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Post-Conflict Peace-Building in the Horn of Africa

A Report of the 6th Annual Conference on
the Horn of Africa, Lund, August 24-26, 2007

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Abdillahi Jama, Horn of Africa conference Coordinator & Chairman
Somalia International Rehabilitation Centre (SIRC)
March 2008

Introduction: Post-Conflict Peace-Building

The 6th annual Somalia International Rehabilitation Centre (SIRC) Conference of the Horn of Africa focused on “Post-Conflict Peace-Building”. The conference was held in Lund, Sweden, August 24-26, 2007. The content of this research report reflects some of the views and proceedings presented at the conference.

The purpose of the conference was to explore ideas coming from different areas such as civil society, scholars, practitioners, political leaders, diplomatic representatives, NGOs and International organizations on how to develop post-conflict peace-building in the Horn of Africa region. The conference sought to enhance the capacity of the stakeholders in the Horn of Africa with ideas and tools to enable them to act in favour of peace-building, democracy, good governance, and long-term institutional change. Certain key objectives were established:

- Identify key-characteristics to post-conflict peace-building processes
- Raise awareness of contentious issues for long-term development
- Encourage and facilitate dialogue between stakeholders to stimulate community-driven solutions
- Enable networking among stakeholders in the civil society on peace-building issues.

To approach the conflicts and post-conflict contexts in the Horn of Africa requires a variety of different analytical methods towards understanding post-conflict peace-building. It goes without saying that no single explanatory model is capable of capturing the complex reality of what can and has to be done in this conflict-ridden region of the world. The papers presented at the conference lead us to understand that every conflict and its post-conflict situation is unique, with its own configuration of power, social and cultural structures, actors, interests, beliefs and grievances. As Abdi Jama Ghedi points out: “The conflict in Somalia is now so uncertain that no one can predict when it will be possible to begin systematic reconstruction of the economy”. That is of course to say that each conflict needs its specific analysis and explanation. However, this difficulty in finding an analytical model for the reconstruction of the Horn of Africa did not prevent the scholars, politicians and representatives of international organizations and NGOs from trying to sort out some argument and perspectives based on empirical and analytical studies. One common ground for the articles in this report is the awareness of the need to explore processes at community level and it therefore strongly contributes to an ‘inside-out’ analysis of the root of conflicts. This is important for several reasons:

- To approach the conflicts and post-conflict reconstruction from another perspective than the often used international relations-type of conflict analysis with its emphasis on global and macro-level indicators. The macro-level perspectives often ignore community experiences and their relations to processes at regional and national levels. Several papers in this report show that the solution of conflict not only lies at the level of global powers, but also among the local actors and communities.
- As conflicts has been more 'local' the analysis has also to be more local and grounded in the social and cultural empirical situation. Context is one of the keys in understanding what exactly the problems are in this region. Maxi Schoeman argues in her paper that the international community actually failed to intervene in Somalia with the result of humanitarian disaster and internal wars. Also Amira Awad Osman points to an often neglected 'contextual' factor i.e. women, as they are not only victims of conflicts but also resources for the peace process. At the community level we find the hearts and minds of people that have been suffering violence. But they are also the ones to build the future upon.
- In conflicts not fought between states but between 'communities' the analysis also has to be at the level of the community. The analysis of the causes and dynamics of conflict thus demands a framework integrating on the ground experiences with macro-level solutions.

The conflicts, and thus the post-conflict reconstruction of the Horn of Africa is not a single event, as some earlier conflict and war analysis has suggested. These are not conflicts where formal declarations are expressed and there is clear-cut start and end of the conflict. Currently there is much insight into the conflict and its aftermath as a social process in which a society is shaped and reshaped. Charles Tilly (1997:25) argued that: "war is a form of contention, which creates new forms of contention". And following the work of Pierre Bourdieu and Paul Farmer it can be said the post-conflict situation might contain as much violence as the actual conflict in itself, thus arguing that structural violence lies under the surface in any new social process. That is to say that when the violence is over, continued efforts at peace-building will be needed to reduce risks of new conflicts.

From several of the papers in this volume it is clear that conflict and the post-conflict reconstruction of communities is a process. That means conflict is not a linear phenomena with a clear beginning and end but more a combination of contingent factors and relations. Conflicts have periods and regions of stability and peace mixed with violence and instability and boundaries and patterns between those situations change. The capacity for peace-building is dependent on understanding and affecting the root causes of the conflict. All the papers in this volume try to recognize and respond to the critical areas and factors.

Lund in March, 2008

Opening of Conference

Mayor of the City of Lund

Welcome to this Conference on the Horn of Africa. You are about to discuss important issues concerning peace, human rights, education and health for people in this area. I do wish you luck in your efforts.

I also want to welcome you to Lund and hope that you will find time to get to know Lund and its inhabitants a little.

Lund is the oldest town in Sweden but was founded by a Danish king in 990. The building of the Cathedral began in 1085 and during the middle ages Lund was archiepiscopal see of entire Scandinavia. In 1658 the Swedish king Karl X Gustav conquered Skåne, and Lund came under Swedish rule. Swedish language was introduced in churches and administration and the university in Lund was founded in 1666. The Danes tried to recapture Skåne and in 1676 the most grievous battle ever on Nordic soil took place outside Lund. In 1679 a peace treaty was signed in the Cathedral and after that Lund has remained Swedish.

Lund is today is part of the Öresund Region. The whole region, including Skåne, Zealand and the isles south of Zealand has 3, 6 million inhabitants, 1.2 million of them in Skåne. The municipality of Lund has 105 000 inhabitants and amongst them 130 different nationalities are represented.

