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State Collapse, Insurgency, and Famine in the Horn of Africa: Legitimacy and the Ongoing Somali Crisis

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The failure of Somalia's Transitional Federal Government (TFG) to defeat the insurgency led by the militant Islamists of al-Shabaab—to say nothing of accomplishing the political tasks of state-building that are its very raison d'être—is due to its inability to garner internal political legitimacy. In contrast, both the Islamist insurgents fighting the TFG and the relatively stable new polities that have emerged in various parts of the territory of the collapsed Somali state are better attuned to local community sensibilities and, consequently, have been relatively successful in mobilizing clan loyalties. This conclusion has significant implications for the international community, not only with respect to efforts to facilitate a political solution to more than two decades of statelessness, but also because massive drought and the resulting humanitarian emergency have weakened the hold of al-Shabaab on southern and central Somalia, presenting a unique political and strategic opportunity to achieve greater security and stability in the Horn of Africa. The lessons derived here are thus broadly applicable to other conflicts involving failed or failing states.

KEYWORDS al-Shabaab, counterinsurgency, famine, Horn of Africa, insurgency, political legitimacy, Puntland, Somalia, Somaliland, state-building

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INTRODUCTION

On July 20, 2011, amid the worst drought in East Africa in sixty years, the United Nations declared two Somali regions, Bakool and Lower Shabelle, to be in a state of famine and warned that with anticipated poor harvests and outbreaks of infectious disease, the crisis could quickly engulf all eight regions of southern Somalia and spread beyond. At the time of this writing, nearly half of the Somali population—some 3.7 million people, 2.8 million of them in the southern part of the country—faces starvation, while another 11 million men, women, and children across the Horn of Africa are thought to be at risk.[1] While climate change and meteorological conditions, such as the lack of rain over several years, precipitated this humanitarian catastrophe, the crisis also has its roots in Somalia's ongoing political situation and persistent conflicts.

In the two decades since the day in late January 1991 when the dictator Muhammad Siyad Barre packed himself inside the last functioning tank belonging to his once-powerful military and ignominiously fled Mogadishu, leaving behind a capital in ruins and caught in the throes of uncontrolled street violence, Somalia has been the prime example of what Robert Rotberg has termed a "collapsed state": a "rare and extreme version of the failed state" that is "a mere geographical expression, a black hole into which a failed polity has fallen," where "there is dark energy, but the forces of entropy have overwhelmed the radiance that hitherto provided some semblance of order and other vital political goods to the inhabitants (no longer the citizens) embraced by language or ethnic affinities or borders."[2] The country has stubbornly resisted no fewer than fourteen attempts to reconstitute a central government, and the fifteenth such undertaking, the

[1]See United Nations Office for the Coordination of Humanitarian Affairs (OCHA), "Somalia: United Nations Declares Famine in Two Regions," July 20, 2011, http://www.unocha.org/top-stories/all-stories/somalia-united-nations-declares-famine-two-regions (accessed August 19, 2011). "Famine" has a technical definition in relief work and is formally declared when acute malnutrition rates among children exceed 30 percent, more than two people per ten thousand die per day, and it is determined that the general population is unable to access food and other basic necessities.

[2]Robert I. Rotberg, "The Failure and Collapse of Nation-States: Breakdown, Prevention, and Repair," in *When States Fail: Causes and Consequences*, ed. Robert I. Rotberg (Princeton: Princeton University Press, 2004), 9–10.

internationally backed[3] but chronically weak and utterly dysfunctional Transitional Federal Government (TFG) barely manages to hold on to a few districts in the capital—and that much only thanks to the presence of the approximately 10,000 Ugandan and Burundian troops that make up the African Union Mission in Somalia (AMISOM).

In contrast, for the last several years, insurgents spearheaded by the *Harakat al-Shabaab al-Mujahideen* (Movement of Warrior Youth, al-Shabaab), a militant Islamist movement that was declared a "specially designated global terrorist" by the U.S. State Department in 2008,[4] a "listed terrorist organization" by the Australian government the following year,[5] a "proscribed organization" by the British government in its early 2010

[3]It is significant that while the TFG and its predecessors have received various expressions of support from the international community, other states have been reluctant to accord it formal recognition. While the United States, for example, never formally severed relations with Somalia after the state's collapse in 1991, it has also never officially recognized any of the fifteen transitional governments, including the current TFG. The State Department website merely states: "The United States maintains regular dialogue with the TFG and other key stakeholders in Somalia through the U.S. Embassy in Nairobi, Kenya." In fact, the lack of affirmative *de jure* recognition for the TFG is presumed by the introduction in October 2009 of a congressional resolution by the chairman of the Africa Subcommittee of the U.S. House of Representatives urging the Obama administration "to recognize the TFG and allow the opening of an official Somali Embassy in Washington." The clear implication of this resolution is that the United States government accords the TFG something less than normal diplomatic recognition as a sovereign state. In fact, this point was formally conceded by the Obama administration in early 2010, when, in a brief filed with the U.S. Supreme Court, the Solicitor-General of the United States and the Legal Advisor of the State Department acknowledged that "since the fall of that government, the United States has not recognized any entity as the government of Somalia." Similarly, the British Foreign and Commonwealth Office's website states: "Since the fall of the Siad Barre regime in 1991 there have been no formal diplomatic links between the UK and Somalia." See *Mohamed Ali Samantar v. Bashe Abdi Yusuf, et al.*, Brief of *Amici Curiae* Academic Experts in Somali History and Current Affairs [Lee Cassanelli, J. Peter Pham, I. M. Lewis, Gérard Prunier, and Hussein Bulhan] in Support of the Respondents, January 27, 2010, http://www.abanet.org/publiced/preview/briefs/pdfs/09-10/08-1555_Respondent-AmCuSomaliExperts.pdf (accessed August 19, 2011); also see *Mohamed Ali Samantar v. Bashe Abdi Yusuf, et al.*, Brief of the United States as Amicus Curiae Supporting Affirmance, January 2010, http://www.abanet.org/publiced/preview/briefs/pdfs/09-10/08-1555_Affirmance AmCuUSA.pdf (accessed August 19, 2011).

[4]U.S. Department of State, Office of the Coordinator for Counterterrorism, "Designation of al-Shabaab as a Specially Designated Global Terrorist," Public Notice 6137, February 26, 2008, http://www.state.gov/s/ct/rls/other/des/102448.htm (accessed August 19, 2011).

[5]Commonwealth of Australia, "Listing of Al-Shabaab as a Terrorist Organisation" (media release), August 21, 2009, http://www.foreignminister.gov.au/releases/2009/fa-s090821.html (accessed August 19, 2011).

Terrorism Act,[6] and a "listed terrorist group" by the Canadian government,[7] have dominated wide swathes of Somali territory and operate more or less freely in other areas not under their *de facto* control—with the exception of the Somaliland and Puntland regions, discussed later. In fact, if the insurgents suddenly suffered a series of reverses during the first half of 2011, the explanation would seem to lie more with the effects of drought—and al-Shabaab's contribution to and poor management of the resulting famine—than with battlefield losses.

This article makes the argument that the failure of Somalia's TFG and its predecessors to prevail over their opponents and bring an end to conflict has little to do with the lack of outside assistance, especially of the military variety, and more to do with other factors on which external actors can have little positive effect. Specifically, if the regime fighting an insurgency is unable or unwilling to take the steps to achieve internal political legitimacy, no outside intervention will be able to help it to "victory," as even a cursory review of the relationship between legitimacy and military force in civil wars will confirm. In examining how such has been the case in Somalia, it will also be necessary to look at the nature of political legitimacy in Somali society, deriving pointers from not only the Islamist insurgents of al-Shabaab and their allies, but also the successes of relatively stable new polities that have emerged in various parts of the former Somali state in mobilizing clan loyalties and local community sensibilities. The article's conclusion then discusses both the implications of engaging these alternative centers of legitimacy, an approach the international community has slowly and hesitantly come around to embracing, and the potential to exploit the opportunity presented by the drought-driven food crisis to weaken the extremists, thus not only clearing a space for humanitarian action, but also ensuring a modicum of stability and security in the geopolitically sensitive Horn of Africa.

IDENTITY AND LEGITIMACY AMONG THE SOMALI

Somali identity is historically rooted in paternal descent (*tol*), which is meticulously memorialized in genealogies (*abtirsiinyo*, reckoning of ancestors) and determines each individual's exact place in society. At the apices of this structure are the "clan-families." According to the most generally accepted division, the major "clan-families" among the Somali are the Darod, Dir, Hawiye, Isaq, Digil, and Rahanweyn. The first four, who historically were

[6]Terrorism Act 2000 (Proscribed Organisations) (Amendment) Order 2010, No. 611, March 4, 2010, http://www.opsi.gov.uk/si/si2010/uksi_20100611_en_1 (accessed August 19, 2011).

[7]Government of Canada, Ministry of Public Safety, "The Government of Canada Lists Al Shabaab as a Terrorist Organization" (news release), March 7, 2010, http://www.publicsafety.gc.ca/media/nr/2010/nr20100307-eng.aspx?rss=false (accessed August 19, 2011).

predominantly nomadic pastoralists, are identified as "noble" (*bilis*) clans, while the Digil and Rahanweyn, also known collectively as "Digil Mirifle," were traditionally cultivators and agro-pastoralists, occupying a second tier in Somali society. The latter also speak a dialect of Somali, *af-maymay*, which is so distinct from the *af-maxaa* dialect of the former that it is "properly a not-mutually-intelligible language."[8] A third tier also exists in Somali social hierarchy, consisting of minority clans whose members, known collectively as *Sab*, historically carried out occupations such as metalworking and tanning that rendered them ritually unclean in the eyes of the nomadic "noble clans."[9] This social hierarchy likewise has implications for political life. It is noteworthy, for example, that the vice-president and defense minister (and sometime prime minister) in Siyad Barre's regime, Mohamed Ali Samantar, was a Sab of metalworking background (*Tumal*). The choice of this particular individual—who, thanks to a potentially far-reaching unanimous decision last year by the Supreme Court of the United States,[10] is currently the defendant in a human rights case brought on behalf of victims of the regime—for preferment undoubtedly was related to the fact that his origins made it highly unlikely that he could ever lead a coup against his benefactor.

Because these genealogical groupings have traditionally been too large and too widely dispersed to act as politically cohesive units—although in modern times, the advent of instantaneous mass communications has rendered the segmentary solidarity of their members a significant factor in national politics—the clan-families are now subdividing into clans and subclans by descent in the male line from an eponymous ancestor at the head of each clan lineage. Within the clan, the most clearly defined subsidiary group is an individual's "primary lineage," which also represents the limits of exogamy, and within which an individual's primary identification is with what has been described as the "diya-paying group" (from the Arabic *diya*, "blood-wealth"). This most basic and stable unit of Somali social organization consists of kinsmen with collective responsibility for one another with respect to exogenous actors. The unity of the group is founded not only on shared ancestry traced to a common ancestor four to eight generations back, but also on a formal political contract (*heer*) between its members. If a member of a diya-paying group kills or injures someone outside the group, the members of his group are jointly responsible for that action and will collectively undertake the task of making reparation. Conversely, if one of its members is injured or killed, the diya-paying group will either collectively

[8]See I. M. Lewis, *Understanding Somalia and Somaliland: Culture, History, Society* (New York: Columbia University Press, 2008), 3.

