How does it end?
towards a vision of a Somali state

Mark Bradbury and Sally Healy

“In Somali tradition, the important question is not what happened but rather how did it end?”
Sultan Said Garasse

War entails not only social breakdown but also the transformation of society. It is unlikely that a revived state in Somalia could easily reverse the political fragmentation and economic decentralization that has taken place.

The formation of Somaliland and Puntland challenge the convention of a single Somali sovereignty. The growth of major urban centres – not confined to Mogadishu – and the fact that populations have become increasingly sedentary have also brought about significant social and economic change. The establishment of a large diaspora has made Somali society more transnational and encouraged the development of new forms of identity and ideas of 'belonging'.

The rise to power of militant Islamic groups in Somalia underlines the profound changes that have occurred in the course of the war. It has dramatically reconfigured the conflict in Somalia away from a purely clan-based power struggle towards an ideologically influenced conflict with a regional and global dimension.

Al Shabaab, the latest manifestation of transformation in the Somali conflict, represents a particularly pernicious change from the perspective of conflict resolution. Its rejection of the legitimacy of social organization by clan, generation and established religious practice undermines the scope for using established Somali templates of dialogue and negotiation based on kinship.

International engagement is not perceived as neutral. It has swung between regional states, the UN and the EC, each bringing with them competing interests that shape the nature of diplomatic responses and the policy framework: migration, disease, arms proliferation, transnational terrorism, jihadism, or piracy. Today the Somali crisis is entangled with the West’s ill-defined ‘global war on terrorism’ in a strategy that relies on pro-Western regional powers like Ethiopia to achieve wider counter-terrorism objectives.

The Somali conflict and international engagement in it are organically linked. The major international interventions have been received with hostility by Somalis and have had perverse results. Each intervention has incubated new political forces (warlords in the 1990s and now Al Shabaab) that have become major obstacles to a settlement and have helped to prolong the crisis.

International diplomacy has been unable to foster a vision or institutions of a state (or states) that are acceptable to Somalis. Historically, Somali statehood and nationhood have been deeply problematic – largely a foreign construct sustained by foreign resources, subject to foreign interests and a source of external wars and internal conflict.

International peace negotiations have revolved around different state models. Debates over these have been influenced by a combination of internal clan agendas, foreign security interests and, increasingly, a religious ideological discourse:

- Regional autonomy and decentralized governance provided the basis of negotiations in the 1993 Addis
Ababa conference, following the collapse of a highly centralized state. The model was rejected by warlords who saw it as a threat to their own power.

- The emergence of autonomous and semi-autonomous regional polities, like Somaliland and Puntland, and nascent polities in the inter-riverine regions in the south gave rise to the concept of reviving a state through a series of federated ‘building blocks’. Ethiopia favoured the federal model that is similar to its own and which, it believes, will diminish the threat of irredentist Somali nationalism that has historically been a source of insecurity.

- The Arta process in Djibouti in 2000 reversed this trend and revived the notion of a unitary state. The Transitional National Government (TNG) established at Arta explicitly claimed sovereignty over Somaliland. This reflected the concerns of the economically powerful Hawiye clans in Mogadishu, a position supported by Arab states that saw a strong Somalia as a counter-weight to Ethiopian hegemony. This was, naturally, rejected by Ethiopia, which supported the armed opposition alliance, the Somali Restoration and Reconciliation Council (SRRC), dominated by the Darood and other non-Hawiye clans.

- The failure of the TNG opened the door to IGAD-facilitated talks in Kenya in 2002-04, which were tilted in favour of a federal state structure. The debate was heavily influenced by Ethiopia, and pressure on Somaliland and Puntland to participate was lifted. The federal approach lacked support from Mogadishu-based clans and religious groups. The talks produced a Transitional Federal Government (TFG).

- The leadership of the Islamic Courts Union, which emerged in opposition to the TFG, made clear their desire for a unitary Somali state that rejected Somaliland and Puntland autonomy. Militant Islamists have gone further, proclaiming their vision of an Islamic caliphate that incorporates all Muslim communities in the Horn of Africa, a position seen as a clear security threat by Ethiopia.

International mediators have brought to these debates their own models of state and society relations, which are premised on the creation of a state that has a monopoly on legitimate force and is responsible for service provision. The statebuilding approach to resolving the Somali crisis reflects an external analysis of the problem and fails to get to grips with the problematic nature of a Somali state.

