

**Localized Governance in the Midst of Anarchy:
The Role of Non-state Actors in Somalia's Nation-State Building**

by

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Abstract

This research explores alternative policies that can contribute to the revival of collapsed states. Focusing on governance as a key factor to state rebuilding, it examines the roles of non-state actors in nation-state rebuilding. The existing literature of the state has no point of reference, pays little attention, and lacks an account of how actors proceed to exercise power or how to reconstitute and return the power inherited by non-state actors to the new state. Drawing on empirical evidence from the collapse of the Somali state in 1991, this study confirms that while non-state actors might contribute to the development of social, economic, and political spheres, they create obstacles in the reconstruction of the state.

Therefore, a key step in anticipating the best approach to revive the state is to understand the role of non-state actors within the context of local governance. Centering the analysis on the role of non-state actors, the study interviewed 43 participants from the public, the state, and non-state actors. The findings reveal that involuntary decentralization from the national to the clan-based community level and evolving social capital shaped the social, economic, and political governance that are taking root at community and regional levels. To expand these developments to the national level requires strengthening local governance institutions and improving partnerships between the state and non-state actors. The state can take its power and legitimacy back by resuming its managerial role while recognizing the contribution of non-state actors and indigenous institutions. The study concludes that all state rebuilding efforts should support advancing the emergence of a democratic state that respects and includes the role of non-state actors.

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Acronyms

ARS	Alliance for the Re-Liberation of Somalia
BPA	Burtinle Peace Agreement
DRC	Danish Refugee Council
GECPE	Galkayo Education Centre for Peace and Development
IDPs	Internally displaced people
INGOs	International non-governmental organizations
LNGO	Local non-governmental organization
MAI	Muslim Aid International
MPA	Mudug Peace Agreement
NGOs	Non-governmental organizations
NSAs	Non-state actors
PDRC	Puntland Development and Research Center
PWENR	Puntland Water Energy and Natural Resources
SNRC	Somali National Reconciliation Congress
TFG	Transitional Federal Government
TNG	Transitional National Government
WAWA	We are Women Activists Network
UIC	Union of Islamic Court
UNCR	United Nations High Commission for Refugees
UNDP	United Nations Development Program
UNPOS	United Nations Political Office for Somalia

Chapter 1. Introduction

Governance is about relationships between state and society. Third parties can assist, but cannot alone repair a country's governance structure. Building or rebuilding governance systems is ultimately the responsibility of citizens and leaders in post-conflict societies. (Brinkerhoff, 2007:18)

The collapsing of a modern state is one of the serious challenges that Westphalian states have to cope with in this century. In the post-Cold War era, the world has witnessed the collapse of a number of states—these include Sierra Leone, Zaire, Bosnia, Afghanistan, Liberia, Democratic Republic of Congo, Yugoslavia, Lebanon, Somalia, and recently Iraq. According to I. William Zartman (1995), state collapse refers “to a situation where the structure, authority (legitimate power), law, and political order have fallen apart and must be reconstituted in some form, old or new” (Zartman, 1995:1). State collapse also represents an ultimate break-down of governance institutions and fragmentation of societal relationships, which are considered the foundation of the state's power to function and to make decisions. The consequences of collapsed states are many: the collapse takes a huge toll on the lives of millions of innocent people; crimes are committed with impunity; the national economy disintegrates; and environments are destroyed indiscriminately. The process ultimately leads to the disintegration of the fabric of society. Along with local devastations, the impacts of a collapsed state are often felt beyond its borders.

This phenomenon, therefore, raises questions about the autonomy of the state. In particular, it challenges the rationalist claim of “the autonomy of the state.” The stresses and strains arising from globalization and the predicament of states that are either

collapsed or slipping towards collapse contribute to doubting the autonomy of the state. The collapse of the state not only reveals the vulnerability of the state in some developing countries, but also exposes human resilience and persistence in times of chaos and disorder. Despite all the ordeals and miseries that follow state collapse, people continue to cope with the harsh situation. They are able to do so mainly because, on a modest level, informal authorities led by non-state actors (NSAs)¹ immediately fill the political and economic vacuum left behind by the state. In the midst of anarchy, these social forces deliver or facilitate the delivery of basic needs—such food, shelter, water, and medicine—to the masses, try to maintain peace, and, to some extent, influence the reconstruction of state processes. For this reason alone, the study of non-state actors on their own merits in post-conflict environments is worthwhile. However, the existing literature on the state has no reference point for such a study, paying little attention to the questions of how a society thrives in the midst of anarchy and how to revive the state and return to it the power that was inherited by non-state actors.

Even though this thesis recognizes the necessity to call the state back in as an integral part of the nation-state (state-society), it equally recognizes that what is missing is an account of how various non-state actors exercise power by utilizing local institutions during the absence of the state. The effective work of the NSAs, or the lack of it, can be understood by tracing and measuring their roles and contribution to nation-state building. The aim of this policy-oriented research, therefore, is to fill this major gap by taking Somalia as a case study.² The expected outcome of this study is to contribute

¹ NSAs include internal actors (traditional elders, NGOs including women's groups, political elites, media, and the private sector) and external actors (international organizations and multilateral agencies, such as the UN).

² Somalia is introduced in detail in Chapter 2.

to the existing literature of “failed or collapsed states” and “state reconstruction” by examining and drawing lessons from the unique experience of Somalia—which, as this case study suggests, might be the only nation on earth where non-state actors freely govern the country by utilizing informal local governance and institutions.

As this study argues, one of the main reasons why non-state actors in Somalia are able to relatively fulfill some functions of the collapsed state is the viability of informal local governance. This refers to a combination of informal authorities emerging out of civil society and former government civil servants and traditional institutions operating through informal institutions and structures. A simultaneous involuntary decentralization facilitated the revival of local governance. Decentralization, in the context of Somalia’s collapsed state, refers to the devolution of power and resources from the center to local communities that emerged by default and the utilization of abundant social capital—societal networks, norms, and reciprocity without the leadership of the state. As a means to an end, societal structure in Somalia—which is based on kinships, clannism, and customary laws—facilitates the engagement of decentralization and social capital processes. Therefore, this study asserts that formalizing and strengthening existing informal local governance is fundamental to the reestablishment of any sustainable state. Before discussing the experience of the Somali nation, this study introduces the empirical case study and the rationale behind the choice of Somalia as a case study.

The Rationale for Using Somalia as a Case Study: An Exceptional Experience of a Collapsed State

Prior to 1991, the Somali state was a legitimate but authoritarian regime that exercised its power over its territory and population. It was also an active member of the

UN and regional organizations, including the Organization of African Unity (OAU) and now the African Union (AU), the Arab League, and the Organization of the Islamic States. Somalia was an ally of the US and of the former Soviet Union at different times during the Cold-War era in pursuit of its national interest. Until mid-1980s, like any other state, it was able to collect taxes, provide security, and, to some extent, protect its citizens, mainly from external enemies. However, when the Somali nation unexpectedly descended into anarchy in 1991, neither state authorities, politicians, elites, intellectuals, traditional leaders, nor the international community was able to prevent or rescue the country from the ensuing catastrophic situation. Somalia's experience, in this sense, is not that different from those of other collapsed states in 1990s, such as Rwanda, Liberia, Bosnia and Sierra Leone, where millions of people perished and hundreds of thousands were displaced. However, Somalia is considered unique for a number of reasons.

First, as it stands, the twenty-year absence of a legitimate Somali state stands as the longest world record for a society living without a functioning central government. Somalia is a homogenous society with one language (with small variation in dialect), religion³, and territory. What raises major challenges among scholars is not only why this homogenous nation descended into anarchy, but also why its recovery is taking so long when many other states that collapsed around same time have succeeded in coming out of the chaos.

Second, it is the first time in the history of nation-states that unregulated internal and external non-state actors completely took over power and freely governed a modern society for decades without an oversight mechanism. It is not an exaggeration to state

³ In post-conflict, this is convoluted by competing religious sects influenced by Saudi Arabia, Pakistan, and Taliban in Afghanistan.

that these actors operate without accountability to the local authorities (or to donors) as will be discussed in Chapter 7. In Somalia, non-state actors gained complete access to the land, people, public facilities, and environment. Furthermore, there has been no study that focusing on the roles of these actors and their contributions or constraints in the rebuilding of the state. Even though analyzing the dynamics of this struggle has been a challenging task methodologically, it is worth the effort to investigate and assess policy processes and outcomes of nation-state building efforts led by non-state actors. If these NSAs cannot make significant difference in this situation, it confirms that they cannot completely replace the regulatory functions of the state. Chapters 6 and 7 focus on these dynamics and the findings of this investigation.

Third, Somalia represents the first time that an established government (parliamentary and executive council of ministers), due to security concerns, tried to operate from a neighboring country (Kenya) for one year before moving into the home country. The main reason for this was that in 2004, Somalis and friends of Somalia failed to resolve the political deadlocks prior to the establishment of the Transitional Federal Government, and the international community demanded the fragile government move into Mogadishu—rather than encouraging the government to settle in a location where it could operate without fear of violent attacks. The Somali government had no choice but to risk moving to Mogadishu, where the shelling of bombs is part of the daily lives of its citizens. That these authorities worked to enhance national priorities while facing bombshells and violent attacks on a daily basis reflects an exceptional experience, one worth studying on its own. While the free-fall of the Somali nation destroyed its people, it benefited numerous individuals and groups: warlords, criminal organizations, as well as

business tycoons and intelligence from foreign countries. Somalia became a battleground not only for Somali factions but also for foreign interests.

Fourth, tangible progress in an anarchic situation in the modern world is largely unknown territory for realists and developmentalists. Many scholars are impressed with the relative economic progress and stability in many parts of Somalia (Little, 2003; Human Development Report, 2001; World Bank Report, 2006). Tapping into these developments is a critical factor for state-rebuilding, but this requires understanding the dynamics of these actors and sectors. We discuss them in chapter six and seven.

Finally, the Somalia situation is becoming more complex due to a number of factors. For example, one of the impacts of Somalia's collapse has become an international crisis: Somali pirates kidnapping commercial ships threaten the international community by interrupting international commercial water routes. In addition, hardline Islamists in Somalia have been connected to extremist organizations such as Al Qaida, further complicating the national agenda and the revival of the Somali state. These issues have attracted the attention not only of policy makers but also of academics interested in understanding how local predicaments turn into major crises at both national and international levels.

Methodologically, the research established at the outset that it is not realistic within the time constraints and available resources to examine the roles of all stakeholders in Somalia—in particular, non-state actors. Therefore, the investigation focused on interviewing about 43 people. Thirty-seven of these participants were formally interviewed and six insightful participants were informally interviewed. Six out of the 37 (13%) formally interviewed participants represented clans from the southern of

Somalia. The majority of the participants (87%) represent local and external non-state actors living or working in Puntland. “Non-state actors” is the unit of analysis of this study.

The study also intentionally disregarded clannism for a number of reasons. First, this study focuses on the roles of non-state actors operating in Somalia, in particular in Puntland state. It was also anticipated that most local participants would be from the sub-clans in Puntland. Second, clannism is considered a loaded concept that blurs boundaries between personal interest and clan interest: clan politics are largely fed by injustice instead of justice, insecurity instead of security, and discrimination instead of equality and equity. The challenge is how to correct these injustices and fears given that clannism is an indispensable variable. These factors basically determine the positive and negative results of clan dynamics. Besides, it is individuals, and not clans, who commit mischief and it is almost impossible to establish the misconduct of a whole clan.

One of the key lessons from this conflict is that *if politics is made of alliances rather than friends, so is clannism.*⁴ Conflicts among leaders in the same sub-clan militia groups, the murder of leaders by members from their own clans, and strategic alliances of some individuals regardless of the negative impact on their own clans—all these facts confirm the limitations of clannism, and the contradicting roles it can play in times of increasing insecurity, injustice, chaos, and competition. In short, clannism may shed light on the historical context of conflicts, but it cannot predict the outcomes of current dynamics and the type of state Somalia might have in future.

⁴ For peace building and power-sharing purpose, formula 4.5 representing 4 major clans and one coalition of smaller clans, is introduced to Somali politics. This increased the animosities not only within sub-clans but also between relatives competing for power and same posts.

The second reason that clannism is overlooked in this study is the fact that the 13% of the participants interviewed who are from Southern Somalia (Hawiye, Rahan weyn, and Somali Bantu) live, carry out trade, and work in Puntland. In this sense, their belonging to clans from the southern regions did not limit their right to move around, live, or work anywhere in Somalia. The absence of the state did not necessarily change the interaction of the Somali public. This makes the study of clannism less relevant given that Somalis can live in any city they want without any adverse consequences. In light of this, this study focused on local governance to understand the local context.

Another lesson from the situation of Somalia is that the international community cannot afford to neglect the costly impact of collapsed states in world order and security. A weak state must be revived quickly before it collapses. To revive the state it is important to understand the local context and the actors. In the case of Somalia, we must look at the role of non-state actors that gained the unique opportunity of replacing the state for over twenty years. This critical issue was the driving force behind this study's consideration of the roles of non-state actors in assessing i) how Somalia's experience unfolded over the years, and ii) how these non-state actors contributed to or constrained efforts toward the reconstruction of a stable Somali state. This research found that the definitions of these concepts in conventional literature of the state were inadequate in explaining situations of collapsed states, including that of Somalia. It was therefore necessary to redefine existing concepts to enable appropriate analysis.

Chapter 4 reviews the literature and presents various definitions of governance and local governance. The central state is the object of these definitions. However, what makes redefining these concepts necessary is, primarily, the unique process of

governance (local governance and informal local governance) that followed the breakdown of the institutions of the Somali state.

First, the concept of “local governance” in the case of post-conflict Somalia refers to the roles assumed by local authorities and institutions founded in regions, districts, and municipalities. Without formal and legitimate authority, these authorities assumed some functions and provided essential services to the public regardless of financial limitations. This form of governance can be found mainly in the two regional administrations of Somaliland and Puntland. The former was founded in 1991,⁵ and Puntland in 1998⁶. These formal authorities have the mandate to extract financial resources from public properties, including ports and airports. They are also able to collect limited taxes, such as property tax and import tax, from the public. In the south, taxes are also collected, but barely used to improve the lives of citizens. These authorities would not have fulfilled these roles without utilizing the existing but dormant informal governance institutions engrained in Somali culture.

Local governance, therefore, refers to the roles of both informal and formal actors and institutions, which are interdependent in so many ways in the absence of the Somali state. For instance, the interdependent roles of both formal authorities and non-state actors—such as traditional elders, heads of non-governmental organizations, and coalitions including women’s groups, religious groups, and business communities—are critical to maintain peace, deliver services, and seek national reconciliation in the absence of the state. These actors would not have been able to assume broad responsibilities without the support and cooperation among themselves.

⁵ Somaliland stated its separation from Somalia in 1991 but is not recognized by the international community.

⁶ Puntland considers itself a part of Somalia.

Second, “decentralization” is another concept that is relevant to the analysis of this study but required redefining in order to reflect the local context. As will be discussed in Chapter 4, decentralization conventionally refers to a formal transfer of resources led by a centralized state. In the case of Somalia, the involuntary decentralization process was not led by a centralized state, for the state itself had collapsed. Given Somalia’s unique case, where the state is absent, decentralization refers to a shift of unorganized resources and labor force from the national level to local communities and the formation of informal structures at community level to manage those resources.

The decentralization process in Somalia became inevitable because the civil war forced the masses living in the south to move to their various clan areas of origin. The departure of the masses was accompanied by a transfer of resources, expertise, labor, and wealth. For instance, most of the residents of the capital city of Mogadishu (who belonged to clans from other regions in Somalia, especially the Darood clans) withdrew their wealth and invested it into the regions of their original clans, mainly for security reasons. The fact that Bosasso city, the business hub of Puntland state, is booming economically today is undeniably because of the return of its own wealthy descendants from the south. The population of the city has tripled since 1990. Currently, descendants of other clans live and work in Bosasso comfortably. This is one of the cities in which business communities continue to trade, interact, and exchange regardless of the political deadlock. The majority of the participants interviewed for this study were Puntland descendants from Mogadishu. This unique dynamic of transfer of people and resources, therefore, demands the redefinition of the concept of decentralization.

This form of involuntary decentralization led communities to further decentralize, with sub-clans from regional to district levels managing their own affairs. This process confirms local governance in making at grass-root level. With the support of the United Nations, the state authorities in Puntland, for instance, established councils in many districts in Somalia. However, the question of accountability is a separate issue. Any formal decentralization system in the context of Somalia would require dealing with this emerged structure. The following framework of this study includes an analysis of the emergence of that decentralized structure.

Thesis Framework: Chapter Outlines and Overall Themes

Chapter 2 introduces Somalia as an empirical case study. It focuses on the historical background of the Somali state in the context of i) the culture, social structure, Islam, and traditional institutions; ii) colonial legacy and the introduction of centralized state as a formal institution (which this study calls the beginning of the elimination of indigenous institutions); and iii) post-independence Somali governments during the civilian periods (1960-1964 and 1964-1969) and the era of military rule (1969-1990). Somali politicians and elites missed introducing the nation to a compatible political system in these important periods, arguably paving the way to the failure of the modern state in Somali. Fifty years of post-independence has symbolized the demise of both democracy and genuine development. Chapter 2 concludes by presenting the warning signs of the impending collapse of the Somali state.

Chapter 3 focuses on the collapse of the modern state in Somalia. This study attributes the failure of formal governance from within and the neglect of indigenous

institutions as the root causes of the collapse. It also takes into account and acknowledges other factors that played significant roles, such as the end of the Cold War, external interferences, and the role of donor countries (which created a complete dependency of Somali government on foreign aid). The second part of Chapter 3 discusses the negative impact of the collapsed state at the national level on people, property, environment, national unity and sovereignty, as well as considering the effects on the international level, such as refugees, piracy, and crimes affecting neighboring countries and beyond. This chapter unfolds the human plight caused by the war, in particular with regard to women and youth, and the destruction of common goods, including the environment. It also explains how the proliferation of heavy and light weapons, anti-personnel landmines, and piracy are crippling the nation's security, economy, and social development. Such a discussion is not complete without addressing the free-fall of Mogadishu, the capital city, which symbolizes the break-up of Somalia's social cohesion and unity, the disintegration of sovereignty, and the creation of a space that facilitates external threats to Somalia's national identity (language, religion, and culture). Nevertheless, in the midst of this bleak condition, some positive developments are noted, which are discussed in chapters 6 and 7. To understand the dynamics of collapsed states, the study turns to review the existing literature of the state and the surrounding debates, asking: *To what extent can the theories of the state explain its collapse and revival?*

In **Chapter 4**, the research therefore focuses on the literature of the state, considering the causes of state collapse through the lenses of governance approaches to understand its impact on society and its revival. This chapter reviews various

perspectives of Weberian adherents, such as Pierre & Peters (2000), Chesterman et al. (2005), and Kraser (1984). These scholars insist on the centrality of the state as an autonomous authority regardless of the challenges brought by the modernization and globalization processes. My research also discusses the positions of some non-statist adherents including the works of Joel Midgal (1988) and Robert Putnam (1993), who emphasize the influencing role of social forces (non-state actors) and how they shape the state through mutually benefiting partnerships that enhance state autonomy while safeguarding the interest of pressure groups. Chapter 4 also further explores the question of local governance in collapsed states. It responds to the following questions: Can governance approaches explain informal local governance particularly in the midst of anarchy? What are the indicators that foster or constrain societal governance structures in times of crises? In response, the chapter reviews the work of scholars such as Robert Rosberg (2003; 2004) and Colletta & Cullen (2000) on how the debates on governance would explain the phenomenon of failed states in this century. Overall, this literature review covers the phenomenon of total collapse of the state and separates the unique case study of Somalia from the failure of other states. While this thesis recognizes the work of informal institutions in the absence of the state, it has been a challenge to investigate this unique case addressing the roles of non-state actors at local, national, and international contexts. The study identifies this gap and intends to contribute to it.

Chapter 5 presents the methodological process guiding the research design and implementation, including data collection, and the analysis of the findings of the field work. The findings of the field work are mainly based on interviews of 43 people representing the public, non-state actors and state actors. Chapter 5 also presents the

challenges and lessons learned from interviewing and observing in an insecure environment.

Chapter 6 presents the positive developments over the past twenty years. The first part introduces the background of the 37 formally interviewed participants of this study. These participants represent three different groups: i) the general public; ii) non-state actors including civil society, media, diasporas, the private sector, the UN, and INGOs; iii) and Puntland regional authorities and the Transitional Federal Government. In particular, this section introduces the line of work of each organization or agency. These participants responded to a set of pre-structured open-ended questions intended to elicit not only their personal experiences, but also their perceptions on the role of non-state actors in the absence of the state and their preference for a future Somali state. This process allows for a deeper understanding of the reality of the people living in the country and how non-state actors make a difference to their lives. The second part of Chapter 6 examines the positive and negative contributions of non-state actors supporting social, economic, and community peace-building efforts in the midst of anarchy. As this study argues, such developments not only respond to the needs of the public, they also prepare the background for better governance for the public. The findings from the fieldwork and observations inform the analysis and outcomes of the following selected sectors.

The social sector: The study examined the roles of local and external non-state actors in education, food security, and peace building at community levels. Two case studies illustrated the work of non-state actors in education and in food security. First, representatives of Galkacyo Education Centre for Peace and Development in Galkacyo

city, Puntland were interviewed. This centre focuses on the education of young girls and their mothers.⁷ We also reviewed the development of the education sector at national level. Second, with regard to food security, representatives from the Garowe Farming Cooperation in Garowe, the capital city of Puntland, were interviewed in order to understand the development level of farming communities that emerged in the post-conflict period, as well as their relationship with INGOs and local institutions.

The education sector: Examining the roles of non-state actors in the education sector reveals the development of social governance because, in most parts of Somalia, both formal and informal education systems saw some level of improvement. This section of the chapter not only presents the outcomes of the education sector, but also explores the efforts behind planning, designing, constructing, and maintaining schools in the face of challenges arising from the absence of the state and the attendant insecurity. The case study reveals how a girl's school run by NGOs can bridge the gap between boys and girls in education; how teaching students from all clans improves social capital by transcending clannism; and it also explores the possible future roles of these non-state actors when the state returns.

Food security: In investigating the roles of non-state actors in food security, it was discovered that although farming in the Puntland region was limited in the pre-civil war period, hundreds of small farmers emerged in early 1990s. This occurred after the population of these regions tripled as the result of displacement of the people in the south caused by the civil war. This rise in population also increased the demand for basic needs. To investigate how farming expanded to this region, representatives of the

⁷ The Centre later extended its services to boys due to a major gap and high demand identified by the community.

Garowe Farming Cooperative were interviewed. The findings reveal not only the increasing capacity of Puntland farmers and the support of NGOs and INGOs through provision of expertise and modest funding, but also the increasing working relationships of the owners of these farms with regional authorities, elders, workers from the southern part of Somalia, and consumers. Without strong relationships with these agencies, the tasks of the farmers would have been more difficult given the insecurity of the region. This study also exposes other challenges and how these farmers resolve them and, in this way, improve their internal governance structures.

The economic sector: In this section, the study examines the role of Somalia's private sector in the economy. In practical terms, the existing poor economy prolongs dire poverty and often encourages more violent conflicts. These delay economic reforms and the enforcement of rules and regulations. The section further exposes how the private sector missed the opportunity to bridge the peace and contribute to nation-state building efforts, strongly arguing that although the private sector could be a catalyst in nation-state building, that the will is not there yet. However, analysis also shows that the contributions of private sector groups to nation-state building are not all positive: these forces oppose any peace and nation-state efforts to maintain the status quo to their benefit. While acknowledging the legitimacy of most private businesses and positive contributions, we must expose the background of "economic warlords" in the sector for any future economic reform in state rebuilding.

Peace building at community level: This section explores the roles of the non-state actors in peace building at community levels, in particular the Puntland regions. Puntland's role is introduced in the context of challenges to Somalia's sovereignty; and

then two community peace agreements are reviewed as case studies. These cases reveal how the communities in central Somalia resolve conflicts and achieve worthwhile agreements. By understanding the conflicts and mediation skills of local institutions and analyzing peace-building case studies, we can see the richness of conflict resolution tools that are based on traditional institutions and informal governance. This section also draws lessons from the case studies to consider how experiences from peace building at the community level can benefit people working on peace building at the national level.

Chapter 7 focuses on how to make local governance work in nation-state rebuilding. Here, we seek an alternative approach to the current policies and programs leading the process. To find a solution, one has to understand the problem, and so the study narrows its focus to analyze the roles of non-state actors in the following policy approaches:

Peace-building conferences. One of the approaches to nation-state building is holding national peace-building conferences. We reviewed the processes and the outcomes of the national reconciliation conferences in 2000, 2004, 2007 and 2009. The follow up of the recommendations of each conference was more important to this study than the proceedings and the debates of actual conferences. As this research argues, if Somalis and the international community had implemented some of the recommendations of these conferences, the crisis in Somalia might have been resolved a long time ago. It calls for the revisit of these policies in the future.

Rebuilding public institutions. The second section assesses the roles of non-state actors in efforts to rebuild national institutions in Somalia as a critical part of state building. Since reviewing *all* the institutions necessary for the functions of the state is

impossible, the section focuses on key public institutions, especially those intended to improve the rule of law and national security (such as the national police forces and the judicial system). These institutions are considered pre-requisite and significant steps for the revival and the legitimacy of the state.

However, findings reveal that a lack of real capacity-building of national institutions undermines all the efforts targeted to improve state building. For instance, external actors focus on building the capacity of NGOs to deliver free legal aid and partnering with them instead of supporting the efforts towards formal judiciary and justice systems. This is another weak policy approach that would not warrant a sustainable justice system.⁸ Ignoring the capacity-building of public institutions prolongs the problem, putting a wedge between the state and non-state actors. Therefore, a parallel capacity-building of formal public institutions would expedite the revival of this sector and the emergence of a state that protects these institutions.

Rebuilding states. To understand how nation-state rebuilding policies and programs enhance or contradict actual processes, the study looked at the preferences and perception of the public and local authorities with regard to the type of state and the level of state autonomy desired after twenty years of absence of the state. Findings suggest that the current policies are implemented without proper planning, and understanding of the local context. Because there is no point of reference for a totally collapsed modern state, we must regard every policy as a test or learning by doing it. In this context, this study explores alternative approaches to state rebuilding by focusing on the following areas:

⁸ Another prime example is the disorganized recruitment policy of police forces. The Carmo Police Academy is empty at least a half of the year, although the plan to expedite this process is in place.

Public preferences of a Somali state: The study found through public views and observation that most participants prefer federalism over centralized or an Islamic state. In the context of Somalia, federalism refers to a unique case of a homogenous society driven by clan and sub-clan divisions. In this scenario, federalism would not protect distinctive culture, minority, or religion—in contrast to the case of many countries—but would serve to resolve the insecurity of clans. Therefore, federalism in the context of Somalia would require deep understanding of the level of clan tensions, resources sharing, resources protection,⁹ and geopolitical interests. Community consultation, consensus, commitment to mutual benefit, and increased corporate social responsibility would ensure that clans collaborate with any state. A clear constitution that is designed within the universal human rights framework would also ensure equal distribution of common goods.

How can Somalis create an accountable state and reinstate the facilitation role of external non-state actors (including donors) while the state inherits its managerial and leadership role? This second area explores the way forward by addressing these two key policy issues. Findings reveal that a lack of capacity building of national institutions would undermine all efforts to improve local governance and state legitimacy if the focus of external actors is always on capacity building and the development of non-state actors. Capacity building of public institutions and state autonomy are paramount: indeed, ignoring the capacity building of public institutions prolongs the state rebuilding process.

The power struggle between the state and non-state actors: In this third area, the research focuses particularly on the struggle between the multilateral and international

⁹ Over the past twenty years, more sub-clans have become well-informed and protective of the natural resources in their territory.

donors that play managerial roles while ignoring the role of the state. The study demonstrates how the work of external actors undermines government representatives, often in a humiliating manner. The solution lies by correcting the balance between the relationships of these actors while giving the state an ownership role. This is arguably the only way to strengthen the capacity of the state and its legitimacy and to maximize the outcomes of all efforts invested in the nation-state rebuilding process. This section concludes that without balance in the partnership between the state and non-state actors, it will be difficult for Somalia to achieve state autonomy.

Chapter 8 summarizes the themes that emerged from the preceding chapters, suggests future research areas, and provides some conclusions and policy recommendations derived from the experiences of non-state actors in the absence of the Somali state. These conclusions highlight the achievements, challenges, limitations, and opportunities that the experience of Somalia can offer to other states and non-state actors experiencing similar issues in times of total state collapse and during revival. The findings of this research also respond to the question about local governance in the context of non-state actors in the event that a state collapses. The study shows that Olowu & Wunsch's (2004) four pre-requisite¹⁰ factors for local governance apply at the local level.

These factors should serve as a source of propositions for academics researching the phenomenon of state collapse and for policy makers in finding solutions to problems arising from state collapse and its revival. This study is also intended to benefit academics, researchers, policy makers, political elites, and donors in support of revival of

¹⁰ This refers to local autonomy, relative resources, and local institutions agreed upon by the public. Regional administrations of Somaliland and Puntland signed agreements with foreign firms without a consultation with the federal government.

the state. It calls for opening a dialogue between the state and non-state actors in Somalia. The latter are in a challenging position because of perceived insecurity about their future once the state returns. In conclusion, this study achieved its objective of guiding policy makers regarding the future of Somalia and making the unique experience of Somalia available to benefit countries that are in or slipping into a similar situation. Overall, the experience from the state-building process in Somalia can be generalized to benefit others, but in order for other states to benefit from Somalia's experience, we must understand the processes that led the Somali state to its demise. Chapter 2, therefore, presents an overview of Somalia's historical background, the Somali state, and the warning signs of its collapse. Chapter 3 will focus on the reasons for the Somali state's collapse and its consequences.

Chapter 2. Overview of Somalia's Background: The Past Predicts the Future

Introduction

Somalia is a classic example of a collapsed modern state in the 21st century. A young democratic and ambitious country in 1960s, it has been a directionless nation since the state collapsed in 1991 to the present. In 2011, Somalia is still without a central state. The public has been governing itself for two decades. Understanding the past history—in particular the gradual deterioration and the ultimate collapse of the modern state, as well as the factors supporting the society's self-governance in this period—can contribute to the search for a future Somalia state. This chapter is thus divided into three sections. The first section is an overview of Somalia's historical background—including its people, culture, and economy—in pre-colonial and colonial periods and the colonial legacy in Somalia as the source of the prolonged conflict. The final two sections examine the colonial legacy in Somalia and the later formation of incompatible political systems. The lessons we take from the experiences of the post-independent governments (the civilian and military government) will aid in finding the best approach to reconstructing the country. This brief introduction to the rich and dynamic history of today's anarchic nation is, therefore, in order.

2.1 Overview of Somali History and Culture

Somalia, located geographically in the Horn of Africa, shares borders with Ethiopia in the west, Kenya in the south, and Djibouti in the North West.¹¹ The Indian Ocean lies to the east side of the country and the Gulf of Aden closes in from the

¹¹ Refer to the Somalia's map in Appendix A.

northeast. The country covers a total land area of 637, 540 square kilometers and has a coastline of 3, 300km. According to the 2001 Human Development Report (HDR) of Somalia, 45% of the total land area is pastoral, 13% is arable land, 14% is forest and woodland, and 28% is unclassified. The report also indicates that the principal exports from Somalia are livestock (sheep, goats, camels, and cattle) and the estimated Gross National Product (GNP per capita is US \$200. Somalia remains one of the least developing countries in the world. In terms of livelihoods, 59% of the Somali people are considered pastoralists who practice and semi-nomadic or agro-pastoralism; 17% practice sedentary agriculture, while 24% live in urban settlements (HDR-Somalia, 2001).

People: Somalis are inhabitants of the Horn of Africa. As Touval (1963) noted, “Somalis first appeared in an Ethiopian hymn eulogizing Negus Yeshaq (1414-1429), for his victory against the neighboring Moslem Sultanate of Ifat.” In 2009, the Arab Human Development Report estimated the population of Somalia to be about 8.2 million people. This may not be the most accurate or updated figure, as the last census for the Somali people was completed in the early 1970s.

Somali people also reside outside the Somalia borders, in places such as Kenya, Ethiopia, and Djibouti. This dispersal is attributed to the colonial powers, who, in 1884, divided Somalia into five territories: Italian Somaliland, British Somaliland, Djibouti, the Ogaden region of Ethiopia, and Northern Frontier District of Kenya. After a long struggle, the Italian and British Somaliland gained independence and created the Somali Republic on July 1, 1960. Djibouti gained its independence in 1977, but declined to join the Pan-Somalia vision. The ensuing post-colonial governments of the 1960s sought Pan-Somalia, but have been unsuccessful so far. This has created long-standing conflict

between Somalia and its neighboring countries—Ethiopia and Kenya. Examples of this tension are the wars of 1964 and 1977 between Somalia and Ethiopia.

Furthermore, the collapse of the modern Somali State in 1991 led to the migration and settlement of millions of Somali people in various countries in the world. This situation has some implications for Somali culture and society, which are evolving in different and new ways. For instance, the future Somalia will have to accommodate the demands and expectations of thousands of returning diaspora Somalis, who speak different languages, were born and raised outside the country, and graduated from diverse universities in such countries as China, the US, Australia, Indonesia, Malaysia, Libya, Egypt, Sudan, Canada, Turkey, Iraq, Italy, England, India, and Pakistan. The contribution of this population to political, economic and social processes will be influenced by the ideologies of the countries from which they returned. Given the background of these countries, Somalia may become a hostage to the conflicts arising from the views of its future elites. This particular issue requires special attention when analyzing Somalia's evolving culture, values, norms, clan loyalties, and political negotiations, as it might have an impact on the traditional, social, and political relations and local institutions in the country.

Social Structure: Somalia has one of the most homogenous societies in Africa. Its people are mainly the descendants of two brothers: "Samaale" and "Sab." Samaale's descendants comprise three clans: Hawiye, Darood, Dir, (including Isaq). The Sab clan is made up of "the Digil" and "Mirifle." There are also smaller clans with different ethnicities, including "Reer Banadir (people of Xamar or Mogadishu)," "Somali Bantu,"

“Barawan,” the descendants of Arabs (Yemen, Oman), as well as Persian, Indians, Pakistani, and Portuguese. The latter clans are scattered throughout the country.

Most of Samaale’s clans are pastoralists, and the Sab clans are mainly agriculturalists. Unlike the Samaale clans, the Sab group has open socio-political structures that allow new members to cross clan lines to join them (Lewis, 1994:133). I. M. Lewis (1994) calls this process “the adoption of foreign clients.” A client who is dissatisfied with his fellow compensation-paying group gives up his clan identity, birthplace, and forever becomes a member of his chosen clan. He participates in the affairs of his new clan and follows the order of the clan leader. In return, like the rest of those in the clan, he obtains clan membership, protection/security, and land to cultivate, but these are not transferable to outside clans. These “adoption” characteristics are either rare or absent in northern pastoral Somali social structure (Lewis, 1994: 133, 139).

This confirms that, at the individual level, clanism can be easily dismissed if it does not serve the interests of one’s family. While it is common for individuals to cross over clan lines in Somalia, studies on how such “arrangements” work have never been published. Nevertheless, the existence of this option confirms the fragility of clan dependency and the challenges facing traditional institutions.

Traditional Institutions: Pre-colonial Somalia was a stateless society. Stateless refers to “a political organization where no formal centralized polity exists, but which maintains the social order and stability through moral, material and social sanctions” (Mohamoud, 2006:18). In this sense, historically, Somalis had no formal institutions prior to the colonial period. Its clan-system represents the highest political unit given the size of “dia” or “compensation”-paying groups in each clan (at least over 50) (Ibid).

This concept is defined in the next section below. Therefore, to understand the complexity of the social interaction and the traditional institutions, we must analyze the following three main factors: kinships lineages and their “dia-paying–compensation paying” sub-clans; “Heer or traditional customary laws”; and Islamic Sharia Laws.

I. Kinship lineages and “dia-paying” or “compensation-paying” groups: Reflections on local level democratic governance

In pre-colonial Somalia, kinship lineages comprise blood wealth or dia-paying groups. According to I. M. Lewis, “the dia-paying group is essentially a corporate agnatic group whose members are united in joint responsibility towards outsiders.” “Dia” (originating from Arabic), or “Mag” (Somali word), means “compensation payment to a victim.” The two words are exchangeable, but this study employs “dia-paying” for consistency. For Lewis (1994), within the segments of primary lineage, most frequently a person acts as a member of a “‘dia-paying group, or blood wealth’, and this is the basic jural and political unit of northern Somali society” (Lewis, 1994:20). In other words, it is the foundation for stable democratic governance at the local level.

At the individual level, membership in a “dia-paying group” delineates two important factors in Somalia’s social governance structure. First, it provides personal identity for individual members. Clan identity determines the extent to which an individual may interact with a stranger in discussing sensitive or confidential issues on war, human rights violations, political reconciliations, or the impact of the civil war on people. Second, clan identity is an “insurance policy.” It provides physical and financial protection when a member is in dire need. Clans or sub-clans seek compensation on behalf of an individual member who is a victim of crime, or they pay on a behalf of a perpetrator of a crime. This practice prevents revenges from escalating. In exceptional

cases, revenge continues for decades regardless of social contracts and compensations. If clans fail to resolve their differences through traditional and customary laws, they bring the issue to formal institutions based on secular and Sharia laws for solutions.

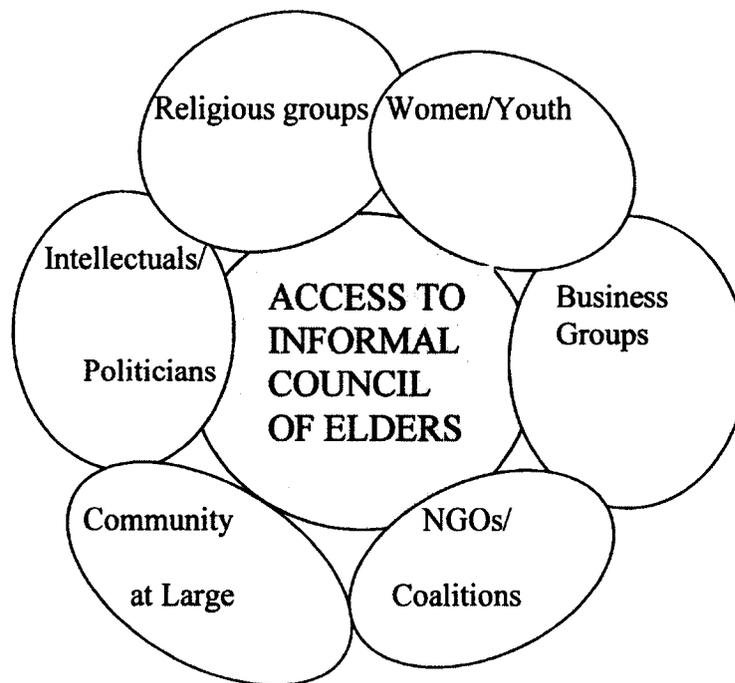
Overall, clan identity and insurance factors contribute to the effectiveness of social capital within and across clan-based communities, in particular in post-conflict era as discussed in chapters 5 to 7. Traditional elders and chiefs play stewardship roles in facilitating the preservation and persistence of this social structure.

A. The Role of elders: Extension of leadership from community to national affairs

In post-conflict Somalia, competitions based on clan lineages superseded national and religious solidarity. The search for neutral leadership resulted in the recognition of the role of elders, as well as the extension of their participation in peace and reconciliation processes, at the national level. Elders are, therefore, seen by all Somalis as a catalyst force or pressure group that can facilitate peace-building at local and national levels.

Who are these elders?

Figure 2.1 Social Structures and Community Access to Free Services of Elders¹²



Traditionally, an elder is a male, often over the age of thirty, who is accountable to his community and officially represents them for external and internal matters (Salah, 2000: 10). Elders are composed of at least two groups. In the first, the elder inherits this leadership role through kinship lineages and takes the title “clan chief” known as “Isim.” In the second group, the elders are known as “peace seekers or makers.” Each clan has at least a dozen Isimo and peace seekers. The latter group gains the respect and trust of the community “through their active outreach, mediation, generosity in time of need, and resources, and their good deeds” (ibid). Both groups work together. Within and across clan lines, Somalis consider the authorities of elders legitimate.

¹² This figure is modified from its original format published in 2000

The services that Somali elders provide make them an asset to Somali society. The public has access to these services regardless of time, resources, and the complexity of the issue. The need for the services of elders increased in post-civil war era. As one of the participants of this research put it, “Without the leadership of elders, which is based on a deep knowledge of the people, especially in times of crisis, Somalia would not have come out of the anarchy.”

The elder’s service to the community is voluntary. They can influence relationships with external clans with regard to peace and conflict resolution through their oratory powers (often expressed in the form of poems), their religious knowledge, and their commitment to justice, truth, courage, and conflict arbitration. The ability to reason and exercise patience has been and still is the foundation of the success of their work (Salah, 2000:11).

The elders have little ambitions for political gain, which also allows them to maintain great influence and to earn the trust of their communities (ibid). If Putnam’s view that “altruism, volunteering and philanthropy are central to improving social capital (Putnam, 2000: 116-17) is correct, then Somali traditional elders obtain these qualities and contribute to effective governance at local, regional (administrations in Somaliland and Puntland), and, to some extent, national levels.

B. Limitations and negative roles of elders: A double edged sword services

Historically, elders have played positive roles. However, as Gundel et al. explains, sometimes they may be “conservative, aggressive, clannist and even corrupt” (Gundel & Omar Dharbaxo, 2006: 54). In particular, their roles may be detrimental in times of conflict. For instance, clan elders contributed to conflicts between the Somali state and

clans by sending young men and resources to battlefields in many parts of the country in the efforts to topple the state in the mid-1980s and 1990s—and when the state collapsed, they led the fight within their sub-clans. Hundreds of thousands of Somalis perished in these conflicts.

Somali elders, especially those in the southern regions, also failed to resolve the predicament of political process in Somalia. It is worth noting that their limited influence in the current state of affairs is a backlash against their previous actions—as some elders in the southern regions were instrumental in the destruction and overthrow of the state. The extension of their influence to the national agenda was very sudden, and the traditional institutions (or “Heer or customary Laws”) and, to some extent, “the Islamic sharia Law” they employ were not sufficiently developed to completely replace the more formal and complex political systems and institutions. This issue will be explained in more detail in the following sections.

II. The revival of “Heer” or “Somali Customary” laws: The application of informal governance in the post-conflict era.

The Somali society’s system of governance prior to the colonial rule that ended in 1960 consisted of traditional customary laws known as “Heer.” The “Heer” institution is “a social contract democratically constructed to check the occasional conflicts between individuals and communities” (Samatar, A., 1992: 630-31).

Somalis developed these “unwritten customary laws and codes of conduct” to govern their society and to collectively benefit as communities. These laws evolved over time and space. In other words, “*Heer* can be contracted into and out of, and according to need, contracts can be abrogated, modified, rescinded or new ones made” (Gundel & Omar Dharbaxo, 2006: iii). The traditional institutions and systems of “Heer” have

survived through centuries, and today's modern Somalia still applies them as part of its legal institutions. In the context of structure, traditional chiefs of communities consult with peace-seekers (Nabadoono), religious groups, and warriors. Elders make judgments after members of clans present their cases before assemblies, with certain and recognized characteristics. The following table (2.1) illustrates.

Table 2.1 Somali Assemblies (Traditional)

Type of Assembly	English Rendition	Characteristics
Geedk* Heerka Iyo Hukunka	The tree of justice and jurisprudence	This is the tree of the "heerbeegti" or men of law who arbitrate arbitrate manners of dispute.
Geedka Haqqa Iyo Hukunka	The tree of truth and justice	This is the tree of the Sheikh, and it relates to situations in which religious sanctions are the basis of law and conflict resolution, as distinct from secular sanctions (heer)
Geed Hindisaha Iyo Haloongsiga	The tree of bluster and bravado	Some named because it is the tree of young men who brag about the superiority of their respective clans, their camels, houses, the beauty and merit of their girls, the valor of their men, etc.
Geenka Qaansada Iyo Quraarta	The tree of the bow and Chisel	This is the tree of industry. All objects and crafts necessary for living in the country are manufactured under this tree. Things produced here include: military tools (bows, spears, daggers, darts, knives, horse and camel saddles: in short, all manner of household and personal implements)

Source: Said Samatar, 1982: 28

*Geedka means "shir or assembly" in this context

As this table (2.1) indicates, most communities settle disputes and prevent conflicts and confrontations by applying traditional laws. As discussed in the next chapter, the significance of “Heer” practices re-emerged in post-state collapse—a period that tested its effectiveness and limitations.

When the modern state collapsed, Somalia’s customary laws re-emerged as an alternative to formal laws based on secular and Sharia order. According Abdi Samatar (1992), “[W]hat gave the Heer staying power in the absence of centralized coercive machinery was ... its ethics—in conjunction with Islam which prevented and restrained centrifugal tendencies in the lineage system, thereby inhibiting terrible men from plunging the community into a nightmare” (Samatar, 1992:631). In post-state collapse Somalia, the popularity of “Heer” increased. The flexibility and accommodation of elders as well as their availability and accessibility contributed to the high demand for their services. Through “Heer governance,” elders are able to provide voluntary services to meet the needs of their communities. Elders never neglect critical issues by using the excuse of distance, shortage of time, or lack of resources. They always find a way to address and resolve problems through the Heer’s code of conduct.

The increase in the popularity of “Heer” was also due to its ability to adapt and evolve over time, and the fact that its social and victim-oriented solutions are favorable to affected families. Neither Islamic Sharia Laws nor secular laws can compete with the flexibility and accommodation of Heer with regard to society. Victims and plaintiffs cannot easily access or afford the services of secular institutions (formal courts, police forces etc.) and Sharia laws (courts), which are often poor and very expensive. The poor

and the rural communities are also unlikely to use these services as long as the services of traditional institutions are available.

Despite these positive aspects of the “Heer laws,” certain shortcomings must also be redressed. Heer conflicts with individual human rights and the Sharia law. As noted by Gundel & Omar Dharbaxo (2006), “the collective responsibility imposed on [dia] mag-paying groups by Heer is seen as removing responsibility from individual perpetrators of crimes” (Gundel, et Al.; 2006: iii). They conclude that “as long as Somalis are dependent on their kinship lineages for security and protection, responsibilities, duties, rights and liabilities will continue to be perceived along collective rather than individual terms” (ibid). This type of clan arrangement often encourages perpetrators to repeat their crimes, as they know that their wealthy families or clans will bear the burden.

Furthermore, if crimes committed by a member of a clan occur on a regular basis, that clan will find it difficult to contribute to dia-paying rulings against their clan. For instance, since the 1990s, senseless killings, organized murders, injuries, and robberies take place every day in almost all communities in Somalia. Compensation payments became a heavy burden for the local communities and the diaspora members of these clans during the global economic depression. People continue to have to choose: either they pay the dia or a member has to face vengeance.

Another challenge that “Heer code of conduct” cannot overcome relates to new forms of violence and crimes. During the early years of the civil war, people knew their enemies and fought openly. Today, Somalis are faced with faceless criminals committing deadly violence. For instance, young men cover their faces and assassinate people,

spreading fear. This new phenomenon challenges the traditional laws and the services of tradition elders, who normally maintain peace and protect communities. Currently, violence is on the rise and people are killed on a daily basis. The elders can do nothing about these actions since they do not have the capacity to investigate these crimes and bring perpetrators to justice.

The “Heer or customary laws” are also limited when it comes to the rights of women, minorities, and youth. Women are not allowed to participate in public assemblies and often the decisions of the elders favor men over women. While young men are denied participation in assemblies due to their age, women are denied due to their gender and minorities due to their social status under these laws. In this context, Sharia and secular laws play complementary roles in governance and fill the gaps that exist within Heer contracts. Before discussing the Sharia laws, it is important to understand the role of Islam in Somalia.

III. Islam and the Sharia Law: The emergence of Islamist groups joining Somalia’s political system in post-civil war

Somalia is a Muslim country: 99.9% of its population practices moderate Sufism of the Shafia order. “Sufism is personal, spiritual experience, where the Sufi breaks away from external constraints and pressures: nature, society, the state and legislation; and experiences absolute freedom outside the realm of natural and manmade law, away from oppression and slavery (Abdullah Al Aarway in Arabic, 1993, 15-22, cited by Arab HDR, 2004). The Shafia order is a version of Sunni, one of the two schools of Islam: Sunni and Shi’a. The former plays a significant role in the lives of Somali people. Given that most Somalis adhere to one of the four schools of the Sunni version of Shafia, Somalia is considered a homogenous society. According to various scholars, the Sharia

laws in Somalia originated from four Sufi orders: the Qadiriyyah, founded in Iraq (D1166); Ahmadiyah, founded in 1758-1836; Salihiya;¹³ and Rifaiyah (Touvel, 1963; Abdullahi, 1992). In the 1960s, other religious schools emerged and took root in Somalia: Hambali School, brought from Saudi Arabia by the “Salfiya Movement”; and Hanafi School, brought from India and Pakistan by the “Tablig movement”(Abdullahi, 1992). The influence of these schools at the political level took off as early as the 1970s, when the many Somali men who had been job hunting in Arab countries returned with ideologies that reflected the interests of those countries rather than local interests. For example, the first returning wave of young men who were politically linked to the religious movements in Arab countries (such as Muslim Brotherhood in Egypt, and the Wahabism order of Saudi Arabia) quickly established schools and began teaching young groups around the country. However, the aggressive re-enforcement of Wahabism, a strict interpretation of the Holy Qur’aan, came into force in the early 1990s. This was the beginning of bleak era for Somalia’s political and social landscape. The politicization of religion to obtain political power changed the Somalia’s political landscape, with further implications for peace-building and state-building efforts. An aggressive and often violent competition for political power between representatives of these schools and the secular politicians materialized in the post-collapse period of the Somali state.

After the collapse of the Somali state, religious groups often attempted to influence social forces to formalize political organizations based on Islamic Sharia. Even though the Islamic movement in Somalia was present as early as 1970s, post-independence Somali governments maintained control over the influence of these

¹³ Salihiya, an off-shoot of Ahmadiya, was founded by Shaykh Mohamed Salah of Sudan, who lived in Mecca, Saudi Arabia, and Muhammed Abdulle Hassan, the Darwish [Somali forces] leader who became his deputy-in-charge in Somalia.

movements mainly through coercion and imprisonment. A well-known example of this is the execution of ten religious leaders on January 23, 1975 by firing squad, after they rejected the introduction of family law by the Socialist government. This law, introduced in the early 1970s, gave women equal rights, including equal inheritance rights. The former president of Somalia, Mr. Mohamed Siad Barre, accused these men of being agents of foreign influence. His statement in an interview below confirms this:

These were not ulemas or men of religion. They were not executed because they were so or because of the civil status law. During the trial, we found out that eight of them could not read or write. We asked one of them to recite one verse of the Qur'an, but he could not. We asked one of them to perform ablutions, and he began by washing his left foot. One of them was not a Somali, etc. There were two sheikhs among them and the rest were ordinary agents and subversives. We discovered that it was a wide-scale plan perpetrated abroad in accordance with specific moves and steps to take place after contacts with other bodies and organizations. There were attempts to infiltrate the armed forces and arouse its members. It was a general movement intended to topple the entire regime under the disguise of religion. It began from the mosques and moved to the streets. Its aim was to attract all forces in order to achieve its final goal. (Al-Yustsuf, 1976)

These religious movements realized their dreams when the Somali state failed in 1991.

But they equally failed to win the hearts of the public. Today, most Somalis question the motives of most religious groups, especially the adherents of Wahhabist ideology.

This is not the first time that the Somali public had lost confidence and turned against the visions of religious-based movements and sought support from historical enemies, such as Ethiopia. The first public noncompliance against these schools emerged when Sayed Mohamed ibn Abdullah Hassan of Salihya, another offshoot of Sufism, engaged in religious war against colonial powers from the late 1890s to 1921. Sayed Mohamed is a symbol of Somali nationalism and a father of modern Somalia. He was born in 1856, received his early education in Somalia, and later studied in Sudan and Saudi Arabia, among other countries. He returned to Somalia in 1895 (Salwe, 1993).

As a Salihiya representative for Somalia, Sayed returned to the country and confronted the colonial powers who were trying to convert Somali children to Christianity. He also refused to pay a head tax imposed by the British Somaliland authorities. The governance of non-Muslims in his country displeased him and he made the commitment to get rid of them. Hence, he commenced building bases, and his forces gained strength and manpower (over ten thousand men at times) through political alliances, marriages, and kinships. He also received a wide support from the public, which agreed with his convictions.

However, the violent confrontation against the colonial powers led to unprecedented collateral damages to his immediate relatives and followers. His forces indiscriminately executed members of communities who followed other schools of Islamic thought to compel them to accept his vision, as well as members of those clans who either disagreed with his approach or were suspected of supporting the colonial powers (Salwe, 1993). Sayed and his followers accused their perceived Somali enemies of being sympathizers of infidels. Sayed's un-Islamic practices were marked by the massacres of clan leaders, peace-delegations, and religious leaders of other schools; the mutilations of the bodies of clan leaders; and the undermining of the authority of clan leaders. He miscalculated the power of the Somali clan-system engrained in the culture and norms of society. The result was a decline in the popularity and support for Sayed and his followers. As Mohamed Dalmar (1993) puts it, "[W]hat led to the demise of derwiishes (military forces of the Sayed) was its departure from indispensable rahma or compassion" for his people (Dalmar, 1993:45). The word "Rahma originated from the Holly Qur'aan." As per the Prophet Mohamed, the Qur'aan says: "It was by the mercy of

Allah that thou waste lenient with them, for if thou has been stern and fierce of heart they would have dispersed from around about thee. So, pardon them and ask forgiveness for them in the conduct of affairs” (cited by Dalmar, 1993).

As the above verse of the Qur’aan states, your own people will turn against you if your struggle lacks compassion. This concept is deeply engrained in the culture and norms of Somali society. It became the driving force behind the general turn against Sayed Mohamed by Somalis, which led to the demise of his rule. Even though it was the bombing by British airplanes of his castles in 1921 that ended his vision and the campaign, the biggest regret Sayed Mohamed had—as cited in his own famous poem, the “Will”—was the elimination of his own people (linked through kinships and marriage) and his adherents from other clans (Laitin & Samatar, 1987).

Today, 80 years after Sayed Mohamed’s struggle ended, history is repeating itself. A second wave of “Wahhabists” or “religious men” reviving the Sayed’s schools of thought have latently penetrated and spread into Somali society. They take advantage of twenty years of political vacuum, as well as of the desperation and dire needs of society in the absence of the state. The movement captivated the public in the early 1990s by through various approaches: teaching Islam in homes, in schools, and in mosques; delivering social programs to poor communities; and dominating the economy while importing weapons. They also built thousands of mosques in every village in Somalia, even when the basic human needs of water, hospitals, clinics, and formal schools were absent.

Structurally, the Islamic groups also manifested themselves as religious courts based on sub-clans in southern regions of the country. Some of these courts adapted

extreme versions of Sharia laws: cutting the hands and legs and stoning women to death after accusing them of adultery without bringing the complicit adulterous men to justice; demanding strict dress codes for women (Saudi style) and men; and separating men and women in public spaces. These strict practices imposed on the Somali public are very new and unfair to people who are already trying to come out of a difficult anarchic situation and extreme poverty.

In 2006, the Islamic courts amalgamated their segregated and clan-based forces under the umbrella of the Union of Islamic Court (UIC), and in 2007 they succeeded in disarming and eliminating the warlords of Mogadishu, who had held the country hostage since 1991. With the funds and support of the US, the warlords engaged in a war against the Islamic courts as a part of the US's anti-terrorist campaign. The US and other Western countries consider Somalia as one of the Muslim countries harboring terrorist cells.¹⁴ The victory of the UIC over the warlords encouraged Islamists to aggressively expand their power to other regions in Somalia. They threatened the existing Transitional Federal Government (TFG) and the stability of Puntland and Somaliland administrations and those of neighboring countries. Through deadly and violent confrontation, the TFG and its allies—in this case, the Ethiopian forces—ousted the Islamist forces. In response, the latter adapted hit-and-run military tactics. These actions and the reaction of the TFG and their alliance resulted in the deaths of thousands of Somalis and the displacement of hundreds of thousands in the southern parts of the country. The public resentment and reservations with regard to the vision of these groups further increased as the Hisbul

¹⁴ See "Terrorism in the Horn of Africa." Retrieved from <http://www.usip.org/files/resources/sr113.pdf>

Ilsam and Alshabaab wings of the UIC continued attacking the TFG and spreading fear through public executions and threats.

Similar to the campaign of Sayed Mohamed Abdulle Hassan, the popularity of the Islamists is fading. It is only a matter of time before the public and civil society revolt against the Islamists' campaign. This failure can be attributed not only to the differences in ideologies among themselves, but also to the fact that no institution or regime that tried to undermine clanism has ever succeeded in furthering its agenda. The factors that brought down Sayed Mohamed Abdulle Hassan¹⁵ are present today. Public revolt against Islamists is in the making, and the support of the international community, the United States, the United Nations, some Muslim countries and the African Union is rising due to wide push for regional stability and the anti-terrorism policies. The Arab world is also facing its own public uprising. This might be a blessing in disguise for Somalia, which has been unable to rebuild a new state because of the direct and indirect interference of external actors, in particular Egypt, Saudi Arabia, Sudan, Libya, and Qatar. While these developments are not necessarily intended for the Somali public, some benefit may come of them: the hardline Islamists are losing popularity. Clanism has further superseded and challenged the cohesion and solidarity of the Islamists, who were relatively strong and united in 2006. The main question is why clanism survives against all odds: What facilitates its survival? The answer can be traced back to the colonial period from 1884 to 1960.

2.2 Colonial Legacy in Somalia: The Source of the Prolonged Conflict

¹⁵ Clans fighting against the Sayed sought the support of Ethiopian and British forces

Somalia inherited at least three poorly developed policy approaches from the colonial powers: the division of the nation into five regions in 1884, which facilitated the emergence of Somali nationalist movement; the introduction of a centralized state, which eliminated the role of indigenous institutions; and poorly developed social programs, which paved the way for chronic and wide-spread poverty leading to total dependence on foreign aid.

I. Division of Somali territory: The basis for a long-term conflict in the Horn

In 1884, the colonial powers divided Somalia into five territories: French Somaliland (now Djibouti); Northern District Frontier (NFD) region under the Kenya rule; Ogaden (Region 5) under Ethiopia; and the two territories, the North West Somalia, now known as Somaliland and the Italian Somaliland. The introduction of senseless borders within the traditional grazing grounds of Somali clans was the first source of long-term instability in Somalia and the Horn of Africa region. This decision had negative implications for nomads, who had very little respect for structured borders and authorities.

As Gesheker (1979) illustrates, even though “Somalis realize they are not the only African people still divided by colonialist boundaries, they may, however, be one of the few people for whom some sort of unification is also a matter of ecological and economic necessity” (Gesheker, 1979:24). In a development context, this demarcation did not make any sense. Governor Gerald Fisher, a British officer who appreciated open borders and toured the region in 1943, suggested that “from a social and economic point of view the only hope of improving the living standards of the nomads is to create a

united Somalia” (ibid). The search for Pan-Somalia paved the way for the emergence of Somali nationalism, and later the successful delivery of Somali independence.

The emergence of Somali nationalism: The role of the Somali Youth League (SYL)

Even though the emergence of Somali nationalism can be attributed to the struggle of Sayed Mohamed Abdulle Hassan in late 1890s to 1920, it was the Somali Youth League (SYL) brought Somalia to independence. Somali nationalism reemerged in the 1940s, when the Somali youth under the Italian Somaliland and British Somali-land administrations engaged in political movements. They emerged as social clubs in the early 1940s and evolved into a political party in the 1950s.

What lessons can Somalis today learn from this struggle and the hard-won independence campaign? As explained later, a serious consideration of lessons from this movement can aid Somalia in overcoming its current turmoil. It comes down to establishing a genuine leadership, gaining economic independence from external sources, and eliminating clan-based political deadlocks. Investing in these dimensions, which are completely missing in the current struggles among competing political groups, can pave the way to peace as elaborated in the following sections.

i) Social unity: Moving from clan-based to nationalist approaches

Somali nationalists identified clanism early on as a threat that could compromise the political campaign for independence. The SYL leaders knew that to run a successful campaign, they had to overcome “clanism and clanship”—and by doing this, they succeeded in winning the support of Somalis regardless of clan, territory, age, race, class, and ideology. They also succeeded in bringing everyone under the SYL banner.

Arguably, the campaign succeeded because they had one common enemy—the colonial

administration—which made it easy to put clanism aside. It is important to remember that political movements have never been without internal politics and divisions. The only difference is that SYL focused on and maintained the bigger picture, which was to “achieve Somali independence.” In the current scenario, exhaustion from the “never-ending war and mounting deaths” in the southern regions might possibly serve as the catalyst for the public to put clanism aside and seek peace through alternative approaches.

ii) Overcoming divisions: Key to uniting the population

Uniting the voices of Somalis living under various colonial rules (initially British, Italian, and French, and then later Ethiopian and Kenyan) was central to the success of the nationalist movement that brought the country to independence. This approach was critical to the foundation of the struggle. However, modern Somalia today lacks public solidarity and support for leaders, since clan sensitivity is at its highest level. One lesson opposing forces can learn from the nationalist movement is the need for social cohesion and to harmonize the deeply divided society. A genuine bottom-up reconciliation of all regions with less interference from the outside world might enhance the peace process. Sensitivity to any approach—intervention, negotiation, or arbitration among combating groups—is thus indispensable.

iii) Strategic and local fundraising: Making foreign aid irrelevant

Developing a sound financial base was another contributing factor in the success of the nationalist movement. Coordinating effective and sufficient movement across Somalia from 1940 to 1960 was not an easy task, considering the poor economic development of the country, the very low literacy, the insufficient financial and capital resources, and the limited presence of intelligentsia of that time. Yet, the Somali Youth League (SYL) movement developed a strategic approach, raising funds from their local members. This

gave them power to control their society-oriented agenda without any foreign influence or manipulation. The movement, which was mainly led by young men who rarely earned enough wages under the colonial administrations, succeeded in spreading their fundraising base across the country.

The Executive Committee of the SYL was composed of subcommittees responsible for fundraising from members spread across all Somali territories, including Somalis under the Ethiopian administration. According to Mohamed Salah Ladane, a Somali elder and freedom fighter who was the head of one of these fundraising committees, “in each city or village there was a book that the members of the League used to list the names, and the amount they contribute to the movement” (M. Ladane, Research Participant). As the head of the commission, Mr. Ladane collected the funds and sent them to the Central Committee, which was based in Mogadishu. In his view, collecting these revenues from all parts of the country was not an easy process given the distances, the poor infrastructure, the lack of transportation, poverty, as well as the threat from the pro-colonial powerful groups in every city. However, Mr. Ladane also commented that since the strength of the movement was at its peak, every SYL member was very proud to contribute to the movement. During the struggle, the League became one family: when a League member travelled to another city, a member of that city would host him or her without any hesitation. In addition to monthly financial contributions, business people, nomadic communities, farmers, and professionals provided additional funds, goods, and livestock. Women members even sold their gold ornaments to support the work of the SYL (M. Ladane Personal Interview, 2008).

In contrast, in the post-conflict period, the opposing political groups received funds from external sources (other countries) and the Somali diaspora. The implications of such a relationship are that the receiving groups have an obligation to meet in order to ensure the interest of their donors. For example, some Somali religious groups are expected to spread Wahabism (Saudi Arabia version of Islam) by using funding donations to build mosques across the country and to convert youth and women of the nation into Wahabists (a concept that cannot resonate with Somali's Islamic practice). The US policy on and funding of anti-terrorism activities through warlords while a transitional federal government is in place adversely affects the state reconstruction process.

The SYL—unlike the directionless and compassionless hard-liner Islamists and defecting politicians and elites in Somalia today—finally led Italian Somaliland and British Somaliland regions to independence on July 1, 1960. These two regions formed the Somali Republic.

II. Introduction of a centralized state: The elimination of indigenous institutions

The political concept of the centralized state was inherited in Somalia from the colonial powers. It denied the contribution of indigenous institutions, which were seen as a threat to modern institutions. In the beginning, the authorities of colonial administrations (Italian and British) introduced Somalis to a form of limited centralized government, which mainly affected urban communities. With this background, Somalis formed a centralized democratic government after independence. Like many African countries, the new state faced governance challenges from the outset.

Introducing a centralized state to a decentralized society was the first serious political mistake committed by civilian and military governments. These governments largely ignored that Somali society was divided into at least five major clans and that 70% of the population was rural or nomadic—people who would only barely obey authority. Nomads do not possess patriotism and nationalist sentiments in the same way as urban dwellers.

The second obstacles the centralized state faced were the limited capacity of the bureaucracy and its inadequate qualifications for running a government. As Touvel (1963) suggests, “it would not be an exaggeration to claim that by 1940, when a nationalist movement began to emerge, an educated elite had developed. Rather, it was the Second World War and its upheavals that produced a body of men, motivated and capable, to lead a nationalist movement” (Touval, 1963:71). However, running a state requires different dynamics and knowledge, which these men rarely gained. One way of measuring the level of capacity of the Somali bureaucracy is to examine the level of education or equivalent experience of the people prior to 1960. The following table (2.2) provides a picture of the formally educated Somalis and their level of education in addition to the number of schools prior to Somalia’s independence in 1960.

Table 2.2 Number of Schools and Students in the British Colony (1955/1960)

Level of Education	Number of Schools	Students		Total
		Male	Female	
Elementary	20 (38)	1,107 (2,020)	64 (319)	1,171, (2,339)
Intermediate	3 (12)	368 (1,039)	-n/a	

Trade/Vocational	2	87 (100)	- n/a	
Secondary	1 (2)	47 (70)	- n/a	

Source: Figures derived from Castagno (1962) cited by Bulhan (1980).

As the above table (2.2) reveals, the intelligentsia that replaced the colonial authorities improved gradually from the 1950s to 1960. However, they were inadequately prepared to implement an alien political system in a country of over one million people. The country's under-developed and very poor economy was further hurdles in the central state's development. This second part of the chapter thus looks at the post-colonial governments and their challenges.

2.3 Post-Independence Somali Governments: The Formation of Incompatible Political Systems

Somalia achieved its independence from Britain and Italy on July 1, 1960. The first civilian governments elected democratically ruled the country from 1960 to 1964, and from 1964 to 1969. The military government ruled from 1969 to 1990. Since 1991, the country has been without a central or effective government. Understanding the nature and the functions of these governments enables an appreciation of the central dilemma of Somalia's current political crises, which will help direct efforts to establish the most compatible regime for Somalia.

I. The period for the rules of the civilian governments: Missed opportunities for the formation of effective democratic compatible governance

The view that democratic governance requires the existence of stable and suitable economic, social, and political institutions that reduce the state-society divide cannot be overemphasized. The post-independence governments of Somalia had the spirit for democratization. It is one thing to have such a vision, but to find a process that smoothly

facilitates the democratization process is a different challenge. For poor countries like Somalia, the challenges that face democratizing towards a Western style state are multiple and diverse for many reasons.

