersi 'Morgan', Osman Atto, Hassan Mohamed Nur 'Shati-gudud', Hussein Haji Bod, Mohamed Ramadan Arbow, Umar Hashi Aden, and Mohamed Abdi Hashi. The participants agreed to form an alliance - called the National Salvation Council (NSC) - and to hold a further National Reconciliation Conference in Bosasso. The most lasting legacy of the Sodere conference is the '4.5 formula' for fixed proportional representation by clan, which has been employed at subsequent Somali reconciliation conferences.[103]

The Sodere talks were boycotted by Hussein Aideed and by Somaliland. Indeed, it seems clear that a key aim of the Sodere talks was to forge a coalition of like-minded factions against Hussein Aideed's self-proclaimed Salballar 'broad-based' government, of which he became leader after the 1996 death of his father General Mohamed Farah Aideed. Aideed had become a foe of Ethiopia, accused of collaborating with Islamic groups who were considered a threat to Ethiopian national security. Some Somali analysts argue that Ethiopia's main goal in establishing the Sodere group was to legitimize its military incursions into Somalia to destroy bases of the militant Islamist group, Al-Itihad Al-Islami, which was accused of carrying out attacks against government targets inside Ethiopia. Ethiopia mounted major operations against Al- Itihad bases in Gedo in 1996 and maintained a strong military presence in the area in 1997. They claimed to have killed non-Somali foreign fighters and captured documents proving the linkage between Al-itihad and Al-Qaeda's network11.

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[103] Menkhaus, Ken, "International Peace-building and the Dynamics of Local and National Reconciliation in Somalia," in *Learning from Somalia: The Lessons of Armed Humanitarian Intervention* edited by Walter Clarke and Jeffrey Herbst (Boulder: Westview, 1997), p. 55.

Ethiopia's efforts to forge a political alliance were challenged by competing initiatives in the Arab world. In May 1997, the Yemen government mediated between Hussein Aideed and Osman Atto, each leading a splinter of the fragmented SNA, to end the hostilities in South Mogadishu, and in November the government of Egypt convened a conference in Cairo. The aim of the Cairo Conference was ostensibly to reach agreement between Hussein Aideed's Salballar government and the NSC that emerged from Sodere to form a national government. However, at the last minute some prominent NSC faction leaders - Abdullahi Yusuf and General Aden Abdullahi Nur "Gabyow"- pulled out of the talks, ending any chances of a positive outcome.[104]

The continuing disagreement among the parties led to the creation of two new regional administrations: in Mogadishu, the Benadir Administration was formed, chaired alternately by Hussein Aideed, Ali Mahdi and Osman Atto. Supported by Egypt and Libya, the initiative soon collapsed due to the failure of its leaders to agree on reopening the capital's seaport and main airport. The more successful outcome was the formation of Puntland Federal State of Somalia, incorporating the North East Regions, where Colonel Abdulahi Yusuf was selected as president in August 1998. In contrast to the Benadir Administration, the formation of Puntland was a community driven process which had the consent and support of the political leaders.[105]

In line with the creation of Puntland in 1998, the policies of Ethiopia and Western governments shifted focus to what became known as the "building block approach" to state

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[104] Ibid.

[105] Ibid.

revival in Somalia, which envisaged the federation of regional governments. For a brief period this approach showed some promise. Driven by new conflict dynamics in the region (the war between Ethiopia and Eritrea from 1998-2000), Ethiopia actively developed alliances with Somali factions to shore up its own security and deny openings for Eritrea. In 1999 the Rahanweyn Resistance Army (RRA), backed by Ethiopian, took control of the southern regions of Bay and Bakool and established a regional administration with aspirations to extend its interests into Gedo and Lower Shabelle. An all-Hawiye peace conference in Belet Wein also raised hopes of reconciliation within the Hawiye clan-family.

These developments coincided with a period of economic growth and reconstruction in many areas and the economic integration between the Somali regions facilitated by the development of new businesses in money transfer, telecommunications and trade. This period also saw the growing influence of Islamic courts, which provided much desired security and law in southern Somalia, Islamic charities, particularly in Mogadishu and Lower Shabelle, and an emergent civil society. However, while a combination of a community-driven political processes and strong leadership produced a functional administration in Puntland, the Benadir Administration collapsed, and splits emerged within the RRA. Over the next two years, regional governments continued to provide good offices for mediation, with Kenya's then President DT Moi hosting several meetings to mediate between Mogadishu factions. All proved short term.

3.6 The Arta Process

The "building block" approach was viewed with suspicion by clans which controlled the capital city and which believed a federal system would harm their interests. Some Somalis

suspected it was a divisive ploy of Ethiopian regional policy designed to exacerbate clannish tensions among Somalis. The year 2000 saw a step change in international diplomatic efforts, when the Djibouti government, led by its new President Ismail Omar Guelleh, hosted the Somalia National Peace Conference in the small town of Arta. The process was endorsed by Egypt and the UN which engaged in its first modest mediation efforts since 1994. The 'Arta process', as it is commonly known, achieved an important political breakthrough, producing a power-sharing agreement in August 2000 to establish a Transitional National Government (TNG), with a Transitional Charter for government, and a significant degree of national legitimacy. This was due, in part, to an innovative peace process that consulted with Somali society beyond the usual faction leaders, including clan elders, civic leaders and business people. It utilised the so-called '4.5 formula' developed in Sodere, introducing a system of fixed proportional representation of Somali clans in negotiations and in transitional governments. This allotted an equal number of places to each of the four major Somali clan-families with a half place allotted to minorities and women. The Arta conference also revived the notion of a unitary, rather than federal, state in Somalia.[106]

The TNG, with UN backing, became the first Somali authority to fill Somalia's seat at the UN and in regional bodies since the fall of Siyad Barre. But, critically, it failed to win the backing of all the neighbouring states and the confidence of donor governments. The Arta process had engaged opposition figures from each of the 'blocks', setting the scene for inevitable conflict; the 'blocks' were all aligned with Ethiopia, generating hostility to the TNG in Addis; and the Arta process was backed by Egypt, a strategic rival of Ethiopia. Ethiopia was also concerned about the role and influence within the TNG of the Islamist

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[106] Ibid.

leader Hassan Dahir Aweys (formerly head of Al-Itihad Al-Islamiya) and others associated with Al-Itihad who, inter alia, made irredentist claims on Somali-inhabited land in Ethiopia. It actively supported the establishment of an opposing alliance of military factions, called the Somali Restoration and Reconciliation Council (SRRC). In Somalia the TNG failed to follow through on the reconciliation efforts begun in Arta to produce a government of national unity. Ultimately it became associated with the powerful Mogadishu clans and business class, and public support for it waned in the face of accusations of corruption. The revival of a central government bucked the trend towards decentralised regional authorities and threatened the power-bases of powerful political leaders. It was unable to project its authority within Somalia, where it was openly opposed by the SRRC. The Ethiopian backing for the SRRC further highlighted how the interests of neighbouring counties had become a hindrance to reconciliation in Somalia.[107]

The advent of the 'Global War on Terror' in 2001 further eroded the TNG's reputation. In the climate of heightened international insecurity that followed the 9/11 attacks on mainland America, Somalia was identified as a likely haven for Al Qaeda associates. The largest Somali money transfer company was closed down for suspected financial links to Al Qaeda, while the growing influence of Islamic Courts in Somalia and Islamic charities amplified suspicions about the TNG's links with militant Islamists.[108] This strengthened Ethiopia's hand diplomatically, gaining international support for their concerns and getting Aweys on the UN list as having links with international terrorists (as opposed to a local enemy). Ethiopia and its Somali allies also used these concerns to further their own ends.

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[107] Ibid.

[108] Le Sage, A. and Menkhaus, K. J. "The Rise of Islamic Charities in Somalia: An Assessment of Agendas and Impact" *Paper presented at the annual meeting of the International Studies Association, Montreal, Quebec, Canada* 2004 http://www.allacademic.com/meta/p73214_index.html

Given subsequent events, the TNG is viewed by some Somalis as a 'lost opportunity' to which the international community failed to adequately respond. It also demonstrated the difficulty of a securing a lasting agreement that does not address the 'interests' and needs of both internal and external 'spoilers'. Although it had a Charter for government, this did not clearly define the tasks of government. While it arrived in Somalia with a degree of goodwill and expectation from Somalis, it failed to build upon that and extend its authority in Mogadishu.[109]

3.7 The IGAD Initiative

In 2002, with the TNG considered increasingly irrelevant, foreign governments began to engage in renewed diplomatic efforts in Somalia. IGAD inaugurated a process with the intention of bringing the Djibouti-backed TNG and its Ethiopian-backed opponents in the SRRC into a comprehensive political settlement. The IGAD-led Somalia National Reconciliation Conference (SNRC), held in the Kenyan towns of Eldoret and Mbagathi and mediated by Kenyan diplomats, was supported by the UN and financed by the European Union and other Western donors. It proved to be the longest Somalia peace conference, lasting a full two years, during which the mandate of the TNG expired. External finances sustained the process until a Transitional Federal Charter was adopted and a Transitional

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[109] Menkhaus, Ken, and Lou Ortmayer,"Key Decisions in the Somalia Intervention." Georgetown University: Pew Case Studies, 1995

Federal Parliament was selected, which duly chose Abdullahi Yusuf as the president in October 2004 for a five year transitional period.[110]