[9]See I. M. Lewis, *A Pastoral Democracy* (London: Oxford University Press, 1961).

[10]See Supreme Court of the United States, *Samantar v. Yousuf et al.*, June 1, 2010, http://www.supremecourt.gov/opinions/09pdf/08-1555.pdf (accessed August 19, 2011).

seek vengeance or share in whatever compensation may be forthcoming. Of course, the nature of the clan system is itself very nuanced and, while rooted in blood relationships, is also historically a consequence of nomadic pastoral life, with its need to defend scarce resources, that results over time in an openness to the formation of new alliances and, even later, of new identities.[11] British anthropologist I. M. Lewis, arguably the foremost living authority on Somali history and culture, has observed that "the vital importance of this grouping, in an environment in which the pressure of population on sparse environmental resources is acute, and where fighting over access to water and pasture is common, can hardly be overemphasized" since it is "upon his diya-paying group, and potentially on wider circles of clansmen within his clan-family, that the individual ultimately depends for the security of his person and property."[12]

The pervasiveness of the clan system distinguished Somalia from the vast majority of postindependence African states, where the principal problem was the formation of a viable transcendent nationalism capable of uniting widely divergent ethnic groups who found themselves grouped together in "states" created by colonialism. The Somali were different. They consisted of a single ethnic group with only one major internal division—the divide that separated the members of the four "noble clans" and the Digil Mirifle—and "considered themselves bound together by a common language, by an essentially nomadic pastoral culture, and by the shared profession of Islam."[13] Nationalism was already part of their experience insofar as national culture is concerned, since they "spoke the same language, shared the same predominantly nomadic herding culture, and were all adherents of Sunni Islam with a strong attachment to the Sufi brotherhood"; all they lacked was political unity at the level of the culturally defined nation.[14] Thus, Somalis formed an ethnic group or nation but not, traditionally, a single polity. Despite fifty years of state-building, urbanization, civil war, state collapse, and emigration, the bonds of kinship remain the most durable feature of Somali social, political, and economic life. While ethnicity is a category that has applicability vis-à-vis non-Somalis, within Somali society, it is clan that is the focus of identity, notwithstanding the fact that the latter, unlike the former, does not exhibit readily apparent formal "markers" but relies instead on genealogical criteria, which, until fairly recently, were orally transmitted.

[11]See Maria H. Brons, *Society, Security, Sovereignty and the State in Somalia: From Statelessness to Statelessness?* (Utrecht: International Books, 2001), 99–113.

[12]I. M. Lewis, *Making and Breaking States in Africa: The Somali Experience* (Trenton, NJ: Red Sea Press, 2010), 8–9.

[13]I. M. Lewis, "Visible and Invisible Differences: The Somali Paradox," *Africa* 74, no. 4 (November 2004): 492.

[14]See I. M. Lewis, *Blood and Bone: The Call of Kinship in Somali Society* (Princeton, NJ: Red Sea Press, 1994), 221.

FROM UNION TO FRAGMENTATION: A BRIEF HISTORY OF MODERN SOMALIA

Modern Somalia itself, which historically had never been a unified political entity, was born out of a union between the British Protectorate of Somaliland, which became the independent state of Somaliland on June 26, 1960, and the territory then administered by Italy as a United Nations trust that had, before the Second World War, been an Italian colony (*Somalia Italiana*). The latter received its independence on July 1, 1960, and the two states, under the influence of the African nationalism fashionable during the period, entered into a union, even though they had never developed a common sense of nationhood and had very different colonial experiences, common language and religion notwithstanding. Consequently, by the time the army commander Siyad Barre seized power in October 1969, "it had become increasingly clear that Somali parliamentary democracy had become a travesty, an elaborate, rarefied game with little relevance to the daily challenges facing the population."[15]

A year after taking over, Siyad Barre proclaimed the "Somali Democratic Republic," an officially Marxist state, and tried to stamp out clan identity as an anachronistic barrier to progress that ought to be replaced by nationalism and "Scientific Socialism." The non-kinship term *jaalle* ("friend" or "comrade") was introduced to replace the traditional term of polite address *ina'adeer* ("cousin"). The positions of traditional clan elders were abolished or, at the very least, subsumed into the bureaucratic structure of the state. At the height of the campaign, it became a criminal offense to even refer to one's own or another's clan identity.[16] Given how deeply rooted the clan identity was, it was not surprising that *Jaalle* Siyad Barre failed in his efforts to efface the bonds. Ultimately, the regime itself simply dissolved in January 1991, when Siyad Barre—who had ironically evolved over time from a Soviet client into a U.S. ally after President Jimmy Carter broke with the Ethiopian regime of Mengistu Haile Mariam over the latter's increasingly repressive human rights record[17]—was caught between popular rebellions led by the Isaq and Darod in the north and a Hawiye uprising in central Somalia and chased out of Mogadishu altogether. By the time of the dictator's flight, Somalia had fallen apart into the traditional clan and lineage divisions that, in the absence of other forms of law and order, alone offered some degree

[15]Terrence Lyons and Ahmed I. Samatar, *Somalia: State Collapse, Multilateral Intervention, and Strategies for Political Reconstruction* (Washington: Brookings Institution, 1995), 14.

[16]See David D. Laitin, "The Political Economy of Military Rule in Somalia," *Journal of Modern African Studies* 14, no. 3 (September 1976): 449–68.

[17]See Peter Woodward, *U.S. Foreign Policy and the Horn of Africa* (Aldershot, UK: Ashgate, 2006), 22–27.

of security. The general situation now vividly recalled the descriptions of Burton and other nineteenth century European explorers: a land of clan (and clan segment) republics where the would-be traveler needed to secure the protection of each group whose territory he sought to traverse.[18]

Although Siyad Barre had adopted "Scientific Socialism" with the professed goal of uniting the nation by eliminating its ancient clan-based division, the dictator soon fell back on calling on kinship ties in order to maintain power—another example of these bonds' continuing relevance. With the exception of his previously mentioned defense chief Samantar, Siyad Barre's most trusted ministers came from his own Darod clan-family: the Marehan clan of his paternal relations; the Dhulbahante clan of his son-in-law Ahmed Suleiman Abdulle, who headed the notorious National Security Service; and the Ogaden clan of his maternal kin. Siyad Barre's "MOD" coalition first led him into the disastrous Ogaden War (1977–78), a clumsy attempt to exploit the chaos of the Ethiopian Revolution to seize the eponymous territory in the Haud plateau that the dictator's irredentist kinsfolk viewed as "Western Somalia." The influx of over a million Ogadeni refugees following the Somali military's humiliating defeat at the hands of the Ethiopians and their Soviet and Cuban allies created enormous problems for the Somali state. These challenges were only exacerbated when half of the Ogadeni refugees were placed in refugee camps in the middle of the northern regions of Somaliland, the historical territory of their traditional rivals, the Isaq. This led to the formation of the Somali National Movement (SNM) by the Isaq. Another result of the failed war was an abortive coup attempt by disaffected officers from the Majeerteen clan, another Darod group; those who escaped arrest went on to form the Somali Salvation Democratic Front (SSDF) with the backing of their clansmen. Over the next decade, the two new opposition groups, both born of a conflict that had its origins in Siyad Barre's own complicated political management strategy, would light the fuses that would ultimately explode not just the dictatorship, but the Somali state itself.[19]

When, after the collapse of the Siyad Barre regime, the Hawiye leaders whose forces held sway over the abandoned capital, Muhammad Farah 'Aideed and Ali Mahdi, fell out with one other, the fighting and subsequent cutoff of food supplies brought about a humanitarian crisis that provoked global outrage, leading to no fewer than three successive international military interventions that aimed to secure the flow of humanitarian assistance: the United Nations Operation in Somalia I (UNOSOM I, April–December 1992), the United States–led Unified Task Force (UNITAF, December 1992–May 1993), and the United Nations Operation in Somalia II (UNOSOM II,

[18]I. M. Lewis, *A Modern History of the Somali*, 4th ed. (Oxford: James Currey, 2002), 263.

[19]See I. M. Lewis, "Nazionalismo frammentato e colasso del regime somalo," *Politica Internazionale* 20, no. 4 (1992): 35–52.

March 1993–March 1995).[20] Ultimately, however, central and southern Somalia reverted to the age-old pattern of armed clan factions mobilized by powerful figures—referred to by Somalis with the traditional title formerly reserved for battle leaders, *abbaanduule*, and thus quickly dubbed "warlords" by foreign journalists—and sustained by the spoils of conflict vying with each other for control of territory and such economic assets as could be found amid the ruins of the collapsed state, including bananas for export.[21]

Meanwhile, in the absence of effective political structures of any kind, Islamic authorities arose in response to increased crime, with *shari'a* being a common denominator around which different communities could organize. As the Islamic legal authorities gradually assumed policing and adjudication roles, those authorities who enjoyed access to greater (that is, external) resources acquired greater influence. It should be noted that although the Somali traditionally subscribe to Sunni Islam, they also follow the Shāfi'ī school (*madhab*) of jurisprudence, which, although conservative, is open to a variety of liberal views regarding practice.[22] Throughout most of historical times up to independence in 1960, while different movements existed within Sunni Islam in Somalia, the most dominant among the populace were the Sufi brotherhoods (*tarīqa*, plural *turuq*), especially that of the Qadiriyya order and the Ahmadiyya order, introduced into Somali lands in the nineteenth century.[23] While traditional Islamic schools and scholars (*ulamā*) played a role as focal points for rudimentary political opposition to colonial rule in Italian Somalia, their role in the politics of the Somali clan structure was historically neither institutionalized nor particularly prominent. In part, this is because *shari'a* was not especially entrenched in Somalia: being largely pastoralist, the Somali relied more on customary law (*xeer*) than on religious prescriptions.[24] Hence, Somali Islamism is largely a postcolonial movement that became active in the late 1980s; in the absence of the state's collapse and the ensuing civil strife (and, some authors would add, somewhat polemically, the renewed U.S. interest in potential terrorist linkages

[20]See John L. Hirsh and Robert Oakley, *Somalia and Operation Restore Hope: Reflections on Peacemaking and Peacekeeping* (Washington, D.C.: U.S. Institute of Peace, 1995).

[21]See Virginia Luling, "Come Back Somalia? Questioning a Collapsed State," *Third World Quarterly* 18, no. 2 (June 1997): 287–302.

[22]Lewis, *Blood and Bone*, 167.

[23]See I. M. Lewis, *Saints and Somalis: Popular Islam in a Clan-Based Society* (Lawrenceville, NJ: Red Sea Press, 1998).

[24]See Michael van Notten, *The Law of the Somalis: A Stable Foundation for Economic Development in the Horn of Africa*, ed. Spencer Heath MacCallum (Trenton, NJ: Red Sea Press, 2006).

in the aftermath of the September 11, 2001, attacks on the American homeland[25]), it is doubtful that militant Islamism would be much more than a marginal force in Somali politics.