The main challenge for the civilian governments was to build reliable public institutions. These governments inherited very few institutions and structures that could not effectively or efficiently support a modern government. Instead, the civilian governments had to deal with a weak economy, a feeble bureaucracy, insufficient labor forces, poor infrastructure (including roads), and ineffective and limited communication systems. These challenges restricted the government's capacities to extend ruling powers, especially their ability to communicate with all the regions in the country. For instance, a road trip from Mogadishu to Hargeisa, a distance of just 530 miles, would take at least three days. By the end of 1960s, there were only two scheduled flights per week connecting Mogadishu to Hargeisa. Telephones and telegrams, print, and newspapers were all limited (Touvel, 1963). This meant that any government assistance or intervention was very minimal in peripheral regions and districts. Such limitations contribute to other governance weaknesses, as the governments also faced challenges in the political arena.

A. Political development under the civilian governments

Despite the inherited governance challenges, a liberal democratic system of government was adopted by the civilian governments, which the departing colonizers groomed as a pre-condition for the granting of independence. Multi-party parliamentary systems guided the civilian governments. They developed a constitution in 1960, which was ratified in 1961. Despite poor social development programs, inadequate infrastructure,

and poor communication, the administrative functions of these governments were decentralized, as the constitution mandated. Various councils were created from regional to district levels to perform local governance. Multiple parties participated in elections of the members of parliaments and executive committees.

However, these elections were flawed. The first constraint originated in the resentment and disapproval of some Somalis from the north over the unification of the north and the south to establish the Somali Republic. To demonstrate their dissatisfaction, supporters of the Somali National League (the strongest party in the north) rejected the new constitution of 1961, although it was later approved through a referendum. Some scholars relate the grievances of the north to unjust distribution of power and resources by the centre, pointing out that more than half of government jobs and resources were allocated to the southern regions of Somalia (Adam, 2008).

Another governance challenge lay in the preparation and management of democratic elections in a clan-based society. There is a fine line between civic engagement and clan-based groups' engagement in the political system. In a clan-based society like Somalia, people trust politicians from their own clans; therefore, most political parties are aligned along clan lines. For instance, the civilian governments held two democratic elections before the military regime came to power. In the election of 1964, 24 political parties were created, with 793 candidates for the 123 parliamentary seats; but five years later, the number of parties had multiplied to 62, with 1,002 candidates in the 1969 elections (Samatar, 1992: 625). Besides the two national parties (SYL and SNL), at least 80% of political parties exclusively represented their own clans

(ibid). This type of clan-led democracy decayed the development of modern democratic institutions and vibrant civic engagement that transcend clanism.

B. Socio-economic position of the civilian governments

Further challenges that the civilian governments inherited from the colonial authorities were poor socio-economic programs and institutions. Neither the economy nor social programs were developed under the colonial period. The harsh environment of dry lands, and consistent draught and famine always affect the country's ability to produce sufficient agricultural products and rear healthy livestock for consumption and export. As the following table (2.3) indicates, investing in social programs such as health and education were secondary to civilian government priorities.

Table 2.3 Somali Government Expenditure in Selected Areas (in millions of US\$)

Area	1964	1965	1966	1967	1968	1969
Defense	11.9	12.2	12.4	14.0	15.2	16.7
Education	1.8	1.9	2.4	2.6	2.6	2.9
Health	2.5	2.7	3.2	2.5	3.1	3.4
Agriculture	.7	.7	1.2	1.4	1.6	2.3

Source: United Nations Social and Economic Council (1970:24); and Somalia, Ministry of Planning. Somalia in Figures (February 1970:3); cited in Samatar, 1988:74.

As Table 2.3 illustrates, the inadequate level of the planned budget for education and health sectors is alarming. While the investments on agriculture and health gradually improved, education seems one of the lowest priorities of these governments.

Consequently, the level of illiteracy in the country remains high. This policy is consistent with the policies of the colonial authorities, which limited the education levels of Somalis even under the UN's trusteeship. Table 2.4 illustrates:

Table 2.4 Number of Students in Somalia during UN Trusteeship, 1952, 1959-60

Level of Education	1952		1959-1960	
	Male	Female	Male	Female
Primary school	13,557	986	29,739	6,123
Lower Secondary	164	24	971	60
Higher Secondary	331	-	427	53

Source: Figures derived from a more detailed table in Castagno (1962) cited by Bulhan (1980)

In the context of Table 2.4, from 1959 to 1960 Somalia had 480 (427 men and 53 women) high school graduates. While the number of women (girls) enrolled from primary to secondary schools increased in 1959-1960, in comparison to 1952, these figures are dismal when compared to men (boys) who enrolled at the same time. These situations did not significantly change after the independence, as the following tables reveal.

Table 2.5 Number of Schools and Students at Different levels, 1966-1967

Level of Education	Number of Schools	Male	Female	Total
Elementary	201	16,114	4930	21,040
Intermediate	39	4,966	988	5,954
Secondary	13	1,657	179	1,836

Source: Statistical Trends, Ministry of Education, Mogadishu, Somalia, 1968; cited in Bulhan (1980).

As table 2.5 shows, from 1966 to 1967, the number of secondary graduates increased to 1,836 (1,657 men and 179 women) from 480 in 1959-1960. This was a major step. Nevertheless, if education plays a significant role in good governance—in particular, the economic sector and in the production of human capital—then, in reality, Somalia had less than 2000 high school graduates in 1966 to 1967. These graduates could not cover the wide scope needs of over one million people. The human capital inadequacy has a direct implication on governance. Due to low illiteracy and a shortage of experienced experts and personnel (in numbers) in some areas, the civilian governments had no choice but to depend on foreign experts. The following statement illustrates the state of affairs:

Three years after independence, a case came before the High Court against a group of young army officers who were accused of attempting to overthrow the Government ... The case was heard by a British judge. The Government was represented by an Italian prosecutor and the accused were defended by Indian lawyers who had been hired from Kenya. The law was the Indian Panel Code. Such was the state of the affairs in the sovereign Republic of Somali in 1963. (Omar, 1992:66)

These dire circumstances compelled the civilian governments to seek alternative funding in the forms of loans and grants to govern the country and sustain services more effectively. But they paid little attention to the long-term consequences of these loans. Possibly, the bureaucrats of these regimes were unfamiliar with the mechanisms and the hidden implications of loans on poor nations like Somalia. The more foreign aid these bureaucrats secured, the further the dependency of the country increased and its efforts towards self-reliance weakened.

C. Foreign aid dependency: Delaying real development

The dependency on foreign aid by the civilian governments from 1960 to 1969 and the attendant debt servicing burden meant long-term challenges to the development of social and economic sectors and the policies that would direct these sectors. The following tables present a picture of the latent danger of foreign aid, and the easy ways that weak governments can accumulate more debts quickly.

Table 2.6 Somalia: Foreign Aid Grants (1960-63) (in millions of US\$)

Source	1960	1961	1962	1963
Italy	4.25	7.25	6.90	7.00
USA	1.25	4.00	2.00	8.75
Britain	2.00	3.65	3.75	--
United Nations	.25	1.50	8.75	2.00
European Economic Community	.14	1.50	.075	1.00

Source I. M Lewis (1967:279); cited in Samatar (1988:64)

Table 2.7 Somalia: Loans Awarded (in millions of US\$)

Source	1960-1963
Long Term	
USSR	46.25 ¹⁶ _a
Italy	22.00
Egypt	10.00
W. Germany	5.50
Czechoslovakia	2.45
USA	1.75
Commercial (short term)	17.75
Italy	6.75
USSR	

Source: I. M Lewis (1967:281); cited in Samatar (1988:64).

As tables 2.6 and 2.7 illustrate, Somalia's long-term and short-term financial loans and grants indicate the beginning of a debt trap. While the grants that would have eased the burden of the first civilian government in 1960 to 1964 were small (from 1

¹⁶ Most of these are for industrial projects such as meat fish canning, and dairy plants. Also included are military and related expenditures

million to 7 million in 1963), the long-term loans and commercial short-term loans were very high. The highest long-term loan contributed by the former USSR from 1960 to 1963 was US \$46.25 million, and the lowest was US \$6.75 million. Other countries contributed between US \$1.75 million (USA) to US \$22 million (Italy). Small countries such as Czechoslovakia also provided long-term loans (US \$2.45 million) in that period, even though, surprisingly, its amount was slightly higher than the USA's loan of \$US 1.75 million (Samatar, 1988:76). As many reformists assert, the free flow of loans and grants later initiated stiff competition among government bureaucrats, which boosted corruption and nepotism. These struggles also weakened the popularity, power, and support base of civilian rule, and paved the way for a military coup. A few days after the President Hon. Abdirashid Ali Sharmarke was assassinated, the military peacefully seized power on October 21, 1969. The military claimed to have acted to protect national interest, accusing the civilian government of inadequate governance, corruption, and nepotism. However, the military did not inherit strong institutions that would support effective governance.

II. The military regime (1969- 1991): The demise of democracy and genuine development

The military regime ruled the country with an iron fist from 1969 until its collapse in 1990. In the period between 1969 and the early 1980s, the government achieved noticeable positive outcomes: including the nationalization of Somali banks; the formalization, adaptation, and writing of the Somali language; an increasing literacy level through a national literacy campaign; the increasing empowerment of women; and economic growth due to the expansion of livestock trade to oil-producing countries. The regime also delivered some social programs, contributing to the improvement of health

and education sectors, and built the capacity of public institutions, such as the police force and the army, to improve security. Understanding the military regime's governance approach to its political, social, and economic developments sheds light on the gaps that led to its failure.

A. Political changes: From a socialist to semi-democratic regime

When, the Supreme Revolutionary Council (SRC) led by Major General Mohamed Siad Barre came to power on October 21, 1969, the new regime adopted a firm centralized political system, or "scientific Socialism," reversing all democratic processes and policies of the civilian administrations. In 1979, the regime replaced the constitution of 1969. In 1976, it also introduced a single political party, the Somali Revolutionary Socialist Party (SRSP). Its standing body, the Central Committee, superseded the SRCP as the guiding political instrument in the country (Somalia: A Country Study, 1992).

The new regime also banned the perceived dysfunctional and divided democratic parties and government councils at municipal and district levels. Instead, local government authority was vested in regional and district councils. As explained earlier, this is referred to in the literature as a *de-concentration* approach to decentralization: when responsibility or authority is transferred, but not the resources or local accountability. The military government reserves those two functions. All levels of local government, from provinces to districts, were staffed by personnel of the national civil service who had been assigned to their posts by the central authorities (Somalia: A Country Study, 1992).

Somalia's political system was also influenced by the Cold War. During that era, the military regime capitalized on Somalia's strategic importance by signing agreements

with each of the super powers at various times for mutual interests. But no one was paying attention to the long-term implications of the unlimited financial and military support from the super powers. During the USSR–Somalia era in 1970s, the Somali government secured most aid funds/loans from the former USSR, establishing the strongest army in Africa through military training and equipment from the USSR. But when the interest of the Soviets in Somalia changed, so did Somalia’s policy towards the USSR. Somalia began seeking alternative alliances. The military regime thus signed new deals with the United States. In 1980s, the authoritarian regime of President Mahammad Siad Barre abandoned the policy of “scientific socialism” and implemented liberal economy. This was the beginning of a semi-democratization process. As Gesheker (1979) put it, “the government is considered to mobilize people through projects that improve living standards and put resources and enterprises into Somali hands (Gesheket, 1979: 27).” Sectoral areas, such as the socioeconomic, gradually developed, but given the number of programmatic areas in which the government invested, discussing all of them is beyond the scope of this study. Therefore, the following selected sub-sectors are analyzed to understand the achievements and challenges of the military government.

B. Social sector programs development

Education: Education plays a significant role in the development of a healthy and capable society, and its contribution to human capital is central to economic development. In the Somalia context, the military government committed not only to reduce the disparity between boys and girls in schools, but also announced universal education for all children. It also opened adult high schools to reduce illiteracy. To

expedite the process, the government adapted “Latin” as the alphabet for the Somali language, which had not been written before. The purpose of introducing the written Somali language was two-fold. First, language was a tool intended to ease the burden of learning procedures, as writing in one’s own language expedites learning. Second, the Somali language represents national pride and identity. Replacing Italian and English languages with official Somali language demonstrated that the Somali language is not inferior to the languages of the colonizers. This was a very significant achievement.

The Somali government also launched an aggressive country-wide literacy campaign during 1974-1975. This campaign boosted the literacy level from 5% to 60% (Geshekte, 1979:28). In the words of the President Siad Barre,

The key...is to give everybody the opportunity to learn reading and writing...It is imperative that we give our people modern revolutionary education...to restructure their social existence...it will be the weapon to eradicate social balkanization and fragmentation...and there will be no more room for any negative foreign cultural influences” (Lewis, 1980:217 cited in Samatar, 1988:102).

The result of this campaign was a significant increase in the number of schools and enrolled students. Table 2.8 illustrates.

Table 2.8 The Number of Schools and Students from 1969-1978

Schools and Students	1969-70	1973-74	1977-78
Primary Schools	292	407	1,085
Male Student	39,033	69,504	145,435
Female	9,576	27,399	83,109
Total Students	48,609	96,903	228,544
Secondary Schools	26	42	48
Male Students	5,675	8,727	10,650
Female	737	1,773	3,528
Total Students	6,412	10,500	14,178

Source: Ministry of Education, Mogadishu, Somalia, 1979 (cited in Bulhan, 1980:34).

This table (2.8) shows that the increase in boys and girls in secondary schools enabled the government to create pools of graduates within a short period. The number of high school graduates increased from 6,412 in 1969-1970 to 14, 178 in 1977-1978. As the predominant service employer, the government benefited from these graduates. For instance, one of the early tasks of high school graduates was to participate in a one-year national service. After six months of training, these graduates were expected to teach in elementary and sometimes middle schools. They were also trained in military camps for six months to defend the country if they are called in.

The government also expanded Somalia's higher education. The sole Somali National University in 1968 had only three faculties (law, economics, and education). The government invested in the creation of up to thirteen new faculties (including journalism, language, and Islamic Studies) (ILO, 1989:111). The following table (2.9) shows the number of students in each faculty.

Table 2.9 Somali University: Student enrolled 1985-1986, 1986-1987

Faculty	1985-86 Students	Female %	1986-87 Students	Female %
Education	1231	23	1011	21
Journalism	97	27	102	30
Language	238	45	325	51
Islamic Studies	107	16	195	18
Law	188	17	237	19
Economics	254	29	241	29
Political Science	-	-	13	19
Agriculture	152	9	276	5
Vet. Science	136	21	194	131
Engineering	186	2	257	21
Geology	142	6	90	2
Industrial Chemistry	123	7	106	3
Medicine	247	14	272	26
Total	3,101	20	3,319	21

Source: ILO, 1989:113, Table 7.13

The table indicates that, overall, the number of students in the above-mentioned faculties increased from 3,101 in 1985-86 to 3,437 in 1986-87. It also shows some slight increase of female students, who represented 20% to 21% of the student population (ILO, 1998:112). According to Samatar (1988), “Somalia had succeeded in raising its adult literacy rate from an abysmal 7-10% in 1969 to nearly 60% of the population” (Samatar, 1988:103).

However, a number of factors slowed down the education project. The drought of 1974-1975 and the war against Ethiopia in 1977-1978 compelled the government to shift most of the budget to defense and humanitarian assistance. This had a significant negative impact on social development programs. The number of student enrollments declined, the quality of education deteriorated, and insecurity was wide-spread. Uncontrollable corruption and emergence of private schools followed—early warning signs of a government in a downward spiral.

Health: Health is a fundamental right to every citizen, and improving health services is vital to a healthy society. Like the education sector in the early 1970s, the health sector gradually improved even though the allocated budget was less than 3% of the annual national budget. In 1973, there were 96 doctors, of whom 37 were Somalis. After six years, the number rose to 200, of whom 118 were Somali practitioners (Samatar, 1988:103). The number of people per doctor declined from 21,000 to 14,000. Even though this is a significant increase in doctors, the number of persons per doctor is dismal when compared against the Development Index tables. Consumption of clean water improved from 15% to 30% of the population, and life expectancy rose from 38

years to 41 years (ibid). A medical university, opened by the government, trained and produced dozens of doctors in various medical fields. As Gesheker (1979) reported,

The unity between literacy and health improvement was evident in 1977, when Somalia launched a smallpox eradication campaign program with the help of the World Health Organization (WHO). On October 26, 1977, a young cook named Ali Maw Malin became the last case of smallpox in Somalia ... therefore the success of this campaign can be attributed to a combination of “modest support, well-conceived plans, community involvement, and element of management (Gesheker, 1979:32).

The military government also launched programs training mid-wives in modern techniques of dealing with the effects of child-birth. As Gesheker (1979) noted, with these new skills, mid-wives were seen as another agency to promote literacy, numeracy, and rural health services.

However, in late 1980s, due to economic deterioration and decline in government revenues and taxes, the health sector, like all others, suffered. Government-funded hospitals were undermined by the emergence and spread of private clinics across the country, and people could not afford the high costs of these. This contributed to the grievances of the public, which was already coping with acute poverty and high unemployment.

Economic Development: Post-independence Somalia was one of many African countries that embraced socialism as the appropriate political system. The “principles of scientific socialism” argue that capitalism is a system that creates and sustains two worlds within a state, “rich verses poor” or “metropolitan versus periphery,” and because of “unequal trade of power relationships with former colonies,” the capitalist system increases state dependency on foreign assistance (Cardoso, 1977; Frank, 1969). To reduce poverty and inequalities in society, states have to assume socialism as their

development approach and distribute resources equally to all citizens. This is the way to achieve “social justice.” To do this, as Frank (1969) argues, the state has to eliminate “dual” societies and economies; economic development has to occur independently of colonial relations.

In this context, Somalia’s experience under colonial power was not pleasant, and the economic sector suffered. Somalia is a pastoral country. Only about 13% of the total land area is suitable for farming, and about 45% is suitable for pasture (Mubarak, 1996:22). However, during the colonial period, the economy served the interests of the colonial authorities: the farming lands mainly belonged to them and other non-Somalis, Table 2.10 shows.

Table 2.10 Distribution of Ownership of Choice Cultivable Land, 1933

Nationality	Number of Owners	Hectors
Italian	175	72,842
Arab	1,016	15,000
Indian	1	5
Somali	0	0
Total		87,847

Source: E. Sylvia Pankhurst (1951:192, cited by Samatar, A 1998:50.

As this table (2.10) illustrates, Somalis were not involved in the ownership of cultivatable land. Instead, they were laborers of the colonial farms and plantations. Nine years of civilian governments brought no significant economic reform or development to this sector. As a result, the military government inherited an undeveloped economic sector, but made a commitment to improve it. The objective of its economic development reform policy was to create a society based on “justice, equality, and development ... and an environment for self-reliance” (Mubarak, 1996:13). By adopting the principles of Socialism, the government invested in many sectors to stimulate the economy.

Some of the government's early actions included nationalizing industries owned by Italian private companies (e.g., the Italian-Somali sugar industry, the Italo-Somali Electric society), nationalizing oil distributing companies, and nationalizing all foreign commercial banks (e.g., Banco di Rome, Banco di Napoli, National and Grinlays Bank, and Banque de Port Said) (Samatar, 1988:87-88). The government replaced these latter with their own banks, namely Somali Commercial Bank and the Somali Savings and Credit Bank (Abdurahman, 1998:7). To regulate and control the financial sector, the government amalgamated these banks and created the Commerce and Savings Bank of Somalia (SCSB), which remained the only bank in the country until it collapsed in 1990 (ibid).

As a part of the economic stimulus package, the government also launched development projects to improve the infrastructure sector, expanding roads from 100km of hard surface in 1969 to 2,146 all-weather roads in 1978. It also improved transportation, energy supply, and other sectors. For transportation, it constructed 54 airfields in total, six of these with permanent surface runways. It expanded the ports of Mogadishu, Berbera and Kismayo, and Bosasso to boost export and imports trades. The services of the Somali national airlines were expanded from local services to national and international carriers. The government also invested in energy supply (Samatar, 1988:104).

Somali Armed Forces: Somalia's geopolitical importance and the search for a greater Somalia pushed the military government to build one of the strongest armies in Africa. From the 1970s to the 1980s, the total cost of arms imports to Somalia was estimated at \$960 million, averaging about 16% of the GDP per year (Mubarak,

1996:12). After the Somalia-Ethiopia war in Ogaden Region, the military's overall personnel strength grew from about 23,000 to approximately 50,000 in 1981 and about 65,000 in early 1990. But by late 1980s, Somalia' military capacity deteriorated. Desertions and battlefield defeats led to a decline in the military's personnel strength to about 10,000 (Somalia: A Country Study, 1992). The civil war in 1991 ended the military's legacy.

Civil Society and Civic Engagement: A vibrant civil society that engages the economy and social development is central to a stable and effective political system. In Somalia, the role of civil society under the military regime was weak. In early the 1970s, the military government mobilized its citizens to participate in the development of the country, even though it never approved the emergence of non-governmental organizations. Instead, a number of organizations such as the Somali Women's Organization and Somali Youth Organization were established and controlled by the government. While any political activities not organized by the regime were seen as a threat towards the administration, women groups were seen as promoters of socialism.

The Role of Women and Socialist Influence: In the pre-civil war period, after independence, the role of Somali women was not limited to household responsibilities. In spite of pervasive Muslim influence, Somali women have played a vital role in all spheres of life. As the following table (2.11) stipulates, their participation in politics, economy, and the labor market were higher compared to the role of many Arab and African Muslim women.

Table 2.11 Labor Force Participation of Somali Women

Country	Female (%)	Male (%)
Algeria	3.95	40.7
Burkina- Faso	50.5	58.05
Chad	15.5	56.7
Comoros	37.7	54.35
Egypt	5.2	48.9
Libya	4.3	43.75
Mali	4.3	55.22
Mauritania	32.2	49.8
Morocco	12	48.85
Niger	49.2	55.65
Senegal	35.9	54.2
Somalia	33.65	52.24
Sudan	13.5	51.25
Tunisia	14.5	48.1

Source: ILO, Economically Active Population Estimates 1950-80 projections, 1985-2025, Vol. II, Africa (Geneva, ILO, 1986).

Of the 14 predominantly Muslim African countries listed above, Somalia ranks fifth with regard to the female labor force rate. The level of female labor force participation in Somalia was also higher than several of the more developed North African Muslim countries, including Algeria, Egypt, and Tunisia. However, in comparison with men, women's participation in the Somali labor market in 1985 was relatively lower: 33.65% for women and 52.24% for men.

In the public sector, the military regime also established committees that dealt with women's affairs. The number of women working in the public sector increased from 1,500 (before the regime) to 4,197 in 1975, and the number further increased by 25% by 1976 (ILO, 1998:77). In this period, 25% of Somali women in the labor force were

involved in banking, insurance organizations, nursing, public offices, Somali airlines (including as military pilots), the media, and teaching from elementary to university levels. Politically, under the military regime, there were women judges, ministers, vice-ministers, director generals, and members of the parliament. For example, among the country's 302 judges in 1985, six were women. Twenty percent of the Ministry of Health's 360 medical doctors were women (SWDO, 1985:41-44).

In the economic sector, women's role in business and commerce increased. One recent study estimates that 80% of Somali household rely exclusively on income generated by female members of the family. This can be seen by looking at the types of business involving women (Table 2.12).

Table 2.12 Level of Market Participation

Market Item	Male H/H N=86	Wife N=86	Female H/H N=10
Large Livestock	38 (44%)	8 (9%)	5 (50%)
Small Livestock	21 (24%)	30 (35%)	7 (70%)
Milk Product	-	21 (24%)	3 (30%)
Meat and Eggs 1		35 (41%)	6 (60%)

Source: WED/FAO, Rural Household Survey (1983)

With regard to division of labor, while Somali men were involved in the marketing of all the items that generate more income (44% males versus females in large livestock), wives and women households together dominate other smaller businesses. The position of Somali women in society was improving until the state collapsed. In the next chapter we discuss the impact of the war on women.

Warning Signs of State Collapse: As early as the 1980s, the military government was steadily losing its legitimacy and popularity. The causes are attributed to the end of Cold War, corruption, and abuse of human rights. When the former Soviet Union failed, the Cold War ended, and the foreign aid on which the country depended

declined sharply. The military regime suffered a fate similar to that of the civilian government. Corruption, nepotism, and human rights violations took over the governance system. The spending of public funds for personal gain was no longer considered illegal or morally wrong—if anything it became a popular practice. For example, dozens of villas built by government officials in Madina district of Mogashu in late 1980s were called “Booli Qaran” by other city residents—which loosely translated means, “the nation’s wealth stolen by public employees.” When legal institutions deteriorated, the respect for the rule of law disappeared.

Furthermore, in the mid-1980s, the government of Somalia was at war with a number of clan-based factions on all fronts. The Somali National Movement (SNM) was taking over the north, while the United Somali Congress (USC) forces were advancing attacks on the capital city of Mogadishu. In late 1980s, government institutions were further weakened and could not meet the needs of its citizens. At the end, on January 26, 1991, the USC ousted the military government of twenty-one years. These forces had no guiding vision or agenda beyond the plan to overthrow the military regime. As Chapter 3 will explain, the political elites, the intellectuals, and the masses failed to anticipate the scope of devastation that would follow the collapse of the state.

Chapter 3. The Collapse of the Modern Somali State: A Case of Governance Failure and Neglect of Indigenous Institutions

Introduction

The collapse of modern states in the late 20th century challenges state-centric views, which always overstress, universalize, and rationalize the capacity and capabilities of the state. The collapse of the Somalia state in 1991 is empirical evidence that intensifies the challenges to these views. The long-time absence of the Somalia state brings a unique perspective to the complications and implications that emerge from state collapse. After twenty years without a central state, Somalia deals with major and numerous internal and external obstacles. Internally, power struggles over economic advantage, clan hegemony, religious fanaticism, secession, piracy, and illegal fishing expedite the destruction of the environment. Externally, the internationalization of the Somali conflict (piracy, anti-terrorism), the influences of imported religious ideologies, and the advancing interests and direct interferences of internal governance from international actors complicate the dire situation.

These challenges contribute to the social, political, economic, and humanitarian crises of the country and delay the return of the Somali state. As this research argues, the failure of local governance politicized clanism and resulted in a stagnant economy. Consequently, these factors facilitated the downfall of the state and challenged its return. Understanding the root causes and consequences of this dilemma is necessary in the search for a future stable and suitable Somali state. This chapter, therefore, explores in detail, first, the root causes of the civil war, and, then, the negative impacts of the civil

war on Somalia's people, sovereignty, economy, and environment, as well as beyond its borders.

3.1 The Root Causes of the Collapse of the Modern Somali State

The causes of Somalia's collapsed state in 1991 are complex and intertwined. As the world has witnessed, the collapse not only caused the death of hundreds of thousands of people and victimized millions more, it threatened Somali unity as a sovereign nation, the security of neighboring countries, and the world order on an unprecedented scale. The current anarchic conditions on the ground are unbearable to all Somalis inside and outside the country. As Abdullah, Mohamoud (2006) rightly put it, "Everything in Somalia is localized and extremely privatized, providing an environment in which only the fittest and the richest few can survive" (Abdullah, 2006:16). The causes of these calamities have been the subject of much debate, mainly pioneered by scholars from both the traditionalist and the transformationist schools.

The traditionalist school, which focuses on internal dynamics of a country and societal structures that support these dynamics, argues that the continuity of clan politics has destroyed the Somali state. The conflict is, in this case, viewed through the lens of "clanism." The traditionalist school of Somalia is led by I. M. Lewis, the first anthropologist who wrote extensively about the dynamics and interactions of Somali society. For Lewis (1994), the traditional laws of kinship, or the lineage segmentation system in clan-based society, shed light on the complex nature of Somalia's unpredictable political changes and the collapse of the modern state. As he puts it,

At a more abstract level, the collapse of the colonially created state represents technically a triumph for the segmentary lineage system and the political power of kinship. For better or for worse, clanship has certainly prevailed, and the

assertions of some Somali and non-Somali ideologies that clanship was an atavistic force doomed to oblivion in the modern world seemed rather dated. (Lewis, 1994:233)

The traditionalist thinkers also presume that “the causes” that have led to the demise of the state in Somalia are internal, lodged in the persistence of primordial clan divisiveness and Somali culture praxis (Lewis, 1994; Samatar, Ahmed, 1988; and Simons 1995 cited in Abdullah, 2006:20). This implies that clan-oriented intra-communal struggles undermine and surpass state controls and structured public institutions. To understand the implications of this, it is important to introduce how clanism and customary laws work.

Demography plays a significant role in these. Rural communities, which make up over 65% of the population, widely comply within formal or traditional conflict resolution mechanisms. Instead of conforming to formal institutional authorities, they prefer the order of traditional institutions—or “Heer” or “Customary Laws” and Islamic Sharia law (Lewis, 1993; Samatar, Ahmed, 1998). At the community level, “Heer Laws”, like formal legal systems and penal codes, are applied to all aspects of Somali life. This explains why, in recent years, “Heer Laws” have prevailed, particularly in the communities in northern Somalia.

Examples of how “Heer” works can be found in *Somali Customary Law and Traditional Economy: Cross Sectional, Pastoral, Frankincense and Marine Norms*, a study conducted by Puntland Development Research Centre (PDRC) in 2003. Often applications of Heer laws in combination with Islamic Sharia laws bypass formal courts. Community members directly communicate with elders of a clan instead of the police.

The following are examples of community governance approaches, presenting the rules and penalties that people abide by.

Example one: **Under Pastoral Heer or Customary Laws** issues that initiate conflicts include grazing, forest, land, and water. For the purpose of understanding of Heer, some basic rules and short cases are presented below.

1. **Grazing Heer: The II Covenants:** a) Land and any resources found on it are common assets of the clan or the primary lineage that permanently lives on it; b) Pasture is free for all pastoralists irrespective of clan affiliation in time of need; c) Neither “visiting” grazers nor local pastoralists may establish commercial camps- permanent or make shift—on grazing land; d) Kinsmen should assist each other in hard times, particularly during migrations to distant locations in search of rains or distant wells.
2. **Heer Rules on Forest and Charcoal Export:** a) Users should not destroy, in any form, the forest by burning or cutting; b) No one may burn forest trees for charcoal beyond basic needs;
3. **Heer Rules on Water Sharing:** a) In principle water is a free commodity for all; b) Flocks brought to the water by the weaker sections of society, for example women and children, have priority access to water; c) During a water shortage, camels must trek to the distant water points (PDRC, 2003:59-70).

Even though these rules seem very simple, breaking them often ignites deadly conflicts that galvanize and uproot the lives of a whole society. Such conflict spread quickly from rural to urban communities unless elders or formal authorities defuse the tension by implementing “Heer” rules. The following passage entitled “Blood Money Plus Water Money” extracted from the PDRC (2003) report illustrates a typical application of Heer.

In the year 2000, two neighboring subclans from different clans clashed over watering priority at Humboweyne water well, west of Garow [capital city of Puntland]. This point is characterized by slow seeping water that needs time to fill up. One man was killed in the encounter. However, elders from both parties mediated and decided that the indigenous clan, who managed the well traditionally, had the right of control over the water point and should manage it. The result was blood compensation for the man’s death and an additional penalty for breaking the water Heer. (PDRC, 2003:68-69)

“Heer” decisions are usually effective. All parties respect the penalties and compensations they agreed upon. It is rare to witness same incident reoccurring after intervention by the clan elders and full payment of the proposed compensations. However, delaying payments reignites settled conflicts, and insecurity among the parties.

However, “Heer laws” are not effective in urban settings outside of rural culture. When conflict situations arise in urban areas, people seek justice through courts instead of traditional institutions led by clan elders. This does not mean that urban communities do not seek support from clan-based traditional institutions. Instead, in urban communities “clanism” plays out differently. Its effective presence is engrained in formal institutions dealing with political, economic, or social issues. Clanism benefits people “unintentionally” more than “intentionally.” In Somalia, people are unconsciously programmed to seek support only from members of their own clans who hold high government positions, or through friends of these officials. In this sense, institutions belong not to the public but to the official. Therefore, “unconscious clan alignment” becomes more of “a habit” than an intended process promoting clanism.

Nevertheless, it indirectly reinforces clanism. The behavior also encourages corruption and a lack of transparency. Its presence in any country reflects the weakness of governance policies, programs, and institutions in the country. Frustrated by this injustice behavior, the Somali public has widely berated and derided government institutions and representatives. Statements such as “This is the restaurant of clan x ”—which meant “Do not waste your time because this ministry x is headed by a person from clan x and not clan y ”—were common. This kind of statement would limit people’s opportunities to join government institutions or seek services. The practice further

aggravated the state-society divide and raised animosity against the state. Consequently, when the conflict in Somalia broke out, public institutions were destroyed indiscriminately as symbols of the regime. As Little (2003) noted, “the attack was on the regime’s inequitable policies rather than a repudiation of the modern state” (Little, 2003:168).

These clan-oriented behaviors, which are encouraged by unjust policies and poor programs, inform the traditionalists’ position. They conclude that “the best hope for the future probably lay in a loosely organized federal state, built up gradually from clan-based local councils” (Lewis, 1994:233). They provide a good example, showing the “relatively successful regional administrations of Somaliland and Puntland as a venue to this process” (ibid). Some critics consider the traditionalists’ views as a venue for sustaining the wounds of the war by dividing this homogenous society into small clan fiefdoms. The traditionalists pay little attention to the animosities between sub-clans, which are always a threat to kinships.

One school that is critical of the traditionalist stance is the transformationist, led by political economists including the brothers Abdi Samatar and Ahmed Samatar. Abdi Samatar (1992) acknowledges the significant role of kinship or lineage segmentation in Somali society and the laws that govern them, but he identifies five major failings of the traditionalist thesis. He notes that the traditionalists i) conflate kinship and current clanism; 2) accept the ideology of clanism as reality and as a sufficient explanation for the on-going tragedy without unearthing the social and the material basis of its constitution; 3) give excessive weight to the causal power of clanism; 4) treat kinship as a

static phenomenon; and 5) leave unexamined the key pillar of Somali social structure, the family (Samatar, Abdi, 1992:629).

Samatar (1992) also argues that “if you want to understand the causes [of the collapse of the state], one has to trace the nature of the change that has taken place in the social rather than the genealogical order of the society” (631). This change refers to the “misappropriation of common goods” generated through the transformation of the economy from “communitarian pastoralism” to “peripheral capitalism.” To be more specific, the transformationist writers argue that “it is the internal tussles of the ruling state class, the petty bourgeoisie and the intelligentsia, over power and appropriation of the surplus produced by peasants and pastoral nomads which is the core of the problem in Somalia” (Samatar & Samatar, 1987: 669-90). The transformationist school of thought calls for a self-sufficient economy, a just distribution of wealth, and a political order that is accountable, representative, and entrepreneurial (ibid.:641). This process should discourage misappropriation of public resources, which is a source of conflict in Somalia (ibid).

While we can acknowledge and understand the various positions of transformationist scholars, however, their analysis exhibits major shortcomings. These scholars seem to treat the “effects” of poor governance policies and institutions as the “causes” of the collapse of the state. While the traditionalists reduce the causes of the state collapse to ruined kinships and clan-based communal struggles over subsistence production, the transformationists condense the conflict into competition over access and control of scarce but relatively advanced economic resources and foreign aid by the dominant elites and bourgeoisies. As this study asserts, if clan cleavages or economic

inequities and injustices bring states down, we would probably have seen many more collapsed or collapsing states every time the world faces violent opposition. Instead, it is the level of effectiveness of governance in state institutions and associated policies that determine whether conflicts will turn into uncontrollable violence leading a state to its demise. Therefore, other factors must have determined the collapse of the Somali state. This is the rationale that initiated the search for an alternative explanation of the collapse. Hence, this study assesses the causes of the state collapse from governance perspective.

While recognizing the relevance of the positions of the traditionalists and the transformationists, this dissertation argues that the main cause of the collapse of the Somali state is governance failure. The conflict is driven by weak formal institutions and ineffective policies and programs. Governance failure translated into nationalist sentiments, clan grievances, clan confrontations against the state, and the breakdown of the social fabric—of unity, trust, and cooperation. If governance “is a central feature for all social relations,” as Jessop (1994) claims, then Somalia has experienced the worst form of governance failure. How did the failure of governance contribute primarily to the collapse of the state?

As discussed in Chapter 3, effective governance can be measured in two ways: i) by examining government policies and processes, and ii) through the outcome results of governance activities. In the first, the “process” being examined refers to “whether the transfer of authority, resources, accountability and the development of an open local political process and local political and administrative institutions are working in ways that suggest local priorities and needs are driving local decision-making” (Olowu & Wunsch, 2004:5). The second approach is to “focus on output and outcomes” from state

performance, asking “whether local governance is bringing expected tangible benefits in terms of better schools, health systems, water supply, or road or intangible empowerment and social service delivery that enhances people’s welfare (Steinich, 2000 cited by Olowu & Wunsch, 2004:5).

Applying these concepts in the context of Somalia requires a word of caution, because they are intended to examine countries undergoing decentralizing processes. Employing them in the context of Somalia is a stretch at the least. But these approaches are useful points of departure when analyzing the performance of the state prior to its collapse. As explained earlier, the political system of Somalia transformed from a democratic regime to a socialist, and then to a semi-democratic regime before the collapse of the state. While the civilian governments of 1960-1964 and 1964-1969 played an important role in the formation and direction of the Somali state, it is to the period of the military regime (1969-1991) that the failure of the state is significantly attributed. The policies and programs adapted by the military regime were not only inadequate, they were also inconsistent with the reality on the ground. For this reason, this study evaluates the governance measures of the military regime—its efforts, or lack thereof, in relation to the policies—and analyzes the outcomes of its input. It asks the following pertinent questions: What are the factors that contributed to the deterioration of governance? What are the signals that the military government missed in its effort towards the stability and the development of the country?

This thesis argues, based on the facts of the data collected, that poor economic policies, misappropriation of investments, and, most important, foreign aid dependency

and the consequent poor governance performance were all factors that contributed to the instability of government institutions of all sectors.

The failure of economic governance: One can safely contend that the Somali economy failed before the state's political system collapsed. A number of inadequate economic policies and processes have been identified as initiators of the economic collapse:

1) Misappropriation of investment in priority sectors of Somali economy and limited markets

Somalia is one of the least developed countries in the world. Agriculture and livestock production are the main contributors to Somalia's economic growth. However, insufficient and inappropriate investments in priority sectors and limited markets for Somali products impede the economic development of the country. For instance, in the livestock sector, the post-independence governments spent 3% of the government expenditures in 1963 to 14% in 1986-1987 (Lyons & Samatar, 1995:15). The rationale behind Somali governments' neglect of these sub-sectors was the belief of some officials that investment in outmoded forms of production (livestock) would not be sustainable (ibid). They favored investment in modern sectors, such as manufacturing and service industries.

Another example that underscores the poor economic governance can be found in the policies that guided Somalia's export. The trade policy limiting Somalia's export to the unreliable market of Arab countries (such as Saudi Arabia, which normally buys 90% of Somali livestock) as well as Italian markets (which buy Somali bananas) proved to be ineffective trade policy. These countries dominated Somalia's trade relationship with the outside world and placed it in a very vulnerable situation. For instance, Saudi Arabia bans

Somali livestock very frequently, and negotiating the lifting bans can take years. Since the livestock sector represents over 80% of Somalia's export, the ban has an immediate and severe impact on the Somali economy and the well-being of pastoralists—who represents more than half the population. For instance, due to a ban, Somali export earnings declined by 40% in 1983 and 44% in 1984 (Mubarak, 1996:28).

In this scenario, revenues from exports declined and adversely affected the government's delivery of public goods and services. Furthermore, the pastoralists' capacity to buy basic food such a cereals and necessary merchandise were seriously weakened. A combination of the ban and frequent draughts imposed a serious burden on them and on the government systems. Massive migration of the rural communities destabilized cities, since no adequate services or shelters were in place for them. The deterioration of the economy also encouraged corruption and nepotism. Public employees under the military government neglected to perform their services since they were not paid regularly or adequately, further weakening public institutions. In the mid-1980s, the government tried to improve the economic situation and sought an alternative way of financing public institutions. However, instead of finding alternative resources from within, the government secured more foreign aid, with the attendant debt burden.

2) Dependency on foreign loans and aid: The recipe for a long-term poverty trap

Poor economies and underdevelopment compel many developing countries—in particular, those in Africa—to secure financial resources from external sources. Somalia has been a prime candidate. An uncertain and weak economy, which rarely generated sufficient revenues, led Somali governments to borrow funds from multilateral institutions, such as the International Monetary Fund and the World Bank. This

borrowing enabled the government to invest in a number of projects, including small industries like sugar, cement, clothes, services (health, education, trade), and physical infrastructure (airports, ports, roads, etc.). Instead of investing in sectors that would generate the most returns, post-independence governments allocated a significant part of the budget to defense services, which brought none. The expensive war with Ethiopia (1977-1978) also drained the economy. In subsequent years, servicing of the accumulated debt diverted resources away from investment in developing the country.

Ineffective fiscal and monetary policies further expedited the emergence of parallel exchange markets, which destabilized the financial sector. The following table (3.1) illustrates the inflation of Somali currency over the years, especially in the post-Cold War period.

Table 3.1 Developments in Exchange Rate 1977-1998 (Somali shillings per US dollar)

End of Period	Official Rate	Parallel Rate	Differential
1977	6.295	7.00	1.1
1978	6.295	8.50	1.3
1979	6.295	10.00	1.6
1980	6.295	14.00	2.2
1981	6.295	20.00	3.2
1982	1.206	24.00	1.6
1983	17.556	45.00	2.6
1984	26.000	87.00	3.3
1985	42.500	115.00	2.7
1986	90.500	140.00	1.5
1987	100.000	250.00	2.5
1988	270.000	460.70	1.7
1989	930.000	1742.00	1.8
1990	4500.000	5500.00	1.3
1991-1998+		6000.00 -8000.00	

Source: Central Bank of Somalia and interview with money-exchangers cited Abdurahman (1998)

The table shows the gradual destabilization of the financial sector—a sign of weaker economic governance. As Abdurahman (1998) puts it, “the fact that the Somali Shilling

had depreciated from So. Sh. 6.23 per US dollar in early 1970s to So. Sh. 6000 at the end of 1990 is held as a proof of the gross economic mismanagement done by previous governments” (Abdulrahman, 1998:3). Despite heavy and liberal borrowing from the IMF and World Bank, the Somali government’s excessive spending led to unprecedented budget deficits, which rose from 35% of GDP in 1987 to 277% of GDP in 1990 (Mubarak, 1996:16). In the late 1980s, the Somali government was not in a position to control the inflated prices, soaring economy, higher unemployment, and increasing poverty. Banks were barely working. It was almost impossible for people to cash a check in any bank or even to find bank notes at the banks at which they deposited their own money. Instead, the black market flourished and became more accessible to all. In 2010, the free market of Somalia exchanged 1 \$US to So. Sh. 1, 500, 000.

As a result of the increasing lack of transparency and accountability, low value for work ethics, inequity, and disrespect for the rule of law and citizen’s rights, the Somali public lost trust in public authorities and institutions. This fueled the public grievances, which expedited the collapse of the state. The next section addresses the impacts of this collapse.

3.2 The Negative Impacts of the Collapsed State: A Case of Human Security Crisis

The costs of war are both immediate and long-term. The immediate costs are the destruction of life and property and the loss of income. The longer term costs result from the loss of capital and the reluctance, due to insecurity, to invest (Bates, 2008:253). It is impossible to put a price on the cost of the atrocities of any civil war. In the case of Somalia’s civil war, no study can accurately reflect the extent of its negative effects on human security, social capital, the economy, and the environment, although various

studies and event observers have revealed reasonable estimates and reflections. Since it is impossible to discuss all the areas affected by the collapse of the state, this study limits its assessment to seven areas: i) human rights violations; ii) the destruction and exploitation of the environment; iii) the proliferation of weapons; iv) anti-personnel landmines; v) piracy in Somali waters; vi) the fall of Mogadishu; and vii) the disintegration of Somali sovereignty.

But before discussing these in detail, we must understand the concept of human security in the context of state collapse, which is critical to any form of human development in Somalia. Since 1991, human security in Somalia has deteriorated to the point that is almost beyond human endurance. What is human security? In the context of conflict resolution, “Human Security is about freedom from fear of violence as well as the freedom from actual violence” (Human Security Report, 2005:54). In the context of countries with functioning governments, the definition of human security is expanded beyond the impact of violent conflicts on individuals. For Patman (2006), human security refers to the “feeling of insecurity arising more from worries about daily life than from the dread of a cataclysmic world event. Will they and their families have enough to eat? Will they lose their jobs? Will their streets and neighborhoods be safe from crime? Will they be tortured by a repressive state? Will they become a victim of violence because of their gender?” (Patman, 2006:41-42).

In the context of human development, “Human security is a child who did not die, a disease that did not spread, a job that was not cut, an ethnic tension that did not explode to violence, a dissident who was not silenced. Human security is not a concern of weapons—it is a concern with human life and dignity” (UNDP Report, 1994 cited by

Patman, 2006:40-42). If we measure human security in Somalia in terms of the above definitions, we can assert that every disaster that ensued after the collapse of the Somali state directly or indirectly contributed to some form of human insecurity. It explains why the crisis in Somalia is described as very alarming and troublesome. Since 2007, because of confrontations in southern part of the country between government forces/alliances and Islamic militants, violence continues to kill thousands of people, while injuring thousands more and displacing tens of thousands. What makes the tragedy worse is that no one takes the responsibility to objectively and properly document the deaths of these victims and the destruction of their property. Nevertheless, these atrocities have human faces, as the following sections illustrate.

I. Human rights violations: The faces of the civil war tragedies

The violation of human rights in Somalia can be traced back to three periods: 1978-1980, 1986-88, and 1990-present. In the mid-1970s, the confrontation between the government forces and the forces of the first opposition group, the Somali Salvation Democratic Front (SSDF) resulted in the deaths of unrecorded thousands of mainly rural communities, including nomadic societies in the northeast regions, and the devastation of their livestock and properties. The government forces were accused of poisoning water wells in those areas. Those who fled to urban areas were hunted down and jailed. Many intellectuals from these clans living in urban areas were imprisoned, murdered, or went into exile; and the military government would label anyone from a politically targeted clan a traitor. The rest of Somalia witnessed this tragedy without any uprising.

Nevertheless, this struggle revealed the government's vulnerability when it came to controlling all of its territory. It encouraged and influenced the people of the northern part of the country, now known as Somaliland, to rise up against the centralized power in Mogadishu. In 1981, they established the Somali National Movement (SNM), and in 1988, they began attacking government forces. They captured some parts of the region: Buroa and Hargiasa, the second capital city of Somalia. During this period, the rebel forces murdered countless public servants from other clans, in particular those of the president of Somalia's clan. While the stories coming in from that region were horrifying, Somali society again appeared indifferent to the chaos in the north. SNM forces attacked government forces from inside the cities, displacing thousands of people in this region. The government retaliated with deadly military arsenal (tanks, fighter-jets), killing thousands more and razing many cities to the ground. Some estimated the death toll at 35,000 and the number that fled to Ethiopia alone at about 300,000, while another 500,000 internally displaced people settled in other parts of Somalia (Clarke & Gosende, 2000:17).

This period differed from the earlier confrontations in 1978-80 in that the international community was aware in the late 1980s of the human rights violations in Somalia. Somalis in the diaspora pressured governments supporting the military regime to stop their foreign aid and military support. The confrontations against the government forces snowballed in the late 1980s, giving birth to the opposition movement from central and southern Somalia—the United Somali Congress (USC)—which eventually ousted the military government in January 1991.

Unfortunately, the leaders of this movement did not have a vision beyond the plan to overthrow the military government. They turned their guns first on any clan that was associated with or related by blood to the president, and later on their own sub-clans. It was during this period that Somali factions strayed away from their main agenda of freeing Somalia from the military government. Peace became a thing of the past. The beginning of the worst of the humanitarian crises in Somalia followed and continues today.

Somalia's violence during this period is considered to have been one of Africa's most deadly and destructive wars. The peak of the civil war (1991-1993) resulted in the killings of between 300,000 to 400,000 people (Jackson, 2006:18). During the same period, the number of women who were indiscriminately raped and killed—and pregnant women whose fetuses were violently torn from their wombs because of clan hatred—were countless. Millions more perished through subsequent impoverishment. An estimated 3000,000 people died during the man-made famine in 1992 in the southern part of Somalia. In 1990, over 600,000 fled to Ethiopia, and by 1992 the number increased to 800,000 (Mekenkamp et al., 1998). As of 2011, the situation has worsened and violence continues to claim the lives of dozens of people across Somalia every day. It is estimated that from 2011 onward, over 10,000 people died in Somalia. Every month, more die in the Red Sea in the search for a better future in neighboring countries.

The uprooted communities that settled in other parts of Somalia (such as Bosasso, Garowe, Galkacyo) and in refugee camps in Kenya, Djibouti, Yemen, and Ethiopia experience major impediments. As reported by international non-governmental organizations like the Red Cross, the Dadaab camp in northeastern Kenya which was

intended to hold 90,000 people, is now one of the world's largest single concentrations of refugees with almost 300,000 people (Goodspeed, 2009). In overpopulated camps, poor health and sanitation mean that people's dignity and humanity are offended or sacrificed. Somalis who settled in the developed countries have also encountered many challenges. In Edmonton, Alberta, Canada, thirty youth were gunned down in 2008-2009. In South Africa, Somali business people are frequently murdered by locals who see them as threat to their businesses. Issues relating to mental health problems, youth drop-outs, and family structure breakdowns are also reported by Somali families who settled in the west. The heaviest burden on the war rests on Somali women's shoulders.

A. The plight of Somali women: Struggling to keep their distinctive identity

The dreadful impact of the civil war on women has been unprecedented in the history of Somalia. The majority of the victims of the civil war are women and children. In the early 1990s, women, mainly in the southern part of the country, were indiscriminately raped, murdered, and killed by faction militias to score points and to humiliate and demoralize respective clans. These vicious acts were very new to Somali culture. Today, many displaced women, as the heads of households, struggle to raise families in the harsh reality of camps around the world. Poverty, hunger, curable diseases, and insecurity shadow the lives of these women.

One outcome of the collapse of the state is the threat that a settling influence from Saudi Arabia's political system (Wahabism, or the strict version of Sharia laws) poses to the identity of Somali women. As Muslims, Somali women always dress modestly and distinctively. However, after 1991, hard-line Islamist groups funded by many Muslim countries, including Saudi Arabia, spread their isolated Wahabism practice, dominating

grassroots communities and compelling Somali women to dress like Arab women. Somali women lost their distinctiveness in this period. This is the first time in Somali history that Somali women were publicly compelled through the media to wear hijabs (long, single-color clothes that cover them from face to feet). Many of the materials imported are thick, intended for cold weather, yet Somali women, living in a climate where temperatures often climb higher than 45°C, are forced to wear them day and night. In southern Somalia, if women refuse, they are publicly lashed to set an example and to scare others who might resist the order. Furthermore, the poor economic conditions in which most women find themselves are not taken into consideration: as one Somali woman told the media, “[W]e decided to stay home since we cannot afford to buy these expensive clothes” (BBC Interview, 2009).

Somalia is a moderate Muslim country: for centuries, women had the freedom to choose what they wanted to wear or not to wear, and to travel when they wanted. In many parts of Somalia, hard-line Islamists have removed these choices from women: women are forced to wear Arab clothing and are prohibited from travelling without the presence of a male family member and from sharing transportation with men. Because there was no established institution to defend women or facilitate their needs, Islamist militants found it easy to shut women up—especially those from marginalized communities. These militants have gone so far as to condemn any women wearing a brassiere, claiming that it is “a symbol of western influence, deception and an act against truth of the person’s body.”¹⁷ They lash women publicly to discourage this practice.

¹⁷ See “Somali Islamists publicly whip women for wearing bras.” Retrieved from <http://af.reuters.com/article/topNews/idAFJOE59F0CC20091016>.

These actions are not only a humiliating punishment to women, who were already vulnerable to this alien ideology, they also jeopardize the lives of their brothers, sons, and husbands, who cannot bear such humiliations. When male relatives try to defend their mothers, sisters or wives, they are jailed or publicly lashed by the Islamists. This illustrates the depth of the real anarchy in Somalia, where the name of God is used to violate people's rights and dignity. It is important to note that in the stable regions of Somalia, women who do not wear the new dress code are also under threat. All Somali women may lose their hard-won position in society.

B. Somali youth and children: Who is counting this lost generation?

Other victims of this anarchy are Somali youth and children, especially the generation born in the late 1980s, which never experienced a peaceful Somalia. Analyzing the civil war through the eyes of Somali children and youth—the most vulnerable people in Somalia—clarifies its severe impact. The generations born after 1991 have not witnessed any form of government or order. Respect for the rule of law is alien to them. Their very survival in the wide-spread insecurity and relentless poverty denies them the right to have access to education, health services, good nutrition, and safety. As discussed above, Human Development Reports (1998, 2001) rank Somalia the lowest in all human development indicators, such as infant mortality rate (132 per 1000), under 5 mortality rate (224 per 1000), maternal mortality rate (1,600 per 100,000), primary school enrolment (13.6%) in 1999/2000, and adult literacy (17.1%). The impact of the conflict on orphans and street children has never been captured by the human development indicators in these reports. While these indicators depict an alarming crisis, they are only barely treated as a crisis by Somalis or the international community.

The world also neglected to anticipate the dangers that could arise from children in failed states such as Somalia, where the dire vulnerability of the youth can bring new challenges to national and international security. This was realized after 9/11 and the rise of Al-shabab (youth recruited for fighting and piracy activities in Somali), who threaten national and regional security.

C. Somali child soldiers

In Somalia, the recruitment of children under the age of 18 years as child soldiers is an alarming human security concern and a violation of human rights. Internationally, recruiting child soldiers is not a new phenomenon. In Africa, for example, wars are characterized by the large numbers of child soldiers in the service of many governments and rebel groups. Jackson (2006) reports that “of the 300,000 child soldiers presently fighting in over 30 countries around the world ... more than 120,000 are in Africa” (Jackson in Furley & May, 2006:17).

The recruitment of children under 18 is against the United Nation’s 2000 Convention on the Rights of the Child, and the 1998 Rome Statute of the International Criminal Courts. These laws consider recruiting children under 15 or deploying them in battle a war crime (Human Security Report, 2005:35). Nevertheless, the participation of child soldiers in wars and violent conflicts around the world continues.

Somali children are not immune to this phenomenon. The conflict in southern Somalia, in particular Mogadishu, saw Islamic Courts openly recruiting intermediate and high school students. The Somali government is also accused of recruiting and training young children.¹⁸ There is no data and no one can provide the precise figure for the

¹⁸ See “Children and Armed Conflict Report, 2011.” Retrieved from <http://www.un.org/children/conflict/english/somalia.html>

number of children recruited, their ages, how many died or were injured, and their health conditions. The war deeply affects the lives of a whole generation of Somali youth and children inside and outside the country. Recruiting young men—from high school to college levels—from Western countries such as the USA in the name of Islam to commit suicide bombing in Somalia against government officials is the latest and most shocking development in recent years. This adds to the complex issues that Somalis, especially those of the diaspora, have been dealing with since they settled in the West.

The Somali community has no point of reference for finding solutions to the recruitment of suicide bombers. They have to rely on the support of the outside world to stop the proliferation of this serious criminal act—an act that takes youth to point of no return. Saving this generation must become a high priority on the national agenda. Their rehabilitation (physical and psychological) and disarmament will be very expensive in the short run and the long-term. As Jackson (2006) warns us, “the long term costs associated with Africa’s child soldiers to local communities and national development are unclear; what is clear is that they will be extremely high and most likely measured in delinquency, crime, mental illness, social alienation and poverty” (Jackson, 2006:17).

II. The destruction and exploitation of the environment

Due to the lack of central government control, Somalia’s natural environment is indiscriminately exploited and destroyed. This can be seen in the destruction of infrastructure, threats from anti-personnel mines, the dumping of toxic waste in waters, illegal and indiscriminate over-fishing, and the burning of forests for charcoal (Somalia’s black gold) trade to the Middle East. These activities directly threaten and undermine the security of today’s population and the development of Somalia to meet the needs of the

next generations. For instance, the burning of valuable trees (including mangos) for charcoal export is reported to have directly affected nomadic communities, whose livelihoods depend on grazing for their livestock. The disruption of nomadic lives means a disruption of the urban communities that they directly support.

Similarly, huge foreign vessels illegally fishing in Somali waters threaten fishing communities along the coastal areas, resulting in a decline in the income of the communities who catch for consumption and local marketing. In addition to the illegal catching of fish, these vessels dump toxic wastes on the unguarded long coast (3000 km) of Somalia. Unmarked sealed and rusted containers filled with chemical waste frequently appear on coastlines, and communities living in those coastal areas have reported strange illnesses, such as rashes, itching, swelling, and fever. If these situations continue, the Somali population will be subjected not only to significant economic decay in the long run, but also to unknown illnesses and birth defects. Living in a healthy environment is a right. Both Somalis and non-Somalis who work on Somali issues have to pay a closer attention to this looming danger.

Another danger that affects human security and the environment arises from the combination of existing weapons inherited by the civilians after the collapse of the state and the unlimited import of more weapons over twenty years by civilians, militias, business groups, faction leaders, clans, regional administrations, and subsequent transitional governments.

III. Proliferation of heavy and light weapons

The proliferation and availability of dangerous weapons in the hands of civilians and militias across the country—young and old, illiterate and literate, men and women—

should be worrisome to all Somalis and those who work with them. The presence and threat of these weapons is a major obstacle to peace and trust-building among clans in Somalia. To understand what Somali citizens are up against, this discussion outlines the availability (quantity), accessibility, and value of the weapons that were present in the country prior to the collapse of the central state.

In 2003, a study conducted by the European Commission estimated that 64% of Somalis possessed one or more weapons. The biggest open market for weapons in the country is located in Mogadishu. It is also estimated that there are over 300,000 militia members in and around the Mogadishu area alone. The public also inherited all of the weapons of the collapsed government.

The former USSR supplied virtually the entire hardware for the Somali army in the mid-1970s—tanks, armored cars, artillery, small arms, support vehicles, fighters planes and landmines (mainly personnel landmines)—in all worth almost \$500 million (McGrath et al., 1993:13). Between 1979 and 1983, Italy was the single largest supplier, providing the military government with 600 tanks in 1983 alone; and between 1982 and 1989, it received \$550 million worth of arms from the United States (*ibid.*:15). Along with all these weapons inherited from the military government, more sophisticated and light weapons have continued to flow into the country. This is despite the arms embargo imposed by the UN Council in January 1992, which the UN partially lifted in 2006 to allow the deployment of forces from the African Union.

Even though disarming and demobilization efforts and programs are on the way, voluntary surrendering of these weapons would be a more productive and effective process. However, without public trust within and across clans, no Somali community

will surrender its weapons to forces from “antagonistic” clans. As a consequence, the threat of weapons to civilians remains very high across the country.

IV. Anti-personnel landmines

In the context of human security, anti-personnel landmines are the worst form of weapons because they are designed to maim, not kill—to damage lower limbs, blow off hands, blind, and scar. While these devices are small, cheap, and easy to plant, removing them is expensive, costing triple the expense of making them (McGrath et al., 1993: 4).

In Somalia, the military government and the various warring factions and militias laid unspecified numbers of landmines across the country. This threatens not only human security but also the environment, especially on farming lands and roads. It is estimated that there are one to two million landmines and unexploded ordnance (including bombs, shells) in Somalia. Many are in Somaliland and, to a lesser extent, in Puntland (Salah & Taylor, 1999).¹⁹ Indeed, in recent years this planting of landmines has doubled in southern parts of Somalia. As McGrath et al. (1993) have stated, “almost every mine-manufacturer in the world has its product somewhere in Somalia waiting to claim a victim ... perhaps most devastating of all are the anti-personnel land mines such as the Soviet PMN, the American M14 and the Pakistani P4 MK2” (ibid).

The collection and destruction of these weapons in conjunction with disarmament, demobilization, education, and the reintegration and redeployment of the young members of the militias in productive sectors of the economy might lessen the impact of the collapsed state and the constant threat from such weapons and their users. If communities were approached correctly, trust building among them would facilitate

¹⁹ See attached Appendix F for the map of landmines in Puntland and Somaliland.

voluntary disarmament. This step would improve Somalia's overall human security dilemma.

V. Piracy in Somali waters

The rise of Somali piracy is a consequence of the collapse of the Somali state and the lack of order in the country. After the collapse of the state, masses of large vessels began fishing in Somali waters indiscriminately and illegally, threatening both the livelihood of the fishing communities and the environment. In response, young men from fishing communities organized to protect the coastlines from the illegal practices. However, when businessmen took over the protective operation of the coastal communities, these noble intentions soon turned to criminal activities. With profit-seeking businessmen dominating the operations, young men are trained to kidnap tankers, fishing vehicles, and commercial ships for ransom. The Somali waters in the Indian Ocean and the Red Sea—which are routes for thousands of international ships and boats—soon became the most dangerous in the world. While kidnapping had occurred on lesser scale as early as 1988 (Salah, 1999), kidnappings of Western commercial and tourist ships in 2006 revealed to the world the seriousness of the issue. As Edmund Sanders reported in 2007 in “The Kind of Hit-and-Run Humanitarianism”,

After fending off three pirate attacks this year, the United Nations' World Food Program decided for the first time that it needed a foreign naval power to provide protection to continue deliveries to nearly 1.2 million needy people in Somalia. After the agency appealed to the U.N. Secretary-General, the French government volunteered to escort the two ships that recently anchored off Marka-city in the southern part of Somalia (WFP, 2007).

Since the pirates have extended their operations to kidnapping commercial and tourist ships and boats sailing miles away from Somali waters, dozens of warships from various countries and NATO have been engaged in safeguarding the passage of ships passing

through these waters. Regardless of the presence of these ships, Somali pirates continue to obtain millions of dollars of ransom money annually. Perhaps this is viewed by some Somalis as a form of compensation for Somalia's stolen fish resources or for the dumping of toxic pollutants by ships registered in many countries in the world.

However, these operations and ransoms have brought more challenges to the local communities than affluence. As the Honorable Asha Ghelle, Minister of Women and Family Development in Puntland State, of Somalia recently discussed in a meeting with diasporans in Minnesota, USA:

The millions of ransom dollars that pirates collect brought new challenges to local communities. These young people began to import drugs, alcohol and sex workers. We have now more people addicted to drugs, [and there are no rehabilitation centers for these young and lost people]. These young pirates have more money and sophisticated weapons than the regional authorities. They are a threat to everyone. They barely respect the traditional institutions and elders or the state. This further adds to the insecurity of the region. (Ms. Ghelle's speech, November 2009)

In this interview, Ms. Ghelle expressed a real concern that dealing with the piracy issues is beyond the capacity of her administration or even the capacity of Somali people as a whole. This is an international issue now, and without the intervention and adequate support of the international community, it will become out of control. There are suspicions already that more organized international criminal organizations have invested in the piracy business and the associated criminal activities, using Somalia as a safe haven. Ms. Ghelle's call for a support from the diaspora and the international community to join the fight against piracy is not only urgent, but inevitable.

VI. The free-fall of Mogadishu: The symbol of a breakup of social unity

Mogadishu, the capital city of Somalia, used to be the pride of the nation. It was a metropolitan city where all Somali clans had co-existed peacefully for centuries.

However, the collapse of the state has changed the landscape. In 1990, clan-based factions came to Mogadishu to overthrow the military regime, and they extended their movement to ethnic cleansing in 1991. Mogadishu also fell into the hands of clan-based militias controlled by warlords, small businesses, freelance militias, disorganized Islamic courts, and private individuals. At the peak of the civil war in 1991-1992, thousands of civilians in Mogadishu and the surrounding regions were killed and thousands more were displaced. Any individual related to President Siad Barre (that is, of his clan Darood), regardless of their position (some of the Darood sub-clans were against the regime as early as 1978) were murdered or forced to flee Mogadishu. Conflicts among the Hawiye sub-clans followed in 1992-1993. This further displaced and aggravated civilians, which contributed to further destruction of the foundations of Somalia's social capital—trust, respect, unity, collaboration, and networking.

The Somali crisis entered a more complex phase in 2006. The clan-based conflict of the 1990s turned to completely new and multifaceted clashes between traditional and religious ideologies. As one of the participants of this study puts it, “80% of the leadership of the religious groups is from one Hawiye sub-clan and the rest of the members have no influence. Therefore clanism plays a central role even within these religious militants.” The true colors of the religious ideologies emerged when a confrontation between the Transitional Federal Government and African Union forces—mainly led by Ethiopians on the one hand and anti-government forces known as the Union of Islamic Courts on the other hand—began. The breakdown of the Islamic Union Courts into smaller groups (Hisbul Islam, Al-Shabab, Sunna Waljama, Takfir) further contributed to the miserable conditions of the Somali citizens living in the south. These

forces have threatened the relative stability of northern and eastern regions and increased the chaos and disorder in Mogadishu. For instance, Bosasso, the commercial city of Puntland state, alone hosts more than 23,000 registered refugees (UNHCR interview by the author, 2008). A number of international agencies (UNHCR, UNDP, UNICEF, Catholic Agencies for Economic Development, Human Rights) further reported that the current violence in Mogadishu displaced, at least, between 173,000 and 400,0000, and the death toll since 2006 is over 7000 people (Somali web-sites and UN agencies). The United Nations High Commission for Refugees estimated that each day around 1,200 Somali refugees arrive in Kenya, and a similar number cross the international waters.

The vicious cycle of violence in Mogadishu, which is the base for all violence in the south, resulted in more than a quarter million refugees over the past two decades. This prolonged conflict undermines any effort towards the reconstruction of social unity and cohesion that is fundamental to any sustainable peace.

VII) The disintegration of Somali sovereignty

Campaigns for secession, challenges to national identity, and disruption of Somali traditional institutions are legacies of the collapse of the state that have serious implications. These legacies challenge the very core of Somali sovereignty.

A. The secession of the northwest region known as Somaliland

The campaign for the secession of the internationally unrecognized northwestern region of Somalia known as Somaliland, which commenced in early 1991, is a serious challenge to nation-state and peace building in Somalia. Somaliland remains a peaceful region and went through numerous peaceful elections. Its call for secession threatens Somali unity, which is considered a sacred symbol by many Somalis. A dialogue

between the Somaliland administration and the rest of the country seems a long distance away given that the southern part of Somalia could not end the senseless violence that engulfed it. The encouragement of UN representatives for the building of a federal state may open a space in which southern Somalia can negotiate with Somaliland. Others can dare to vision the return of the Somali Republic. Ambassador Mohamed Sahnoun, representative of the UN Secretary General for Somalia, was reported saying, "I doubt that one united Somalia is any longer possible" (Omar, 1992:35). Some perceived this statement to be a pretext of the UN agenda for Somalia and the political seal of Somalia's future.

A peaceful dialogue on this issue starts with an immediate solution to the ongoing conflict in the South. However, if the conflict in the southern part cannot be contained, it will potentially spill over and adversely affect Somaliland and Puntland and devastate the pride of Somali society.