The Kenyan peace process involved a mixture of political and military leaders, traditional elders, and civil society leaders but was dominated by faction leaders. It was designed in three phases to achieve a declaration on a cessation of hostilities, agreement on substantive conflict issues and a charter for government. The talks stalled and were interrupted by violations of the weakly drafted 'ceasefire' several times, until a breakthrough occurred in August 2004 when selection of parliamentarians was completed. The process was heavily criticized for corruption and the influence wielded by Ethiopia. In direct opposition to the Arta process, the Transitional Federal Charter proposed a federal structure for the state and set out the transitional tasks of the government and its institutions.[111]

From its inauguration in December 2004, the TFG won immediate international recognition and substantial financial support was also anticipated with the inauguration of a World Bank and UNDP Joint Needs Assessment of the country's rehabilitation and development requirements. The TFG relied heavily on sustained international financial and military support but, like its predecessor, the TFG fell well short of serving as a national government. Instead power was concentrated in a narrow clan coalition, and the TFG was viewed as a client of Ethiopia. A Mogadishu-based coalition, comprising dominant clans from the capital, Islamists, leaders of the previous TNG, and warlords, formed an opposition to the TFG and blocked it from establishing itself in the capital. In 2006, the ascendant Islamic Courts Union

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[110] International Crisis Group (ICG) report (2006) Somaliland: Time for African Union Leadership – Africa Report No-110- 23 May 2006 .

[111] Dominik Balthasar (2014) Thinking Beyond Roadmaps in Somalia – Expanding Policy Options for State- Building A Report of the CSIS Africa Program – Center for Strategic and International Studies November, 2014.

(ICU) defeated rival militia leaders in Mogadishu and spread its authority across most of south-central Somalia. Mediation efforts by the Arab League in Khartoum between the TFG and the ICU failed in the face of bellicose threats by elements of the ICU to launch a jihad against Ethiopia, which had moved forces into Baidoa in August to protect the TFG. In late December 2006, Ethiopian forces swept the ICU from power, and installed the TFG in Mogadishu. External pressure on the TFG to negotiate with Mogadishu-based opposition in order to form a more inclusive transitional government met with limited success.[112]

Efforts by the TFG and Ethiopia to impose their authority through force provoked violent resistance from a mixture of Mogadishu-based clan militia and the remnants of the militant wing of the ICU – al Shabaab al Mujahidiin ('the Mujahideen Youth Movement'). During 2007 alone, fighting between the TFG and the insurgency caused the deaths of several thousand civilians, the displacement of up to 700,000 people from Mogadishu, and widespread destruction of the city. In early 2007, a small contingent of African Union peacekeepers (AMISOM) was deployed to Mogadishu in advance of a proposed UN peacekeeping operation to protect the Transitional Federal Institutions (TFIs). The AMISOM force, however, was deployed with a confusing and contradictory mandate and was ill-equipped to intervene. Up to early 2008 several UN assessment missions have concluded against an expanded UN peacekeeping operation, a position shared by the Report of the Secretary-General to the Security Council in April 2009.[113]

During his four years in power, Abdullahi Yusuf's government failed to implement any of the transitional tasks set out in the Transitional Federal Charter. By inviting Ethiopia to intervene

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[112] Menkhaus, K. Shipwreck: Foreign Policies Run Aground in Somalia, ENOUGH, August 2008

[113] Ibid.

militarily to oust the ICU from Mogadishu, the TFG lost any semblance of legitimacy and singularly failed to impose its authority over the country. In 2008 a further round of mediation efforts was initiated by the UN to end the fighting between the TFG and proliferation of armed opposition forces. By late 2008, Somalis inside Somalia were experiencing the worst humanitarian and political crisis since the early 1990s.[114]

3.8   The Mediation Medley: Ongoing Debates

There is no consensus view on why external mediation efforts since 1991 have borne so little fruit in Somalia. Judgments rendered on the effectiveness of mediation efforts in Somalia are inextricably tied into broader debates over the intractability of Somalia's long crisis. The debate can be broken down into several schools of thought. These are not mutually exclusive, but rather differ in their emphases on the causes of Somalia's protracted crisis.[115]

3.9   Domestic Spoilers and Constraints

Many observers place primary blame for Somalia's protracted crisis on Somalis themselves. This argument has many variations. The most frequently cited is the argument that Somalia's multitude of "warlords" are to blame for repeatedly spoiling peace processes and efforts to revive state authority. A more nuanced view of Somali spoilers claims that a wide range of local actors, including businesspeople and some civic leaders, also profit from continued state collapse and work against efforts to revive a central state even as they work to promote general stability and public order. Still others argue that Somalia's inability to "get to yes"

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[114] Ibid.

[115] Ibid.

reflects widespread public fear that a revived central state will be used as a tool of oppression and expropriation as occurred under Siyad Barre. Apart from spoilers, Somalia's leadership deficit – uninspired, myopic Somali political leaders who fail to compromise – are blamed by some observers. More than a few critics have pointed to the rise of "peace conference entrepreneurs," a class of Somali political leaders who have a strong interest in perpetuating national reconciliation conferences that put them up in luxury hotels for months or years at a time, but who then fail to implement accords. Finally, Somali political culture – specifically, clannism - is cited as an impediment to reconciliation. Clan-based politics is viewed both as intrinsically divisive and as imbuing Somali politics with chronic instability and fluidity, making it exceptionally difficult to hold together alliances for any period of time.

Assessments which place primary blame for the Somali impasse on Somalis themselves are understandably popular with many external actors. This line of reasoning – one also expressed by some Somalis - can lead to cynical or fatalistic positions that "nothing can be done" to resolve the Somali crisis. But it can also lead to more constructive interpretations focusing on the need to reshape the interests of spoilers, marginalize intrinsic spoilers (i.e., the "warlords"), improve confidence-building measures, propose state reconstruction models which are non-threatening to anxious citizens, and explore mechanisms to incorporate the most beneficial or unavoidable aspects of clan-based politics into peace talks while minimizing clannism's penchant for divisiveness.

3.9.1   External spoilers and impediments

Most (if not all) external actors have approached the Somali crisis from the perspective of their own national security interests and there has been very little disinterested mediation: the Somali parties have behaved accordingly. The claim that some external actors have a vested interest in perpetuating Somalia's state of war and collapse is very popular among Somalis and can, in its cruder variations, constitute a conspiracy theory. This argument points principally at the interests and actions of neighbouring Ethiopia, which, it is claimed, fears a revived Somali state due to Somalia's history of irredentism and war with Ethiopia. Ethiopia is blamed for sabotaging the TNG in 2000-02 and attacking the rising ICU in 2006. A lively debate exists over whether Ethiopia is willing to support the revival of a Somali state as long as that state exists on its terms —namely, as a decentralized, weak, and compliant neighbour – or whether it ultimately prefers perpetuation of state collapse. Other analysts point to the tendency for regional rivals to play out proxy wars in Somalia – Ethiopia and Egypt in the late 1990s, Ethiopia and Eritrea in recent years.

By stressing the existence of powerful external interests in perpetuating the Somalia crisis, this school of thought has troubling implications for mediators. It implies that even the most effective mediation efforts are likely to be undone by external spoilers. It also points to the need for region-wide security guarantees if the Somalia crisis is to be successfully resolved. Specifically, it suggests that no sustained peace in Somalia can be reached until Ethiopia and its principal Somali adversaries – the Mogadishu-based clans and Islamists -- are brought together to hammer out some sort of mode of operation. Talks which fail to convene the two

current main antagonists in the Somali drama are unlikely to produce peace and are in many respects a diversion of time and energy.[116]

3.9.2 Missed Opportunities – Failures of Diplomacy/ Poor Mediation

Many observers, including some with first-hand diplomatic experience in Somalia, argue that the Somali crisis has constituted a series of missed opportunities for external mediators. Some emphasize the lack of international political will and interest in addressing Somalia. The UN comes under harsh criticism in some analyses for its inattention to Somalia in the early years of the crisis (1988-92), while the US is blamed for its unwillingness to address Somalia following the failed UNOSOM mission. Others focus on the lack of follow-through and the failure of external actors to provide timely, robust support to newly-declared transitional governments.[117]

This was a central feature of the debate in 2000 and 2001 between those who argued for a "wait and see" approach to the TNG versus those who advocated immediate aid in order to "prime the pump" and build confidence in the fledgling government. (A similar debate occurred in 2004 and again in 2009.) This latter view stresses that the months immediately following peace accords constitute a brief 'window of opportunity' which is lost if external assistance is delayed and the fledgling government fails to earn "performance legitimacy" in the eyes of the Somali public.. Other critics of external mediation in Somalia focus not on political will but on poor performance. The UN and other mediators have been accused of bungling peace talks due to gross incompetence, weak capacity, lack of neutrality, conflicts

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[116] Rasna Warah (2014) War Crimes – How warlords, politicians, foreign governments and aid agencies conspired to create a failed state in Somalia

[117] Little, Peter D. 2003. Somalia: Economy without State, Bloomington: Indiana University Press.