Lund today is dominated by a number of important actors, among them the University with its 40 000 students.

The Ideon science park was the first in Sweden and has been very successful. More than 600 companies have established themselves here since 1993. 12 companies from Ideon have been listed on the Swedish stock exchange.

The final decision concerning location of the European Spallation Source is not reach yet, but there is a good chance that Lund will be chosen. This will be a unique research centre for pioneering research into biotechnology, medicine and materials technology. It is expected to create 500 new jobs and attract 4 000 visiting scientists yearly. It also demands a very high quality of environmental planning.

The packaging industries Åkerlund & Rausing and Tetra Pak were founded in Lund, as well as the medical enterprise Gambro AB. Other important companies in Lund today are AstraZeneca, Axis, C-Pen, Sony Ericsson, Ericsson Mobile System and Alfa Laval.

Lund has today a favourable situation. On one hand the city is of limited size, making it easy to survey and with short distances. On the other hand Lund is situated in the attractive and expansive Öresund region. Every 20 min there is a train to Copenhagen. Copenhagen Airport is reached in 40-45 min and central Copenhagen in

50-55 min. The Öresund Bridge, opened in 2000 promotes contacts between both sides of Öresund. The improved transportation system promotes a university co-operation in the whole Öresund region. This means that Lund combines the qualities of a small town with the advantages of a large metropolitan area.

I hope that you will discover some of this for yourselves during these days and that it will mean that you want to come back to this town. I welcome you back but before that I wish you a very successful conference.

Annika Annerby Jansson

Mayor of Lund

Introductory Statement

Distinguished guests, Ladies and Gentlemen,

This is the sixth time we gather here in Lund to discuss and listen to a diverse set of topics related to the state of the Horn of Africa. Every year takes a great deal of planning and organizing for each one to enable this conference to take place, and the organizers, Somalia International Rehabilitation Centre (SIRC) and the Horn of African scholars, local Horn of African associations in Lund are very happy to have you all here today. Many thanks for giving the conference your time.

The conference owes great gratitude for supporting the conference to the Folke Bernadotte Academy, Forum Syd/Sida, Lund University, City of Lund, Olof International Center, ABF Skåne, Folkuniversitetet. Without your assistance this conference would not be possible to arrange.

We are here today because we believe there is a need to meet and discuss crucial issues for a peaceful development of the Horn of Africa. From the beginning in 2002, these conferences have tried to gather scholars, civics, practitioners, politicians and other stakeholders from within and outside the region to create a stimulating environment in which long-term trust and confidence among participants can be built.

As a result of this exchange of ideas, and gained trust and confidence among participants, it is the conference hope that this outcome will enable you to share your experience with others and influence the development in the region in the most constructive manner.

We are meeting here today under the theme of Post Conflict Peace Building in the Horn of Africa. We know that building lasting peace in war-torn societies is among the most daunting of challenges for global peace and security. Failure is costly, nations emerge painfully from devastating conflicts only to slide right back into violence. Studies show that war spurs war. Countries in protracted conflict fall into what some call a conflict trap – a vicious circle of repeating war.

Yet success requires sustained international support for national efforts across the broadest range of activities – monitoring ceasefires; demobilizing and reintegrating combatants; assisting the return of refugees and displaced persons; helping organize and monitor elections of a new government; supporting justice and security sector reform; enhancing human rights protections and fostering reconciliation after past atrocities.

While international support is a crucial component, civil society plays also a fundamental role in ensuring successful post-conflict peace-building. This is in particular noteworthy when tackling the issue of former combatants posing a threat to se-

curity following a violent conflict. Failure to address their needs can undermine the peace process and result in a slide back into war. Programmes that disarm, demobilize and reintegrate former combatants have become critical to post-conflict transition and peace building. The conference hopes therefore to explore the needs and forms of interventions to disarm, demobilize and reintegrate ex-combatants in the Horn of Africa.

Furthermore, over the last decade, the concept of reconciliation has increasingly been discussed as a method to prevent further conflict in war-torn societies. The civil society plays an important role to what extent reconciliation processes will succeed. The conference hopes to explore which conditions are needed for reconciliation processes to succeed.

Women and children are often victims in conflicts, but rarely involved in the peace-building processes. In the Horn of Africa, women organizations are growing stronger and it is a need to better understand their role. The conference aims to better understand how women can participate and play a greater role throughout the peace-building processes.

These issues are thorny and difficult, and especially in a region which is highly fragile. It is the conference hope that it will be a platform to explore these issues by having you here to share your experience and critically examine how to enable the best environment for post-conflict peace-building.

I hope you will find opportunities to build new relationships and make old ones stronger, and let's nurture the road we have embarked on for a peaceful development of the Horn of Africa.

Many thanks!

Perspectives on the Horn of Africa

Statement on the Horn of Africa

I wish first of all to thank the organisers and in particular Abdillahi Jama as the Conference Co-ordinator on behalf of SIRC – Somalia International Rehabilitation Centre, Lund for convening this fourth exchange on the situation and challenges on the Horn of Africa.

Last year on this very same occasion, I referred to the image then held of the Horn of Africa as illustrated by a report in the weekly Economist under the heading: *The path to ruin*.

I then said: “Rare are the voices calling for constructive dialogue in search of a common ground to build peace and foster reconciliation”.

Where are we today – one year on? One thing is certain: rarely have the calls for and commitment to reconciliation and conflict resolution been so frequent as in the recent year – whether from parties to conflicts, their allies, concerned countries in the region or the IC.