B. The disruption of traditional institutions

Another severe impact of the collapse of the state is the disruption and violation of traditional institutions. This has direct implications for the overall conflict resolution mechanism of Somali society. As discussed earlier, Somalis tend to resolve their conflicts through traditional law (combined customary, or "Heer" laws, and Sharia laws). In traditional institutions, elders play a central role in each clan. Elders link sub-clans to clan interests, and they maintain relationships with other clans. Their social power often conflicts with those of clan members with personal interests in the clan or who want to gain political power in the name of clan. In recent peace-building and power sharing conferences, Somalis and the international community recognized and endorsed the

powers of the clan elders. In other words, individuals, regardless of their status in society (government official or business person), are required to seek elders' endorsement.

However, two issues discussed below undermine the effectiveness of the role of elders.

C. Leadership legitimacy: A question of conflict of interest

Over the past two decades, the older traditional chiefs and elders (with less political ambition) died and were succeeded by mainly well-educated young and ambitious men, who not only represent the interest of the clan but are also interested in political and administrative appointments. This has serious implications given the traditional authority vested in them. If a clan elder or a member of his immediate family seeks political position, it may lead to competition between an aspiring member of the clan and himself or between him and an immediate family member. Given the deep respect and influence associated with the status of clan elder, such a competition cannot be considered fair. Even though in the past some clan chiefs ran for government offices or became parliamentarians, the question of conflict of interest was never raised. In an interview during this study, a Somali elder who experienced the challenges of such conflict of interest admitted that "holding a position as a traditional chief and a parliamentarian position at the same time are contradicting roles; however people were not consciously aware of the implications or did not want to challenge the elder's position even though they knew it was unjust."

Today, people are more convinced and aware of political interests and implications. Somalis are now conscious of the injustices that arise from competition with clan elders, which some jovially refer to as "the gentleman's agreement," which are

not won by actual merit.²⁰ In this environment, some will question the leadership of some elders and their fairness to sub-clans. This adversely affects their legitimacy. It is increasingly recognized that the clan elder is no longer a neutral arbiter in his relations with some sub-clan members. As the elder who was a participant of this study explains, “For the interest of fair competition, if an elder decides to compete for a formal political office, then he has to give up his position as a chief.” However, instead of opening a dialogue about this issue within sub-clans, some clans have sought an alternative solution to this problem, which includes decentralizing the power of the clan elders.

D. Decentralization of the power of clan elders

In addition to questioning the conflict of interest that some elders find themselves in, people also question the effectiveness and efficiency of their services in the context of an increasing population. The deteriorating capacity of some elders to effectively provide the necessary services to their fast growing clan membership can frustrate their own clans. In response to these two issues, some sub-clans began decentralizing the power of elders by nominating new young chiefs who can meet the immediate needs of their sub-clans, both at the clan level and the national level. Some traditional elders welcome these new developments, recognizing their own limitations, but others see them as an attack on their status and roles. Theoretically, there are undeniable merits in decentralizing power and leaving particular responsibilities to the older chiefs. In practice, however, the process of decentralizing the power of the traditional chiefs is dangerous. It provides an opportunity for interest groups to manipulate, undermine, or dismiss the leadership and decisions of elders—who, for the most part, save lives and

²⁰ Somali tradition gives whatever position a chief wants because of his ascribed or assigned status in the society.

defuse conflicts. The centralized power of the clan elder serves as the only solid and dependable power sustaining Somalia's social sanity. Politicians, warlords, and religious sects have attempted on various occasions to divide and weaken the power of clan elders, even though there is no other power with similar legitimacy. These attempts attack the core of Somali values and tradition.

E. Challenges to national identity

Another crisis of the core values of Somali society is the threat to its national identity from outside influences, including the threat to culture, language, and the Islamic way of life and dress-codes. The Somali language is in jeopardy. This threat lies in the influence of some Islamist militant groups operating in Somalia and can be found in the Somali charter now. In the draft Constitution, Somalis are forced to accept Somali and Arabic as the first language even though in reality not even 1% of the population communicates in Arabic. Equating Somali with the Arabic language undermines Somalia's national pride and dignity. Somalia was already considered an orphan, and now the Somali language is becoming an orphan since the attack is from within.

While speaking Arabic is a skill that people should learn, and while it will definitely help them to understand the Holy Quran, this does not mean that Somalis should sacrifice their Somali language. The sacrifices are numerous. For example, people (without understanding the implications) have begun changing the Somali names of villages to Arabic names. They have also changed their own pure Somali names to Arabic names. Some Islamist leaders have named themselves after Arab militants. The names of stores across cities are all in Arabic. It is also reported that children in elementary schools are forced to speak only Arabic in order to produce Arabic speaking

population. In 2008, this author witnessed a Friday prayer in which an Imam has delivered a one hour speech in Arabic language for worshippers in a small village in Puntland. When asked if the village people have learned Arabic so well that the Somali Imam does not have to translate the speech (Khudba) into Somali, a local person responded, “No one speaks Arabic, but he does not care about that.” This appears to be a very common practice in many parts of Somalia. No one bothers, or possibly dares, to ask these men to connect with worshippers by speaking their Somali language. If 99.9% of Somalis barely understand Arabic, what is the logic behind holding Friday prayers in Arabic or making Arabic language mandatory in the Constitution? If the intention was to educate Somali people about Islam, surely the Somali language would have been the language in which to do so. It seems that this is an agenda to produce an Arabic-speaking generation, confirming the ill-intended foreign agendas.

In addition, militant Islamists have also introduced a new phenomenon that completely invalidates traditional institutions and the role of elders in many parts of Somalia, especially the southern: that is, the indiscriminate suicide bombing and assassination of Somali people (journalists, business people, government officials, professionals, and people with different views than theirs). They have arranged the lashing of elders in public or assassinating them by young trained men hiding behind masks. This is not only new, it has no place in the cultures and values of Somalia as a Muslim country. If the killings of the past were motivated by clan revenge or hatred or feuding over land or water, today people are killed because of their different religious views. Victims do not know why they died. Senseless murders—including stoning to death women accused of adultery or cutting off the hands and legs of hungry young men

accused of stealing food or cell phones—are some of the harsh realities of Somalia today. It is difficult to bring these perpetrators to justice since neither authority nor the public has the capacity or the skills to punish them—even though they often can identify who these killers are, who sent them, and their motivations.

In some parts of Somalia, this is adversely affecting the customary laws, which are rendered ineffective. Sometimes it is very difficult to identify the perpetrators. In addition, the crimes are so overwhelming that no one clan can keep up with the possible compensations to other clans to keep the peace. The main responsibility for the terrible crimes that some youth commit these days lies with the influence of a foreign intelligentsia in Somalia that has no respect for the indigenous institutions. This new form of captive intelligentsia that has emerged in the 21st century is more treacherous to the nation than the intelligentsia of the post-independence Somalia, discussed by Bulhan (1980s) as a product of the colonial influence. Bulhan blames the deficiency of Somalia intelligentsia on foreign influences. If in the 1960s the Somali intelligentsia was captivated by competing Western and Eastern intelligentsia, today it is captivated by Somalis trained in the Middle East and Asia—in countries such as Saudi Arabia, Qatar, Kuwait and Pakistan—carrying undisclosed amounts of funds.

In conclusion, the external influence has not only completely dominated Somalia's national agenda, but also constantly threatens Somali identity—language, culture, tradition, and way of life. Preserving one's identity is a right. Ordering its extinction through a process of strategic funding and ideological indoctrination is a violation of Somali sovereignty and human rights. These foreign countries must realize that they are responsible and might be held accountable for the demise of Somali culture

and language, the death and destruction of Somali lives, and the brainwashing of thousands of children. Their funds are invested in weapons that kill civilians on a daily basis. All Somalis, especially to those who are leading foreign agenda or project, must realize the serious implications of these facts on Somalia's search for peace building and a stable state in the future.

Despite these dire circumstances, some instances of relatively important progress in Somalia have been reported. Before addressing such developments, however, it is worth examining theoretical attributes of the modern state as an autonomous agent in order to understand the extent to which they can explain the modern state's collapse—as it occurred in Somalia—and the efforts to revive it. As we will see in the following chapter, the literature review enables us to locate gaps in the literature about the state, and also provides the opportunity to fill the gaps through the empirical case of Somalia.

Chapter 4. The State in Governance Perspectives: A Case of Failed State

Introduction

The collapse of many states in the 21st century has led to a questioning of the autonomous role of the state. The literature addresses this challenge. However, this thesis utilizes governance literature to explain this phenomenon for two main reasons. First, governance literature opens space for this research to draw inferences from various disciplines, such as political science, international relations, economics, women's studies and sociology. These are crucial to the analysis of failed states. Without interdisciplinary approach, analyzing the data and researching the finding of this study would have been very difficult. Second, the governance literature provides a space for researchers examining the role of non-state actors in state-building when the state is absent. As Peter (2000) explains, "Understanding governance begins with society and not with government" (Peter, 2000:49). Third, governance literature can shed light on how societies can revive a sustainable state; to get it right, it allows to measure processes and outcomes.

Even though the state is not absent in the case that Peter is referring to, the governance literature expands the debate of the state to include the role of society, and it informs the analysis of failed states such as Somalia—the case study of this research.

With these three reasons in mind, this chapter is divided into three sections. Section one presents the historical debates surrounding the modern state. It concentrates on the contentious debates about the state in the context of governance where non-state

actors significantly engage in national affairs in the 21st century. Section two examines the literature of collapsed states for their causes and consequences, both nationally and internationally. Finally, the last section draws preliminary lessons from collapsed states to shed light on how societies can revive a sustainable state: It is a question of getting it right. Throughout the chapter, conventional concepts are redefined within the framework of a collapsed state. These include governance, local governance, informal governance, decentralization, social capital, non-state actors, democracy, and democratization in the context of Muslim society. These concepts are central to the literature of “society-centric” studies led by non-statists. The unit of analysis is the “non-state actor.”

4.1 The Modern State: Challenges in the 21st Century

The growing contentious debates regarding the function of the state in the 21st century have been concerned with two central issues: i) “the extent of the state autonomy and how the state can formulate and implement its preferences”; and ii) “the degree of congruity between the state and its environment which relates to how institutional structure changes in response to alternations in domestic and international environments and then in subsequent time period influence these environments” (Krasner, 1984:224-225). This research includes a third emerging issue that is central to this study: that is, how to reconstitute a collapsed state to regain the political, social, and economic powers inherited by non-state actors in its absence. Before concentrating on the third issue, however, an introduction of some of the debates about the state and its collapse will help us to understand the efforts required for its revival.

Historically, the debates of the state would take us as far back as the classical times of Thomas Hobbes and John Locke. These scholars were both concerned about

maintaining good society, good state, and just laws. Thomas Hobbes preferred and recommended a type of authoritarian government (absolute monarchy) as the best political system. In *Leviathan* (1651), he presented one of the compelling justifications of such a state. He called the “Artificial Man” an absolute sovereignty where individuals give up “certain rights in exchange for security” (Held, 1983:6 cited by Poku, 2007:2). Principally concerned about social order—domestic peace and security and defense against foreign aggression—he argues, “the desire for security will lead to continual preparation for war and a condition in which there is continual fear and danger of violence, death, and the life of man solitary, poor, nasty, brutish and short” (Coram, 2001:24). He recognized that no system is perfect and encouraged his comrades to accept sovereignty instead of living in a state of nature—for, “states would not try to damage their subjects, because their strength consists in the vigor of the subjects” (Taylor in Novick, 1987:47). Nevertheless, as discussed later, collapsed modern states are empirical evidence of unjust rulers who have compelled citizens to react to bring down the once autonomous authorities. The chain of reactions of citizens against governments has not changed—as the world has witnessed through the collapse of a dozen states in this century.

For this reason, John Locke, concerned about the possibility of abuse of power by powerful rulers, recommended having a limited government (democratic in nature) based on the consent of the people, or what he calls “civil society.” He described civil society as “those who are united into one body and have a common established law and judicature to appeal to, with authority to decide controversies between them and punish offenders are in civil society with one-another. But those who have no such common

appeal are still in the state of nature” (Locke in Morgan, 1992; Chapter 7, Sec 87). This is the reason that Baron de Montesquieu insists on the separation of executive, legislative, and judiciary powers to ensure balance of power and individual liberty.

This implies that the “social contract” between the state and society is respected by both parties. However, this is often not the case in many developing countries. If not failed, many states are still in a challenging situation. This has led many scholars to promote the notion that a society is better served when there is a compatible state. This view is gaining more support in this century than ever before.

According to Poku et al., “reinforced by 19th and 20th century’s concepts of ideology and nationalism, the state system has now become the most prominent unit of political organization in the world, an organization to which millions of people owe allegiance and for which many are prepared to die for” (Poku, 2007:2). This implies that—with the exception of anarchists, who call for an organized disorder or a minimal state intervention (Nozick, 1968)—the contention is not about adapting any form of state because of its autonomous functions, but about seeking a suitable political system. How can a country establish a suitable modern state, especially when it tested and failed to hold on to one or more of the international systems -socialism, Western democracy, and militarism? Understanding the concept of the modern state, especially in the context of failed states, provides a direction to the revival of a suitable state.

From a statist view, Max Weber (1968) defined the state as “a corporate group that has compulsory jurisdiction, exercises continuous organization, and claims a monopoly of force over a territory and its population in the area of jurisdiction” (Weber, 1968 cited in Evans et al., 1985:7). Alfred Stephan (1985), a Weberian adherent, clarifies

that the “state must be considered as more than a ‘government.’ It is the continuous administrative, legal bureaucratic and coercive systems that attempt not only to structure relationships between civil society and public authority in a polity, but also to structure many crucial relationships within civil society as well” (Stephen in Evans et al., 1985:7).

Ghani & Lockhart (2008) further present ten main functions of the state: i) a monopoly on the legitimate means of violence; ii) administrative control; iii) sound management of public finance; iv) investment in human capital; v) creation of citizenship rights through social policy; vi) provision of infrastructure services; vii) formation of a market; viii) management of public assets; ix) effective public borrowing; and x) sovereignty dividend and the sovereignty gap (Ghani & Lockhart, 2008:124-166). They conclude that “[for a state] to succeed, it must have the power to employ these functions simultaneously” (ibid). Statist views therefore treat the state as a central and autonomous agency above society.

Unlike Weberian statist, non-statists challenge the state’s absolute autonomy. Midgal (1998) argues that “the state is not a fixed ideology. Rather, it embodies an ongoing dynamics, a changing set of goals, as it engages other social groups ... therefore, the results of the engagement with (and disengagement from) other social forces may modify the state agenda substantially; indeed, they may alter the very nature of the state” (Midgal, 1998:12). He concludes that “societies affect states as much as or possibly more than states affect societies”(ibid). Non-statist views of the state are equally criticized by statist.

Pierre (2000), while recognizing that the modern state is challenged from all directions in recent years (through globalization, multinational corporations, regional

organizations, and world insecurity), simply dismiss any argument claiming for its decline. As they put it, “what we are observing is less the decline of the state or more a process of state transformation ... and we are still far from dismissing the state as the center of political power and authority” (Pierre, 2000:5). If nothing else, no other agency has the capacity to replace the state’s catalyst role in conflict resolution.

For instance, Jessop (1994) argues that “so far no other agency is more placed to deal with social conflict and redistributive policies than the state; unlike supranational bodies which seem preoccupied with the internationalization of capital ... [states] are concerned more about social conflicts and redistributive policies” (Jessop, 1994:275). He concludes that “without central support, it is difficult for most local or regional states to achieve much in this regard” (ibid).

This argument maintains the view that states are always in control, even when they transfer or delegate some of the responsibilities to private sector or to local governments and civil society. However, this view can be challenged, especially where the state fails and non-state actors take over power and provide services to the needy public. A government is clearly absent when, for example, citizens have no place to go to renew passports or obtain birth certificates, or in cases where private individuals print money and warlords and clan militias protect and exploit national territories. The case study of Somalia provides empirical evidence of failed governance, as we will discuss later. One may ask why weak states accelerate internal conflicts that, in extreme cases, expedite their collapse. We can better answer this question with an understanding of governance functions, policies, and programs.

I. Governance approaches in building local capacities: Understanding local context

Generally, the emergence of “governance” is new to the field of social and political analysis. According to Nikolas Rose (1999), the term “governance is used as a kind of catch-all to refer to any strategy, tactic, process, procedure or program for controlling, regulating, shaping, mastering or exercising authority over others in a nation, organization or locality” (Rose, 1999:15). In other words, governance is a cross-cutting effort towards building capacities of institutions and their managements from national to district levels.

Strategically, governance is “aimed at devolving power and resources away from central control towards front-line managers, local democratic structures and local consumers and communities, within an agreed framework of national minimum standards and policy priorities” (Stoker in Gamble & Wright, 2004:117). This process demands the improvement and maturity of local governance. An effective local governance refers to “a rule-governed process through which residents of a defined area participate in their own governance in limited, but locally important matters; are key decision-makers in determining what their priority concerns are; and are the key decision-makers in managing and learning from those responses” (Olowu & Wunsch, 2004:4).

According to Olowu & Wunsch (2004), local governance can be measured in two ways. First, we can focus on process, which refers to “the transfer of authority, resources, and accountability... to [local] administrative institutions, which are working in ways that suggest that local priorities and needs are driving local decision making.” Second, we can focus on outputs and outcomes. This refers to “whether local governance is bringing expected tangible benefits in terms of better schools, health systems, water

supply, or road, or intangible empowerment and social service delivery that enhance people's welfare" (ibid:15). Democratic systems enhance the implementation of local governance through genuine decentralization. This is also a form of tapping into social capital, which is crucial to the success of local governance.

In democratic countries, decentralization of power from the central to the local level is a significant sign of the state's readiness to trust its local authorities and citizens. This also refers to those legal acts and administrative measures that initiate a transfer of responsibility (authority), resource (human and financial), accountability, and rules (institutions) from central government to local entities (Olowu & Wunsch, 2004:5). There are three forms of decentralization: de-concentration, delegation, and devolution. A *deconcentration* (of authority and responsibility) approach is used when only responsibility or authority is transferred, but not resources or local accountability. A *delegation* (of authority, responsibility and resources) approach is applied when responsibility, authority, and resources are transferred, but accountability still resides in the center. Finally, the *devolution* (of authority, responsibility, resources and accountability) approach refers to transfer by law, and other formal actions, of responsibility, resources, and accountability (Olowu & Wunsch, 2004, ibid). As Olowu et al. conclude, "decentralization reforms only make sense if they lead to a working political outcome: effective local governance" (Olowu & Wunsch, 2004:2). This confirms that local governance cannot be effective without first putting an enabling environment in place.

Olowu & Wunsch (2004) summarize four key prerequisite variables that affect the emergence of local governance: i) local autonomy and authority; ii) resources

available to local units of governance; iii) effective local institutions of collective choice; and iv) effective, open, and accountable local political process (ibid:238). While these variables are prerequisites (as findings in seven case studies in Africa indicate), they also suggest four factors that are crucial ingredients for effective local governance: i) a supportive national political context; ii) an effective system of intergovernmental relations that supports the allocation and utilization of fiscal human resources; iii) a strong local demand for public goods along with substantial local social capital at a local governance level; iv) successful resolution of a number of local level institutional design questions. Olowu & Wunsch (2004) conclude that “weakness on any of these variables or factors can impede achievement of one or more of the four factors identified earlier as necessary for local governance to emerge”(Olowu & Wunsch, 2004:254). Another factor that supports the successful implementation of decentralization processes is social capital. This ultimately determines the effectiveness of local governance.

II. Social capital: Contribution to effective governance

Bonding social capital is good for “getting by”, but bridging social capital is crucial for “getting ahead” (Xavier de Souza Briggs cited by Putnam et al., 1993).

Social capital refers to “features of social organization such as networks, norms and social trust that facilitate coordination and cooperation for mutual benefits” (Putnam et al., 1993:67). As Colletta & Cullen (2000) argue, “although there is so much contention over what interactions and types of organization constitute social capital, there is little disagreement about the role of social capital in facilitating collective action, economic growth, and development by complementing other forms of capital” (Grootaert, 1998 cited by Colletta & Cullen, 2000:6). Overall, communities that have

low levels of social capital are less capable of organizing themselves effectively (Putnam et al. 1993; Krishna, 2002:2). This is also true in times of conflict.

Jennifer Widner (2004), concerned with post-conflict phenomena, explains that “for peace to endure ... it is vital to restore the trust that undergirds exchange and compromise, to give people a stake in the new government, and to encourage investment of time and energy in solving community problems and in expanding economic opportunity” (Widner, 2004:222). A country’s context determines the role of social capital.

As opposed to stable countries, in conflict-ridden countries, social capital plays negative and more damaging roles in the short run. In extreme cases, people join various groups that engage in illegal activities. Terrorist groups, gangs, clan warlords, and religious sects carry out harmful activities by exploiting the social capital of their associations. Other groups tap into the financial resources and recruit man-power (army and militia) in the name of religion, ethnicity, or clan, with the aim of attacking the state or overpowering other groups. In the case of the conflict in Somalia, without social capital, clan faction leaders would not have been able to mobilize the power to oust the military government in 1990 and commit the atrocities that followed. In countries of failed states the question is how to reverse the negative impact of social capital. One major step is to create a vibrant civil society that stands for the rights and protection of the public.

III. Civil society engagement in local governance: The road to a democratic state

If a state desires to benefit from social capital, it has to strengthen or rebuild its relationship with its society, especially the organized and interest groups. The argument

often made is that the success of good governance system, and particularly democratic governance, depends upon the development of the appropriate forms of civil society rather than the actions of governments themselves (Putnam et al., 1993). In general, civil society is referred to as “social phenomena putatively beyond formal state structure, but not necessarily free of all contact with the state” (Chazan in Midgal, 1988:255). In the context of Africa, except in post-conflict Somalia, as Chazan put it, “when the term is not used loosely as a synonym for society, it has been conceptualized ... as a necessary pre-condition for state consolidation...as a medley of social institutions that interact with each other and with formal structures in ways that may either facilitate or impede governance and economic development” (ibid). Nevertheless, the emergence of African civil society came with so many challenges.

Midgal explains that “many groups in Africa arose as a channel for detachment from the state or as a means of protest against oppression” (ibid:278-279). He further argues that “states in Africa are insecure politically, economically and socially and their leaders are likely to perceive any organization which they cannot control as a direct threat (ibid:265). Often such threats turn into real violent confrontations that, in extreme cases, result in the collapse of the state—as witnessed in the 1990s in Somalia, Liberia, and Sierra Leone. This brings us back to the questions: If states are always autonomous and have control over society, why did a number of them fail or collapse? How do the theories of state governance explain the collapse of the state, particularly in Africa? The next section addresses these questions.

4.2 The Causes of Collapsed States: A Case of Governance Predicament

The speed and number of collapsed states in the last two decades has put the autonomy of the modern state and its governance on trial. In a governance perspective, Rosberg (2004) explains that the collapse of the state has emerged as one of the most national and international challenging issues of the 21st century. As he put it, “[A] collapsed state is a rare and extreme version of a failed state [where] political goods are obtained through private or ad hoc means; security is equated with the rule of the strong. A collapsed state exhibits a vacuum of authority ... It is a mere geographical expression, a black hole into which a failed polity has fallen” (Rosberg, 2004:9). In other words, collapsed modern states fail to control their own territories and cease providing security and service for basic goods (education, health services, security, and the right to live). This empirical evidence forces scholars from various disciplines—especially in Comparative Politics, International Relations, and Economics and Development—to revisit their views on the state as an autonomous agency. One should ask what went wrong.

There is no consensus among scholars as to whether or not the concept of “collapsed state” provides an accurate interpretation of the situation under study. They have diverse views about the causes of state collapse. Therefore, understanding the factors that cause the collapse of states can direct the development of preventive strategies in the future. It is important to note that identifying the causes of collapsed states is a complex affair that requires cautious analysis.

Von Einsiedel (2005) is one of the scholars who discuss the issue of collapsed states. He summarizes Michael Ignatieff’s causes of state collapse: “[S]ometimes the

cause is colonial; sometimes it is maladministration by an indigenous elite; sometimes failure is an interference by outside powers and then abandonment ... [M]ost important, many failed and failing states are poor and have [suffered steadily from] more adverse terms of trade in a globalized economy” (Von Einsiedel, 2005:17).

Rosberg (2004) further isolates three strong indicators that can predict the failure of the state by summarizing (75 highly relevant variables) of the work of Esty et al. (1998 cited by Rosberg, 2004:21). Failure is likely when a nation-state favors a closed economic system; when infant mortality rates are very high (when the ratio of infant death per 1000 live births rises above the international median); and when a nation-state is undemocratic. Esty et al. also concluded that decreasing low GDP per capita levels are almost as strong an indicator of failure as infant mortality levels (cited in Rosberg, 2004: 21). As the following table (4.1) illustrates, weak economic growth in combination with incompatible political systems (none of them democratic) facilitate the failure of the state.

Table 4.1 Development Indicators for Collapsed and Failed States

Country	Human Development Index Rank (1999 out of 162)	GNI per Capita (US \$)	Illiteracy Rate, Adult Male	Illiteracy Rate, Adult Female	Mortality Rate, Under 5 (1000 live births)	Life Expectancy at Birth (years)
Collapsed states						
Somalia	n/a	n/a	n/a	n/a	194.7	48.14
Failed States						
Afghanistan	n/a	n/a	n/a	n/a	279.4	42.96
Angola	146	290	n/a	n/a	207.8	46.58
Burundi	160	110	43.8	59.59	175.8	41.96
DRC	142	n.a	26.9	49.79	162.53	45.75
Liberia	n/a	n/a	29.88	62.32	185.12	47.15
Sierra Leone	162	130	n/a	n/a	266.8	39.19
Sudan	138	310	30.55	53.71	n/a	56.17

Source: Compiled by Carolyn Race, May 2002 and cited by Rosberg, 2004:23-24

The common factors among these countries—which either failed or collapsed—are due to weakening economic growth, low income, high illiteracy, high mortality rate, and short life expectancy. For instance, in comparison with other countries on the list, it is easy to understand why Sierra Leone—with a GNI per capita of \$130, a mortality rate of 266, and a life expectancy of 39.19 years—is the last on the list of the least developed countries (162 out of 162 on the Human Development Index).

Other scholars such as Harris & Reilly claim that the cause is related to deep-rooted conflicts in the context of “combined potent identity-based factors with wider perceptions of economic and social injustices” (Harris & Reilly, 1998:9). Of the 27 conflicts in 1996 classified as “major armed conflicts” (essentially, over 1000 deaths per

year), 22 had clear identity components to them (ibid). The intra-state conflicts in Russia with Chechnya, Iraq and Iran with the Kurdish, and Indonesia with East Timor are good examples of identity components. Some of these states continue functioning even though they have been internally dealing with intense violent conflicts. However, most conflict-driven countries were found in Africa in the 1990s. Angola, Burundi, the Democratic Republic of Congo (DRC), Liberia, Sierra Leone, and Somalia represent Africa's share of the states that collapsed in that period.

Other scholars trace the failure of contemporary states back to colonial legacies. These include Mayall (2005), and Osabu-Kle (2000). According to Mayall (2005), "the concept of the state itself was a colonial export ... its foundation principles of sovereignty, territorial integrity and non-interference in the domestic affairs of other states emerged with the rise of the centralized state in Europe" (Mayall, 2005:36). He argues that state failure can be understood by examining the interaction of four main factors: i) anti-colonial nationalism (the legitimacy of post-colonial states); ii) the colonial political map in territories (division of ethnic and clan lines); iii) economic development policies reinforcing societal divisions; iv) and pre-colonial social structures and state formations (ibid:38). The state's failure is also linked to the inheritance of what William Reno calls the "shadow state," which refers to "the product of personal rule, usually constructed behind the [face] of de jure state sovereignty"(ibid), where an individual leaders and their close families are above the rule of law. Mayall concludes that the manipulation and exploitation of these factors—either by governments to oppress citizens or by opposition forces seeking a "better system"—spark off violent conflict that, in extreme cases, brings the state down.

Daniel Osabu-Kle (2000) also explains the impact of colonial legacies on African states. In his profound work, *Compatible Cultural Democracy: The Key to Development in Africa*, he argues that the failure of governance in many African countries is caused by “non-conformity with the indigenous political culture,” in particular by the imitation of foreign democratic practices (Osabu-Kle, 2000:28). For instance, “Ghana, Nigeria, Kenya, Tanzania, Somalia, Senegal, Rwanda, and Congo (Kinshasa) all reveal the problem inherited in the introduction of the alien political practices of the West ... each suffered the limitations of the colonial heritage” (Osabu-Kle, 2000:10).

The collapse of the state has also been attributed to the failure of governance in the context of leadership, development policy direction, unjust distribution of resources, or just simply a power struggle (Ng’ethe, 1995; Rosberg & Jackson, 1984). Ng’ethe (1995) asks whether African society has been able to “tame the African Leviathan” and asserts that “one issue that poses the greatest challenge is the role of leadership and governance in the evolution and the resolution of the crisis” (Ng’ethe in Zartman, 1995:256-257). Ng’ethe conceptually links the collapse of the state with failure of leadership and governance. He argues that lack of “identity, legitimacy, penetration, participation, just distribution, and the overall failure of economic development have something to do with the collapse of the state.” He concludes that this situation can be witnessed in places “where leadership and the state have tended to be equated” (ibid). For instance, he illustrates through the case of Zaire that state failure is the result of the organizational/institutional failure of the all-powerful leader rather than a lack of natural resources (ibid).

In contrast to Osabu-Kle's point of view, many scholars reject the idea that the alien "state is simply the wrong institution for Africa." Zartman (2005) argues that "no common theme or characteristic runs through the case of collapse that would indicate that collapse was the result either of the same 'Western style' malfunctions in the state or of particularly badly adapted Western institutions." Zartman further affirms that "there is no typical African state" especially adapted to African circumstances, or specifically derived from a pre-colonial proto-institution. Instead, he asks, "is there a set of functions that need to be performed for the coherence and the effectiveness of the polity— anywhere?" He posits Liberia as an example of an African country that never experienced "typical foreign colonial rule" but yet was among "one of the most extreme cases of state collapse in the 1990s" (Zartman, 2005 cited by Von Einsiedel, 2005:18). Even though Zartman has raised a fundamental issue: the case of Liberia cannot be a best example. Liberia was in fact an American colony, and its structure of government was derived from America and run by Americo-Liberians, excluding the indigenous populations. Therefore one could argue that the collapse of the Liberian state is further evidence and demonstration of the collapse of the incompatible modern state in Africa.

Another critique of the modern Western state has come from Muslim and non-Muslim scholars writing their own perspectives of the states in the Muslim world. Their views vary, especially from those scholars interested in examining in the compatibility of the Islamic state and democracy in the era of anti-terrorism and world order (Huntington, 1996; Moussalli, 2001; Bhutto, 2008; Dalacoura, 2001).

I cannot dispute that there have been few sustained democracies in the Islamic world. But the responsibility does not lie in the text of the Muslim Holy Book. It is a responsibility shared by two significant elements that have come together in

the context of environmental conditions inhospitable to the establishment, nurturing, and maintenance of democratic institutions in Muslim-majority societies. The first elements—the battle within Islam”—is the purportedly theological fight among factions of Islam that also often seeks raw political and economic power at the expense of the people. The second element—the responsibility of the West—includes a long colonial period that drained developing countries of both natural and human resources. (Bhutto, 2008:84)

Many states in the Muslim world face challenges from within and through external factors, as the above quote from Benazir Bhutto, the late prime minister of Pakistan, rightly illustrates. Iraq, Afghanistan, and Somalia as failed states and Pakistan as a weak democratic state stand out as troubled countries. Bhutto (2008), in her book “Reconciliation,” underlines that democracy is a universal value that can be found in Muslim countries regardless of the provocative views of scholars such as Samuel Huntington. Huntington argues that the “worldwide democratic revolution may create an external environment conducive to democratization, but it cannot produce conditions necessary for democratization within a particular country (Huntington, 1996:7).

As the above quote explains, Huntington acknowledges that local support of democratic values is necessary to initiate democratization process. In this way, he examines the compatibility of democracy in Western and non-Western states, especially states in Muslim countries. In the context of a cultural thesis, he particularly identifies Confucianism and Islam as non-Western systems that are hostile to democracy (Huntington, 1996:14). Confucian societies, Huntington explains, “lack a tradition of rights against the state; to the extent that individual rights did not exist, and they were created by the state, ... the maintenance of order and respect for hierarchy were central values ” (ibid). While underscoring the point that Confucian is “clearly a contradiction” to Western democracy, Huntington admits that “Islamic doctrines contain elements that

may be both congenial and uncongenial to democracy” (Huntington, 1996:19).

Huntington further elaborates that “[e]galitarianism and voluntarism are central themes in Islam” (ibid) and that they are imperative principles in democracy. He also quotes Ernest Gellner’s (1989) argument that Islam is “endowed with a number of features—Unitarianism, a rule-ethic, individualism, scripturalism, pluralism, an egalitarian aversion to mediation and hierarchy, a fairly small load of magic—that are congruent, presumably, with requirements of modernity and modernization.” They are also congruent with the requirements of democracy (Huntington; 1996:19). Despite all these factors, Huntington warns the world about the possibility of a “clash of civilizations” between the West and the non-Western—in particular, the Muslim—world.

In accordance with Huntington, Dalacoura (2001) argues that “Islamists see the modern state as illegitimate because, according to their ideology, sovereignty must rest with God, not with the people. They also believe that the Umma (community) must come together over and against the state” (Dalacoura, 2001:237-238). She further elaborates that Islamic movement leaders— such as Sayid Qutb of Egypt, Abdul A’la of Pakistan, and Ayatollah Ruhollah Khomeini of Iran—and adherents attribute “the corruption of contemporary governments in the Middle East and the decline of the Muslim world” to the “abandonment of Islam and the straying of society from the straight path” (ibid). These men see the “restoration of Islamic government and the re-imposition of the Sharia (Islamic law) as the only solution to this predicament” (ibid).

Scholars from the Muslim world criticize Western scholars’ misleading analyses. The problem is that these analyses focus on the position of fundamentalists when examining compatibility of Western democracy and Islam states: “Moderate Islamism

adopts liberal democracy in an Islamic fashion; radical Islam adopts popular democracy in an authoritarian fashion” (Moussalli, 2001:163).

In his book *The Islamic Quest for Democracy, Pluralism, and Human Rights*, Moussalli (2001), while acknowledging the absence of democracy in most the Muslim countries, asserts that “the notion of democracy, pluralism and human rights are not only in harmony with Islamic thought, their seeds are embedded in many notions of government and politics founding Islamic religion”(Moussalli, 2001:2). To put it differently, Islamic doctrines such as Shura (consultation), bay’a (the oath of allegiance), ikhtiyar (choice), ijma (consensus), ikhtilaf (differences), ijtehad (reasoning), and ahla al-dhimma (the rights of minorities) indicate that “people are the source of ultimate political sovereignty on earth” (ibid).

Similarly, Bhutto (2008) also rejects Huntington’s prediction of a clash of civilizations. She calls those who believe in the inevitability of the conflict “clashers” and those who believe the contrary “reconciliationists.” She argues that “the clash of civilizations theory is not just intellectually provocative; it fuels xenophobia and paranoia both in the West and in the Islamic world” (Bhutto, 2008:237). She further argues that fanatics on both sides would be able to capitalize on this prediction in order to create world disorder. She sees democracy in Muslim countries as necessary. In her view, the West and the Muslim world must deal with two issues. The first steps are to attain internal reconciliation in the Muslim world and to fight against dictatorships and extremists in these countries. She believes that “democracy weakens the forces of extremism and militancy ... and if extremism and militancy are defeated our planet can avoid the cataclysmic battle the pessimist predicts is inevitable”(ibid:284-285). In the

context of “the global war on terror,” Bhutto urges that the West should not “blame Muslims for problems that have arisen partially from the West’s culpability” and that “the West must open up in considering what steps that can be taken to bridge the chasm between societies and cultures ”(ibid:300-301).

In light of the debates on both sides, this study concludes that if political order, free political participation, choices, transparency, fair justice, accountability, human rights protection, and choices and freedoms can find space in states that consider themselves “Islamic,” then compatibility between their systems and Western democracy could supersede their differences. One may ask why it is necessary for people in the world, in particular in Muslim countries, to seek a democratic system. The popular uprising in 2011 in the Arab world indicates that people simply want to have the option and freedom to choose their leaders through fair election processes and the power to resist tyranny. Islam is a religion that guarantees such tenets, and thus the public has a reference point if they want to claim the right to choose a leader.

Therefore, the study of compatibility with democratic principles in a given context (history, indigenous values, principles, norms) is critical for the long-term sustainability and stability of the political systems of Muslim world. The main question is, therefore: Can we use the governance approach to address these contexts and to consider the compatible elements of Islamic ideologies? Understanding local context and local needs is central to any response to this question.

These cultural- and religious-oriented assertions have some implications for countries of collapsed states such as Somalia—which is an African and a Muslim country. As we will discuss later, Somalia has a strong African culture that often

supersedes religious practices. Clashes between cultural beliefs like clannism and the new competing Islamic ideologies (influenced by Saudi Arabia, Pakistan, Egypt, and Iran), combined with the Western influence, raise the conflict to an unprecedented level. Some might refer to the confrontations in Somalia as “intra-clashes” within a civilization: Hard-line Islamists, claiming divine representation, seek power through coercion instead of popular cooperation, while the rest of the society wants to continue moderate Islamic ways of governance through democratic elections. This prolongs efforts to forge a path to a peaceful state. Political arrangement is thus too complex for a weak or a collapsed state, especially in Africa, where other external factors dominate the national agenda.

Whether the issue is a question of “incompatibility due to colonial influence and interference,” “competing incompatible ideologies and interests,” or “elite and leadership deficiency,” it is clear that most African states are either weak, failing, or completely collapsed. They consequently become illegitimate in the eyes of their own citizens and the international community. The trust in leaders of the state gradually fades away and periodic violence sometimes escalates into full-scale civil war. The following section outlines some of the implications of collapsed states in parts of the world other than Somalia—which we discuss in the final section of this chapter.

4.3 Consequences and Impacts of Collapsed States

In the past six years or so, we have been living in an environment of hatred and divisiveness. We looked at our brothers and killed them in cold blood, we removed our sisters from their hiding places to undo their femininity, we slaughtered our mothers and butchered our fathers ... In the process of cleansing the system, however, we have wronged the great majority of our countrymen. We have sinned both in the sight of man and God. (African Sierra Leone Progress, 1997 cited by Gberie, 2005:204).

As this quote depicts, the consequences of a collapsed state are tremendous, and trying to measure the impact is unjust to the victims of each war. Nevertheless, some effects felt by all within and across borders can be noted. Societies in a collapsing spiral experience an increase in violence in several ways: the deterioration of human security due to violation of human rights; the destruction of public and private property; the control and exploitation of common goods; and the deterioration of the environment. During Mozambique's sixteen-year civil war, for example, 490,000 died from war-related causes; 200,000 children were orphaned or abandoned by adults; over 40% of all health centers were destroyed; and the economic losses totaled \$15 billion, equal to four times the country's 1988 GDP (UN Children's Fund, cited by Carnegie, 1994:20). As Table 4.2 illustrates, most of the civil wars in the 1990s were on the African continent, although not all of them resulted in the collapse of the state.

Table 4.2 Some of Africa's Most Destructive Wars in the 1980s and 1990s

Conflicts	Dates	Estimated Fatalities
Ugandan Civil War and Insurgency	1981-present	100,000 – 500,000
Second Sudan Civil War	1983 – present	500,00 – 1.5 million
Somali Civil War	1988- present	300,000 – 400,000
Sierra Leone Civil War	1991-2002	100,000+
Algeria Civil War	1992- present	1 million
Democratic Republic of Congo (DRC) War	1998 – present	3.5 million

Source: Countries selected from Table 2.1 of Jackson (2006:18) Chapter 2

Besides the indiscriminate killings of hundreds of thousands of civilians (millions in the cases of the DRC and Algeria), state failure causes the displacement of millions of people. In 2000, there were 14 million displaced people in Africa, 11 million of whom were internally displaced (Jackson, 2006:16).

With reference to the social impact of failed states, as Colletta & Cullen (2000) explain, “Unlike interstate conflict that often mobilizes national unity and strengthens social cohesiveness, violent conflict within a state weakens its social fabric. It divides the population by undermining interpersonal and communal trust, destroying the norms and values that underlie cooperation and collective action for the common good” (Colletta & Cullen, 2000:1). These relationships are very difficult to repair but not impossible.

Another outcome of civil war is the emergence of powerful secessionists. While the agenda of warlords might be rent-seeking, the agenda of secessionists is political divorce. Secessionism challenges the question of sovereignty of a nation-state, which

involves remaking the existing territories. Dealing with these groups further prolongs the suffering of the population living in collapsed states.

In addition, the fragmented and diverse background of armed civilians and armed militants—who belong to private business or religious sects, are clan warlords, or have unreliable political alliances—create a predicament for any political dialogue and reconciliation, which are preconditions for a future stable state. The main question to ask is, therefore, how can such difficulties be overcome to re-stabilize and revive the state?

4.4 The Revival of the State: Getting it Right

Reviving a collapsed state is a complex process; however, a collapsed state is not, as Rosberg (2004) argues, “terminal.” Countries that have collapsed and recovered include Lebanon, Nigeria, Tajikistan, Afghanistan, and Sierra Leone. To “get it right” refers to understanding preferred systems, repairing relationships, and ensuring consistency in the commitments, resources, and actions planned for the revival of the state. It also means understanding local challenges and opportunities: Who is doing what? We also must understand the concept of collapsed state in the local context before putting a great deal of effort into state revival. Understanding political systems also requires exposing the limitations of the literature about the state in the context of conflict.

The concept of the state itself is challenged for three main reasons. First, debates on modern theories of the state use “functioning states” as a point of reference, and guiding theories and policies are derived from and limited to these. These theories also have only limited knowledge of the implications—political, economic, and social—of collapsed modern states. Such knowledge would induce scholars to revisit the idea of state autonomy and question the factors that support the stability of the state. Second, the

power struggle between the ousted state actors and the emerging non-state actors often complicates the process of rebuilding the state. These actors might own powerful armed forces (private), have enough financial resources, and be ready to implement any agenda through coercion, intimidation, or dialogue as they deem fit. Third, the political and economic direction of the country is no longer in the hands of the state authorities. Instead non-state actors, in particular powerful religious groups and private businesses, dominate the playing field. As will be explained later, in Somalia, members of these groups often undermine the work of international actors (humanitarian, development, peace brokerage). Given these challenges, and many more, how can a fallen state be revived?

Some scholars recommend that the first step is to complete democratic processes. As Zartman (1995) explains, “the revival of the state may require putting some efforts—sharing power horizontally and vertically, legitimizing the system through free and fair participation (elections), strengthening civil society and decentralization of resources may be cornerstones of this process” (Zartman, 1995:268-272). Timely foreign intervention is also necessary “until local forces can take over the business of putting the state back together” (ibid). This includes peacekeepers, whose mandate is to provide security where peace is possible, and international non-governmental organizations, who deliver humanitarian assistance and development programs until the new state re-assumes these responsibilities. The role of the peacekeepers has been the lifeline for a number of transitional governments, such as Afghanistan and Somalia. This is not a simple task, as agendas and interests of various forces clash, turning any progress into predicament. The experience of Somalia serves as an illustrative example.

Coordinating and harmonizing the enormous and onerous competing interests of internal and external forces is also crucial to this process. For instance, the effort of bringing together the internal armed forces owned by different factions alone may take a great deal of time, but it is necessary to the process. The first symbol of success must be when mediators disarm what nowadays are called “peace spoilers” through dialogue or coercion. Then, they must increase the popularity of the new regime locally and internationally. Therefore, to get the revival of the state right requires answering questions of how a regime can win over the trust of its public and what type of state a society needs. A democratic state seems to be the preferred political system to most countries coming out of conflicts. But in some countries, the competing political forces differ on this issue. For some Muslim countries, like Somali and Afghanistan, the challenge is not “What is the best system for them”; rather it is to find a common ground between those who want to sustain the secular democratic state and those who want to introduce an Islamic state (especially the hard-line Islamists). The search for a compatible state is not limited to countries in the Muslim world.

In addition, many countries (including many African countries) have experimented with democratic governments but failed and reversed the process. Osabu-Kle (2000), in the context of Africa, emphasizes the compatibility of cultures and the importance of the local context for a democratic political development system. He calls for reviving and empowering compatible indigenous structures especially by initiating a “political arrangement with a balance between centralized and decentralized [political systems] a form of consociational arrangement that is inclusive, responsive to the

different aspirations within society, and decentralized enough to enable local participation in indigenous languages” (Osabu-Kle, 2000:102).

The call for “a compatible democracy” is, therefore a sensible approach—one that allows us to examine and understand the cultural reality on the ground or the local context. This thesis argues that we must bring other relevant elements into the formation of the state. We must acknowledge and allow informal local institutions to be part of local governance (traditional institutions, traditional laws, traditional leaders, and religious leaders in internal and external affairs of the nation), and thus to contribute to the state rebuilding process. To put it differently, including non-state actors in social, economic, and political spheres is as critical as coordinating the efforts of the state and foreign actors.

Economic development and political development do intersect. Governance contributes to economic development. Reviving the state in the context of intermediate and long-term outcomes relates to the issue of stimulating economic growth through increased economic diversification, remittance, humanitarian assistance, and development programs. All these contribute to governance in the context of providing material support to rule of law (empowering judiciary, police forces), democratization (preparing elections, public institution building, multiple party systems, census developments), institutional development (constitution making), and equality and justice (human rights, freedoms). Overall, as the following table (4.3) shows, creating seamless coordination of these elements and actors paves the way to strengthen governance.

Table 4.3 Governance Elements and Actors

Process Dimension	Institutional Arenas	Purpose of Rules
Socializing	Civil society	To shape how citizens become aware of and raise issues in public
Aggregating	Political society	To shape how issues are combined into policy by political institutions
Executive	Government	To shape how policies are made by government institutions
Managerial	Bureaucracy	To shape how policies are administered and implemented by public servants
Regulatory	Economic Society	To shape how state and market interact to promote development
Adjudicatory	Judicial system	To shape the setting for resolution of disputes and conflicts

Source: Borrowed from Hyden and colleagues, 2004; Chapter 1 Table 1.3

This table, however, refers to governance in functioning states. This study therefore asks how these dimensions, institutions, and rules benefit a society in a collapsed state in the process of revival. This complex process requires considerable analysis. The methodological approach in the following chapter aims at investigating the role of non-state actors in both replacing and reviving the state.

Chapter 5. Research Methodology: Significant Approach to Policy Research on a Collapsed State

Introduction

This chapter concentrates on the methodological process that guided this dissertation. This process was divided into three steps: designing the dissertation process; collecting, analyzing, and interpreting data; and writing the dissertation.

The principal objective of this exploratory policy research was to study the role of non-state actors (NSA)²¹ in collapsed states and to seek the best approach to return power to a reconstituted state. Somalia was selected as a case study. The current NSA in Somalia are social forces that, at least in principle, have been independent from the control of the state over the past twenty years. These actors filled the economic, political, and social vacuum left behind by the Somali state, which collapsed in 1991 and has not yet been fully revived. In order to understand how a society governs itself in the absence of the state and to anticipate the type of state that a society like Somalia wishes to establish in the near future, this study focused on investigating the role of NSA.

The groundwork for this exploration was laid down through a review of the literature of the state, its collapse, the role of NSA in its absence, and the emergence of informal local governance institutions, in particular, in Somalia from 1991 to the present. As discussed in Chapter 1, prior to research design, secondary materials were collected to review the relevant theories of the state, governance, and its collapse and reconstruction that informed this study. The purpose of reviewing these materials was to understand the

²¹ NSA refers to traditional elders, professionals, elites, non-governmental organizations including women's groups, the private sector, international organizations, and the UN.

general view on failed states in the 21st century, the implications, and the efforts directed towards reconstruction of the state.

With a similar aim, and to put the impact of the state collapse into national and international perspectives, this thesis also reviewed the background of the Somali state, its sovereignty, its people, and its territory. When a state fails and society consequently disintegrates into provinces and communities due to fear of domination, violent attacks, or retaliation for previously committed crimes, a centralized state seems the last option, at least in the short term. That is what has been witnessed in Somalia. Many Somalis preferred federalism or decentralized unitary systems, as will be discussed in Chapter 7, to meet each clan's (regional autonomy) expectations and representation. However, others considered a centralized state with a decentralized policy to be a short-term solution for a disintegrated society. These views and assumptions were taken into account in the preparation of semi-structured questions for three groups representing the general public, NSA, and state actors inside and outside Somalia.²² These groups will be introduced in Chapter 6.

Data Collection

Data was collected in two stages. At the outset, literature and secondary data focusing on literature on failed states were located using resources from various libraries (Carleton University, CIDA-Canada), websites (OECD, UNDP-Somalia), academic journals, local newspapers, official documents, and videos. Literature on the failed state of Somalia was also collected through reviewing Somali local newspaper articles, official documents (from local authorities, NGOs, etc.), videotapes, and radio broadcast; as well as through observing and objectively assessing Somali websites (clan and politically oriented) and

²² Refer to Appendix D

international websites publishing updates on the situation in Somalia. In the second stage, primary data was collected through interviewing participants in Canada and overseas.

Field Work Experience

Field research is the study of people acting in the natural courses of their daily lives. The fieldworker ventures into the worlds of others to learn firsthand about how they live, how they talk and behave, and what captivates and distresses them (Robert Emerson, 2001).

Visiting the field and collecting primary data from participants with first-hand experience of the civil war in Somalia was a valuable and a fundamental aspect of this dissertation. As the above quote explains, “field workers enter the worlds of the people they study instead of bringing those people to a laboratory or asking them to answer a structured interview or questionnaire” (ibid:299).

The research included visiting Puntland, Somalia, and Dubai, the United Arab Emirates (UAE), twice in 2008: from February 25 to March 25; and from August 10 to 28. A series of interviews was conducted during the first visit (with a total of 37 participants). The purpose of the second visit was to attend a conference on the role of the Puntland diaspora in peace and development. Even though the conference was banned by the Puntland regional administration at the last minute, the experience of the second trip provided i) valuable insight into the political development and security dilemmas of one of Somalia’s autonomous regions and ii) a real perspective on the need for a stronger democratic nation-state.

Dubai (UAE): About 98% of Somali import and export passes through or originates from Dubai. Dubai is also the hub for Somali travelers from around the world, since the only international Somali flights leave from Dubai, via Djibouti or directly, to

Somali cities such as Mogadishu, Hargiisa, Barabara, Bosaso, or Galkacyo. The dependency of local Somalis seeking health services, exchanging trade, or traveling through Dubai has increased over the years, mainly because Dubai is one of the few governments that accepts the old Somali passport. Somalis appreciate this gesture and Dubai also benefits from Somali business. Only special UN flights and small cargo private planes fly into Somalia from Nairobi, Kenya. The risk of getting stuck in Somalia was, and continues to be, high since its commercial flights are not very reliable.

The Puntland State: This is one of the relatively peaceful regions in Somalia. This regional administration was established in 1998 and went through a number of “clan-based parliamentary elections,” the last of which was successfully completed in January 8, 2009. Puntland was chosen as research destination for a number of reasons.

First, it is one of the few Somali regions to provide easy and safe arrival and departure. *Second*, it has appropriate regional characteristics and existing institutions. As a region, it is divided into five provinces (Mudug, Nugal, Bari, Sanaag, Sool, and Karkar), of which two (Sool and Sanag) are called disputed areas since both are claimed by Puntland and Somaliland regional administrations. Galkacyo, the capital city of Mudug region, also experienced the civil war, which divided the city into clan lines (North and South). The tension and past violent conflicts between these communities provide insight into how people living in a clan-divided city can co-exist with each other in the absence of the state: understanding the mechanisms for relatively peaceful co-existence in the absence of international intervention necessitates an explanation of the deeply embedded traditional laws and contracts. And *third*, Puntland hosts over 40,000 internally displaced people from the south (23,000 registered by the UNHCR in Bosaso,

the commercial city of Puntland), a number of UN and INGO offices, an active civil society, a very influential private sector, and a, relatively, functioning regional administration (Interview of UNHCR and Puntland officials by the author).

Four major cities were visited in Puntland: Galkacyo, near the border of Puntland and the Galgaduud region of Somalia; Bosasso, the commercial city; Garowe, the capital city of Puntland; and Carmo city, which hosts the Police Academy of Somalia.²³ A planned visit to Somaliland was cancelled due to limited financial resources.

Participants

Criteria was established to identify the characteristics of selected participants for this dissertation, breaking them into five groups discussed above. Thirty-seven participants, including eight women from Puntland and Dubai, were formally interviewed. Informal conversations also took place with about six prominent figures, including a former minister of Puntland Security, the executive director of one of the known civil society organizations in Somalia, and two Somali diplomats. Information was also collected through e-mail communications with the UNDP office in Kenya. In total, about 43 participants were interviewed formally and informally.

Background of participants: These participants were approached because of their diverse backgrounds. The first category was ordinary people (6), some of whom receive support from NSA. The second category included people from civil society groups (19), made up of NGOs that promote human rights (including women's rights), traditional elders (who were active in national and regional issues), and diasporans (who consider themselves diaspora whether they currently live in Somalia, visit, send remittances, or participate in the reconstruction processes). Some of these diasporans live

²³ Thousands of forces from the Traditional government and the Puntland administration are trained here.

in Dubai. Members from the private sector (3)—involved in small businesses within the country, import and export trade, or peace building—were interviewed; as were representatives from the Traditional Federal Government (3) in Dubai, and representatives (7) from the regional government of Puntland. And finally, informal conversations took place with 6 people having insight on a number of critical issues, especially security in Somalia. Three of these visited Ottawa, Canada.

At the outset, it was also important to understand the roles of these participants in the recovery plan of the country. To this end, provided below is a table (5.1) summarizing the contribution of the participants on the local level, the national level, or both. In the context of state recovery, the table answers the question “Who is doing what,” and it locates the contribution of NSA.

Table 5.1 Agencies and their Contribution to Local, National or Both Levels.

Agency	Contribution		
	Local	National	Services / Functions
INGO-UN	✓	✓	Provides basic services; capacity-builds grass roots; protects human rights
Local NGOs	✓		Mainly works on human rights, education, health and food security; some are active at national level
Elders	✓	✓	Works on conflict management, peace-building, and reconciliation at local and national levels
Diaspora	✓	✓	Actively involved in business and national reconciliation (federal and regional)
Private Sector	✓		Contributes to business; indirectly influences or confines reconciliation processes
Federal Gov.		✓	TFG functions are limited to the peace and reconciliation processes; negotiates to develop relationships with regional organizations; does not currently support local governments
Regional Admin.	✓	✓	Administers to region; participates in national reconciliation

The purpose of this table is to capture and identify how representatives of these groups i) interact with each other, ii) serve the public in the absence of the state; iii) assist national institutions to effectively regain their capacity to serve the public, and iv) contribute to the overall state reconstruction processes. It also shows the limitations of non-state and state actors when it comes to contributing to national and local issues. Some have the capacity to contribute to both local and national issues, while others can only afford to contribute to one of the two levels. Assessing the level of their capacities is, therefore, intended to further contribute to understanding the level of NSA-involvement in governance, to formulate Somalia's anticipated future state.

Establishing contacts: The contact list was established through consulting with a number of participants, including expatriates, who were former colleagues. Some of them returned to Somalia more than four years ago to contribute to the revival of the Somali state or to help the suffering communities. I also sought the assistance of my father, who is a retired but a relatively active political participant since the 1940s and was co-chair of the committee of the Somali National Reconciliation conference in Mogadishu in 2007. He assisted in identifying the most informative traditional elders. In addition, I used contacts from past projects with local and international NGOs. Based on the information collected, a list was compiled of the names, addresses and telephone numbers of potential participants.

Selecting and contacting participants: The participants selected and interviewed were between the ages of 18 to 95 years old. Their various backgrounds were identified in terms of education, sex, profession, clan, marriage status, ideology, and region. Gender equality perspective was treated as a cross-cutting factor in this research.

Through professional and personal networks, I identified and established contacts with active individuals, professionals, and elders. Use of the “snowballing” technique led to communication with more participants through the assistance of the pre-selected participants.

Information package for the participants: An information letter, consent form, and semi-structured questions for the interviewees were prepared prior to the field activities. These were approved by the thesis supervisor and the Ethical Committee of Carleton University. The purpose of the letter was to introduce participants to the researcher and the aim of the study. As explained earlier, a *principal objective of this exploratory research* is to study the role of NSA after the collapse of the Somali state in 1990, and to answer the question of how to establish a stable state and return power from NSA to the reconstituted state.

The consent forms were given to each participant to sign before the interviews, at which time they were warned that certain questions could disclose personal information relating to many aspects of the participant’s life, such as age, profession, and experience in the civil war. Participants were brought to understand the psychological implications of these questions: that they may trigger painful memories of their experience during the civil war, including personal injury, loss of loved ones, property, or torture. Participants were reassured that they could decline to answer any of the questions or could withdraw from the agreement to participate at any time during the study by contacting the researcher or the supervisor of the project, and that the data provided would be withdrawn and shredded upon request. They also understood that if they felt uncomfortable during the interview, handwritten notes could be taken instead of

recording or videotaping them. The participants were also informed that all their responses would be confidential, that their names would be concealed unless they agreed to be quoted publicly, and that all the information would be safeguarded.²⁴

The Interview Process

After establishing the initial list of participants, interviews of the participants were scheduled, mainly in Dubai (as Diaspora roles) and Puntland, Somalia. Before leaving for the field, I communicated with a number of the identified participants and reconfirmed their availability and agreement to participate in this study.

Interview settings: During this period, I met with the participants in their offices, homes and, in some cases, on their farms or project sites. Throughout the interviewing process, information and knowledge were gained through observation of the surroundings; listening to the radio/TV news (including radio programs devoted to solely to religious studies—the first of their kind in Somalia); observation of people’s reactions to incidents or events; and engagement in conversations with people from all walks of life to collect data relevant to this study. One interesting dynamic of group discussions was the unplanned forming of group interviews, even though the interviews were scheduled individually. In Somalia, it is culturally acceptable for anyone respected by age or status to join a discussion without invitation; when such individuals showed up without invitation, they were invited to join the discussion. This happened on three occasions, and the additional participant’s profile and role were obtained in that setting.

Interviews: The purpose and the ethical aspects of the research were explained to the participants at the outset. The consent form also confirmed the participant’s right to

²⁴ For more information, refer to the attached information letter – Appendix C.

confidentiality and anonymity. No participant received any remuneration, although it is probable that providing remuneration would have facilitated access to some of the elders. Giving a gift in the form of money or material to elders is an acceptable cultural practice, whether interviewing or just visiting an elder out of courtesy.

Semi-structured questions were prepared for the interviews; however, each set of questions was designed to generate additional information that could form themes for the thesis. Some participants who were interested in certain areas discussed their experiences in depth; other questions did not generate as much discussion. All efforts were made to take notes clearly and objectively, as the participants were not comfortable with being recorded or filmed. The interviews were given in both Somali and English languages, according to the participant's preference.

Meeting structures: The interviews were conducted individually as well as in group settings. All participants' demeanors during the interviews were respectful and friendly, regardless of whether they represented civil society, state authorities, donors, the private sector, or international organizations. After the introduction, all the participants declined to sign the consent forms. While some expressed the belief that the information they would provide would not implicate them in any way, they nonetheless decided to keep their copy of the consent form and not sign it. Others were nervous about signing any forms in general, and requested that they remain anonymous.

Sensitivity of the topic: Early experiences in the interview process prompted modification of some of the questions. Participants became very sensitive when asked for clarifications, such as "Were you there when that happened?" or "Did you know that person? Was he/she a relative?" This line of questioning tended to elicit information in

the context of personal distress, after-effects of the civil war.

It also became clear that broad and open-ended questions were interpreted in various and not always relevant ways, affecting the flow of information. For example, not a single woman participant raised the issue of hard-line Islamists and the impact of their ideologies on individual and community lives—even though these women live under constant threat, a factor relevant to understanding the changing political landscape of Somalia. Participants had to be asked how they perceive the emergence of the hard-line Islamist forces and their vision for Somalia, and whether they feel the Islamic movement would overcome clannism. Participants provided their views after the question was asked directly. This issue is elaborated in proceeding chapters.

Overall, it became apparent that the more trust participants had in me as a researcher (which was aided by the fact that I am from the region), the more apt they were to open up and provide insightful information on the weaknesses of the religious groups, NGOs, local or national authorities, and international organizations.

Note-taking experience: The research plan was to collect data by audio and to videotape interviews. However, while participants agreed to participate in the study, they requested not to be recorded. Therefore, most responses were handwritten, except for two occasions where representatives of one of the NGOs and farming cooperative were interviewed at the sites of their work. I also took personal notes separately, covering personal experiences and observations.

Taking objective and precise notes by hand was a practical solution, given the concern and mistrust of the participants towards Western-trained researchers from abroad. Political sensitivity, fear arising from uncertainty, and insecurity discouraged

any form of video or audio recording or the signing of any forms.

One early challenge was to gauge the interviewees' comfort with note taking. It was made clear to the participants at the beginning that notes had to be taken in order for me to remember all the important points raised during the interview and discussion. Some participants were comfortable with notes being taken while they were speaking, as I was able to take notes while making eye contact and engaging in the flow of the conversation. The discussions continued whether notes were been taken or not. However, some participants felt that their points were not being validated—that they were not important or were not as important as those of other participants—if every word they said was not written down. This raised the possibility that some people might take offense and, in response, either politely sum up their responses or cut them short. I solved this challenge by informing participants at the outset that if notes were not being taken this did not mean that a contribution was unimportant. The participants were reassured that their points would be written down later while the discussion was still fresh in my mind.

Duration of the interviews: Although the planned length of time for interviews was one to one-and-a-half hours maximum, the average interview took three hours. The exceptions to this were two interviews that took one hour each. The longest interview took four hours.

Data Analysis and Interpretation:

Following the field work, analysis and interpretation of the interview findings and material review began. Thematic outcomes were identified and converted to a readable format. During data analysis, the theoretical approaches and methods that informed this

study, as well as the objectives of its design, were revisited.

Ethical consideration: The integrity of the research was safeguarded by following the guidelines of the ethical committee, and ensuring the validity and reliability of the data interpretation, the anonymity of the participants, and the confidentiality of their responses.

Challenges from the Field: Gender Perspective

Access to elders: The fieldwork visits coincided with an extremely tense period for the elders in Puntland, due to deteriorating security. It was the first time in recent years that Puntland was rated level 5, the highest insecurity rating,²⁵ by the international community. Traveling in Puntland, especially in the far south, was also not safe. For weeks it seemed it would be impossible to secure interviews with known traditional elders. On a number of occasions, appointments made were cancelled due to emergencies. A request to observe a Council of Elders meeting was denied due to the sensitivity of the issue under discussion; however, it was difficult to know whether this was an issue of gender or politics. Men in that region are very conservative, and for a woman to participate or even observe an elders' gathering is almost unheard of. But it is also true that emergencies arising from insecurity may have determined their denial. In the end, interviews were finally obtained with two traditional elders

Imposition of Arab dress codes: Personal threats were also a challenge during the field work in Puntland, Somalia. Since the collapse of the state in 1991, Somali women's dress code has completely been undermined by the dress code of Arab women, introduced by Wahabist groups receiving funds from Arab countries. It is very rare in any part of Somalia now to see women wearing beautiful traditional dresses, especially in

²⁵ The most dangerous place in Somalia, Mogadishu became level 4 at that time.

the regions visited for this research. Although I wore a Somali dress with long sleeves, a headscarf, and shawl, my Somali companions, in particular the security guards, requested I cover my neck with the traditional shawl, even though my head was covered with a headscarf worn in Somali style. To avoid any unnecessary attacks, I followed this advice of my team. While the threat was very real, on only one occasion did a man politely request I wear the Arabic Hijab in order to strengthen the “religion,” as he put it. It appears that the most modest Somali shawl was not good enough for promoters of the “new Arabized Islamism—Wahabism ideology—taking place in Somalia like wild fire as in many other Muslim countries around the world.”²⁶

Denial of participation in International Women’s Day: International Women’s Day took place during research fieldwork in Garowe, the capital city of Puntland, on March 8, 2008. The purpose of this visit was to celebrate with the women in the city for this important day and meet women of all walks of life to get a sense of their changing world. Garowe in the past had been a city that celebrated this event every year. Unfortunately, on the morning of March 8, 2008, women were threatened by young men representing unknown religious sects to stay in their homes, prohibiting them from celebrating. One woman from the city stated that during “the Friday prayers in Mosques, men were warned to keep their wives and daughters in their homes.” During the celebration, a number of brave women who came out briefly were directly threatened: young men with guns surrounded them and ordered them to go back to their homes. It later came to light that all women’s groups, women NGOs, and women from the Ministry of Family Affairs and Development agreed to stay away to avoid violent attacks—which would lead to a deadly and chaotic situation for a fragile state. Even though BBC Somali

²⁶ For more examples, see Bhutto’s (2008) book “Reconciliation.”

language covered the incident, the local authorities downplayed the impact of these threats to women's hard won basic human rights.

Time Constraints

While the research plan was to visit Kenya, New York, United Arab Emirates, and Somalia (in particular Puntland and Somaliland), the field work of this dissertation was limited to ten weeks. Due to a combination of a lack of funding and time, as well as security constraints, the fieldwork was limited to visiting the United Arab Emirates and the Puntland State of Somalia twice. In addition, the Somali situation changes from day to day due to piracy attacks, the flow of refugees, and the fragmentation of groups into smaller and more severe groups, such as the military wing of Islamists—known as Al-shabab—and Hisbul Islam. Keeping track of this changing situation in Somalia was challenging and time consuming. What was relevant yesterday may change today, and this meant reviewing how these changes affected previous analysis. Following-up and updating changes, especially in the political development of Somalia, has been a constant research task. Chapter 6 explains how understanding these dynamics and locating the contributions of NSA in the social, economic, and political spheres through local governance in Somalia over the past twenty years might shed light on alternative approaches that could expedite the revival of a stable state in Somalia.

Chapter 6. Local Governance at the Disposal of Non-state Actors: Introduction, Analysis, and Interpretation of Data from the Field

In spite of the progression of the chaos and the humanitarian crisis in Somalia over the past twenty years, there have also been some significant developments in the social, economic and political sectors. As this thesis argues, some of these achievements can be attributed to non-state actors utilizing local informal and formal institutions to fill the vacuum left behind by the collapsed modern state. Therefore the solution to the problem of state return lies with the collaboration of the actors who inherited its role. As mentioned before, local governance perspectives offer some explanation to the Somali state collapse, but they do not necessarily explain adequately the extent of the role that non-state actors played during the absence of the state. The argument here is that the more non-state actors can access and utilize local institutions to fulfill the needs of the public, the more they can improve local governance from bottom up. It is through the support of such actors utilizing local institutions that stable regional administrations of Somaliland in 1991 and Puntland in 1998, and later the three fragile Transitional Federal Governments (2000, 2004, 2009 - present) emerged. This process could ultimately pave the way for the rebuilding of the Somali state.

To address the way forward for state rebuilding, it was important for this study to understand the capacity of non-state actors in planning and delivering better programs in their respective areas. While non-state actors play an important role in providing services to the public; they become obstacles when it comes to the reconstruction of the state. Therefore it is crucial to understand their roles in order to find alternative ways of bringing them on board in state building. It was within this context that the 43 interviews

of this study took place. Thirty-seven of these interviews were randomly selected from the following broad groups.