Religion's increased influence has been largely a phenomenon of small towns and urban centers, although increased adherence to its normative precepts is a wider phenomenon. Islamic religious leaders have helped organize security and other services, and businessmen in particular have been supportive of the establishment of *shari'a*-based courts throughout the south, which were precursors to the Islamic Courts Union established in Mogadishu in June 2006. Suffice to say, the Islamists attempted to fill certain voids left by state collapse and otherwise unattended to by emergent forces like the warlords. In doing so, they also made a bid to supplant clan-based and other identities, offering a pan-Islamist identity in lieu of other allegiances.[26]

Contemporaneously, in the absence of anything resembling a functioning state and amid the multiplying divisions of a society returning to clan solidarity as the basis for organization, Islam came to be seen by some Somalis as an alternative to both the potentially Balkanizing clan-based identities and the newly emergent criminal syndicates led by so-called "warlords."[27]

THE FAILURE OF THE TRANSITIONAL FEDERAL GOVERNMENT

Since the collapse of the Somali government and state in 1991, regional and international actors have repeatedly tried to find ways to reconstitute the Somali state by sponsoring lengthy "peace processes" aimed at establishing a functioning government in Mogadishu. The current embattled Transitional Federal Government is the result of the fourteenth and fifteenth such attempts, the "Nairobi" (or "Mbagathi") and "Djibouti" processes.

The Nairobi Process began in October 2002 under the patronage of the sub-regional Inter-Governmental Authority on Development (IGAD)[28] and with international support, especially from the European Union and the United

[25]See, *inter alia*, Roland Marchal, "Islamic Political Dynamics in the Somali Civil War: Before and After September 11," in *Islamism and Its Enemies in the Horn of Africa*, ed. Alex de Waal (Addis Ababa: Shama Books, 2004), 114–45.

[26]See Shaul Shay, *Somalia between Jihad and Restoration* (New Brunswick, NJ: Transaction Publishers, 2007), 93–127; also see Kenneth J. Menkhaus, "Somalia and Somaliland: Terrorism, Political Islam, and State Collapse," in *Battling Terrorism in the Horn of Africa*, ed. Robert I. Rotberg (Washington: Brookings Institution Press, 2005), 23–47; and "Risks and Opportunities in Somalia," *Survival* 49, no. 2 (Summer 2007): 5–20.

[27]Abdurahman M. Abdullahi, "Recovering the Somali State: The Islamic Factor," in *Somalia: Diaspora and State Reconstitution in the Horn of Africa*, ed. A. Osman Farah, Mammo Muchie, and Joakim Gundel (London: Adonis and Abbey, 2007), 196–221.

[28]IGAD was founded in 1986 by Djibouti, Ethiopia, Kenya, Somalia, Sudan, and Uganda. Eritrea joined following its independence in 1993 but has since come and gone as a member according to the state of its relations with its neighbors.

States. The discussions were so protracted that it took just over two years to establish the TFG using the "4.5 formula." According to this framework, power was to be shared between four of the clan-families—Darod, Dir, Hawiye, and Digil Mirifle (the Isaq, centered in Somaliland, declined to participate)—with some space (the "0.5") granted to minority clans. The Transitional Federal Charter agreed to in October 2004 gave the Transitional Federal Institutions of government a five-year mandate. Heading up this structure was a Darod warlord, Abdullahi Yusuf Ahmad, who had launched his national political career with the proceeds of a $1 million ransom he had extracted from the Taiwanese after his militia seized the trawler MV *Shen Kno II* in 1997.

Not until June 2005—and then only under heavy pressure from the Kenyan government, which had tired of footing the bill for guests who had long overstayed their welcome—did the TFG finally relocate to Somali territory. Even then, the putative government could not enter its capital—the prime minister, Mohamed Ali Ghedi, who, to his credit, at least made the attempt, narrowly escaped assassination for his trouble—and settled instead in Jowhar, a provincial town safely north of Mogadishu, under the protection of a local warlord who was a fellow Hawiye clansman and patron of the prime minister. When relations with the warlord eventually soured, the TFG was forced to move on and, in a turn of events that is particularly humiliating in the Somali cultural context, take shelter among the Rahanweyn in the backwater of Baidoa, some 250 kilometers southwest of the capital. So undesirable was the location and so reduced the government's circumstances that it was February 2006 before the TFG could muster a quorum to convene its parliament in a converted barn.[29]

Meanwhile, a new force was emerging in Somalia, the Union of Islamic Courts, which was made up of the militias of the various local tribunals set up by the Islamists that took control of Mogadishu in June 2006 after defeating a ragtag coalition of warlords and business leaders hastily thrown together by the United States (presumably acting through the Central Intelligence Agency) under the rather ironic banner of the Alliance for the Restoration of Peace and Counter-Terrorism. The American intervention achieved the exact opposite of what was intended: far from being checked, the Islamist actually prevailed and, for the first time since the fall of Siyad Barre, Mogadishu was united under a single administration. Moreover, the Islamists, who reorganized themselves into a governmental structure called the Council of Islamic Courts (CIC), quickly extended their control over much of southern and central Somalia, from the southern border of Puntland in the north to the Kenyan frontier in the south, leaving the TFG cowering in Baidoa beneath the cover of a protection force provided by Ethiopia.[30]

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[29]See Lewis, *Making and Breaking States in Africa*, 188–94.

[30]See Ken Menkhaus, "The Crisis in Somalia: Tragedy in Five Acts," *African Affairs* 106, no. 424 (July 2007): 357–90.

The CIC was in many respects a mixed blessing for most Somalis. The Islamists cleared away the roadblocks that had been set up by rival militias over the years and reopened the port of Mogadishu. They organized some rudimentary services, including the first municipal garbage collection in nearly two decades. On the other hand, these improvements went hand in hand with the imposition of Islamic strictures that were largely alien to the Somali experience, including a ban on watching the 2006 FIFA World Cup (deemed "un-Islamic behavior").[31]

Given their own earlier experiences with Somali Islamism, especially *al-Itihaad al-Islamiya* (the Islamic Union), a group established in the early 1980s that sought to create an expansive Islamic Republic of Greater Somalia and eventually a political union embracing all Muslims in the Horn of Africa,[32] it was not surprising that after many of the same extremists assumed positions of authority in the CIC, neighboring Ethiopia would be alarmed by the rapid Islamist rise in Somalia. When a CIC attack on the TFG in Baidoa, where the remnants of the TFG were being protected by units from the Ethiopian National Defense Force (ENDF), provided the *casus belli*, Ethiopian Prime Minister Meles Zenawi launched a full-scale military intervention on Christmas Eve 2006. The heavily armed and well-trained Ethiopians quickly routed the CIC's forces, many of whose commanders made the mistake of deploying units in open country, where they were slaughtered by the invaders. "On the coat-tails of the Ethiopian forces rode the TFG,"[33] which, with the help of an ENDF expeditionary force, assumed control over key government buildings in Mogadishu.

As the populace's sullen acquiescence to the new regime turned into resentment of what amounted to a *de facto* foreign occupation, an insurgency gathered steam. Seeming impervious to his increasingly tenuous position, Abdullahi Yusuf was finally forced to resign as president of the TFG in late 2008, with his intransigence increasingly viewed by Somalia's neighbors as an obstacle to the peace process they had launched earlier that year by reaching out to the regime's supposedly "moderate" opponents, led by former Islamic Courts leader Sheikh Sharif Sheikh Ahmed. Sharif Ahmed was himself installed as the new TFG president in January 2009 by an electoral assembly packed for that purpose, which convened in Djibouti under the sponsorship of the Nairobi-based UN Political Office for Somalia (UNPOS) and its head, the special representative of UN Secretary-General Ban

[31]See Oscar Gakuo Mwangi, "The Union of Islamic Courts and Security Governance in Somalia," *African Security Review* 19, no. 1 (March 2010): 88–94.

[32]See Medhane Tadesse, *Al-Ittihad: Political Islam and Black Economy in Somalia: Religion, Money, Clan and the Struggle for Supremacy over Somalia* (Addis Ababa, 2002), 16–24.

[33]Menkhaus, "The Crisis in Somalia," 382.

Ki-moon, former Mauritanian politician Ahmedou Ould-Abdallah. The mandate of the new regime was extended until August 2011[34] and then, as that date drew near, until August 2012 in a deal between the TFG president and parliamentary speaker,[35] although the legal authority under which they acted could not be ascertained.

Not surprisingly, given its path to power, the new iteration of the TFG has basically been "unable to expand its authority beyond Villa Somalia in Mogadishu, seat of the presidency" and "has had little relevance."[36] In the summer of 2009, when the insurgents attempted to encircle the TFG in Mogadishu, a number of analysts were surprised by the effectiveness of the Islamist push through territory controlled by Sharif Ahmed's own Harti sub-clan of the Abgaal clan—the reluctance of even his closest kinsmen to defend him was a strong indicator of his near-total lack of legitimacy. The promising alliance in early 2010 between the regime and the new Sufi movement *Ahlu Sunna wal-Jama'a* ([Followers of] the Traditions and Consensus [of the Prophet Muhammad], ASWJ), whose militias have opposed the Islamist insurgents in the central regions of Somalia, collapsed when Sharif Ahmed reneged on the terms of the power-sharing agreement. Since then, with little reference to the TFG, the various clan militia loosely grouped together under the banner of ASWJ have gained control of significant parts of the central Somali region of Galguduud and have made modest but appreciable progress toward achieving local security and stability.

Meanwhile, the TFG president has become as unwilling as his predecessor to engage in the sort of deal-making that would co-opt key stakeholders, extend his regime's political base, and possibly prepare the ground for security operations that might break the continual stalemate.[37] A March 2010 report by the United Nations Monitoring Group on Somalia was, for a diplomatic document, unusually candid in its assessment of the

[34]See Ken Menkhaus, "Somalia: What Went Wrong?," *RUSI Journal* 154, no. 4 (August 2009): 6–12; also see J. Peter Pham, "Peripheral Vision: A Model Solution for Somalia," *RUSI Journal* 154, no. 5 (October 2009): 84–90.

[35]The text of the June 9, 2011, "Kampala Agreement" signed by President Sharif Ahmed and Parliamentary Speaker Sharif Hassan Sheikh Aden and witnessed by Ugandan President Yoweri Museveni and special representative of the UN secretary-general Augustine Muhiga is available at http://harowo.com/2011/06/09/the-kampala-accord-the-agreement-between-president-of-somalia-and-the-speaker-of-parliament/ (accessed August 19, 2011).

[36]Apuuli Phillip Kasaija, "The UN-led Djibouti Peace Process for Somalia 2008–2009: Results and Problems," *Journal of Contemporary African Studies* 28, no. 3 (July 2010): 278.