But equally striking has been how the perceptions among those concerned about the right diagnosis and the best recipes for conflict resolution have differed. No conflict can find a rightful and sustained solution without compromise, without a give and take. To facilitate that blocks to constructive dialogue are managed and removed, experience demonstrates the importance of an early agreement among the parties on some key principles – or bottom lines – to guide the dialogue, most immediately on conditions for a cessation of hostilities and a cease fire. And then – make the parties take pride in being accountable to their commitments.

However, from recent history on the Horn the centrality of trust and confidence building comes to the fore. The list of broken commitments is long. The feelings of misdeeds frequent. As a result – the ability to find common grounds for peace is paralysed.

That is why, conferences like this one here in Lund are crucial, bringing together scholars, policy-makers and practioners in a common search for stepping stones towards a brighter future for the Horn. I know that many of you who have come to this conference have different perspectives on how best to take on the peace building process in different parts of the Horn. Let those perspectives meet, be confronted, nurture each other and unite without eliminating diversity.

Let me share with you some of my perspectives:

1. Ethiopia-Eritrea border conflict

Why, almost ten years after the conflict erupted, 8 years after the peace agreement in Algiers and pledged commitments from both parties to embark on demarcation of the agreed border line, do we today have a situation seemingly more tense and close to confrontation?

The next test for the parties to demonstrate their constructive approach to the implementation of the agreed demarcation is 6 September, when the Border Commission meets next.

On the face of it, a demarcation and normalisation of relations between neighbouring Ethiopia and Eritrea would be mutually beneficial. In reality, the mistrust between them seems more intractable than ever.

The international community does not possess a magic wand to attract the parties to the table and move ahead as they have agreed – demarcate the border and restore diplomatic channels for dialogue. How can this conference contribute to a better understanding of how to overcome the blocks to comprehensive peace between the two countries?

2. Sudan

Three conflicts and three quite separate peace processes: CPA, with international support through the AEC (Assessment and Evaluation Commission) and the Interim Constitution it generated; Eastern Sudan Peace Agreement (ESPA) with Eritrea as a broker and guarantor; Darfur Peace Agreement (DPA) of May 2006 – now in a phase of renewed negotiations under the AU and UN auspices. There is both overlap between these peace agreements and differences. The vital question is if these separate but interdependent peace processes nurture each other or compete? The power and wealth sharing are key issues in all three agreements, but only the CPA has clear figures on these aspects for the parties, i.e the NCP and the SPLM. From the CPA emerged the Government of National Unity, but on Darfur one hears little about the role of the GNU.

Some of the challenges or emerging risks are developments in Southern Kordofan, relevant for both the CPA and peace in Darfur; the unsettled agreement according to the CPA on how to deal with the oil rich Abyei between the North and the South of Sudan; the marginalisation of Arab groups in Darfur and collective demonization of the as all criminal Janjaweed; forced relocation of people in the North as a result of large hydropower investments (Merowe and Kajbar); and the perceived lack of transparency on the true oil riches in the country to be shared.

In the case of Sudan, as in all complex political crises, we have to ask if our approach and understanding of the situation is correct. What is the balance between

ethnicity drivers and livelihoods threats? What will the change be with an analysis of the Darfur crisis through the lenses of a livelihood conceptual framework? If so, we also have to ask ourselves whether the Darfur livelihood patterns, for instance through urbanization of the IDP-populations, have changed during the course of the conflict.

On the national level, how could the national democratic transformation that the CPA harbours be maintained in a peaceful way reinforcing rather than undermining the confidence in national unity?

3. Somalia

Almost three years into the peace agreement in Mbagathi in 2004, two seemingly irreconcilable processes evolve in parallel: reconciliation among contending clans and deadly violence, where civilians pay the heaviest price.

Why are warlords more successful than peace lords – whoever they are? Why are entrepreneurs in telecom, in khat trade, in managing remittances and in arms trade prospering while the country at large is bleeding?

Beyond the resented presence of foreign troops, we have to seek an understanding of why political accommodation is such a seemingly futile concept in Somalia.

In Mogadishu the situation is now reminiscent of that in the early 1990s when the Siad Barre regime was removed. A recent report of the Human Rights Watch (refuted by the parties) states that none of the parties to the fighting in Mogadishu (TFG, insurgents and Ethiopian troops) have made meaningful efforts to protect civilians – those in whose name they all purport to fight.

Why have so few attempts been made to win the hearts and minds of the long-suffering people of Somalia? Or why have such attempts yielded so poor results?

According to the interim constitution of Somalia (the TFC), elections are due in 2009, two years from now! Where are the political parties? Where are the political visions? Which of the accumulated demands, expectations and needs should be addressed first and how?

A development framework produced with donor support and extensive consultations in Somalia (the Reconstruction and Development Program) exists. Sweden is committed to help organize an international donor conference. But, beyond humanitarian aid, any more substantive and structural assistance presupposes functioning institutions of governance embraced by the people. The TFIs need to be more inclusive and representative. And basic conditions for security need to be in place.

I hope this conference will be able to produce constructive inputs to a peace and confidence-building road map for Somalia. The Charter (TFC) is not perfect, but it includes ample openings for shaping and consolidating a path to a brighter future for Somalia.