of interest, insistence on inappropriate timeframes, and lack of understanding of Somali political culture. These were especially popular criticisms of UNOSOM mediation in 1993-94, and resurfaced again in critiques of the Eldoret phase of the Kenyan-based peace talks in 2002-04. Added to this are criticisms that external actors fail to coordinate their policies and have rival interests, resulting in opportunities for Somali leaders to engage in "forum shopping." Another critique of mediation which is periodically voiced is the practice of isolating delegates in foreign hotels instead of convening the conferences in country. While some of these criticisms are unfair, ad hominem attacks on mediators, others reflect accurate concerns about the very uneven quality of external mediation over the years.[118]

3.9.3   Misdiagnosis – failure of analysis

Diagnosis first, prescription second – the maxim of physicians – holds true for mediation as well as medicine. In Somalia, some mediation efforts have come under criticism for misreading the Somali conflict and context, and hence proceeding with inappropriate mediation techniques. This has been an especially prominent criticism with regard to critical pre-negotiation decisions about Somali representation. How external mediators understand and manage the contentious issue of clannism in Somali debates over representation has proven especially vexing. In some cases, external mediators have been accused of indifference to Somali realities – imposing a fixed mediation template on Somali delegates. In other instances, mediators have been criticized for trying to understand the Somali conflict but getting it wrong. The problem with these criticisms is that no consensus exists on the

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[118] Kievelitz, Uwe, Thomas Schaef, Manuela Leonhardt, Herwig Hahn and Sonja Vorwerk, *Practical Guide to Multilateral Needs Assessments in Post-Conflict Situations: A Joint UNDG, UNDP, and World Bank Guide, prepared by GTZ with the support of BMZ*, CPR Working Paper 14, August 2004.

diagnosis of Somalia, so that mediators find themselves under fire for "misreading" Somalia no matter what course of action they take.[119]

3.9.4 Neglect of security arrangements as a pre-requisite for negotiations

Another feature of the criticism of misdiagnosis, especially of the most recent peace processes, relates to the virtual absence of strategic focus on security arrangements in peace accords, possibly reflecting a lack of technical expertise in this area amongst political mediators. Poorly drafted Cessation or Ceasefire agreements (such as those in the Arta and Eldoret/ Mbagathi processes) without implementation mechanisms, verification and monitoring arrangements, or supervisory institutions have not proved sustainable and violations of these agreements undermine ongoing political negotiations. More significantly, when mediators have failed to address the critical issue of transitional security managements, the armed parties have not engaged in processes to negotiate and develop interim joint security responsibilities. Instead, the 'winner' in negotiations is automatically vested with international authority to establish new national security institutions as the legitimate government and the 'losers' face demands to disarm and disband their armed forces or allow them to be integrated or demobilised on the 'winner's' terms. The absence of a serious negotiation process regarding security arrangements and the implicit acceptance that transitional governments automatically receive the authority for a monopoly of the use of force clearly threatens the 'losers' in such peace processes. Moreover this approach, which simplistically equates state-building with peace-building, is unlikely to create sustainable security given both the clan content of the transitional governments and the historical

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[119] Menkhaus, K 'The Crisis in Somalia: Tragedy in Five Acts',African Affairs,Oxford University Press 106/204, 357–390, 2007

experience of Somalis with regard to the threat posed by a state with a monopoly on the use of force. On the contrary, given that the 'winner takes all' security strategy is ultimately based on the use of force to re-establish the state, it inevitably provokes armed resistance.[120]

3.10   The Addis Ababa Agreement of 1993

This has been hailed as the most consequential for both Somalia and the world.[121] The stakes were enormous; the Addis Ababa Agreement formed the centerpiece of the political strategy for reconciliation and state-building for the ambitious UN Operation in Somalia (UNOSOM). Had the Agreement succeeded, Somalia would have been spared 15 subsequent years of warfare, fragmentation, and state collapse and global support for the emerging doctrine of multilateral peace enforcement would have been solidified. Instead, the failure of the Agreement and the UNOSOM mission provoked a strong backlash against UN peace enforcement which contributed directly to international inaction in the Rwandan genocide of 1994 and which took years to rectify. The failure of the Addis Ababa Agreement also produced a backlash against Somalia, which came to be viewed as an intractable crisis and which was largely ignored by the international community for years afterwards.[122]

The Addis Ababa Agreement of March 1993 was a UN-sponsored agreement among fifteen Somali factions, following on from the January 1993 General Agreement at the Informal Preparatory Meeting on National Reconciliation. Collectively these two short accords

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[120] Ibid

[121] The full text of the Addis Ababa Agreement of March 1993, as well as preliminary agreements reached in January 1993, can be accessed at the US Institute of Peace website, http://www.usip.org/library/pa/somalia/pa_somalia.html.(Accesed 14th April 2015).
[122] Ibid.

pledged the factions to a cease-fire, a process of cantonment and disarmament of militias, support to UN operations to deliver humanitarian and rehabilitation assistance, peaceful settlement of disputes, and a framework for the creation of a Transitional National Council as well as regional and district councils. The Addis Ababa Agreement was intended to provide a basic blueprint for the establishment of transitional Somali government structures to maintain public order and guide a two year transitional process, during which time a Transitional Charter would be drafted and steps taken toward the holding of elections in March 1995, bringing to an end both the transitional period and the UN peace operation there. The Agreement was, as such, the linchpin for the entire process of national reconciliation and state building entrusted to the ambitious UN Operation in Somalia (UNOSOM).

Both the Addis Ababa Agreement and the 20,000 or more UN peacekeepers deployed to Somalia in December 1992 were intended to put an end to a civil war and massive famine that had claimed the lives of an estimated 250,000 Somalis in 1991-92.

There are a number of general observations worth reinforcing about the unique context in which the Addis Ababa Agreement was negotiated and implemented:

First, the Agreement was the centre-piece of the most ambitious UN peace enforcement mission in the world, one which was seen as a test case for UN "peacekeeping with teeth" as a means of managing the rise of regional brushfires in the post-Cold War era. It was as a result under heavy international scrutiny and the subject of media headlines around the world.

No other Somali reconciliation process has been subject to this kind of external political pressure.[123]

Second, the external actors with the greatest stakes in the outcome – especially the UN, the US, and Western states – were "sailing in uncharted waters" as they attempted to define the role of UNOSOM and shape the Somali political process at the Addis talks. The Somalia intervention was, in a word, unprecedented, and the external actors were improvising and making up the rules as they went. Many of the peace-building and state-building approaches which are today considered standard practice were unknown at the time. Mistakes in the Addis Ababa Agreement which today appear obvious (such as a two year mandate for such an ambitious statebuilding project) were not self-evident in 1993. It is worth recalling that the UN Department of Peacekeeping Operations (DPKO) was not even established until 1992, and a strategy for an expanded UN role in peacebuilding not developed until the release of An Agenda for Peace in 1992.20 Hard-won experience relating to the negotiation and management of security arrangements would also come later and at this time, narrow DDR procedures were the norm.[124]

Thirdly even with these built-in limitations, the planning of the Somalia intervention reflected a surprising lack of attention by the US government and the UN to the critical question of post-conflict reconciliation and state-building. In the critical first three months (December 1992-February 1993), US diplomats were mainly focused on ensuring no hostilities broke out between UN forces and the largest armed faction in south Mogadishu, General Aideed's SNA. Critical decisions about representation and other aspects of the national reconciliation

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[123] Samatar, Abdurrahman Hussein, The Dry Years in Somalia, Hamar Printing, Mogadishu 2000

[124] Ibid.

talks were largely left in the hands of Dr. Kapungo and his team. Somalia was, if not the first, certainly the most dramatic instance of what was the become a recurring problem for international diplomats seeking to mediate an end to messy, post-Cold War "complex political emergencies" – namely, who has the right to represent whom in critical initial talks to establish a process for the creation of a transitional government?

Fourthly, UN and other diplomats working on the Somalia intervention in early 1993 were also handicapped by a paucity of knowledge about Somali political dynamics. Most had limited experience in and on Somalia, and operated on the basis of often crude assumptions about clan, conflict, and politics in the country. But even Somali and foreign observers and experts with long experience in the country's politics were perplexed by the transformation of political dynamics there. The Somalia they knew prior to 1990 was not the same country in 1993. No one had had to deal with a country with no central government for over two years.[125]

The combination of weak country knowledge, institutional resistance in the UN to learning processes about the country21, new conflict dynamics in the post cold-war era, the new context of state collapse, and the unprecedented nature of the UN intervention in Somalia made external diplomacy at the Addis Ababa talks very susceptible to errors. Tragically, errors at the earliest phases of a peace operation are particularly damaging and difficult to recover from. The concept of "sensitive dependence on initial conditions" from systems analysis is as relevant to peacebuilding as it is to meteorology.[126]

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[125] Ibid.

[126] Ibid

Time pressures were acute both at the Addis Ababa negotiations and in subsequent implementation of the accord due to external actors' concerns about a speedy hand-over from UNITAF to UNOSOM, and due to concerns about keeping costs of the very expensive operation limited. The rushed time-table for the Agreement was driven entirely by foreign, not Somali, needs, and resulted in a rushed process and a flawed document.[127]

The lack of commitment to the process on the part of some Somali leaders and factions presented the UN with the problem of potential spoilers, and presaged an enduring problem in Somali reconciliation efforts – namely, spoilers joining peace processes to sabotage them, not advance them. There was awareness on the part of US and UN diplomats that some faction leaders were likely to wait until the peace operation was handed over to the UN before they would seek to undermine the mission, but there was little agreement on a strategy to address this. Internal disputes over how to handle "warlords" were evident both within the UN and within the US government.[128]

External pressure to drive the Addis Ababa Agreement gave some Somali leaders – most notably General Aideed – a reason to subsequently repudiate the accord as invalid on the grounds that it was "forced on" the Somali factions by the UN. There was irony in Aideed's claim, in that Somali civil society groups were complaining of just the opposite – that the Agreement had been crafted solely by faction leaders, whose legitimacy they questioned. Aideed's abdication of the Agreement did, however, underscore an important point – the very low level of Somali ownership of and voice in the drafting and implementation of the Addis Ababa Agreement.