[37]See Andre Le Sage, "Somalia's Endless Transition: Breaking the Deadlock," *Strategic Forum* 257 (June 2010), http://www.ndu.edu/inss/docUploaded/SF%20257.pdf (accessed August 19, 2011).

regime and was, for all intents and purposes, a scathing indictment not only of the TFG, but of any policy built on it:

> The military stalemate is less a reflection of opposition strength than of the weakness of the Transitional Federal Government. Despite infusions of foreign training and assistance, government security forces remain ineffective, disorganized and corrupt—a composite of independent militias loyal to senior government officials and military officers who profit from the business of war and resist their integration under a single command. During the course of the mandate, government forces mounted only one notable offensive and immediately fell back from all the positions they managed to seize. The government owes its survival to the small African Union peace support operation, AMISOM, rather than to its own troops . . ..[38]
>
> The security sector as a whole lacks structure, organization and a functional chain of command—a problem that an international assessment of the security sector attributes to "lack of political commitment by leaders within the Transitional Federal Government or because of poor common command and control procedures." . . . To date, the Transitional Federal Government has never managed to deploy regimental or brigade-sized units on the battlefield.
>
> The consequences of these deficiencies include an inability of the security forces of the Transitional Federal Government to take and hold ground, and very poor public perceptions of their performance by the Somali public. As a result, they have made few durable military gains during the course of the mandate, and the front line has remained, in at least one location, only 500 meters from the presidency.[39]

In early 2011, the International Crisis Group also issued an indictment of the TFG, declaring that members of the regime were "not fit to hold public office and should be forced to resign, isolated, and sanctioned."[40] The document bemoaned the fact that the TFG "has squandered the goodwill and support it received and achieved little of significance in the two years it has been in office," and that "every effort to make the administration modestly functional has become unstuck."[41] This harsh assessment was echoed by the judgment in the most recent report of the UN Monitoring Group, released by the Security Council in July 2011:

> The principal impediments to security and stabilization in southern Somalia are the Transitional Federal Government leadership's lack of

[38]UN Security Council, Report of the Monitoring Group on Somalia pursuant to Security Council Resolution 1853 (2008), S/2010/91, March 10, 2010, 4.

[39]Ibid., 12.

[40]International Crisis Group, *Somalia: The Transitional Government on Life Support*, Africa Report No. 170, February 21, 2011, i.

[41]Ibid.

> vision or cohesion, its endemic corruption and its failure to advance the political process. Arguably even more damaging is the Government's active resistance to engagement with or the empowerment of local, de facto political and military forces elsewhere in the country. Instead, attempts by the Government's leadership to monopolize power and resources have aggravated frictions within the transitional federal institutions, obstructed the transitional process and crippled the war against Al-Shabaab, while diverting attention and assistance away from positive developments elsewhere in the country.[42]

Moreover, international efforts to bolster the regime have proven not only ineffective, but also counterproductive. A review of the TFG's books for the years 2009 and 2010 revealed that although bilateral assistance to the regime during this period totaled $75,600,000, only $2,875,000 could be accounted for. The regime's auditors—imposed by representatives of weary donors, especially the European Commission's special envoy to Somalia, Belgian diplomat George-Marc André—determined that the missing money, which represents more than 96 percent of direct international aid to the TFG, was simply "stolen" and specifically recommended forensic investigations of the Office of the President, the Office of the Prime Minister, the Ministry of Finance, and the Ministry of Telecommunications, the most egregious offenders.[43] Out of the roughly 9,000 troops that the three separate military missions headed by the United States, the European Union, and France have trained and armed for the regime, no more than 1,000 remain in Somalia.[44] Efforts to supply this miniscule force have actually increased the threat to regional security, with the UN Monitoring Group citing reports that between one-third and one-half of armaments supplied to the regime end up in the illicit market and concluding that "diversion of arms and ammunition from the Transitional Federal Government and its affiliated militias has been another significant source of supply to arms dealers in Mogadishu, and by extension to al-Shabaab."[45] The investigators even highlighted a case in which a rocket-propelled grenade (RPG) launcher and associated munitions, purchased for the regime under a U.S. State Department contract to DynCorp International, found their way into a stronghold of al-Shabaab that AMISOM captured earlier this year.[46]

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[42]UN Security Council, Report of the Monitoring Group on Somalia and Eritrea pursuant to Security Council Resolution 1916 (2010), S/2011/433, July 18, 2011, 16.

[43]Public Finance Management Unit, Audit Investigation Report Covering Accounting Years of 2009 and 2010, May 2011, 3.

[44]See Elizabeth Dickinson, "How Much Turf Does the Somali Government Really Control?," *ForeignPolicy.com*, September 23, 2010, http://www.foreignpolicy.com/articles/2010/09/23/how_much_turf_does_the_somali_government_really_control (accessed August 19, 2011).

[45]UN Security Council, Report of the Monitoring Group on Somalia and Eritrea, 43.

[46]Ibid., 233.

AMISOM: PEACEKEEPERS WITH NO PEACE TO KEEP

Since the TFG "failed to generate a visible constituency of clan or business supporters in Mogadishu," the regime's very survival "now depends wholly on the presence of AMISOM forces."[47] The question is whether or not the "peacekeeping" mission, now in its fifth year, is sustainable as a military operation, much less viable as a strategy.

To its credit and that of its international partners like the United States—which indirectly financed the use of private contractors to train, equip, and, in some cases, guide the African troops in operations[48]—AMISOM is certainly in much better shape today than it has been at any other time in its more than four years of existence. Since the beginning of 2011, at not insignificant sacrifice, AMISOM has managed to extend its operational reach enough for the force commander, Ugandan Major General Nathan Mugisha, to announce that the force is now present in thirteen of Mogadishu's sixteen districts, although he acknowledged that its soldiers "dominate" in just "more than half of these."[49]

Nonetheless, AMISOM's capacity remains limited by its lack of manpower and materiel. It took four years for the force to reach its original authorized strength of 8,000 peacekeepers, with almost all the troops coming from Burundi and Uganda.[50] And while additional deployments from those two countries in the first half of 2011 have brought the total AMISOM troop strength to just about 10,000, there is no indication of where personnel will be found to bring the numbers up to the new ceiling of 12,000 authorized by the UN Security Council in December 2010. Even if the troops are raised and the international community, acting through the UN, the African Union (AU), or IGAD, were to adequately equip the enlarged force, it is hardly realistic to expect that a 12,000-strong contingent—or even the 20,000-strong force that has been bantered about by some African leaders—would succeed where the infinitely more robust and better trained and armed UNITAF and UNOSOM II forces, with their 37,000 and 28,000 personnel respectively, failed just a decade and a half ago against a far less capable opposition than the current Islamist insurgents.[51]

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[47]Bronwyn E. Bruton, *Somalia: A New Approach*, Council Special Report 52 (New York/Washington, D.C.: Council on Foreign Relations, 2010), 10.

[48]See Jeffrey Gettleman, Mark Mazzetti, and Eric Schmitt, "U.S. Relies on Contractors in Somalia Conflict," *New York Times*, August 11, 2011, A1.

[49]Nathan Mugisha, "The Way Forward in Somalia," *RUSI Journal* 156, no. 3 (June/July 2011): 26.

[50]Cameroon, Ghana, Mali, and Senegal have sent a token soldier apiece to join AMISOM, while Ghana, Kenya, Nigeria, and Sierra Leone have also sent personnel to man the peacekeeping force's four-dozen-strong police unit.

[51]See Jonathan Stevenson, *Losing Mogadishu: Testing U.S. Policy in Somalia* (Annapolis, MD: U.S. Naval Institute Press, 1995).

In a successful model of counterinsurgency, the 2006–07 Iraq "surge," the United States committed more than 160,000 troops to Iraq, backed by a further 100,000 servicemen and -women deployed elsewhere in the region to provide rear support.[52] These numbers translate into one pair of boots on the ground for every 187 Iraqis. AMISOM, in contrast, is tasked with doing much the same job with one soldier for every 500 Somalis—if it limits its ambitions to just southern and central Somalia. AMISOM's problem is unfortunately an all-too-familiar one: its political architects gave very little thought to what they hoped to achieve in Somalia, how they intended to achieve those aims, and what their exit strategy might be. Instead, the result has been nothing more than a charade, whereby the international community pretends to be doing something while it really does very little, all the while throwing increasing but nonetheless inadequate numbers of African soldiers into a conflict that they cannot hope to win.[53] One of the few factors, aside from ideology, that unites the various Shabaab factions among themselves, is opposition to the TFG and its AMISOM protectors. While instances of the sort of indiscriminate shelling that characterized the TFG's response to insurgent attacks early in the mission have decreased with training, improved targeting, and the identification of no-fire zones,[54] the mere presence of the AU force and deeply ingrained Somali resentment of foreign intervention in the country has enabled al-Shabaab to rally support from a Somali populace that otherwise has little time for its alien strictures, much less its ham-fisted management of the famine.

THE ISLAMIST INSURGENTS

While the 2006 Ethiopian intervention ended the rule of the Islamic Courts, the latter's al-Shabaab militia not only survived, but later emerged as the dominant force opposing the TFG and its international supporters. Al-Shabaab itself was born earlier under the leadership of one of the CIC's more hard-line leaders, Sheikh Hassan Dahir 'Aweys, who wanted to create a military wing for the Islamist movement whose members would be not only well-trained, but also indoctrinated to a pan-Islamist identity that transcended clan allegiances. Dahir 'Aweys entrusted this initiative to one of his young deputies, Adan Hashi Farah ("Ayro"), who had travelled to and been

[52]See Steven N. Simon, *After the Surge: The Case for U.S. Military Disengagement from Iraq*, Council Special Report No. 23 (New York/Washington, D.C.: Council on Foreign Relations, 2007), 37.

[53]See J. Peter Pham, "Somalia: Insurgency and Legitimacy in the Context of State Collapse," in *Victory Among People: Lessons from Countering Insurgency and Stabilising Fragile States*, ed. David Richards and Greg Mills (London: RUSI, 2011), 111–34.

[54]See Human Rights Watch, "*You Don't Know Who to Blame": War Crimes in Somalia*, August 15, 2011, 16–18, http://www.hrw.org/sites/default/files/reports/somalia0811webwcover.pdf (accessed September 29, 2011).

trained in Afghanistan before the al-Qaeda attacks on the United States and the subsequent American-led invasion in 2001. Other prominent leaders of the group had also had experience in Afghanistan and Kashmir, including Mukhtar Robow Ali ("Abu Mansur"), Ibrahim Haji Jama ("al-Afghani"), and Ahmed Abdi Godane, ("Abu Zubair"), who eventually succeeded Ayro as the group's nominal leader after the latter was killed in a U.S. airstrike in May 2008.[55]

After the Ethiopian invasion destroyed the CIC, al-Shabaab began to operate as an independent entity. Over time, the group—insofar as its various units and factions can be said to share commonalities—has shifted its emphases from a purely local focus on driving out foreign forces to an increasingly international agenda that has produced both a twin bombing in Kampala, Uganda, in July 2010, and formal proclamations of its adhesion to al-Qaeda. Gradually gaining control over much of southern and central Somalia—in January 2009, it even took control of Baidoa, an objective that eluded its former parent organization, the CIC—al-Shabaab has established local governments in those areas that administer its harsh version of *shari'a* as well as adjudicating more prosaic disputes. Since early 2009, al-Shabaab forces have not only attacked the TFG, but also battled with AMISOM forces, drawing the peacekeepers deeper into the conflict and causing them to suffer increasing casualties from terrorist attacks such as the September 17, 2009, suicide bombing that killed seventeen peacekeepers, including the deputy force commander, Brigadier General Juvenal Niyoyunguruza of Burundi, and wounded more than forty others.[56] Al-Shabaab has also enjoyed some success reaching out to the Somali diaspora elsewhere in Africa and in Europe, North Africa, the Middle East, and Australia. Although the number of Somali recruits is tiny compared to the estimated two million Somalis in the diaspora, the relative success of the recruitment program has focused considerable international attention—from both terrorist networks and law enforcement officials—on al-Shabaab's capabilities, especially the extremist group's reach into diaspora communities. One young recruit, Shirwa Ahmed, perpetrated what was the first known suicide attack by an American citizen when, in October 2008, he detonated a vehicle-borne improvised explosive device (VBIED) in Puntland. Others in the diaspora have been indicted by U.S. prosecutors for sending funding to the insurgency.[57] Al-Shabaab has also provided training camps for foreign Islamist militants, as well as safe haven

[55] See Roland Marchal, "A Tentative Assessment of the Somali *Harakat Al-Shabaab*," *Journal of Eastern African Studies* 3, no. 3 (November 2009): 381–404.