Group one represents participants from the general public. **Group two** represents non-state actors that comprise i) local non-state actors (civil society organizations, cooperatives, elders, media, and the private sector); and ii) external non-state actors (UN agencies and international non-governmental organizations). The research focuses on their services to, their connection with, and their disconnection from the community. **Group three** represents the state authorities of Puntland region and the Transitional Federal Government. As Table 6.1 shows, in total these make up eight sub-groups.

Table 6.1 Breakdown of the Participants by Category

Ordinary citizens	6
Internal non-state actors: civil society/NGOs, elders/cooperatives	13
Diaspora	3
Media	1
Private sector	3
INGOs/UN	7
Federal government	3
Regional administration	7
Total	37

The participants were asked five sets of pre-structured open-ended questions²⁷ to locate the contributions of non-state actors to nation-state building.

The first set of questions targeted six members from the general public whose perception ultimately confirms the legitimacy of the functions of non-state actors. Six

²⁷ See Appendix D for these questions.

participants from all walks of life were interviewed, and the perceptions of many more were observed in casual conversations with community members. The questions of this section covered areas relating to individual experiences and challenges. Such areas include the impact of the civil war at the personal level, the perception of the role of non-state actors, and their vision for the future of local and external non-state actors. These questions brought to light not only the living conditions of most Somalis, but also the coping mechanisms that are important to their survival. The study also assessed the extent to which existing formal and informal governance structures and institutions make a difference to the lives of the general public, which is trying to survive in volatile and daunting environment. In the process, the study learned much from the experience of the participants.

The second set of questions targeted the roles of 21 local non-state actors and sought their views about the structure and functions of their institutions, their services to the public, and their roles in state resuscitation. Since this study cannot cover all these broad areas, it focused on the social, economic, and political spheres. In the social sector, it focused on the role of non-state actors in the education sector and food security. The participants from the public also expressed their opinion about the roles of civil society and the private sector in education sector and food security. In the private sector, two groups were interviewed: the first involved in the imports and export, trade; the second involved in the water supply business.

The third set of questions focused on the roles of 7 external non-state actors in social, economic, and political developments of Somalia. The study assessed the assumption that these agencies freely work in the country without being accountable to

either Somalis or to their donors. Many donors channel their humanitarian and development aid through regional and multilateral agencies such as UN agencies and INGOs instead of the government systems. The main questions asked included their experience working in Somalia, level of services, utilization of local institutions, and perception of local institutions in relation to their service delivery, security, and protection. It was important to understand their roles in peace and nation-state building.

The fourth set of questions sought the views of state actors in nation-state building. For this reason, 10 representatives from the regional administration of Puntland and the Federal Transitional Government (TFG) were interviewed. The questions asked covered areas that relate to the challenges within regional and TFG states. They also address their roles and relationships with local institutions and with non-state actors. The legitimacy of these representatives in the eyes of the public further enhanced our understanding of their position in society. Obtaining the views of state representatives about the roles of non-state actors, in general, and their future positions in a resuscitated state brought new perspectives to this study. Given the absence of a functioning central state, it is imperative to assess the role and impact of social capital in the social, political and economic spheres.

The fifth set of questions, therefore, examined social capital in the context of Somalia as a cross-cutting factor that contributes to or constrains local governance in terms of delivery of basic needs, protection of human rights, economic development, peace building, and the resuscitation of the state. Some effort was also made to understand other issues the participants raised during the interviews. These relate to Somalia's relationship with African and Arab neighbours, the importance of its

geopolitical location in terms of military, commerce, and competing ideologies (democratization and the revival of Islamic movement). These issues also enriched the final analysis presented in Chapter 7.

The main questions were as follows: To what extent can social capital, in the context of local governance, explain the dynamics of the activities of its intertwined stakeholders? How do these interactions of stakeholders of social capital affect local governance institutions? Can these predict the extent that their roles would contribute to or constrain the resuscitation of the state? Sub-questions included the following:

(A) How does the public perceive the roles of non-state actors in the absence of a functioning Somalia state? Experiences were drawn from participants who either access goods and services from non-state actors or aware of the work of the latter;

(B) The non-state actors' own views about their roles in the society and to what extent their various services fulfill the needs of the public were also analyzed. Their level of involvement was measured against four principles: i) their capacity to deliver services and humanitarian and development aid directly to the public in the absence of the state; ii) their relationships and interactions with each other and with society and the state authorities; iii) their assistance to local institutions to effectively function and serve the public, and iv) their contributions to the reconstruction of the state.

The theory of governance in the context of non-state actors, social capital, and decentralization guided the analysis of these findings. In light of these principles, Chapter 6 is structured into two main sections. **Section 1** introduces the background and lines of work of the participants. For the purpose of this study, all the names of the participants are concealed to protect their identities. Those who were comfortable to be

quoted, with their consent, were quoted, but others were given pseudonyms. **Section 2** presents the finding and themes that emerged from the interviews. Non-state actors and their contributions are at the center of this analysis.

6.1 Introduction: The Background of the Participants of the Research

I. Group one: Participants from the public

Of the participants interviewed, six were randomly selected (three men and three women) representing Somalis from all walks of life. They were between the ages of 22 and 49 years old. Five out of these six participants had escaped from the chaos in the south. They settled in Puntland at different times. The following presents the background of the individual participants from the public.

1. Mohamed Adan is a 22-year-old man from Baidao city (1,094 km from Bosasso) in southern Somalia. He earns his living by collecting and selling hundreds of traditional toothbrushes, 6-7 feet long each, at least 150 km outside Bosasso, the commercial city of Puntland, Somalia. Three days a week, Mohamed walks the six hours out of Bosasso city, since he cannot afford to pay the transportation costs. Sometimes he gets a free ride when he is close to the main road. It is in this way that I met Mohamed on hot sunny day (40 Celsius) around noon on the road two hours outside Bosasso. He proudly agreed to an interview. On good days, Mohamed makes 16,000 to 24,000 Somali Shillings (US\$1.00 to US\$1.50 maximum) per day selling toothbrushes. This income not only helps him to meet his basic needs, but also gives him the opportunity to send money to his family back in Baidao. Mohamed is an inspiring and hard-working young man. He represents thousands of Somali youth, deprived of opportunities to attend school, or at least be with their families, by the civil war and the ensuing anarchy. The fact that he

came to Bosasso when he was only 17 years old makes his survival in this big city, without support or family, unique. Mohamed receives no remittance or benefits from non-state actors, even though this would have helped him. As the oldest brother of the family, Mohamed feels responsible for the future of his seven siblings and mother and worries about their security. At present, Mohamed depends on his own personal skills and wit. As he puts it, “The peace in Bosasso and the hospitality of its people allow me to work here without being afraid of anybody.”

2. Fadumo Farah is a 29-year-old mother of three children under the age of 15 (son 12, daughters 13 and 14). Before she sought refuge in Bosasso, Puntland, Ms. Farah lost her husband in the conflict of Mogadishu. Like Mohamed, she is one of the thousands of internally displaced people (IDP) from the south, especially the Afgoye city (1,111km from Bosasso city) who live in Puntland. Ms. Farah also arrived in Bosasso in 2004. Ms. Farah, as the head of household and a single mother, earns her living as a maid to a number of homes. The income she earns from this job does not cover half of the needs of her family. Ms. Farah lives in IDP camps, where she receives some financial and food ration from the UN’s High Commission for Refugees (UNHCR) and through the World Food program. Her children do not go to formal school. Ms. Farah’s experience represents that of thousands of Somalis uprooted by the prolonged violence in the south. Internally displaced women like Ms. Farah and her daughters face challenges that are distinct from those of men in their position, as will be discussed in section two of this chapter.

3. Farhio Ali is a 37-year-old single mother of five young children, the oldest of whom is 12 years old. Ms. Ali also moved from Mogadishu with her mother and six

siblings. Their father died on the way to Bosasso from Mogadishu due to high blood pressure. Over the past eight years, different INGOs and UN agencies employed Ms. Ali as a financial controller. Along with high school graduation, Ms. Ali also completed a number of certificate courses in Bosasso, including financial management. Ms. Ali's children go to private schools. This service helps Ms. Ali to work during normal hours of the day. However, one third of her income goes to the children's schooling. She also pays the education of two of her brothers, studying in a university in India. As she put it, she is "one of the lucky ones who live in her own house. This makes [my] income more sufficient." But due to high insecurity in the region, all the INGOs transferred their non-Somali staff back to Kenya. Ms. Ali and her team were eventually laid off since the organization she had been working for years decided not to renew the projects in Somalia. As she puts it, "Even though they pay better than local NGOs, the INGO's jobs have no long-term commitments or benefits as a local staff; so this is expected." Ms. Ali's experiences as a young girl, losing her father when fleeing from the war, would resonate with many Somali mothers. She is also a symbol of today's Somali women who are raising children while working in unstable and insecure INGO jobs.

4. Ahmed-Amin Hassan is a team leader for a group of construction workers in Bosasso area. Mr. Hassan, a 30-year-old man, came to Bosasso in 2003 when he could no longer bear the violence in the city of Jowhar, 1,030 km from Bosasso. Mr. Hassan had never done construction work before coming to Bosasso. He learned this work by becoming a helping hand for supervisors and engineers, building numerous houses in the area. Real estate construction is a booming business in Somalia, in particular, the regions of Puntland. This business creates jobs for many young men who migrate from southern

Somalia. It is interesting to note that 80% of the construction workers are young men displaced by the violence in the south. People in the community trusted Mr. Hassan enough to ask him to supervise his team members, who are younger than him. Mr. Hassan's experience opens a whole new debate about the survival of the displaced people, the rights and security of Somalia's minorities, and their interaction with the communities in the region.

5. Cali Ayanle is a 28-year-old man who has been unemployed since he graduated from high school nine years ago. Mr. Ayanle lives with his parents, a very common practice in Somalia where young men can live in their parents' homes until they get married. We interviewed Mr. Ayanle for a couple of reasons. First he represents many young Somalis who feel helpless about their future. His parents are very poor and could not afford to send him to a private institution or university to learn new skills. Out of frustration, Mr. Ayanle joined thousands of Somali young men and women addicted to chewing khat to pass time. Khat is a socially accepted leaf from *Celastraceae* plants. These leaves stimulate the mind and produce a state of euphoria. Chewing khat by young and old is a widespread social problem, one that affects family relationships, incomes, and the economy of the country.²⁸ Since Mr. Ayanle does not work, he has no choice but to beg for and sometimes fight with his parents for khat money every day. As he said, "I either have to join gangs and drug dealers or they [his parents] have to cover my daily khat." Khat costs 10,000 to 30,000 Somali shilling per day. This cost is equivalent to the cost of living of a poor family of three people over two days in Bosasso. Mr. Ayanle does not seem to care about the burden his need for this money places on his parents. His position represents the conditions that many youth in the region face every day: no jobs

²⁸ For more details see Salah, E. 1999.

and no future. The rehabilitation of the addicted youth will be a huge cost for the future government of Somalia, and is an area that requires more research.

6. Xaliimo Warsame is a 27-year-old woman in Galkacyo, Somalia. She lives with her husband and two young daughters, who study in an elementary school run by a local NGO known as Galkacyo Education Centre for Peace and Development (GECPE). Her husband sells petty stuff and barely makes any income. Ms. Warsame represents many poor families in Somalia who are struggling to survive. Ms. Warsame never went to school before she joined the GECPE as a beneficiary five years ago. She is trained to sew school uniforms, bags and other crafted material. Through the work of the GECPE, she has some income now. One of the mandates of the GECPE is to fight against female genital mutilation (FGM), a harmful practice that girls are subjected to between 6 to 9 years of age, often facilitated through their mothers. Ms. Warsame's daughters were saved from this practice through the education she gained from the GECPE. Her experience sheds light on the roles of some local non-state actors and the real differences they make in the lives of many poor families. The perceptions of these families matter in social, economic, and political situations in Somalia, even though they are treated as recipients.

II. Group two: Representatives of non-state actors

Twenty-eight individuals representing non-state actors were interviewed for this study. These comprised local non-state actors (21) and external non-state actors (7).

A. Local non-state actors

The local non-state actor participants can be broken into civil society groups, media, and the private sector. In the civil society group we interviewed 12 people from local NGOs,

four from farming cooperative, three elders, four diaspora members and two media persons. Three from the private sector were also interviewed. It is very common to interview one person wearing different hats (diaspora, businessman, head of civil society organization etc.). Since these individuals represent the vision and mandate of their organizations, we introduce a brief background of the participants and focus more on their organizations' functions. Following is the introduction of these NGOs, and beneficiaries.

i) NGOS

Galkayo Education Centre for Peace and Development (GECPE): GECPE is a women's center in Galkacyo, Puntland, Somalia. Galkacyo is located in Central Somalia, at the border of Puntland and Southern Somalia. The Centre was established in 1999. It is pioneered by a team of women professionals spearheaded by Ms. Hawa Adan Mohamed, a Mogadishu resident who was originally from Puntland. I also interviewed Amina Ali, one of the teachers, informally, and visited a number of classrooms to witness the work of the organization.

Ms. Mohamed and Ms. Ali and their families were displaced by the civil war that affected Mogadishu residents. Before Ms. Mohamed came to Galkacyo, she established a similar school in Kismayo City, located in Southern Somalia. After non-stop violent conflict and life threatening attacks of warlords from other clans who were fighting over the control of the city, she decided to leave the school behind. This school was educating over 500 girls and women for free before the militias took over the city. As Ms. Mohamed put it, "I pleaded with them not to destroy the school when they took over the city." The school collapsed after Ms. Mohamed and her family moved to Galkacyo,

another city prone to conflict. However, this experience did not discourage Ms. Mohamed's strong commitment to educate young Somali girls and women regardless of clan or economic class. This explains why her work is internationally recognized: Ms. Mohamed was nominated for and later won the prestigious 2008 Roger N. Baldwin Medal of Liberty Award for international human rights defenders. Ms. Maureen Byrnes, Executive Director of Human Rights First, spoke of her:

Hawa Aden Mohamed has provided education and other assistance to tens of thousands of women and girls in a country ruptured by violence and chaos. The world may have forgotten about the crisis in Somalia, but Ms. Mohamed has never stopped working to assist the most vulnerable (Human Rights First Press Release April 8, 2008 www.humanrightsfirst.org).

The GECPE has a dual mandate: “to strengthen women’s capacities to seek, defend, and advocate for their fundamental rights in all spheres of life” and to “promote education for girls, women, youth and the community at large for social reconstruction and peaceful rebuilding of the Somali state.” The centre’s work is discussed in the second section of this chapter. This is not the only women’s-led organization that makes a difference to Somali peoples’ lives, especially women and girls.

We Are Women Activists Network (WAWA): Two participants from WAWA, an NGO coalition or a network of 34 local organizations and with 24 affiliates across Somalia were interviewed for this research. Member organizations include Horn Relief, Dr. Ismail Jimale Human Rights, Somali Women Concern, Galkayo Education Centre for Peace and Development, and Women and Child Care. The organization’s mandate is to focus on civic education, peace-building, and human rights protection through awareness campaigns. The organization also distributes funds to member organizations. The

beneficiaries include internally displaced people around the city of Bosasso, estimated by the UNHCR to be over 23, 000 people from the south living at least in 23 camps.

Ms. Hawo Jama, Executive Director of WAWA, is a certified teacher who graduated from the Lafole University (Somali National Teachers Training University). Ms. Khadra Mohamed is the Program Coordinator. Both of them were also displaced from Mogadishu, but melted into their sub-clans' pot as descendants of Puntland. It was easier for them to integrate within their own people. Like so many other members of particular clans, Ms. Jama and Ms. Mohamed and some of the staff members of WAWA lost everything when they were displaced from Mogadishu to Bosasso. The main challenge of the organization is to protect the rights of minorities and displaced women and girls in the region. WAWA documented and reported a higher increase in gender-based violence, rape, and attack on young girls—as young as seven years—particularly girls living in camps. To be effective, WAWA has to work with various institutions in the region. They work with elders, the regional state authorities, and external non-state actors such as the UNCHR. These relationships shed light on the practical aspects and limitations of the work of local organizations, especially those who defend human rights.

Puntland Development and Research Center (PDRC): Interviews were held with two staff from the PDRC: Mr. Bashir Ali, a researcher, and Ms. Amina Ahmed, a gender specialist. Mr. Bashir, in his late thirties, was displaced from Mogadishu and his university education disrupted by the civil war . Ms. Amina, who is in her late twenties, grew up in Puntland. She witnesses the suffering of many poor families, especially women, through the work of the PDRC. PDRC is a successor body of former War-torn Societies Project International (WSPI), a UN-funded project that operated in Puntland

from 1997–1999. In October 30, 1999, PDRC was transformed into a local non-governmental organization (LNGO) governed by a board of directors of seven members (five men and two women). According to PDRC documents, their mission is twofold: i) to participate, as an actor and beneficiary, in peace building and reconstruction of Somalia, and ii) to contribute to the creation of a democratic system of government, economic and social development, and respect of human rights for all based on equality of all citizens. The PDRC provides various trainings programs, including training judges, and produces situation analysis reports commissioned by various donors such as the World Bank and the UNDP. For instance, in 2004, the PDRC produced a Socio-economic Assessment on Puntland and conducted a Conflict Analysis Framework (CAF) study funded by the agencies. It also mapped out the non-state actors in the region. The capacity building functions of PDRC reveal the role of NGOs in improving governance.

ii) Farming Cooperatives

Garowe Farmers Cooperative (GFC): Four members from the Garowe Farmers Cooperative (GFC) were also interviewed: Mr. Ciise, chair of the Cooperative, Mr. Shaaciye, his vice chair, and Mr. Hassan and Mr. Samatar, who are co-op members. They are men between the ages of 40 to 50 who have extensive experience in farming. They manage 15 farms that cover about 110 square km. Some families own 10 to 50 hectors, while others own farms that cover around 100 to 200 hectares. Most of these farms (11) depend on rainy seasons and four depend on both the rainy season and irrigation. Farming in Puntland is very challenging because of unreliable rainfall, salt in the soil, and the migration of young people to the big cities away from draught and unemployment.

However, the same challenges served to compel this farming community to stick together to address their common difficulties. They established this cooperative in 1996.

Today, GFC is one of the cooperatives to receive multiple supports from INGOs and UN agencies. For instance, since 1998, the International Red Cross has provided seeds every season. It also provided 30 motors for pumping water to farms. In the same year (1998), the UNDP provided equipment, including 300 water-pumping generators. The GFC also received thirteen-day training on quality farming and marketing. Care International (1998-2004) provided 150 motors and constructed 150 wells in the area. The European Committee for Agriculture and Training (CEFA), an Italian organization, started supporting GFC in 2006. Its funded activities include the rehabilitation of 43 wells in at least six districts and various training programs on farming skills, diversification, and planting of fruit trees and vegetables. Since this study is interested in the processes, relationships, and sharing in conflict resolutions, it examines the relationship between the cooperative and donors. The findings of these interviews are discussed in section two of this chapter.

iii) Elders

Three elders were also interviewed as members of Somali civil society. One fact that most of people agree on and support is the undeniable roles of the elders in every community. As discussed earlier, a person (older man) can be considered an elder if he i) inherits the honourable titles equivalent to King, Sultan (boqor, Suldan, Beeldaje, Ugaas, Malaaq, duub etc.) or is nominated by his clan; ii) is a person who gains the title “Nabadoon” or “Peace seeker” through his voluntary services; and iii) is a privileged person who, due to age and reputation, is respected. This final group does not bear any

title, but can be addressed as Mr. or “Honourable.” The three participants interviewed qualified to be elders. The first participant is the Late Suldan Esse Hassan Omar, who represents the first category. The other two elders, Mr. M. Ladane and Mr. A. Mahdi, represent the third category. However, at community meetings, all elders carry the same weight since they represent their own sub-clans.

Late Sultan Esse Hassan Omar was a middle-age businessman who gained the title with the blessing of his sub-clan, even though the clan has a traditional elder who inherited the title by centuries old lineages. Sultan Esse represents the transformation occurring in Somalia’s traditional structures and institutions arising from various pressures, such as the increasing population, competing sub-clan interests, and higher expectations and demands of clan members. As discussed in the previous chapter, this transformation is affecting traditional institutions. This study is interested in the various roles of elders in this volatile situation. Sultan Esse was gunned down some time after the interview by unknown assassins in front of his house, on December 21, 2010. Though killing of innocent people has been increasing in Somalia, the killing of an elder is a new thing, and one that shakes the core of the traditional institutions. His views on Somalia’s future and the role of elders’ in it enriched this study.

Mohamed Salah Ladane is the second elder interviewed. Mr. Ladane, a 95-year-old man, actively participated in Somalia’s fight against the colonial powers from the 1940s to independence in 1960 as a member of the Somali Youth League (SYL). This was the political organization that led Somalia to its independence. Mr. Ladane and his family survived the chaos in Mogadishu, even when opposition groups targeted all the members of his clan (Darood). As he recalls, the “atrocities were unbelievable,” and he

and his family were lucky that the United Somali Congress (USC)—the armed opposition that overthrew the former government leaders - respected him as a national symbol and decided to protect him for the first six months of the war. He left the country in 1992, when the USC forces turned their guns against themselves. After being a refugee in different countries over the past 17 years (Egypt for ten, and the USA for seven), Mr. Ladane and his wife moved to Bosasso city in 2008, since he could not return to Mogadishu, his home for the previous 60 years. He has subsequently abandoned his property. Saddened by the situation, he stated: “The sad part of my longevity is to witness the destruction of the country and the freedom that we fought for so hard.” Mr. Ladane is active in Somalia’s peace and reconciliation efforts. He was invited to co-chair the last Somali National Reconciliation Conference held in Mogadishu in April 2007. He accepted the invitation, even though going to Mogadishu was a very high risk decision. For 45 days, the opposition forces attacked the conference premises with motor shells and anti-aircrafts. The aim of the conference was to save the country, and the outcome will be discussed in the next section.

Mr. A. Mahdi is the third participant interviewed. He is an elder in his early 70s, a politician (the youngest parliamentarian in 1964), and a successful businessman since the 1970s. At the time of the interview, Mr. Mahdi resided in Dubai, the hub for Somalis around the world. Mr. Mahdi briefly became an interim president of Somalia in 1991-1993, the outcome of a national conference that took place in Djibouti in 1991. He stepped down from that position in 1993 during the conference held in Addis Ababa to allow Somalis the opportunity to choose a leader. Mr. Mahdi is also an influential clan elder and a leader of the USC. When the USC disintegrated into two wings, Mr. Mahdi

led one group, and his rival group was led by M. Farah Aidid. The two groups fought over power and the control of Mogadishu in 1992-1994. This fighting within the same clan changed the political landscape of Somalia and symbolizes the death of clan and kinship ties, as both sides lost thousands of the members of their sub-clans and supporters. Mr. Mahdi later became a parliamentarian of the Transitional National Government of 2000 and chaired the last National Reconciliation Conference held in Mogadishu in 2007. The reconciliation process, outcome, and the conference recommendations shed new light on the direction of Somalia's nation-state building.

These three elders responded to questions on various issues, including the transformation of the elders' roles, how they view the "decentralization of the elder's power," clan relationships, the relationship of elders with other non-state actors such as civil society organizations, the role of the private businesses, INGOs, and the UN and its contributions to peace and reconciliation processes and nation-state building.

iv) Media

The involvement of the media brings a new dimension to Somalia's progress and challenges. The media has a strong relationship with the public and, due to its uncensored nature, influences all spheres of life. It also feeds the public information and awareness in the rebuilding of Somalia. Recognizing the importance of the media, this study observed and assessed the programs of a number of radio and local television stations in relation to Somalia's social, economic, and political dilemma. Furthermore, an interview was obtained from A.M. Mohamud, a broadcaster of SBC TV and Radio in Bosaso city. The issues covered by the radio and the TV networks are very broad and random, like any other media. These include regular news, social affairs, peace, human

rights, government briefings, business, youth programs, and issues relating to internally displaced people and world issues. Mr. Mohamud is a man in his early 30s. He obtained his journalistic experience in Somalia. Although he finds his job as a TV reporter/anchor interesting, Mohamud, like many Somali reporters, finds that the difficulties lay not only in having a job that pays dismally (US\$50 per month), but also in the fear and distress associated with reporting on sensitive issue. These include exposing corruption in the ranks of the government or illegal activities of powerful businessmen close to the government, and dealing with the consequences—imprisonment, threat, and even murder. Reporters in Puntland are not exempt, even though this region is relatively peaceful.

Mr. Mohamud also represents a number of Somalis whose ambition is to leave Somalia for the West. All his effort goes into look for a way to get to the USA, where his older brothers live. His plan is to improve his journalism work and find a better paid career in the future. His interview shed light on a number of issues: i) the level of freedom that the media in Somalia has, in particular reporters in Puntland; ii) how journalists cope with this uncertain period; and iii) the brain drain in Somalia, where almost everyone is searching for a way to leave the country. While Mr. Mohamud is not alone in this final point, the difference is that he is an experienced young man living in a relatively peaceful region with promising job opportunities—and yet he still intends to leave the country. This raises a major concern in a country trying to put the state back together, which needs a strong labor force. The main question is, therefore, how young professionals can be encouraged to remain in the country while recruiting more from the outside world.

v) Diaspora

Three members from the Somali diaspora were also interviewed. According to a UN report (March 2009) entitled “Somalia’s missing million: The Somali Diaspora and Its Role in Development,” 14% of Somalia’s population live outside the country. Most of these people live in the Horn of Africa, Yemen, the Gulf States, Western Europe, and North America. The remittances that diasporans send to Somalia were estimated at \$1 billion in 2004, but could be as high as \$1.6 billion. Remittances represent 23% of gross national product (UNDP, 2009).

In addition, Somalia lost almost all of its labor force, including professionals and technocrats, to brain drain. There is a growing recognition in the international community of the importance of the role of diasporas roles in peace and development. It also recognized the necessity of encouraging some sections of the diaspora to return to participate in rebuilding the country. As discussed in the next section, an initiative called IOM-Quest Program in made up of a partnership of the International Organization for Migration (IOM) and the United Nations Development Program (UNDP). The partnership is committed to bringing Qualified Expatriate Somali Technical Service (QUESTS) back to Somalia to contribute to the rebuilding of the main institutions of the country. To understand the roles of the diaspora, we interviewed the following participants, who live in Somalia and overseas.

The first participant was M. Barre: He is a returnee from Bulgaria. Mr. Barre was a vice minister who held various posts—planning, finance, and agriculture—under the military government. Now, Barre is a freelance consultant, policy analyst, and

advisor on the environment for the Puntland State. His current role is to harmonize various policies—such as water, livestock, mineral resources, marines, rangeland, and wild life—in the context of environmental sustainability. As he puts it, “the main challenge is to work on how the environment fits the culture and tradition of Puntland,” and “this itself becomes political at many levels.” Besides being a consultant, Barre is also an active Puntlander who has extensive knowledge of the land, people, and the government. His perspective on local institutions, elders’ roles, and civil society organizations in the region and public institutions was valuable. His interview underscores the gradual involvement of the diaspora in nation-building and in moving Puntland institutions and agencies toward better governance—as long as the region maintains peace and security.

The second participant was Dr. A. Warsame: Warsame was originally contacted at the Puntland Business College, in Bosasso city. He is a Norwegian citizen of Somali origin and also represents those diasporans who came back to Somalia to contribute to the field of education. Mr. Warsame came through the Quest Program, a UN-funded program encouraging the diaspora to return to Somalia by using attractive incentives.²⁹ This program is explained later as a part of the international community’s support of state rebuilding. Warsame completed his Ph.D. in Malaysia in 2006. His thesis, entitled “Capacity Enhancement of Indigenous Qur’anic Schools in Somalia: An Alternative Model to Deliver Basic Formal Education,” suggests a process of reforming the traditional ways of delivering informal basic education to children under ten years old in Qur’anic schools. Qur’anic schools are informal private schools accessible to everyone in rural and urban communities. Children between the ages of 6-12 attend these

²⁹ See IOM-Quest Program at www.quests-mida.org.

schools to learn writing, reading, and to memorize the Holy Qur'an. They also attend formal schooling. Warsame argues, "The Qur'anic school system in Somalia is one of the most culturally embedded, but least understood institutions that touch the lives of most Somalis" (Warsame, 2004:5). Before committing to reforming Qur'anic schools, Warsame was also active in supporting higher education institutions. For instance, he fundraised for East Africa University, raising US\$200,000 as a part of institution building, and he sat on the board of Puntland College, where he also took on the responsibilities of public relations, connecting the college with other universities for distance learning programs. Mr. Warsame shared his views about local institutions, processes, and outcomes in the context of governance in the social sector.

The third participant was Y. A. Abdullahi. Mr. Abdullahi has already been introduced within the private sector group. He fits in both categories in his background and business. Abdulahi's challenge is quite distinct from those of diaspora members who moved or work in Somalia directly. His situation discouraged him from moving back. As we will discuss in the next section, diaspora returnees and hopefuls find there are many challenges waiting for them, especially when they try to join local communities. Often, negative perceptions are associated with the diaspora. Some of the state officials and civil society representatives interviewed expressed resentment toward diasporans, even though they understand the importance of their political, social, and economic contributions. Identifying, addressing, and finding solutions for these challenges would encourage better relationships between the locals and the diaspora and help to build confidence on both sides. It is important to note that most of heads of the regional governments and TFG are from the diasporas. For instance, the former president of

Puntland state, Hersi, was from Canada; the current Head of Puntland state, Abdurihman, is from Australia; the Prime Minister of the TFG is also from Canada, and so are more than half of their staff. Overall, the influence and contribution of the diaspora have had a mixed (negative and positive) reception, even though their roles are very important in rebuilding the country and strengthening democratic governance in all spheres.

vi) Private Sector

This study also briefly examined the transition of Somalia's private sector and its contribution to the economy in the absence of the state. To address this issue, I interviewed three business men. The first was Mr. Y. Abdulahi, a businessman who lives in Dubai, the United Arab Emirates. He manages an import and export company known as Bendar Qasim Trading Inc. The second person was Mr. Ali Jama Bixi—who was murdered in Galkacyo city by unknown gunmen two months after the interview—and his vice Chair Omar Noor Galeyr. Mr. Bixi use to manage the Puntland Water Energy and Natural Resources Company. He and his colleagues explained not only how their business work, but also their perception of the economy in the country and the role of the business community. Other participants also informally expressed their views about the positive and negative roles of the private sector in the economy and nation-state building. The following sections briefly outline the background of the businesses of these men.

Bendar Qasim Trading Inc: Mr. Abdullahi represents the thousands of diaspora businessmen who settled in Dubai. Mr. Abdullahi is in his late 40s and has been living in Dubai over the past seventeen years. His business involves importing fuel and food to all parts of Somalia, in particular the city of Kismayo in the south, which changed hands of controlling militias within every few years. Mr. Abdullahi shed light on the relationship

between business communities inside and outside the country, the risks and benefits associated with importing goods and services to Somalia, as well as the challenges of being a diaspora businessman—trusting your goods with unknown business men, while traveling within Somalia is fraught with danger. He also shed light on the complexity of relationships within the business community and with the government of Somalia, and why the role of the private sector in state-building is absent. The absence of the private sector in state-building is discussed further in the next chapter.

Puntland Water Energy and Natural Resources (PWENR): Mr. Bixi was the general manager of this company. He was one of the most prominent business people in Galkacyo, Puntland. He was also an outspoken and active member of his community. His murder was a shock to everyone. Mr. Bixi had expressed in his interview his concerns about the prevailing danger in the city and the fact that there was no effective police force and enforcement of rule of law to protect the public.

PWENR, as Mr. Bixi explained, began as a water project funded by various donors (UNDP, UNICEF), which was later managed by the Puntland state. PWENR inherited the water project in 2003 from the government of Puntland and the donors. They recognized that private-government partnership was the best way to manage and sustain the water supply of the city of Galkacyo, creating a great opportunity for the poor to receive cheap water. PWENR manages two wells, each 210 meters in depth; big water tanks; and a 2500 meter pipeline. It processes 2300 meter cubic of water per day. The company was in the process of constructing a third well, which will cost \$167,500, using its own resources. In September 2003, PWENR connected water pipelines to 450 houses and implemented ten water-truck filling points, which serve 5300 households.

Because the city is divided into two parts—the north and the south—PWENR supplies water to 80% of the people in North Galkacyo. The rest are covered by private groups that sell water through truck delivery. The water supply of the city is not adequate, as the company covers less than 50% of public demand. Mr. Bixi and his colleagues informed us that 90% of the people pay the water bills. However, they face minor challenges from 10% of their clients.

PWENR also deals with conflicts, which pose a threat to the existence of the project. These conflicts arise during the project implementation. As explained to me, all the homes around the wells were destroyed by order of government. The company had to pay compensation for the cost of homes destroyed in order to lay the city pipelines and defuse conflict. Some of the homeowners, however, rejected the plan and confronted the employees with guns. This incident proved to be of the most difficult processes the company has had to go through.

What does this mean in terms of governance, in particular when a private company manages government resources? This is a new kind of partnership, and a lesson can be learned not only from the nature of the business, but also through its relationship with the city and the state. This project brought together the government, the private sector, and the international community investing in it. Without the latter's funding, the project would have been impossible, according to Mr. Galayr, the vice chair of the company. The findings of these interviews are discussed later. This is a critical issue discussed in the following sections.

B. External Non-State Actors

The author interviewed seven participants representing four external non-state actors, two participants from the United Nations High Commission for Refugees and six participants representing the INGO community: three from the European Committee for Agriculture and Training, one from Muslim Aid International, one from Care International, and one from the Danish Refugee Council. All these representatives were Somali local staff, with the exception of the representatives of UNHCR. Because of targeted kidnapping and killing of foreigners, most of the non-Somali international staff have left the country. To set the stage for the findings with regard the roles of these external non-state actors in Somalia, it is expedient to briefly introduce them.

i) United Nations High Commission for Refugees (UNHCR)—Puntland Office

The office of the UNHCR was established in December 14, 1950. The UNHCR's mandate includes "protecting and supporting refugees at the request of a government or by the UN itself and assisting" in their voluntary repatriation, local integration or resettlement to a third country. The agency is also mandated to lead and co-ordinate international action to protect refugees and resolve refugee problems worldwide (<http://www.unhcr-budapest.org>).

UNHCR has offices in a number of cities in Somalia. In Puntland, the UNHCR headquarters' office is located in Garowe with a sub-office in Bosasso. The two participants in this study were contacted in the latter office. The first person interviewed was the country director; and the second was a security protection officer. The country director worked in Somalia in 1987-1989 and arrived in Bosasso in 2007. He remembers the "good old days" of Somalia and could not believe the devastation of the beautiful city of Mogadishu upon his return. When he was in Somalia in the 1980s, he worked for the

UNHCR in its response to the draught victims of 1970s. The Security Protection Officer was a man in his late 20s who was new to Somalia and the Somali people. His job was particularly challenging: he was responsible for the security and well-being of over 23,000 registered internally displaced people (IDPs) and refugees. Over all, it is estimated that over 40,000 IDPs have settled in Bosasso city . Both registered and non-registered IDPs seek the support of the UNHCR. The mandate of this office is, therefore, to improve their situation and promote human rights by working with the Puntland police, other state authorities, and civil society organizations. In 2008, the UN allocated a total budget of US\$4 million for UNHCR to improve the living conditions and human rights of IDPs in Puntland. I later learned that, given the number of IDPs, refugees (Ethiopian, Sudan nationals), and their living conditions, these resources were very inadequate. The findings are presented in the next section of this chapter.

ii) European Committee for Agriculture and Training (CEFA)

The CEFA is an Italian non-governmental organization promoting development projects aimed at meeting the primary needs of people (food, water, health, and education). It was founded in 1972 by agricultural cooperatives in Bologna, Italy. CEFA supports projects that promoting organic and integrated self-development in rural regions of the Mediterranean, Africa, Central, and South America, with a focus on sustainability. It is currently active in nine countries: Albania, Argentina, Bosnia Herzegovina, Morocco, Kenya, Tanzania, Somalia, Sudan, and Guatemala. Each project tries to match productive intervention with actions aimed at social and cultural development (<http://www.italiamultimedia.com/cefa>).

The CEFA projects in Puntland commenced in 2003. Two participants were interviewed: Mr. A. Osman, a program manager; and Mr. A. Abdurihman, an agriculture specialist. Both of them are residents of Puntland. The CEFA team works with farmers in the Puntland area and trains them on irrigation techniques, construction of water reservoirs, crafting canals, and the cultivation of dates, vegetables, lime and other fruits. These projects cover 70% of the cost, and the respective communities provide 30% in-kind contribution—including gravel, labor, and material—to the project.

In 2003, CEFA imported 1,300 high quality dates trees from Dubai. They distributed these to farmers interested in planting dates. The experts educated farmers about the different varieties of dates. The price of each tree was US \$5 dollars; without the CEFA subsidy, the cost would have been over US\$10 per tree or more. The organization also won the contract—from 2005 to the end of July 2008—to implement water and sanitation projects in the northeast. This project gave rural communities access to clean water and mini-water supply systems (to pumps water through solar system technology). The CEFA rehabilitated existing water resources for pastoralists. It also built 300 latrine facilities across Nugal, Mudug, and Bari regions and provided training on hygiene and sanitation. So far, over 29 out of the 150 targeted districts benefit from the intervention of these projects. In 2008, however, it was revealed that future funding was not approved, and given the deteriorating security situation, it is probably unlikely that this NGO will continue funding future projects in Puntland. Nevertheless, the primary goal of this interview was to understand how INGOs implement projects while working with regional authorities, farming communities, elders, and other institutions.

iii) Muslim Aid International (MAI)—Somalia

Muslim Aid International (MAI) is a charitable relief and development agency based in London, United Kingdom. According to MAI, “the main goal of the organization is to alleviate poverty and suffering amongst the world’s poorest.” MAI was established in 1985, works in over 70 countries, and has 14 field offices. As one of its primary responsibilities, MAI’s responds to emergencies as a priority. It also focuses on social development programs aimed at eliminating the root causes of poverty, such as education, skills training, and provision of clean water, healthcare, and income generation projects (www.muslimaid.org).

MAI has field offices in three parts of Somalia. The first was established in Mogadishu in 1993 to respond to the devastation caused by the civil war. In 1994, a branch office was set up in the southern port city of Kismayo; this became a field office in 1995 (ibid). The third field office opened in Garowe in October 2007. M. Y. Ali is the program manager of MAI’s office in Puntland; he is a post-graduate from a university in Pakistan. Mr. Ali was a Mogadishu resident of Puntland descent who resettled in Puntland after finishing his university studies. In the interview, he explained that MAI’s involvement in Puntland began in 2005 when the organization responded to the Tsunami disaster in eastern Somalia.

The MAI program and activities in Somalia focus on education, health, and emergency responses, including conflicts, draughts, and refugees. MAI also runs a sponsorship program, whereby a willing family sponsors the complete education of a child from a poor family. It also encourages the sponsorship of orphans. So far, MAI sponsors the living costs of ten children attending primary school. The outcome of these

projects might be seen when the first group graduates. MAI also provides skills training programs for various centers in Puntland: for example, teaching the students of Garowe Vocational Training Centre and the Bosasso College of Computer Training.

Besides the MAI projects in Puntland region, the participant discussed the involvement of the organization in conflict resolution and peace building, their relationship with elders, other civil society organizations, and regional authorities—and the organization's overall contribution to nation-state building. The findings are presented to section two of this chapter.

iv) Care International (CARE)

A representative from CARE was also interviewed. Mohamed Ciise is a senior program officer and a trainer for capacity building projects. Like many Puntlanders, he was displaced from Mogadishu. CARE, an INGO working in Puntland, is one of the world's top three aid agencies fighting poverty and injustice in over 70 countries around the world, helping 65 million people each year to find routes out of poverty (www.careinternationaluk.org).

Since 1993, CARE has been working in many cities in Somalia, such as Mogadishu, Hargeisa, Marka, Doolow, and Garowe. Their main activities focus on water and sanitation, environment and livestock, enterprise development, empowerment of civil society, community development, and capacity building of the media. The activities of the livelihood recovery project include construction of wells and reservoirs, and rehabilitation of shallow wells. CARE also works with pastoral communities. In terms of its enterprise development, in 2007 it provided training to ten women with a financial support of \$300 per participant. CARE also implements projects empowering civil

society organizations and the media to promote peace. At the time of the interview, CARE sent seven local media reporters to Nairobi, where they were being trained in media ethics and factual reporting. When asked about how CARE measures its success in Somalia, Mohamed replied, “So far our projects are on track, but given the day to day challenges and insecurity in the region, if we achieve up to 45% of our objectives, we consider it a success.” Other lines of questioning that Mohamed addressed included the organization’s relationship with the communities they serve, with likeminded civil society organizations, with elders, and with the state authorities. The findings of the interviews from non-state actors are presented in the next section.

v) The Danish Refugee Council (DRC)

The DRC is an international non-governmental organization founded in 1956, and based in Denmark. The DRC’s mandate is to “work with all aspects of the refugee cause, with the aim of helping and promoting durable solutions for refugees and internally displaced people, on the basis of humanitarian principles and human rights” (www.drc.dk). Somalia is one of the 30 countries in which DRC operates. It opened its first office in Hargeisa, Somaliland, in 1998. The aim at that time was to support the sustainable return and integration of Somali refugees displaced by the war between the military government and the Somali National Movement (SNM) and, later, the fighting within the SNM sub-clans. After seven years, the DRC extended its operations to south and central Somalia and Puntland. It opened its other offices in Hiiraan and Puntland regions in 2005, and Mogadishu in 2007. The DRC’s projects targeting refugee settlements include general food distribution, provision of shelter kits, rehabilitation and construction of latrines and water tanks, and advocacy and capacity building activities.

In Puntland where the interview took place, DRC is the second external non-state actor that deals with refugees and IDPs issues, the first being the UNHCR. DRC provides support to internally displaced persons (IDPs) from southern parts of Somalia who reside in Puntland region, especially Galkacyo and Bosasso. The number of IDPs around these regions is estimated to be 100,000. Bosasso alone hosts over 40,000 according to UNHCR—Somalia.

To understand the support of the DRC to the displaced Somalis and the challenges of delivering these projects, I interviewed A. Yusuf, a senior program manager and a Somali national who himself moved from Mogadishu to Puntland when the civil war broke out in 1991. Mr. Yusuf's interview was very interesting for a number of reasons. First, he represents numerous Puntlanders whose lives are disrupted by the civil war; he therefore understands the challenges of the IDPs and refugees. Second, as a representative of DRC, he identifies and appreciates the rewarding work and challenges of international organizations in the region, including the UN agencies. As a Somali national, his position allowed him to have access to other INGOs, UN agencies, Puntland state authorities, and vulnerable populations. As he expressed a number of times, dealing with these international actors enriched his experience. He also expressed much frustration over negotiations with agencies and state authorities, as well as program beneficiaries, who have high expectations of what INGOs can do for them. Even though the DRC's work is not involved in the national peace processes, Yusuf did respond to the questions that related to the role of non-state actors, Somalia's direction in peace building and state reconstruction, and the relationship between local institutions and INGOs. His

responses contribute to the next section, in which the findings from all the interviews are discussed.

III. Group Three: State Actors: Puntland State and the Transitional Federal Government

Seven of the interview participants represent formal state actors: A) two participants from the Somali Transitional Federal Government (TFG) and B) five representatives from the Regional Administration of the Puntland state.

A. Participants from the TFG

Colonel G. H. Abdulle, a resident of Carmo City a head of the Carmo Police Academy, was interviewed in Puntland; and Mr. A.A. Afrah, a member of the Transitional Federal Parliament and a former Minister in Dubai, was interviewed in the United Arab Emirates.

i) Carmo Policy Academy (CPC): CPC is a federal institution based in Carmo district, one hour out of Bosasso, in Puntland region. The academy was built in 2005 with the support of the UNDP. In general, the residents of Carmo city comprise two groups: the first group, which represents 40% of the population, lives in the city permanently; the second group, which represents the remaining 60%, comes from Bosasso during the hot season (35C to 40C)—from May to September. Therefore, for seven months of the year, the city is quiet. This makes Carmo an ideal place to train police, who need to concentrate on their training without fear of attacks and threat. The premises are made up of classrooms, residential/boarding rooms, a well, and many rooms for offices and labs. There were no activities taking place on the day of the interview. Colonel Abdulle explained that the academy was in the process of recruiting new police. The last class

graduated four months prior to the day of the interview. The following table (6.2) shows the male and female graduates of Carmo Academy in 2006-2007.

Table 6.2 Graduated Police Officers in 2006-2007

2006-2007	Total	Male	Female
Group 1	155	135	20
Group 2	120	110	10
Group 3	110	100	10
Group 4	600	550	50
Total	985	895	90

Source: Interview of the Head of Carmo Academy in 2008.

As a part of state rebuilding, and in response to the need for an adequate police force loyal to the state, the academy was established with the goal of training both federal and regional police forces. Due to the immediate and pressing needs of the governments, police force training duration is from three to six months. These policemen and women graduates are expected to help improve the security of the country.

Overall, 985 recruits graduated from the Academy in 2006-2007. Women graduates represent less than 10%. One of the groups that graduated includes the Special Protection Unit. The purpose of this unit is to protect INGO and UN staff targeted by criminals. As many participants testified, this team made a great deal of difference in protecting the international staff. But they also face criticism from the public, which misunderstood their role. They are seen as protectors of foreign interest, and not the public interest. They are named “Ashahaado la dirir,” which means to “those who fight

against Islam.” Their role is discussed in a later section of this thesis on the challenges facing state reconstruction. After the forces for the federal government graduate, the UNDP is expected to provide their monthly salary until the TFG can financially stand on its own feet. In addition to rations, each soldier is to receive \$30 per month.

The main challenges the commander and his team identified were inconsistency in the recruitments’ process and unreliable pay. He stated that “sometimes they have to wait for months before receiving new recruit or salaries.” This undermines the whole effort toward improving the rule of law in the country. This is discussed in section two.

ii) Member of the Transitional Federal Parliament and Former Minister: Mr. A.A. Afrah, as a member of parliament, is the second participant interviewed from the TFG. A. Afrah is from the diaspora in Canada. He is an economist by training and a post-graduate from the Hague (1975-1976). Prior to the civil war, Afrah held various posts in Somalia, including Somalia’s Central Bank (1965-1974). He was also a director general in the Planning Bureau Commission (Economic Management) and Vice Governor of the Commercial Bank (1985-1986). He was the former Minister of Commerce in 2007-2008. Afrah’s interview, like most of the participants’, covered many issues. We discussed his experience as an MP in the current TFG, his participation in politics, concerns relating to the instability of past and present governments, insecurity in Mogadishu (where his government functions), and internal political struggles. The interview also touched upon Afrah’s decision to return to the country as a diaspora member, and the parliament’s relationship with elders, regional states, and external actors, as well as other challenges. The findings are presented in the next section.

B. Regional authorities of Puntland state

Representatives from two ministries were interviewed: i) the Ministry of Planning and Foreign Affairs, and ii) the Ministry of Women and Family Affairs. During the interviews, specific attention was given to understanding the structure of the regional administration; its laws maintaining order and security (constitutions, charters of rights, customary laws, and the role of elders); its approach to competing forces (civil society and international NGOs) and ideologies (secular verses sharia law); and its views on the role of non-state actors in the future and the choices of government. The group discussion on these topics shed light on the challenges associated with the future role of non-state actors after the resuscitation of the state.

i) Ministry of Planning and Foreign Affairs

At the Ministry of Planning, the author interviewed the Minister of Planning and Foreign Affairs, two of his vice Ministers, and the Director General, who joined the meeting an hour into it. The Minister was a diaspora returnee from Canada. He and his staff introduced the mandate of the Ministry of Planning and Foreign Affairs, and also discussed the relationship between Puntland Administration and non-state actors, especially their historical relationship with INGOs and the UN agencies that operate in the region without profile and registration. Concerned about the free movements of INGOs and UN agencies without any regulations, he explained that they are in the process of putting regulations in place and mapping the presence of those agencies in the region more clearly. In terms of INGO programs, the interviewees held the view that “most of INGOs/UN projects are not necessarily reflecting on the needs of the region.”

In governance structure, this ministry coordinates its work with other ministries. For instance, the Ministry of Health is responsible for the distribution of health resources and the Interior Ministry is responsible for the security and civil society engagement in local issues. Both ministries sign a memorandum of understanding (MOU) with the Ministry of Planning. This Ministry also works with local NGOs. The Minister stated, “Even though the annual budget is very tight, the government tries to allocate 12% for development and NGOs can apply. This allocation was introduced in 2007 after the government realized that some local NGOs are quick to respond to emergencies such as draughts and conflicts.” While this seems to be an encouraging step taken by the government, no document was produced to support this allocation. It is also general knowledge that the state is in a deficit, and fails to pay the salaries of the police forces for months at a time. When these views were raised with the group, the participants confirmed the limitation of the budget and the fact that 60% goes to the security sector. With this ambitious plan, the government of Puntland state is aware of the limited resources and the high expectations from the public. The Minister and his team believe that the budgetary plan is improving. As they put it, “It is a matter of prioritizing the needs and balancing the micro and macro issues.”

ii) The Ministry of Women Development and Family Affairs (MWDFa)

The MWDFa was established in 2005, seven years after the birth of the Puntland State in 1998. The main goal of the MWDFa is “to provide equal opportunities for women to develop and live in dignity, eliminate all discriminatory practices and empower them to better contribute in nation building and development. The Ministry also supports the development of integrated national policies that are sensitive to family welfare and

women's rights" (Puntland's Five Year Development Plan 2007-2011:71-72). The main activities of the MW DFA include policies and programs that improve the well-being of women and families through activities, such as income generation and employment, entrepreneurial support, leadership support, and education. The MW DFA also addresses the issues of returnees and minorities in the region.

(<http://mowdafa.puntlandgovt.com/profile.php>)

MW DFA is one of the government ministries known for its valuable work for the state. I interviewed Hon. Asha Ghelle Dirie, Minister of MW DFA, and had informal conversation with her vice-minister (Mr. Ahmed) and Director General (Ms. Saida). Ms. Ghelle, who is a Puntlander from Mogadishu, and her team established the MW DFA from scratch, as this is the first ministry of its kind in Puntland. Given the limited resources of the region and the lack of gender awareness, establishing and successfully running this agency have not been easy tasks. The Puntland state allocates the MW DFA less than 1% of the total government budget of US\$11.7million (ibid). As the Minister put it, "With this type of budget allocation, it will take a long time to improve the severe poverty among women in order to increase their socio-economic status and rights through effective and efficient programming." In addition, the MW DFA is constantly challenged by the hostile environment of Islamic fundamentalism in the region, so that implementing the Ministry's mandate and activities are not only difficult but also dangerous for the staff, including Ms. Ghelle. The Minister cannot travel around the city without an armed bodyguard. Some are against what the MW DFA stands for. Along with questions on the MW DFA's mandate and operations, the interview covered issues that relate to the political, social, and economic conditions of Somalia; the

MWDFA's relationship with civil society organizations, external actors, elders, and the diaspora; and linkages with diaspora women. The outcome of this discussion is presented in the next section.

6.2 The Roles of Non-state Actors in Social, Economic and Peace-building Developments: Perspectives from the Field

Social development is the center of rebuilding a nation-state in post-conflict society. But the process is very complex and expensive. It requires deep situational analysis and understanding of the factors that enhance or impede the process. This is particularly important in situations like Somalia, where the state has been absent for the past twenty years. In the context of the rebuilding process, the key questions this research explored are as follows: What is working and what is not working in Somalia's socio-economic and political development? Where is the bottleneck of the reconstruction process? What needs to be nurtured in order to rebuild the country?

In response to these questions, **Section One** of this chapter introduced the backgrounds and mandates of the selected non-state actors along with the background of other participants representing the public and state actors. **Section Two** presents the findings of these interviews, reviewed documents, and observations that verify the extent to which non-state actors contributed to the social, economic, and political development and governance of the country at community and national levels.

As discussed in Chapter 3, the literature review—in particular, the conventional theories of the state and governance approaches—explain the processes of conflict and state failure or collapse (Rosberg 2003, 2004; Clarke & Gosende, 2003, Samatar and Samatar, 1987; Little, 2003; Bates, 2008). However, they fail to explain the dynamics

that ensue after the collapse, especially where non-state actors freely replace the state in delivering public goods and services, leading to multiple peace-building processes, and presenting challenges to efforts to rebuild and stabilize the state. Instead, the work of most scholars draws on prevention strategies towards weak states or states slipping into collapse. The theories of the state, therefore, cannot adequately explain the aftermath of an extreme case of state collapse, such as Somalia. Somalia's unique case challenges conventional governance approaches, which locate the state at the center of analysis, even in the case of state-society approach.

The limitations of the literature necessitate the search for alternative approaches to capture and explain the role of non-state actors in communities of collapsed states. These approaches should be so context specific that they draw on the experience of local institutions that support or deter local governance structures and processes. In the context of the latter, this study relied on the key redefined variables "decentralization," "social capital," and "the traditional institutions" to explain the level of governance in Somalia's anarchic condition. The analysis emphasized the revival of social capital through "involuntary" movements of people to their ancestral lands for security reasons and the outcomes, including decentralization. The latter process is "involuntary" in that it emerged by default and not through a formalized procedure: where a centralized authority initiated the process and transferred power and resources to local governments, as the theories of the state literature assume. Instead, in the case of Somalia, clan division shaped and facilitated the involuntary decentralization process after the state collapsed. Subsequently, traditional institutions and actors along with non-state actors resumed the

power to influence or manipulate the direction of the social, economic and political development in the country.

Clannism plays a central role in these developments. When the center collapsed, sudden disorder and chaos followed to the point where some clans openly campaigned for targeted killings of thousands of people from other clans (some estimated the civilian deaths at over 400,000 in 1991-1992). Those who survived the ordeal quickly began moving to the regions of their ancestral clans for security. Such a massive population movement was accompanied by the transfer of wealth, labor forces, capital, expertise, and mobile private properties. The process led to further diffusion of power within sub-clans and encouraged equal representation and participation in the political development of some regions in Somalia. Sub-clans also concentrated on enhancing their interests. This was conducive to establishing a base for political stability and good governance.

This study, therefore, argues that such decentralization and social capital are among the key determinants of the relatively effective local governance witnessed in some areas of Somalia—in particular the region of Puntland, which the study focuses on. These were the factors that facilitated non-state actors' activities in the country. This view is buttressed by the study's interviews. However, before presenting the findings of the interviews, general lessons from the review of relevant literature and some knowledge acquired from the fieldwork are advanced to serve as a background.

Non-state actors are located in the center of this analysis, with the goal of exploring how their roles enhance or delay the reconstruction of the state. From the outset of the interviews, the research recognized that the rebuilding processes and outcomes through the inputs (e.g., resources, finances, manpower) and activities (e.g.,

delivery of goods and services, building capacities of national and local institutional, and promoting dialogue on peace) of non-state actors gradually transform local governance institutions across Somalia.

However, while in the north (east and west) people witnessed relative stability and development in all sectors, the situation in the south remains worse than the life Hobbes' leviathan predicted under anarchic and lawless situation—in which “the life of a man is solitary, nasty, poor, brutish, and short.” In the midst of this chaos, non-state actors managed to operate in most of these regions to contribute to the social, economic, and political sectors. To understand the progress in the social sector, I will briefly examine how existing institutions contributed to peace.

First, unlike the southern regions, peace prevails in Puntland and in Somaliland. This is because sub-clans that bond through kinship dominate most of these regions. However, the post-conflict experience taught Somalis that kinship alone does not stop bloodshed. In Somaliland, a deadly conflict broke out in early 1990s, claiming the lives of thousands of people and the destruction of a number of cities. Similarly, in Puntland power struggle between ambitious political figures led the region to violent confrontations that not only caused the death of hundreds of people, but also threatened clan unity, cohesion, and respect for elders' leadership decisions. This conflict also exposed the limited power of the elders when facing the military might of some political figures. Nevertheless, in both cases agreements were reached through mediations led by elders. These achievements make the role of elders and traditional institutions relevant in sustainable peace in Somalia.

Second, while the public in the regions of Puntland and Somaliland did not inherit the numbers of weapons other regions did, participants reminded us that *all* clans in these regions have accumulated and possess enough weapons to create devastation. As an elder stated through a Somali proverb, “Around every tree, there is enough branches and leaves to burn it down.” In other words, even clans with smaller populations armed themselves, owned sophisticated weapons, and trained clan militias. The intention of most clans is to protect their interests and people from dominant clans. Further research might assist the disarmament program if it were to investigate the sources of these weapons—their sellers and buyers.

Third, the international community played a very minimal role (if involved at all) to the peace brokerage and the establishment of regional administrations in Somaliland (1991) and Puntland (1998). This contributes to the view that the less the international community interferes, the better the chances are that Somalis might resolve their own conflicts. Perhaps this view holds some truth. For example, against all odds, some of the regions successfully implemented peace agreements and reported social and economic developments. How do these communities achieve these results? We assume that other factors must have facilitated their achievements.

Forty-three participants representing the public, local and external actors were interviewed for this study, with the aim to expose the factors that form the nature of work and partnerships between non-state actors (local and external non-state actors), and their relationships with the public, with state actors, and among themselves. The following presents the themes that emerged from analyzing the findings and observations of this investigation. Overall, the findings shed light on the direction of local governance in the

absence of the Somali state, as well as on the impact of the non-state actors' work and the future implications of their mixed outcomes areas of i) social development; ii) economic growth; iii) peace building; and iv) nation-state rebuilding.

6.2.1 Improving social governance: Crucial to state recovery

The social sector critically suffers when the state responsible for it collapses. This explains why social development programs become the center of any nation-state rebuilding agenda. According to the Canadian International Development Agency, "A healthy, well-nourished, and literate society can improve its members' lives and economic growth, which in turn contributes to poverty reduction and a better future for society as a whole (CIDA, 2000). The social sector refers to programs that focus on integrated basic human needs, especially education, food security, housing, improving health (including HIV/AIDS) and nutrition, and child protection. It is a question of respecting human dignity (CIDA, 2000; World Bank, 2006).

In general, economic growth is expected to ultimately improve the lives of the majority. In the case of Somalia, prior to the collapse of the state, governments provided free, though limited, services to urban areas. Since the state collapse in 1991 and up to the present, non-state actors have assumed the responsibility of these services. For empirical evidence, this study closely examined two social development cases: one in the education sector and one the farming sector. In addition to reviewing official documents and reports, I interviewed educators and farmers and visited schools and farms to gain first-hand experience.

Education: A road to the development of social governance

Education contributes to the development of all sectors. The investigation reveals that, in general, in most parts of Somalia non-state actors have to some extent improved both formal and informal education systems. Forty-one of the 43 participants of this study agreed with this view. The other two participants, who represented the external non-state actors, did not voice their views about the education sector. The study also recognized that the intervention of non-state actors in the education sector is not enough to cover the needs of Puntland or the whole country.

In Somalia, since there is no state responsible for this sector, local NGOs, the private sector (with the support of international organizations), and diaspora communities revived public and private schools. The case study in this section supports this finding. According to a UNICEF report (1998), the “what” and “how” for provision of quality primary education in Somalia are in place. To date, Community Education Committees have set up 89% of the schools across the country, where 23% of the Community Education Committees members are women (ibid). According to the report, “[T]oday, communities own more than half of the 1,105 operational schools in the country and manage 46 percent of them. The remaining schools are owned and managed by local authorities. Sometimes the regional authorities provide low salaries to teachers of these schools in the region, and to ‘private individuals’” (ibid).

Currently, these non-state actors manage a number of schools (from elementary to high school) and more than four major successful universities, including Amoud and Hargaisa in Somaliland; Banadir, Xamar in Mogadishu; East Africa University; and other technical colleges in Bosasso. In Puntland alone, we find Bosasso Technical Institute,

which provides general mechanical and electrical installations, carpentry, and masonry; Puntland Institute for Development, Administration, and Management, which teaches computers, management, and English language; the Somali Nursing Institute; and the Puntland Community College for computers, accounting, management and secretariat studies. These were all built after 1990. Every year, hundreds of students graduate from these schools and colleges.

In August 2008, I attended a graduation ceremony organized by Puntland State University, based in Garowe. This university is funded by Kaalo Relief and Development Agency (a local NGO) and Diakonia (an INGO based in Sweden). That day a group of over forty students graduated from various programs, such as Business, Public Administration, Community Development, Information and Technology, Social Work, and International Relations, and also on-line programs, including English, Financial Planning and Management, and Journalism. As the dean of the University illustrated, some of these students finished Bachelor of Arts while others completed two-year diplomas. It was interesting to learn that 95% of these graduates have already had jobs with telecommunication companies, UN agencies, INGOs, or the regional government. Attending the ceremony—witnessing graduating students with gowns, proud parents, officials, elders, and dignitaries—enriched my observations for this study. How did these institutions succeed under the relatively stable state of Puntland?

All the universities—technical schools in Puntland, and those in other regions of Somalia—are privately owned. Students pay fees that vary from US\$300 per semester (technical colleges) to US\$1000-\$1800 (universities). Puntland State University, for example, charges students US\$30 per month or \$120 per semester. At Mogadishu's

Benadir University, students pay US\$1800 a year to enroll in medical school. It is apparent that only well-off families can afford to send their children to university, given that the average income per day is less than \$1 per household. The lives of the youth that we interviewed—Mohamed Adan and Ali Ayane and others in same situation—reveal the limitations of their accessing education.

Another encouraging development in this sector is the increase of Somali student enrollment in distance-learning programs. The main objective of these distance-learning programs, implemented by the Africa Education Trust and BBC World Services, is:

To provide basic literacy, numeric, and life skills to out-of-school children and adults who lacked, or were denied access to conventional schooling. An evaluation of the program in 2003 found that 10,908 students had enrolled in the program in 351 classes throughout Somaliland, Puntland, and South-Central Somalia. The majority of them were women (70%) and older than school age. (World Bank, 2006:93)

This service is especially convenient for the students in southern Somalia. In Mogadishu, every day parents pray for the safe return of their children from school.

This level of development confirms human persistence and underlines the fact that no one can break the human spirit—even in the midst of the chaos in Mogadishu, where the world recently witnessed the “Shamow Hotel” massacre on December 3, 2010. On that day, Mogadishu University organized a graduating ceremony for medical students who had completed six years of education. Parents, professors, doctors, and other dignitaries, including the Minister of Higher Education and the Minister of Health, came to celebrate with the graduating students. In a split second, bombs went off, killing ministers, doctors, and many graduating students and their family members. This case represents one of the most painful costs that societies in collapsed states have to endure.

This bloody murder clarifies why some students feel safer studying on-line if they can get access to distance learning.

Among different perspectives of state theories, this study adapts the local governance approach to explain the factors that facilitate the possibility of successfully establishing and managing educational institutions. What would it take to rebuild the education sector in a country where the state is absent? How do non-state actors do it? In search for responses to these questions, I visited two schools established by the Galkacyo Education Centre for Peace and Development (GECPE).

**Case Study 1: Galkacyo Education Centre for Peace and Development (GECPE):
A Case of Community Empowerment**

As introduced in the previous section, GECPE is a non-profit organization located in Galkacyo city, in central Somalia. The aim of the GECPE is to educate girls and young women between the ages of 7 to 27 years old. The GECPE activities comprise at least six components:

- i) *Integrated education program*: this culminates formal primary education for young girls (age 8-12 years old), second chance education for older girls (13-17 years old) who missed the opportunity to attend school, and integrated adult literacy for women;
- ii) *Training programs*: these include skills training, teacher training, and capacity building training for NGOs, coalitions networks etc.;
- iii) *Awareness raising programs in different themes*: such as elimination of female genital mutilation (FGM), HIV/AIDS, peace, violence against women, women and girls' rights, environmental education and conservation, reproductive (held for women), primary community health, and commemoration of various days in the UN and human rights calendar;
- iv) *Networking with local and international organizations* (World Social forum, African Anti-FGM Grass Root Movement);
- v) *Disaster and relief interventions* (such as Tsunami victims and internally displaced people around Galkacyo);
- vi) *Income generating activities*.

GECPE also implements various activities in many villages around Mudug region. Besides the Centre in Galkacyo, it built and manages four more centers that support young children of displaced communities (Ba'ad Weyn Education Centre for Women and Girls, the Minority Education Centre, Harfo Girls' Centre, and Galkacyo Girls' School Hostel). Over a thousand students study in these centers.

In terms of resources, the GECPE receives support from individual donors and diaspora communities. International agencies—such as UNHCR, NOVIB, Spazio Solidare, Maria-Babbtista-Italy, and Amnesty International—financially support the GECPE. It recently opened its doors to enroll boys who had also missed the opportunity to study. As one of the teachers indicated, “Young boys lined up near the gate, and begged us to give equal opportunity. We never expected this, but it happened.”

Over all, the outcomes in eight years included the building of 38 units in the GECPE; six women and girls education centers in various villages; two women and girls hostels and women training institutes with hostel facilities; one guest house; and two bore holes. The GECPE also trained 72 primary and adult education female teachers, and 58 women as vocational training instructors in sewing, tailoring, tie dye, and food preparation. The program benefits a total of 587 girls between the ages of 8-18 years old. In January 2007, the first grade 8 class of 48 girls graduated. All these students would not have been able to afford to attend any school without the support of the GECPE. Other results from the GECPE's activities include organizing 19 forums, marches on violence against women, and twentypeace and reconciliation meetings in four years. It also organized ten young women's study group on civic and constitutional education, and

it helped to establish the WAWA (We are Women Activists) network and trained 28 WAWA members, who are involved in second chance education for girls.

To understand the challenges of constructing, managing, and successfully achieving intended goals of this Centre, this study analyzed a number of important factors, such as the security of the city of Galkacyo, partnerships, and challenges in capacity building and fundraising.

Analysis of the Case Study

Even in the best of times, Somali women did not get their fair share in education, and employment. It is a constant struggle to keep them in schools. (Hawo Adan Mohamed, Executive Director of GECPE, interviewed by the author, 2008)

Galkacyo is a city literally divided by a line: Hawiye in the south, and Darood clan in the north. This city is prone to violent attacks within and across the borders. Regardless of the division and persistent conflict in Galkacyo, the representatives of the GECPE consider the communities on either side of the border to be inter-dependent. As Ms. Hawo Aden Mohamed, Executive Director of GECPE, put it:

These communities share services and security of the city. They exchange trade and abide by traditional laws to ensure their co-existence. However, there are reservations of the public on both sides. Elders and politicians from both sides judge every situation through clan lenses, instead of treating issues as standing alone matters.

How does the GECPE overcome the insecurity and distrust between clans in this city and manage schools successfully?

The GECPE's vision and mandate goes beyond educating the girls of a specific clan or group, even though the founders of GECPE are from the northern side of the city. It did not make sense to them to exclude young girls and women from the south, especially those from internally displaced families. GECPE strongly believes, and it was

recognized later by the community, that education for children, especially girls and young women, can bring communities on both sides of the city together and build social cohesion and solidarity. In light of this, the GECPE chose to gradually build a bridge between these rival communities, establishing trust and respect while protecting and educating young girls. The subsequent bonding between the two communities reveals that community interest can transcend clan affiliation. Nevertheless, the GECPE faces many challenges.