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[127] Ibid.

[128] See Menkhaus, Ken, and Lou Ortmayer. "Key Decisions in the Somalia Intervention." Georgetown University: Pew Case Studies, 1995.

The location of the negotiations – at a luxury hotel in a foreign capital – was viewed by UN diplomats as a good choice, as it isolated the faction leaders and allowed them to devote full attention to the proceedings. Holding the talks in Mogadishu would have presented logistical and security challenges as well. But the choice to convene the talks in Addis Ababa also isolated faction leaders from Somali traditional and civic leaders, whose input and approval was critical to the legitimacy of the agreement in the eyes of the Somali public. This was one of many instances in which an important aspect of Somali political culture was disregarded, at some cost to the process and which set a precedent for coming Somali reconciliation conferences.[129]

Finally, the accord was negotiated in a context of continuing ethnic polarization and displacement inside Somalia. Tensions over occupied land, stolen property, killings and rape, and other grievances were exceptionally high, and only limited opportunities for "track two" reconciliation dialogue had been undertaken at that point. Fearful Somali communities were on edge and easily manipulated by spoilers. The fact that Mogadishu's rival warlords owned their own radios made the public even more susceptible to mobilization against the accord.[130]

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[129] Ibid.

[130] Ibid.

CHAPTER FOUR

CONSOCIALISM AS A SOLUTION TO THE SOMALIA INCUBUS

4.1   Introduction

Many countries have experienced civil wars since the end of the Cold War in 1990. Most ended either through a military victory for one group, for example, Rwanda, Uganda, and Ethiopia or through a negotiated settlement, for instance, South Africa and Mozambique. Notwithstanding the way civil wars ended, the countries have faced the difficult tasks of designing suitable institutions that would regulate political, economic, and cultural conflicts within their societies. Somalia is no exception.[131]

Somalia's history of conflict reveals an intriguing paradox–namely, many of the factors that drive armed conflict have also played a role in managing, ending, or preventing war. For instance, clannism and clan cleavages are a source of conflict—used to divide Somalis, fuel endemic clashes over resources and power, used to mobilize militia, and make broad-based reconciliation very difficult to achieve. Most of Somalia's armed clashes since 1991 have been fought in the name of clan, often as a result of political leaders manipulating clannism for their own purposes. Yet traditional clan elders are a primary source of conflict mediation, clan-based customary law serves as the basis for negotiated settlements, and clan-based

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[131] See Collier, Paul. 2003. Breaking the Conflict Trap. The World Bank and Oxford University Press.

blood-payment groups serve as a deterrent to armed violence. Likewise, the central state is conventionally viewed as a potential source of rule of law and peaceful allocation of resources, but, at times in Somalia's past, it was a source of violence and predation.[132]

Economic interests, too, have had an ambiguous relationship with conflict in Somalia. In some places, war economies have emerged that perpetuate violence and lawlessness, while in other instances business interests have been a driving force for peace, stability, and rule of law. Understanding under what circumstances these and other variables serve as escalators or de-escalators of violence—or both—is the subtle challenge conflict analysis faces in the Somali context. A brief review of conflict trends in Somalia underscores the point.

Following the collapse of the military dictatorship in 1991, few Somalis openly advocate for the return to a centralized authoritarian state that monopolizes power in Mogadishu. For many Somalis, some form of decentralization is necessary. However, the most suitable model of decentralization for Somalia remains a matter of contention.

The Provisional Constitution of Somalia attempts to prescribe federalism as the most appropriate system of governance for the country. It stipulates, "Somalia is a federal, sovereign, and democratic republic founded on inclusive representation of the people and a multiparty system and social justice."[133] Federal member states, according to the Provisional Constitution, must be formed of two or more of the 18 administrative regions "as they existed before 1991".[134]

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[132] Collier, Paul. 2003. Breaking the Conflict Trap. The World Bank and Oxford University Press

[133] Provisional Constitution of the Federal Republic of Somalia, Article 1.

[134] Fearon, James and David Laitin. February 2003. "Ethnicity, Insurgency, and Civil War."

Somalia's political class appears to lack consensus and a comprehensive understanding of the concepts of "federalism" and 'decentralization'. Federalism is commonly understood to represent the only alternative to unitarism. Interestingly, many Somalis, following past experience, broadly associate the unitary state system with authoritarianism. There is little acknowledgement of alternative models of decentralization, including those within a unitary framework.

In fully redressing this topic, it is important to provide historical context to the current discourses on a decentralization format, focusing first on domestic drivers, and then on the influence of external actors.

4.2   Internal Factors for Decentralization

Possibly the most important driver of decentralization is a prevailing overwhelming distrust in and among the Somali political elite. In the first decade of the independent Somali state, politics was centered in Mogadishu.

Although the country was democratic, many communities outside of Mogadishu were marginalized. In 1969, the military seized power. In response to growing repression, opposition groups were formed in order to depose President Mohamed Siyad Barre. Rebel groups, formed along clan lines, finally managed to oust Barre in 1991 before turning against one another in a bid to dominate Mogadishu politics and, subsequently, the State. The

American Political Science Review, vol. 97, no. 1, p. 11.

emergence of war-lord politics resulted in a civilian exodus from major cities as various factions tried to assert the dominance of their sub-clans. Atrocities committed against civilian populations reinforced mistrust between clans and sub-clans. Fear and distrust of another strong central authoritarian government dominated by one clan family is largely based on this historical experience. Second, decentralization is widely considered to offer Somalis greater participation and representation in government. Previous governments appointed governors to each region, and mayors and police commissioners to each city. There is strong demand for democratic participation – people want to elect their local, regional, and national leaders. Greater local democratic participation will act, it is commonly held, as a safeguard against under-representation in national politics. Aspiring politicians have proven apt at exploiting the common desire for greater local participation and representation by conceptualizing clan-based fiefdoms before declaring themselves president.[135]

Third, historically Somalis have been forced to travel to Mogadishu to acquire a passport or other vital services. The desire for greater access to government services is often cited in the argument for greater decentralization in Somalia - Somali citizens should not be required to travel long distances to gain access to basic services that could be offered locally. Attempts to limit access to basic services are commonly viewed as further evidence of central government's desire to consolidate control over the country.

Finally, periphery regions have legitimate grievances against Mogadishu. Somali governments have consistently prioritized the development of Mogadishu, and neglected much of the rest of the country. This remains an important issue for many Somalis. Somalia

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[135] Gundel, Joakim, Ahmed Dharbaso(2006), the Predicament of the "Oday": The Role of Traditional Structures in Security, Rights, Law and Development in Somalia (Nairobi: Danish Refugee Council), p. 40.

is, potentially, rich in unexploited resources. Its coastline, the longest on the African continent, offers excellent marine resource potential. The northern coastline, with natural deep-water ports, faces one of the world's busiest shipping lanes. Fertile soils in southern Somalia offer strong agricultural potential.[136]

The livestock sector, supporting the livelihoods of more than 65 per cent of the population, already accounts for the majority of Somalia's export earnings though still holds strong potential for growth. Equitable sharing of resource wealth is important in the on-going decentralization debate. If oil of commercial quantity is discovered, it is likely to compound regional competition for resources. This will have a profound impact on both demands for greater local autonomy and efforts to maintain centralized government.

Effective decentralization of authority, in which communities are freely able to elect both local and national representatives, may offer a viable solution to widespread mistrust of central government, and address demands for greater participation and representation in politics and access to government services. Equitable sharing of resource wealth within the Somali society and between central government and decentralized units would ensure future benefits of economic development are not limited to the capital.[137]

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[136] Colleta, Nat and Michelle Cullen. 2000. Violent Conflict and Transformation of Social Capital, The World Bank, Washington, DC.

[137] See Hans Daalder, "On Building Consociational Nations: The Cases of the Netherlands and Switzerland," in Consociational Democracy: Political Accommodation in Segmented Societies edited by Kenneth McRae, 107-124. Toronto: McClelland and Stewart, 1974; "The Consocational Democracy Theme," World Politics 26 (1974): 604 621.

4.3   External Factors for Decentralization

Apart from the domestic drivers, external stakeholders, comprising neighbouring countries and the donor community, have had an influence on the model of governance suitable for Somalia. Neighboring countries, particularly Ethiopia and Kenya, have not shied away from engagement in Somalia's national and sub-national politics. Following independence in 1960, Somalia's leadership pursued aspirations for a Greater Somalia - what Kenya and Ethiopia referred to as 'irredentism' – seeking to unite all ethnic Somalis under one nation state. Both countries remain nervous about the re-emergence of the desire of greater Somalia than a single, strong, centralized government.[138]

Kenya is a relative newcomer to Somalia sending troops across the border for the first time in October 2011. The Kenyan Defence Force (KDF) helped to remove al-Shabaab from several cities of the Jubba regions, including the port city of Kismayo. KDF troops were officially integrated into the African Union Mission in Somalia (AMISOM) peacekeeping force in February 2012 but have continued to pursue their own agenda in the region at times acting in violation of their adopted mandate.[139] Kenya has openly admitted to supporting the creation of a buffer-state in southern Somalia to protect its interests, and has arguably undermined the federal government by actively supporting the establishment of a sub-national administration in the Jubba regions against its will.[140]

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[138] Ibid. see Hans Daalder.