[56] See "21 Killed in Suicide Attack on African Union Base in Somalia," *CNN*, September 18, 2009, http://edition.cnn.com/2009/WORLD/africa/09/18/somalia.suicide.attack/index.html (accessed August 19, 2011).

[57] See Evan Perez, "Case Shows Rise of Non-Bank Transfers to Fund Terror," *Wall Street Journal*, November 17, 2010, http://online.wsj.com/article/SB10001424052748703628204575618841265233312.html (accessed August 19, 2011).

for some high-ranking al-Qaeda operatives in East Africa, including Abu Taha al-Sudani and Saleh Ali Saleh Nabhan, who were subsequently killed by Ethiopian and U.S. special operations forces, respectively.[58]

A word may be in order regarding al-Shabaab and its place among international terrorist networks, as not inconsiderable confusion and misinformation about the group exists. Most analysts do not believe that al-Shabaab is currently a branch of or under the operational control of al-Qaeda.[59] However, most—including the most recent edition of the U.S. State Department's congressionally mandated *Country Reports on Terrorism*—acknowledge that there are many links between the two organizations.[60] Certainly there is evidence dating back to at least 2007 of operational links—including transfers of knowledge and equipment—between al-Shabaab in Somalia and what eventually emerged as al-Qaeda in the Arabian Peninsula (AQAP) in Yemen. Those same links seem also to be at work in the case of Ahmed Abdulkadir Warsame, a mid-level al-Shabaab militant captured by U.S. forces in early 2011 while traveling between Somalia and Yemen, whose nine-count indictment on terrorism charges by a grand jury in the U.S. Federal Court of the Southern District of New York was unsealed in early July 2011; the evidence obtained from his questioning by the High-Value Interrogation Group is said to provide some of the clearest evidence to date of a deepening relationship between al-Shabaab and AQAP.[61] And while, unlike the other major violent Islamist extremist group in Africa, al-Qaeda in the Islamic Maghreb (AQIM),[62] al-Shabaab was never formally admitted as a branch of al-Qaeda during Osama bin Laden's lifetime, its status may well change as his successors seek to establish a name for themselves by carrying out attacks wherever they can, but especially in the West.

Generally allied with al-Shabaab—although occasionally also competing with it for control of key towns and strategic resources like the port of Kismayo—is *Hizbul Islam* (Islamic Party), formed by 'Aweys and other exiled former CIC hard-liners after the "moderates" acceded to the Djibouti Process with the TFG in 2008. The group's primary difference from al-Shabaab is that

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[58]Jonathan Stevenson, "Jihad and Piracy in Somalia," *Survival* 52, no. 1 (February/March 2010): 27–38.

[59]See, *inter alia*, David Shinn, "Al Shabaab's Foreign Threat to Somalia," *Orbis* 55, no. 2 (Spring 2011): 203–15.

[60]See U.S. Department of State, Office of the Coordinator for Counterterrorism, *Country Reports on Terrorism 2010*, August 18, 2011, http://www.state.gov/documents/organization/170479.pdf (accessed August 19, 2011).

[61]See Charlie Savage and Eric Schmitt, "U.S. to Prosecute Somali Suspect in Civilian Court," *New York Times*, July 5, 2011, A1.

[62]See, *inter alia*, J. Peter Pham, "Foreign Influences and Shifting Horizons: The Ongoing Evolution of al Qaeda in the Islamic Maghreb," *Orbis* 55, no. 2 (Spring 2011): 240–54; also see J. Peter Pham, "The Dangerous 'Pragmatism' of Al-Qaeda in the Islamic Maghreb," *Journal of the Middle East and Africa* 2, no. 1 (January–June 2011): 15–29.

it does not place as much emphasis on global jihadist objectives; rather, its two principal demands are the implementation of a strict version of *shari'a* as the law in Somalia and withdrawal of all foreign troops from the country. Although it lost control of the strategic central town of Beledweyne to al-Shabaab forces in June 2010, Hizbul Islam still controlled some territory in the southern and central Somali regions of Bay and Lower Shabelle. Subsequently, during the Muslim holy month of Ramadan, the two groups cooperated on a joint offensive against TFG and AMISOM forces in Mogadishu.

Another insurgent group that has been prominent in Somalia was the *Mu'askar Ras Kamboni* (Ras Kamboni Brigades), led by Hassan Abdullah Hersi ("al-Turki"), a former military commander for the Islamic Courts. Based in Middle and Lower Jubba Valley, where it gained control of several strategically located towns that control access to the Kenyan border, including Jilib Afmadoow and Dhoobley, the Ras Kamboni Brigades were aligned with Hizbul Islam until the beginning of 2010, when the group announced it was joining forces with al-Shabaab. Subsequently, the two groups proclaimed their adhesion to "the international jihad of al-Qaeda."[63]

The insurgents' attacks have progressively increased in both ambition and sophistication. For example, whereas the September 2009 suicide bombing of AMISOM headquarters and the December 3, 2009, assault that killed three TFG ministers and sixteen people attending a graduation ceremony at Mogadishu's Shamu Hotel both relied solely on explosives to inflict damage,[64] the August 24, 2010, attack on the Muna Hotel, a location just blocks from Villa Somalia that was frequented by TFG officials, involved al-Shabaab fighters dressed in government uniforms who went through the building room by room killing their victims. They then fought incoming security forces for some time before finally detonating their suicide vests.[65]

In the aftermath of its losses in the Ramadan offensive of 2010, al-Shabaab reshuffled its leadership, with Ibrahim Haji Jama, a militant who trained and fought in Afghanistan and Kashmir before returning to Somalia, emerging as the nominal leader of the group. More significantly, al-Shabaab has apparently formally adopted a decentralized system in which various leaders assume command in their home areas, where they are most likely to garner support from fellow clansmen: the erstwhile emir Godane assumed control of operations in Somaliland; Fuad Mohamed Qalaf ("Shongole") was put in charge in Puntland; Abu Mansur assumed command

[63]Abdi Sheikh and Abdi Guled, "Somali Rebels Unite, Profess Loyalty to al Qaeda," Reuters, February 1, 2010, http://www.reuters.com/article/idUSTRE6102Q720100201 (accessed August 19, 2011).

[64]Stephanie McCrummen, "Bombing Kills 19 in Somali Capital," *Washington Post*, December 4, 2009, A19.

[65]"Members of Somali Parliament Killed in Bombing Are Identified," CNN, August 25, 2010, http://edition.cnn.com/2010/WORLD/africa/08/25/somalia.fighting/#fbid=1kXy4f-GUXf&wom=false (accessed August 19, 2011).

of the Bay and Bakool regions of southern Somalia; Hassan Abdullah Hersi ("al-Turki") continued to hold sway over the Middle and Lower Jubba Valley, albeit with greater integration of his Ras Kamboni Brigades into the al-Shabaab organization; and Ali Mohamed Raghe ("Dheere") overseeing Mogadishu with the assistance of the Comoros-born al-Qaeda in East Africa chief Fazul Abdullah Mohammed (until the latter's June 2011 murder).[66] In this respect, the insurgents essentially combine and exploit the advantages of both clan ties and Islamic identities.

THE SOMALIA THAT WORKS: "BOTTOM-UP" VERSUS "TOP DOWN"

The most damning aspect of the utter failure of fourteen different attempts to rebuild the national-level institutions of the Somalian state and the current struggles of the fifteenth to survive the daily assaults of the Islamist insurgency is the presence of ready examples elsewhere in the territory of what is possible when a "bottom-up" or "building-block" strategy is adopted instead of a continual default to a "top-down" approach in conflict resolution, peace-building, or counterinsurgency. These examples illustrate how a process that is viewed as legitimate and supported by the populace can also address the international community's interests concerning issues ranging from humanitarian concerns to maritime piracy to transnational terrorism.[67]

Although they differ significantly in their political development and the courses they have charted for themselves, the northern Somali regions of Somaliland and Puntland have both been relatively successful in avoiding not only embroilment in the violence that has consumed most of southern and central Somalia, but also major internal conflict.

After the collapse of the Somali state, elders representing the various clans in the former British Somaliland Protectorate of Somaliland met in the ravaged city of Burao and agreed to a resolution that annulled the northern territory's merger with the former Italian colony and declared a reversion to the sovereign status it had enjoyed after its achievement of independence from Great Britain. Unlike other parts of Somalia, conflict in the region was averted when the Somali National Movement (SNM), the principal opposition group that had led the resistance against the Siyad Barre dictatorship in the region, and Isaq clan leaders purposely reached out to representatives of other clans in Somaliland, including the Darod/Harti (Dhulbahante and Warsangeli sub-clans) and Dir (Gadabuursi and Ise sub-clans). The chairman

[66]Abdi Sheikh, "Somalia Says Killed Top African Al Qaeda Operative," Reuters, June 11, 2011, http://uk.reuters.com/article/2011/06/11/uk-somalia-alqaeda-idUKTRE75A12F20110611 (accessed August 19, 2011).

[67]See J. Peter Pham, "The Somali Solution to the Somali Crisis," *Harvard Africa Policy Journal* 6 (2010): 71–84.

of the SNM, Abdirahman Ahmed Ali ("Tuur"), was appointed by consensus at the Burao conference to be interim president of Somaliland for a period of two years. In 1993, the Somaliland clans sent representatives to Borama for a national *guurti*, or council of elders, which elected as president Mohamed Haji Ibrahim Egal, who had briefly been prime minister of independent Somaliland in 1960, as well as the democratically elected prime minister of Somalia between 1967 and the military coup in 1969. Interestingly, while the apportionment of seats at the two conferences was conducted along clan lines in a rough attempt to reflect the demographics of the territory, the actually decision-making was carried out by consensus.[68]

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

Although the report of a 2005 African Union fact-finding mission led by then-African Union (AU) Commission Deputy Chairperson Patrick Mazimhaka concluded that "the fact that the union between Somaliland and Somalia was never ratified and also malfunctioned when it went into action from 1960 to 1990 makes Somaliland's search for recognition historically unique and self-justified in African political history" and recommended that "the AU should find a special method of dealing with this outstanding case,"[69] no country has yet recognized Somaliland's independence. This apparent snub, while grating to Somalilanders, has not prevented them from building a vibrant polity with a strong civil society sector.

Left to their own devices, the Somalilanders discovered that the demobilization of former fighters, the formation of national defense and security services, and the extraordinary resettlement of over one million refugees and internally displaced persons fostered the internal consolidation of their renascent polity, while the establishment of independent newspapers, radio stations, and a host of local NGOs and other civic organizations reinforced the nation-building exercise. The stable environment has facilitated substantial

[68]See Mark Bradbury, *Becoming Somaliland* (Oxford: James Currey, 2008), 77–136.