Civil Society and Post-Conflict Peace-Building: A Case Study of the Horn of Africa Region

Abstract

The purposes of the paper are to: (1) conceptualise civil society and social capital; (2) discuss the relationship between civil and political society associations; (3) present typologies of civil associations and the role each type plays in conflict generation, conflict resolution and peace-building; (4) examine the extent to which the plethora of organizations that have recently emerged in the Horn of Africa and the diaspora are civil society or its adversaries; and (5) put forward some tentative ideas on how to promote the types of civil society associations that can contribute to the production and consolidation of social values and norms that are critical to conflict prevention, resolution and peace-building.

Civil society

The meaning of the concept of civil society is highly contested. The concept encompasses varied forms of associations that are voluntary, collective, self-governing, cooperative, democratic, and participatory (Diamond 1994: 6). In this paper, only those associations whose activities directly or indirectly enhance the common good fall within the realm of civil society. The common good refers to “a number of specific objectives designed to promote general human well-being—such as peace, order, prosperity, justice and community...The common good meant *everyone*” (Douglas quoted in Dahl 1989: endnote 5: 367).

What this implies is that any civil association that is sectarian, exclusive and that threatens the common good is the enemy of peace and civil society. This is because peace and political stability cannot be built on the basis of exclusion. As we shall see later, the concept of civil society is inextricably intertwined with the concept of social

capital. Social capital refers to “features of social organization, such as trust, norms, and networks that can improve the efficiency of society by facilitating coordinated actions” (Putnam 1993: 167). The theory of social capital postulates that when people of different ethnicities, geographic locations, religions, races, sexes, ideologies, ages and occupations interact repeatedly with each other, over time, they are able to know, trust, cooperate, tolerate and respect one another, as well as interconnect, network and empathise with each other. Gradually, such social relations and networks contribute to the development and consolidation of shared values, norms of reciprocity and trustworthiness that foster mutual respect, norms of co-operation, understanding, empathy, openness and greater proclivities for compromise (Widner and Mundt 1998; Putnam 1993; 2000; 1995; 2000; Kibreab 2007). As a result, the interacting groups are able to achieve goals which would have been unachievable in the absence of such invaluable social resources. Not only are communities and civil associations endowed with rich stock of social capital able to solve their problems through peaceful means—namely, thorough reconciliation, negotiation, arbitration, mediation and consensus building rather than through violence and confrontation, but also such social resource endowments are instrumental to peace-making and peace-building.

Civil society associations endowed with social capital are virtuous and are therefore vital instruments for generating the values, norms and attitudes that cement inter and intra-group cohesion, foster trust, reciprocity, co-operation, solidarity, mutual respect and tolerance. Only those associations that contribute to the production, maintenance and consolidation of such resources constitute the infrastructure of a win-win method of peaceful conflict resolution.

Although the idea of civil society occupied an important position in political philosophy, particularly in the works of John Locke, David Hume, Thomas Paine, Georg Wilhelm Friedrich Hegel, Adam Ferguson and Antonio Gramsci, it was only in connection with the upsurge of the change-seeking popular movements against the degenerated workers’ states in Eastern and Central Europe, that it became a powerful weapon of social mobilization, resistance and political, as well as social change. It has now become a powerful mantra to counter oppressive governments and assert a liberal political and economic agenda.

Since the end of the cold war, the term civil society has been on most people’s lips. Once the wind of change began blowing, the compulsion for establishment of civil society associations became irresistible (Gellner 1994). This was particularly true in those societies where lack of freedom of association and expression had stifled their emergence and consolidation. Civil society associations are either weak or non-existent in societies that lack respect for human rights, civil liberties, pluralism, individual freedom and the rule of law. Since the end of the 1980s, there has been a strong surge of massive donor, citizen, and academic interests in the idea of civil society. For example, since the mid-1980s, Africa has been experiencing an unprecedented degree of explosion of associational life (Chazan 1992: 286; Bratton 1994: 51). John Harbeson, for example, states, “Today [in the 1990s], grassroots movements have arisen in nearly every sub-Saharan country to remove autocratic, repressive governments and

empower African peoples to reclaim control over their political destinies” (Harbeson 1994: 1). The change-seeking movements have been so powerful that tyrannical governments that previously defied and reacted violently to any legitimate popular demand for democratic change have succumbed to such popular pressures accepting broad-based political reforms and multiparty elections monitored for fairness by teams of international observers (Harbeson 1994: 1). Although multiparty elections in societies where the preconditions for democracy are lacking may not be a panacea, they are nevertheless important steps towards popular participation and accountability.

Political and civil society associations

Can political organizations be part of civil society associations? Although civil and political society associations are inextricably intertwined, they are not the same. According to Alexis de Tocqueville: “...civil associations pave the way for political ones, but on the other hand, the art of political association singularly develops and improves this technique for civil purpose” (1969: 521). He also saw “political associations as great free schools to which all citizens come to be taught the general theory of association” (p. 522).

If political and civil associations reinforce each other and the strength of one is dependent on the strength of the other, can civil society associations exist in the absence of political associations? In other words, can civil society associations develop in a country ruled by dictatorship in which political organizations are prohibited? de Tocqueville who is recognized as an authority on the theory of civil society states: “I do not assert that there can be no civil associations in a country in which political associations are forbidden, for men cannot live in society without undertaking some things in common. *But I maintain that in such a country civil associations will always be few, feebly conceived, and unskilfully managed and either will never form any vast designs or will fail in the execution of them*” (p.523) (emphasis added).