[139] M*ugumo Munene, Daily Nation* "KDF funds Al-Shabaab through illegal charcoal trade, says new probe report" July 26, 2014.

[140] Ibid.

The donor community has also demonstrated preference to a decentralized system of governance in Somalia. Many donors have, over the past decade, openly worked with subnational entities. The U.S. government formalized this approach in what it called the 'Dual Track Policy' in Somalia. Given the incapacity of Mogadishu-based governments to extend authority far beyond the capital and other major cities, the approach to working with non-central-state actors in Somalia can be explained in practical, as opposed to ideological, terms. By working with subnational actors, donors have gained significantly greater access to parts of Somalia not under the authority of the FGS. Still, and for better or worse, by working with regional administrations by-passing the government in Mogadishu donors has arguably legitimized the authority of subnational actors at the expense of the FGS.

Decentralization is increasingly included among measures designed to promote 'good governance' by the international community. According to Lidia Cabral, "the international community, driven by empowerment and efficiency narratives, has been an important driving force pushing for decentralization reforms" (Cabral, 2011). Peace-building and State-building Goal (PSG) One of the New Deal Compact for Somalia, 'Inclusive Politics', emphasizes the importance of dialogue with subnational administrations and federal states "to address critical issues: fiscal federalism and natural resource management; the role, functions and scope of various administrations (political decentralization); and structure, mandate and deployment of various parts of the security sector".

Decentralization of authority in Somalia has been encouraged from beyond its borders, by neighboring countries pursuing domestic agendas, and the donor community seeking practical measures to gain greater access to the country and, separately, through promotion of 'good governance' agendas. While the 'good governance' agenda largely corresponds with

some of the domestic drivers for decentralization, the promotion of existing or emerging subnational entities, suiting practical or domestic purposes, threatens to complicate the process.

4.4   Decentralization Models

Many countries have experienced civil wars since the end of the Cold War in 1990. Most ended either through a military victory for one group (e.g. Rwanda, Uganda, and Ethiopia) or through a negotiated settlement (e.g. South Africa and Mozambique). Regardless of the way civil wars ended, leaders have faced the difficult tasks of designing suitable institutions that would regulate political, economic, and cultural conflicts within their societies. Somalia is no exception.

4.4.1   Confederalism

Confederalism is loosely defined as a 'union of states'. Independent States 'confederate' to establish common and complimentary policies.[141] The European Union is often provided as an example of a confederation. Constituent states retain sovereignty—thus making it a weaker union than that of a federation—but are obliged, by terms of the confederation, to adhere to particular polices on, for example, trade, fiscal policy, immigration, defence, and justice. Member states are also able to veto or 'opt-out' of policies that are considered harmful to their interests.[142]

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[141] Elazar, Daniel J. (1994). *Federal systems of the world a handbook of federal, confederal and autonomy arrangements*. London: Longman Current Affairs. See also Lister, F. L. (1996). *European Union, the United Nations, and the Revival of Confederal Governance.* Westport. CT: Greenwood Press, and Golove, D. M. (2003). "The new confederalism: treaty delegations of legislative, executive, and judicial authority." *Stanford Law Review* 55(5):1697-1748.
[142] Golove, 2003.

Hussein Adam identifies confederalism as a possible path to maintaining ties between Somaliland and Somalia. He opines that it is likely that internal and international circumstances may oblige the Republic of Somaliland, in time, to reconsider full independence and opt for some link with Mogadishu in a confederal state.[143]

Lewis and Mayall also considered the confederation system to be a potentially viable model explaining:

> European experience here may have potential relevance for Somalis: one of the motives inspiring European union was to prevent a repetition of the two European wars that also engulfed the world in conflict earlier this century. At some point in the future, and in conformity with traditional political values, it would be possible for the different Somali regions or states to create common institutions and policies. Somalis could then work together in central agencies, with representation from each state or region protected by the sovereign status of each region and by the right to veto, or opt-out of unwelcome proposals.[144] This is a quote provide page number

Richard Dowden, in an article written for the African Arguments blog, agrees with Lewis and Mayall. Using the Swiss confederation as a model for Somalia, he argues that there are potential benefits of the opt-out clause:

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[143] Hussein, A. (2011). "The Future Constitutional Structure of the Somali Republic: Federal or Decentralized Unitary State?" Accessed 17th April, 2015. http:// www.hiiraan.com/op2/2011/apr/ the_future_constitutional_structure_of_the_somali_republic_federal_or_decentralized_unitary_state.aspx
[144] Lewis, I.M. & Mayall, J. (1995). *A Menu of Options: A Study of Decentralised Political Structures for Somalia*. London School of Economics/EC Somalia Unit.,p. 13

The way people live and are governed [in Switzerland] is decided locally. The Swiss confederation means that cantons [sub-divisions of the country] have joined the state willingly and can leave if they want to… Allow the government in Mogadishu to run the city and port, perhaps the Benadir region, but no further. Negotiations should then take place region by region about the relationship between them and the capital, leaving power in local—not.[145]

Federalism

As a tool for minimizing conflicts, and providing harmony among the various clans and sub-clans in Somalia, it is important that a design be made of a machinery of government that enhances the chance of all segments of society to participate in the affairs of the state. Certain scholars have preferred federalism to a unitary state in this arrangement. Ronald L. Watts defined federalism as the "combination of shared-rule and regional self-rule within a single political system so that neither is subordinate to another."[146]

In a federal system of government, there exists a compound sovereign state in which at least two governmental units,[147] the federal and the regional, enjoy constitutionally separate competencies.[148]

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[145] Dowden, Richard. (2011). "Don't force statehood on Somalia." African Arguments. http://africanarguments.org/2011/10/20/don't-forcestatehood- on-somalia-by-richard-dowden/ (accessed 17th April 2015),p. 5.

[146] Watts, R. (1996). *Comparing Federal Systems* in the 1990s. Kingston, Ontario: Institute of Intergovernmental Relations, Queens University Press.

[147] Ibid; Wheare, K. C. (1964). *Federal Government*. Oxford: Oxford University Press.

[148] Abdi, Mohamed Ali (2010), Conflict Resolution and Nation Building in Somalia, Xlibris Corporation, p.10.

Fundamental changes affecting competencies require the consent of both levels of government. Federations imply a codified written Constitution, and a supreme judicial organ whose responsibility would be to interpret fundamental laws and adjudicate disputes in the functioning of the government.[149]

To further strengthen the conflict resolution apparatus at the federal level, federations may have a bicameral legislature; a constituent chamber to take its demographic representation, and the upper chamber that caters for special interests, such as equality of regions, clans, sub-clans, among others.[150]

The current organization structure of the Somali government lacks these two fundamental conflict resolution institutions, namely a federal judicial organ and a bicameral legislature.

The proponents contend that federalism provides each member state with stronger defence against external threats, and boosts each member state's economies through an expanded trading zone and labor pool. Citizens of federal states are given greater opportunity to participate in political developments through the election of multiple layers of authorities. Minority communities, when concentrated in particular locations in the country, can, in theory, govern themselves in cultural and linguistic areas that separate them from the majority without fear of domination.[151]

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[149] Abdi, p. 12.

[150] Mukhtar, M. (2007). "Somali Reconciliation Conferences: The Unbeaten Track." In *Somalia at the Crossroads: Challenges and Perspectives in Reconstituting a Failed State*, ed. A. A. Osman & I. K. Souaré. London: Adonis & Abbey Publishers.

[151] Schuk, P. H. (2006). "Federalism." *Faculty Scholarship Series*. Paper 1672. New Haven, CT: Yale Law School Faculty Scholarship.

In Somalia, as Mohamed H. Mukhtar observes, the *Hizbia Dastur Mustaqil al-Somalia* (HDMS) political party, representing the historically marginalized *Digil* and *Mirifle* clan families, was the first party to propose a federal structure for Somalia prior to independence in 1960.[152] The proposal did not gain traction at the time with most of the political elite favouring the unitary model.

It has been argued on the strength of facts that globally, of 202 recognized independent states in the world, just 25 have adopted federalism, though, according to the Forum of Federations, these states account for more than 40 per cent of the world's population (Forum of Federations, n. d.). Federal states often feature large populations.[153] Each of the three existing federal states on the African continent—Nigeria, Ethiopia, and South Africa—are among the five most populous countries on the continent. Somalia's total population—approximately 10 million—is smaller than the population of some federal members states in Nigeria, Ethiopia, and South Africa.[154]

Lewis and Mayall suggest that federalism may provide an effective compromise between groups seeking a centralized system of governance and those seeking a decentralized system of governance.[155] In such a system, a central, federal government of Somalia will continue to exist alongside regional governments. The United Arab Emirates (UAE), they claim, provides a perfect leitmotif for Somalia.