[69]African Union Commission, Report of the AU Fact-Finding Mission to Somaliland, April 30–May 4, 2005.

investments by both local and diaspora businessmen, who have built, among other achievements, a telecommunications infrastructure that is more developed than that of some of Somaliland's neighbors.[70] Coca-Cola has even announced the opening of a $10 million bottling plant in Hargeisa.[71]

In this context, one needs to single out the educational sector as not only a bridge between Somalilanders in the diaspora and their kinsmen at home, but also an important impetus for the reconstruction and development of the region. The showcase of this link is Amoud University, the first institution of its kind in Somaliland, which opened its doors in Borama in 1997. The school took its name from an eponymous high school that was the first institution of its kind under the British Protectorate and had been the alma mater for many distinguished Somalilanders. The university was founded as a modest joint effort by local citizens, who assumed responsibility for the initiative, and their relations abroad, especially in the Middle East, who raised money and sent textbooks and other supplies. The institution opened with just two academic departments, education and business administration—the former because of the dire need for teachers in the country, and the latter because of the opportunities it provided for employment in the private sector and entrepreneurship. Even a noted Somali critic of Somaliland's quest for independence has praised Amoud for having "underscored the preciousness of investing in collective projects that strengthen common values and deepen peace" and "given the population confidence that local resources can be mobilized to address development needs."[72] Subsequently, universities have been established in Hargeisa (2000), Burco (2004), and Berbera (2009), although the latter institution has its origins in an older College of Fisheries and Maritime Management.

Unfortunately, Somaliland's political progress has stalled in recent years as a result of the repeated postponement of presidential and legislative elections beginning in 2008. Based on my firsthand observation, it would appear that while the crisis is home-grown, outside actors, especially the European Commission (EC) and the non-governmental organization Interpeace, have exacerbated the situation, however unintentionally. First, the nomination of the National Election Commission (NEC) by the president and the opposition-controlled parliament took longer than

[70]See Iqbal Jhazbhay, *Somaliland: An African Struggle for Nationhood and International Recognition* (Johannesburg: South African Institute for International Affairs/Institute for Global Dialogue, 2009); also see J. Peter Pham, "Review of *Somaliland: An African Struggle for Nationhood and International Recognition*, by Iqbal D. Jhazbhay," *Journal of the Middle East and Africa* 1, no. 1 (Spring 2010): 139–44.

[71]See Sarah McGregor, "Coca-Cola Invests $10 Million in Somaliland Bottling Plant," Bloomberg, May 31, 2011, http://www.businessweek.com/news/2011-05-31/coca-cola-invests-10-million-in-somaliland-bottling-plant.html (accessed August 19, 2011).

[72]Abdi Ismail Samantar, "Somali Reconstruction and Local Initiative: Amoud University," *World Development* 29, no. 4 (April 2001): 654.

expected. Then the government in Hargeisa, the EC, and Interpeace reached an agreement to undertake a new round of voter registration throughout Somaliland that would result in the issuance of a combination voter and national identification card—an admittedly important symbolic goal for a nascent state. Complicating the exercise further, the NEC, with the agreement of Somaliland's political parties, decided that the card would carry, in addition to a photograph of the bearer, biometric data. The whole process only began in October 2008 and was soon thereafter interrupted by the suicide bombings carried out by al-Shabaab. When the process resumed, it was carried out with great enthusiasm and dispatch by both government and donors, so much so that fingerprint data were not collected from more than half of those registered, and multiple registrations clearly took place in a number of localities. Eventually, an internal compromise worked out in late September 2009 by all three of the region's political parties with encouragement from Ethiopia and the United Kingdom postponed the terms of the president and vice-president until one month after the elections—the date of which was not specified—thus preventing the escalation of the crisis into violence, but still not carrying out the elections. While the election problem is rooted in Somaliland's internal politics, the outside actors have done their local partners no favors by backing a process that was highly problematic from the outset and then, in the case of Interpeace, becoming embroiled in the expanded conflict. Fortunately, good sense and some timely mediation by the traditional clan elders won the day, and the internationally monitored presidential election in June 2010 that resulted in the defeat of incumbent Dahir Riyale Kahin, the election of Ahmed Mohamed Mohamoud ("Silanyo"), and a smooth transition between the two—an unheard-of occurrence in the region—reinforced Somaliland's case for the international recognition that has thus far eluded it. As a recent report concluded:

> Recognition of Somaliland would be a most cost-effective means to ensure security in an otherwise troubled and problematic region. Moreover, at a time when "ungoverned spaces" have emerged as a major source of global concern, not least in this region of the world, it is deeply ironic that the international community should deny itself the opportunity to extend the reach of global governance in a way that would be beneficial both to itself, and to the people of Somaliland. For Africa, Somaliland's recognition should not threaten a "Pandora's box" of secessionist claims in other states. Instead it offers a means to positively change the incentives for better governance, not only for Somaliland, but also in south-central Somalia.[73]

[73]Christopher Clapham et al., *African Game Changer? The Consequences of Somaliland's International (Non) Recognition*, Brenthurst Discussion Paper, June 2011, http://www.thebrenthurstfoundation.org/Files/Brenthurst_Commisioned_Reports/BD-1105_Consequences-of-Somalilands-International-Recognition.pdf (accessed August 19, 2011).

The Darod territories in the northeastern promontory of Somalia have also demonstrated the success of the building-block model and the wisdom of working with the Somali's deeply ingrained clan identities.[74] In 1998, tired of being held back by the constant violence and overall lack of social and political progress in central and southern Somalia, traditional clan elders of the Darod clan-family's Harti clan—including its Dhulbahante, Majeerteen, and Warsangeli sub-groups—met in the town of Garowe and opted to undertake a regional state formation process of their own in the northeast, establishing an autonomous administration for what they dubbed "Puntland State of Somalia." After extensive consultations within the Darod/Harti clans and sub-clans, an interim charter was adopted that provided for a parliament whose members were chosen on a clan basis and who, in turn, elected a regional president, the first being Abdullahi Yusuf Ahmed who went on to become president of the TFG in 2004.[75]

Following Yusuf Ahmed's departure for what was to be his disastrous tenure at the head of the TFG, Puntland legislators chose General Mohamud Muse Hersi ("Muse Adde") as the new head of the regional administration. After serving one four-year term of office, Muse Adde lost a reelection bid to Abdirahman Mohamed Mohamud ("Farole"), who was elected in January 2009 from a field of over a dozen candidates. Unlike Somaliland, which has opted to reassert its independence, Puntland's constitution simultaneously supports the notion of a federal Somalia and asserts the region's right to negotiate the terms of union with any eventual national government.[76] In late 2009, in a sign that secessionism nonetheless is gaining some traction, the regional parliament voted unanimously to adopt a distinctive flag, coat of arms, and anthem.

The region has, of course, become the center of Somali maritime piracy.[76] The towns of Eyl and Garaad in Puntland, together with Hobyo and Xarardheere in central Somalia, have emerged as the principal pirate ports. Analysts believe that senior Puntland officials are abetting the piracy networks—the UN Sanctions Monitoring Group has charged that President Farole and members of his cabinet have received some of the proceeds of piracy[77]—and that the region is moving in the direction of "becoming the

[74]See Martin Doornbos, "When Is a State a State? Exploring Puntland, Somalia," in *Global Forces and State Restructuring: Dynamics of State Formation and Collapse* (New York: Palgrave Macmillan, 2006), 175–94.

[75]See Kinfe Abraham, *Somalia Calling: The Crisis of Statehood and the Quest for Peace* (Addis Ababa: Ethiopian International Institute for Peace and Development, 2002), 445–63.

[76]See J. Peter Pham, "Putting Somali Piracy in Context," *Journal of Contemporary African Studies* 28, no. 3 (July 2010): 325–41; and J. Peter Pham, "The Failed State and Regional Dimensions of Somali Piracy," in *The International Response to Somali Piracy: Challenges and Opportunities*, ed. Frans-Paul van der Putten and Bibi T. van Ginkel (Leiden: Martinus Nijhoff, 2010), 31–64; also see Martin N. Murphy, *Somalia, The New Barbary? Piracy and Islam in the Horn of Africa* (New York: Columbia University Press, 2011).

[77]See UN Security Council, Report of the Monitoring Group on Somalia, 39.

pirate version of a narco-state."[78] This development should not be surprising given that in 2008—a year in which an estimated $100 million was paid in ransom to the pirates operating there—the entire budget for the Puntland State amounted to $11.7 million.[79] Nevertheless, a recent report by the Council on Foreign Relations suggests the possibility of a "grand bargain," in which Puntland reins in its piracy-inclined citizens in return for political and economic engagement by the international community.

Development agencies should also seek to create a partnership with Puntland's legitimate business community—probably the only social segment currently strong enough to challenge the pirate networks. The international community could focus on organizing the professional community in Puntland into a professional association, providing capacity-building support, and engaging the group in discussions about what can be done to reduce piracy. A program that explicitly ties development incentives in the coastal zones to antipiracy efforts could effectively mobilize a population tiring of pirate promiscuity and excess.[80]

The problem, of course, is getting members of the international community to actually engage a non-state entity like Puntland and to do so in a consistent and sustainable manner. In 2002, for example, the Puntland Intelligence Service was established with American and Ethiopian assistance, but this organization has focused almost exclusively on counterterrorism, while largely ignoring wider human security concerns. The regular police, however, on those occasions when they have been willing to confront pirates and other organized criminals, have more often than not found themselves outgunned.[81]

In addition to this well-known example, other less-developed political entities are also emerging out of processes currently at work elsewhere among the Somali. In the central regions of Galguduud and Mudug, for example, the local residents set up several years ago what they have dubbed the "Galmudug State," complete with its own website.[82] Last year, they elected a veteran of the old Somali military, Colonel Mohamed Ahmed Alin, to a three-year term as the second president of what describes itself as "a secular, decentralized state." An analogous process is taking place in Jubaland, along the frontier with Kenya, apparently with the encouragement of that country's government, which wants a buffer zone between its territory and the areas controlled by al-Shabaab in southern Somalia. In April 2011, the state announced that a new autonomous authority, "Azania," had been

[78]Ken Menkhaus, "Dangerous Waters," *Survival* 51, no. 1 (February–March 2009): 24.

[79]See Brian J. Hesse, "Lessons in Successful Somali Governance," *Journal of Contemporary African Studies* 18, no. 1 (January 2010): 79.

[80]Bruton, *Somalia: A New Approach*, 33–34.

[81]See Matt Bryden and Jeremy Brickhill, "Disarming Somalia: Lessons in Stabilisation from a Failed State," *Conflict, Security and Development* 10, no. 2 (May 2010): 251–53.

[82]See http://www.galmudug.com (accessed August 19, 2011).

inaugurated with the TFG's own resigned defense minister, Mohamed Abdi Mohamed ("Gandhi"), as its first president.[83] Meanwhile, another self-declared administration, "Himan Iyo Heeb," originally established in 2008 by Habar Gidir clansmen in central Somalia, north of Mogadishu,[84] has apparently become active again.[85] Similar stirrings are occurring among the Hawiye in the Benadir region around Mogadishu and among the Digil/Rahanweyn clans farther south.