First, it does not deal with the apparent contradiction between a centralized state-based authority and a traditionally egalitarian political culture, in which the legitimacy of force is not vested in a centralized institution of a state but in a diffuse lineage system, regulated by customary law and other institutions. Somalis have been experimenting with alternative state models that are a hybrid of Somali and Western democratic traditions. Consequently in Somaliland and Puntland at least, Somalis are experiencing localized forms of government that are more participatory than they have been for decades and will be reluctant to part with them.

Second, the statebuilding strategy assumes public support for a revived state. The examples of Somaliland and Puntland demonstrate a demand for government and the demand is also strong among agro-pastoral and politically marginalized populations in the inter-riverine regions. However for many Somalis the prospects of a revived state over which they have no control is perceived as a potential threat to their interests and an instrument of oppression, Somalis might want law and order and still not want a state. Statebuilding strategies need to find ways to alleviate these fears by providing checks on state power and its control of force.
Third, statebuilding and peacebuilding are not synonymous and are potentially contradictory: the former involves the consolidation of government authority and the latter compromise and consensus-building. The establishment of government institutions cannot be the sole measure of successful reconciliation. In a culture where acknowledging past wrongs and making reparations are at the heart of peacemaking, reconciliation cannot be simply reduced to power-sharing arrangements.

Fourth, there has been a disregard for the appeal and possibilities of the Islamic state, ignoring the importance of Islam and the role of Ulema in conflict resolution and peacebuilding. The violent jihadist response to foreigners has a long pedigree in Somalia and was a predictable response to external military intervention. But alarmist international reactions to the growth of Islamism have given religious militants a new role in political mobilization. This has an especially strong appeal to the young and dispossessed who have known nothing but conflict all their lives.

Fifth, the conflict has not solely been over the state, a political arrangement of which a growing percentage of the population has no memory. Instead, it has involved numerous armed groups fighting over resources, territory and commercial monopolies that have little care for states, borders or sovereignty. International diplomacy is therefore handicapped by a state-centric approach to conflict and mediation.

Finally, the assumption that state capacity can simply be built through coordinated bilateral and multilateral assistance programmes did not work before the war and has proven not to work now. Notwithstanding internal impediments, the international capacity and political and financial will to actually rebuild a Somali state has always been inadequate. External actors engaged in statebuilding and promoting the rule of law need to understand local processes better, learn from them and develop ways to engage with them.

**The accountability gap**

This report has identified many ways in which Somali-led peace processes differ from their internationally brokered counterparts. It has argued that much could be learnt from the success of Somali-led processes, both in the procedures and the substance of conflict resolution. But the most critically important missing ingredient is accountability.

In Somali-led processes accountability is handled through the clan: the elders represent their clans (or sub-clans) and are answerable to them. Their authority empowers them to make agreements and to enforce them. It is integral to the success of local peace processes that Somali clans can hold their own kinsmen to account for transgressions, just as they accept responsibility for making restitution in the settlement of disputes.

In contrast the Somali governments that have been forged at international peace conferences have no clear lines of accountability to anyone. Were former Presidents Abdiqasim Salat Hassan or Abdulahi Yussuf Ahmed answerable to their clan constituencies, to the country at large or to their foreign backers?

Without mechanisms of formal or informal public control, neither the donors who funded the peace processes, the mediators who managed them, nor the Somali public on whose behalf they are supposed to ‘govern’ have been able to hold to account the governments they produced in any meaningful way.

There are broader concerns over the accountability of the international interventions that have taken place in Somalia. Somali non-combatants have been brutally exposed to all manner of harm from both Somali and non-Somali protagonists, even as the international community proclaims a ‘Responsibility to Protect’.

Two major international peacekeeping interventions, the UN Mission in Somalia (UNOSOM) in the 1990s and the AU Mission in Somalia (AMISOM) today, have left their mark on the country. Are there clear lines of responsibility for the consequences of their actions or for any harm caused? Similarly, where does responsibility lie for the death and displacement that resulted from Ethiopia’s military intervention in support of the TFG? In yet another unaccountable intervention, foreign jihadists are now reportedly on Somali soil in pursuit of their own agendas.

Primacy has been given to regional and international interests, leaving Somalis without protection and without a voice in international affairs. Somalia’s lack of international personality and loss of international legal representation has resulted in a systematic denial of rights and the abusive exploitation of territory, such as fishing and dumping toxic waste. Piracy may be a response to this, but not an answer. The stabilization of Somalia will require the acquiescence and cooperation of its neighbours, but it should not be hostage to them.

The international community, and especially the responsible regional bodies such as IGAD, needs to find better ways to move the country out of this protracted crisis, using methods that are both more responsive to Somali realities and more genuinely accountable to Somali constituencies.