Nevertheless, in spite of their structural link, political organizations are excluded from the realm of civil society. This is because any organization that aims to capture rather than counteract state power is automatically excluded. Civil society associations can act as catalysts by agitating for political change, but not for sitting on the helm of power themselves. Another reason why political associations are excluded from civil society associations is also because they tend to be intrinsically partisans. Unlike genuine civil society associations, whose interactions generate the network through which connectivity, decency, civility, humility, integrity, culture of respect, tolerance and virtuosity are created and reproduced, political organizations, their rhetoric notwithstanding, tend to create polarization. The existence of different political organizations is premised on the assumption that the interests of their constit-

encies are different from other members of society. These interests may be based on religion, ethnicity, clan, region, class or ideology.

It is not an exaggeration to say that many political organizations in the countries in the Horn of Africa are more often than not divisive because they adopt ethnicity, religion, clan and region as organizing concepts. Any political organization that adopts such organizing principles is necessarily divisive and exclusionist because citizens that do not share the traits on which they are founded are either not welcome or even targeted. The senseless intra-clan killings that blighted the Somali political and social landscape during the last decade and a half, the failure of the 12 sectarian factions that purport to represent the victims of mass killings and deportations in Darfur to speak in one voice in their negotiation with the Sudanese government, the failure of the weak Eritrean opposition groups to form a united front for democratic change, and the fragmentation of the Ethiopian opposition groups into ethnic-based sectarianism in the face of the dictatorship of a minority ethnic group that masquerades itself under the rhetoric of ostensible democracy are the cases in point. Political organizations in spite of their ability to generate bonding social capital among their members tend to create and perpetuate 'otherness'—divisions and differences between their members and non-members. In multi-ethnic and multi-faith societies, some political organizations, particularly those based on faith, ethnicity, clan or regional affinity are likely to disconnect rather than connect groups with diverse identities and interests.

There are also associations that are affiliated with or co-opted by governments, parties and other forms of political organizations, including warlords. These are often referred to as mass organizations. In spite of their appearance, such organizations tend to reinforce rather than countervail state power. Not only are these associations partisan, but they also tend to suppress or counter the emergence and consolidation of autonomous civil society associations. The best examples of such associations are the EPLF and later PFDJ-affiliated students', youths', workers' and women's associations. Although these mass organisations played an indispensable and constructive roles in promoting the cause of Eritrean national independence and produced substantial stock of bonding social capital among their members in most cases drawn from most of the Eritrean ethno-linguistic groups, in the post-independence period instead of countering the powers of the PFDJ and the state, they became critical instruments not only of reinforcing such powers but also of preventing and actively countering the emergence and consolidation of independent civil society organisations that are not initiated and controlled by the ruling party and the state. This is not only true of Eritrea but is rather the case throughout the region. In spite of the ability of such associations to create and reproduce bonding social capital among their members, they can be destroyers of bridging social capital. By emulating the intolerant and oppressive ideologies and practices of the organizations and governments they are affiliated with, they tend to think that they have monopoly on truth and consequently suppress civil associations that try to assert their autonomy from political control and to provide an alternative voice to the voiceless.

Common features of civil society associations

There are four distinguishing features of civil society. In the first place, civil society is concerned with public rather than private ends. Second, civil society is independent of the state but is nevertheless related to it in terms of seeking benefits such as policy changes, relief or accountability (Diamond 1994: 6). Civil society organizations are not only independent of the state but also of political parties. They can establish working relations in pursuit of a particular goal with democratic political parties, but they cease being part of civil society once they affiliate themselves with particular political parties (Diamond 1994: 5).

Pluralism, respect and tolerance are the third and most important characteristics of civil society. "Citizens in a civic community, on most accounts, are more than merely active, public-spirited, and equal. Virtuous citizens are helpful, respectful, and trustful toward one another, even when they differ on matters of substance" (Putnam 1993: 88-89). Organizations that do not embrace pluralism because they believe that they have a monopoly on truth or because they believe that their way is the "only legitimate path" do not qualify to be part of civil society. Such organizations include fundamentalist religious, chauvinist ethnic, sectarian, millenarian and revolutionary groups (Hadenius and Uggla 1996: 1622). There has been a proliferation of ethnic, clan and faith-based organizations in Africa and among African diasporic communities that there is evidence to suggest that "these groups, far from supporting democratic tendencies, foment particularism, fundamentalism, and ethnic nationalism" (Chazan 1992: 283). These are inimical to civil society because instead of connecting, they disconnect groups and instead of bridging social relations, they foment and exacerbate differences by reinforcing inner-group bonding on the basis of exclusive identities. Associations that do not maintain an open system of recruitment because membership is based on a particular ascriptive criterion, e.g. religion, tribe, clan, ethnicity, race and the like or associations that prohibit their members from joining other associations are instruments of disintegration, disconnection, and polarization in political life (Hadenius and Uggla 1996: 1623). The fourth attribute critical to CSAs is well-defined objectives, participatory governing structures, discrete constituencies and most importantly, the ability to forge alliances with other groups that have different objectives and goals (Chazan 1992: 287).

Types of civil associations and their characteristic features

Generally, there are four types of associations and based on my forthcoming book – *Critical Reflections on the Eritrean War of Independence: Social Capital, Associational Life, Religion, Ethnicity and*

Sowing Seeds of Dictatorship – I refer to these as Type A, Type B, Type C and Type D. In the following the main characteristic features of each are identified and by looking closely at these features, it is possible to determine whether they contribute to or corrode the process of peace making and peace building not only in post-conflict situations but also in conflict-ridden societies.