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[152] Mukhtar, M. (1989). "The Emergence and Role of Political Parties in the Inter-River Region of Somalia from 1947 to 1960." *Ufahamu* 17(2):157-163.

[153] Elmi, Afyare Abdi(2014),"*Decentralization Options for Somalia,*" The Heritage Institute for Policy Studies.

[154] Ibid.

[155] Lewis, I.M. & Mayall, J. (1995). *A Menu of Options: A Study of Decentralised Political Structures for Somalia*. London School of Economics/EC Somalia Unit.

Mohamed Abshir Waldo, likewise, sees federalism as a viable solution to the political crisis in Somalia. While explaining the creation of Puntland, he states:

> The verdict of the federalism choice was based on three considerations: 1) that this system of zonal self-governing was the best approach that Somali communities could, under the circumstances, heal and overcome the fear, hatred and distrust of the bloody civil war; 2) that it offered a middle solution between an autocratic, centralized system of governance and outright secession; and 3) that decentralization empowered district and regional communities and offered more balanced and more productive socio-economic development opportunities.[156]

Not all are in agreement. The Somali scholar, Ali Hersi, however, highlights several reasons against federalism as a viable option for Somalia:

> …Somalia is not a multicultural country with critical cultural and religious antagonisms and is not home to mutually exclusive ethnic or racial groups that earnestly desire to be separate from each other and would, therefore, require constitutional guarantees for their continued existence in separation in a secure multicultural political environment… There is hardly any part of this country that can stand by itself as a viable federal unit. Most likely, the only thing that will result from the plan to make Somalia federal is the break up the country into several clan-based, exclusive [sic] and economically non-viable units, and the creation of these clan enclaves will in all likelihood only exacerbate the clan hostilities that the civil war has

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[156] Waldo, M. (2010). "Federalism in Somalia: Birth of Puntland State and the Lessons Learned." Accessed 17th April 2015 . http://horseedmedia.net/2010/10/09/ federalism-somalia-birth-puntland-state-lessons learned

generated. With the creation of these clan cantonements the trend towards national integration will be reversed and clan identities will begin to cast a menacing shadow over Somali ethnic identity, which under the circumstances is bound soon be gone with the wind. Federalism, therefore, is not the right choice for Somalia.[157]

According to the previous Transitional Charter and the current Provisional Constitution, Somalia has officially been a federal state since 2004. Transitional governments prior to the current Federal Government of Somalia, involving two presidents (Abdullahi Yusuf Ahmed and Sheikh Sharif Sheikh Ahmed) and five prime ministers (Ali Mohamed Gedi, Nur Hassan Hussein, Omar Abdirashid Ali Sharmarke, Mohamed Abdullahi Farmajo, and Abdiweli Mohamed Ali-Gas) have, however, all faced tremendous difficulties in implementing it.[158]

Consocionalism

In addition to the federal system, consocialist theory of democracy has been known as a key conflict-mediating instrument. Governments adhering to consociationalist principles often provide minority groups with considerable autonomy. Consociationalism departs from other forms of decentralization by ensuring representation along non-territory specific lines. Minority groups are guaranteed representation in government regardless of territorial cohesion.

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[157] Hersi, A. (2004). "Democratic Devolution of Powers in Somalia: Administrative Decentralization or Federalism for Self-Destruction." 17th April 2015. http:// www.somaliaonline.com/community/showthread.php/ 37273-Administrative-Decentralization-or-Federalismfor- Self-Destruction, p. 6-8.

[158] Mukhtar, M. (2007). "Somali Reconciliation Conferences: The Unbeaten Track." In *Somalia at the Crossroads: Challenges and Perspectives in Reconstituting a Failed State*, ed. A. A. Osman & I. K. Souaré. London: Adonis & Abbey Publishers.

Simply put, the theory entails a requirement that a nation drops the winner-take-all electoral principle and forms grand coalitions as the basis of government. One can alter the constitutional rules for forming a government. For example, instead of the President requesting the leader of the largest party to form a cabinet, the rule may tell him to send for the leader of every party which has received more than twenty per cent of the votes, and divide the cabinet seats between them, or such of them who will cooperate. Netherlands, Belgium, Switzerland, and Austria provide good examples where this has happened.

Somalia has practiced consociationalist politics. The 4.5 (four-point-five) clan-based power-sharing formula resulted from a meeting among factions under the umbrella of the National Salvation Council, also known as the Sodere Group. The formula provides equal political representation to the four clan families in Somalia - the *Darood, Digil and Mirifle, Dir* and *Hawiy*e - with a number of smaller clans receiving, cumulatively, half representation. The 4.5 system is demonstrated in the House of the People of the Federal Parliament of Somalia in which, of 275 seats, the four major clans are each guaranteed 61 seats, with the remaining 32 seats allocated to 'minority' clans.[159]

The 4.5 system is fiercely defended by the political and intellectual class coming from clans historically marginalized by the previously domineering Darood and Hawiye clans. When former Prime Minister Mohamed Abdullahi Farmajo condemned the use of the 4.5 system in Mogadishu in 2010, he was publicly criticized by Digil and Mirifle parliamentarians. Somali scholars, including Mohamed H. Mukhtar have argued that the 4.5 arrangement was an important development in Somalia, though it should be considered as a temporary

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[159] Ibid.

mechanism, with free and fair elections ultimately offering a more sustainable system of governance.[160]

While it is appropriate, it has not passed without criticism. Critics of consociationalism and the 4.5 system alike have argued that it reinforces existing divisions in society by institutionalizing them.[161] Further, they argue that representation without cohesion or effective leadership among groups is meaningless. Consociationalism assumes the groups represented have a common agenda with strong leaders able to articulate that agenda. Some rights are thereby awarded to communities rather than individuals.[162]

Others like Samatar have argued that the 4.5 arrangement is not representative enough, that the formula should be changed from 4.5 to 5 providing 'minority' clans with greater representation in national politics. Cabinet formations under President Hassan Sheikh have been based on the 5, rather than 4.5, distribution model.[163]

Somali women, largely excluded from clan-based politics, were also given a 30% quota of parliamentary seats though they only secured 13% of the total MPs.[164] Both the 4.5 and 5 power-sharing arrangements, arguably, also serves the political elite well, providing them with an excuse not to advance citizenship-based politics. Meritocracy is sacrificed in all

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[160]Mukhtar, M. (2007). "Somali Reconciliation Conferences: The Unbeaten Track." In *Somalia at the Crossroads: Challenges and Perspectives in Reconstituting a Failed State*, ed. A. A. Osman & I. K. Souaré. London: Adonis & Abbey Publishers.

[161] Eno, M. A. & Eno, O. A. (2009). "Intellectualism amid ethnocentrism: Mukhtar and the 4.5 factor." *Bildhaan* 9:137-145; See also Samatar, A. (2007). 'The Porcupine Dilemma: Governance and Transition in Somalia.' *Bildhaan*, 7:39-90.

[162] Samatar,p. 47.

[163] Ibid.

[164] Ken Menkhaus, Hassan Sheikh, Ali Joqombe,Pat Johnson, A History of Mediation in Somalia Since 1988(2009), The Centre for Research and Dialogue.

government institutions for representation. Further, in practice despite apparent equal representation between the four clan-families, Hawiye and Darood politicians continue to dominate the political landscape in Somalia with each clan assuming either positions of president or prime minister for the past decade.

For the proponents, consociationalist politics have served a positive purpose in Somalia. Further policies to promote greater representation of minority and marginalized groups are widely encouraged. Women and youth groups continue to advocate for greater representation in national politics otherwise dominated by male elders. Proportional representation and positive discrimination for marginalized communities may serve to increase the legitimacy of the current government. Consociationalist policies alone, however, are unlikely to result in significant progress toward democratization and inclusive.

In the breakaway region of Somaliland,a consociational power sharing democracy has been adopted, with organizational safeguards for conflict resolution. This has been facilitated by a number of conditions in place. For instance, the fact that no particular clan can unilaterally impose hegemony; a principle of territorial and regional autonomy that is already formally endorsed; the fact that the Somali clans are territorially concentrated; recognized clan leaders have cooperated in the past; traditional Somali society endorses principles of proportionality; and, Somalis are tolerant of the use of the mutual veto.[165]

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[165] Eno, M. A. & Eno, O. A. (2009). "Intellectualism amid ethnocentrism: Mukhtar and the 4.5 factor." Bildhaan 9:137-145.

The system has ensured the timely and peaceful resolution of conflicts. For example, it was used in the resolution of the disputed 2003 presidential elections. The dispute was adjudicated by the Supreme Court. Another apposite example was the dispute over election of the Speaker of the House, where the President and his party disputed the validity of the election. The Upper House, House of Elders, intervened and sided with the opposition party. This demonstrates the effectiveness and efficiency of the consociational system of democracy, and separation of powers that can thrive in Somalia.[166]

Apart from the establishment of a democratic system of government that co-opts more political partiers into decision-making processes as recommended by Lewis, Lijphart has formulated a set of criteria that are relevant to the successful; working of a consociational system of democracy, namely mutual veto, or concurrent majority, proportionality and a high degree of autonomy for each segment to run its own internal affairs.[167] These features are present in the current set up in Somali. The mutual veto has helped prevent violent conflicts among the current parliamentarians. The system of operation in place is dependent more on consensus than the tyranny of the majority. Parliamentary seats have been allocated on a system of proportionality of clan and sub-clan size of the population and autonomy of regions is ensured in the provisional Constitution.[168]

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[166] Ibid.