Whatever their respective shortcomings, by leveraging the legitimacy enjoyed by virtue of deeply rooted kinship and geographic bonds—to say nothing of a very personal political consent—traditional leaders in Somaliland, Puntland, and other Somali regions have managed to deliver to their constituents a relatively high degree of peace, security, economic progress, and rule of law, despite the lack of international recognition or involvement. Put another way, they have combined Weber's "traditional legitimacy" and "legal right" with service provision in order to establish a sustainable political arrangement, "an order beside the state."[86] As counter-insurgency theorist David Kilcullen has noted:

> Somalia is virtually a laboratory test case, with the south acting as a control group against the experiment in the north. We have the same ethnic groups, in some cases the same clans or even the same people, coming out of the same civil war and the same famine and humanitarian disaster, resulting from the collapse of the same state, yet you see completely different results arising from a bottom-up peace-building process based on local-level rule of law versus a top-down approach based on putting in place a "grand bargain" at the elite level.[87]

Vital to Somaliland, Puntland, and other areas' relatively successful efforts to avoid both major internal conflict and embroilment in the violence affecting most of southern Somalia has been the role played by their clans. It has been traditional clan elders who have negotiated questions of political representation in key forums. In circumstances under which elections were impossible, representatives were designated by clan units from among their

[83]See Richard Lough, "Kenya Looks to Somali Troops, Militia to Create Border Buffer," Reuters, August 16, 2011, http://af.reuters.com/article/topNews/idAFJOE77F0D320110816 (accessed August 19, 2011).

[84]See Ramadan Haji Elmi, "Himan and Heeb—From Hardship to Harmony," *Madasha*, November 2, 2011, http://www.madasha.com/index.php?option=com_content&view=article&id=338:himan-a-heeb-from-hardship-to-harmony&catid=41:opinions (accessed August 19, 2011).

[85]"Himan Iyo Heb Calls for Participating in Ending Inter-Clan Hostilities," *AllAfrica.com*, July 5, 2011, http://allafrica.com/stories/201107050714.html (accessed August 19, 2011).

[86]See Dustin Dehéz and Belachew Gebrewold, "When Things Fall Apart—Conflict Dynamics and an Order Beside the State in Postcollapse Somalia," *African Security* 3, no. 1 (January 2010): 1–20.

[87]David Kilcullen, *Counterinsurgency* (Oxford: Oxford University Press, 2010), 156.

members through a deliberative process in which all adult males had an opportunity to participate and decisions were made on a consensual basis. In stark contrast to the TFG process, which emphasizes the individual actor, the resulting social contract is created between groups with deeply rooted legitimacy in kinship and geographic bonds.

Interestingly, another trait that the authorities in Somaliland and Puntland share with each other but not with the TFG in Mogadishu is the fact that they have largely been self-supporting with respect to governmental finances. It has been argued that one of the most significant factors undermining state formation in Africa has been a limited revenue base—that is, a dependence on foreign aid and/or natural resource extraction for revenue. Throughout the world, the experience has demonstrated that taxation as a means of raising revenue not only provides income for the state, but also facilitates a greater cohesion between the state and its stakeholders. In contrast, the virtual absence of taxation in postcolonial Africa has resulted in regimes that are largely decoupled from their societies.[88] From this perspective, it is most telling that the most advanced state-building project among the Somalis has been in Somaliland, where the government collects taxes and license fees from business and real estate owners and imposes duties on the trade in *khat*, the mildly narcotic evergreen leaf chewed by many in the region, as well as on imports and exports that flow through the port of Berbera. The government of Somaliland has actually adopted a "supply-side" approach by managing to increase revenue by more than halving the rates sales and income taxes (from 12 to 5 percent and from as much as 25 to 10 percent, respectively). Responding to this success, the World Bank has undertaken to train tax officials and USAID has agreed to build ten inland-revenue centers across the region.[89] Furthermore, the funds raised have been spent in a manner that could hardly be more transparent: the introduction last year of universal free primary and intermediate schooling through the elimination of school fees. Likewise, what is arguably the second most successful state-building exercise is occurringin Puntland, where the reliance on customs duties and an occasional fisheries license is perhaps more remote than direct taxes, but nonetheless requires that the government maintain certain minimum levels of efficiency (yet another reason why revenue flows from piracy, which is centered in Puntland, are so pernicious). In contrast, the TFG and its predecessors have relied exclusively on foreign aid—when they were not stealing it.

[88]See Jeffrey Herbst, "War and the State in Africa," *International Security* 14, no. 4 (Spring 1990): 117–39.

[89]See Sarah McGregor, "Somaliland Government Plans to Enforce Compliance on Tax, Double Revenue," Bloomberg, March 31, 2011, http://www.bloomberg.com/news/2011-03-31/somaliland-government-plans-to-enforce-compliance-on-tax-double-revenue.html (accessed August 19, 2011).

Perhaps most important in the context of the rising tide of Islamist militancy in southern and central Somalia is the fact that, as one of the most astute observers of contemporary Somali society has observed, this reliance—especially in Somaliland, but also in Puntland—on the older system of clan elders and the respect they command "has served as something of a mediating force in managing pragmatic interaction between custom and tradition; Islam and the secular realm of modern nationalism," leading to a unique situation where "Islam may be pre-empting and/or containing Islamism."[90] The consequence of the development of an organic relationship between Somali culture and tradition and Islam appears to ensure a stabilizing, rather than disruptive, role for religion in society in general and religion and politics in particular. In Somaliland, for example, although population is almost exclusively Sunni Muslim and the *shahāda*, the Muslim profession of the oneness of God and the acceptance of Muhammad as God's final prophet, is emblazoned on the flag, *shari'a* is only one of three sources of jurisprudence used in the region's courts, alongside secular legislation and Somali traditional law (*xeer*). However, given the limited resources of the Somaliland government, Quranic schools play an important role in basic education. Yet alongside these popular institutions stand equally well-received secular charities like the Hargeisa's Edna Adan Maternity Hospital, founded in 2002 by Edna Adan Ismail, the former foreign minister of Somaliland, which provides a higher standard of care than is available anywhere else in the Somali lands for maternity and infant conditions, as well as diagnosis and treatment for HIV/AIDS, sexually-transmitted diseases, and general medical conditions. Thanks to this integrative approach, the northern clans have largely managed to "domesticate" the challenge of political Islam in a manner that their southern counterparts would do well to emulate.

Encouragingly, there have been indications that the international community may finally be coming to the same realization. In September 2010, U.S. Assistant Secretary of State for African Affairs Johnnie Carson announced a "second-track strategy" that included greater engagement with government officials from Somaliland and Puntland, with an eye to "looking for ways to strengthen their capacity both to govern and to deliver services to their people."[91] Likewise, after long refusing to even acknowledge their existence, the AU's Peace and Security Council has directed AU Commission Chairperson Jean Ping to "broaden consultations with Somaliland and

[90]Iqbal Jhazbhay, "Islam and Stability in Somaliland and the Geo-politics of the War on Terror," *Journal of Muslim Minority Affairs*, vol. 28, no. 2 (August): 198.

[91]Johnnie Carson, Remarks to the Press from the UN General Assembly, September 24, 2010, http://www.state.gov/p/af/rls/spbr/2010/147922.htm (accessed August 19, 2011).

Puntland as part of the overall efforts to promote stability and further peace and reconciliation in Somalia."[92]

FAMINE CHANGES THE GAME?

The sheer magnitude of the 2011 famine ensures that the humanitarian crisis will have a significant geopolitical impact. While there is blame enough to go around, al-Shabaab is particularly culpable because of the role that its policies and actions have played in exacerbating the consequences of the disaster.

While most analysts view al-Shabaab as a far from monolithic organization,[93] its leadership has a history of arbitrarily denying relief organizations access to the areas under its control.[94] In early 2010, several international agencies, including the World Food Program, and nongovernmental organizations pulled out of certain militant-dominant areas after several aid workers were killed and the group began imposing strict conditions on their remaining colleagues, extorting "security fees" and "taxes."[95] Moreover, because al-Shabaab has been designated as an international terrorist organization by the United States and a number of other countries, funding for UN operations has been restricted, while NGOs have avoided working in areas the organization controls for fear of running afoul of laws against providing material support to terrorist groups.[96]

While fears of leakage from aid are not entirely misplaced, a far more important source of income for al-Shabaab was, in fact, more directly related to the drought and famines—that is, the industrial production for export of charcoal. While people living between the Juba and Shabelle rivers in southern Somalia have gathered charcoal for their own use from the region's acacia forests since time immemorial, it is only in the last few years that

[92]African Union, Peace and Security Council, Communiqué of the 245th Meeting, October 14, 2010, 3.

[93]A notable exception is Roland Marchal, who has argued that, notwithstanding different conceptions that have been publicly expressed, the group's leadership has maintained a tight control on the apparatus, and that "betting on any splits is an illusion under the current circumstances despite divergent agendas on the military strategy, policies towards the population and attitude in front of the international humanitarian community"; see *The Rise of a Jihadi Movement in a Country at War: Harakat al-Shabab al Mujaheddin in Somalia*, unpublished report for H.M. Government, Department for International Development, March 2011, 3.

[94]See "Ban on Aid Agencies Condemned," *IRIN Humanitarian News and Analysis*, August 10, 2010, http://www.irinnews.org/report.aspx?reportid=90120 (accessed August 19, 2011).

[95]See Neil MacFarquhar, "Threats Lead Food Agency to Curtail Aid in Somalia," *New York Times*, January 6, 2010, A6.

[96]See Jeffrey Gettleman, "U.N. Criticizes U.S. Restrictions on Aid to Somalia," *New York Times*, February 18, 2010, A8.

production has reached its present unsustainable levels. It is estimated that somewhere around two-thirds of the forests that used to cover some 15 percent of Somali territory have been reduced to chunks of "black gold," packed into 25-kilogram bags, and shipped to countries in the Persian Gulf, which have themselves banned the domestic production of charcoal.[97] The UN Monitoring Group conservatively estimates that up to 4.5 million of these sacks are exported each year, primarily through the port of Kismayo, which has been controlled by al-Shabaab or other forces allied to its cause since September 2008, earning the group millions of dollars in profits.[98] Meanwhile, where old-growth acacia stands once grew, thorn bushes now proliferate, rendering the areas useless to the Somali people, whether pastoralists or agriculturalists (the former graze their livestock in the grass that flourishes where the root systems of acacia groves hold in ground water and prevent erosion, while the latter grow staple crops in neighboring lands as long as there are tree stands holding in top soil), and contributing further to the desertification that is always a persistent threat in a land as arid or semi-arid as Somalia. Thus, it was both simultaneously tragic and ironic that when a heavy rain briefly passed through the region that was formerly the country's breadbasket this past summer, the result was not deliverance, but disaster, as, in the absence of any foliage to help absorb the precipitation, flash floods compounded the misery in several places.

Al-Shabaab has also operated a complex system of taxation on residents within areas subject to its domination and has imposed levies not just on aid groups, but also on businesses, sales transactions, and land. The tax on arable land in particular has had the effect of changing the political economy of farming communities that previously eked out a living just above subsistence. For example, in Bakool and Lower Shabelle—not coincidentally, the first two areas where the famine was declared—communities once grew their own food and, whenever possible, stored any surplus sorghum or maize against times of hardship. However, when al-Shabaab imposed a monetary levy on acreage, farmers were pushed into growing cash crops like sesame, which could be sold to traders connected with the Islamist movement's leadership for export in order to obtain the funds to pay the obligatory "jihad war contributions."[99]

As if all this were not bad enough, once the famine set in, al-Shabaab leaders alternated between denying the crisis—arguing instead that accounts

[97]See "Charcoal Trade Booming Despite Ban," *IRIN Humanitarian News and Analysis*, January 20, 2011, http://www.irinnews.org/report.aspx?reportid=91679 (accessed August 19, 2011).