1. Autonomous and horizontal civil society associations – Type A

- Produce bridging social capital – social trust, norms of cooperation, shared values, social networks across the cleavages of clan, tribe, ethnicity, religion, race, class and ideology
- Foster intra-group reciprocal cooperation
- Create & reproduce conditions for promoting institutional development & good government
- Promote political stability, unity, convergence and integration
- Foster social connectiveness, public spiritedness, commitment to public causes and civic engagement
- Pursue open system of recruitment – inclusiveness
- Autonomous from government control
- Counteract state & government officials' power
- Promote democracy – civic culture, pluralism, diversity, respect, tolerance, peaceful conflict resolution and post-conflict peace-building
- Commitment to liberty and individual freedom

2. Civil associations affiliated with or co-opted by governments, political organizations, warlords or parties – Type B

- Produce bonding social capital – inward-looking traits that reinforce exclusiveness and homogeneity

- Foster inter-group loyalty and cohesiveness
- Produce outer-group antagonism and otherness
- Produce conflicts, intolerance, polarization, inequality, discrimination and divergence
- Promote social connectiveness among members and foment animosity against others
- Promote commitment to partisan causes
- Reinforce rather than counteract state power
- Suppress emergence and consolidation of autonomous associations
- Hostility to diversity and pluralism

3. Religious fundamentalist, ethno-national chauvinist, regionalist & ideological associations – Type C

- Produce powerful bonding social capital among members – inward-looking traits that reinforce exclusiveness and homogeneity
- Promote inter-group loyalty and cohesiveness.
- Produce bigotry and animosity against outer-groups
- Promote otherness
- Produce conflicts, bigotry, violence, intolerance, polarization, inequality, discrimination and divergence
- Exclusionist – closed system of recruitment
- Aim to take over state power

4. Local-level self-help and grassroots groups – Type D

- Produce bonding social capital – inward-looking traits that reinforce exclusiveness and homogeneity, inter-group loyalty and cohesiveness.
- Create & reproduce conditions for promoting institutional development & good government at local and grassroots level
- Promote political stability at local level
- Promote social connectiveness, public spiritedness and civic engagement at the local level

- Exclusionist – membership based on common ancestry (kinship) or residence
- Autonomous from government if not captured
- Counteract state & government officials' power if not captured

In the following the constructive roles civil society associations can play in post-conflict peace-building are discussed.

Civil society and post-conflict peace-building

Peace building refers to the constructive steps taken to settle disagreements that prompt conflict in order to bring about a lasting peace. It is argued throughout the paper that whether civil society associations contribute to post-conflict peace-building or exacerbate and perpetuate violence, conflicts and disagreements is dependent on whether they are able to create and reproduce social capital. Therefore only Type A civil and to some extent Type D associations whose activities foster respect, equality, trust, reciprocity, norms of cooperation and tolerance play constructive roles in post-conflict peace-building and in conflict-ridden societies. Type C and to some extent Type B civil associations often undermine or deplete such social resources in pursuit of particular or sectarian interests and therefore they are destroyers rather than builders of peace.

A stable peace is invariably the result of a win-win method of conflict resolution and consequently of the ability to live side by side with one's opponents in spite of differences. A win-win method of conflict resolution is only possible when the needs of all parties in a conflict are satisfied. This is only possible in a situation in which parties to a conflict are able and willing to empathise with the plight and causes of their adversaries. As long as parties to a conflict remain locked in a zero-sum-game without any consideration to the needs, worries and interests of the other party, no durable peace can be achieved. Herein lies the critical role virtuous Type A civil society associations can play in building bridges of communication, trust, respect, and recognition in pursuit of truth, justice, peace and forgiveness without being blinded by national, ethnic, religious, partisan or sectarian interests. No durable peace is possible without privileging justice, fairness and equality. Unless these core values are made the centrepiece of any process of reconciliation, no durable peace is possible in any post-conflict or conflict-ridden societies. According to John Lederach, reconciliation includes the following steps that, in time, can alleviate the root causes of the conflict – namely:

- Truth – acknowledging the wrongs that had been committed
- Mercy – forgiveness of those wrongs and a new beginning to the relationship

- Justice – the establishment of new rights and programmes for the oppressed
- Peace – the security of all and the harmony and respect that come with it (1997: 29).

These were the fundamental principles that underpinned the goals of the South African Truth and Reconciliation Commission. The core values that determined the successful outcome of the post-Apartheid South African reconciliation and peace-building did not appear magically out of thin air. They were largely the result of the relentless efforts of the myriad of civil society associations endowed with substantial stock of social capital and the visionary leadership of the men endowed with the largest hearts – Nelson Mandela, Archbishop Desmond Tutu and many other anti-Apartheid forces worldwide.

Can you ever imagine any of the leaders in the Horn of African countries embracing people who disagree with them and do not share their myopic views, let alone the people who incarcerated them as the white supremacists did to Mandela? In the Horn of Africa the leaders know no other way of dealing with their opponents except by grinding them into the dust. I am afraid to say that the leaders of the so-called civil associations' way of dealing with their opponents is not substantially different. The only difference is that the latter do not control the coercive apparatus of the state. However, it is not only politicians and leaders of civil associations that suffer from such a condition. Most of us – citizens of the Horn – seem to share this burdensome trait. Hopefully, this has nothing to do with our genes. The small-mindedness that permeates the attitudes and behaviours of activists and others is rather due to poverty of civility and dearth of democratic values that characterize the relationships between the different political and civil associations in the region and the diaspora. Only Type A civil associations endowed with substantial stock of social capital constitute the infrastructure of peace and they are the only type of association that can produce the shared values and norms that can underpin a reconciliation process based on truth, mercy, justice and peace.