The immediate challenge is security. When asked how they protect the students given the deteriorating security of the city, GECPE explained that they utilize local institutions: “We seek the support of elders and religious men.” This is a necessary step, as elders have earned the trust and respect of the public and ensure that an agreement is honored. When asked how they convince elders—who do not approve a public space for women in the 21st century—to support education for girls and women, the head of the center, Mrs. Mohamed, pointed out, “The struggle to win over the full support of clan elders was not easy, but worth it at the end.” The challenge commenced when they decided to construct the school. She explained, “Every process that we initiated—including the search for land, fundraising, construction of the premises, the recruitment of the students, and raising awareness for the rights of girls and young women to go to school—came with its own challenges.”

She further explained, “[T]he construction of the premises was a very slow process. We first requested from the regional authority to give us a land to build the school. After long and frustrating negotiations, the Puntland state allowed the GECPE team to renovate abandoned former public schools.” The second step was to ensure that

the community owned and supported the process and the programs that come with it. As Mrs. Mohamed explains, “[T]he aim of this Center is not only to educate girls. It is also intended to empower young women by creating opportunities for them to work, lead and participate in decision-making. However, the process was not as easy as we expected.” They learned that the traditional institutions and social capital are not on the side of women’s empowerment.

Education and Gender: Social Capital on Trial: While norms, value, and networks support clan interest, these factors are ineffective when it comes to women’s education and advancement. As Mrs. Mohamed elucidated, “We faced stiff opposition from various clan leaders, religious groups, and even women who support traditional values.” For instance, Islamic fundamentalists, opposed to educating young women and girls, spread threats to scare students from attending classes. One of the teachers in the school shared her frustration, “They question what we stand for and the vision of the Centre.” Since this was the first time a non-profit organization offered eight years of schooling for girls, including school expenses, suspicion grew into anger, threats, and later attacks. Educating young girls and empowering women about their rights, it seems, defy the fundamentalist’s agenda in Somalia, which is to keep women illiterate and in their homes. The work of the GECPE was definitely an obstacle to this agenda.

Given the strong opposition from Islamists in the region, one of the school teachers explained the mechanisms they employ to win and sustain the trust and support of the community: “[T]he Center avoids any conflict that could compromise its vision,

and daily operations.” For instance, they “accepted that girls wear Arabic hijabs as school dress code to avoid any threats and run separate classes for boys and girls”:³⁰

One time we suggested the young girls to remove the hijab if they wish to when they are in class since men are not around. The fundamentalists, who heard about this harmless suggestion, distorted the truth and misinformed the public. They stated that “the Centre asked the girls and women to give up their Islamic dressing code.” The fundamentalists then organized demonstrations and paid young boys to throw stones at us. Mobs attacked and damaged our cars. The conflict was defused later when the students defended the Centre by informing their parents and elders about the context of discussion.

This conflict illustrates the challenges the GECPE faces every day. To avoid and ensure the security of the girls and their teachers, maintaining the relationship with elders is crucial. As Mrs. Mohamed asserted, “without winning the elders’ support, the Centre would have not been able to register even one student.”

The late Ali J. Bixi, a prominent member from the business community in Galkacyo who was murdered by unknown gunmen two months after his interview, praised the work of this GECPE. As he put it, “If Somalia would have produced five strong women like Mrs. Mohamed and her team, thousands of children would have been saved from illiteracy, poverty and violence.” Frustrated with the instability and often-violent conflict of the city (which later took his life), he asked, “Can you believe some people with distorted minds would seek ways to undermine the valuable work of the Centre?” Mr. Bixi reconfirmed that “people on both sides of the city are ready to defend the Centre at all cost.” Thus, it is clear that the Centre was successful in winning community support.

For further confirmation of the GECPE’s roles, this study sought the opinion of its beneficiaries. As mentioned above, Ms. Xaliimo Warsame, a mother whose two

³⁰ All schools and universities have more or less adopted this dress code.

daughters study at the Centre, was asked how she viewed the work of the Centre. With humility and appreciation she replied, “Nothing but blessing to the head of the Centre and teachers. My girls would not have dreamt going to school until we received the support of the Centre. I also benefit from the Center’s vocational training program by learning how to sew school uniforms and traditional women’s crafts.” While I was at the Centre, I met briefly with five women who had given up practicing female genital mutilation (FGM) operations as a profession. GECPE provided various training skills and small loans to numerous women like Mrs. Warsame. Today, these women are involved in small businesses that permit them to earn decent living. The support that women receive from non-state actors like this center specifically contributes to the positive perceptions. Overall, the GECPE’s *integrated programs not only empower young girls and their mothers*, it also builds strong partnerships with many stakeholders and communities.

Partnership: Opening the door of the GECPE to the girls and women from both sides of the “de facto line” between the two clans of Galkacyo set the stage for solid partnership between the organization and the community. This is the reason why communities from both sides trust the Centre to educate their girls, and recently some boys. After witnessing the achievements of the GECPE’s work (graduating students, jobs created), most families honor such partnerships and are prepared to defend the Centre if attacked. The partnership has some implications for the development of national institutions controlled by a state. Therefore, the questions arose: If a Somali state decides to take over these functioning schools in the future, what would be the position of the GECPE’s management or of the community? What does the future hold for schools run by civil society organizations or private individuals? How would private schools,

technical institutions, universities, and long-distance education institutions be integrated into the educational policy of a new political system in Somalia? Would non-state actors be ready to transfer these institutions to the government of Somalia, if the latter chose to centralize the education sector?

Since these are fundamental factors for the return of the state, these questions—fundamental to the return of the state—were put to the head of this institution and broadly discussed with many respected people, including professors from other technical schools and officials from the Puntland state. Their responses revealed that non-state actors want to continue managing privately owned education institutions alongside publicly owned institutions in the future. They also revealed recognition of the benefits that would come with some interventions from or a partnership with a Somali government in the future. These benefits include:

Security: Insecurity is the main threat to the work of these institutions. It discourages students from attending schools. The representatives of these institutions believe that only the state can ensure the protection of sovereignty, culture, and human rights, especially for women and minority. In Somalia today, neither clan affiliation nor social capital guarantees support when it comes to girls' education and women's advancement. In reality, it is very difficult for many Somalis to believe that Islamic fundamentalists have transformed Somalia as quickly as they have. On returning to Somalia, many of diasporans are shocked at how Somalia has changed and wonder if they are in Somalia or in an Arab country. In pre-civil war Somalia, girls and boys sat side by side wearing the same uniforms. Now girls dress according to Arabic codes and sit at the back of the class. Some of them cover their face when the temperature is over

45C. However, women's groups recognize that only the persistent challenging of conventions can open the door for more young girls to attend schools. Another encouraging sign is that girls and young women still compete with boys—even if they sit at the back of the class and are asked to cover their faces.

Protection of Somali language in education: Donor influences also threaten the Somali language. Most schools and universities have intentionally abandoned the Somali language as a medium for the country's educational system. Arabic dominates most of these institutions, with English and other languages following. The interview participants agreed that only the state could protect the language of the nation.

Standardized curriculums and quality control: Only the state can ensure the development of a nationally standardized curriculum and the quality of education. At present, all the schools and universities teach different curriculums influenced by various donors. The state taking them over might help minimize the implications of various donor influences, such as elites competing to advance the interest of specific groups or donors.

Producing professional teachers: The high demand for trained teachers also necessitates a return of the state. The need for a teacher training institute or university, which used to be the responsibility of the state, is seen as urgent, since the former teachers are getting old, have died, or have left the country.

The research findings also showed that educational institutions are spreading quickly, mainly in urban areas, with the support of diasporas, including business groups. The regional state lured most of the diaspora to invest in this sector by donating free land to build schools (Galkacyo, Qandala), libraries (Garowe), and hospitals (Endna Hospital

in Hargeisa, Somaliland). However, this tactic raises questions about the quality of the education system or health systems. All the participants of this study agreed that only a stable and autonomous state could assume that responsibility.

In conclusion, local non-state actors heavily invested in the education sector. Nevertheless, given the existing competing curriculums and dress codes influenced by various donors and institutions (from Saudi Arabia, to Egypt, Europe and the West), it is crucial to nationalize and harmonize the work of these institutions. Future state decisions must take the complexity of education in Somalia into consideration and build on the achievements and accumulated knowledge of the communities. The new state cannot ignore the achievements of the institutions run by non-state actors. Building strong partnerships with these actors would strengthen the governance of social sectors.

Another factor that contributes to the social sector is farming. Farming in Puntland region contributes to food security. A second case study, introduced below, helps us to understand the contribution of this sector.

Case Study 2: The Garowe Farming Cooperative (GFC) and the Role of Non-state Actors

Ensuring sufficient food security in often draught and conflict ridden regions improves the livelihoods of majority.

In pre-civil war Somalia, farming cooperatives existed, but mainly in southern parts where the land is fertile and the only two rivers in the country flow in addition to sufficient rain. In contrast, Puntland is a semi-arid land with no history of farming experience. There was also a widespread perception among Somalis that Puntland had no potential land for cultivation.

This view changed after the civil war. Hundreds of small farms have emerged in all the regions of Puntland. The increasing demands of a growing population encouraged this process. As discussed in the previous section, interviews were conducted with members from the Garowe Farming Cooperative (GFC) and representatives from the European Committee for Agriculture (CFL), an INGO that supports this cooperative along with Care International to improve food security situation in Puntland. In the context of this study, these interviews sought to understand how this pastoral community of livestock production was transformed into farming cooperatives. Now, farming and livestock production are combined in this region. Concerning the activities of the GFC, the research's focus was on the governance aspects (structure, processes, interactions, relationships, and conflict resolutions) of farming activities, instead of the actual operation. We explored i) the role of non-state actors in capacity building of these farming communities; ii) partnerships between this cooperative and state and non-state actors; and iii) that wider contribution of these kinds of initiatives to food security, which is essential to the well-being of many Somalis.

According to the participants from the GFC, the increase in the size of the farming sector in Puntland can be attributed to the support of three groups: the external actors, the local experts, and the labor force from southern Somalia.

External Actors: A discussion with the committee reveals that cooperatives like GFC have strong relationships with agencies like the UNDP and INGOs like Care International and the European Committee for Agriculture. The agencies generously contribute to the stability of this cooperative, as well as the other farms in Puntland. The agencies provide training on planting various seeds, such as dates, lime, tomatoes, and

other fruits and vegetables. They also donate water-pumping generators, and they train farming committees on internal governance, accountability, and marketing to make sure the cooperatives are run properly. Through capacity building, the farmers have become capable of producing sufficient food products for the city of Garowe and its surrounding villages. Overall, the agencies provide some financial resources, but they are not involved in monitoring the operation of this cooperative.

Local Experts: With the limited support of many NGOs, the local experts teach how to plant draught resistant seeds, such as dates, and various ways of cultivating. Products from Puntland are much more expensive than those from the south, as unreliable rainy seasons and a lack of water for irrigation add up to the higher costs.

Labor Force from the South: We also learned that without the internally displaced people from the south, Puntland and probably Somaliland farms would not have flourished. Men from the south manage all the farms we visited. They came with the experience they acquired working in the cooperative farms. Once Somalia establishes a stable state, the future sustainability of the relationship between the owners of the farms and the labor force might be determined by how the owners treat labor. Even though the farms of this cooperative cover a land of over 110 square kilometers, they barely satisfy the needs of the whole region. However, clearing new lands, cultivating, planting, harvesting, and selling or using the production for internal consumption is the easy part of this activity.

Given that they live in a society where peace is fragile, the participants were questioned about the structure of the committee: how members are selected, what their roles are, what triggers conflicts, and how they resolve them. This study is also interested

in how the cooperative builds connects with other farming actors and works with regional institutions. With regard to governance, the Head of the Committee stated, “This is a daunting task. Members select us on the basis that we own and manage our own private farms successfully and they consider us peacemakers.” The Committee members received a training to improve their capacity, and now manage over 19 private farms. Often, due to the weaknesses of the regional authorities, conflicts among farming communities destabilize the city. The participants also revealed the sources that trigger conflicts.

i) Distribution of resources from donors: Since these are private farms, disputes and confrontations arise when the cooperative receives generators. A memorandum of understanding between the community and the cooperative emphasizes how to share the resources and training from non-state actors. For instance, there is an agreement that three to four farmers share one water-pumping generator in each area. The agreement also nominates a sub-committee that manages the usage, restoration, and protection of these motor pumps. However, in the interview discussions of this process, the distribution process of those motors came across as undemocratic. It became apparent that some farms receive more generators as the result of the random selection process adopted by the Cooperative. A participant member of the Cooperative explained, “Sometimes, farmers perceive the decision as the committee favoring one farm over the other and farm owners create problems for us.” While the selection and distribution approach works most of the time, it is not a reliable process. A random selection process, which results in some farms have several motors while others have none, cannot be said

to be unbiased. This approach could be improved by selecting beneficiaries from among farmers who had not received any motors before.

ii) Enforcement of cooperative rules: Another source of conflict arises when the committee tries to enforce some of the rules. For instance, the rules emphasize that the committee has the right to remove generators from farmers who do not use them within a specified period. Implementing this rule often causes confrontation or conflict, because some farms view the equipment as their property.

iii) Land distribution process: The distribution of land is another source of conflict in the community. Often the municipal governments distribute lands that already belong to other families. In the middle of a harvest, deadly crises arise. The Committee, with the assistance of elders and often the regional authorities, intervene and defuses the crisis. Such crises are attributed to the weak governance capacity of the regional state. Conflict among the farmers seems a widespread problem in many parts of Somalia. Farmers interviewed in 1999-2001 in some cities in Somaliland (Borama and Hargeisa in 1999) and later in Puntland (Buraan, Carmo, and Iskushuban, 2001) raised similar concerns. How does the committee resolve these conflicts?

In the conflict resolution process, the committee seeks wisdom from two sources. The first is the customary law, which enforces the honoring of commitments in agreements between farmers and the management of the Cooperative. They may penalize a farmer (fining) if he or she violates what the community agreed upon. If the committee cannot solve the conflict directly, they involve the elders of the region in the reconciliation process. State authority is the second resort, and, as the group puts it, conflicts rarely reach that level before being resolved. After resolving dozens of

conflicts, the cooperative's internal governance has improved in capacity to produce, supply, and market products. Simultaneously, its capacity to manage and resolve conflicts at the community level has also increased. This further strengthens its relationship with the community, state, and non-state actors. It also set the stage for the rise of more cooperatives.

In conclusion, introducing farming skills to communities living in semi-arid land was a positive step. It contributed to the food security in the region. So far, the farmers interviewed gained experience when assisted in subsistence production with the opportunity to sell their surplus to generate a decent income. Capacity building and collaboration of dozens of farmers not only enhanced the quality and quantity of their production, it also improved their nutrition. The process brought communities closer, to the point that they realized their capability as a group. Encouraging farming cooperatives is good for the country, and even though the other farmers visited did not have cooperatives yet, they embraced the idea after attending seminars and workshops organized and funded by various representatives of INGOs.

To ensure the sustainability of these farms, a future government must be able to further invest in similar cooperatives. In many areas of the country, cooperatives satisfy the demand of their communities. However, the support of non-state actors, in this case external actors such as INGOs and UN agencies such as World Food Program (WFP), have to be reassessed with the goal of avoiding discouragement of small farmers. While INGOs such as CFA build the capacity of local farmers to produce, WFP brings in food and distributes it freely in most parts of Somalia, including Puntland, which hosts over 40,000 displaced people in camps. The roles of both external actors are important to

many Somalis, whether they own farms or receive assistance. Nevertheless, WFP needs to review its approach to food distribution in Somalia. It is not the first time that local farmers have complained about poor timing of the WFP food distribution. One of the participants stated, “WFP overwhelms the country with food distribution during the harvest season of the local farmers. This puts local production in jeopardy. Why would people buy local product when they can get it free or cheaper from the World Food Program?”

A solution for this dilemma is beyond the capacity of the cooperatives in Somalia. Nevertheless, there are areas where non-state actors can improve, including:

i) Maximizing production: Non-state actors must consider developing the capacity and strategies of local producers and provide appropriate tools to maximize their production. Policies that improve irrigation in the semi-arid land must be encouraged in the interest of self-sufficiency in food security. As one of the elder’s interviewed stated:

It is a shame that Somalia which is a country that can harvest three times a year imports grains; that annually exports over 3-4 million goats, cows, and camels, feed their children with border milk if they are lucky instead of fresh milk. That own 3300 miles of water die for hunger instead of fishing. Somalis should not accept such poverty. (Mr. Mohamed Ladane Salah, 2008)

ii) Improving governance: Non-state actors can also encourage and empower farming committees to adopt better management skills—good governance—where equity, participation, and transparency play a central role. Cooperatives have to be encouraged to share benefits equitably with the poor and marginalized, especially the displaced people from the south who work on their farms. Farmers, who also benefit from financial support and expertise from non-state actors, must be advised to willingly give some material support to the marginalized in their respective communities.

It is also important to note that regardless of the gradual improvement in the social sector of Puntland, millions of Somalis in the south have no access to food production. Some lost their farms to powerful clans occupying their lands. Thousands more continue to suffer in the absence of stability and peace in southern Somalia. As this study argues, the private sector of Somalia is a stakeholder that can expedite or delay the peace process. The next section elaborates on this point.

6.2.2 Economic Governance: A bridge to peace and development

Economic reform is a significant process for achieving some relative stability, which can pave the way for the recovery of a failed state. However, in these situations, the pre-existing poor economy can prolong dire poverty and often encourages more violent conflicts, which in turn delay economic reform. In failed states, some of the people involved in the private sector economy often benefit and thrive from conflict. As Jackson (2006) explains, in Africa, “warfare is a smokescreen for the pursuit of accumulation in the form of direct exploitation, the establishment of protection rackets, the diversion of emergency aid or sanctions busting—among others ... and that the condition of war legitimizes behavior that in peace time would be considered purely criminal” (Jackson, 2006:20). In such situations, Jackson argues further, “the aim of the protagonists is not to win the war, but to continue it so that commercial advantages can be maintained” (ibid:23).

Somalia fits this profile. This section puts forward the argument that the private sector in Somalia is a major obstacle to peace-building and nation-state building. Powerful individuals wearing various hats (business, NGO, politician, faction leader), whose focus is to enhance their own economic interests, put roadblock for initiatives

improving peace and nation-state building. The revitalization of the state might therefore facilitate rescuing Somalia from the misery of this commercially driven conflict and war economy. The main problem is how to arrive at the stage where the state can bring a difference to the lives of its population. Economic governance approaches may provide some answers.

In stable countries, as Gamble & Wright (2003) explain, “economic governance implies that although the economy is governed it is not necessarily governed by the state. There are different modes of governance, many of them non-state” (Gamble & Wright, 2003:111). The role of non-state actors in the economy could not be more obvious than in a country of failed government like Somalia. These non-state actors participate in, dominate, or manipulate the activities and interactions of all political, social, and economic development of the country. The recovery task at the national level is also rendered more complex because of the competing interests of non-state actors in the private sector. The situation calls for public and private partnerships. The main question at the present is: To what extent does this partnership or relationship exist to enable both sides to cooperate and devise a recovery agenda for the nation?

Answering this question requires understanding the local context, challenges, and opportunities that the private sector–state partnership might bring. In other words, while these non-state actors provide various goods and services to the people, their role in participating to establish peace and order is questionable. While public–private partnership is possible, as the Late Mr. Bixi explained in discussing the water supply project in Galkacyo,³¹ failure of peace processes is associated with the business community—in particular, the powerful economic warlords. To explain the dynamics of

³¹ Refer to section 6.1 of Chapter 6

the private sector, this section is structured into three interrelated parts as follows: first, the background of the post-civil war private sector groups; second, the positive contributions of the private sector; and third, the overall findings.

A. The private sector groups: Profiling the bad apple

In Somalia there are at least two groups involved in the growth of the economic sector. The first can be called “economic warlords.” They thrive through violent conflicts because they are involved in illegal businesses and oppose any government in the country. They believe that peace and order are obstacles to their businesses, which are based on exploiting human and material resources, including ports, airports, natural resources, human trafficking, drug trafficking, and the labor of the poor and marginalized groups. According to Jackson (2006), this situation fits the description of what William Reno calls “warlord politics.” The resulting war economies are frequently characterized by high levels of collusion between the purported antagonists and between internal and external actors. Violence is directed instead at civilians, often for the purposes of labor exploitation and social control (Jackson, 2006:23). To enable an understanding of the losses that might be at stake for the economic warlords if a government takes over the power, an illustration is presented in the table (6.3) below.

Table 6.3 Gross revenue from Charcoal Exports through Kismayo, El Maian, and El Adde Seaports: January-April 2005

	January	February	March	April	Total
Quantity (metric tons) Kismayo port	8 485.1	5 972.6	4 698	10 128	29 283.7
Average price per ton (US\$)	200	200	200	200	200
Revenue (US\$)	1 697 020	1 194 520	939 600	2 025 600	5 856 740

Quantity (metric tons)			1 025	9 153	10 538
El Ma' an sea port			200	200	200
Average price per ton (US\$)					
Revenue (US\$)			205 000	1 902 600	2 107 600
Quantity (metric tons)			1 025		1 025
El Adde sea port			200		
Average (US\$)					
Revenue (US\$)			205 000		205 000

Source: Monitoring group report to Security Council Resolution 1587 (2005:26)

This table estimates that the economic warlords who illegally manage these ports (under the hands of Al- Shabaab for many months now) together generate about \$9,168,740 in four months. These economic warlords also benefit from generating revenues from taxes on exports, imports, and berth of vessels at seaports. The following table (6.4) shows examples of this.

Table 6.4 Revenue from Kismayo Seaport, January-April 2005 (US\$)

	<i>Import tax</i> ³²	<i>Export</i> ³³	<i>Berth Tax</i>	<i>Total</i>
January	23 522. 00	234 881.00	32 200.00	290 603.00
February	95 479. 00	233 055.00	44 900. 00	373 434.00
March	35 909. 50	32 900.00	32 900.00	322 457.00
April	146 720	235 049	29 800.00	411 569.00
Total	301 630	956 633.00	139 800.00	1 398 063. 50

Source: Source: Monitoring group report to Security Council Resolution 1587 (2005: 22)

These economic warlords also generate reasonable revenue through controlling airports, as the following table (6.5) also shows.

³² Imports consist primarily of sugar, rice, flour, and other miscellaneous goods.

³³ Exports consist of charcoals and scrap metal.

Table 6.5 Revenue from Kismayo Airport (US\$)

Description	Item Amount	Estimated Monthly Revenue
Passenger entry/exit tax (not applicable for Somalis)	20.00	2 passengers 30 days = 1 200.00
Landing tax (per aircraft)	200.00	2 flights x 30 days = 12 000.00
Khat import tax (25-kilogram bag)	12.50	120 bags x 30 days = 45 000
Total		58 200.00

Source: Source: Monitoring group report to Security Council Resolution 1587 (2005:22)

In addition to the import and export revenues, the report also states that 99.7% of the export tax is collected from charcoal, and on average 18 vessels berth at Kismayo seaport per month while, at least, two flights each carrying 60 bags of khat land at Kismayo airport per day (ibid).

Analysis of the warlord economies and cost for security and environment

If economic autonomy provides power, then it is the warlords who gain that power. As the above three tables demonstrate, warlords accumulate over \$37,959,523 from ports, airports, and exporting charcoals per annum. This revenue is three times higher than the revenue (\$11 million) that the current TFG collects from Mogadishu airport and port, as indicated in their financial report (2010). An annual income of over \$37 million minimum, which is not accounted for, is a strong economic base for political instability.

These business warlords indulge in number of illegal activities that endanger the future of the Somali public through the destruction of the environment. First, the volume of charcoals exported should raise serious concerns about the indiscriminate exploitation and long-term damage of the environment. This should raise a red flag to the countries in

the region that knowingly buy illegal charcoal from Somali traders. Second, the revenues they generate from these goods provide them with the power to destabilize the country by buying and importing as much weaponry as they desire. The high cost of the insecurity they perpetuate is, for them, not an issue to be discussed or a problem to be solved. As one of the participants from the business community stated:

Some of the business people do not want good and stable institutions and they are very much opposed to the expansion of government authority. Take the role of the Bakaro market in Mogadishu as an example. The business groups in this area challenge every government and suggest no peaceful solution to the chaos in the city. They can make peace. However, their businesses thrive through the continuation of the fighting in Mogadishu year after year. They really believe that they are better off without any government—no taxes, no quality control of goods, medicine, and food. In fact, they contribute too many slow deaths in Somalia through their import of expired food, and medicine. Thousands of Somalis have died and die every day from food poisoning. Unknown rashes and allergic reactions are attributed to expired food and medicine that these people import. It is the public that pays the highest price.

As the above quote explains, the actions of these business groups also negatively affect the small and medium businesses that share markets with the powerful economic warlords. These communities constitute the second group in the private sector and probably the hope for the nation. They comprise people who are involved in small and medium decent and legitimate businesses (whole retail traders, importers of goods and services, exporters of livestock, etc.). As found through this study, this group welcomes the return of the state. They strongly believe that the advantage of having a stable state is to have the benefit of relative peace and security. As small business owners, they express the belief that the cost of security to run business is very significant. In numbers, these groups are estimated to dominate 70% of the market. Since this group has the will to make a change, they have the potential to be a mighty social force, one that could effectively challenge the economic warlords.

However, at present, due to the reasons explained above, both groups provide minimal or no support to peace and state-building efforts. To bring this sector on board, therefore, requires a complete economic sector reform that facilitates interactions between the private sector, the state, and society. This reform should encourage cooperation and a common direction towards peace and nation-state building. But before discussing how the private sector can contribute to this effort, which is a pre-requisite to genuine development, it is important to understand the level of this sector's growth, interaction, dynamics, challenges, and its impact on the broader public—in particular, its legitimacy in public eyes.

It is worthwhile to note that economic growth in Somalia in the midst of anarchy generates much interest among academics and policymakers (Little, 2003; World Bank, 2006). While this thesis recognizes the setback of the Somali economy caused by civil conflict and the economic warlords, it argues for a need to understand how the private sector contributes to economic development. The role of the private sector as a catalyst in fostering peace and nation building cannot be denied.

B. Positive contributions of the private sector: A catalyst for peace building and state autonomy?

One of the major changes in Somalia over the past decade has been the growth of the private sector. Economic deregulation and privatization have accompanied the radical localization of governance. In the context of weak and often ineffectual public administration, the private sector is playing an instrumental role in providing social services and shaping development. (Human Development Report 2001:41)

As the above quote indicates, regardless of the dire human security crisis situation in Somalia, the private sector or business community reports some improvement in the economy by investing in all almost all economic sectors. However, this has to be

accepted with a word of caution. The assessments are based on estimates. Since 1990, there are no institutions specifically responsible for collecting and analyzing data on any sector or studies that can identify the investors behind these businesses.

Yet, relative economic growth is reported in almost all sectors: finance; communication and technology; real estate and construction; export of livestock, bananas, frankincense, fish; and import of goods and services (World Bank, 2006; Little, 2003). Because there is no effective government, these types of imports and exports move freely into and out of the country without being subjected to any regulations or quality control. Somalis concerned about the security of the country invest in neighboring countries, such as Kenya, Uganda, and South Africa. These investors follow the rules and the regulations of those countries. How do the Somali economies develop without a regulatory state in place?

Since the collapse of the state, economic governance is constituted by informal local governance institutions and social capital. For instance, the private sector investors engage clan leaders and influential business people to facilitate trade, access to local markets, and security of shipments—as Mr. Abdullahi, a participant from the private sector, explained in the previous section. Consequently, these interactions and relationships tend to reduce clan tensions and strengthen social trust and reciprocity among business people in various clans. This encourages Somali communities to transcend clan boundaries, and consequently leads to quick growth in various sectors in the economy. To appreciate the level of development thus attained, it is worthwhile to present empirical evidence from selected sectors as illustrations and then examine their contribution to peace and state-building.

Communication Services Sector

This sector made the most noticeable change in Somalia. Prior to the civil war, this service was limited to some main cities. After the war, since all services (telephone lines, radios, newspapers, and posts) were destroyed during the civil war, the business communities quickly realized the high demand for communications. According to the World Bank Report (2006) *Somalia: From Resilience towards Recovery and Development*, before the civil war, Somali government network services provided only 17,000 telephone lines. Today, more than nine private operators serve over 160,000 fixed and mobile subscribers in almost every province and town (World Bank, 2006:71).³⁴

It is important to note that since these services are not coordinated, often owners of telephone lines or mobiles only call those who are in the same company, otherwise they have to carry two or three mobiles to meet their personal and business demands. These companies ignored the mutual benefits of working together in the interest of the public. Therefore, the new state is the only agency that can regularize these uncoordinated services. What are the benefits and challenges of these services?

Service accessibility: In general, this communications service has contributed to improvement in a number of areas. In comparison to the pre-civil war period, increasing access to communication technology and services (online telephones, mobiles, internet, TVs and radios both local and international) contributes to the well-being of communities living in both urban and rural areas. For instance, mobile and inland telephone lines connect families and relatives overseas as well as those in the country. They also improve the lives of displaced people in unprecedented ways. Sharing the experience of

³⁴ It is acknowledged that foreign industries that produce the telephones and their countries benefit the most.

Ahmed-Amiin, one of the participants representing the group from the public, about accessing this service illustrates:

My brother and I work in Bosasso and moved to Carmo city, Puntland, in the construction sector. We came to Bosasso nine years ago. I talk to our family as often as I can afford. Without my mobile, which costs me US\$3 (US\$2 to get the number and US\$1 to buy pre-paid minutes), I would not be able to talk to my family, since it is very difficult to travel there due to insecurity. Keeping in touch with my family through mobile phones reduces my worries.

As this participant explains, these services strengthen family ties, given the displacement and destruction of the Somali family unit during the civil war. The affordability of the telephones definitely reduces gaps in urban–rural information and communication. For instance, Somalia is now regarded as one of the few African countries with the cheapest rates for telephone calls. A minute, connecting anywhere in the world, costs less than \$0.40 cents (Salah & Taylor, 2000), including the internet (Little, 2003). Other reports have cited \$0.50 cents in February 2005, and about \$0.85 cents in northern regions (World Bank, 2006:71). These are still cheaper than prices in the neighboring countries, such as Kenya and Ethiopia. In Canada, Somalis pay CAD\$5 for a 15- 20 minutes call.

Increase in civic engagement and awareness: Another positive impact is that accessing information through numerous mediums (radio, newspapers, television, and Somali internet websites) contributes to people’s awareness of the political, social, and economic dynamics of the country. Thousands of people turn on their radios at 5:00 pm to listen to BBC–Somali language or watch satellite TV (which connects to BBC, CNN, Al-Jazera, and Somali TV–Universal) in order to listen and participate in various issues, such as health, education, peace building, state-building, and economic development. During the radio debates, calls from Somalia to BBC in London, UK, or to Voice of

America in Washington, DC, are very common. Both men and women equally call and express their opinions, challenging politicians or appealing to them by sharing their ordeals. Somali people are also engaged in public debates through the media: civic engagement is in the making. However, this is not the only sector that brings significant change to Somali lives.

Financial Service Sector: A Temporary Lifeline for Millions of Somalis

Privately owned financial institutions, or what Somalis call “Hawala or money transfer agencies,” constitute another sector that surfaced after the civil war. The institutions in this sector replaced the formal financial and banking service institutions when the latter collapsed in 1990. This sector has become the lifeline for millions of Somalis inside and outside the country. The overwhelming needs of the public and the private sector for financial institutions grew when the formal banking system collapsed. Without the transfer of remittance from Diaspora communities, Somalia’s human security situation might have been in a more devastating condition and the economy would not have improved.

This high public demand stimulated the emergence of dozens of Somali money transfer banking systems (including Dahabshiil, Qaran, Amal Express, Iftin, Kaah, Mustaqbal, and Sahal). They are located on almost all the continents. Some of these are more active than others, but all have enough clients to keep them in business. International organizations such as the UN agencies and INGOs also depend on these agencies, transferring millions of dollars to implement various programs throughout the country. In 2004 alone, the financial agencies transferred at least US\$825 million

remittance annually and possibly more than \$1 billion (World Bank, 2006:38). It is roughly estimated that this is equivalent to 65% of the GNP (ibid).

Developing good relationships with financial institutions in neighboring countries has been crucial for the business communities. They open personal bank accounts overseas, mainly in the United Arab Emirates and the Republic of Kenya, with the intention of maintaining legitimate import and export businesses and dealing with foreign companies in currency exchanges and transfers. Today, owners of such businesses operate like real banks. Furthermore, the public has begun to trust the privately owned banking systems. Millions of Somalis lost their money when the government owned banks collapsed in 1990, engendering an enduring distrust by Somalis of any bank. No one has any idea of how to trace that lost wealth, which went into the hands of clans and individuals or those responsible for the loss. However, now some people deposit, transfer, or save large amounts of money in accounts in these privately owned banking institutions.

The latest technology enabling people to transfer funds through mobile devices has been encouraging, especially for those living in insecure places. It allows them to avoid carrying cash. Instead, they can use their “mobile” cell-phones to transfer money through debit services, directly deducting money from their accounts. For example, if you are in a store and you buy something, you only need to ask the store’s account number in one of the Hawala agencies and the money is transferred directly to the your mobile. The fact that Somalis are in a position to trust informal agencies is a significant step forward, improving the economic governance of this sector. In an informal interview, one service user explained his relationship with such agencies:

The risks in using these institutions are moderate, and we don't have much choice anyway. If they lose our money, it would take years before we recover any penny; we all know that. Besides they improve their services all the time. That is encouraging. For instance, introducing "debit approach" saves us from carrying millions of Somali shillings (less than US\$20) around. However, the only people who are not happy about this service are those who always seek shaxaad (informal begging or fake beggars) from poor relatives, unemployed friends, and sometimes unpaid authorities. If you are not carrying cash, then it eliminates the expectations of people who always live out of other people's pockets and the temptation of bandits in insecure places. Now that the Puntland security is deteriorating, this really improves our individual security.

The services of these financial institutions are as quick as the conventional banks and sometimes faster in terms of reaching recipients in remote areas. Existing traditional institutions and local governance facilitate the process. In other words, "This is where technology meets traditional institutions" and "local governance institutions display their effective roles." The following section explains.

Tradition meets Technology: Improving Private Sector Governance

When sending remittances, the representatives of these agencies, who are located inside and the outside the country, utilize on-line wiring methods, e-mail, telephones, and high frequency radios to reach recipients anywhere in the world, including rural Somalia. In reference to the receiving end, what plays a significant role is the existing social capital: that is, trust, norms, and indigenous knowledge.

For instance, if a recipient does not have identification when collecting remittances, the agency representative can ensure the correct identity of the individual in a number of ways. Structurally, it would rely on indigenous knowledge. The representative in that area would identify the individual not only by name, but also through the clan affiliation or residence. The recipient has to bring someone who knows him or her from the community or from his clan. This can include a business person, an

elder, or a professional who has credibility in the community. If the agency representative cannot find out who the recipient is or if the latter does not have a telephone, they look for the recipient through the clan mechanism. The sender provides not only the recipient's name but also their clan or sub-clan, and the agency sends a message through the clan channels. The recipient successfully collects his or her money and the sender receives confirmation within 24 hours, regardless of where that person lives. The agencies also keep records of the senders, recipients, and their contacting addresses for future references. But now it is mandatory for all agencies, especially to those who are located in North America and Europe, to keep track and discourage any money laundering and financing terrorist activities. Overall, this reveals that trust and local knowledge are assets to this service.

The second positive contribution of this franchise service is that it brings together local business communities from different clans who would not see eye to eye on Somali politics. The governance structure of this service further ensures every shareholder's profit and every recipient's remittance—regardless of where they are located and which clan they are from. As Gamble (2000) argues, “central to economic governance is the notion of economic constitution” (Gamble, 2000:112). This refers to a weak or stable state where “the existence of an economy implies a degree of order, consistency, and predictability in the way in which agents behave. That, in turn, implies rules, constraints, and norms which agents accept as binding upon them. Together these make up the economic constitution” (ibid). Interestingly enough, such order and consistency, which is pertinent to economic growth, can be found in a chaotic society like Somalia.

Thus, relationships, exchanges, partnerships (private and public in autonomous regions), and interactions among business communities transcend clan boundaries. Besides contributing to the economic sector, this service strengthens governance of the economy. Studying in depth the governance and operational structures of these agencies and how their services are interdependent is beyond the scope of this study and is an area that requires more study. The new state might decide to build on the already existing public–private partnerships, regulate this service, and reform the economic sector without undermining the importance of the evolving services, which are responding to and satisfying public demands.

Overall, what the examples of localized financial institutions, and the telecommunication sectors have revealed are the possibility of cooperation among business groups to maximize their profit and protect their interest in the midst of anarchy in Somalia. This also means they have the capacity, connection, knowledge, expertise, and resources to divert any negative efforts affecting their businesses. Does this mean they have the power to find an alternative approach to end the despair of the public, which has been living in chaos and conflict over the past twenty years? To what extent can business communities contribute to peace and nation-state building? It is established that the agencies provide high-demand services by overcoming all odds. For this reason, participants were asked questions to elicit information about various events they observed in various situations.

C. Overall challenges: Lessons learned and policy recommendations

Security threats divert private sector responsibility to social responsibility: In relatively peaceful countries, a growing economy is always expected to contribute,

among other things, to the development of the social and political sectors. However, in countries of collapsed states, it often has an adverse effect. In the case of Somalia, the overall reward of the economic sector would have been much higher if the country had been stable and peaceful. Nevertheless, business groups continue to conduct their businesses in Somalia and, in particular, the most dangerous places such as Mogadishu and Kismayo. The following passages shed some light on how this happens. As one of the participants from the business community explains:

In conflict-ridden cities like Mogadishu or Kismayo—we are always in negotiation with whoever takes over the power—power frequently changes from the hands of one group to another. After an agreement with the new authority of the day, we re-establish contacts and then send the shipment. We operate in high risk places; sometimes we lose a whole shipment carrying goods worth millions of dollars. That is a risk we take every day. Looting is very common when authority changes hands, and it is very difficult to recover the looted goods. Like any business person, we write off the loss and continue sending more shipments. This indicates that taking risk is a part of the business communities in Somalia.

Whether they have the capacity to bring about change but instead choose to gain and thrive in lawlessness or whether they have no choice is open to debate. This also means that business partners working in a war area constantly seek more collaboration through negotiations and bribery with economic warlords and locals who control the area. Clan affiliations help the situation. As another participant from the business community explains:

This means, a partner who (often a group of businessmen in one area) receives a shipment is responsible for the whole sale, as well as the security of the goods. In particular, when there is relative peace, if the partner or business community fails to safeguard the shipment of the partner from other clans, or if such trust is violated by a group, it affects the relationship and the market. When conflict arises, the public witnesses a sharp increase in the prices of foods and fuel because all the businesses are interdependent. They share benefits and expenses. They also share containers to reduce transportation costs. Therefore other partners willingly block docking the shipment in their region. Indeed, all groups are better off in keeping their end of the bargain regardless of the changing political climate.

(Interview with a participant from the business community)

The experience of this participant implies that in such a shaky economy, most business people (small and medium) are under constant threat. They would prefer to deal with a state that ensures the security of their lives and businesses instead of living in constant fear while investing in high risk business.

But those who thrive because of the war do not want to see any government in place. They establish their own security forces and develop good relations with the militia groups of other clans. They also generate a lot of resources from public assets, as discussed above. Given the diverse interest and challenges that small and medium business communities face, it is very unlikely that they will invest their profit in the social sector to improve human security, including provision of integrated basic needs. This behavior can be attributed to the environment they operate in, which is highly saturated with mistrust and fear. For this reason, business people only employ family members or close relatives. This brings the second challenge.

Lack of effective formal governance discourages economic growth and social responsibility. This study found that while the private sector provides highly demanded goods and services, they barely create any jobs for the thousands of unemployed people. Their lack of contribution to human development can be attributed to their distrust of formal governance structures and functions, whether they are operating in an area ruled by a warlord or a formal administration. For example, one of the participants who send ships to different parts of Somalia argues:

Regional administrations in Somaliland and Puntland collect insignificant taxes from the public. The private sector actors believe that if they pay taxes, authorities do not invest in social programs or infrastructures that support activities for economic growth or improving security, which is crucial to their businesses.

Instead these funds end up into the pockets of government officials. For instance in Kismayo, even though one pays tax at the port, there are more checkpoints all over the city and its surroundings. Without personally paying these people, it is impossible for one to move goods from “A to Z” safely. In Mogadishu, the situation is the same ... but lately it has fewer checkpoints [A year later, the situation changed after the government lost most of the city to the Al Shabaab group]. In Puntland, after we pay the tax at the port, trucks transporting goods pay more taxes, which depend on the load at the entrance of every rural and urban city. When and how can we save money to provide for social programs if we are feeding the pockets of greedy warlords, militias and state forces?

This widely adopted attitude of the private sector to some extent stands in the way of partnership between the private and the public sectors. According to a representative from the Puntland administration, the check points are maintained to ensure the security of the region and create policing jobs for thousands of adult youth in each city and village. This approach also supports the integration of the clan militia in the region to the government system. Even though this approach is very effective in improving security, the private sector in Puntland considers these taxes a burden that diverts resources from much needed infrastructure and social programs.

In the context of the private sector in southern Somalia, these taxes also discourage any relationship between the Transitional Federal authorities and business communities. It is apparent that the vulnerable condition of the transitional government further discourages such relationship. As the former minister of commerce explains:

It is not simple to establish this relationship at the present. Business people have no contacts with the TFG. Only those whose companies want to invest in various projects seek permission and patents from government ministries responsible for this service. These documents legitimize their business when dealing with foreign companies. This is the only time they acknowledge our existence as a TFG. However, obtaining these documents easily from the government would have salvaged the relationship, but most of the government authorities do not simply process and serve private sector or the public in that matter because of their limited capacity.

The outcome of this discussion is that the government authorities also contribute to the disconnection with the private sector. But as the quote in the following paragraph will assert, the disconnection is not limited to between the government and the private sector, but also exists between the private sector and civil society.

Overall, the perception of the participants from the public and the civil society sectors on about the role of the private sector in peace and development is negative. Most participants are disappointed with the private sector. One of the participants summarizes the views of all interviewees:

I blame all the problems of the country on the business communities. They use their wealth to destroy Somalia. For instance, they import used oils and create jobs for gunmen who look after their businesses instead of encouraging a national police force. Their militias protect them in the day time and rob the public at night time. They sell millions of tons of charcoal, which devastates the environment by burning trees indiscriminately, including mango trees, for charcoal. They sponsor and give licenses to foreign ships to overfish the Somali waters; they import the cheapest or expired food, which slowly kills people. They increase inflation by printing false currency notes, and this further devastates the poor families who were already struggling to survive. It is very difficult to mention any good thing that they bring to Somali lives without getting a major return. This is the reason why I blame them.

In light of the frustration of the public, heard in interviews and in informal conversations, it is very difficult to imagine that the business communities would play a positive role in peace building or state building while the profit they make is more than the cost they would endure. Therefore, one has to ask where solutions would come from. Who is in a position to put some pressure on these powerful business people? Are there other mechanisms that can bring business groups on board to support reforms on security, social, political, and economic sectors? What are the lessons that Somalis and others can learn from these experiences?

Lesson Learned and recommendations: Due to continuing violent conflicts in the south and low intense conflicts in the north, the economic sector of Somalia suffers heavily. Although the real outcomes of these economies are not very clear, the perception is that such conflicts bring prospects to the business communities. Furthermore, if security were an arduous issue for the business community, they would join hands with the suffering civil society to find a workable solution for the country. However, as one of the participants rightly emphasized, “The answer to reviving the economic sector governance should come from combined efforts of the government, the public, civil society and diaspora groups, as well as pressure from the international community, if the international community wishes to assist the process.” While the perceptions against the private sector are clearly subjective, there is no doubt that there is a need to bring the private sector on board for peace and security to prevail.

Ensuring their participation calls for the implementation of a number of policy measures and follow up actions led by the state, and external actors, as follows.

i) The state or local authorities have to announce policies and strategies that not only marginalize the business of the warlords by confiscating or constraining their properties, but also bring them to justice. If Somalis are serious about achieving a lasting solution, they have to find a way to put pressure on the economic warlords until they realize that the cost to manipulate the country is higher than the profit they make. One of the participants asserted, “This is the language they understand. Stop one shipment, close a private airport, ban the arrival of Khat flights, restrict their travels, and you will quickly sense a change and support of the rule of law.” The return of public assets to the government must be the target of this policy approach.

ii) Together the state and external actors can work on policies that deny economic warlords any access to markets in neighboring and Arab countries and control the channels through which they generate revenues such as public assets (airports, ports). The international community, especially neighboring countries, would have to help to apply and ensure the continuation of this pressure, or this policy would fail. As one of the participants challenged us, “Ask yourself, why would a person who manages a private port or an airport which accumulates US\$1 million dollars a month or more support the return of a government that would impose regulations and take back all those resources and the power that comes with it?” This view expresses the predominant voice of civil society. However, there is a need for an alternative approach that calls for attacks on the life lines of those involved: their private businesses. Action should follow on these policies, which would include putting pressure on politicians who are either shareholders or receive bribes from the private sector to legitimize their illegal businesses.

iii) The new state must put in place corruption oversight mechanisms. One way of implementing this is to engage civil society and decent business people who support the return of the state. Media watchdogs have a role to play by exposing the corrupt deals.

iv) Finally, the new state must introduce policies that effectively engage the private sector by carrying out awareness campaigns aimed at rejecting anti-peace activities and bringing together the public, government, and private sectors to continue the peace dialogue directed at rescuing the country. Public awareness of such an effort might further encourage collaboration and participation in the peace and recovery process. The next section sheds lights on how non-state actors contribute to or constrain peace-building processes.

6.2.3 Peace Building at the Community Level: A Mirror to Sustainable Local Governance

Local non-state actors in Somalia always have the capacity to generate resources to respond to and defuse community level inter and intra-clan conflicts without the assistance of outside world.

In the post-conflict period, peace building at the community level is one of the steps that can ensure sustainability of community governance. Living in a peaceful and healthy environment is a basic right and pre-requisite to any form of development. This is a right that millions of people, including many Somalis, lack. “Nabad” or “We are at peace” is a Somali greeting. However, millions of Somalis in the south have not seen or experienced this for more than two decades. A modern state, which would have ensured the peace and stability of the country, has been absent during this time. The question that arises is how peace might be established in Somalia. How does society maintain peace and enhance respect for individual rights and social justice when there is no guarantor, namely a state? Can the role of non-state actors fill this vacuum?

In response to these questions, this study examines the structures and role of non-state actors in Somalia’s peace-building processes. It is widely agreed that while a number of local non-state actors are agencies for peace, some external non-state actors facilitate the process by bearing the expenses of the community effort to defuse conflict and find solutions. As the above quote indicates, local non-state actors in Somalia always have the capacity to generate resources to respond to and defuse community-level inter- and intra-clan conflicts without receiving any external assistance. The successful conflict prevention or reconciliation efforts witnessed in some parts of Somalia might be attributed to combined local and external resources (diaspora), effective and just leadership based on voluntarism, and community support.

To elaborate more on these positive findings, this section has been structured into three parts. First, since the field work took place in Puntland region of Somalia, we briefly introduce Puntland state and examine what contributes to its peaceful environment compared to the southern regions of Somalia. Second, we analyze two community peace-building case studies in depth and provide some findings. Third, in response to the question of what can be learned from these experiences, we present lessons learned from peace-building activities at the community level and advance modest policy recommendations that can contribute to good governance at the national level to improve peace and nation-state building.

A. Puntland state of Somalia: A source of stability and unity in a fragmenting Somalia's nation-state

Puntland state came into existence in 1998,³⁵ and it is one of the regions in Somalia that experienced minimum conflict. When the Somali state was in control, its population had minimum contact with the central government. The situation has encouraged the population of this region to depend on their own resources. At the peak of the civil war, Puntland benefited from the return of masses of its people—students, professionals, politicians, and business people—who had lived and invest their resources in the south, especially Mogadishu. These have transferred their resources from Mogadishu to Puntland, thereby enhancing the development process in that region. The interviews revealed that 29 out of the 37 randomly selected participants were Puntlanders who were internally displaced from the south, including Mogadishu. Puntland escaped from the disasters of the civil war, except for a short period in 1992, when its inhabitants

³⁵ Refer to Chapter 5.

confronted some Islamic fundamentalist organization (Al-Itihad). This resulted in the deaths of over a thousand people.

The existence of Puntland ensures the unity of Somalia. Many scholars believe that Somaliland would have achieved its separatist vision had Puntland not been established. Puntland state is in dispute with the Somaliland government over the territories of Sool, Sanaag, and Cayn. These regions are located in the center of the borders of Puntland and Somaliland. On the one hand, the inhabitants of those regions belong to Puntland by blood or kinship-ties. On the other hand, the regions historically fall within the borders created by the colonial powers. Since 1991, the Somaliland administration has campaigned vigorously to gain international legitimacy as an independent state from the rest of Somalia, but without success. The tension is very high. Any form of violence, regardless of its legitimacy, threatens the democratization process and the lives of the inhabitants. Peace-building initiatives are taking place in many parts of Somalia. However, in this section we focus on peace building at the community level in Puntland.

The relative peace in Puntland might be attributed to the leadership of its local non-state actors including civil society led by elders, its population who highly respect the rule of law and their indigenous conflict resolution and management approaches.

B. Peace building Case Studies

This section presents the processes and outcomes of two peace- building case studies: The Burtinle Peace Accord (BPA), and the Mudug Peace Accord (MPA). The **Burtinle Peace Accord (BPA)** demonstrates how community members resolve conflict between two sub-clans. In this specific case, this conflict might have had political

implications, since one of the sub-clans resides in the disputed area between Puntland and Somaliland. Without timely intervention, the conflict might have threatened or broken up the unity of sub-clans within the Puntland state. The **Mudug Peace Accord (MPA)** represents reconciliation between two dominant Darood and Hawiye clans that are historical adversaries. Both cases reveal the impact, implications and costs of community level conflicts and reconciliation efforts in Somalia. The purposes of analyzing these cases are i) to understand the peace process, ii) to highlight the roles of non-state actors in facilitating peace-building negotiations, and iii) to explain how community peace building can contribute effectively to the national peace-building effort and challenges. Particular attention is paid to how such initiatives contribute to community governance and the possible application of the lessons acquired to improve peace building at the national level.

The Mudug Region and the Analytical Approach

These case studies are extracted from a report entitled *The Search for Peace, the Puntland Experience: A Bottom-up Approach to Peace and State Building 1991-2007*. The PDRC prepared this report with the support of Inter Peace, an international non-governmental organization based in Switzerland. The UN created this organization in 1994 to facilitate the rebuilding process in war-torn societies. The report focuses more on the process and effort towards peace negotiations, while this study is focused more on the role of non-state actors' in the process. Before presenting the case, it is also important to understand the Mudug region, where both peace agreements occurred, and Galkacyo, which is implicated since it is the capital of the Mudug region.

Mudug and its surrounding areas is “a region of diverse clans and strategic geopolitical importance, it has gained the reputation as an epicenter of the country’s civil strife” (PDRC & Inter Peace, 2006). Galkacyo is divided by a “de facto” line, where Habar Gidir of Hawiye dominates the south and Majeerten and other Darood clans dominate the north. It also hosts dozens of Darood sub-clans, especially the Harti-group. It is important to note that Galkacyo is not the only city divided by a de-facto line. It would not be an exaggeration to argue that a “de-facto line” can be found in almost all communities where two or more dominant clans (Hawiye, Darood or Isaq, Digil/Mirrifle, and other clans) live together. Often city structures should say a great deal about the relationship between clans and sub-clans. For instance, a mosque and a police station are built in the middle of each city to symbolize the division of clans. However, the composition of Galkacyo city is unique. It provides a prime example of clan complexity, division, competition, and conflict. This means that clans must co-exist in Mudug for their survival and for their trade.

Though the Mudug region is the most conflict-prone area in Puntland state, “its peace is pivotal to the entire future of Somalia: as a vital cross-roads for trade with the Somali region of Eastern Ethiopia, commercial meeting-point for the nations’ northern and southern regions, and most importantly as a unique pot in which Darood, Hawiye and other clans meet and interact” (PDRC & Inter Peace, 2006:7). Adadda is one of the districts near Galkayo from which the conflict related to the Burtinle Peace Agreement originated.

Case Study 1: The Burtinle Peace Agreement: The Traditional Approach to Conflict Resolution, a Foundation for Future Local Governance

Community-based approaches in peace-building tend to strengthen the capacity of local communities to mainly deal with and resolve local issues. These efforts can ultimately strengthen governance at the nation level as more people demand peace and development.

In 2007, a dispute between the two communities of the Harti sub-clan (Bah Ararsane of Dhulbahante and Omar Mohamud of Majeerteen) of the Darood clan in Adadda arose on water and grazing land (PDRC & Inter Peace, 2008:58). This is not the first time that the sub-clans fought over such issues. Conflicts date back to 1985, 1997, and 2001. A common agreement was reached by both sub-clans in the region that no clan members should dig wells or build reservoirs in the land of the other sub-clans. In this case, the conflict was triggered when “Omar Mohamud had dug 25 berkedo [water reservoirs] all in Dhulbahante (Bah Ararsame) territory, while the Dhulbahante themselves had constructed four berkado on Omar Mohamud’s land” (PDRC, 2008:61; interview with research participant). As discussed in Chapter 4, the customary law is very clear about clan territory and respect for the dominant sub-clans. Regardless, in March 2007, the conflict led to the death of nine members from Dhulbahante clan and both groups reported scores of wounded men. There was fear that if the conflict was not contained in time, it might spill over to other regions (Sool and Nugal) and affect other sub-clans widely. The communities of both sub-clans responded to the conflict twice (Phase I and Phase II) within few weeks. The following table (6.6) presents the different approaches of the intervention in phase one and phase two of the Burtinle Peace Accord.

Table 6.6 Phase 1 and Phase 2 of the Mediation Process of the Burtinle Peace Accord

	Phase I	Phase II
Mediation process 1. Chairmanship 2. Mediating Committee 3. Agreement	1. Minister of Justice Included the parties in conflict; 2. Land issue not addressed 3. Contested	1. Senior Isim [chief] (Islan Issa Islan Mohamed) 2. Third party mediators; land issue addressed; agreement addressed group interests and needs; Omar Mohamud acceded to needs of Bah Ararsame 3. Follow-up committee established
Community mobilization by women	Clan and region-wide women from Sool region [only] involved	Puntland-wide, including 40 women from the five regions of Puntland engaged in shuttle diplomacy and peace mobilization at all levels of community
Government involvement	Puntland government-led process	Puntland government monitored and facilitated progress; shared responsibility for implementation of agreement

Source: PDRC and Inter Peace, the Search for Peace, 2008

The first phase of the reconciliation processes was led by the Puntland state, while the second phase was led by civil society. In 2007, the Puntland state had been in existence over ten years. Therefore, as expected from any state, “it sent 65 soldiers and later increased this to 120 to enforce ceasefire while the reconciliation process was taking place” (ibid: 60). Traditional leaders, elders, religious leaders, women’s groups in the region affected by the conflict, and members of the administration began mediations based on the 1997 peace deal (ibid, 60). An established mediating team proposed that both sub-clans pay some form of compensation (120 camels per person) and a number of women to be given in marriage to the aggrieved party, the Bah Ararsame (ibid). However, the report (2008) and the discussion with the participants concluded that, with reference to customary laws of the Darood clan, the mediating committee failed to address the core issue of pastoral rights in the disputed areas.

The conflict resumed over a water dispute in late March in the same year and claimed the lives of five more men from the Bah Ararsame, bringing the number of deaths to 14 men and scores of wounded men from Omar Mohamoud. The reconciliation process of the second phase was launched. This was led by traditional elders and women groups from many sub-clans in Puntland. As the above table indicates, in this phase, the involvement of the government of Puntland was limited to facilitation and monitoring roles. The outcome of the second phase was the “The Burtinle Peace Agreement.” In this case, Omar Mohamoud was deemed the guilty party for killing Bah Ararsame men. Both parties endorsed this agreement. One might ask about the cost of this conflict.

Table 6.7 The Cost of Making Peace

Item	Quantity	Cost per item US\$	Total US\$
Camels per head	1070	140	149,800
Dallad Berked	1	8,000	8,000
Addada Berked	1	7,000	7,000
Burial expenses	9	250	2,250
Condolence	8	1,000	8,000
Injured compensation	13	1,500	19,500
Contributions from NGOs	n/a	n/a	n/a
Puntland government including logistics and destruction of berkedo	n/a	n/a	n/a
Donations from Business and Harti community	n/a	n/a	n/a

Source: Danish Refugee Council Report on “Aggare conflict Resolution, 2007”

This table (6.7) confirms the cost of peace in the second phase of the conflict. The agreement ordered Omar Mohamoud to pay a compensation of 1070 camels to Bah Ararsame within nine months. This is the first time that a traditional committee imposed

deadlines on both parties to collect and deliver the compensations (ibid). This innovative approach was intended to increase the pressure over the diya-paying sub-clans. The second feature of the agreement relates to the actual destruction of the berkedo (water reservoirs). In recognition of the financial loss, the agreement specified cash compensation to the owners by the Puntland government through Isimo [elders] (ibid).

In light of this study, the cost of resolving the conflict was between US\$200,000 to US\$500,000 (ibid). One may ask where all these resources came from, given the limited financial resources of nomads and rural communities. The report indicates that this conflict strained the resources of the local and the diaspora communities, especially the business community. They had to participate in the contribution and collection of the compensation (PDRC, 2008). Other non-state actors also supported the process, as the following table indicates.

Table 6.8 The Roles of Non-state Actors in Peace Building

Organization	Types of Assistance
Danish Refugee Council, and INGO (Bosasso office)	Supplying of mediators with water, food, blankets, transport and communication (access to telecommunications is difficult in remote areas of the conflict zone)
Puntland Development Research Centre (PDRC), local NGO based in Garowe	Technical support and consultation with the mayor of Burtinle and elders; provide facilities for convening of elders; financial and logistical support for women lobbyists, the mediating committee, and elders; production of a documentary film on the second phase of the peace talks
WAWA, Bosasso-based women's network of women's organizations from all regions of Puntland	Mobilization of women peace activists, in partnership with the Puntland Ministry of Women Development and Family Affairs
Rahan, local NGO based in Laas "Aanood"	Financial and logistical support for meetings between the two clans.

Sources: PDRC, and Inter Peace (2008)—Peace Initiative in Puntland 1991-2007

Analysis of Burtinle Peace Agreement Case: Lessons Learned

Centuries-old culture of peace dialogue approaches is utilized to punish the guilty and reward the victim. This approach works better at community level.

Historically, at the community level, sources of conflicts in Somalia arise from killings for clan revenge, fights over scarce water and grazing land, and disputes over land ownership. Since there has not been an effective government in place over twenty years, such conflicts are on the increase. Any one of the above factors may trigger and spread conflict very quickly (spilling over to other clans, urban cities, and neighbors) if it is not contained in a timely fashion. Most of the time, however, communities have the capacity to defuse the conflicts, as the Burtinle Peace Accord case shows.

As mentioned before, in post-civil war Somalia, the role of civil society in averting or resolving conflicts became the center of the community governance approach. This case study demonstrates the various roles and successful intervention of non-state actors (civil society groups including elders, women groups, NGOs, INGOs and diasporas, and the private sector) in Puntland. This also means that healing old wounds and preventing more violence requires exposing and resolving the sources of conflict at the community level. First, this reveals that regardless of the severity of the conflict, elders might spearhead the peace and reconciliation effort. The most important element during the intervention is the division of labor and voluntary financial contributions by the community and its external supporters, that is, the diaspora. Without timely financial support, it would have been very difficult for the elders and other non-state actors to intervene successfully and to reach the hard-won Burtinle Peace Accord.

NGOs such as PDRC and WAWA played facilitating roles. For instance, the PDRC provided the venue at which the elders and a technical committee prepared the

intervention strategy and reached an agreement to send a delegation of 17 men from each party to the venue for the peace talks (PRDC Report, 2008). The PDRC also recorded all the negotiation procedures and agreements and ensured that the parties witnessed and acknowledged the existence of the records for future reference. The media was used to exert pressure on the parties in conflict. As one of the participants stated, “[W]omen’s organizations such as WAWA equally played a significant role for the prevention of this conflict.” The following section elaborates this effort.

The Role of Puntland Women Peace Builders in Burtinle Peace Agreement:

Women’s groups played a significant role in achieving the Burtinle Peace Agreement. In the context of conflict prevention and peace negotiations, they developed their own “early warning systems.” They acted quickly to stop the escalation of the conflict. As the Executive Director of WAWA, Ms. Jama, explains, “Somali women in Puntland always risk their lives to arrest bloodshed in communities by adapting preventive strategies.” In the Burtinle case, Ms. Jama describes the situation: “As soon as we learned about the killing, we organized a group of forty women activists known as ‘Nabadeeynta, peace-makers’ to prevent any attacks as retaliation to the killing.” As a PRDC representative confirmed and reported, for over nearly two months, the group of women traveled to Burtinle, Laas Anood, Qoriley, and Galkayo, calling for peace and creating a space for a dialogue. Ms. Jama further explains, “We refused to go back to our homes until the agreement was signed.” When the women’s groups succeeded in stopping the conflict, the elders and politicians took over the reconciliation process and their role changed to serving and encouraging the men through poems and songs in the media.

The exclusion of women from the negotiating table is one of the shortcomings of this community-based peace and reconciliation building. This is a reflection of the traditional male domination of the mediation and decision-making process in Somali culture. Such limitations often do not bother women, who grew up under this customary law. As the Puntland Director General of Women Development and Family Affairs states, the women were fighting for peace and not a seat in the peace talks (ibid 62-64). During the peak of the conflict, this statement might have had some merit, as women's focus was to stop the conflict. It seems that in this case, the exclusion has deep-seated long-term implications for women's right to participate in any decision-making processes. Improving women's public space should be a part of the strengthening and capacity building of civil society organizations and local institutions.

Overall, the PDRC, Inter Peace and the WAWA, and clan elders are among the many non-state actors that stopped the conflicts and also documented the process. The second case study examines more complicated inter-clan fighting.

Case Study 2: The Mudug Peace Agreement: A Politically Motivated Conflict

The Mudug Agreement not only answered the need to secure a vital trade route through Galkayo, but also to establish joint security structures between the traditional isimo (chiefs) authorities of the Majeerteen and other Darood sub-clans and the Habar-Gidir [Hawiye sub-clan]. These joint structures were considered vital to prevent further incidents of looting and camel-rustling from degenerating into all-out clan warfare. (Ahmed Yusuf Farah, Somali Scholar, 2001 WFP's Study Rebuilding Somalia: Issues and Possibilities for Puntland)

Another community peace initiative in which non-state actors played a significant role is the consolidation of the Mudug Peace Agreement (MPA) in 2007 in Galkacyo. The purpose of this accord was to strengthen the trust and kinship ties between the communities in Mudug region—to ensure that both parties honored the accord their

leaders signed in May 1997 and thereby to maintain peace. These leaders were General M. Farah Aidid, the leader of the USC of Hawiye clan, and Colonel Abdulahi Yusuf, the leader of the Somali Salvation Democratic Front (SSDF) of the Darood clan. They signed the Mudug Peace Agreement (MPA) on June 4, 1993. This agreement was considered one of the best-sustained peace agreements in Somalia, given the calamity of the region.

The USC's aggression towards the Darood clan intensified after 1991, when it overthrew the government of former president Mohamed Siad Barre, a Darood member. Even though Colonel Abdullahi Yusuf led the first opposition group against the Siad Barre regime as early as the 1970s, Aidid and his forces indiscriminately attacked and killed any Darood in the southern part of Somalia after Siad Barre fled from Mogadishu. They further uprooted thousands more living in southern parts of Somalia and attacked north Galkacyo, a land of Darood clans. The purpose of this attack was to continue expanding the USC's political interest (to take over power by eliminating any adversaries) to other regions of Somalia. According to the PDRC report (2006), between 1991 and 1993 there were at least twelve major armed conflicts between USC and SSDF. Besides the death of thousands of Darood and Hawiye, the conflicts had severe impact on the region's vibrant trade, especially livestock and commodities. The devastating outcome compelled the two clans to open dialogue and negotiations. Subsequently, therefore, both parties signed the Mudug Peace Agreement.

Unfortunately, while the two clans held on to the Mudug Peace Agreement, the fragile peace agreement has been threatened over the past few years by several outbreaks of intra-clan fighting between two Hawiye-sub-clans in the south Mudug and Galgaduud

regions. The following table (6.9) presents timelines of the south Mudug and Galgaduud conflict between Sa'ad and Saleebaan sub-clans of Hawiye.

Table 6.9 Intense Conflict between Sa'ad and Suleeyman Hawiye Sub-clans.

Date	Event
Mid-2004	Tension between the militias of Sa'ad and Saleebaan increases with sporadic fighting
March 2005	Local initiative brokered towards a cessation of hostilities
March 5, 2005	Serious fighting between militias at Saqiuro village, 14km south of Galkayo
June 7, 2005	Fighting resumes at Xin-dheer, 50km south of Galkacyo; 10 dead and over 20 wounded
August 8, 2005	Heavy fighting reported at Bajeela village, northwest of Hobyo: 10 dead and over 50 wounded
December 7, 2005	Conflict spills over to Galgaduud, as fighting erupts at Gellin-soor town: 21 dead and over 100 wounded
January 12, 2006	Renewed escalation of fighting at Gellin-soor: 31 dead and over 100 wounded
January 21, 2006	TFG ministers of Sa'ad and Saleebaan sign a preliminary peace pact in Mogadishu
February 4, 2006	Lack of engagement with militias on the ground by those brokering the peace pact leads to serious fighting at Dac-dheer, 5km west of 'Adaado' in Galgaduud: 30 dead and 18 wounded
February 13, 2006	Transitional Federal Government, Prime Minister, and Speaker call on members from its executive and parliament representing the Sa'ad and Saleebaan to pacify their communities. A three-phase peace process for South Mudug and Galgaduud is agreed: WSP, PDRC, and CRD are asked to support Phase Two on reconciliation
February 25, 2006	Ceasefire agreement between the Sa'ad and Saleebaan is signed at Baxdo gaabo, north Galgaduud.
March 31, 2010*	Renewed escalation of fighting between Sa'ad and Saleebaan. 30 people dead in one day, over 30 wounded.

*Source: Inter Peace and PDRC, September 2006:22; *VOA interview, March 31, 2010*

As the table illustrates, since 2006, the clashes between Hawiye sub-clans claimed the deaths of over 101 people and wounded at least 288 before the signing of a ceasefire agreement. In March 31, 2010, another conflict between these two sub-clans broke out, again killing over 30 people in one day. According to a local person interviewed by the

Voice of America, the Somali language Evening Edition, the deadly confrontation related to the previous conflicts triggered by disputes over water wells and grazing land.

This conflict has a direct impact on the Mudug Peace Accord signed by Hawiye and Darood leaders. Even though conflicts between these two clans are restrained by both sides, the instability in southern Galkacyo threatens the fragile peace of the region. Along with creating an influx of thousands of refugees, the conflict encourages criminals to escape to the southern part of the city when they attack or kill someone from the northern side of the city, and vice versa. The deteriorating security situation and spread of violent conflict compelled non-state actors to take timely action to stop the conflict. The PDRC, in Puntland, and the Centre for Dialogue (CDR), a Mogadishu-based organization, called for the consolidation of the Mudug Peace Agreement. They requested the parties in conflict to identify and inform the negotiating members from civil society organizations, who represent them on the reconciliation meetings.