[98]See UN Security Council, Report of the Monitoring Group on Somalia and Eritrea, 181–84.

[99]See Gabe Joselow, "Perfect Storm—Why Famine Hit Southern Somalia First," *Voice of America*, July 25, 2011, http://www.voanews.com/english/news/africa/Perfect-Storm-Why-Famine-Hit-Southern-Somalia-First-126119038.html (accessed August 19, 2011).

of hunger were being "exaggerated" to undermine their hold over the populace—and preventing affected people from moving in search of food. Whether it is a formal policy of the group or not, al-Shabaab forces have used force or the threat of force to prevent displaced people from leaving its territory to find help in Lower Shabelle[100] and the Gedo and Bay regions.[101]

For a long time, despite the extremist ideology espoused by its foreign-influenced leaders, which set them outside the mainstream of Somali culture and society, al-Shabaab could present itself as being better (albeit harsher) rulers than the corrupt denizens of the TFG. The brutal *hudud* punishments its tribunals meted out, for example, may have been utterly alien to the Somali experience, but they represented justice nonetheless and were a better alternative than the chaos and lawlessness that was the experience of many Somalis in the 1990s. Moreover, the group managed to wrap itself up in the mantle of Somali nationalism by portraying the AU peacekeepers as foreign occupiers, and the fact that AMISOM troops were propping up the despised TFG and, in the process, causing civilian casualties made this narrative all the more credible. However, as discussed previously, within the last year, AMISOM has improved its capabilities and managed to lower civilian casualties while pushing al-Shabaab forces back within Mogadishu. In addition, the famine and al-Shabaab's clumsy response to it have damaged the movement's already questionable reputation for "good governance." Not only have the effects of famine been exacerbated by al-Shabaab, but the disaster exposed divisions within the movement, with some local councils and militias expressing a willingness to accept help from outside sources, even as the central leadership continued to spurn it.[102] Furthermore, actions such as the refusal to allow people to escape the famine will sap al-Shabaab of what remains of its popular legitimacy. While there is undoubtedly some risk in sending aid to areas where al-Shabaab operates, it is likely that whatever negative effects may result from the assistance will fall largely on the group as some of its local leaders defect or populations are weaned from their reliance on it.[103]

Of course, if one is seeking to use this opportunity to undermine al-Shabaab, the attempt would be more likely to succeed if a prospect more attractive than domination by the venal TFG was offered to communities just

[100]Interviews with Somali sources, August 2–3, 2011.

[101]Interview with international relief official, August 18, 2011.

[102]See Leela Jacinto, "Famine Weakens and Divides al Shabaab Militants," *France 24*, July 29, 2011, http://www.france24.com/en/20110729-somalia-al-shabaab-famine-weakens-divides-qaeda-linked-militants (accessed August 19, 2011); also see Michelle Kelemen, "Opportunity in Famine's Toll on Somali Insurgency," NPR, August 14, 2011, http://www.npr.org/2011/08/14/139612682/famine-in-somalia-also-taking-toll-on-al-shabaab (accessed August 19, 2011).

[103]See J. Peter Pham, Testimony before the Subcommittee on African Affairs, Committee on Foreign Relations, United States Senate, 112th Cong., 1st sess., August 3, 2011, http://foreign.senate.gov/imo/media/doc/Pham%20testimony.pdf (accessed August 19, 2011).

freed from the militants' yoke. For example, on August 6, 2011, weakened by the famine both politically and financially, al-Shabaab abruptly withdrew from Mogadishu under cover of darkness. Although its spokesman insisted that the pull-out was merely for "tactical reasons," and that the group had decided to change its strategy to "hit-and-run attacks," the Somali capital was nonetheless left for the first time in years entirely within the potential grasp of the TFG.[104] Instead of seizing the opportunity, however, the regime continued to rule as if nothing had changed. Government troops fired on internally displaced persons lined up to receive corn rations from the World Food Program, killing at least seven people, and then tried to steal the food.[105] Journalists subsequently discovered that thousands of sacks of food aid meant for famine victims were being sold at markets around Mogadishu by local businessmen with connections to government officials.[106]

CONCLUSION

The two-decades-old crisis in Somalia may have at its origin the collapse of a "failed state," but blame for the prolongation of its misery could be more accurately attributed to a wholesale failure of imagination on the part of the international community and the local actors beholden to it. First, these parties have focused almost exclusively on southern and central Somalia, continually repeating the mistakes of their successive "top-down" attempts at state-building while obstinately refusing to even acknowledge the largely positive experiences that have unfolded in other parts of the country.[107] Second, their approach has been almost entirely centered upon the state while ignoring traditional clan and religious leaders, members of the vibrant Somali business community, and civil society actors—the very people whose efforts have prevented statelessness from degenerating into complete anarchy and disorder. Third, when they do deign to intervene through proxies like the brave but hapless Ugandan and Burundian troops deployed in the ultimately futile AMISOM peacekeeping force instead of husbanding those scarce resources to contain the spread of the instability and prevent additional foreign fighters and supplies from fueling the conflict, they

[104]See Jeffrey Gettleman and Mohamed Ibrahim, "Rebels Cede Control of Capital to Somali Government," *New York Times*, August 7, 2011, A6.

[105]See "Gunfire Kills Seven Somali Refugees as Famine Aid is Looted, Witnesses Say," Associated Press, August 5, 2011, http://www.theglobeandmail.com/news/world/africa-mideast/gunfire-kills-seven-somali-refugees-as-famine-aid-is-looted-witnesses-say/article2120685/ (accessed August 19, 2011).

[106]See Katherine Houreld, "Somalia Food Aid Stolen, UN Investigating," Associated Press, August 15, 2011, http://hosted2.ap.org/APDefault/*/Article_2011-08-15-AF-East-Africa-Famine/id-f0287dcb2861494c9e831671f7a4a01e (accessed August 19, 2011).

[107]See J. Peter Pham, "Somalia: Where a State Isn't a State," *Fletcher Forum on World Affairs* 35, no. 2 (Summer 2011): 133–51.

expend these resources in a vain effort to prop up an unpopular regime whose legitimacy in the eyes of many Somalis is dubious at best and to impose a peace where one does not exist.

The creation of the current version of the TFG at the beginning of 2009 was an exercise in political management that was primarily designed to impose a certain preconceived notion. Since an Islamist insurgency was perceived to be the chief challenge, a supposed "moderate" Islamist was installed at the head of the TFG through the extralegal machinations of a group of *ersatz* parliamentarians designated for that purpose by the representative of the UN secretary-general, doubling the size of the already-bloated legislature. As it turns out, Sharif Ahmed's sponsors failed to take into account the clan dynamics and soon learned that the new president would even have trouble rallying his own Abgaal kinsmen. By the end of his first year in office, the TFG president controlled even less of Mogadishu than his highly unpopular predecessor, despite the presence of an AMISOM force that was repeatedly reinforced; as he begins what is supposed to be his final year in office, even supporters of the "Djibouti Process" have publicly cast "an acceptable alternative" to the TFG.[108] In this regard, it would have been helpful if someone had recalled the insight of I. M. Lewis:

> If further progress is to be achieved in state-formation, Somali politicians will surely have to come out of "denial" and start seriously exploring how clan and lineage ties can be utilized positively. Perhaps they could learn from their nomadic kinsmen who unashamedly celebrate these traditional institutions. Here a less Eurocentric and less evolutionary view of lineage institutions by Western commentators, social scientists, and bureaucrats might help to create a more productive environment for rethinking clanship (i.e., agnation) positively.[109]

Since that advice has not been taken, the international community is left with the inescapable conclusion to be drawn from the evidence exhaustively assembled by the Monitoring Group that about the only thing the TFG does well is to engage in criminal activity ranging from simple theft of resources to complex visa fraud schemes. A more viable course than the one hitherto adopted by the international community would be one that adapts to the

[108]See David Shinn, Testimony before the Subcommittee on Africa, Human Rights, and Global Health and the Subcommittee on Terrorism, Nonproliferation, and Trade, Committee on Foreign Affairs, United States House of Representatives, 112th Cong., 1st sess., http://foreignaffairs.house.gov/112/shi070711.pdf (accessed August 19, 2011). Shinn, former U.S. ambassador to Ethiopia and onetime head of the Somali office in the U.S. State Department, noted: "Many in the Somali-American diaspora and a number of American scholars who follow the situation in Somalia have already given up on the TFG . . . . [I]f the TFG continues its internal squabbles and fails to make progress, I may find myself joining this group in August 2012 when there would hopefully be an acceptable alternative."

[109]Lewis, "Visible and Invisible Differences: The Somali Paradox," 508.

decentralized nature of Somali society and privileges the "bottom-up" approach, which is better suited to buy Somalis the time and space needed to make their own determinations about their future political arrangements while also flexible enough to allow their neighbors and the rest of the international community the ability to protect their legitimate security interests. Supporting governance at the level where it is accountable and legitimate—whether in the context of nascent states like Somaliland and Puntland in the northern regions or in local communities and civil society structures in parts of the south—is the most effective and efficient means of both managing the societal fault-lines and countering the security threats that have arisen in the wake of the collapse of the Somali state.

The repeated failure of internationally backed attempts to reestablish a national government in Somalia and the diminishing legitimacy and increasingly untenable position of the current TFG in the face of the sustained insurgency, its own incompetence and venality, and the worst famine in decades, underscore the profound error of privileging top-down, state-centric processes that are structurally engineered with a bias in favor of centralization, rather than bottom-up, community-based approaches better adapted to the clan sensibilities of the Somali and viewed by them as legitimate. As one analyst has summarized it, "The UN, Western governments, and donors have tried repeatedly to build a strong central government—the kind of entity that they are most comfortable dealing with—in defiance of local sociopolitical dynamics and regional history."[110] This has occurred despite the fact that the contemporary experience of insurgency and counterinsurgency in Iraq and Afghanistan—confirmed by the different outcomes in southern and central Somalia and in Somaliland and Puntland—clearly suggests that bottom-up efforts, especially when they reinforce the connection between legitimate local non-state structures to state institutions, have a greater chance of success, because they are more likely to be viewed as legitimate by the populations most directly impacted. The fact is, as one scholar has noted, "At the dawn of the twenty-first century, the Somali clans do not appear at all to occupy a place all that fundamentally different from that which they had at the time of colonization."[111] The stubborn refusal to acknowledge this reality results in the repeated capture of otherwise well-intended efforts by the very spoilers whose lack of legitimacy, originating in their lack of connection to the deep roots of a society's identity, provoked the crisis in the first place. The real tragedy is that the failure to learn this lesson has not only wasted billions of dollars in recent years, but also continues to cause immense human suffering in some of the most vulnerable corners of the globe.

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[110]Seth Kaplan, "Rethinking State-building in a Failed State," *Washington Quarterly* 33, no. 1 (January 2010): 82.

[111]Christian Bader, *Le sang et le lait: Brève histoire des clans somali* (Paris: Maisonneuve et Larose, 1999), 227.