The darker side of social capital as a destroyer of peace

Social capital is not one-dimensional but is a dynamic factor in the complex inter-relationships that constitute human communities. Social capital has brighter and darker sides. Whether social capital reinforces political stability or weakens social cohesion and crosscutting solidarity and reciprocity is dependent on its form. It is because of this it is important to distinguish between bonding and bridging social capital. Bonding social capital, by creating strong inner-group loyalty, creates strong out-group antagonism which may foment resentment, exclusion and in extreme circum-

stances bigotry and violence against the 'other.' Bridging social capital as its name implies interconnects groups and communities by building bridges of trust and respect across the social cleavages of ethnicity, religion, clan, ideology and the like. Only those civil society associations that are endowed with substantial stock of bridging social capital or undertake activities that aim at producing such social resources play a key role in peace building and social harmony.

Civil society organisations that foster bonding social capital or promote internal cohesion at the expense of trans-ethnic, trans-racial, trans-faith or trans-clan solidarity a high propensity of creating 'inner' and 'outer' groups and are therefore destroyers of peace and social harmony. The corollary is that not all networks that promote trust and norms of cooperation and reciprocity are committed to democratic goals or are organized in an egalitarian fashion (Putnam 1993; 2000). Take the example of the Mafia, Ku Klux Klan or the clan, ethnic or faith-based extremist organizations affiliated with war lords or extremist groups, such as jihadists or the Christian Right in the U.S.

The Horn of Africa region is replete with Type B and C associations that are instrumental in creating and perpetuating difference. As Francis Fukuyama argues: "Many groups achieve internal cohesion at the expense of outsiders, who can be treated with suspicion, hostility or outright hatred" (2001: 8). These negative aspects of inward-looking bonding social and exclusive social capital were most tragically apparent in Somalia, Rwanda and the former Yugoslavia in the 1990s, when the manipulation of ethnic, religious and clan identities were major factors in the murder of hundreds of thousands of people.

The fact that the Horn of Africa region is devoid of Type A civil society associations can be demonstrated by the following few examples. When over 70,000 Eritreans and Ethiopians were slaughtered and tens of thousands others were maimed during the so-called border war, was there any Ethiopian or Eritrean civil associations that took a stand against their own governments in defence of the sanctity of human life and peace? Instead, the so-called civil associations in the two countries and in the diaspora inadvertently celebrated the carnage and as a result disgraced themselves. When the warlords slaughtered thousands of innocent Somalis, how many of clan-based associations or the Somali associations in the diaspora took a stand against the warlords from their clans in favour of truth and justice? When over 200,000 Darfuris were slaughtered, how many northern Sudanese organizations took a stand in defence of the victims' lives and human rights? When over 70,000 Eritreans and Ethiopians of Eritrean extraction were illegally expelled from Ethiopia, how many Ethiopian civil associations took a stand in favour of human rights and rule of law? The same is true of Eritrean organizations. The only difference being Eritrea is devoid of any autonomous civil or political associations. When the state of no-war-no-peace in the Eritrea-Ethiopia border conflict constitutes the single most important threat to peace in the whole region due to the Ethiopian government's obdurate refusal to accept the "final and binding" Algiers Peace Agreement, there has never been a single Ethiopian civil association at home or in the diaspora that has taken a stand against such intransigence in the interest of peace.

The Horn of Africa region is replete with hundreds if not thousands of self-or-sectarian interest maximizing bigoted civil associations. Since the early 1990s, hundreds of civil associations, including NGOs have emerged in Ethiopia, Somalia and Sudan. The hegemonic control of the Eritrean government does not even allow the emergence of any autonomous civil society association except the Type B associations that are initiated and controlled by the ruling party.

The question to ask is: how many of these are virtuous, public spirited and committed to public causes and therefore play positive role in post-conflict peace-building? By the same token: how many of these are sectarian, bigoted, and devoid of democratic values and are therefore part of the forces that foment conflict, intolerance and violence? The Horn of Africa region is nearly devoid of Type A associations but is replete with Type B and Type C and that is why the region is in such a sorry state. There are a handful of Ethiopian civil associations that have openly condemned the Ethiopian government's decision to invade Somalia. If motivated by a genuine concern over Somalia's sovereignty, territorial integrity and human rights of the Somali people rather than by domestic political ends, this is encouraging. One can only hope that such courageous civil society associations proliferate and call upon the Ethiopian government to accept the decision of the Eritrea-Ethiopia Border Commission in the interest of peace and regional stability.

Unfortunately, most of the associations in the diaspora with few exceptions, such as the exemplary Somalia International Rehabilitation Centre (SIRC) are also initiated and controlled either by self-interest maximizing immigrant and refugee entrepreneurs or are affiliated with or coopted by repressive and tyrannical regimes or sectarian organizations in the Horn of Africa. The organizations that take a stand on the sole grounds of human rights and justice regardless of the identity of the victim or the perpetrator are too few. In most cases, violations of human rights and injustice committed against those we disagree with are seen as necessary measures taken in pursuit of a greater cause. However, not only is there no cause greater than human rights but also one is either for or against human rights. Taking a stand on human rights is not cherry-picking.