The PDRC and CRD teams engaged in dialogue with a number of prominent community leaders, elders, and women's groups to mediate the conflict between those sub-clans. They were able to assess the situation, and provide sensitization workshops to significant leaders, including traditional elders, CSOs, and local administrators. Two workshops on peace consolidation were held in Galkacyo from May 28-29, 2005. At a follow-up meeting, 80 participants adopted the workshops' actions and resolutions. They also trained 40 participants on improving traditional institutions' conflict management from April 16-17, 2006, and published a final report in July 2006. PDRC and CRD also established follow-up mechanisms and a national propagation of "lessons learned" from the Mudug Peace Agreement, April 2006, onward (PDRC, 2006:15).

As the PDRC report demonstrates, the participants of the workshop made valuable recommendations that would protect and consolidate the Mudug Peace Agreement. The most important outcomes include the documentation of all the negotiations, the successful decisions, and the follow-up mechanisms that the committees put in place to sustain the peace. Reaching this accord displayed the maturity, effectiveness, and complementary roles of the traditional and formal legal institutions. It contributed to the improvement of local governance.

C. Lessons learned from peace-building efforts at the community level

Communities resolve their own problems especially when facilitators play a neutral role. They know the best when negotiating for their interest and their survival, but they just need a neutral platform to meet. Non-state actors often provide this platform.

These case studies demonstrate the indigenous tools and structures that non-state actors used to facilitate the reconciliation processes of the clan and sub-clan conflicts.

There are important lessons to draw from these reconciliations.

First, the cases reveal that elders are the foundations of all local negotiations and reconciliations. As one of the participants put it:

The negotiations led by traditional leaders succeed because they are the custodians of the people. Besides, their authorities are legitimate since they have the trust and respect of their clans and others. They basically do not have to prove anything to anybody except to provide the desperately needed services to their people.

This evidence calls for the empowerment of elders, to strengthen their role in peace building at the community and national levels. This includes formalizing their governance structures and ensuring that they have access to the required resources to end local conflicts in a timely manner. Formally involving elders in community level conflicts might be a cost-effective approach, allowing the future state of Somalia to avoid expensive interventions.

Second, the roles of women in conflict prevention and peace building are well recognized and appreciated. All the participants interviewed—including the authorities from the Puntland state, the Transitional Federal Government, elders, and the PDRC participants who prepared a number of reports on peace building—confirm the unique role of women in conflict prevention and in early intervention approaches. However, this study underscores that the exclusion of women in negotiations is an obstacle that can

hinder their involvement in wider peace-building efforts. This calls for capacity building of women's organizations and gender sensitization of councils of elders and organizations to ensure space for women in formal negotiations and decision-making.

Third, creating public awareness by publishing the details of the conflict—the perpetrators, the costs, and the compensations—is critical to sustainable peace. Since conflicts are sporadic and communities depend on memory rather than recording the actual losses of lives and related financial costs, the public is not aware of the perpetrators of these conflicts. Often one sub-clan triggers dozens of conflicts and the main clans watch with indifference or contribute to the compensation. This encourages the perpetuating sub-clan to continue the conflict. Compensation costs are only known to the immediate mediators and the compensation paying groups. The rest of people in the region are not informed.

It is vital to document and disseminate these events. Without the documentation by PDRC, for example, these cases would have been treated like any other conflict and left to the memory of the people. In other words, the case marks the first time that members from non-governmental organizations recorded the ordeals of these communities. In Puntland, PDRC carried out research and collected data on the conflicts, the costs that accrued with every step (time, money, transportation, fuel, and compensation), the members who led the peace agreements, the decisions made, and the follow up. When the public is disconnected from clan conflicts, aggressors can continue repeating violent activities, resulting in deaths, injuries and damages. Since the processes of these accords are recorded, future generations will have them for reference during negotiations. The PDRC, therefore, prepared a useful tool that contributes to the

empowerment of communities in peace building and development. Building on these documentation efforts can potentially decrease conflicts. When mediators review the perpetrators' past records, they can remind them of their violent actions and pass the case to formal authorities when an effective government is in place. The establishment of a Human Rights Tribunal may also discourage more conflicts. An effective government is more likely to achieve a permanent solution, especially in cases where the members of the clan disagree with the decision of the mediators.

In addition, in all cases, indicators such as social capital play a significant role. Throughout the reconciliation, for example, it was obvious that representatives from communities in conflict were abiding by customary rules, respecting decisions from elders, and committing themselves to pay compensation in full regardless of their economic conditions. These processes definitely improve their self-governance approaches at community levels.

Analyzing these cases reveals a number of areas that require further research on how communities that want to address the challenges and live in a sustainable, peaceful, and respectful environment might succeed.

i) Development of rural areas: In recent years, most of Somalia's clan conflicts are fueled by rural communities and often spill over to urban areas. The triggers of these conflicts identified include draught, lack of water, insufficient food supply, and shortage of pastoral land. Communities in search of better living clash with communities with scarce resources, and death and destruction follow. Further, rural communities feed political conflicts by recruiting young militias from clans. The culture of peace has been absent for a long time. Bringing it back requires more targeted effort. Improving rural

economies might reduce conflicts substantially by providing a better future for the young men, who only settle their disputes through violence.

As discussed in the last section, the need to influence the Somali public—not only through peace building and social development policies, but also through economic development on all levels of society—is paramount in nation-state building. It is a question of turning the positive dynamics of community governance into broader governance building at the national level.

ii) **Empowerment of women in peace building:** Research in this area should direct policies that would “open more space for women’s future participation in reconciliation processes.” As one of the participant put it, “If women could stop conflicts in both cases, it is about time that elders bring women in peace-making negotiations spaces and denounce social bias against their contribution.”

This study discovered that women contribute to peace building in various ways. For instance, the cost of reconciliation often includes the sacrifice the future of young women. This is one of the oldest hidden customary laws in Somalia: “giving women for marriage to a grieving party.” To avoid future clashes, as a part of a compensation package, the guilty party has to give the hands of young women (12 women in the Burtinle case study) for marriage. The purpose of this approach is apparent and probably effective in the context of clan reconciliation: it is meant to establish blood ties that will ensure peace between the two clans. However, no study ever looked at the lives of these young women. How did the grieving father, brother, or elder treat a wife from the enemy side? Does a young woman have a say in her future? In other words, what happens to her if she refuses this arrangement and what does she expect from her clan and from the

clan she is about to marry into? How do women's groups that participate in such peace building consider this tradition? Respect and dignity for all human beings is the basis for peace and prosperity. Opening a space for women as equal participants is a fundamental approach to any form of development. Without such a space, the cost of development might be too high for a poor country like Somalia, whose female population is more than half of the total, and mostly young children.

Overall, the peace processes at community level are always fragile. The participants of this study agreed that the return of the state can ensure the stability of these regions and the country. They consider that the state is the only agency that has the means to implement and sustain agreements made by communities in conflict and to punish the individual perpetrators. Can peace building at the community level contribute to the national peace dialogue, which is the basis for the return of the state? This problem-related question will be addressed in the next chapter.

Conclusion

A number of inferences can be drawn from the analysis of the role of non-state actors (NSAs) in the nation-state building of Somalia. During the absence of the state over the years, non-state actors utilizing informal and formal institutions have contributed, to some extent, to the social, economic, and peace-building developments at the community level. In the social sector, non-state actors such as NGOs and private agencies have established and run successful schools and universities across Somalia. The introduction of farming cooperatives in communities living in semi-arid land represents a significant improvement in food security in many parts of Somalia. NSAs also built the capacity of educators and farmers to run and manage institutions and

community cooperatives. This should be considered a strong incentive to the development of social governance in nation-state building, since it strengthens local governance from the bottom up. In the long run, these privately owned institutions should be seamlessly integrated to the national institutions by carefully negotiating with respective agencies and their communities.

The study also found that the private sector in Somalia requires a serious reform. The country is under the mercy of “economic warlords” who benefit from public goods and local governance without significant return to the public in need. The study argues that the private sector community can play a catalyst role in bringing the state back in but that the will is not there yet. Therefore, the return of public goods to the hands of the state must be the first target of all policies dealing with nation-state building in Somalia.

In peace-building processes, as the case studies of the Burtinle Peace Agreement and Mudug Peace Agreement disclosed, Somalis own tested conflict-resolution tools. Even though the effectiveness of these tools is threatened by new forms of violence and crimes, community level peace-building negotiations and agreements must be acknowledged, supported, and integrated into national level peace-building efforts. State and non-state actors should be able to provide not only financial support but also a neutral and safe platform from which communities in conflict can negotiate in the interests of the people they represent. This is a cost effective approach for the state in the long run.

Overall, in light of these developments and challenges, the study concludes that the return of the Somali state can be supported if policy makers are open to tap into the positive developments made by non-state actors, while at the same time discouraging the

obstacles that some non-state actors create to maintain the status quo. This can be addressed by reviewing the weak policies and programs that contribute to the situation, as will be discussed in Chapter 7.

Chapter 7. Nation-State Rebuilding in Somalia: Finding the Right Policy Approach

In Somalia, non-state actors failed to assume regulatory functions of the state at national level. This confirms the need for the return of the state.

Nation-state rebuilding is a complex program associated with modern failed states. In the case of Somalia, it refers to the search for a whole policy approach that might guide the reconstruction program and process. The program has to practically reinvent public institutions, rehabilitate infrastructures, regulate the economy, awaken civil society morals to strengthen social cohesion, and introduce good citizenship. Building peace and security to protect the rights of civilians and public goods is the first step towards achieving this goal.

In assessing the nation-state rebuilding program, this study takes the relative development of social, economic and political spheres into consideration. These assessments are carried out through the lenses of both the formal and informal institutions. This study also recognizes that the roles of local and international non-state actors are central to the success of such program. Even though it is time for the state to reassert its autonomous functions, this study discovered that the main challenge is related to how to settle the power struggles between the state and non-state actors in Somalia. To address this issue, this chapter is structured in three interlinked sections that examine policy and program approaches to nation-state rebuilding and the role of non-state actors in Somalia.

Section one examines national level peace building initiatives in the past that focus on peace-building conferences in 2000, 2004, and 2007. **Section two** explores

policies towards rebuilding public institutions with focus on i) reviving the Somali police force to improve order and security; and ii) rebuilding the judiciary and the justice system. **Section three** examines the policy approaches on rebuilding a compatible Somali state and addresses the ultimate power struggle between the state and non-state actors. In particular, it focuses on the role of international donors as the drivers of Somalia's agenda in nation-state building. The leading questions of this third section are as follows: How do current policies and programs affect the effort towards nation-state building in Somalia? What is the relationship between the state and the non-state actors? Can local actors transcend their particular interests to contribute to peace? Can the state find enough resources to reassert its autonomy to control the reconciliation process and steer the national agenda? Can the genuine priorities of the nation be met with donors as directors of the game or the ultimate steering power of the reconciliation process?

In light of these challenging questions, this study seeks to understand the degree of political development at the national level in order to anticipate the type of state that Somalis would like to have in the future and how non-state actors might assist in returning the power they inherited during the crisis back to the state. It also examines the various policy approaches that non-state actors adapted in order to bring the state back in. This may shed light on the achievements and challenges, which will allow us to suggest ways that the state can be re-established.

7.1 Peace-Building Conferences: A Weak Approach to Nation-State Rebuilding

The expected outcomes from peace building conferences held outside the country continue to fail. To date, after over 15 peace-building conferences and the establishment of three weak transitional governments, Somalis are still in search of a suitable state.

Somalia has been a nation in peril for over twenty years. Since 1991, with the assistance of the international community, Somalis organized over 15 peace-building and political reconciliation conferences abroad—with no significant outcomes. Why these conferences failed to produce an effective and sustainable state has been the subject of much debate and the cause of much frustration. However, this study concludes that peace-building conferences alone are not sufficient for reconciliation and nation-state building. This inference is drawn from an investigation that focuses on the follow-up actions of the peace and reconciliation conferences of 2000, 2004, and 2007, rather than on their proceedings. Peace-building conferences are supposed to be the means to an end. They cannot be the end result, as has been the case in Somalia.

There is no doubt that peace and political stability are pre-conditions for rebuilding a nation-state. Dialogue and negotiations between parties in conflict may play some important roles. But how long and at what cost does the nation have to be held hostage waiting for a solution dictated by non-state actors? To put it bluntly, the policy approaches over the past twenty years have failed Somalia and the Somali people. To date, the state of affairs in Somalia is more dangerous—both to Somalis and to the world—than it was three or five years ago. The situation continues to deteriorate by the minute, and Somalis experience this through bombs and bullets while the rest of the world experiences it through piracy, weapons trafficking, and terrorist activities. Achieving some level of political sanity in the scenario of a failed state like Somalia demands the search for alternative policies and approaches. This is becoming very necessary as the virus of democracy spreads quickly to many third world countries. The policies and programs that have been leading the peace-building process over the past

twenty years have been ineffective and a major disappointment to all Somalis. This study examined governance approaches inform the search for alternative policies and supportive programs that might work.

First, governance literature opens space where solutions can be explored in a historical context, including social interactions, state–society relations, accountability oversight for public institutions, and result-oriented development policies. The current policies for Somalia either failed to address the problems or inadequately took factors into consideration. Governance approaches also allow researchers to examine rebuilding of a state in the context of power struggles between the state and social forces, citizen engagement and voices, freedoms and rights, and the corporate social responsibility required of the private sector. An understanding of these complex variables in failed states reveals that parallel and intertwined processes towards political and institutional solutions are the way out of such calamity. But before discussing the way forward, the study investigates how peace-building conferences inform or misinform the search for nation-state building. This study seeks to answer the questions through lenses directed at the Somali public and non-state actors: How do donors contribute to the plan for the nation-state rebuilding and what can be learned from the outcomes of these conferences?

Instead of slicing and dicing all of the 15 or more peace-building conferences since 1991, this study briefly introduces the last two national conferences in 2000 and 2004, responsible for the birth of the two transitional governments, and the 2007 peace conference held in Mogadishu. The focus of the latter conference was nation building, whereas the other two were on state building.

All the peace and reconciliation conferences have similar objectives: to revive the Somali state and bring peace to the devastated country. But their approaches were very different. In 2000, Somali civil society under the leadership of elders led the agenda of the conference. In 2004, politicians and warlords led the conference. While traditional elders played a leadership role in 2000 by selecting and recommending the participants of the conference and resolving deadlocks, in 2004 their positions were reduced to consultation and reconciliatory roles. The participants of both conferences were selected on the basis of the famous “4.5” clan formula. The clan formula relates to the four major clans and a coalition of smaller clans in Somalia. In 2004, the international community encouraged the warlords and selected politicians to neutralize the voices of the elders and civil society. Nevertheless, both conferences produced the Transitional National Government of 2000 and the Transitional Federal Government (TFG) of 2004. As will be discussed later, the TFG went through another contentious election in 2009 and its leadership changed. Both governments failed to stabilize the country. The focus in this section is to track down the extent to which those governments and the international community implemented the recommendations from selected conferences: for instance, what policies and programs followed after each conference to sustain the momentum and enhance the results of the conferences? But before responding to these questions, a brief overview of the efforts that went into these conferences is in order.

7.1.1 The Somali National Peace Conference, April 20-May 5, 2000: Civil society power on trail

State-building works best when a population rallies behind an enlightened leader, but very little will work if it rallies behind one who is not. (Chesterman et al., 2005:364)

The government of Djibouti hosted the 12th peace conference for Somalia in April-May 2000 without seeking financial support from the international community. The purpose of this conference was to find a state that could represent the Somali nation. During the conference, over 1,500 participants from most walks of life of Somalia attended, even though the regional administrations of Somaliland and Puntland and scores of warlords from the south refused to participate. Those who refused to attend were against the selection process, which was based on clan representation rather than on social or political statuses or affiliations. However, the approach was intended to play down the status of powerful warlords and regional administration by inviting everyone through their clan elders. Excluding the powerful warlords was not necessarily the best political approach, as they lacked a contingency plan to disarm them later. Nevertheless, the Djibouti government put unprecedented trust in Somali civil society. The government also called for a strong sense of solidarity among civil society organizations and groups. Recognizing that the warlords might constitute an obstacle to the implementation of the anticipated outcomes of the conference, civil society, led by clan elders and religious groups, issued a press release calling for the participation and cooperation of the warlords. The press release stated: "We are requesting you (armed warlords), to join us in the reconciliation and state building conference; we are also

asking you not to become an obstacle to this process the fruits of which all Somalis have been waiting for” (Press release, Djibouti, 08-04-2000; translated from Somali language).

The conference organizers deemed this as an opportunity to seek influential leaders from civil society. At the end of the conference, the participants established a Transitional Parliament comprising 245 members. The members elected a transitional national government (TNG) led by President Abdi-Qasim Hassan, a former interior minister of the military government. He, in turn, nominated Ali Khalif Galaydh as his Prime Minister. Mr. Galaydh was also an influential public servant of the military government. He selected and nominated 36 cabinet ministers. Besides the government’s functions of collecting taxes, building public institutions, upholding the rule of law, and ensuring national security, it was also mandated to engage in peace dialogue with all Somali clans. With this mandate, the government moved to Mogadishu, the capital city, within few months. This was a bold and dangerous move, given the animosity of the powerful warlords who control the city. In light of this obstacle before them, one may ask how the nominated authorities could effectively plan and implement any national agenda.

Conference outcomes and follow-up actions: The start of different challenges

First, the most significant outcome of this conference was the establishment of the TNG after ten years without a national government. The process was relatively democratic in Somali style, but it consumed both time and resources. This was the first time that Somali civil society agreed to use clannism as the way to share power and took the lead to organize a national conference based on clan representation. The conference opened the closed political space for civil society, marginalized clans, and women.

This was the first time that a peace process reserved a 12% quota for the participation of women, a significant step given that women were not invited to any of the previous peace-building conferences. Finally, after ten years, Somali civil society led by clan elders put together a government. This historical event was a reflection of the strength of local institutions, especially the roles of Somali elders and their reconciliation strategies towards all levels of the society.

Most of the public, especially in southern parts of Somalia, accepted this government. The government also received some partial legitimacy from the international community, especially the UN, Djibouti, and some Arab countries. However, this government early on faced numerous challenges. The Puntland and Somaliland administrations and most of the international community refused to recognize the government. As state-building theories explain, local and international legitimacy are very important to the survival of any government established after state collapse. Yet, in spite of these major rejections and deadly attacks from the warlords, the TNG managed to remain in power without the support of external forces from August 2000 until its mandate expired in August 2003. The main question remains what did this government achieve for the three years that it was in power?

The short answer is nothing tangible. A government without loyal and professional police forces, functioning public institutions, and adequate resources is destined to fail, and thus the TNG did fail from its very inception. With timely external assistance, this government might have had the capacity to negotiate with the warlords on equal footing. In spite of its ambition, financial support from the international community did not come through as promised. In any state-building project, after the

government is established, the next step is to host a donor conference to generate sufficient funding for the reconstruction of the country. In the case of the TNG, the international community postponed the planned donor conference and the UN Consolidated Appeals Processes (CAP) for Somalia fell on deaf ears. The withdrawal of the support of the international community is attributed to a growing suspicion and fear in the west that the government had close ties with religious extremists. Given the financial challenges and oppositions that the new government faced (such as powerful warlords, secessionists, and organized criminals), it was impossible for the TNG to take positive steps in building functioning public institutions and performing regulatory functions. A weak economy, poor infrastructure, non-existent public institutions, and weak armed forces further constrained the power of the government. These are fundamental requirements for any state to effectively and efficiently function.

Insecurity fuelled by warlords further undermined any of the efforts within the domain of the government. As one of the warlords, Mohamed Qanyare, who controlled territory in South Mogadishu, claimed, "We do not support this so called government because we were not included in the process (cited in the *Globe and Mail*, Jan. 5, 2001). It was during this period (2001) that strong opposition groups under the umbrella of the Somali Reconciliation and Restoration Council (SRRC) emerged. The warlords continued to reject the government and the reconciliation process. Violence continued to spread from Mogadishu to the southern regions, and other stable regions experienced threats. The TNG could not expand its authority beyond its residential areas in Mogadishu. While the government continued to remain in power, it was in name only.

Nevertheless, this was a significant achievement, as it undermined the power of warlords by making them illegitimate in the eyes of the public and the international community. In addition, the world now had a designated group with which to talk about the development of the country, instead of having to negotiate with dozens of warlords and hardline Islamists. But this does not mean that the international community respected the role and mandate of this government. In less than two years, donors and multilateral agencies called for and initiated the next national peace conference and took the leadership role from the TFG. In this case, two points are worth noting. First, organizing a conference in Somalia makes sense only if there is an intention of backing its outcomes with the required resources. In the absence of resources, any outcomes might further danger the nation, as witnessed over the past seven years in Somalia. Second, while the need to transfer power from the TNG to another government was in order, the approach was completely wrong. As one of the participants put it: “The action of the international community was very dismissive of the TNG representatives. It undermined the right to sovereignty.”

As a consequence of this dismissal, the President signed an agreement with a new opposition group, the Somali National Salvation Council (SNSC), made up of about 12 political groups. They disagreed with the planning of the next conference, which was to take place in Nairobi, Kenya. The emergence of this opposition could have been avoided if the international community had encouraged the TNG to lead the conference, instead of undermining them and taking control and ownership of the initiative.

7.1.2 The National Peace Conference in 2004: Federalism in the making

After two years of negotiations for peace and power sharing in Kenya, the second transitional government, federal in nature, was formed by conference participants led by politicians and warlords. The new Transitional Federal Government (TFG) comprised a parliament of 275 members led by Abdula Isak Derow as Speaker of the Parliament,³⁶ a President (Abdullahi Yusuf), and a Prime Minister, Ali Ghedi. The power sharing of the members of the parliament and the ministers was based on the “4.5” clan formula. Warlords also occupied some ministerial positions. The President was democratically elected by the 275 members of parliament, representing all Somali clans. The government had a five-year mandate (2004-2009), unlike the previous government, which had had a three-year mandate (2000-2003). Due to the deteriorating security situation in the capital city of Mogadishu, the government remained in Nairobi for one year. The TFG was known as the “government in exile,” and pressure built to move it to Somalia.

Unlike the TNG, the experience and the challenges of the TFG were unprecedented in many ways. As a lesson from the experience of the TNG, the government insisted on moving to any city in Somalia other than the insecure Mogadishu, which continued to a high level of insecurity. The heated debate of “to move or not to move” to Mogadishu took one year, and in the end the government split over the issue.

After severe pressure from the international community, the divided government decided to move from Nairobi. But before leaving, the President Abdullahi Yusuf appealed to the UN and the African Union to deploy 20,000 troops to protect the

³⁶ Abdula Isak Derow was assassinated by Islamists.

government when it moves.³⁷ The appeal fell on deaf ears. Regardless of the insecurity, the President and his cabinet ministers moved temporarily to Jawhar, 90 km out of Mogadishu, while dozens of law-makers led by Speaker of the Parliament Sheekh Sherif Sheekh Hassan and a few ministers went to Mogadishu. Later, both camps agreed to work in Baydabo city. In January 2007, with the assistance of 5,300 forces from the African Union (AMISOM), the government moved to Mogadishu.

The move to Mogadishu was the beginning of a serious power-struggle within the government. In addition to the government's internal crisis, this was also the first time in Somali history that suicide bombers attacked government officials on numerous occasions, both in Mogadishu and Baydabo. For example, on September 18th, 2006, two cars carrying explosives exploded near the convoy of President Abdullahi Yusuf and his staff while he was leaving parliament's premises. Mr. Yusuf received minor burns, but his brother and at least five of his staff and bodyguards died in this incident. Many believe this was an internal job, orchestrated by members of parliament supportive of the Islamists. Similarly, on June 3rd, 2007, a suicide bomber attacked the house of former Prime Minister Mr. Ali Mohamed Ghedi. This was the second time he had survived the attack of suicide bombers. Unfortunately, seven of his bodyguards lost their lives.

Indiscriminate murders of a dozen officials, including mayors of Mogadishu districts, judges, military generals, and activists further contributed to the fear of living in Mogadishu. Thousands of people sought refuge in other parts of Somalia and neighboring countries. Thousands more died in the sea while trying to escape from

³⁷ In 2010, the African Union asked for the increase of its 9,000 forces in Mogadishu to 20,000. This echoes the call of the former President Abdullahi Yusuf who made a similar request in 2004. Ignoring valid requests by Somali officials or the international agencies to respond on timely manner is another trend that weakens state-rebuilding.

Mogadishu. A direct threat from the Islamists toward government officials expedited the deployment of thousands of Ethiopian forces to protect the government in 2007. This Ethiopian intervention created a social movement inside and outside the country condemning their interference in Somalia's affairs.³⁸

The Islamic fundamentalists gained momentum while the TFG lost its popularity and legitimacy. Like its predecessor, this government found it impossible in the midst of this chaos to seize any opportunity to implement its mandate. Furthermore, in 2008, in addition to the rift among the members of parliament, a conflict between the President and the Prime Minister emerged, at the end of which the prime minister resigned under major pressure from the international community. In the meantime, a dialogue was taking place between the moderate Islamists seated in Eritrea and the government. The President nominated Nur Hassan Hussien as the second Prime Minister of his government. Again, the face of Somali politics suddenly changed when the President and the new Prime Minister disagreed on the approach towards the reconciliation process between the government and the Alliance for the Re-Liberation of Somalia (ARS), an umbrella group involving the Union of Islamic Courts and members from civil society groups. The latter were strictly against the intervention of Ethiopia.

Some attributed this never-ending conflict between presidents and their prime ministers to the lack of clarity of the Constitution, as well as to the domination of the agenda by the international community. For instance, the international community pressured President Abdullahi Yusuf to resign, even though this approach was considered unconstitutional. It was very clear that Somalis had no say in the direction of the country.

³⁸ This movement disappeared after the Ethiopian troops left the country. With long term vision such power could have supported any government to bring the law and order back.

As the President put it during his resignation speech, “Time will tell if I am an obstacle to the peace process.” He was not wrong.

The ARS members, led by moderate Islamists, who accepted the invitation of Prime Minister Hussein, came to Djibouti to participate in the election of a new government, including the election of a new President, Prime Minister, and a Speaker of the Parliament. One of the deals that Mr. Hussein and his cabinet accepted was to allow the ARS representatives to select an additional 275 of their members to join the parliament. This swelled the number of parliamentarians to 550 members. This deal was again orchestrated by the UN, because they wanted to give a chance to the Islamist leader, who had stabilized Mogadishu for six months in 2006 by defeating the warlords. However, it was evident to the rest of the world that if 275 members could not agree on one issue, 550 would aggravate the situation. Furthermore, the members from the Islamists factions had their own agenda, which completely contradicted what the Somali federal state stood for. The Islamists promote an Islamic state guided by strict Sharia law.

In January 27, 2009, President Sharif Sheikh Hassan, the chairman of the Alliance for the Re-liberation of Somalia (ARS) and the leader of the Islamic courts, won the presidential election. He appointed Omar A. A. Sharmarke as his Prime Minister. Mr. Sharmarke appointed 36 ministers to his cabinet, mainly to satisfy dominant clans and Islamists. This brought the total of the cabinet and the parliament representatives to 586 members; however, no one cared about the implications of these numbers at that moment. As many Somalis, including the participants of this research, echoed, this was the second major policy failure tailored by the UN’s Political Office for Somalia. This office was

leading the process in alliance with Arab countries that influenced the host country—Djibouti—behind the scenes. Can 586 parliamentarians be a realistic number for a poor country like Somalia, which could not even secure the salaries of its forces? Can anyone foresee consensus of any kind given the background and the different views of the two groups joined together in parliament? What about the potential financial deficit of the government? What did this process mean to the Somali citizens waiting for a sustainable solution?

The participants interviewed for this study expressed views from various perspectives. As one participant from the civil society group explains:

Reconciliation takes place when parties in conflict are ready to give up some of their interests to accommodate peace and take the misery of the public into a consideration.” Because the agendas of these two groups are fundamentally contradicting, it is very difficult to anticipate their reconciliation. For now, it appears that the solution will be “the winner takes all.”

Another participant also expressed his frustration:

The worry is not about the financial limitations faced by the government, but also its leadership deficit. Imagine a government where 60% of the parliamentarians might have high school diplomas while 40% did not even finish high school or hold formal jobs.

Regardless of the limited experience of the government, the public still had faith that the new President Sharif might bring some positive change. His short-lived military leadership of the United Islamic Courts in 2006 against the warlords attracted public confidence. His forces disarmed the warlords, though the collateral damage was extreme. Nevertheless, when he became the President, the public thought that he would be able to persuade his former allies, the Asmara Camp, to join the peace-building efforts.

Unfortunately, not only did he fail to persuade his former friends, but within one year (2009-2010), the government lost most of its territories including Baydabo, the seat

of the parliament in 2007, to a directionless Islamist military wing known as Al shabab (“youth” in Arabic). The new President had led the military wing, an offshoot of Islamic courts, for two years before he became the President of Somalia. If anyone were to understand the configuration of the Islamists, he would have been the one. In addition, the government also lost 90% of southern Somalia and two-thirds of Mogadishu to Al-Shabab and Hisbul Islam, another extension of the Islamic Courts Union.

Today, the survival of TFG is a major concern. The internal conflict of the government is blamed on the international community. It pressured a new government to move to Mogadishu, one of the most dangerous places on earth. The international community was aware that this government would not be able to survive, let alone advance the national agenda, without a full functioning armed forces or some foreign protection. Can the Somali public expect to receive protection and provision of social services while the government itself is under constant attacks from the hardline Islamist? What can we learn from the experience of the two conferences and the transitional governments that emerged from them?

Expecting effective government without a strong foundation: Destiny for failure

Generally, a government can function when it possess some power to generate resources, owns professional armed forces, controls its territory, and at least provides some security and protection to its citizens. None of these requirements were satisfied easily for the transitional governments in Somalia. The international community neglected to assist those governments to implement their mandates. Along with the attacks of the extremists, major setbacks contributed to the weak capacity of those

governments. Both the Somali government and the international community contributed to these setbacks. The following are main features of this failure.

1) Ineffective leadership in parliament contributed to the major malfunctions of the government, and this puts its legitimacy on trial. One of the participants argued:

How can one expect these over-populated parliaments (2000, 2004, 2009) to effectively advance a national agenda? Can a government function when its own ministers oppose or undermine the Prime Minister's role and where the Speaker of the Parliament sabotages the national agenda or priorities if these do not resonate with his own interest or the interest of his alliances? The reality is that the members of these parliaments had no previous experience. They had never been involved in parliamentary functions before. They do not even have an appropriate constitutional charter or a blueprint that provides clear guidance of their responsibilities and their related penalties. It was the role of the international community to financially support a timely development of an acceptable constitution, but failed to do so.

Overall, the members had neither the experience nor a reference point, since the last functioning parliament in Somalia was in 1969. Some of the MPs were learning how parliament works. If Somalis want a parliamentary system, a capable and experienced leadership is paramount. While clan representation and a participatory approach facilitate justice and equality in the short run, they hinder the process of finding and recruiting members on merit. It is time to find an alternative solution that respects representativeness without sacrificing individual competence and the merit principle. Merit is what both parliament and government need. A complete constitution and a roadmap that clarify roles and responsibilities of the government and law makers are also effective steps that could contribute to effective governance.

2) Lack of functioning public institutions further delays any effective performance of such governments, especially the role of parliament. For instance, one of the roles of members of parliament is to approve bills that the government introduces. With the

exception of a few ministries, such as the Ministry of Foreign Affairs and the Ministry of Defence and Interior Affairs, no other ministries have enough employees. Some ministries comprise a minister and a deputy minister only, with no offices. Most of these ministries have negligible budgets—or no budgets at all. If the government institutions are not functioning, leadership is compromised and the performance of parliament is adversely affected.

3) The interviewed participants also identified other major stumbling blocks that increase the odds against such governments. These include an unsafe and unstable working environment, the lack of adequate basic facilities/equipment/human resources, and inadequate and unpredictable salaries. In these situations, members are compelled to make considerable sacrifices, but whether such sacrifices make a difference is a separate issue.

4) The two-tier government (president and prime minister) in a clan-divided society is an ill-fitted political system inherited from the conferences, further aggravating power-struggles and personality clashes. While federal democracy seems a compatible political system for Somalia, a two-tier government feeds the rift between the two individuals who occupy the two highest political posts. For instance, from 2000 to 2010, the presidents of the TNG and the TFG dismissed at least six prime ministers and nominated an equal number. During the TNG, President Abdiqasim Hassan fired three prime ministers. Prime Minister Galaydh, the first prime minister, and his cabinet were sacked within 18 months, after a no-confidence vote. According to many insiders, this vote was passed not based upon any evidence of incompetence, but through the influence of the President. The President then nominated Hassan Abshir Farah on November 12, 2001, and

dismissed his government in less than a year (in July 2002) because of their differing opinions over the make-up of the FTP. The President then appointed Muhammad Abdi Yusuf as the successor of Mr. Abshir on December 8, 2003.

Similarly, during the TFG period in 2004-2009, the first Prime Minister Ali Mohamed Ghedi was forced to resign on Oct 28, 2007. Mr. Ghedi served the longest period, of almost three years, before an irreconcilable conflict between him and President Abdullahi Yusuf emerged. The President nominated Nur Hassan Hussien as the successor of Mr. Ghedi. He dismissed Mr. Hussien's government within a year due to differences on the approach to the peace process and negotiations with the Islamists. However, due to a mounting pressure from the UN and the international community, the President was forced to step down on December 29, 2009 while Hussein and his cabinet stayed in power.

Pressure from the UN and its alliances is a clear dishonour and violation of the Somali Constitutional charter, and not the best solution for the peace. Mr. Hussein invited the Islamists group to participate in nominating 275 members for parliament. Some translate this invitation as a major step towards peace, since one of the leaders, Sheik Shariff Sheikh Ahmed of the opposition, accepted it. To date, the accommodations and sacrifices of Hussein's TFG to the opposition have not borne any fruit.

When the Islamist leader Sheikh Sharif Sheikh Ahmed (called a moderate Islamist by the West) came to power, he nominated Omar Abdirishid Ali Sharmarke on February 13, 2009, as the new Prime Minister of Somalia. As expected within a year, a major standoff between Sharmarke and his President arose on the political scene. Shortly after that, the President announced the dismissal of Mr. Sharmarke's government, an action

that was viewed as unconstitutional. Later, the President reversed his decision, but the rift was very irreconcilable, and Mr. Sharmarke resigned on September 21, 2010.

President Sharif nominated Mohamed Abdullahi Farmaajo on October 15, 2010, as the new Prime Minister.

One may ask what the sources are of these internal political conflicts. One of the participants of this study summarized:

The internal political crisis in Somalia reaches its peak in two ways: first, when politicians anticipate or learn about major funding commitments from donors, their first agenda is to overthrow the officials closer to the pie; and, second, when the government is approaching the end of its term, instead of focusing on preparing the country for a seamless transition period from one government to another, politicians create chaos.

The participant further emphasized:

This is the time for the birth of new stakeholders—new alliances, or factions, who want to grab some political posts. The UN and the other mediators love this. It extends their mandate. Watch! Always the international community's solution to this never-ending crisis is another national peace-building conference with the intention of creating another transitional government. The process takes two to three years.

Another insightful participant from the NGO community who works in Mogadishu (the seat of the government) and Kenya (the seat of the most donors) shared this incredible observation:

This is an accurate analysis of Somalia's unsettling political crisis. Transition periods and funds always trigger internal political turmoil and violence that cost the loss of lives of hundreds of Somalis. Corruption and mismanagement of donor's funds further create more conflict within the governments. Ask the UN to move to Somalia, and expect more deadly violence.

Over all, these conferences teach us that Somalia's political system cannot have two drivers. The frequent dismissing and appointing of new prime ministers informs us that Somalis need to seriously engage in dialogue about the two-tier government system

in their country, and that the international community has to support the outcome of such dialogue. The purpose of the two-tier system was to satisfy powerful clans, but it has failed to meet even that objective. It is time for politicians to make the interest of the poor the center of Somali politics: to seek one competent leader capable of assuming the functions of both president and prime minister and to ensure a parliament that supports the national agenda. Reducing the number of the parliamentarians is also instrumental to the political development of Somalia.

5) Another obstacle that the government faces is working in a hostile environment. Since 1991, Mogadishu city has not been a suitable place for any government to operate. Neither the TNG nor the TFG members who moved to Mogadishu ever experienced a secure and enabling environment. It is common sense that a healthy and peaceful environment promotes productivity. In contrast, working in hazardous and unhealthy environment negatively affects morale and productivity of workers. The daily threat of roadside bombs, suicide attacks, targeted assassinations, mortars, and rockets has undermined government operations.

It is into this dismal environment that the international community advised the transitional governments to settle in Mogadishu, while there are many peaceful cities in other parts of Somalia. The officials of the international community refused to move with the government to Mogadishu. Can public servants who are bombarded with grenades day and night think rationally, come up with effective policies and programs, and execute them as planned? This leads to the sensitive question: Is Mogadishu worthy of being the capital of Somalia in the current circumstances? Ninety-five percent of the interviewed participants considered it an obvious and serious mistake to keep Mogadishu

as the capital in the short term. Strangely, the international community has refused to correct this mistake for years. Most of the participants interviewed also could not guess why the international community pressured weak transitional governments to sit in Mogadishu when their offices are in Nairobi, Kenya. It seemed to ignore the fact that government opponents have stronger military capabilities, funds, and other resources. Such forces are capable of disturbing the peace and even putting the lives of government representatives and officials in danger.

However, one of the participants from the NGO communities, who understands and values the importance of the government's presence in Mogadishu, warned us of the danger that could emerge from this city if it were left at the mercy of the extremists and warlords:

If not disturbed, the warlords and extremists could organize attacks against the peaceful regions from Mogadishu. They could also destabilize these regions by undermining their security. Unlike the transitional governments, funds and weapons are not problems to them since they control many ports and airports, and receive support from overseas.

Other participants disagreed with this view, arguing, "It does not mean that they did not try to destabilize the whole country. The suicide bombs that exploded in Hargeisa and Bosasso cities in 2009, as well as the continuing targeted assassinations in Puntland are indications of their intentions. In the short run, Mogadishu is not the solution (participants from the NGO and the private sector). Furthermore, one could question the international community's actions in pressuring and expecting the Somali transitional governments to perform well without providing adequate financial and technical support or sufficient troops to protect the public and the government in the short run while the government trained its own armed forces. One lesson that can be drawn from this

experience is that the next government must think over this issue seriously, and the international community must support any decision it makes.

6) A final trend that the participants noted contributing to the crisis of the government is the lack of accountability for the spoilers of the peace-building processes. At all the conferences, Somali civil society recommended effective mechanisms to contain the destructive behaviour and action of the spoilers, but these fell on deaf ears. The international community's refusal to ensure that spoilers honour their commitments discourages any reconciliation conferences. For example, warlords will sign ceasefires in front of the international community and then block peace conferences or agreements without fear of consequences. As early as 2000, Somali civil society called for a ban on travel and the freezing of assets of the warlords in neighboring countries, such as Kenya, Djibouti, Ethiopia, Saudi Arabia and Dubai in the United Arab Emirates. This might have proven an effective mechanism, as billions of Somali assets are invested in Kenya alone. Peace spoilers, including warlords, and hardline Islamists fly in and out of these countries without fear of any arrest or prosecution. Such a measure required the will and the support of the international community, especially the neighbouring countries, but the international community failed to support it. This was not the potentially effective approach that conference participants advanced that was ignored by the international community. The next section outlines another case in which the international community failed to support a key recommendation of the 2007 conference, which focused on nation-state building.

7.1.3 Somali National Reconciliation Congress (SNRC): July 15-August 30, 2007: A Conference for Nation-State Building

This conference was held for many purposes, but its key objective was to respond to Somalis' call for wider reconciliation among Somali clans. In the midst of crisis within the government and the continued attacks by the Islamic militants, on March 1, 2007, President Abdullahi Yusuf reiterated the call for a more inclusive national reconciliation conference before the parliament and the cabinet ministers. The purpose of the reconciliation conference was to ensure achieving good governance and a peaceful political solution. In response, over 2,600 participants from all clans inside and outside the country gathered in Mogadishu, despite the prevailing security risk and in disregard of the attacks, and attended the conference. The government also invited the international community as observers, but due to the high security risk in Mogadishu, only very few turned up—thus confirming the double-standard of the international community in insisting on seating the government in Mogadishu.

The opposition groups who were against the conference continued shelling the areas near the venue—on one day reaching its backyard, as one of the participants of the conference confirmed. In terms of the conference process, President Yusuf nominated a “Governance and Reconciliation Committee” made up of six members on the basis of their political experience and influence. These were Hon. Ali Mahdi Mohamed (chair); Hon. Mohamed Salah Ladane (co-chair); Ambassador Cabdirixman Cabdi Xuseen (committee member); Hon. Maxamuud Jirde Xuseen (committee member); Hon. Axmadeey Sheek Muqtaar (committee member); and Hon. Farax Wacays Duule (committee member).

After a long discussion on the issue of representation (including gender equality), the President requested the inclusion of six more members in the Committee, including one woman. The Committee welcomed the new members. The additional six members were Maxamed Cali Magan, Ms. Zaynab Xaaji Cali Baxsan, Maxamuud Cumar Maxamed, and Maxamed Nuur Hufane. This Committee was independent of the government's control or influence. The conference went on for 45 days while Islamists constantly attacked them with all types of artillery. Government forces with the support of AMISOM and the Ethiopian forces protected the venue, but scores of civilians lost their lives.

At the outset, the National Dialogue and Reconciliation conference was different from all the other conferences. This was the only and the first national reconciliation conference held inside the country in twenty years that addressed nation building. According to the Somali National Reconciliation Conference Report (2007), the main objectives of the conference were

- a. To create opportunity for genuine national reconciliation under auspices of the TFG;
- b. To lay down the foundation for addressing grievances with respect to representation in governance at Federal, Regional and District levels;
- c. To provide the Somali people with the opportunity to participate in decisions on the system of governance as a foundation for sustainable peace in Somalia;
- d. To lay down the foundation of a mechanism supporting the TFG's effort in the settlement of disputes over properties, land and other related matters
- e. To adopt resolutions with a view to establishing inclusive, functioning and effective government institutions in the framework of the Transitional Federal Charter of Somalia.

The outcomes of the conference³⁹ were as follows:

³⁹ For more details of these recommendations, see the Somali National Reconciliation Congress Report 15-07-2007 to 30-08-2007- Somali language version (pp. 19-25).

On Somalia as a whole:

- a. Declaration on cessation of all hostilities and commitment to peace [by the delegates since they represent the leaderships of all Somali clans];
- b. Adoption of nationwide verifiable mechanisms for the disarmament of the population.

At the clan level:

- a. Reconciliation of intra and inter-clan conflicts by way of facilitating clans to clan dialogue to bring about admission of past misdeeds and forgiveness;
- b. Resolution on disputes on land, properties etc., by putting in place recourse and restoration mechanisms.

At the national level: Adoption of resolutions on

- a. good governance;
- b. a fair and inclusive power-sharing in the Transitional Federal Institutions at district, regional and national levels based on the Transitional Federal Charter;
- c. equitable sharing of national resources;
- d. the future of National Constitution Making Process.

After a long and exhausting dialogue among representatives of almost all clans in Somalia over 45 days, the participants announced over hundred relevant recommendations including those issues listed above. However, this study will examine the follow-up on only a number of these recommendations.

On the issue of the reconciliation among Somali clans:

Every clan (4.5) addressed their grievances caused by other clans—robbery, murder, rape, displacement [land grabbing]. Clan Apologies [acceptance of accusations] and forgiveness and acceptances followed. (SNRC, 2007:8; Interviews of the Chair and Vice Chair of the conference)

Even though the delegates led by clan elders expressed their grievances, apologized to each other, and called for ceasefire, some were very interested in the commitment of the delegates to ensure the return of their properties (farms, homes, land, etc.). However as one of the Reconciliation Committee members explained, “it was not the time or place to discuss these sensitive issues in depth or the impact of the civil war at individual or

family levels. We referred this to the next conference when a functioning government that can enforce our decisions is in place. This was an issue that would have divided the committee and the participants before even a dialogue commenced.” Therefore, for the time being “our role was to lead the reconciliation dialogue and not to provoke or chastise any clan or individual.”

The delegation also agreed to the following recommendations:

- a. The Conference participants recognized the 1st of August, 2007, as the day that the Somalia civil war from 1978 to 2007 officially ended;
- b. The participants call all Somalis to cease all active conflicts and lay down their guns voluntarily;
- c. As of the 1st of August, 2007, the participants in this conference are considered as National Delegates who represent the [interest] of the Somali public;
- d. The participants agreed that they rename the “.5 clan” as the coalition of the fifth clan, and prohibited calling them the “others.”

For the disarmament and demobilization dialogue, some of the recommendations that the participants made included:

- a. The establishment of national forces that are neutral and professional, but also receive their salaries on time;
- b. With the help of the international community, to launch a country-wide disarmament at the same time;
- c. To close all the markets that sell weapons and reinforce the embargo imposed by the United Nation’s Security Council;
- d. Rehabilitation of all the militias in the country, including training for life skills

Another issue that the participants brought up and discussed in depth related to the topic of “good governance, democratization, political parties and consensus building.” This is a topic that the TFG and the international community put more weight on, even though the conference was supposed to be about nation building. Another major key recommendation was asking the government to build a smaller, but viable government, whose new members might be selected from the parliament or outside the

parliament. This would enable the recruitment of competent, experienced, educated, and composed Somalis with appropriate leadership qualities. In addition, the conference recommended that the government continue to a) carry out a national consensus; b) prepare the federal constitution; c) carry out a referendum for the public to approve the constitution; d) facilitate the establishment of political parties; e) prepare election laws and procedures; f) devise an electoral commission; and finally g) organize and complete elections before the end of the government mandate in 2009. The delegates also requested a number of follow-up actions from the government. They requested the President to extend their mandate and give them power to a) call a conference at national, regional or local level whenever necessarily; b) ensure that all the recommendations are rightly followed by all clans; c) avoid corruption by establishing the office of auditor general and the relevant institutions of support for that office.

In reference to the unity of Somalia, the delegation debated the issue of Somaliland's search for an international recognition as an independent state from Somalia. After a long and productive debate, the delegation agreed that a) Somali sovereignty and unity is sacred, and all Somalis are responsible for its protection; b) All the grievances must be addressed and resolutions must be found including apologies; c) any conflict that threatens the unity of the country must refer to the constitution of the country and the judicial system.

In reference to the rights of women, the delegates recognized that Somali women experienced the worst of the civil war where they lost their children, husbands, brothers, and fathers. They also recognized that during the TNG and TFG, women's 12% quota was violated. Women occupy only 8% of the current government. While only one

woman participated in the Reconciliation Committee, only 16% of the delegations were women, even though 20% was allocated. In light of these shortcomings, the delegation made over 10 recommendations. The key ones include a) to enforce the Somali women's quota in the government and the parliament; b) to fulfill the allocation of women representatives in regional governments; c) to ensure that women also lead and participate in reconciliation processes; and d) to increase women's education, trade, and organizations;

Analysis of the outcomes of the conference: Missed Opportunity for nation building

A dozen of recommendations came out of the conference, but the international community supported the implementation of only one. This was the decision of the delegates to open a space for the government to improve “good governance and democratization process” by giving the president the power to select a prime minister either from inside or outside the parliament. This was a unique and effective outcome even though it was orchestrated indirectly by the UN to enhance the state-building project and not the nation-building, which is equally important.

As a follow up, the TFG with the support of the international community integrated this key recommendation to the search for another Prime Minister when the first Prime Minister Mr. Ghedi resigned. Subsequently, the President nominated Nur Hassan Hussien from outside the parliament. This step was critical for the reconciliation process. If the government desired to offer posts to the opposition, it could also do so without worrying about the approval of the weak and notorious Parliament. The continuation of the peace dialogue across the country, as a part of the nation-building commitment, would have complemented political development at the national level.

However, the committee never got the opportunity to meet again to pursue the follow-up plans of the reconciliation project. As one of the committee members explained, “It seems that we are used to just open a door for a candidate whom the UN had identified and nothing more. We are happy that clans met and forgave each other. However, this is consistent with the lack of commitment to nation-building since 2000.”

In conclusion, this conference is a good example of how civil society can be used as vehicle to changes the course and direction of government policy. It has produced valuable recommendations and a roadmap for Somalia’s nation-state building. Complying with these recommendations can take the Somali agenda to a higher level. One lesson from this policy approach is that hosting conferences without follow-up plans and resources are waste of time, energy, rendering the future very bleak. Despite the lack of follow up in the nation-state building project and disappointing political outcomes, the Somali public still remains hopeful.

The concluding recommendations of this thesis are as follows: A) the international community can make a difference by committing to the implementation of the popular outcomes from this conference and the others; B) the government has to focus on building effective public institutions to enhance legitimacy, which would give them some level of legitimacy. As will be discussed in the next section, delaying the establishment of necessary institutions also means delaying the development of the political system and the recovery of the country.

7.2 Rebuilding Public Institutions in Somalia: Who Is Responsible?

Ensuring sustainable reconstruction and rehabilitation will involve the commitment of sufficient funds, resources and close collaboration with local people. (ICISS, 2001:39).

Reviving democratic public institutions in countries of collapsed modern states is the foundation for state-building. It is also a pre-requisite for peace and development. Rebuilding institutions has been a daunting task for the state and non-state actors in countries of conflict such as Somalia. In this chapter, this study examines the processes and outcomes of rebuilding Somalia's collapsed public institutions from 1991 to the present. Over the past twenty years, both local and external non-state actors have been governing this country in different capacities, even though since 2000, very weak transitional governments have been in place. To date, public institutions exist in name only. The absence of public institutions encourages unprecedented atrocities, violations of human rights and insecurity across Somalia. The regions in the south are in the worst situation. As the state's legitimacy suffers, so are the rights of the citizens, who expect protection and service from the state.

This chapter argues that rebuilding public institutions is central to the transformation of the current transitional state into a more effective and permanent actor. The concept "transitional government" basically contributes to discontinuity and destabilization of the state. Because of insufficient and inadequate resources, this temporarily mandated state is prevented from establishing capable institutions that can engage in meaningful development. In investigating the nature of institution-building in Somalia, pertinent questions that we asked our participants include the following: What roles do non-state actors play in the establishment of public institutions? What are the challenges and opportunities in reviving these institutions? Where are the necessary public institutions after twenty years of effort? Who is responsible for the establishment of these institutions?

Since rebuilding all public institutions in Somalia is a very broad and complex issue, this study narrows down the investigation to focus on the necessary roles of two public institutions that promote the Rule of Law: i) the role of the Somali police force; and ii) the role of the judiciary and associated justice systems. These institutions are analyzed through the observed roles and contributions of non-state actors, especially the external non-state actors.

7.2.1 Reviving public institutions that promote the rule of law: Enforcers of peace, order and development

Helping to build a durable peace, and promoting good governance, sustainable development ... conditions of public safety and order have to be reconstituted by international agents acting in partnership with local authorities with the goal of progressively transferring to them authority and responsibility. (ICISS, 2001:39)

In Somalia, the targeted murders of lawyers, judges, high ranking police and military officials, human rights activists, and delaying the completion and ratification of the new constitution are indications of strong opposition for the return of the state as the implementer of the rule of law and order.

In countries of collapsed modern states, rebuilding functioning public institutions is essential to recovery. In particular, institutions maintaining national security and upholding the rule of the law symbolize the autonomy of the state. In the case of the Somali state, which is in a fragile transitional process, upholding the rule of law has been a complex process, because society is not only struggling with clan-rooted conflicts but dealing with competing international agendas. The targeted murder of promoters of the rule of law by spoilers of the peace and competing international agendas⁴⁰ undermines the establishment of institutions. To overcome these challenges and build successful public institutions, the process requires at least some reinforcing factors: neutral law enforcement (professional police, including community police), independent justice and

⁴⁰ Examples include anti-terrorism policies, universal Islamic extremism, and regional interest

judiciary systems, and supportive communities. Obtaining adequate financial and technical resources are central to this process. Hence, this research examines the existing Somali law enforcement bodies in all parts of Somalia and the obstacles they face with the view of improving and elevating their performance standards to the expected national level.

After 20 years, in Somalia there is no ministry that fully functions, or has the capacity to recruit, manage, or pay wages and benefits to its employees. Yet, millions of dollars are raised locally (for clan militias) and internationally (for government forces) to rebuild all public institutions. We seek justice through informal institutions and not courts; and apply passports through individuals [brokers] and not through ministry. On behalf of the government, individuals or firms in the private sector print currency notes, instead of banks. We do not see any difference between today and 15 years ago. (Research participant)

As reiterated many times, peace, law, and order are pre-conditions for human security and development. In particular, effective national military and police forces play critical roles in improving order and security. This also provides better environment for the government to gradually develop its other institutions and take over responsibilities from non-state actors. To understand the efforts and approaches towards rebuilding public institutions, first we focus on the institutions promoting the rule of law and order, such as the police force. When analyzing the role of the police force, it is critical to understand three main issues: i) the history and the context of the institution; ii) in the post-war period the peace-building context, as the fighting has yet to stop, and iii) the roles of local authorities, donors, and their contributions towards the revival of the institution in question. The following sections will discuss the background of the police force prior to the collapse of the state and the challenges and achievements of the state and external non-state actors responsible for its reconstruction since 1991.

In the 1970s and in early the 1980s, Somalia in general and Mogadishu in particular were among the most peaceful places in the world. People, men, and women—Somali or foreigner—used to walk any time day and night without fear of robbery or assault. This high level of security is attributed to the professional roles of the Somali police force. Before the uprising of the opposition groups and the ensuing breakdown of the state in 1991, the Somali National Police Force was one of Africa's best trained professional police. They were estimated around 15,000 nationwide (Ganzglass, 1997:20).

Even though the government was deteriorating in the late 1980s, functioning, albeit weak, public institutions were in place and the roles and responsibilities of civil servants such as the police forces and the military were guided by government policies, instruments, rules, regulations, procedures and programs. Each ministry had its own policy, budget, and a good number of technocrats. However, in the war period, Somalis learned first-hand that “a bad government is better than no government.” As one of the participants put it, “Today, most Somalis would welcome the military government back with no hesitation. We have experienced the imaginable and unmanageable atrocities and the mess that stateless and anarchic conditions can subject human lives to.”

When the state collapsed, all institutions including the ministries of defense and internal affairs, which are responsible for the security and order of the country, disintegrated. The immediate impact on the thousands of public servants, who survived the anarchy, including police and military forces, is immeasurable. They did not only lose their jobs, but also their future retirement benefits vanished automatically. The public servants who survived in the war either joined their own clan militias for survival

or remained unemployed. Over the past two decades, most of them have remained unemployed.

Meanwhile, distressing factors, including humanitarian crises, violence, and poverty, continue to undermine the efforts of the state and non-state actors to re-establish law and order. At the present time, the TFG is weak and in financial deficit. Yet, the primary responsibility to rebuild the state institutions rests on its shoulders, even though the international community dictates the process. Over the years, external donors have been pouring in funds for the revival of the police forces with marginal success. The question is what went wrong?

One view suggests that both the state and non-state actors missed the opportunity to revive the police institutions by not taking advantage of the capacity that existed as early as the 1990s. As Lyons and Samatar explain, to revive the police forces “one of two approaches would have worked and enhanced security process promptly.” The first approach is the “Accommodate Existing Forces Model,” and, if it does not work, the “Encourage New Institutional Model” (Lyons & Samatar, 1995: 37-38). If the international community had taken one of these two approaches, the situation in Somalia might have been better. This does not imply, however, that the international community was not trying.

As early as 1993, the UN Security Council passed Resolution 814 for the establishment of a Somali Judicial and Penal Code system and the Somali police. However, a situation analysis reveals that other priorities overshadowed the agenda to improve security and order. With the support of the local communities, the UN tried to

re-establish the Somali police force, but with specific and limited agenda in mind, as the following quote reveals:

We ... decided to establish a small security forces for Somalis to assist the United Nations forces at the airport, sea and the distribution centers, starting with Mogadishu where the United Nations troops have already arrived. It is only an arrangement of this nature that can assure safety for relief workers and protection for Humanitarian supplies. This could ultimately form the nucleus of a Somali police countrywide. (Ambassador Sahnoun, UN Somalia's Donor Conference in Geneva, Oct 12, 1992, cited by Ganzaglass,1997:22)

As the quote above indicates, in early 1990 the role of the police force was a means to a specific end: the timely delivery of humanitarian supplies. After the end of the delivery, Sahnoun's view of creating a nucleus of a Somali police never materialized because the forces were never expanded to a level that could assume the security function of the state. A vicious cycle of funding deficit was one common factor identified as the main obstacle to this initiative. For instance, John Drysdale, a consultant hired by the United Nations Somali Forces (UNSOM 1) warned the UN in a confidential report, "Without government revenue there is no security. Where there is no security it is difficult to generate revenue. The circle has to be broken if the country is to get on its feet again" (ibid, 23).

Twenty years have passed, and Somalia has no strong national security forces to maintain peace in Mogadishu, let alone at a national level. Rebuilding the armed forces has been a daunting task for the current government, which is financially stretched and confronted by violent militant forces. In the midst of these ordeals, one of the major positive steps that the TFG has taken is to establish Carmo Police Academy to reconstitute the police forces.

Carmo Police Academy in Puntland State of Somalia: As introduced in Chapter 6, the TFG established this academy in 2005, with the financial and technical assistance of the international community through the UNDP. To date, Carmo Police force has trained over 3400 police force members intended to support the work of the federal government, including the regional territories. After graduation, each member of the police force is to receive \$100 per month. According to the UNDP, in 2009 alone, the overall expenditure for the Rule of Law and Security programs is estimated to be around US \$15,921,476 including US\$ 8,809,674 for training police forces; \$3,293,029 for Judiciary and access to justice; and \$1,419,773 for Community Safety (www.Som.UNDP.Org). The UNDP records also indicate that they fund training projects that focus on “accountability and oversight mechanisms” to reduce human rights abuses by the police. They also provide uniforms, transportation, communication equipment, and other facilities to the police.

Other activities that the UNDP support include the rehabilitation of police stations and the training of the Special Police Unit and traffic police. During this study, it was revealed that more forces are trained in other parts of the country, such as Mogadishu, and outside the country, in places such as Uganda, Djibouti, and Ethiopia. These trainees include military forces that have wider responsibility than the police force. When a UNDP representative responsible for this project was asked, “If the Carmo Academy is intended for the training of all the Somali police forces, what is the purpose of training more officers in Djibouti, Uganda or Kenya etc.?” he informed us, “The purpose is to get greater numbers trained in a shorter period of time to meet the demands of the government and the country as a whole.”

What is the impact of the training in the context of security and justice? How do the local authorities consider the success and the challenges of training Somali national security forces in Carmo? What are the lessons learned from this process? To find out the answers to these questions, interviews were conducted with the heads of Carmo Police Academy. The aim was to learn more about the training of the new police forces and to follow up on this training and its impact on security. As the head of the academy explained, “The training has both positive and negative impacts.” On the positive side, he stated that Carmo is a strong base for the re-establishment of professional Somali police force because:

recruiting young men and women from all the regions and bringing them into one place for three to six months, regardless of the clan distrust among them and teaching them about human rights protection, work ethics, justice, gender equality, as well as investigative skills and techniques, are very important steps. These not only build the capacity of the national police forces, they also increase the visibility of the government police forces in all the regions, and promote social cohesion among police forces across the regions.

As he further explained, “When these trained police forces return to their cities, the intention is that they take back the responsibilities of the state from the clan-based or freelance militias. However, this is not the real outcome these days.” Referring to the negative impact of this training, he asserts that

the recruitment process is very slow and sometimes counterproductive. These graduates do not receive adequate incentives during the training, and their US\$ 100 monthly salaries promised after the graduation are always delayed. We are receiving reports that some of the trained forces have been tempted to sell their weapons to or even join to the opposition forces since those forces offer them higher pay compared to what our government and its international alliance offer. This can have an adverse effect on the rule of law project.

This reveals that Somalia will continue to be caught up in a cycle of violence if the energized and trained forces join the opposition forces unless the government pays them more attractive salaries than those offered by the opposition.

Another participant from the academy also reminded us that the national police forces that have to serve in more hostile regions (such as Mogadishu, are more prone to recruitment by militant groups after their training if the government or the UNDP fails to cover their basic needs. He warns policy makers, “ If they cannot ensure the basic living of these forces, then they should stop training more forces. Otherwise, they would do more harm than good” (Vice Head of Carmo Academy).

This reminds us that the most favorable step the government and the international community could take would be to ensure avoiding violations of one of the basic principles of development “Do no harm,” which every agency has to uphold. The need for adequate financial resources and timely payment of the trained forces not just necessary but critically urgent for the survival of the TFG. Since the need for the police forces is higher than the numbers that have graduated so far, re-establishing this institution is in progress. But it requires consistent recruitment and complete financial commitment to the process to avoid creating more harm than good. This study also recognizes that building the capacity of the police forces alone cannot improve security. Access to the judiciary and justice system should complement the role of the police forces in maintaining peace and order.

This is another key function that the government has to play to improve the justice system. However, at the present, non-state actors have more influence than the state in improving the conditions that require accessing the judiciary and justice system in the

country. As discussed in the next section, external actors direct their support to building the capacity of local non-state actors while neglecting the capacity building imperative of formal public institutions.

7.2.2 Judiciary and justice systems: Enforcers of the rule of law and peace

Reestablishing effective public judiciary and justice systems and ensuring community access to their services contribute to the empowerment of the security sector. Such efforts improve state legitimacy and state autonomy in a failed state like Somalia, and are vital to the improvement of the rights of citizens, peace, law and order, and overall development of public institutions. For instance, all other efforts—training professional police forces, disarmament, demobilization, and reintegration—will not succeed without the presence of an independent and transparent judiciary and justice system to enforce court decisions.

To date, the formal judiciary and justice systems in Somalia remain broken. The TFG's ministries exist in name only. As mentioned before, over the past twenty years, people have been utilizing customary laws and other local traditional conflict-resolution systems. They trust the services of local and informal authorities' more than formal courts. The OECD reports (2006) that:

According to a survey on the availability of justice in Somalia by the world Bank and the UNDP, community based justice systems carried out by clan/community elders were reported to be available to 94% of urban and 97.8% of rural and nomadic households, followed by council of elders (85% of urban and 86.4% of rural and nomadic) and Islamic Sharia (47.8% of urban and 37.4% of rural and nomadic). Only 35% of urban household and 25.6% of non-urban households reported availability of the state judiciary system. (OECD, 2006:44).

Often communities try to keep peace and order by utilizing informal customary laws. However, it is becoming apparent that these laws alone cannot solve most macro and

complex cases—including organized crimes carried out by people concealing their identity, suicide bombers, illegal activities such as piracy, dumping toxic waste into Somali waters, and trafficking humans and weapons. Therefore, the need for strong national justice and judiciary systems supported by security forces that can protect the vulnerable and poverty-ridden population is urgent.

It is important here to understand the efforts of the international community in improving the justice system as part of their commitment to revive the Somali state. A report of a project funded by the UNDP entitled *Increasing Access to Justice and Legal Aid for Vulnerable Groups and Economically Deprived Individuals in Somaliland, Puntland and South-Central Somalia from January 2009 to February 2010* provides a revealing example of the international community's focus on strengthening civil society organizations alone, instead of on state institutions. The perceptions of some non-state actors, interviewed for this thesis study, augment these findings.

Access to a justice system: Empowering local non-state NGOs

As a part of capacity building for judiciary and justice system, the UNDP signed an agreement with local non-state actors in Somaliland, Puntland, and Central Somalia as partners “to strengthen their institutional capacity to provide sustainable and pro-poor legal services and aid with a particular focus on deprived, vulnerable groups, and individuals on remand status and in trial detentions” (UNDP-Somalia, 2010).

The UNDP local partners in this project include: i) in Somaliland, the Amoud Legal Clinic (ALC) at Amoud University, Somaliland Women Lawyers Association (SWLA), Somaliland Lawyers Association (SLA), and the University of Hargeisa Legal Clinic (UHLC), a link to the University of Hargeisa; ii) in Puntland, the Puntland Legal

Aid Centre (PLC), which provides services to the population in Mudug, Nugal, and Barri, and iii) in the south and central regions, the Coalition of Grassroots Women Organizations (COGWO) and the Association of Somali Women Lawyers (ASWL). Through this project, the partners receive financial support and various forms of training, especially in the field of justice. Explained below is the intervention of the local partners in the justice system on behalf of poor and marginalized people who cannot afford to access legal aid services. The table (7.1) below both summarizes and illustrates the outcomes from the provision of legal aid.

Table 7.1 Summary of the Legal Aid Assistance through this Project**

Partner Names*	Date	Number of Clients in Prison	Number of Clients Released	Type of Clients *
In Somaliland (AWL, SWLA, SOLLA, UHLC)	Sept 09/ Jan 10	1591	132	IDP; R; W; J
In Puntland (PLAC)	July 09 to Feb 10	530	248	Y; W; IDP; ED;
In Central and South Somalia - COGWO, ASWL	Jan 09 to Feb 10	663	204	Y;W; IDP; Min; C;

* *Type of Clients: Men (M); Women (W); Youth (Y); Child (C); Internally Displaced People (IDP); Prisoners (P); Economically Deprived (ED); Minority (Min); Refugees (R); Juveniles (J).*

** *Extract from the Report "Increasing Access to Justice and Legal Aid for Vulnerable Groups and Economically Deprived Individuals in Somaliland, Puntland and South-Central Somalia from January 2009 to February 2010.*

As Table 7.1 summarizes, the project provides access to legal aid to around 3000 people who represent the most poor and marginalized communities in Puntland, Somaliland and Southern Somalia. Half of these clients won their freedom. In addition to assisting clients, the report also identifies the types of crimes these prisoners are accused of. These include theft, robbery, hurt, murder, rape, piracy, affray, violence,

misappropriation, domestic violence, inheritance, illegal detention, and violation of duty towards family.

Through the project, according to the report, local partners offer workshops and training to some formal authorities and others who are involved in the justice system. In Puntland, three workshops on “The Code of Conduct” for judges, lawyers, prosecutors, registrars, and notary public were conducted in Garowe, Galkacyo, and Gardo. One hundred and forty-two representatives of the judicial system (chief justice, judges, lawyers, and deputy attorney generals) attended the workshop.

Similarly, in south central Somalia, COGWO carried out four six-day training workshops for 160 selected law enforcement and custodial corps personnel on human rights. They also carried out four workshops on legal aid and access to justice for 60 IDPs and 50 traditional leaders. In Somaliland, through the creation of internship programs, SWLA is building the capacity of female lawyers. Twelve women completed the program in June 2010. Out of those 12, five have been recruited by legal aid providers and law firms and one by the District Court (UNDP-Somalia, 2010). What changes do these various types of training programs bring to the justice system, to the rights of prisoners, and to the capacity building of the judiciary and justice system in Somalia? The following section attempts to provide answers.