[167] Lijphart, A. (1977). *Democracy in Plural Societies: Comparative Explanation*. New Haven: Yale University Press.
[168] Rondelli, D. (1980). 'Government Decentralization in Comparative Perspective: Theory and Practice in Developing Countries,' International Review of Administrative Science,p. 23.

Conclusion

Few disagree that decentralization of authority is necessary for Somalia to rebuild a government system that is trusted by all Somalis. Consensus on the type of such decentralization remains elusive. Officially, based on the provisional constitution, Somalia is a 'federal state'. This does not, however, mean the debate on this issue is over.

Lessons can be learned from other countries emerging from conflict to rebuild government but the Somali context is unique and, ultimately, sustainable solutions to its problems will also be unique. A major challenge is how to balance the contradictory trends within Somali society. Both centrifugal and centripetal tendencies are strongly present in Somalia.

CHAPTER FIVE

CONCLUSIONS AND RECOMMENDATIONS

5.1   Introduction

This Chapter sets out the conclusions and recommendations. It plays host to a critical evaluation of the study, their implications of the peace efforts on the future of Somalia as well as proposals aimed at resolving the conflict.

Somalia has been known for conflict, violence, warlordism, famine, refugees, terrorism, jihadism, and piracy. Despite this image, it is not a lawless and ungoverned land, but one where Somali people over the past three decades have forged systems of governance to manage conflict and provide security and law.[169]

With minimal international assistance, Somalis have also rebuilt their cities and towns, built new schools, universities, medical facilities, developed multi-million dollar enterprises, created efficient money transfer systems and established some of the cheapest and most extensive telecommunication networks in Africa. It is this Somali talent and capacity that the international community needs to foster and tap into.[170]

At the heart of the Somali crisis is an unresolved problem over the nature of statehood. Since the collapse of the state, power and authority has been fractured and radically decentralised

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[169] Mukhtar, M. (1989). "The Emergence and Role of Political Parties in the Inter-River Region of Somalia from 1947 to 1960." Ufahamu 17(2):157-163

[170] Dowden, Richard. (2011). "Don't force statehood on Somalia." African Arguments. http:// africanarguments.org/2011/10/20/don't-force- statehood-on-somalia-by-richard-dowden/ (accessed   April 20, 2015).

among the clans and political elites. While international diplomacy continues to adopt a state-building approach aimed at restoring a sovereign national government, Somalis themselves have been re-establishing systems of governance.

What sets Somali and internationally-sponsored peace processes apart is that they are locally designed, managed, mediated and financed; in other words 'Somali-owned'. They work with the grain of the clan system, are based on consensus decision-making and focus on reconciliation and the restoration of public security.

Somaliland and Puntland demonstrate the potential and sustainability of 'home-grown' peacemaking and reconciliation. They show the desire among Somalis for government and a capacity for self-governance given the right conditions.

Local reconciliation has proved much more difficult in south central Somalia, where a combination of local structural inequalities and greater international attention has made conflict more intractable. Even here local initiatives have achieved a great deal, but they are vulnerable to national and international dynamics. The demobilisation exercises organised by women, the neighbourhood security arrangements that flourished in Mogadishu and the security brought briefly by the ICU to parts of south central Somalia all foundered as a result of national and international pressures.

No single factor can explain the causes of the conflict and there is no consensus among Somalis on how it should be resolved. The nature of the crisis has mutated and efforts to resolve it have been frustrated by a host of domestic and external actors. Islamist militancy has brought a new dimension to the twenty-year conflict and has become one of the most

pressing issues for international actors. Somalis are themselves grappling with how to respond to this as much as the international community. It is time for the international community to find more effective ways to move the country out of this protracted crisis and to develop methods that are more responsive to Somali realities.

Somalia has been in a state of armed conflict of one form or another since 1988, a condition that is invariably attributable for the destruction of much of the capital, the flight of over 1.5 million Somali refugees, and the displacement of over a million other Somalis.[171] The patterns and severity of this state of armed conflict have varied over time, ranging from intense civil war to intermittent communal clashes to chronic and low-level insecurity. Armed conflict has affected almost every corner of the country at some point over the past twenty years, but most of the fighting has been concentrated in a few chronically contested locations, especially the greater Mogadishu area.[172]

Most of the fighting has been domestic, but external actors have frequently, and increasingly, been central protagonists in Somalia's armed violence – in the form of international peace enforcement or protection forces, occupying armies, proxy wars, covert operations, or as the source of policies or development resources that have inadvertently fueled conflict locally. The main clashes today pit AMISOM forces from Uganda, Kenya and Burundi against an Al-Shabaab militia that has received material support from sources in the Gulf, Eritrea, and the large Somali diaspora.

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[171] Samatar, A. (2007). 'The Porcupine Dilemma: Governance and Transition in Somalia.' Bildhaan,7:39-90.

[172] See Donald Rothchild and Victor A Olorunsola, State versus Ethnic Caims: Africa Policy Dilemmas(Boulder, Co:Westview Press,1983.

In addition, a growing number of local Somali clan militias have emerged, taking control of neighbourhoods of Mogadishu vacated by Shabaab in August 2011. Some of these militias clash with Shabaab, and are provided various types of support from the AMISOM forces. Both Kenyan and Ethiopian armed forces are presently inside Somali territory as well; both are backing local Somali proxies in an effort to roll Shabaab back from its strongholds in southern Somalia, and both have directly engaged Shabaab in short episodes of armed combat. Finally, international actors outside the region – the US, France, the many states involved in the naval task forces patrolling Somalia's waters against piracy, and Al Qaeda – are involved in different ways in the country's armed conflicts.

Over almost the same time period, Somalia's central government has been in a state of complete collapse. This crisis of state collapse is often conflated with the country's protracted armed conflicts, when it fact these are related but distinct crises. The absence of a functional central government providing public order, rule of law, and an arena for peaceful settlement of disputes has unquestionably been a central factor in the country's chronic vulnerability to armed conflict. But parts of the country have enjoyed relative peace and security for extended periods of time without the benefits of a central state, thanks to resilient local governance practices. Indeed, in some instances efforts to revive the central state have actually triggered armed clashes. The relationship between state failure, state-building, and armed conflict is complex in Somalia.

Armed conflict continues to plague much of Somalia, but since 1995 the nature, duration, and intensity of warfare have changed significantly. With few exceptions, armed conflicts today are more local in nature, pitting sub-clans against one another in an increasingly fragmented political environment. This devolution of clan warfare means that armed clashes tend to be much shorter and less lethal, in part because of limited support from lineage members for

such internal squabbles, in part because clan elders are in a better position to intervene, and in part because some clans have successfully consolidated their occupation and control over territory and for the moment meet little resistance. Money and ammunition are scarcer as well, limiting the duration of conflict. Atrocities against civilians still occur but are less common than in the past, as combatants and their clans are more likely to be held accountable for such crimes via blood compensation payments.

The following section discusses the different dimensions assumed by the Somali conflict in the three main regions and the ways divisions on key issues manifest themselves as conflict. These issues include clan identities, governance, economic performance, natural and productive resources, militarization, conflicts among regions in Somalia, and international influences.

5.2   Deliberation of clannism as the basis of conflict

Nearly all armed conflicts in contemporary Somalia break out along clan lines. Clan identities are malleable and can be shaped by leaders to pursue control of resources and power. Clan identities are not the basis for conflict; rather, their deliberate manipulation creates and exacerbates divisions. Clan groups can serve as destructive or constructive forces as well as traditional conflict moderators.

Politicization of identities: In the name of clan protection, identities are politicized to mobilize clan members and wage war, thus seriously damaging inter- and intra- clan structures.

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Clans as forbearers of peace: Clans are a potential source for reconciliation because of their ability to shape relations between warring groups. Instead of focusing on differences, the common bonds of language, religion, traditions, and inter-clan marriage, can be pointed out to unite Somalis.

Customary laws: Clan elders use traditional laws to settle disputes in non-confrontational ways. In fact, in the absence of state authority or when official channels of mediation do not work, clan elders use customary laws to bring about negotiated settlements and prevent conflict escalation.

Cross-clan partnerships: In recent years, CSOs, businesses, and local initiatives have formed on cross-clan lines to work toward development and peace, helping to build trust and overcome suspicions among clans.

5.3   Struggle for control of the state, which brings political and economic power, has a source of conflict.

Absence of good governance, and experience with a repressive state, have made Somalis suspicious of government. Many Somalis see the state as an instrument of accumulation and domination, enriching and empowering those who control it and exploiting and harassing the rest of the population.

The legacy of the Barre regime is still alive, and clan groups continue to view the state as an institution that will enable them to acquire political and economic control and provide benefits to their clan kin. After the initial lawlessness that followed state collapse, the state

divided along regional lines—south-central Somalia, northeast (Puntland), and northwest(Somaliland). In The three regions have followed different routes and achieved varying levels of success in governance.

5.3.1   South-central Somalia
Potential fiefdoms with uneven commitment to broker peace: In response to limited state authority, faction leaders have created their own narrow geographic areas of control. The boundaries over which they exert authority are constantly shifting and their authority challenged. Several armed faction leaders appear content with this situation, and there seems to be no real commitment to accepting a state structure that does not give them a prominent role. The success of a new government will in large measure depend on its ability to mediate conflicting interests between factions, and convince groups that the benefits from long-term stability outweigh the gains from short-term clan dominance.