Analysis and Findings of the Justice Sector: Contribution to the Security Sector

Overall, the outcomes of this project shed light on the reality on the ground, the extent of the needs, the availability of services, and challenges to non-state actors and their clients. Through the analysis of this report, it became apparent that the most

victimized groups are minority clans and internally displaced people. The following table (7.2) presents an illustration of this view.

Table 7.2 Increasing Demand of Legal Aid Services and Disproportionate Demands of IDPs

Year	Total No. Cases	Male	Female	IDPs	Refugees/ Asylum Seekers	%
1 st Dec 2006-15 th April 2007	123	48	75	109	14	12.3%
1 st June 2007-31 st Dec 2007	76	38	38	41	35	10.3%
1 st Jan -31 Dec 2009	161	108	53	90	71	21.8%
1 st Jan -30 Nov 2009	377	2	205	06	71	1.1%
Total	737	366	371	546	191	
Percentage	100%	49.6%	50.3%	74%	25.9%	100%

Legal assistance provided by the Human Rights Unit Outreach [Hargeisa University] service from 2006-2009.

As shown in the above table, the poor and the marginalized are disproportionately imprisoned without access to the justice system. The local non-state actors partnering with the UNDP were able to review their cases and freed more than half of the prisoners in all cases reported. However, during the investigation of this issue, it became apparent that accessing the justice system by the Somali public, in general, is far from perfect. There are many poor, marginalized, and displaced communities that equally need support, as the UNHCR and NGO participants of this study informed me during the interviews. But to seek support on their behalf, one has to understand the challenging factors against the revival of the judiciary and the justice systems at all levels of government. These challenges include the following:

i) Ineffective formal laws and threatened informal customary laws: In addition to formal but weak institutions such as formal courts, police stations, and prisons, the

Somali public and especially those under the rule of the regional administrations utilize informal judicial systems (customary laws) to protect rights, sustain peace, for security, and to control intensive clan conflicts as discussed in the previous chapter. In the preliminary stages, in the peaceful regions, it is the public that maintains peace with the support of informal clan or community policing forces. For example, from 1991 to 1998, before the creation of the Puntland state, the public in this region maintained peace without any formal authority. As one participant stated,

When we are challenging the administration of the day, we ask what is the value added of this administration. Prior to 1998, we were perfectly maintaining peace, kicked out the Islamic extremist Al-Itihad and ensured rights and justice before we established this state. Now that we have hundreds of trained police forces everywhere, courts, and trained legal aid services, crimes against citizens are increasing.

The existence and services of the informal institutions are threatened by sophisticated and high level crimes and criminals. The various levels, scope, and speed of spreading crimes have overwhelmed the circuit of the traditional system. This condition enforces the call for the return of the state. In light of this reality, building the capacity of both formal and informal law enforcement institutions is crucial to improving national and human security. Such improvement would contribute to the recovery process of the country.

ii) Lack of awareness of human rights violations by the general public: Creating public awareness of “human rights violations” improves human rights protection. This has to begin by using the right terminology, which seems missing when it comes to explaining rampant crimes such as “rape, murder, assassinations, and robbery.” It is rare to come across Somalis classifying these inhumane crimes as “violations of human rights.” By not referring them collectively as “human rights violations,” the severity of

those crimes is masked. As a participant from the NGO and UNCHR representatives explained, “It is very rare to hear NGOs talking about human rights in PL, except where there are INGOs or WAWA, the women’s organization.” Another participant state:

The worrisome fact is that the public accepts the constant murder of innocent people including leaders, elders, professional, judges, and activists. When someone is assassinated, they say he or she accompanied his or her equal [meaning those who died before him/her].

The findings also reveal an alarming human security violation. As one of the women’s organizations in Puntland informed me: “Rape, especially in the IDP camps, takes place in day light. Girls [mainly from minority families] are raped in the daytime; perpetrators fear no one, or justice authority; the ages of rape cases that this NGO filed so far are as young as 7- to 12-year-old girls” (WAWA representatives, Bosaso). This information was confirmed by a representative from the UNHCR: “Human rights violations occur more often, especially rape and robbery. Victims are mainly those who have no clan protection, IDP and minority groups” (UNHCR representative). In reality, local human rights organizations and the UNHCR are frustrated because they cannot protect the IDPs or bring perpetrators to justice: “The absence of an effective rule of law, and the increase of political instability and weak regional administration (governance), contribute to the increasing violation of human rights” (UNHCR representative).

Some of the local NGOs and the UNCHR try to resolve abuse cases and human rights violations by working with the police and the Ministry of Justice. Some individual cases are more complicated than others and require immediate attention. One of the participants from the NGO community, in Puntland, stated that corrupted authorities make it very difficult to solve most of the cases, especially those involving the rights of minorities and displaced people. This view was confirmed by one of the frustrated UN

representatives who was disappointed about their working relationship with the authorities:

We have to accept the release of arrested perpetrators (caused harm to IDP) even though there was no trial. It is very hard for us to choose which system to work with—traditional or secular. We see some fruits when we work with traditional elders (UNHCR and WAWA representatives).

In light of these testimonies, it seems that bringing about changes by raising awareness about “human rights violations,” improving formal legislative policies, and carrying out strategic awareness campaigns would contribute to the improvement of both formal and informal judiciary and justice systems.

iii) Inadequate and unsustainable services: Analysis of this project and interviews also revealed that the demand for legal aid services is very high across the country given the lack of formal legal institutions, the high costs, and the unprecedented level of deadly violence and imprisonments. Since there is no effective national government, the UNDP and other INGOs support most of the available legal services. According to the report, the UNDP funds legal aid clinics throughout the country by partnering with local non-state actors who cannot sustain those services without external support. It is also apparent that the formal courts and prosecutors with which those local partners deal are weak and ineffective. Thus, accessing unsustainable legal services in a broken justice system is not the best mechanism for reviving the legal system of a failed state. The solution lies in the fact that, along with the empowerment of non-state actors, the international donors have to equally facilitate the capacity building of the national judiciary and justice system as an integral part of state institution building. The state institutions and local NGOs can play complementary roles to meet the high demand for judiciary and justice roles.

iv) Building the capacity of judiciary and justice systems in isolation:

Contributing to the establishment of judicial institutions is one of the main issues on the state-building agenda. Fostering conditions for complete state recovery requires recognizing and eliminating other obstacles. Obstacles include the flow of unprecedented heavy and light weapons into the country. To date, the displacement of thousands of poor and unarmed communities, in addition to the death and destruction of hundreds of thousands, continues at high rate. It is attributed to the flow of weapons ending up into the hands of civilians, especially young men. The free flow of weapons contributes directly to the deteriorating conditions of human security in Somalia. One of the main reasons that weapons continue to flow into the country is that the UN and the international community have failed to enforce UNSC Resolution 733 (January 1992), which calls for an arms embargo (under Chapter VII) and urges UN humanitarian assistance and ceasefire. Urgent solutions must be found. These should include:

Enforcing an arms embargo: Finding ways enforcing the arms embargo of Resolution 733 is very important to national and human security. This resolution has been ineffective and Somalia has been receiving all types of sophisticated arms and small weapons. Countries accused of providing arms to Somali groups must be held accountable for their actions, possibly at the International Criminal Court. The physical and psychological damages from these weapons will take a long time to heal, even after the country recovers from the horrors of the civil war.

Budgetary support managed by the government: The government of Somalia requires a defense budget to implement alternative forms of disarmament, demilitarization, demobilization, rehabilitation, and reintegration programs, since these

are central to peace building, reconstruction, and long-term development. A budget that is managed by NGOs and donors is not effective in the context of state building.

Government authorities have to manage the process and be held accountable to the public and to the donors who assist the state-building processes. In addition to the control of arms, activities that require immediate attention by the state and its international donors include the following issues:

Disarmament of militias: Maintaining security in Somalia is becoming more expensive. There are estimated to be over 500,000 freelance militias in Somalia, 200,000 of which are believed to be in the Mogadishu area alone. In relatively peaceful regions of Somaliland and Puntland, most of the militias have been integrated into the formal police forces. Somaliland alone integrated and employed over 50,000, while in Puntland 10,000 militias are employed by the administration. In 2010, more than 55% of the TFG budget was spent on the security sector, which covered the needs of the forces in maintaining security in those regions. This does not mean that weapons are not still arriving in those regions. Clans are arming themselves heavily because, following 1991, without exception, “ownership of weapons became a symbol of clan-hood across Somalia.” The accumulation of weapons further multiplied when every clan realized that the more weapons they accumulate the closer their clan is to power-sharing. Even though at the beginning most clans bought weapons for protection, later the weapons had adverse effects. Government forces remain weak compared to the forces of clan groups. Given that today almost every clan has collections of weapons and youth ready to massacre without any hesitation, there is an urgent demand for an immediate policy and operational framework to address disarmament of civilians and militias. Furthermore, the destruction

of the collected weapons or their transfer to an effective Somali government or temporarily to neutral international forces is imperative. Such action would contribute to the efforts toward stable and peaceful environment and trust building. Another factor that requires equal attention is demilitarization of some parts of Somalia to protect the rights of powerless communities.

Demilitarization: In addition to the conventional forms of demilitarization, early warning response to violations of defined demilitarized zones has to be an important factor if peace is to prevail in the long-term and human rights protection are to be upheld. Given the influx of weapons throughout Somalia, keeping peace and maintaining the human security banner requires defining and marking demilitarization zones to protect civilians, especially in the southern parts of the country. Violations of human rights across communities, and in particular in refugee camps within Somalia and in neighboring countries, are at alarming highs. To overcome this problem, a Somali demilitarization planning program must be developed. The aim would be to design special demilitarization zones in the country for vulnerable communities where they can receive protection and decent basic services. The plan might benefit from troops from the UN or the African Union with a clear mandate, including exit strategy.

Demobilization: When deadly violent conflicts are a daily routine, an unprecedented level of poverty prevails. This is the situation in many parts of Somalia. The poverty, hunger, and poor health among youth and children are at the center of the recruitment drives of both the TFG and the opposition groups. This makes the demobilization process of child soldiers very critical. As one of the participants explains:

Often an adult youth joins a criminal group that provides small wages. For a child, this is a matter of survival and not a matter of principle or believing an

ideology. Some parents voluntarily allow their children to join these forces in return for incentives to cover the basic needs of the rest of the family. This is a question of survival and sacrifice for one's life for the rest of the family.
(Research participant)

The demobilization process should not be only for adult youth who have been in the war for a long time. It should include both young men and child soldiers who have been drawn into war and offense attitude and culture. Such a disposition is due to the radicalization campaigns that that have gone on for over twenty years in Somalia without any interruption from a Somali government. The youth have responded to the calls of the radicals for their own survival and the survival of their families. Alternative opportunities should be provided to them.

Rehabilitation and reintegration: The conventional approaches to rehabilitation and reintegration of traditional militias might have limited effect given Somalia's recent experience of "youth radicalization" and "youth suicide bombers." As discussed before, there is no point of reference when it comes to rehabilitating the young generations. Somalia will need to seek expertise from other countries that have experience with sophisticated violence, ideologies, and strategies. The rehabilitation and reintegration process should address the economic integration of ex-combatants through job training and counseling, and financial resources for small entrepreneurships and micro-enterprises. Social integration is equally important. Policies and activities supporting personal healing through counseling and gradual reintegration of youths into communities are also important. Any planned activities should be extended to benefit families affected by child soldiers, families affected by the activities of suicide bombers and, families who have lost their children to crimes. When implementing such programs, the executing agencies, mainly non-state actors, have to take the diverse environments of

the northern and southern parts of the country into a consideration. While the communities living in the north have relative access to justice and security, the communities in the south are rocked by daily violence and murder. But rehabilitation and reintegration activities cannot be carried out by local actors alone. A collective approach—in particular, the role of the state and civil society, diasporas, and business communities—is crucial.

Winning the commitment of business and diaspora groups: Non-state actors can play an effective role in the state-building process, in particular in improving the rule of law and order. Moreover, justice and security in Somalia cannot not be improved without the support of the public—in particular, the business community and the diaspora. The participants interviewed during this research agreed. One argued, “If they want to, the business and Diasporas communities can bring peace, but they chose either to continue perpetuating violence by funding it or detaching themselves completely.” Another participant further explained: “It does not matter how many police forces and judges are trained, without the support of the diasporas and business groups, the state building process will remain ineffective.”

When we asked what the solution of this dilemma is, one of the participants expressing his frustration:

It is very simple. It commences with one option—the international community, especially the neighboring countries has to ban the businesses and traveling plans of peace spoilers. They know who they are. Fundraising from the diaspora (in Kenya, Middle East, and America) has to be monitored closely. If the international community complies with this request, Somalia will realize a major positive change soon.

Overall, Somali civil society has voiced the same views many times, but their voices so far have fallen upon the deaf ears of the international community. The international community must step up and pay attention to the views expressed by Somali peace builders and to the public. The world has to keep pressuring peace spoilers to change their behavior if it wishes Somalia to come out of this misery. It is also the responsibility of peace brokers to bring business and diaspora communities to their side, and to ensure that international pressure on the peace spoilers continues to discourage further conflicts and violations of human rights. The next section presents other key factors and their impact on state reconstruction.

7.3 State Rebuilding: A Case of Ending the Power-Struggle between the State and Non-state Actors.

In the final analysis, solutions to Africa's wars lie not in external intervention but in internal transformation; the people and nations of Africa have to construct their own realities; If Africa's war can be constructed by ethnic entrepreneurs, despots and warlords, then they can also be deconstructed by activists, journalists, peacemakers and the ordinary people who suffer in them. (Jackson, 2006:26)

In the 21st century, the emerging issue that policy makers, practitioners, and governments have to deal with is "how to reconstitute collapsed modern states to regain their social, economic and political autonomies inherited by non-state actors." The preliminary investigation leads this study to assert that ending the power struggle between state and non-state actors is one effective way of expediting the revival of the state. Democratic and effective governance led by locally owned knowledge and historical context have to be at the center of rebuilding a failed state. Citizen engagement is equally important to this process. This study recognizes that resuscitating a state necessitates adapting basic democratic principles—rights, freedoms, political

participation, election, and a multiparty system. But the process is complex, sensitive, expensive, and time consuming. It is also accepted that a conflict-driven society cannot revive a state by itself, that it has to coordinate its effort with the international community, especially those who have no hidden agenda. Together they might create targeted and strategized policies and programs. Avoiding aimless and ambivalent humanitarian assistance and two-tiered development aid are some of the pre-conditions for success.

The state-building experience in Somalia provides a unique example since all non-state actors freely govern the country without any restrictions. One key lesson to be drawn from this scenario, however, is that local non-state actors, even with the help of donors, failed to completely take over the roles and the functions of the state and satisfy citizens in need. This confirms the imperative for the return of the state. But as this study argues, reviving the Somali state also depends on how non-state actors, especially donors from multilaterals and INGOs, enhance or constrain the recovery process. So far this study has found that instead of a collaboration and partnership, there is power-struggle between the state and non-state actors. It also found that all donors bypass government authorities and often deal with civil society organizations directly. The case study of the project on access to judiciary and justice systems is a typical example. As one of the research informants explains:

When donors want to discuss the national priorities with the government authorities, they either invite civil society groups separately or bring them in during bilateral meetings. Government authorities find this approach disrespectful. Inviting civil society groups in bilateral meeting without consulting with the government authorities seems an unprecedented approach and probably unique to Somalia.

While this study recognizes the importance of civic engagement in state building, it strongly argues that it is the government's responsibility to develop a sound relationship with its citizens. The external actors should limit their roles to facilitation of the processes. For the time being their approach is ineffective, because they put government authorities in the vulnerable position where their citizens constantly challenge the transformation processes of the state. This study has shed some light on why the revival process of the Somali state fails continuously.

One process that might succeed is to build a genuine partnership between the state and non-state actors, where the state takes the leadership role. To this end, we sought the response to a number of relevant questions: What type of state or political system do the Somali people prefer? What is the best approach to bring it in? Who are the stakeholders? What are the existing challenges and opportunities that can support the rebuilding of the state? How can these be improved? The responses to these questions are intended to move forward the progress made by non-state actors at the national level and seek if the results achieved at the local level can predict a better state in the future? The responses are structured under the two topics of "locating the preferred state" and "the way forward."

7.3.1 The Preferred State: Opportunity for the Public to Weigh Options for a Suitable Political System

If democracy is truly a government of the people and by the people, the shape and conditions of African democracy should be determined by Africans and not by outsiders (Osabu-Kle, 2000:13)

It is often reiterated that "Somalia's solution is in the hands of Somali people." But in reality Somalia only partially owns the conflict and the other part is beyond its control. In part, Somalia's clan-driven power-struggle and economic greed delay any

effort towards a complete recovery. One obstacle is overt and covert interferences of stakeholders advancing their own agendas. Some examples are the Ethiopia and Eritrea proxy war in Somalia, where Ethiopia supports the Somali state while Eritrea is arming hardliner Islamists against the government. Another example is the war on terror campaign, where the USA was partnering with individual warlords instead of partnering with the state. Such partnerships undermine the state-building process.

This study calls for the analysis of the current policies and approaches of foreign players. It can be argued that besides revising these policies, another strategy is to support a state that all Somalis identify with as compatible with their own culture, values, and norms. As Osabu-Kle explains, governments which are based on their “own indigenous consensual and democratic culture would provide the necessary political conditions for successful economic growth” (Osabu-Kle, 2000:25). Given the reality on the ground, what would it take to establish such a suitable state? One way is to locate public preferences and apply them in policy agenda. Thus, the policies and programs guiding the revival of a compatible state should reflect public preferences. Without public buy-in, the project might fail.

In this study’s search for public preferences, people from all walks of life were interviewed. I also analyzed various political situations and policies. During this investigation, I learned that, at the present, Somali people might be divided into three groups when it comes to the question of forming a compatible political system:

i) The first group: In favor of a centralized government. The participants of this group are mainly from the southern regions, with only a few from the rest of Somalia. They are against the current federal state. They argue that Somalis are a homogeneous

society, and that a centralized state would maintain this homogeneity, while federalism would undermine it. In other words, a centralized state safeguards the sovereignty of the people of united Somalia, whereas federalism promotes claninism and regionalism and divides Somalis—who share the same race, religion, language, and culture—into small fiefdoms. One of the participants from civil society asserts, “This is a conspiracy policy devised by the international actors to ensure that a strong Somalia never comes back to exist.”

Another argument raised by one participant is the issue of “demarcating borders” between regions and clans. The participant believes that this might be a major obstacle to the implementation of a federal system, which might delay the return of the state. The basis of this argument is that, while some clans dominate some regions, other clans are spread throughout and across regions. Therefore, the concern is that federalism might favor of the dominant clans and discriminate against the smaller clans. This participant also noted. “No government has the capacity, expertise or resources to implement federalism.” Participants also generally agreed that those who are in favor of federalism are just reacting to the painful experience of the past dictatorship from Mogadishu. However, the participants in favor of a centralized state agree that clannism is very strong because of injustices done to them.

Any centralized government has to ensure that such an experience is never repeated by any Somali government. The only way that this can be ensured is to awaken the consciousness of the public in terms of their rights, obligations, and responsibilities to respect the rights of others. This implies that clans have to learn not to turn blind eye on government abuses against any one clan or group. This way Somalis would avoid

experiencing the bleak history of 1978 (in Puntland regions), 1988 (in Somaliland), and 1990s (in south central regions).

ii) The second group: In favor of federalism. Most of these participants were from the Puntland state. Their views are influenced by the experience of the civil war, clan animosities, and competitions. They also recall the power concentration in Mogadishu after independence, the inequity and misappropriation of public resource by the central government, and the increasing distrust of other clans in the periphery. One of the participants argued. “There is no way back to a centralized state because except some of the clans in the south central, all other clans have already established their own regional administrations.”

It is important to note that Somaliland—or the north western region which claims to be a separate entity from the rest of the country—may favor federalism if they decide to open dialogue with the rest of Somalia in order to rejoin them. The population in Puntland and Somaliland, which probably would favor federalism, represents almost half of the population in the country. Other regions are also in the process of establishing regional administrations (GalMudug, Hiiraan). In terms of border demarcation, they insist that each clan has an idea of where the borders between regions/clans can be, so they disagree with the concerns raised by the former participants. However, the continuing clashes between clans over grazing and water fetching and land disputes across the country indicate the complexity of such borderlines. As discussed in the previous chapter, since the modern state failed in 1991, clans have been responsible for their land and resources. They protected their people from other clans and, in some cases, from the authorities of regional administrations.

However, as one of the participants argued, “The real challenge about the state rebuilding will arise from the relationship between the government in Mogadishu and the regional administrations.” These regions may not agree with the government on resource distribution and power-sharing. When addressing the implementation of a federal system after state collapse, it might be appropriate to develop a constitution that recognizes regional authorities and ensures equity in resources and power sharing.

iii) The third group: In favor of an Islamic state: The study also found that there are people who are in favor of the establishment of an Islamic state guided by Shari’a Law. Unlike the first two groups above, the findings of this group is mainly based on observations and situation analysis. The group that prefers the establishment of an Islamic state, in general, is new to the political arena in Somalia. Even though none of the participants interviewed brought up this preference as an option, the issue cannot be ignored given the influence of the Islamists in the country over the past twenty years. The adherents of Islamist ideology consider Islamic state the only solution to all Somali problems. They argue that all other systems, modern or traditional, have failed to rescue Somalia from poverty, disease, and insecurity. However, due to the violence and the intimidation strategies of the hardline Islamists, especially the militant groups such as Al-shabab and Hisbul Islam at present, it is highly unlikely that Somalis would support the emergence of an Islamic state designed by them. This means there is a high probability that the Islamists’ struggle would continue to prolong the conflict in the country unless stronger forces are established to eliminate them.

Analysis of these preferred political systems and a possible solution.

Overall, the investigation reveals that in the context of the three perceptions, neither a centralized government nor a militant Islamic state have a chance to emerge as the preferred Somali state. In addition to grievances and mistrusts caused by clan conflicts and clan-politics, a key obstacle to a centralized government is the stance of the successful regional administrations of Somaliland and Puntland. Furthermore, the public perception is that the government's dictatorship, high level corruption, and nepotism have not improved. It is widely believed that a centralized government might enable those who occupy higher posts and their clans to continue benefiting since there are neither democratic national institutions nor an independent judiciary system to hold them accountable.

In reference to establishing a strict Islamic state, this study asserts that what has emerged since 2006 is concrete evidence that Somalia's Islamic practices and culture are absolutely incompatible with Wahabism—the Saudi Arabia influenced ideology that militant Somali Islamists want to impose on the public. Somalia is a Muslim country guided by modest Islamic principles that respect rights and freedoms, encourages responsibilities both at individual and community levels, and condemns any violence that dehumanizes individual lives both men and women. Somali society, as a whole, won over the historical challenges that stemmed from external forces, such as colonialism, by maintaining the right and freedom to choose how to govern their family and community affairs. Strategically, Islamists fill a vacuum, thinking that they can dominate Somali society. There is no doubt that they to some extent overpowered the public—especially women and children—that trusted them. But the reality was exposed when they began

dismissing the Somali national flag, cutting people's legs and hands for stealing, banned watching movies and world sports, and forced women to stay home and cover their eyes when they are outside. The gross human rights abuses happening in Somalia in the name of God confirm a real clash between Somali culture and the Wahhabists' political ambition in Somalia. It challenges the core of the Somali culture. For example, the Wahhabist ideology undermines the functions of indigenous institutions, which are consensus-oriented. Traditional institutions often put the victim's interest at the center. Compensation to one's family is important not only to the family, but also to peace among clans. Though this places a high burden on the clan of the perpetrators, it is a tradition that society can live with, and it has existed for centuries.

Another challenge to an Islamist preference is the fact that the leaders of Wahabism (strict interpretation of the Quran) are divided to the point that even their adherents question "whether Somali Islamists own the agenda." There is a wide belief that most Islamists represent foreign interests and that this is the reason why they never accept dialogue and compromise. Others argue that they have no common agenda, and that it is a coincidence that they gained momentum in 2006 when they disarmed the warlords. A woman participant of this study stated, "I wonder if they [Islamic militants] have an agenda which is beyond limiting women's dress code and, forcing men to shave their heads and moustache in a certain way." Another participant, who was simply answering a question relating to what these militants have brought to the lives of the Somali public, replied,

Nothing but misery, fear, intimidation, death, destruction and displacement. We are 100% Muslim people; what we need is peace and protection. They oppose any initiative that could bring hope to us and they take no responsibility to their senseless killings and violence.

Overall, the adherents of these diverse Islamic militant ideologies have not shown any concrete agenda that is compatible with the Somali way of life or a solution to the Somali dilemma. The only difference between them and the warlords is that they exploit religion and undermine clan loyalty. It is highly likely that the clash of Somali culture and Whahabism will take the latter to its demise.

This leaves federalism as the most favorable and preferred political system in clan divided society. Federalism “is the best known arrangement, where power is devolved equally to all regions and each region has an identical relationship to the central government” (Harris & Reilly, 199+8:156). The participants of this view were in line with the above understanding of federalism. For them, federalism might ensure the rights, freedoms and autonomy of each clan and region. They also believe in the development of the nation through healthy competition among regions, instead of giving up power to the authority of a centralized state. In terms of process, one shortcoming is that federalism is one of the world’s most complicated political systems. Only a few countries in the world such as the USA, Canada, and India have managed to succeed under federalism. The main question is realistically how long this process would take given the fragility of the country. For a decade Somalis have been thinking about democratization to prepare the country for a federal system. The traditional Federal Charter of 2004 accepted the existence of Somaliland and Puntland as regional states. These are significant examples of political development guided by democratic governance. Indeed, they are examples of federalism in making.

In June 2010, the Somaliland administration succeeded in moving from clan-based elections to an election based on multi-party system. It is important to recall that

elections based on indigenous governance approach paved the way for the birth of this multiparty election. The first two elections prior to the clan-based parliamentarians voted and elected presidents. The current President Ahmed Mohamoud Silanyo competed in the last election that took place on June 26, 2010⁴¹ and won on July 1, 2010 as the leader of one of the three major political parties Kulmiye (the other two being Udub and Ucid). The Kulmiye party received 49.59% of the votes while Udub secured 33.23 votes and Ucid 17.18%. A peaceful transformation of power from the former President Dahir Riyale Kahin to the current President Mr. Silanyo, who led Kulmiye party followed without interruptions. This was an unprecedented event given the volatility of the region and the increasing threat from Islamists.

Unlike the last election in Somaliland, the democratic elections in Puntland are determined by 66 members of parliament representing the clans of the region. During the last election, in January 8, 2009, a number of candidates competed for the presidential position and Mr. Abdiruhman Mohamed Farole secured 49 votes (74%) out of the 66. This form of democratic election, a Somali model, is based on indigenous governance approach that has worked for Puntland since its inception in 1998. This is the third election of its kind. The transfer of power from the former President, General Mohamud Muse Hersi, to President Farole was completed successfully without any interruptions. The success might be attributed to the involvement of civil society and the diaspora, members of which engaged and warned presidential candidates to avoid any clashes after the election. Each candidate promised to respect the outcome of the election. The

⁴¹ This day coincides with the independency day of North West region from the Great Britain in 1960, and July 1 coincides the day north and the south Somalia united and established the Somali Republic in 1960. These significant days in Somaliland's history may signal the possibility of a future dialogue between the south and the north.

previous election resulted in a confrontation between the former president Abdulahi Yusuf and his opponent Jama Ali Jama. In the election in January 2005, Mohamoud Muse Hersi secured 35 votes (53%) out of 65 votes and governed Puntland until the next election in 2009. Accountable and relatively independent commissioners led the process. These political developments in Puntland also seem to be paving the way for future elections based on democratic multi-party system. The discussion has already begun and the parliament recently approved the charter that would lead the multiparty election in two years term. One may ask: Why did the multi-party system not work after independence and what is the guarantee that it will work this time? The aspiration of the public to see peace and a functioning government was noted during the research. It might guarantee public support of the state in the future.

Over all, the successful elections in Puntland and Somaliland represent one step closer for building a federal system. Puntland and Somaliland might play significant roles in federalism if the national constitution recognizes their unique positions and experience. We asked questions about the way forward. How can federalism be achieved? The following views emerged.

7.3.2 The Way Forward: The Realization of a Politically Compatible and Autonomous State

The realization of a functioning compatible political system depends, at the minimum, on two intertwined factors: i) the creation of state autonomy led by a clear constitution and democratic public institutions, and ii) balanced partnership between the state and external actors (governments, donors, multilateral agencies, and INGO). Achieving these two important milestones could not be sustained without the support of

internal non-state actors or the general public, especially the civil society, including the diaspora. This conviction led this study to seek the perception of participants, including some important actors emerged in the recovery process. In other words, how might state autonomy improve while maintaining partnership between the state and non-state actors?

i) Creating state autonomy: Democratic governance in the making.

The reinvention of a collapsed state has to begin with the return of its autonomy.

At the present the skeleton of the Somali state is in place but without a power.

It is common knowledge that state legitimacy improves with its performance, especially in the delivery of necessary services, including security, protection of civilians, social development programs, economic development, and a flourishing private sector that creates employment. Delaying the formation of appropriate institutions means delaying the establishment of capable private and public institutions and their bureaucrats. This might undermine the democratic process of rebuilding the state.

To date, the current Somali government is not close to producing competent bureaucrats because it does not have the financial capacity. If pools of dependable bureaucrats are created, the government should be able to influence its population, collect taxes, generate enough revenue to train its national security forces, and provide necessary services. The process might begin with maintaining the current transitional government until it is transformed into a permanent functioning institution. It is about creating state autonomy.

The establishment of an autonomous state is a step closer to the Somali state regaining the power to control and steer its society, which is the core for its revival. However, the main challenge has been finding the way to regain the autonomy of the

state from non-state actors. Understanding the limited capability and the capacity of the current state in terms of generating revenues and control of territory might shed light on the current challenges and ones ahead. For this purpose, we analyzed with caution the TFG's first and the only Annual Financial Report for 2009, published in May 2010. This report illustrates the limitations of the government's role attributed to its lack of financial resources and technocrats.

The following table (7.3) presents the annual revenue that the government generates from local sources such as the national airports and the main port in Mogadishu compared to its annual expenses.

Table 7.3 Highlights of Financial Statement of TFG in 2009**Resources Base****Domestic Revenue**

Tax Revenue	\$	\$6,242,682
Customs Receipts (Mogadishu Port)		351,920
Airport Departure Tax (Aden Adde Airport)		114,348
Domestic Loans		1,500,000

Total Domestic Revenues and Loans\$8,208,950**Total Assistance**

Bilateral Assistance		2,875,000
Multilateral (co-managed with UNPOS)		0
Multilateral (co-managed with UNDP)		0
Multilateral (EU and others)		0

Total External Assistance\$2,875,000**Total Revenue**\$11,083,950**Expenditures****Recruitment Expenditures**

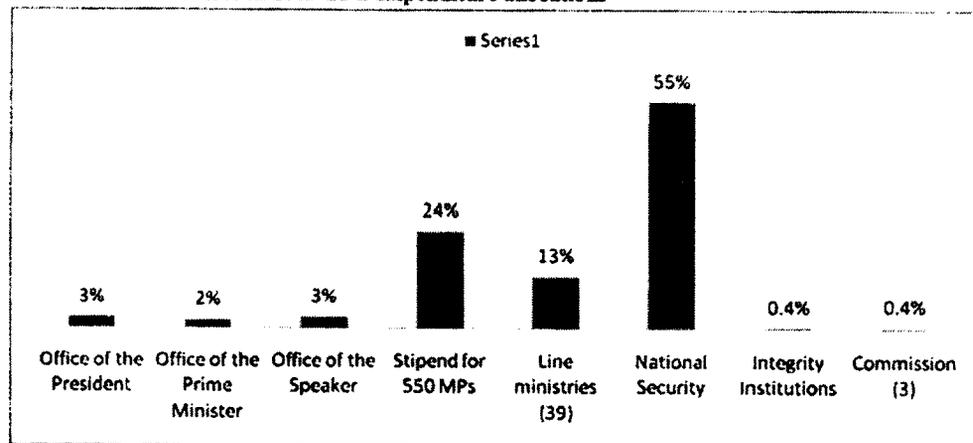
Office of the President		285,000
Office of the Prime Minister		216,000
Office of the Speaker - running cost		300,000
Parliament -Stipends for 550 MPs		2,640,000
Ministries(39)		1,404,000
National Security		6,143,309
Auditor & Accountant General		28,000
Central Bank		12,000
Constitutional Commissions & Bodies		42,000

Total Recurrent Expenditures11,070,000**Surplus**\$13,641*Source: Data Collected by Government Institutions*

As the above table explains, the government generated total revenue (including loans from local businesses) of about \$11.08 million in the year 2009. The government expenditure on its own operational activities for this period is equal to \$11.07 million. This leaves insignificant revenues of \$13,641 for social services and development project.

In reference to the allocation of these revenues, the following table (Chart 1) indicates the functioning institutions that the government contributes to. It is important to note that these expenses are limited to covering the operational costs of government institutions and not any public services (see Chart 1).

Chart 1: Percent shares in 2009 TFG Expenditure allocations



Source: The TFG Annual Financial Report in 2009

As Chart 1 presents, in 2009, the current government allocated 55% of the modest budget of \$8 million, to improve national security, while 24% (\$2,264,000) was paid as the stipend to the 550 members of the parliament, and only 13% (\$1,404,000) went to 39 line ministries. The report also provides a picture of the number of employees that each ministry employs. The President's office employs 44 staff, as the office of the Prime

Minister employs 44 staff, while the Speaker of Parliament employs 54. In addition, the total number of employees in the 39 line ministries are estimated at 1,136 with an average of six positions in each ministry (Minister, director general, director, head of section, technical officer, clerks, and auxiliary)—the exceptions are the Central bank (24), the Auditor and Accountant General's office (46), and the Constitutional Commission and Bodies (68). This limited annual budget confirms the demand for a stronger autonomy of the state to focus on the establishment of more stable democratic institutions with a sound financial base and competent bureaucrats.

This study also found that the weak position of the government is a factor in the negative perception of the public, including the participants of this research. Most Somalis question the legitimacy of the current government and the future direction of the state building process. The participants understood the complexity of nation-state rebuilding, but clearly expressed their dissatisfaction with the guiding policies and partnerships. They expect government authorities to “own some of the pitfalls” delaying the state-rebuilding processes.

While Somali authorities blame the setback and the deterioration of the state building process on the involvement and influence of non-Somalis, non-Somalis blame Somali politicians and elites for the fragmentation and the unsuccessful reconciliation and reconstruction processes. This tension has major implications for partnerships either between the state and the non-state actors or within non-state actors. As one of the participants noted while referring to partnerships between local non-state actors and Somali authorities:

At the moment this relationship is not getting anywhere; there is a high level of institutional inefficiency, low level of state capacity, very weak justice system and

deteriorating security; and these contribute to the setbacks towards any significant political development over the past 20 years. (Participant from NGO)

The findings of the interviews highlight the need for public accountability and transparency by government leaders and institutions. The 43 participants of this study were convinced that most leaders in Somalia occupy government high posts to gain access to public funds for their selfish interests, instead of the interest of the nation. As one of these participants describes, “If the interest of the public had been at the center of their agenda, parliament would have chosen the brightest individual for the position and not incapable individuals supported by Ethiopians, Arabs or the USA.” Another participant in agreement with this view further explains:

Unprecedented corruption among parliamentarians further delays any political development. Keep eye on one issue and then you would know that the members of parliament receive bribes when the speaker of the parliament pushes secret ballot voting approach instead of open voting (putting hands up).

Another participant challenging this view argued that this also works for the opposite.

In open ballots, anyone who receives bribes has no choice but to vote for the one who paid. But in secret ballots, that person can change his or her mind and choose a right person for the job without losing face with the one who paid.

Regardless of these passionate views, it is clear that in the voting process, major issues result in chaos and deadlocks to the point that parliament fails to resume meetings for weeks and sometimes months without penalties. This might be unacceptable and illegal, but no one or institution is powerful enough to initiate contempt of parliament. Both views underscore the existing corruption in the leadership of parliament. Endemic corruption is another obstacle to building an autonomous state.

This study also learned that the predicament is reinforced by the weak partnership between the state and its external donors. Healthy partnership is critical to state-building,

but the reality is different. This study examined the partnership between the TFG and external donors.

ii) Partnerships in state-building: A balanced and equal relationship between the state and external actors

The international community now considers the UNDP/UNPOS as a leading partner for support to the emergence of Somalia as a democratic state with a viable governance structure and functioning civil services. (UN Second Regular Session 2006, cited by Draft country program document for Somalia, 2007-2008:3).

This study establishes that the recovery of a failed state requires a genuine partnership between the state and non-state actors, including external donors.

Partnerships begin with respect for local ownership guided by accountability by all sides involved, transparency, and good communication to address national priorities. If these factors are absent, then there is no partnership.

In the case of the Somali government, the power to negotiate its interest with external counterparts, such as the UN Political office of Somalia (UNPOS), is absent or very weak. The situation affects its capacity to devise functioning public institutions. The Annual Financial Report (2009) issued by the TFG presented above informs us that state institutions are not functioning at the level that can bring peace and institutional reforms to the country. As Nana Poku (2007) argues,

It is necessary to recognize the social forces and economic constraints surrounding any political regime, but an understanding of development outcomes requires that we also pay attention to the quality of institutions, the design of public policy and the autonomous roles of leaders (Poko, 2007:2).

The important roles of the multilateral and international agencies involved in state building are widely recognized (Ghani & Lockhart, 2008; Lyons & Samatar, 1995;

Clarke & Herbst, 1997). In Somalia, external actors play a significant role in state rebuilding at local and national levels.

The UN agencies, the World Bank, the International Monetary Fund, and some INGOs provide significant contributions to the political reconciliation and rebuilding of the state institutions, especially for the capacity building of ministries of the government. One of the main supports from donors is providing financial resources to the Somali state. The following table informs us about the level of financial support and the programs that donors and multilateral agencies provide to the Somali government through the UNDP and regional organizations such as the African Union.

**Table 7.4 DISBURSEMENTS, UNLESS OTHERWISE STATED IN
MILLIONS OF USD**

	2004	2005	2006	2007	2008
1. TOTAL RECEIPTS NET (ODA + OOF + Private)					
Australia	0.1	-	2.4	3.1	-
Austria	0.4	0.9	0	0.3	0.2
Belgium	0.0	-	1.4	2.8	0.7
Canada	1.8	6.0	7.1	12.8	21.8
Denmark	0.9	5.1	6.6	9.8	17.3
Finland	4.0	5.6	6.4	12.1	13.7
France	-0.8	0.6	9.8	12.1	14
Germany	-2.3	5.1	7	13.6	10.1
Greece	0.6	0.0	0.1	0.1	0.5
Ireland	2.0	8.1	6.7	11.5	10.4
Italy	16.9	11.0	9.9	6.6	25.5
Japan	-	-	0.2	3.9	23.3
Luxembourg	0.1	0.1	0.7	12.0	2.1
Netherlands	20.2	14.2	14.1	13.7	20.2
New Zealand	0.6	1.0	0.2	0.5	0.8
Norway	22.9	31.3	33.8	43.1	44.2
Portugal	-	0.1	-	0.0	-
Spain	-	0.1	2.8	2.3	14.6
Sweden	19.7	12.9	13.8	25.8	29.9
Switzerland	0.9	0.7	2.5	3.6	7.5
United Kingdom	11.8	10.7	53.1	26.4	76.1
United States	31.9	37.0	95.2	59.7	242.7
Total (DAC Countries)	134.2	144.9	271.2	254.0	573.1
MULTILATERAL					
EC	35.7	57.3	98.5	79.6	199.3
EBRD	-	-	-	-	-
Global Fund	7.0	9.7	12.9	13.8	13.2
UNDP	5.0	6.3	6.7	9.5	10.1
UNHCR	0.8	0.5	0.2	0.2	0.5
UNICEF	4.9	7.9	7.4	12.0	12.2
UNTA	3.1	3.9	2.7	3.0	0.0
WFP	1.7	5.2	4.4	2.6	6.5
Other Multilateral	0.4	0.5	1.4	2.8	2.4
Arab Agencies	-	0.7	0.3	1.2	0.4
TOTAL (Multilateral)	58.3	91.8	124.4	123.6	154.7
Other Donor Countries	0.7	0.2	3.4	9.7	9.1
EC+ EU Members	101.8	125.2	218.3	215.9	372.1
GRAND TOTAL	193.2	236.9	399.0	391.5	765.9

2. BILATERAL ODA**COMMITMENTS: BY PURPOSE**

Social Infrastructure & Services	29.7	29.1	62.5	74.1	99.4
Education	17.7	12.6	15.0	8.2	17.4
Health and Population	5	4.9	14.0	19.9	11.4
Water supply and Sanitation	0.1	0.9	2.2	0.9	2.6
Economic Infrastructure & Services	0.4	0.0	0.8	0.0	0.0
Energy	-	-	-	-	-
Transport & Communication	-	0.0	0.5	-	-
Production Sectors	0.3	0.5	6.2	0.3	1.4
Agriculture, Forestry, Fishing	0.3	0.5	0.7	0.3	1.4
Industry, Mining, Construction	-	-	5.5	-	0.0
Trade & Tourism	-	-	-	0.0	0.0
Multisector	1.9	7.4	0.8	8.6	4.7
Programme Assistance	-	2.6	0.0	11.7	12.7
Food Aid	-	2.6	0.0	11.7	12.7
Action Relating to Debt	1.1	1.1	1.1	0.1	0.7
Humanitarian Aid	64.7	82.2	193.0	200.2	496.7
Other & Unallocated/ Unspecified	0.0	24.7	11.8	6.2	6.0
TOTAL	132.7	156.8	278.1	301.3	621.5

SOURCE: OECD Report - Geographical Distribution of Financial Flows to Development Countries Disbursements, commitments, Country indicators, 2004-2008.

As the table (7.4) above indicates, from 2004 to 2008, the Development Assistance Committee (DAC) of 22 OECD donor countries provided a financial support totaling \$1,386.5 billion to Somalia. In this period, the grand total of the contribution of the multilateral agencies, mainly the UN agencies, reached a total of sum of \$1,776.5 billion. The investment of the Official Development Assistance's (ODA) went to various sectors such as social infrastructure and social services (education, health and population, water supply and sanitation), economic infrastructure, and associated services (agriculture, forestry, and fishing industry) and multi-sectoral assistance (food aid,

humanitarian aid, and other unallocated/unspecified). The total expenses were estimated at \$1,490.4 billion.

We also sought and obtained the data that relates to the major donors to Somalia from 2002 to 2008, in order to understand the influence of each country over Somalia's policy direction for state-building.

Table 7.5 Major Donors to Somalia between 2002 and 2008 (millions)

	2002	2003	2004	2005	2006	2007	2008	Donor	Total %	Rank of Donors
United States	35.4	33.8	31.9	36.9	95.2	58.7	242.7	534.6	25.21 %	1
EC	8.5	26.0	22.9	57.3	88.5	78.6	139.3	421.1	19.85 %	2
Norway	25.4	40.0	33.8	31.3	33.8	43.1	44.2	251.6	11.86 %	3
United Kingdom	2.8	4.9	14.1	9.9	51.6	26.4	74.6	184.3	8.69 %	4
Netherlands	13.1	10.3	18.9	14.2	14.4	18.1	12.47	101.7	4.80 %	5

Source: *OECD Stats Extracts, Creditor Reporting System* - <http://stats.oecd.org/Index.aspx?DataSetCode=CRSNEW>

As the above table (7.5) shows, since 2002 the USA has ranked number one as the highest donor by contributing 25.21% of the budget going to Somalia, the EC ranked second (19.85%), and Norway the third (11.86%). It is important to note that the budgets of these bilateral donors significantly increased in 2008 when compared to previous years. This unprecedented increase can be mainly linked to the work of the African Union peace keepers, the fight against terrorism, and anti-piracy efforts and not to the rebuilding of the Somalia state per se.

When examining the relationship between donors and the Somali state, it was found that donors contributing to the state building effort of Somalia direct their funds through multilateral agencies instead of to the Somali government. This approach indicates that external actors do not trust the government of the day. This is probably one of the reasons that the international community agreed the UNDP/UNPOS to play a managerial role in the state rebuilding. Table 7.6 illustrates.

Table 7.6 Ten Major Donors to UNDP Somalia (2007-2009) (amounts in US\$ 000)

	2007	2008	2009	TOTAL
1. EC	6,604	16,322	13,137	36,063
2. DFID	9,138	12,191	3,425	24,754
3. Norway	4,983	7,513	6,886	19,382
4. USAID	4,823	10,269	4,039	19,131
5. Italy	843	8,664	2,052	11,559
6. Denmark	1,181	3,907	5,392	10,480
7. Japan	4,544	5,000	9,544	
8. Sweden	2,514	3,096	607	6,217
9. Netherlands	185	1,014	1,199	
10. Ireland	713	452	1,165	
All others	6,977	4,657	5,844	17,478
GRAND TOTAL	37,961	72,177	46,834	156,972

Source: UNDP Somalia

Partnerships: Findings, analysis and Solutions

As the above table (7.6) illustrates, from 2007 to 2009 the bilateral donors contributed over US \$156, 972, 000 to the UNDP's work in Somalia. As one of the UN's Country Program Documents (2008-2010) published on the website of the UNDP-Somalia claims, at the national level, the activities in which the UNDP invested in Somalia since 2005 include but are not limited to building key federal, Somaliland and Puntland government institutions; and ensuring that selected local governments contribute to the reconciliation and planning for equitable service delivery in selected locations.⁴² Donor funding for various programs has been consistent over the years, even though some findings reveal that such investments only cover a fraction of the requirements of the public and the state.

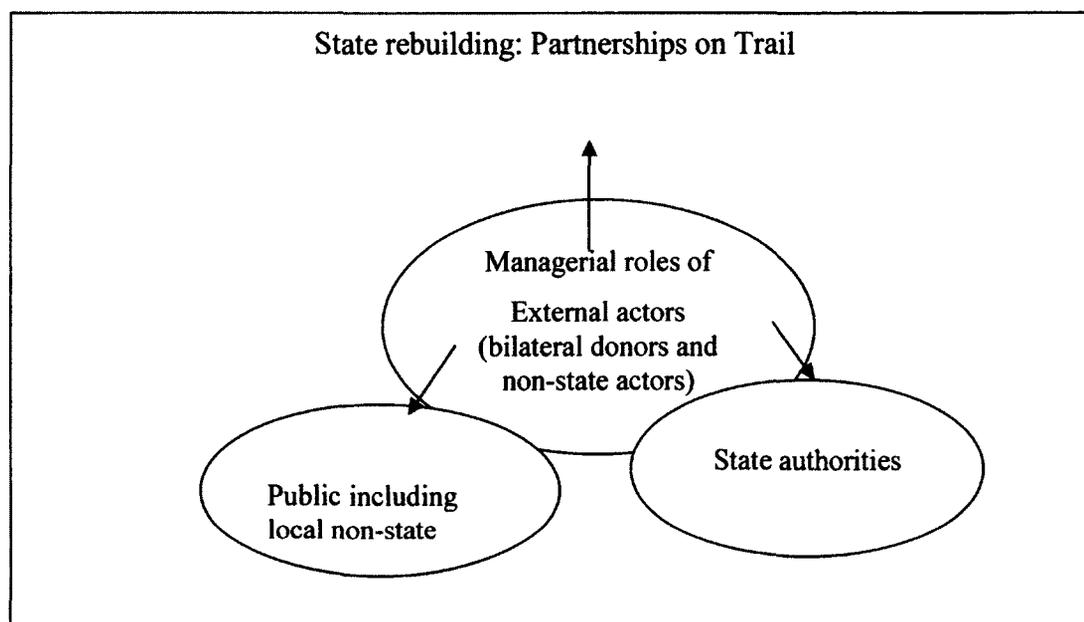
As Chesterman et al. explain, "The issue is neither less nor more aid but the design of the aid system" (Chesterman et al., 2005:10). They further argue that in "fixing states in the century the current design is geared toward micromanagement and micro-

⁴² See the Draft Country Program Document for Somalia 2007-2008, 13 July 2006. www.UNDP-Somalia.org

accountabilities without connecting to an overall goal of global stability and prosperity” (ibid). In light of this view, it is safe to conclude that Somalia is also a victim of the micromanagement approach of external actors, as its struggle to state-rebuilding resonates with the experience of other countries found in Chesterman et al.’s work. To describe it differently, the micromanagement approach is one of the main reasons why the efforts invested in state rebuilding in Somalia have failed to bear the intended fruits. The failure might be attributed to the unequal partnership between the state and external non-state actors. What does this partnership between the Somali state and external actors mean in terms of building the capacity of the state institutions? What can stake holders do to work on the return of the state?

These questions refer to the importance of the role of i) donors and multilateral agencies and the impact of their policies and programs on state building; and ii) other state and non-state to stakeholders that do not provide direct funding support but have great influence on policy direction. Presenting the impacts of these stakeholders is beyond the capacity of this study. However, for the sake of future research, a brief introduction will be presented later. Here, this study examines the relationship between donors that openly report their contributions and the state. The next section addresses the first group.

**Figure 7.1 State and Donors (External State and Non-state Actors)
Relationships: Parent-Child Relationship**



As the above figure illustrates, the relationship between the external actors and the Somali state is hierarchical, where the external actors play the managerial and operational roles and the Somali state and local non-state actors perform the recipient roles. This relationship not only undermines the role of the state, it also encourages competition between the state and its non-state actors.

This hierarchical partnership also defies the importance of coordinated efforts between donors and recipient countries and mutual accountability to development expressed in international policies, such as the Paris Declaration on Aid Effectiveness on March 2, 2005, and the following Accra Agenda for Action on September 2-4, 2008. These international policy commitments endorse country ownership, effective

partnerships, and accountability as key variables for aid effectiveness. The Accra

Agenda for Action (2008) states that:

Developing country governments will take stronger leadership of their own development policies, and will engage with their parliaments and citizens in shaping those policies. Donors will support them by respecting countries' priorities, investing in their human resources and institutions, making greater use of their systems to deliver aid, and increasing the predictability of aid flows. (OECD, 2006)

Even though the AAA is intended for countries with functioning governments, in principle, these variables are also keys to the reconstruction of failed states. In other words, weaknesses to such variables prolong the reconstruction process in addition to wasting resources and time.

According to Ghani and Lockhart's (2008) work *Fixing failed states: A framework for Rebuilding a Fractured World*, the best approach to state-building is for a reorientation in the international response to create capable states. The key to state building, they argue "is first to agree on what goal, the functions of the state to support this objective, and then to follow up with a pragmatic search for means of implementation" (Ghani & Lockhart, 2008:7). They propose a framework for a citizen-based approach. As they describe, "the framework provides for an assessment where by outsiders might be asked to perform a specific function for a limited time and then, through a clear process of handover, for national actors to take on that function" (ibid:8).

What does this mean in the case of Somalia?

Over the period of 2006-2008, it is clear that donor-UNDP Strategic partnership was not strategic in its approach to governance. A number of disparate projects and activities were pursued to the exclusion of others. Some donors were too focused on trying to fix central government and were undervaluing the importance of local governance. In the context of a failing TFG in mid-2006, and severe shortcomings in TFG performance in 2007-2008, donors could have

potentially achieved greater impact if they had pursued a broader approach. (Evaluation Report by Adam Smith International Inc., June 11, 2009).

This means, Smith's findings indicate, that the goal and the functions of the multilateral agencies on state building have never been clear and their efforts seem to be undermining the role of the transitional government. The evaluation also examined the "the strategic partnership between donors in respect of governance and rule of law, and security programmes in Somalia." The findings were very discouraging and confirm the widespread frustrations of Somalis towards multilateral agencies, the UNDP in particular.

The frustrated Somalis who expressed their views in this thesis come from all walks of life and include government authorities, diasporan graduates seeking jobs to assist the country, and civil society organizations struggling with funding shortages due to poor communications with donors based in Kenya, Nairobi, instead of Somalia. The evaluation confirmed that the relationship between the UNDP and the Somali state is far from perfect, and the intention to transfer leadership and managerial powers to the state in a timely matter is not built into the programs and policies imposed by the UNDP and other donors on the Somali state. Some of the examples extracted from the report should further illustrate the dominant roles of the UNDP in this relationship:

Findings:

***Accountability:** UNDP as implementing agent is not properly accountable to the donors, who are in turn not properly accountable for the resources they have allocated Reforms to improve accountability should be an urgent priority.*

***Reporting:** It is not possible to tell from the reports produced for donors the extent to which progress has been made towards outcomes. Reports focussing on activities (inputs) are not useful in assessing this and do not build in accountability for delivering development outcomes. As a result, much of the reporting appears to have presented overly optimistic or "rosy" picture.*

Transparency: *There has been insufficient involvement of Somali counterparts in decision-making and they do not appear to be given sufficient access to documentation. Focus: the programmes would have benefited from greater focus, with less ambitious, more realistic and more achievable goals being set.*

Clarity of finance: *the finances of the partnership are not clear. It is not possible to see easily where funds have been allocated and to compare performances between years.*

Virtual development: *There is a risk that donors and UNDP's concentration in Nairobi, rather than in-country, leads to pursuit of very ineffective "virtual development i.e. development by proxy."*

The UNDP accepted the findings of this critical evaluation, as the UNDP document dated October 5, 2009 confirms. They made a commitment to address all the recommendations, including the six mentioned above. What can we learn from this evaluation?

The findings of this evaluation confirmed the frustrations expressed by a number of participants who have direct and indirect contacts with multilateral agencies. We found that there are three main obstacles to this partnership: micromanagement and political interferences of donors; ineffective and sometimes misleading policies and programs undermining the roles of the state; and a poor coordination and a lack of accountability of external actors. Such problems further delay the rebuilding process and the unbalance the relationship between the state and donor communities. In this case, the partnership policies leading the state-rebuilding process can be depicted as a "parent-child relationship" instead of "an equal partnership where both parties work together towards the national priorities." As one of the research participants explains:

This relationship is not effective and puts a humiliating position for Somali authority day in and day out. Imagine a UNDP junior project officer or a low rank military officer demanding a meeting with a Minister or the President. The Minister or the President comes and sits with them. This type of meeting I assume only happens in Somalia. I do not blame the UNDP staff alone, but the fact remains that this became the norm that defines this relationship.

Another participant also touches the core of the problem.

How can a government perform any duty when every agenda has to be approved by the UNDP/UNPOS. For instance, an official want to attend a very important meeting. UNDP has to decide how many people will come with the official and pays/buys the ticket. Sometimes officials miss these meeting because of delays caused by late approvals and paper work. This is absolutely an unhealthy partnership.

In other words, given the dominant power of external actors funding the government and civil society programs and the weak position of the TFG, “the parent-child” relationship between the Somali state and external actors seems to promote a never-ending dependency on external actors. The fact that these agencies are located in Kenya further limits the capacity building of state institutions, technical experts, and other human capital. As the evaluation reports, this “virtual development” is an obstacle to a real development on the ground. It also enforces external actors to continue playing the parent role, where they manage funds at operational level (hiring staff to implement projects and conduct research instead of the government) on behalf of bilateral donors. This managerial role also demonstrates that external actors are at the steering wheel, which means they dictate the direction of the recovery process. The dependence of the state on them reinforces the centralized power of external actors. Local non-state actors, state authorities, and the public have little options but to comply with the agenda and the direction of donors and their agencies. This has increased the vulnerability of the state. For instance, let us compare the level of funding that these two actors directly manage and the impact that these can have on state legitimacy.

While the transitional government locally generated only about \$11.083 million in 2009, the UNDP raised and directly managed over \$46.834 million in the same period

without much consultation with its counterpart, the Somali state. This confirms that “funding power” contributes to the unequal relationship between the state and multilateral actors. The situation further increases the disconnection between the state and the civil society, which expects more from a government micro-managed by the UNDP and UNPOS. In this unequal partnership, the state is always in a compromising position. How can this predicament be redressed? What is the next step?

The Way Forward: Enhancing Partnerships in State-Rebuilding

The federal government inherited a collapsed state, with no functioning institutions, no security forces, no reasonable resources, and no option or power to dismiss international donors, even those who are not advancing the interest of the state. This enforces the view that the Somali society has to find its way through the convoluted campus of the donor policies and programs. There are a number of ways for the state to take control. The key step is for the state to recreate its own autonomy by tapping into the social, economic, and political developments led by local non-state actors while maintaining relationships with external actors as minimally as it can. As Chesterman et al. (2005) argue, “A world of capable efficient and legitimate states will help to achieve the goals of order, stability and predictability and promote national and human security” (Chesterman et al., 2005:359).

In particular, the current government can achieve significant progress if it is ready to redesign its functions by tapping into its own resources (financial, capital, and human) and connecting its effort with the efforts of non-state actors contributing to the development of the nation. For instance, the government can factor the positive outcomes of the civil war and the emerged new developments into its national agenda

when reviving its relationship with civil society. This is very critical to the state-building process. The state authorities have to ask what development means to the state and should formulate effective policies accordingly. Some of these tangible outcomes include the following.

The successful decentralization process: Most communities across the country now manage their own resources without a centralized power and more or less meet their needs. Local councils are established and work in many regions.

The emergence of a better informed and engaged civil society: Somali civil society is very mature and has developed expertise in almost all areas—social, economic, and peace building. Even though their efforts are not coordinated, any democratic state with a clear vision and oversight mechanism can benefit from this maturity.

Improving economy without any regulations: The emergence of a vibrant business community and open economy flexible enough to adapt to the globalizing world of market pressures and meltdowns will permit the Somali economy not only to survive, but to compete.⁴³ The increase of exporting livestock, bananas, and fishing, as well as the services from telecommunications and money transfers, are good examples.

The formation of regional administrations: The state-building process is moving well due to the emergence of relatively stronger regional administrations in Puntland and Somaliland and their public institutions, in particular, the police forces, functioning ministries, and formation of local and district councils in peaceful regions.

The emergence of stronger local institutions: In the post-conflict period, indigenous local institutions and traditional customary laws play significant roles in peace and

⁴³ For more details, see Little (2003), Somalia: Economy without state.

reconciliation processes at local levels and have contributed to peace dialogue at the national levels. These can be a basis for more community level governance.

Increased diaspora interest: The involvement of the diasporas in the political development of the nation has increased and this is a significant step. Attracting more of the over a million Somalis who settled overseas after the collapse of the state should be a part of the national agenda. Programs attracting them and offering good incentives should be put in place.

Relative peace in Puntland and Somaliland: Relative peace in Puntland and Somaliland have already attracted more people from the diasporas to establish international businesses and agencies in these regions. The state can tap into some of the regional resources if it finalizes a clear and effective constitution spelling out the relationship between regional governments and the federal government.

Effective media: Even though the media plays both negative and positive roles in state building, they represent one of the channels that inform Somalis from all walks of life. More Somalis are aware of the private conversations and contracts of the government with foreign firms because of the media. The media is intact and can participate in any oversight mechanism to expose and control corruption. The media can contribute to other areas such as peace building, rights, and development.

All these developments, which are mainly found in the northern regions of the country, have been achieved with minimum involvement of any formal authority, be it state or international donors. It is certain that if the government effectively utilizes these resources, it can expedite the recovery process.

In light of these developments, we argue that it is time for the TFG to find a way of seeking a genuine partnership with local non-state actors that are willing to cooperate with them. It also has to find a way of playing the leadership role in the recovery process, which has been captured by multilateral donors and international non-governmental organizations. This two-tier solution requires a balance of two immediate factors:

i) Constructing a state autonomy with clear national agenda and accountability framework.

Creating an autonomous state is critical in nation-state building. Since 2000, the post-civil war governments in Somalia failed to strengthen their internal country system in order to serve, influence, or deliver services to its citizens. However, lately the will of the state and the public has been improving. The new leadership that came into power in late 2010 (Prime Minister Farmajo and his 18 cabinet ministers) seems to have the will and commitment to change the course of the nation. If the environment allows them to generate enough revenues, there is a chance that they will be able to establish public institutions quickly, especially the national army. Therefore, any leadership has to find a way to build the autonomy of the state first. It cannot focus on serving the public if its internal governance is weak. Furthermore, the federal government has to train enough personnel and ensure that they nurture these forces when they are fighting, injured, or dead. A package that offers such a commitment would attract thousands of freelance militias who can live without the gun but are waiting the opportunity to put it down.

ii) Reinstating the facilitation role of external donors with transparency and accountability.

As Chesterman et al. state, “Multilateral approaches have never been needed more, but the practices of our multilateral organizations now stand in the way: the next step is to reach an agreement on the ways to and means for such policies” (Chesterman et al., 2005:10). The roles of bilateral donors and multilateral agencies should not diminish the dignity and the development of the nation they are trying to assist in its recovery. Putting in place policies and mechanisms that ensure local ownership and due diligence, including transparency and accountability of the donors themselves, might ease the well-founded concerns of the Somali side. There should be a follow up of the evaluation report (2009) prepared by Adam Smith International. It might increase trust and improve collaboration. The partnerships that are on trial must be re-examined and redesigned to end the struggle between the state and non-state actors. This is an indispensable step that can unlock the doors of recovery.

In conclusion, the return of the Somali state can be expedited by reviewing the current weak policy approaches to find a suitable solution. Seeking alternative policy approaches is critical because, as the findings have revealed, the roles of local and external actors are very limited, especially when the process of peace building, and building public institutions such as the police forces and the judiciary system, are led by weak policies and NGOs. The failure to follow up the recommendations of all the peace-building conferences is a good example of weak policies repetitively funded and often implemented by the international community. Therefore, implementing popular outcomes from national conferences is critical in achieving the ultimate goal of building a democratic state in Somalia.

This study also strongly suggests that eliminating the power struggle between the state and non-state actors, which is also an obstacle to nation-state building, would further contribute to the return of the state. The state has to inherit its power from non-state actors, in particular from the external non-state actors that play the managerial role in nation-state building process. These actors should be playing a facilitation role as promoted by the international policies on aid effectiveness. Building state autonomy, transferring the managerial role to the state, and reinstating the facilitation role of external actors with transparency, an accountability framework, and an exit strategy plan can therefore expedite the return of the stable state for Somalia. This is the way forward past all the predicaments faced by Somalis, the neighboring countries, and the international community.

Chapter 8. Making Local Governance Work: Lessons Learned from the Collapse and the Rebuilding of the Somali State

We have reached the high water mark of the post-1997 centrally driven target-based approach. Reforms to enhance choice, diversify supply and devolve control are all now taking hold as the Government moves from a centralized command and control model to what has been called new localism. The issue now is how much further. ... Public services cannot be run by diktat from the top down. In this next period accountability needs to move downwards and outwards to consumers and communities. Empowering them is the best way to make change happen.

(Alan Milburn, Britain's Labor Party Minister, Labour Party Conference Report, cited by Stoker, 2004:1)

In the post-Cold War era, rebuilding a nation-state relates to systems, policies, processes and programs that respond to the needs of collapsed states. As the empirical case study of Somalia illustrates, weak and corrupted governance is one of the main causes of state collapse. As this study argues, in societies of collapsed states, making local governance work from the grass-roots to the national level is the key to rebuilding a nation-state. In stable democratic societies, delegating some of the functions of the state to local governments through decentralization and empowerment of local governance are becoming a reality, as alluded to in the quote from Britain's Labour Party Minister, Alan Milburn. In weak states, achieving effective local governance is the challenging objective, whereas in collapsed states, the fundamental challenge is how to revive the state and provide it with the capacity and the legitimacy to govern.

The experience of Somalia demonstrates an empirical case of failed governance and its implications at national and international levels. As mentioned in the previous chapters, the Somalia state collapsed in 1991 after unorganized clan-based forces ousted the military government that had ruled the country for 21 years. What makes Somalia an

exceptional case is the absence of the state for the past twenty years, and the people's resilience and self-governance. A question that scholars and policy makers might ask is how these communities govern themselves and overcome the challenges that stem from the absence of the state. This study argued that when the state collapsed, relatively effective non-state actors emerged and replaced it to serve the public by utilizing local traditional institutions. However, the study found that the contribution of non-state actors towards service delivery, economic growth, peace building, and state reconstruction was mixed. While non-state actors play an important role in providing services to the public, they become obstacle when it comes to the reconstruction of the state.

Therefore it is crucial to understand their roles in order to find alternative ways of bringing them on board to genuinely participate in state building. This does not mean they do not provide modest positive achievements, especially in the northern part of the country. These achievements might be attributed to the local governance, which brought peace. Unlike the northern regions, however, the outcomes in southern Somalia were not positive, even though more non-state actors operated in that area. For instance, no one in the southern regions of Somalia can conduct any activity or business without the protection of one's own militia, clan-owned militia, or freelance militia hired temporarily.

To explore the unique experience of Somali society, this study analyzed the responses to a number of questions, including the following. How did local governance work without a functioning state? Who are the actors? What are their contributions and constraints with regard to the development of their communities and ultimately to nation-state building? What are the public perceptions of the role of non-state actors?

The findings of this investigation are intended, first, to fill the gap in the literature, elaborating the interaction of non-state actors with local communities and institutions and the dynamics in state rebuilding. Second, even though Somalia is a unique case, the findings can contribute in a modest way to the search for an alternative approach for rebuilding collapsed states. Finally, the purpose of this study is to share the lessons learned from the Somalia experience to discourage those who think that a stateless society is better than a corrupted state or that leading the state to collapse will bring freedom to their lives. Furthermore, various themes emerged through the research that can contribute to the recovery process. However, before providing these overall themes, the lessons learned, and policy recommendations, this final chapter will provide a short summary of the process the study employed and the findings that followed.

To capture the experience of Somali society, since the state has been absent for two decades, this study analyzed the various works of non-state actors in social, economic, and political development, and the role of state authorities in the context of state building. These non-state actors include: i) civil society, with a focus on informal authorities that include NGOs, traditional elders, farming cooperatives, and the media and diaspora; ii) the private sector communities, and its role in peace building and state-building; iii) multilateral agencies such as the UN agencies and international organizations that provide modest support to social and political sectors; and iv) the formal authorities of Somalia, the regional administration of Puntland, and the Federal Transitional Government, with a focus on their contributions and challenges to the nation-state building process. The chapters of the study are constructed as follows. Chapter 2 introduced the background of Somalia prior to the civil war, referring to the

political, economic, and social development in the-independency period, and the collapse of the state and its impact. Chapter 3 focused on the causes of the collapse of the modern Somali state and its impact. Chapter 4 reviewed the relevant literature of the state and its collapse within the context of the governance approach in order to understand its scope and limitations. Chapter 5 discussed the methodology and its challenges given the uniqueness of the case. Chapters 6 and 7 examined the changes brought in by non-state actors in the absence of the state and how they contributed to the development of i) the social sector; ii) the economic sector; iii) peace building at community level; and iv) the politics at the national level. This investigation provides both an understanding and a demonstration of the level of self-governance in the community in question. A review of various sources of literature informed and guided the analysis of this study.

Understanding the causes and consequence of the collapse of the modern state is critical for its revival and sustainability.

The State and Its Collapse: Identifying the Gaps in the Literature to Reflect the Reality in the Local Context

The collapse of a modern state and the challenging process of its revival raise questions about the rationalist's position of the state autonomy. This means that while this study is informed by existing literature on the theories of the state, its collapse, and governance approaches, it also acknowledges gaps in the literature when it comes to the collapse of the state and how a society survives in its absence. During the investigation of the causes and implications of state collapse, the study identified the gaps in the literature and extended the meaning of some conventional concepts to enable us to present the real picture of the unique conditions of the Somali society.

Describing the concept of "a collapsed state" is challenging for four main reasons:

First, a collapsed state is often confused with a failed state, where there is a form of weak, but still functioning formal authority. This confusion is mainly due to the fact that modern theories of the state are debated with reference to “functioning states,” so that guiding theories and policies are derived from and limited to that experience. There is no theory that directly deals with a complete collapse of the modern state, such as the case in Somalia. These theories also have limited predictability in terms of anticipating implications that might emerge from the collapse of the modern state. For instance, while conflicts are expected to produce an influx of displaced people, no researcher or policy maker was able to predict the emergence of either pirates or Islamic extremists in Somalia, or the impact that these might have on local and international trade and security.

Second, in countries of collapsed states, the power struggle between the ousted state actors and the emerging non-state actors makes the process of rebuilding the state more complex. In the case of Somalia, both state and non-state actors own powerful armed forces (private), have extensive financial resources, control large territories, and are ready to implement any agenda through coercion, intimidation, or dialogue. The existing literature of the state and its collapse barely mentions the implications of the privately owned powerful armed forces and does not take into serious consideration the capacity of such forces to deny the return of the state. The challenge is to explain why the leviathan state failed to control the formation and the emergence of armed oppositions. The Somali experience confirms the vulnerability of the modern state, especially in non-democratic countries.

Third, where a state authority is compromised, social forces gain more power and control of the political and economic direction of the country. Social forces including

armed religious groups and private businesses dominate the economic and political platforms and continue to play steering roles. This evidence also responds to the following question that scholars might ask: “Does the state really collapse or does it simply transform itself into a grass-roots level entity?” However, it cannot explain whether these social forces can replace the state or not, given that non-state actors such as business groups own their own armies and control a significant portion of the economy, and land. This fundamental question primed this study to locate the power of non-state actors at the center of analysis and seek to understand how they advance their self-interest within the context of nation-state building.

Fourth, in the country of a collapsed state, this study recognized that to conduct effective research, it is crucial to study informal local institutions as part of strengthening local governance. This encourages revisiting the concept of the local governance approach, in particular in nation-building. Local governance, in this perspective, refers to grass-roots community level efforts, where both formal and informal authorities contribute to the well-being of their communities. Accountability and transparency are also main principles of the concept of governance. In the context of the collapsed state of Somalia, no formal oversight mechanism exists. Instead, elders and peacemakers are the legitimate authorities accountable to their own people. The reputation of elders, who play oversight roles, is always tested when it comes to resolving conflicts arising from numerous issues. Since no formal state institutions exist that can intervene, elders expand their roles to identify the guilty party, ensure compensations for victims, maintain peace, and resolve the crises that emerge from trade disputes. They also lead national peace-building conferences, such as those of 2000 and 2007. These practical

interventions strengthen the role of elders and Somalia's overall social governance. However, elders are not responsible for the distribution of public resources and oversight of public goods. The limitations of the services of elders call for the establishment of agencies that ensure accountability and transparency beyond local-level conflict management and peacekeeping. Local governance also provides space for traditional leaders in the internal and external affairs of the community, and increases the participation of women in peace building and in developing the national agenda.

Informal markets would not have functioned without access to local governance. To put it differently, opening space for non-state actors in the social, economic and political spheres is important for the construction of a suitable democratic state. The activities and interactions of these non-state actors are facilitated by existing structures and processes. These structures were further strengthened by the involuntary decentralization that took place in post-conflict Somalia. In countries with functioning states, decentralization is a formal process of transfer of power and resources from national to the lowest level of authority, such as councils in districts. But in the case of a clan-divided society where the state is absent, like Somalia, decentralization refers to clans managing their own resources (army, natural resources, territory, land, ports, etc.) with or without the collaboration of any formal authority or other clans. Despite this limitation, the decentralization process indirectly builds the capacity of grass-roots communities and further shapes the political direction of the Somali nation. One main outcome of this process is the adoption of a federal state.

As will be discussed later, federalism emerged as an extension of an unintended decentralization process in a chaotic period. In light of this unique experience, this study

recommended that the literature of collapsed states be expanded to accept alternative views of traditional rule and recognize the valuable contribution of non-state actors in situations where the state is completely absent. This study also calls for cautious scrutiny of the findings of such a case study because of the possibility of unreliable data arising from sudden changing conditions. However, the suggested expansion of the meanings of concepts within the framework of the discourse of the collapsed state would open up the debate on state rebuilding.

The Causes of the Collapse of the State: Understanding the Implications and Expanding the Debate of the State

The debates about the causes of state collapse have been going on at for some few decades. Scholars from various fields—political economy, international relations, political science, and sociology—express different views. In the particular case of Somalia, this study discussed the views and limitations of two of the schools, the traditionalist and the transformationist, involved in this debate. As discussed in chapter 5, while the traditionalists in this field attribute the causes of the conflict in Somalia to socio-structural and outdated traditional institutions, such as clannism, the transformationist school locates its argument within the context of the political economy of the nation and competition for scarce resources by greedy elites and bureaucrats.

This study, in contrast, argues that it was the failure of good governance that led the modern state of Somalia to its collapse. Due to poor governance, the Somali state failed to deliver and maintain adequate services, to promote justice, or to ensure public rights, security, equal distribution of public resources, and free participation and freedom of political choice. The failure to fulfill such fundamental principles by the state facilitated the reawakening and emergence of dormant traditional institutions and

competition for scarce public resources. In the post-colonial period, when corruption reached high levels, public institutions neglected the rule of law and the “ethics and code of conduct” supposed to safeguard public resources from personal use. In the end, the failure of governance subjected the public to such high levels of injustice, insecurity, and stress that they turned to clan networks for protection and the realization of clan interests. It is within this context that this study asserts that the collapse of the Somali state is a reflection of public grievances against poor governance by the state. The public expressed its frustrations through clans, instead of through collective reaction “as citizens of the Somali nation.” Consequently, the social forces organized under the umbrella of the clans pushed the state to its demise and also deeply fragmented Somali society. In this case, clannism was used as a means to expedite the collapse of the state. This study further examined both the manifest and the latent consequences of the collapse of the state experienced by the Somali society.

The Consequences of the Collapse of the State: No Accountability, No Justice

The devastation that followed the fall of the Somali state was unprecedented. It is difficult to assess accurately the number of lives that were lost or the enormous destruction the nation endured, which included unimaginable suffering of the people (murder, torture, rape, robbery) and the destruction of the environment (private property, public infrastructure, land, water, and fishing). The results are food insecurity, one of the worst humanitarian crises of this century, piracy, youth and child soldiers, the proliferation of weapons, human trafficking, and the printing of billions of false currency notes, which, through inflation, have increased the cost of living for the already suffering

poor and hungry. The individuals involved in these illegal activities are widely known but no one has the power to stop them.

We also discussed how Somalia's sovereignty is compromised by various external forces challenging its homogeneity (culture, language, religion) and implementing foreign agendas and secessionist ambitions. Who is responsible for the devastation that followed the collapse of the Somali state and the terrible consequences? Somalis have so far been unable to address this question in an open and secure space. It is only when a capable state is in place that this issue might be addressed and resolved. For the time being, it is crucial to note the implications of these outcomes in the post-conflict recovery period—implication involving the revival of a stable and suitable state.

The recovery process begins with understanding the role of non-state actors, their governance functions over the past twenty years, and their future role when the state returns. To comprehend their present contributions to the recovery process, in chapters 6 and 7 investigated the capacity of non-state actors to deliver and contribute to social, economic, and political sectors by interviewing participants from all walks of life.

Chapter 6 first introduced the background of the 37 participants in this study. These formally interviewed participants were asked open-ended questions addressing the social, economic, and political sectors. The role of non-state actors, in particular, was measured in four categories: i) their capacity to deliver services; ii) their interaction with traditional institutions and state actors; iii) their particular assistance to local institutions; and iv) their contribution to peace building and national construction of the state. The second and the third sections presented positive developments and challenges that non-state actors experience while working in social, economic, peace-building, and political

fields. The investigation was informed by the concepts of decentralization, social capital, and local governance. The following themes emerged from analysis of the findings:

Theme One: Improving social governance is crucial for state recovery

The effort of the non-state actors for improving education sector is a strong incentive to the development of social governance in nation-state building.

The social sector in Somalia faced major challenges when the state collapsed.

The education sector, in particular, deteriorated completely, as displaced people occupied all the public premises. Nevertheless, in the midst of this crisis, non-state actors utilizing local governance have reported progress in the education sector. Thousands of students have graduated from all levels of education. This would not have been possible without the support of communities, civil society, elders, and women groups. The progress has a domino effect on other sectors, especially the social sector. Some of these developments may seem insignificant in stable countries, but they are positive outcomes when one measures them against the local reality, where poverty is widespread and severe and the country is one of the least developed in the world.

This study examined two case studies as concrete examples of the contributions of non-state actors to the social governance sector: the first in the education sector, the second in the agricultural sector (specifically, farming cooperatives and their contribution to food security). The investigation focused more on the processes, governance structures, social interactions/dynamics, and relationships of these institutions and actors than on the outcome of their efforts.

With regard to the education sector, this study explored how NGOs/private businesses launch, open, and sustain schools given the poverty, financial constraints, and

conflict in the population they serve. Local non-state actors, supported by some donors (INGOs and diasporas), run elementary to high schools, universities, technical colleges, and certificate programs. These institutions operate without financial support or policy directions from any formal authorities, such as the state. One of the findings of this study is that almost all schools and universities are privately owned and students are charged for various fees. Galkacyo Education Centre for Peace and Development (GECPD) is the only school observed that provides eight years of free education to thousands of young girls and hundreds of young boys. The GECPD serves the poorest of the poor and seriously abides by the principle for non-profit work. The successful operation of this school, which focuses on the empowerment of young girls and their mothers, is attributed to the support of the communities in the city including two dominant clans and countless displaced communities from the south. Besides educating young girls from poor communities, GECPD improves social governance by strengthening social capital, norms, and networks of opposing communities. In short, this center extends its curriculum to include teaching human rights and civic education to young girls and boys in order to produce good citizens. It essentially builds bonds where the mutual interest of communities transcends clan divisions. Similar work should be replicated across the country.

This study also found some real challenges facing these schools. Most are in poverty-ridden communities. Although many privately owned schools and universities emerged across Somalia, only a fraction of the public can afford the high fees. That was the main reason almost all the interview participants called for the return of the Somali state. The consensus was that “only a Somali state can ensure universal education for all

school age children, especially girls.” The participants also acknowledged the necessity of involving the state in the education sector, especially in improving the quality of education and harmonizing the existing multiple curriculums, which have been influenced by various Arab and Western countries. Trained and certificated teachers are considered necessary and are in very high demand.

The education of girls is also facing new challenges. The adherents of Wahhabist ideology in Somalia are undermining the education of girls and young women. They discourage girls from attending schools, and if the girls do attend, they control them through desegregation by forcing them to cover their faces and sit at the end of a classroom or in a corner. Somali women have inherited these pressures and challenges from the collapse of the state. Given the limited access young girls have to education, this study recommends the GECPD’s teaching model be replicated across the country. As the Executive Director of the centre explained, “in this centre young women are empowered to speak out and protect their rights.” This type of human rights- and citizenship-oriented education model can further strengthen the social governance of grass-roots communities.

Food security is another area contributing to social development that we explored. Non-state actors such as cooperative farms have an important role to play. Farming in the Puntland regions emerged after the civil war. In the second case study, four members of the Garowe Cooperative Farms were interviewed, and some of their farms, supported by INGOs and other local NGOs, were visited. On the one hand, this cooperative plays a beneficiary role, since it receives financial and technical support from external donors. But on the other hand, as a non-state actor it also contributes to the food security of the

city and surrounding villages. Similar to the education sector, the purpose of studying this Cooperative is to comprehend not only its contribution to food security in the region, but also its specific governance structure and management and conflict resolution approaches. The findings are summarized as follows:

1. Farming communities in Puntland benefit from external non-state actors and displaced communities from the south. The increase of farming communities in Puntland can be attributed to two main factors. First, the capacity-building efforts of INGOs and other donors for farming communities improve local governance and operations. For instance, the committee of the Garowe Cooperative is trained in various issues of governance: just distribution of resources from donors (electric generators, water pumping generators, tools, seeds, training of alternative farming skills, etc.); marketing of production; sharing and safe-guarding equipment; and conflict resolutions. The second source of support comes from the labor force of internally displaced people of Southern Somalia. These assist the owners of the farms to plant, inspect, harvest, and market products. Without the services of these experienced farmers, farming in Puntland would not have succeeded. This demand-supply chain improves the interaction of the southern and Puntland public and builds trust among the communities, even though the participants interviewed did not realize this interdependence and connection. Peace in southern Somalia might have some negative implication for farmers in the northern regions of Somalia in the future. Puntland and Somaliland have to strategically address this issue very soon. The study also noted the following challenges.

2. Overlapping efforts of external non-state actors undermine local production. The farmers we interviewed called for harmonizing policies of external actors to reduce

poverty and avoid duplication. This is critical for improving food security and local production. Some of the participants were critical of the policies of the World Food Program and INGOs. For instance, without harmonization of donor policies, the WFP's timing of food distribution might negatively affect building the capacity of small and medium farmers to produce sufficient food. This controversy is as old as the inception of the WFP's operations. But what makes small-scale farming in a failed state more vulnerable is the fact that the economy of small farmers depends on the people they serve, who are the poorest of the poor, the displaced and marginalized communities. The role of WFP is very critical for their survival. Nevertheless, finding a way to balance the production of local farmers and the distribution of WFP grains is critical for the survival of local farmers.

In conclusion, the expansion of cooperatives can strengthen the social sector. The state ministry of agriculture has to invest in and build on available resources by tapping into both local and external expertise when necessary. The farming community seems willing to continue working with formal authorities from the region of Puntland and the national state in the future. More production can cover community needs and gradually contribute to the economy of the country. This brings us to the next theme.

Theme Two: Economic governance: A bridge to peace and development?

The absence of the private sector in nation-state building delays the return of the state.

The economic sector is another area that reported positive development despite the political turmoil and humanitarian crisis in Somalia. However, this development, rather than supporting nation-state building, is limited to private sector profit-making.

The private sector has the capacity to enhance the effort towards nation-state building. However, almost all the participants agreed that the private sector in general is not keen to see the return of the state. From private sector's viewpoint, the state would confine their interests and reduce the profits stemming from the existing unregulated economy. Chapter 6 discussed the development of various sectors in the economy, such as the communication services and informal financial institutions. These institutions have become the lifeline for millions of people, the end-users. In this context, there is no denial of the contributions of the private sector and the success of their businesses. The utilization of modern technology—internet on-line wiring methods, e-mail, telephones, and high frequency radios—combined with traditional institutions such as clans and kinship identity build trust and facilitate the delivery of services in Somalia. In order to find a way to influence this powerful sector to assist the return of the state, we must understand the main actors in this field. This investigation found that the private sector comprises two groups: warlord economies and small and medium business groups. A profile of the economic resources of the warlords in the private sector helps us to comprehend the challenges they represent.

The economic warlords thrive through violent conflicts and illegitimate businesses. They can generate over US\$9 million in a four-month period from public resources like ports and airports. In total, it is estimated that they accumulate nearly US\$38 million from imports, airports, and exports of charcoal per annum,⁴⁴ an amount that is more than three times the \$11 million dollar revenue that the current TFG collected from Mogadishu airport and port. This study further explored the implications of an annual income of over \$37 million dollars that is not accountable to any authority.

⁴⁴ See the *Monitoring group report to Security Council Resolution 1587 (2005)*.

The findings i) confirm that this revenue provides a strong economic base for political instability and ii) support the view that the economic warlords are against the return of the state.

The study also found that despite this challenge in the private sector, hope for support can be found among the second group of small and medium business, which represents the majority of those in the business community. This group is involved in micro-economies and small trade (whole retail trade, the import of goods and services, the export of livestock, etc.). Private sector participants suggested that this group would welcome the return of the state, as they cannot keep up with the cost of insecurity. According to one of the participants, more than 40% of their benefit goes to cover the cost of security guards. They strongly believe that one advantage of a stable state would be the benefit of relative peace and security. However, they have so far not been able to bring together their financial and economic will to create an environment supportive of the return of the state. This failure is the reason most participants blamed the private sector in general for Somalia's problems. In light of this strongly held view, it is difficult to foresee that the business community could play a positive role in peace building or state-building as long as their profits are higher than their security costs. The following policy recommendations reflect the desires of the participants and the Somalis they represent.

1. Marginalize economic warlords: The return of public resources into the hands of the government must be strategically targeted. The first step must be to confiscate or constrain businesses and properties of the economic warlords and peace spoilers. Together, the state, the Somali public, and the international community must threaten the

economy of the warlords and continue to pressure them until they realize there is no way out. A participant recommended the following strategy:

Listen to the voices of the majority. Stop one shipment carrying charcoals, bananas, close a private airport, ban flights from Kenya carrying Khat, restrict their travels, and threaten to bring them to the International Criminal Court in Hague. You will quickly create a significant pressure. This could force them to abide by the peace agreements. This is the language they understand.

To be effective, this policy approach requires the will and the pressure of the Somali public and the international community. Without a collective effort, peace spoilers will always maintain the upper hand.

2. Build an oversight system to eliminate corruption, and trace conflict of interest in the government is paramount: During the interviews, it became apparent that the public has lost confidence and trust in government authorities. They explain that almost every politician in power owns shares of every contract signed with foreign companies or any major business owned by Somalis: for example, the telecommunication companies. Politicians who are either shareholders or receive bribes from the private sector must be pressured to legitimize their illegal businesses in neighboring countries. This conflict of interest can be eliminated by profiling the source of wealth of individuals who are interested in holding government posts before they join the government and after they leave. As one of the participants stated, “If one buys a million dollar home in Cairo or London within a year of leaving the office, the media watchdog and law makers must be able to expose them.” Investing in anti-corruption initiatives is necessary in order to halt unethical practices.

3. Introduce policies attracting investors: Bringing new blood to the market economy is crucial in order to challenge warlords’ illegal economies and to improve the economic

sector. The government should adopt policies promising incentives for investment in Somalia. It should also introduce laws conducive to diasporas investing and participating patriotically in the reconstruction of the Somalia state. This policy might create a middle-class group, boost the legitimacy of the state, and contribute effectively to long-term stability of the state.

4. Promote partnership between state and non-state actors, especially the private sector community and civil society groups. The government has to introduce policies that effectively engage the public by carrying out awareness campaigns aimed at rejecting anti-peace warlords and supporters and bringing together the public, government, and private sector to continue the peace dialogue directed at rescuing the country.

In reality, the economic sector reform cannot take place without a peaceful environment. In Chapter 6, we assessed the impact of peace-building efforts by non-state actors. The following themes emerged from the investigation of this issue.

Theme three: Community-level governance is a key contributor to sustainable peace.

Peace building at the community level is a mirror to sustainable local governance.

Maintaining peace through grass-roots communities is a step that ensures and enhances sustainability of local governance. In the case of Somalia, local non-state actors always have the capacity to generate resources to respond to and defuse community-level inter- and intra-clan conflicts. The traditional laws reemerged when the state collapsed. To demonstrate the capacity of communities in conflict-resolution management, this study focused on examining the structures and role of non-state actors in Somalia's peace-building process at the grass-roots level. By assessing two popular

peace-building agreements “The Burtinle Peace Agreement” in 2007 and “the Mudug Peace Agreement” in 1993, we learned that community-based approaches in peace building tend to strengthen the capacity of local communities to deal with and resolve local issues.

During the investigation, we also learned more about the timely leadership and intervention of elders, and the facilitation role played by NGOs, such as the Puntland Development and Research Centre. This centre provided technical support, such as transportation, the venue to host the dialogue, and documentation of the process. The study also discussed the outstanding and valuable role of the women’s organizations such as We are Women Activists (WAWA) in this peace agreement.” The representatives of this organization risked their lives twice to prevent the escalation of the conflict. As the Executive Director of WAWA explained to us, “We refused to go back to our homes until the agreement was signed.”

One important policy recommendation drawn from these two case studies is that “the traditional approach to conflict resolution is a solid and tested tool for future local governance and development, in particular, at community level.” Efforts must be put into designing approaches that align traditional and formal institutions to play complementary roles. The role of elders must be directed to mediate micro-conflicts and local issues. Can experience at the local level be transferred to the national level to mediate opposing groups fighting over the control of the government? To answer this question, the study assessed the policies and approaches that lead the way to nation-state building. The following theme emerged from the investigation of these policies.

Theme Four: We must examine and redress failed policies.

Peace-building conferences without follow-up commitments are a weak approach to rebuilding a nation-state.

Hosting peace-building conferences is one of the weak policy approaches adopted for the search of national reconciliation in Somalia. Over a dozen peace-building conferences, held outside the country since 1991, have failed to produce any effective or sustainable state. The results of these conferences could be considered as “one step forward two steps back.” To understand the positive outcomes and challenges of these conferences, this study focused on the peace-building conferences in 2000, 2004 and 2007. The conclusion from this investigation is that the “main predicament of this approach is the lack of commitment to follow up the recommendations of each conference.”

For example, in 2000, the Somali civil society conference, which established the Transitional National Government, called for a smaller more competent government and parliament. Instead, despite the state’s bankruptcy status, the international community supported the emergence of a government governed by over 300 members of parliament in 2000 and 558 members in 2010. One must question the rationale behind these decisions. India, with a population of over a billion, has fewer parliamentarians than Somalia, with less than 10 million citizens. As this study found, the majority of parliamentarians had no experience in running a government or knowledge of how a parliament works. This incompetence might be attributed to the famous “4.5 clan formula,” which is intended to ensure the representation and participation of all Somali clans. Furthermore, the temporary charter is not clear and the constitution has not been completed, despite ten years of effort.

The call for the completion of a national constitution is a recommendation of all the conferences—and one that, so far, Somalis and the international community has failed to implement. How could these parliamentarians make a difference with no clear constitution to guide them, and with an international community whose support barely aligns with national priorities? A government without a strong foundation is destined to fail. The international community has advanced various justifications for avoiding support of the state. These reasons were summarized nicely by one of the study participants, who worked directly with them:

The international community feels indifferent about the dire situation of Somalia. They provide a temporary life-line (insignificant humanitarian and development aid) that permits the public and the government to survive, but not enough for the government to stand on its own feet to make decent progress to a level at which it can rebuild its institutions and serve the public.

It seems that Somalis would probably receive full support if the government of the day was in a position to implement either the interest of the West, Ethiopia, or the interest of the Arab world. Otherwise generating its own revenues is the only way out. It is fairly obvious that a weak transitional government facing severe financial challenges and merciless opposition—powerful warlords, secessionists, religious extremists, organized criminals and foreign interference—cannot develop the capacity to take positive steps in building functioning public institutions and to perform regulatory functions.

The observation of the study participants confirms that the international community ignores “every approach that conference participants suggest that can advance the process.” Somalis need to find their own path to peace and development by overcoming their complex predicaments and utilizing their strong local institutions and

resources. The following theme emerged from analyzing alternative approaches to rebuilding the state. As this study acknowledges, any assistance of the international community has to be reviewed within this context.

Theme Five: Building public institutions must be expedited

Non-state actors in Somalia failed to assume regulatory functions of the state at the national level. This confirms that the need for the return of the state is paramount.

Even though local non-state actors strengthen grass-roots level governance, it has become apparent that they do not have the capacity or the will to transfer their skills, resources, and expertise to deliver services or enhance political dialogue on a national scale. Therefore, reviving public institutions, especially those that promote the rule of law, are priorities for good governance, peace, and development.

Since rebuilding public institutions is crucial to the revival and legitimacy of the state, this study looked at the capacity of the Somali state after two decades of direct support from non-state actors and the international community. It focused on efforts toward i) reviving the Somali police force to improve order and security, and ii) rebuilding the judiciary and the justice system. It also sought the perception of the external non-state actors and state actors. The following sub-themes emerged from the investigation.

Sub-theme one: The rule of law cannot be maintained without police forces.

The police force is an asset to every society and no government can function in its absence.

As this study found, revival of the Somali police force is in progress, but the process for establishing a sufficient police force and armed forces is taking a very long

time. It is well known that expediting this process is a critical step in improving security and maintaining law and order. The major obstacles the participants identified were a slow recruitment process, poor quality in training venues, poor living conditions for the recruits, and neglect of their right to earn a decent salary after graduation. The dismal situation has led graduates to abandon their commitment to serve the government, which is in dire need of loyal forces to help maintain law and order. Some of these choose to join the opposition forces, making their training counter-productive. Others simply sell their guns to the opposition forces for survival. As the Head of the Carmo Police Academy suggested, "If we cannot ensure their basic living, then we should stop training more forces. Otherwise, they would do more harm than good. "

Sub-theme two: Effective judiciary and just systems must be revived soon.

In Somalia, functioning formal judiciary and justice systems would have enforced peace, order, and the protection of the public. Empowering non-state sectors alone delays the development of formal institutions.

In collapsed states, reviving judiciary and justice institutions seems to be the most challenging task of state-building projects. Applying ill-fitting policy approaches further delays and complicates the process. In the case of Somalia, the process has begun, but any judiciary system is far from serving the public due to poorly designed policies. In the absence of a formal judiciary or other justice system institutions, people have been left to access community-based justice systems run by clan elders and community peace makers for years. High demands overwhelm these informal services. The need for effective institutions is recognized by non-state actors. Instead of applying dual approaches (building the capacity of formal institutions and civil society organizations), external actors work exclusively to empower civil society. This study attempted to understand the

implications of this approach by reviewing a report of a project funded by the UNDP entitled *Increase Access to Justice and Legal Aid for Vulnerable Groups and Economically Deprived Individuals in Somaliland, Puntland and South-Central Somalia from January 2009 to February 2010*. The study found that this project has been building a foundation for Somalia's legal aid by empowering local NGOs, universities, lawyers, and legal clinic associations, rather than state institutions. Below is a summary of some lessons from this project.

i) Building legal aid systems run by nonprofit organizations is neither effective nor sustainable without a complementary role of state institutions.

The study identified two major obstacles that might constrain the outcome and the sustainability of this type of project in the future. The first challenge is managing unsustainable funding. The services of the UNDP partners will only continue as long as they receive external funds. Second, the absence of effective public institutions to complement the work of non-state actors constrains building decentralized, strong judiciary and justice system institutions. What is the point of building community-led legal aid services when the formal courts and prosecutors that these local partners have to deal with are weak, ineffective, or corrupted? A lesson from this project is that the benefits of accessing legal services are not sustained in a broken formal justice system. In short, a best policy mechanism for reviving the legal system of a failed state must balance building the capacity of formal judiciary and justice system institutions (formal courts and prosecutors) informal institutions, and community-led legal aid services.

ii) Creating legal systems that are dependent on external assistance further delays the development of self-sustaining services.

Encouraging and funding community-based legal clinics without formal support from their own state is a set-up for failure. A number of participants noted that the failure of external actors to empower formal institutions is viewed as practice intended to create dependency on external funds. What happens, for example, when a one-year project ends while the needs of the poor and IDP remain the same or increase with the current wave of violence? Donor policies should be recognize and address these concerns when designing governance projects intended to build the capacity of public institutions.

iii) Building the capacity of judiciary and justice systems in isolation is one of the worst policy approaches to state building.

During this investigation, it became clear that without the control of a number of factors, any efforts towards building effective institutions will remain fruitless. These factors include, primarily, the flow of heavy and light weapons into the country. The availability and accessibility of such weapons have ruined many lives, including those of two of the participants of this study, Mr. Ali Jama Bixi (2008) and Suldan Isse Hassan (2010), who were murdered by assassins. The uncontrolled weapons contribute to the deteriorating human rights situation in Somalia. A first step towards rebuilding Somalia's judiciary and justice system might be to find ways of enforcing the arms embargo of the UN Resolution 733. The Somali state with the assistance of its own people, in particular the diasporas, and the international community have to find a way to hold the countries that provide arms to Somali groups accountable for their actions.

In short, implementing effective disarmament, demilitarization, demobilization, rehabilitation, and reintegration programs requires a strong state and adequate resources.

Controlling violence is central to peace building, reconstruction, and long-term development. It requires a budgetary support managed by the state. This study argues that “a budget that is managed by NGOs and donors cannot be an effective mechanism in the context of state building.” However, government authorities have to be accountable to the public and to the donors that assist the state-building processes.

We then asked how Somalis can establish a government that is accountable to its people, improves security, and promotes peace and development. This enquiry led to an exploration of the efforts being made to rebuild a Somali state. The following themes emerged from this inquiry.

Theme Six: Reviving a compatible democratic state should be supported.

Imposing incompatible political ideologies would only delay but would not stop the birth of a democratic federal state in Somalia.

Understanding the political predicament in Somalia has been another challenge to both researchers and policy makers. The question of the return of state has become the center of the political development, a fact that influenced the line of questioning included in this study. On the basis of interviews and close observations of Somalia’s political dynamics and actors, this study asserts that the solution lies within Somali society. There is also a space for the support of the international community, which will be addressed in the following section. The participants expressed a strong belief that the search for a preferred state is a perfect opportunity for the public to weigh options for suitable political systems. When asked about their preferred state, the participants split into two main groups: those who prefer federalism, which was the majority, and those who prefer a centralized state. None of the participants suggested the idea of an Islamic State in

Somalia. In the final analysis, federalism was favored over a centralized system, even though it offers a decentralized form of local governance. This response was not surprising, given that the most of the participants interviewed were from the autonomous region of Puntland or were external actors promoting federalism. Currently, Somalia is, ostensibly, governed by the transitional federal government: this study asked what it would take to establish a permanent federal government. That is, what is the way forward?

Theme Seven: Strengthening partnerships is paramount for state-building

The ultimate power struggle between the state and non-state actors must be redressed to genuinely complete the state building process.

Realizing a functioning and compatible federal state in Somalia requires Somalis to overcome a number of hurdles, including state dependency on donor funds. It became apparent during the investigation that in order to genuinely focus on state building, the ultimate power struggle between the state and non-state actors must be addressed. The majority of the participants stated that the struggle between these two groups hinders the recovery of the country and delays the revival of the state. They also indicated that the main problem is the role of international donors, who control the Somali agenda in nation-building.

These participants also suggested that overcoming the unequal partnerships between the Somali state and non-state actors, especially external non-state actors, is the first positive step towards establishing an autonomous state. Partnership, in the context aid effectiveness, means to address national priorities by ensuring local leadership and ownership of the process guided by accountable, transparent authorities with good

communication systems. To date, the Somali government remains in a weaker position, since its external counterparts, such as the UNDP/UNPOS, take on the managerial role in the country's recovery process. In other words, the main reason for the failure of billions of dollars worth of state rebuilding in Somalia is the mistrust between the state and the international community arising from inappropriate partnership. What are the implications of this?

This reversal of the roles of the state and donors (external state and non-state actors) is the main obstacle requiring further policy review. This policy approach undermines the principles of local ownership and leadership of the government. The evaluation report conducted by Adam Smith International on June 11, 2009 on behalf of the donors of UNDP-Somalia confirms this. The evaluation highlighted a number of serious weaknesses in terms of the barriers UNDP-Somalia's managerial role raises against the development of the Somali state. The two serious hurdles relate to the accountability and transparency of UNDP-Somalia. The evaluators found that the "UNDP as implementing agent is not properly accountable to the donors," and that "there has been insufficient involvement of Somali counterparts in decision-making and they do not appear to be given sufficient access to documentation." This issue was discussed in Chapter 7.

Given the dominance of external actors funding the government and civil society programs and the weakness of the TFG, this study concludes that a government that inherited a collapsed state with no functioning institutions, security, or sufficient resources does not have the option or power to dismiss international donors, even those that are not advancing the interest of the state. This led to the search for an alternative

venue for building state autonomy. As discussed through Chapters 6 and 7, the state does not have to begin from scratch if it decides to concentrate on improving its autonomy and reducing its dependency on external actors.

There are a number of ways that the state can take back control. The crucial step is for the state to recreate its own autonomy by tapping into the social, economic, and political developments that have been led by local non-state actors while maintaining a minimal relationship with external actors. This is a matter of redesigning the current government's vision, goals, and strategies by focusing on its own resources (financial, capital, and human) and combining its effort with the efforts of non-state actors that are contributing to local governance and the development of the nation. The government can build on the positive and tangible processes and outcomes of the civil war listed in Chapter 7. These include:

- The emergence of a successful decentralization process;
- The emergence of a better informed and engaged civil society;
- The improvement of the economy in all sectors;
- The formation of regional administrations and local councils;
- The emergence of stronger local institutions;
- An increase in diaspora interest in investing the country;
- The establishment of relative peace in Puntland and Somaliland;
- The creation of effective media;
- A complete Joint Need Assessment of the country's priorities;
- Programs recruiting experts from overseas (such IOM –Quest Program)

These encouraging developments might have sown the seeds for a complete reconstruction of the state, and should inform the country that the TFG can benefit from a genuine partnership with internal non-state actors. The will of the public is there. The government needs to tap into this opportunity. However, it cannot succeed with empty hands. It has to find a way to reclaim its leadership role. This process requires a balance of two immediate factors:

i) Constructing state autonomy with a clear national agenda and accountability framework.

Creating an autonomous state begins with strengthening the state's internal system to serve, influence, or deliver services to its citizens. Improving the current leadership deficit, poor policies, and financial limitations would enhance the governance structures of the system. Second, state authority has to focus on training enough military and police personnel and ensuring their well-being at all times. A package that offers such a commitment would attract thousands of freelance militias who are awaiting the opportunity to put down their guns. This would encourage the public to support the government, improve the legitimacy of the state, and strengthen the relationship between the state and the public. The state might thus be able to assume its core functions and relegate external non-state actors to facilitating roles.

ii) Making external donors facilitators instead of managers would expedite the state recovery.

Assigning external actors facilitation roles instead of managerial roles in Somalia's affairs might ensure that bilateral donors and multilateral agencies cease tarnishing the dignity and development of the nation they are supposed to assist. This would entail respecting the Somali state's authority in designing its national priorities, programs, and policies, as well as the implementation processes.

Policies that promote due diligence, including transparency and accountability, would not only reduce high corruption in the government, it would also boost the trust of both the public and the international community. It would enhance the collaboration of all stakeholders in the nation-state building process. This would ultimately end the

struggle between the state and non-state actors. In short, this indispensable step should unlock the road to the recovery of the country.

In conclusion, while the complete collapse of the modern Somali state calls for the return of the state, time and sufficient resources are essential for its revival. Ensuring space for the role of non-state actors in the future is central to achieving this goal. The preliminary findings encouraged this study to examine the roles of non-state actors and the dynamics of nation-state building in the context of Somalia. It also sought alternative approaches to the current policies and programs to advance the return of the state. The main reason for seeking an alternative approach is absence in conventional literatures of a reference point for the unique collapse of the state in Somalia, where non-state actors have governed the nation for twenty years. This study advanced and enriched the theory of collapsed modern states by drawing the attention of both scholars and decision-makers to the fact that reviving collapsed states can take decades if strategic policies are not implemented in a timely and appropriate manner.

Furthermore, nation-state building processes in Somalia have evolved through learning, committing errors, refining policies and programs, and constant negotiations with disenfranchised stakeholders. The further the process is delayed the more stakeholders appear in the political landscape. One lesson drawn from Somalia is that “the best approach to eliminate peace spoilers is to respect ‘Time’ because it is an essence.”

The study also reveals that localized governance has been improving at the grass-roots levels. It has shown that local informal governance evolves over time and that communities subsequently recognize the value of the state and the impact of its absence

while building institutions from the grass-roots. NGOs and the private sector are building and managing schools, universities, institutions, and hospitals; and traditional clan elders, utilizing local institutions, are busy resolving clan conflicts and political deadlocks at the national level. Moreover, the relative progress that non-state actors have made in the social and economic sectors would not have been possible without the existence of effective customary laws, the voluntary services of traditional elders, and the social capital that is applied to community conflicts, negotiations, and trade.

Given the strong cultural base of this nation, this study states that the return of the state has to begin by finding a common ground that can ease the insecurity of local non-state actors and facilitate their role in the future. This chapter provides recommendations that put local governance and state-society relations at the center of the revival of the state.

This study also advances the theory of governance in the context of state-society relations by identifying the gaps in the literature. The collapse of the Somalia state is a very unique case. It displays the extent of human persistence, and that the delay of state revival creates further layers of complexity—for example, the emergence of such irrational centrifugal stakeholders as fundamentalists. The governance literature has to pay more attention to how to neutralize such forces and Somalia offers many tested approaches.

Given the limitations of a number of concepts in the literature, the study expanded many existing concepts to ensure that they reflect the reality on the ground of a collapsed state. Such concepts include decentralization, governance, and federalism. This study

suggests localizing these concepts when the international community applies them in the context of collapsed states.

Finally, this study confirms the limited roles of non-state actors and donors. It has shown that non-state actors might be focused on individual gains and benefits. They may neither uphold nor protect public goods or the interests of the poor. They might not enjoy the fruits of their investments and work due to insecurity. If nothing else, the return of an effective and legitimate state might lead to a nurturing environment, where the state and society might mutually benefit.

Local non-state actors in Somalia also work for the interest of their immediate clans and regions. However, the study concludes that the progress they make collectively represent the evolving base for democratization and governance processes. The national agenda has to recognize these developments and build these into their future policy approaches and programs.

This study also identified the following important areas requiring further research on nation-state building after the state collapses:

- a) *The role of clan elders in state building.* The study should focus on improving governance by addressing the conflict of interest and the role of clan elders and their immediate families. The main question is how this issue can be aligned with anti-corruption policies.
- b) *Formalizing the customary laws by aligning them with formal laws to empower local governance.* The study has revealed the limitations of such laws. But it is a mistake to dismiss them completely. For the state to delegate some of the work to local elders

backed by modest resources would be a cost-effective process. The main question is how these two institutions can be aligned.

- c) *Women's roles are critical in peace building and state building as stated in the UN Resolution 1325.* However, in the case of Somalia, only lip service is paid to studying their roles. Studying their contribution over the past twenty years would assist the national agenda to open up and would ensure a public space for women.
- d) *Research that focuses on the phenomenon of child soldiers' participation in Islamist and TFG forces is a must.* The findings of such study might contribute to the rehabilitation and reintegration of hundreds of thousands of children who know nothing about the rule of law, but only wars and guns. They are a long term liability to state-building.

The impact of importing and chewing Khat on social and economic aspects of the family is devastating. The impact of Khat on the youth is a critical issue that requires further study. Twenty years without control on khat has had taken a great toll on Somalia's economy and human capital. Studies that focus on this area would definitely contribute to the rehabilitation of thousands of young men and women who might contribute to the economy of the country and peace building.

The following section summarizes the overall key recommendations of this study. The recommendations are directed to the Somali state; external non-state actors; and local non-state actors, in particular the Somali civil society and the private sector.

I. Recommendation for the Somali Government:

- A. Redesign the current government's vision, goals, and strategies by focusing on its own resources (financial, capital, and human).** It can build on the positive and tangible outcomes of the civil war listed in Chapter 7. These include:

- The emergence of the successful decentralization process
- The emergence of stronger informed and engaged civil society
- The improvement of the economy in all sectors
- The formation of regional administrations, and local councils
- The emergence of stronger local institutions
- An increase in diaspora interest in investing the country
- The establishment of relative peace in Puntland and Somaliland
- The creation of effective media
- A complete Joint Need Assessment of the country's priorities
- Programs recruiting experts from overseas (such IOM–Quest Program)

B. Construct state autonomy with a clear national agenda and accountability framework. This can be achieved by strengthening the state's internal system to serve, influence, or deliver services to its citizens. The state has to improve its poor policies and financial limitations, and should enhance the governance structures of the system.

C. Formalize traditional institutions and laws to complement secular laws. It is a cost-effective process for the government to delegate petty crimes to traditional institutions and to support them financially.

D. Improve social governance. This is crucial for state recovery. Public institutions have to invest in and build on available resources in the social sector by tapping into both local and external expertise and resources.

E. Bridge economic governance with peace and development processes. The absence of the private sector in nation-state building delays the return of the state. Effective policies focusing on the following issues should be introduced quickly:

- i. **Marginalize economic warlords:** This policy must strategically target the return of public resources back to the hands of the government.
- ii. **Introduce an oversight system to eliminate corruption and trace conflict of interest within government authorities:** This would expedite the legitimacy of the state by its public and the international community.
- iii. **Introduce policies attracting investors:** Bringing new blood to the market economy is crucial in the challenge against warlords' illegal economies and an improvement of the economic sector.
- iv. **Introduce laws conducive to diasporas to invest and participate patriotically in the reconstruction of the Somalia state:** This policy might create a middle-class group that can boost the legitimacy of the state and contribute effectively to its long-term stability.

- v. **Promote partnership between the state and non-state actors, especially the private sector community and civil society groups through awareness campaigns.**

F. Promote community level governance. This is a key contributor to sustainable peace. The traditional approach to conflict resolution is a solid and tested tool for future local governance and development, in particular, at community level. The future government should invest in this area.

II. Recommendations for External Actors:

A. Examine and redress failed policies to save time, resources and lives. Peace-building conferences without follow up commitments are a weak approach to rebuilding the nation-state. A serious commitment to follow up the recommendations of each conference is imperative to expedite the state-building process.

B. Support the building of public institutions to expedite the return of a legitimate state. In particular the rule of law cannot be maintained without effective police forces, armed forces, and judiciary and justice systems. Building legal aid systems run by nonprofit organizations only works when well-established state institutions complement their roles. External actors must support the balance of power between the state and civil society.

C. Contribute to the revival of a compatible democratic state by:

- i. **Listening and positively responding to the voice of the public, in particular the concerned civil society groups.**
- ii. **Strengthening partnerships** to end the ultimate power struggle between the state and non-state actors. This should be started by opening a dialogue between the state and non-state actors that focuses on their relationship. This process should reduce the tension, fear and future uncertainty of the role of non-state actors.
- iii. **Reinstating the facilitation roles of external donors and passing on the managerial roles to the state. This would expedite the state recovery and its legitimacy.** External non-state actors have to respect the Somali state's authority in designing its national priorities, programs and policies and the implementation processes. They should play a facilitating role.

III. Recommendations for the Somali civil society and the private sector:

- A. Stop criticizing every Somali government and opposing its vision.**
- B. Support the government to formalize a successful federal system through a decentralization process.** This should not be difficult since most communities across the country now manage their own affairs and resources. Existing local councils must be empowered.

C. Support the government to fight corruption by exposing illegal activities.
Media should be empowered to play a critical role on this.

In conclusion, this study confirms its hypothesis that the roles of non-state actors in collapsed state are mixed. While these actors contribute to all social, economic, and political aspects in a country, they become a huge obstacle when it comes to the revival of the state. Policy makers, practitioners, academics, and decision makers have to make these contradicting roles of non-state actors central when designing policies, and programs for state recovery.

This study also confirms the importance of non-state actors' involvement in the reconstruction of the state. As the "state-society" literature insists, the state is continuously constructed and shaped by society, in the same way that the state shapes society when it has a functioning power. Therefore, it is the hope of this study that revealing the challenges and opportunities in the midst of Somalia's nation-state building policies and programs might benefit and encourage non-state actors in Somalia—as well as policy and decision-makers, researchers, academics and development practitioners, and the diaspora—to support efforts expediting the recovery of the state. Other states that are slipping into collapse might also avoid the human tragedy that Somalis experienced by learning from it.

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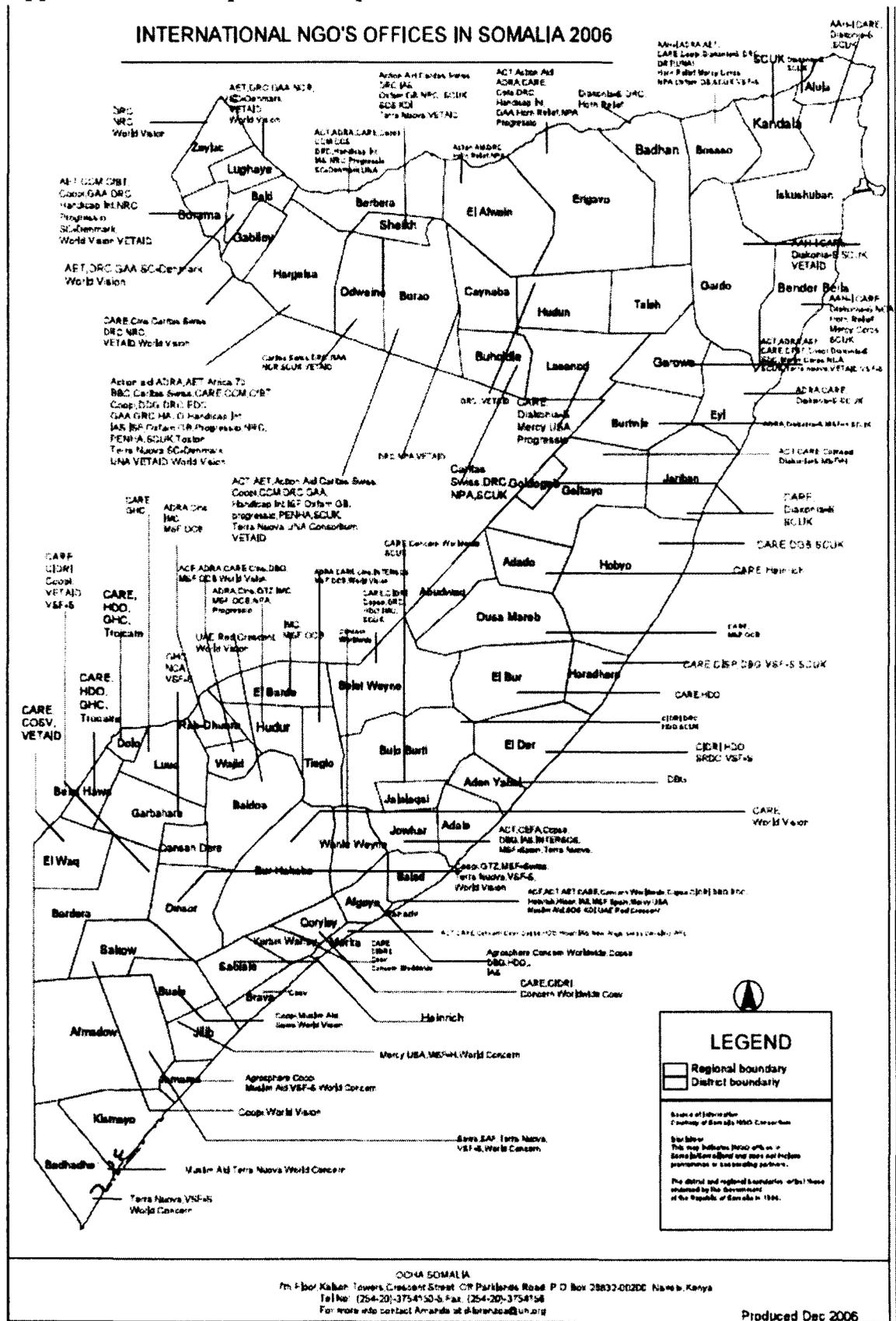
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Appendix A. The Map of Somalia.



Appendix B. The Map of INGOs present in Somalia.



Appendix C. Letter of Information and Consent Form

Letter of Information

Research Title: Localized Governance in the Mist of Anarchy: The Role of Non-state Actors in State rebuilding of Somalia

Researcher: Idil Salah (Ph.d Candidate): Telephone number (613) 520-2777
Email: Idilalah@gmail.com

Supervisor: Osabu-Kle, Daniel, Political Science Department, Carleton University

Ethics Committee: Leslie MacDonald-Hicks; Tel: (613) 520-2517;
E-mail: Leslie macdonald-hicks@carleton.ca or ethics@carleton.ca

Dear Participant,

The purpose of this letter is to inform you that I, Idil Salah, a Researcher from Carleton University, Ottawa, Canada, is conducting a study on the impact of Somalia's failed state in 1990 to present on its citizens and the emergence of effective local governance in the midst of anarchy. *A principal objective of this exploratory research* is to study the role of non-state actors (representatives from civil society groups such as- traditional elders, professionals, political elites, non-governmental organizations including women's groups, the private sector, and the international organizations, including the UN) after the collapse of the Somali state in 1990 and seeks the answer to the question about how to return power to a reconstituted state. This study will investigate the role of non-state actors in order to understand how a society governs itself in the absence of the state and to anticipate the type of the state that the Somali society needs to establish in the near future. Therefore, your participation in this study is very critical to the understanding of what went wrong in Somalia, the severe impact of the civil war, and the reconstitution of a suitable state in order to prevent future collapse of the state.

For this purpose, I would collect information from people over 18 years old who are willing to participate in this study. To do that, I will conduct face to face interviews with a maximum of 40 people. The participants would be selected for their experience, age, gender, active role in the community, and availability during the stay of the Researcher. If you are not contacted for an interview, either you did not meet one of these criteria, or the Researcher reached her target of 40 participants. The Researcher regrets for any inconvenience. If you are a selected participant, we are grateful to receive a confirmation for you voluntary participation, since there will be no remuneration involved in this research. We, therefore appreciate if you can allocate your valuable time for an interview between 1 ½ to 2 hours.

We would also like to inform you that during the interview, a personal profile (age, status, occupation etc.) will be established. Some of the personal questions may trigger painful memories can be personal you have the right to decline them if you feel uncomfortable or inconvenient. You can also withdraw the agreement to participate at any time during the study by contacting me or my supervisor at the above mentioned contacts. As follow up, your data will be withdrawn and destroyed by shredding it.

This research will interview three groups: a) members from the general public, b) non-state actors- civil society including religious and women's groups, Diaspora, International agencies, and the private sector, and c) Officials from the regional administrations and Transitional Federal Government). Some of the questions that we will be asked include how participants manage to survive in stateless society? Under what mechanisms do they receive basic goods and services such as food, medicine, shelter; and who protects them in times of violent conflict in the absent of the state? What type of services do non-state actors provide? What type of state would they like to see in the future? (Attached are samples of these questions). With your permission, we *may* video tape, take photographs or record the interviews. At the same time, we would maintain your anonymity by not using your voice or image in the final report. During the interview, if you are not comfortable with any of these methods, we are pleased to take handwritten notes.

All the answers that you provide to the researcher are confidential. Your name will be concealed unless you agree that we quote you publicly. No one besides the researcher will have access to this information without your consents. The answers of the questions will be kept in secure place and *the data will be stored in a personal removable drive to avoid any accidental exposure of the participant's identity*. However, we would also like to retain the collected data after the completion of this study for future project and references. *Therefore, researcher will re-consent with you if she decides to re-use the data in the future.*

When the research is completed, the Researcher will share the executive summary with the participant if he/she is interested. The Researcher will also inform the participants that they can access the complete thesis by contacting the library of Carleton University, the Canadian National Archives or the Researcher.

This methodology of study has been reviewed and approved by the Carleton University Research Ethics Committee. If you have concerns or questions about your involvement in the study, you can contact the ethical committee Chair.

The chair's information is as follows.
 Prof. Antonio Gualtieri, Chair
 Carleton University Research Ethics Committee
 Carleton University
 1125 Colonel By Drive, Ottawa, Ontario
 Tel: (613) 520-2517
 E-mail: ethics@carleton.ca

Thank you for taking the time to participate in this important study.

 Idil Salah - Researcher

 Date

 Prof. Daniel Osabu-Kle – Supervisor

 Date

Consent Form (also used for Oral Consent)

Research Title: Research Title: Localized Governance in the Mist of Anarchy: The Role of Non-state Actors in State rebuilding of Somalia

I, _____ have read the Information Letter and understand that I am participating in the above mentioned research project. I agree to participate in this on voluntary basis.

The researcher explained everything I need to know in order to participate in this study. I understand that the researcher will ask me certain questions that require me to disclose personal information relating to many aspects of my life like my age, profession, and experience in the civil war. Psychologically, I understand that these questions may trigger painful memories and may cause an emotional distress when I am discussing my experience during the civil war (i.e. personal injury, loss of loved one or property, or torture etc.). I have been assured that I can decline to answer some of the questions, or withdraw from the agreement to participate at any time during the study by contacting to the researcher or the supervisor of the project and that my data will be withdrawn and shredded accordingly.

With my permission, the researcher *may* tape; take photographs or video record the interviews, and would maintain my anonymity by not using my voice or image in the final report. I understand that the data will be stored in a personal removable drive to avoid any accidental exposure of the participant's identity. I understand that, if I feel uncomfortable during the interview, the researcher is ready to take hand- written notes.

I was reassured that all the answers that I provide to the researcher are confidential. My name will be concealed unless I agree that the researcher quotes me publicly. I also understand that no one besides the researcher will have access to this information without my consent; that the answers of the questionnaires will be kept in a secure place in all times. *I understand that the researcher will re-consent with me if she wants to re-use the data and the data will be retained after the completion of this study for a future project and references.*

I was also informed that when the research is completed, the result will be available to all participants. As follow up, if I am interested, I was informed that I can access this study by contacting the researcher directly or the library of Carleton University and the Canadian Archives.

In addition, I understand that all participants will be given a "thank you" letter including the name and address of the researcher should I wish to make a future contact. I understand that all the data will be retained as long as the researcher wants, and that with my consent other researchers can benefit from it.

If I have any questions about the process, I understand that I can call the researcher Idil Salah at (613) 520-2777 or communicate her by email at isalah2@connect.carleton.ca.

There are two copies of this consent form. Please sign both and return one to the researcher.

Name of the participant _____ Signature _____ Date _____

Name of the Researcher _____ Signature _____ Date _____

Appendix D: Research Questions

Research Instrument: Sample of semi-structured open-ended questions

Interview Guiding Questions

Group I: Members of the general public: As a member of the community who receives the services of non-state actors, please answer the following questions to the best of your knowledge. As the letter of information depicted, your responses will be strictly confidential. Thank you.

Name: _____

Gender: Female Male

Age 18- 28 29-39 40-50 51-61 62-
72 73+

Number of Children: 1-3 4-8 9-12 13+

1. What was the highest level of education you completed (completing)?

Informal education Intermediate Post-secondary College
education

Elementary Secondary University Degree

2. What is your marital status?

Single Married (if male, how many wives) Divorced Separated
Widowed

3. Are you aware of the collapse of the modern state in 1990?

4. Where did you live before the civil war?

5. Can you explain your experience in surviving a country without a state for over 17 years?
6. Can you explain how this situation affects your community?
7. Are you currently working?
8. If yes? Please specify your occupation?
9. Does your earning enough to cover the needs of your household and beyond?
10. Do you receive any remittance from overseas?
11. If yes, what role do you think remittance from abroad play
 - a) in your day to day life
 - b) and your community
12. Do you think the Diaspora community has a role to play for the rebuilding of the country?
13. Are you aware that the traditional state survived during this period?
14. What is your opinion about the role of local governance institutions in the context of:
 - a) security
 - b) regulatory bodies
 - c) societal relations
15. How do you perceive the role of traditional elders in your community?
16. Would living within your clan's (blood-relations) city/region contribute to or constraint your movements, and security?
17. What mechanism do you use to resolve disputes or severe conflict affecting you individually?
18. Have you witnessed any societal transformation in this period?
19. In the absence of the state, what is your view about the roles of non-state actors such as:
 - a) local NGOs (including women's groups)
 - b) religious groups,
 - c) political elites
 - d) private businesses
 - e) International agencies such as INGOs, and the UN agencies
20. Do you receive any services from the non-actors mentioned above?
21. What type of services do you receive from the non-state actors mentioned above?

22. How would you describe your life without the present services of non-state actors?
23. How do you see the roles of non-state actors after the formation of a Somali state?
24. In comparison prior to the period of the civil war, did the change in Somalia contribute to or constraints your well-being?
25. Do you participate in and contribute to the nation-state building processes?
26. What type of government would you like to see in the future?
27. In your opinion, through which mechanism(s) do you think this society needs to utilize in order to establish a stable and effective state?
28. What did you learn from this experience?
29. Do you have any comments?

Research Instrument: Sample of semi-structured open-ended questions
Interview Guiding Questions

Group II: Participants are divided into three groups.

Group A. Local non-state actors including civil society and the private sector: as a member of the civil society (local NGOs including women's organizations, religious groups, traditional elders and professionals) or the private sector, please answer the following questions to the best of your knowledge in order to inform this study. As the letter of information depicted, your responses will be strictly confidential. Thank you.

Name: _____

Gender: Female Male

Age 18- 28 29-39 40-50 51-61 62-
72 73+

1. What was the highest level of education you completed?

Informal education Intermediate Post-secondary College
education

Elementary Secondary University Degree

2. What is your marital status?

Single Married Divorced Separated Widowed

3. What type of organization or business do you represent?

4. How long have you been involved in this organization or business?

5. Can you explain the composition of your organization/business (background and structure)

6. What type of services do you provide to your society?

7. Where do you operate?
8. Do you utilize any local institutions?
9. If yes, to what extent do the availability of these institutions assist your services in order to respond to the needs of the community?
10. Are there any challenges for delivering these services?
11. How do you overcome?
12. What are the weaknesses of these institutions?
13. How can they be improved?
14. Do you interact or serve communities (not clan related) other than yours?
15. How long have you been working with them?
16. What facilitates your interaction with other communities?
17. How do you resolve when conflict arises?
18. Does your agency contribute to the revival of the state?
19. What type of state would you think is suitable to Somali society?
20. What is your opinion on the role of the Diaspora for the revival of the state?
21. What is your perception on the role of the International non-governmental organizations such as the United Nations agencies for the revival of the state?
22. How can Somali society establish such a suitable state?
23. How do you see your after the establishment of a stable Somali state?
24. What did you learn from this experience?
25. Do you have any comments?

Research Instrument: Sample of semi-structured open-ended questions**Interview Guide**

Group B: It is widely known that since the collapse of the state, international organizations such as the United Nations agencies play critical role for the survival of many Somalis, and the reconstruction of the Somali state. As a representative of one of the international organizations working in Somalia, please answer the following questions to the best of your knowledge. As the letter of information depicted, the information you disclose will be strictly confidential. Thank you.

Name: _____

Organization: _____

Position: _____

Work Location (s) _____

1. Are you aware of the collapse of the Somali modern state in 1990?
2. Are you aware that the traditional state in Somalia survived during this period?
3. How long have you been working in Somalia?
4. Have you ever worked in other places similar to Somalia where the state is absent?
5. If yes, how would you describe Somalia's situation in comparison?
6. What type of programs do you implement in Somalia?
7. What is the estimate of the beneficiaries of these programs?
8. What type of local institutions (indigenous) do you seek support from in order to deliver your services?
9. What kind of relationship do you have with informal institutions?
10. Please name some of these local institutions and their assistance to your services?
11. How do you see the role of these indigenous institutions and their contribution to improve:

- a) your security
 - b) the security and safety of your beneficiaries
 - c) the rebuilding of the national agenda
12. How do you see the role of traditional elders in Somalia?
 13. Do you see a broader role for these elders at the national level in the future?
 14. What is your opinion on the role of the local non-state actors in Somalia?
 15. In the future, what role do you think that they can play after the establishment of the state?
 16. Do your programs deal with Somali Diaspora?
 17. How do you see the role of the Somali Diaspora?
 18. How does your organization contribute to the revival of the Somali state?
 19. Is your organization involved in the political processes?
 20. How does your organization reconcile with the competing internal and external forces in Somalia's affairs?
 21. What is your overall experience in Somalia?
 22. Do you have any questions?

Research Instrument: Sample of semi-structured open-ended questions
Interview Guide

Group C : Representatives from Somalia's Transitional Federal Government (TFG) or Regional administration (Puntland and Somaliland): even though officials from the government and regional administrations are not a part of the non-state actors, understanding your current functions, relationship with non-state actors, vision and challenges that relate to the resuscitation of the Somali state are very critical to this study. As a **representative of Somalia's Transitional Federal Government or Regional administration**, please answer the following questions to the best of your knowledge. As the letter of information depicted, the information you disclose will be strictly confidential. Thank you.

Name: _____

Position: _____

Name of the Ministry: _____

Regional Administration (Specify)-

TFG

Location: _____

Age 18- 28 29-39 40-50 51-61 62-72
 73+

1. What was the highest level of education you completed?

Informal education Intermediate Post-secondary College education

Elementary Secondary University Degree

2. What is your marital status?

Single Married Divorced Separated Widowed

3. What is your status in this political institution?
4. Does your agency assume any regulatory functions?
5. Where do they generate the revenues to run these functions?
6. What are the challenges?
7. What local institutions do you utilize to maintain peace and stability?
8. Can you provide some examples?
9. What is your view about the role of non-state actors
 - A) local
 - B) international non-governmental organizations
 - C) The United Nations agencies
10. What kind of relationship does your office has with them?
11. To what extent do you consult with them in order to resolve conflicts (social, political, and economic issues)?
12. In the long run, what role do you think non-state actors should play in order to avoid overlapping with the functions of the state?
13. What type of government would you like to see in the future?
14. Do you see a role of the local institutions (customary laws, leadership of elders and Islamic groups) in Somali political platform?
15. How would you reconcile the competing political ideologies (secularism and Islamic state) in nation-state building?
16. What is your overall experience during the period of 1990 to present?
17. How do you see the future of Somalia?
18. Do you have any comment or question?

Appendix F – A Map of Landmines in Puntland and Somaliland regions of Somalia

Appendix E. List of Individual Participants

(Some of the names are concealed for security reasons).

Participants from the General Public

1. **Mohamed Adan** – Self-employed Youth
2. **Fadumo Farah** – Single Mother
3. **Farhio Ali** - Employee of INGO
4. **Ahmed Amin Hassan** – Construction worker
5. **Cali Ayanle** – Unemployed high school graduate
6. **Xalimo Warsame** – Beneficiary from Galkacyo Education Center for Peace and Development

Internal non-state Actors (Number of people interviewed)

Local NGOs/Cooperatives:

We are Women Activist Network (WAWA) (2)
 Puntland Development and Research Centre (PDRC) (2)
 Galkayo Education Center for Peace and Development (2)
 Garowe Farmers Cooperative (4)

Elders (3)

Diaspora:

International consultants (2)

Media (1)

Private Sector:

Puntland Energy and Natural Resources Cooperation (1)
 Bendar Qasim Trading Inc. (1)

Regional Administration:

Minister for women and Family Affairs (2)
 Minister of International Cooperation and Planning (4)

Federal Government:

Carmo Police Academy (2)
 Parliamentarian and Former Minister of Commerce (1)
 Former Politician (1)

Informal Interviews:

Former Minister of Security, Puntland (1)

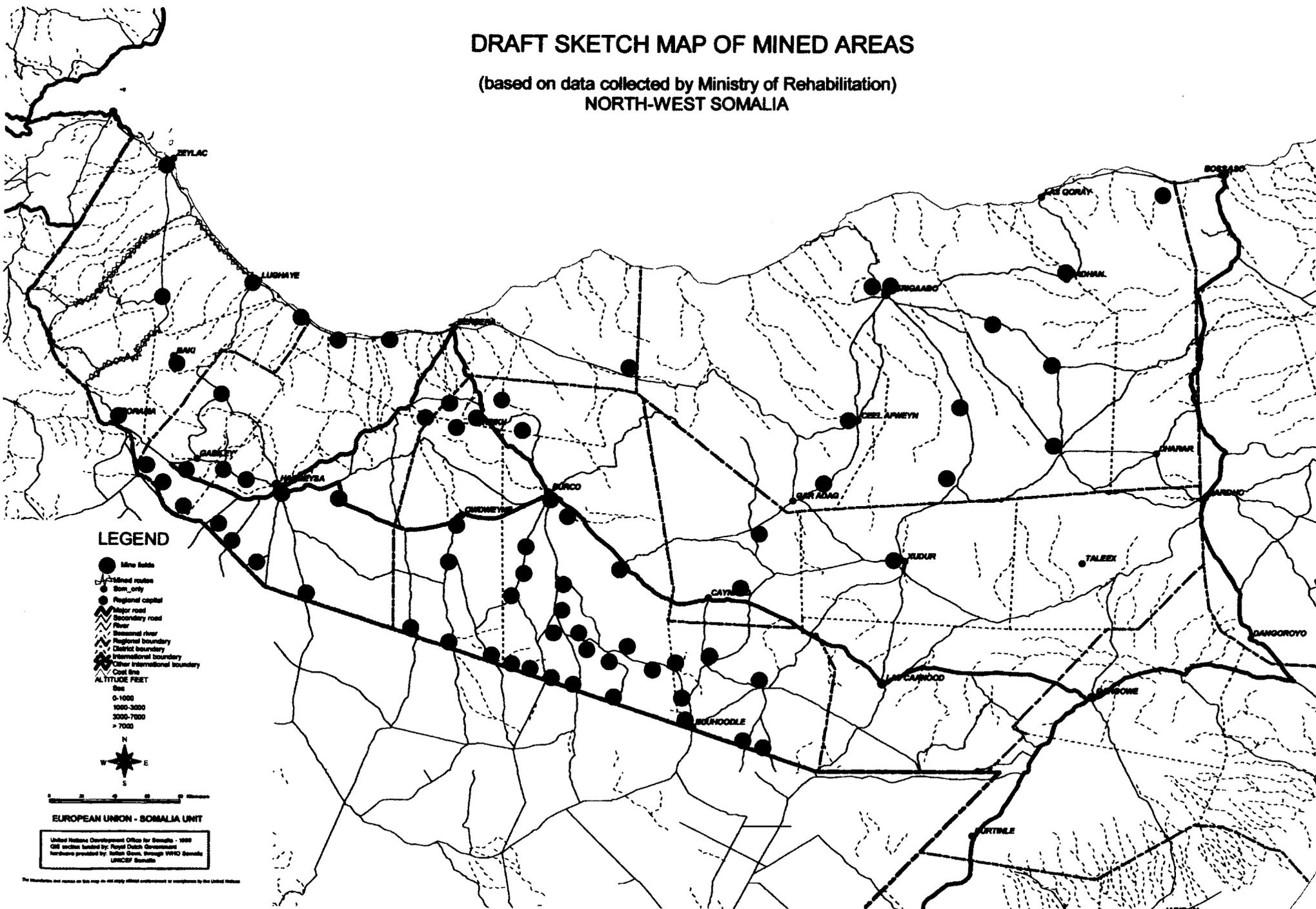
A Somali diplomat (1)

A Representative from an NGOs based in Mogadishu (1)

Appendix F: Map of Landmines in Somaliland and Puntland

DRAFT SKETCH MAP OF MINED AREAS

(based on data collected by Ministry of Rehabilitation)
NORTH-WEST SOMALIA



LEGEND

- Mine fields
- Mined routes
- Town
- Regional capital
- Major road
- - - Secondary road
- ~ River
- ~ Seasonal river
- - - Regional boundary
- - - District boundary
- - - International boundary
- - - Other international boundary
- Coast line
- ▲ ALTITUDE FEET
- Sea
- 0-1000
- 1000-3000
- 3000-7000
- > 7000



0 25 50 Kilometers

EUROPEAN UNION - SOMALIA UNIT

United Nations Development Office for Somalia - 1999
GIS outline based by Royal Dutch Government
Hardware provided by: Satcom Group, through UNOD Somalia
UNICEF Somalia

The boundaries and names on this map do not imply official endorsement or acceptance by the United Nations