Non-state actors provide governance: After a period of anarchy, traditional structures that cut across clans resurfaced to provide some semblance of law and order. Communities depend on Sharia courts and customary laws to address disputes and provide justice.

5.3.2   **Puntland**

Uneasy stability: Puntland has a regional administration that ensures relative peace and provides for law and order. This stability can be cracked easily if the administration is seen as exclusionary, corrupt, or unable to improve the sagging economy, which has been hurt in particular by the livestock ban.

5.3.3   Somaliland

*Budding democracy***:** Somaliland's fragile democratic institutions need to be consolidated through fair elections and inclusive practices. These institutions can collapse if the rising expectations that democracy brings are not met.

Equitable governance: Presidential elections were alleged to be fraudulent and general elections have been postponed. This could add to disenchantment with the present administration, which, like previous administrations, is seen as authoritarian and ineffective.

International assistance: Somaliland receives limited assistance from international donors. With increased focus on South-central Somalia, it would be important that donors balance support there with continuing assistance to other parts of the country. This fact coupled with the livestock ban (see below in section on economic performance) could further weaken the economy, potentially resulting in escalating conflict.

5.4   Recommendations

Establishment of a Consociational Model of Government

Most theorists have spent considerable time and space in explaining that democracy in Africa has failed because of a lack of a strong middle class and deeply divided societies. Therefore, electoral based parliamentary democracy is viable in deeply divided societies, if founded on the consociational model. As explained elsewhere in the foregoing, the principles are grand coalitions, mutual veto, proportionality and segmental autonomy. The four conditions for

consociation are met by Somalia: a balance of power among segments; a small size of the country; a low economic differentiation between the segments; and a tradition of elite accommodation.

Admittedly, there is no quick-fix solution to peace-making in deeply divided socialites, especially those whose politics have in the past been characterized by deadly ethnic conflicts. A combination of efficacious strategies would be needed in this regard. Putting all that has happened in Somalia into perspective; the Somalia is evidently growing into a commonwealth of independent states. This could be packaged into a highly decentralized or autonomous self-governing consociational set-up aligned to the existing clan system.

The most critical starting point remains a system that allows each of the secessionist regions maintain their much desired autonomy or sovereignty while delegating certain duties like foreign affairs and military cooperation to a loosely reconfigured national government. This hub must be reconstituted on the principle of consocialism or power sharing with every clan proportionally represented in the national government. The hub should exercise a very limited power and ensure a proviso for ethnic and ideological minorities to veto any decision that impact on their lives.

The consociational model recognizes the existence of diverse ethnic and minority groups in a polity and thus uses the principles of elite cooperation and accommodation in the decision-making process for system stability.

Rethinking External Interventionist Approaches

The search for peace and unity among the rival groups might be aided by the rival groups stepping aside to give room for therapy from the psychological and political trauma heralded by Barre's misrule and anarchy. There is need to recognise the legitimacy of the competing claims. The recent international efforts to reconstitute the defunct state have done more harm than good for harmony and political cooperation. The reality is that the Somali nation exists merely as a figment of imagination and nostalgic sentiment. The path to reality must be aligned by efforts to recognizing the rights of different regions to self-determination. This would pave way for forging new association based on consensus, negotiation and consociation. This would be best achieved by reexamining past efforts at peacemaking and underlining why the same have been unsuccessful. This would be undertaken in the context of the three major fragmented polities that have emerged from the debris of war and conflict: Somaliland (North West Somalia); Puntland (North East Somalia); and Southern Somalia (Mogadishu and Jubaland).

The three classes of geo-political realignments present an option that is partially already in operation, and which have produced mixed results. For example, restructuring the country along a consociationalist system comprising semi-autonomous units as exemplified in the Puntland idea; the reinvention of Somalia with free governing states like secessionist Somaliland Republic and; efforts trained at reconfiguring the country after the defunct post-colonial republic.

Annihilation of Extremists Cells in Somalia

A lot of effort must be trained towards ensuring political stabilization. Like its predecessors, the current government is keen to portray the defeat and dismantling of the extremist group Al- Shabaab as a military problem, calling upon its international partners for more robust

military assistance and the lifting of the United Nations arms embargo. But Al- Shabaab's resilience lies

in the exploitation of political and social dissent, appropriating local grievances and aspirations in order to obtain support. In such circumstances, military action simply serves to inflame the situation by conflating the legitimate concerns of given communities with the extremist agenda of the jihadists. Instead, the SFG must be prepared to engage in genuinely inclusive politics, persuading local leaders that their interests are best served within the context of the state- building process, not by buying into Al- Shabaab's rejectionist tactics.

The necessity of inclusive politics also holds true for "post- Shabaab" stabilization and the government's relations with other de facto political actors across Somalia. Nowhere is this more crucial than in the development of a federal system. Differing interpretations of the provisional constitution have set the government at loggerheads with the Puntland administration that governs northeast Somalia, as well as the nascent "Jubaland" authority in Kismayo that aspires to govern the country's three southwestern regions. The tensions generated by this rift threaten to spill over into armed conflict, turn large sections of the Somali population against the new government, and derail the transition to a permanent and stable governance framework for Somalia.

Strengthening of Institutions

The governments free itself from the corrosive political economy of state collapse that has taken root over the past two decades. The government's leadership must resist the hijacking of state institutions and functions by narrow interest groups for personal or political gain; combat the massive and pervasive corruption that has long handicapped institution building; and defy the many "crisis lords"— disaster entrepreneurs, both Somali and foreign— who

variously tolerate, exaggerate, or manufacture crises in order to attract resources with which to resolve them. For the political and commercial elites who engage in such behavior, the perpetual weakness of the Somali state has become an indispensable lure to attract foreign aid, whether in the name of counterterrorism, counter-piracy, or even humanitarian assistance.

Stemming Endless Political Transitions

The current set-up must bring to an end Somalia's seemingly perpetual political transition. Although the SFG is the first Somali government in more than two decades not to be qualified by the term "transitional," it derives its powers and responsibilities from a provisional constitution and is therefore itself provisional in nature. The constitution itself needs substantial revision, and many of its articles require elaboration through legislation. The legal framework, institutions, and processes of a federal political system do not yet exist, but are already a source of grave controversy. And the current has also inherited a number of other vital transitional tasks that its predecessors left incomplete, including the establishment of various independent commissions and statutory institutions, a referendum on the constitution, design of an electoral system, and conduct of credible elections by August 2016. With almost one year of the government's term of office already elapsed, much of the country increasingly unreceptive to the SFG's leadership, and no apparent sense of urgency on the part of the government or its international partners, the prospects of meeting this deadline are already receding.

Sadly, it is in the abrupt loss of initial confidence and optimism, and the alarming polarization of political attitudes and positions, that the situation in Somalia most closely

resembles the "Arab Spring." It is perhaps therefore no coincidence that many of the new government's critics attribute its shortcomings to the disproportionate influence exercised by a faction of the Somali chapter of the Muslim Brotherhood: a group known as *Damul Jadiid*. Having quietly propelled Hassan Sheikh to the presidency, members of *Damul Jadiid* have since been appointed to key positions in the administration, from where they appear to be driving government policy. Echoing sentiments in Egypt and Tunisia, where the Arab Spring also brought parties affiliated with the Muslim Brotherhood to power, many of those who first celebrated the change of leadership feel increasingly disaffected or alienated.

Less than a year into the current government's mandate, hope and optimism are steadily giving way to polarization, acrimony, and fears of renewed violence. Whether Somalia progresses along the path to peace or relapses into fragmentation and conflict now depends on whether the
current government continues impose its own narrow, ideologically driven agenda, or seizes the opportunity to enlarge its appeal by behaving as a government of national unity.

5.5   Conclusion

For two decades Somalia has defied all foreign diplomatic, military and state-building interventions. None of the governments that have emerged from internationally sponsored peace processes have been able to establish their authority or deliver security and law and services to the Somali people.

Since 2001 international engagement has served to deepen the humanitarian and political crisis in southern Somalia, leaving more than three million people in urgent need of humanitarian assistance in 2009.

In the absence of government, however, Somali people have employed their own resources and traditions of conflict resolution to recreate security in many communities. Somali-led initiatives have succeeded in establishing political and administrative arrangements that in some places are proving to be stable.

The northern polities of the Republic of Somaliland and the Puntland State of Somalia are evidence of what Somalis can achieve. Even in volatile south central Somalia, there has been evidence of the positive impact that Somali approaches to reconciliation and security management can have.

Somalia's protracted crisis has received intermittent international attention. In the early 1990s a major humanitarian and peacekeeping intervention – the UN Mission in Somalia (UNOSOM) – was mounted. When it failed to revive the state the wider international community largely lost interest and Somalia's neighbours – Ethiopia, Djibouti and Kenya – increasingly led the search for solutions.

After 9/11 international attention inevitably swung back to Somalia because of the perceived link between failed states and international terrorism. The brief emergence of an Islamist administration in the capital Mogadishu led to Ethiopian military intervention in 2006 and the subsequent deployment of African peacekeeping forces that have been trying to protect the transitional government. Regional involvement by the Inter-Governmental Authority for Development (IGAD) is now a permanent feature of efforts to restore peace to Somalia.

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