One can site hundreds of examples to substantiate this claim. During the war of independence, the fundamental rights of most Eritreans were grossly violated by the Derg. How many Ethiopian organizations condemned the gruesome violence perpetrated against innocent civilians? During the EPLF-EPRDF short-lived marriage of convenience, did a single Eritrean organization in the diaspora raise their voices against the violation of human rights perpetrated by the EPRDF against the Ethiopians who were opposed to the rule of the TPLF? When over 70,000 Eritreans and Ethiopians of Eritrean extraction were expelled from Ethiopia, did any Ethiopian or Tigriyan diasporic association condemn the policy of ethnic cleansing? Did any of the diasporic organizations affiliated to the EPLF/PFDJ ever questioned the exclusionist rule based on the 'winner receives all' and the vanquished – the ELF and the various factions—receives nothing but humiliation and demonisation? In Somalia not only is the idea of civil society new but most of the organizations that called themselves as such during the civil war were either clients or subservient of the war-

lords. When over 200,000 Darfuri innocent civilians were slaughtered, thousands of women and children raped and over two million uprooted, how many civil associations in northern Sudan took a stand?

Most of the organizations created in the diaspora by groups from the Horn of Africa are not created to generate democratic values and to build bridges across the social cleavages of nationality, race, ethnicity, faith and political opinion, but rather to generate incomes either for the benefits of the their initiators or to provide some social services to their constituencies. These organisations tend to reinforce rather than weaken pre-existing social cleavages that are manipulated in the region by the forces of tyranny, divisiveness and injustice. In most cases, these organizations are the replica rather than the negation of the organizations that have been blighting the lives of citizens in the region. In spite of their misleading names, they are the enemies of civil society. As stated earlier, whether or not an association is civil or uncivil is determined by the extent to which it is able to produce and reproduce social trust, norms of cooperation, respect, reciprocity and social networks that interconnect communities across the social divisions of religion, ethnicity, race, clan, ideology and nationality on the basis of shared values and common interests. There are not many civil society associations both in the region and in the diaspora that pass this litmus test.

Although it is not an excuse, one of the reasons why civil society associations in the Horn of Africa are sectarian, weak, poorly conceived, mismanaged and lack democratic vision is because in most of the countries, political organizations are prohibited and as de Tocqueville states “political associations...” are “...great free schools to which all citizens come to be taught the general theory of association” (1969: 522). Unfortunately, most citizens of the countries in the Horn have no where to turn to learn about the general theory of association. However, this may only partially explain the feebleness and lack of maturity of the civil associations in the Horn. If the feebleness of the civil associations in the Horn can be attributed to the absence or weakness of political organizations, how are we to explain the weaknesses of the civil associations in the diaspora where there is rich history of political organizations and freedom of association?

What is to be done?

Inasmuch as religious, clan and ethnic identities, as well disrespect for the sanctity of human life, human rights and rule of law lie at the heart of the litany of the Horn of Africa region, future solutions should be based on unequivocal rejection of these malaises. Not only should the civil society associations that aspire to make a difference unambiguously commit themselves to the project of absolute separation of state and religion, freedom, gender equality and democracy, but they should also be ready, willing and able to form trans-ethnic, trans-faith and trans-national alliances based on shared values and principles in pursuit of the core values that are most prized by

the millions of ordinary peoples of the region – namely, peace and bread. The societies in the Horn of Africa have since time immemorial been interdependent. None of the areas inhabited by the different ethnic or tribal groups was endowed with adequate natural resources to enable the inhabitants concerned to make ends meet throughout the year by solely relying on natural resources available in their places of abode.

In order to make ends meet, disparate groups inhabiting different places migrated seasonally or permanently to take advantage of the variations in the environment. The constant seasonal movements into each others' territories could only take place through tacit and explicit consent of the original property rights holders. Since every group depended for its survival on resources located outside of its traditional homeland, the livelihood systems in the region could only be sustained through mutual cooperation, recognition, negotiation and compromise. It was in every group's interest to welcome those who were in need. Reciprocity, therefore, lay at the heart of the framework within which these mobile social interactions took place. The social arrangements that enabled the inhabitants of the region to access resources located in different and distant places were critical to the livelihood systems in the region. It is not suggested that the movements of people and livestock did not involve conflict. In deed social relations in the Horn as everywhere else were marked by conflict and cooperation. However, unlike today, the communities had mechanisms of conflict resolution – reconciliation and payment of compensation.

These livelihood systems were to some extent threatened by the establishment of states with distinct borders. However, in spite of the colonial and post-colonial states' intentions to limit the movement of people, goods and animals within the borders of the nation states, the imaginary lines separating the artificially created states were routinely violated by the citizens of the various countries. In other words, in the everyday life of the citizens of the different countries, especially the border communities, the borders had not boundaries.

Therefore the new forms of civil society associations that intend to function as critical bridges of interconnection, agents of healing and instruments of social change and transformation should be able to build on the rich stock of reciprocity and trans-border cooperation that prior to their destruction constituted the edifice of the foundation on which social relations and livelihood systems rested throughout the region. For these civil society associations to play such constructive roles not only should they be based on shared values and norms but they should also be transnational and secular. Even the tyrants that rule the different countries in the region seem to have realized the intrinsic interdependence of the countries except that the manner in which they are trying to create an interdependent region is the fastest route to a disaster. The incessant interferences into each other's affairs in spite of their obsessive preoccupation with the divisive project of the nation state is an indication of the fact that the countries and their citizens are intertwined in an integral system in which the actions of one affect everyone else in the system, including the forces that are opposed to each other.

The goal of transnational alliance formations based on trust, respect, recognition, shared values and norms can only be achieved if the pioneers in these endeavours are ready and willing to take risks and to think outside of the box. Thinking outside the box means to reject the fundamental assumptions of the conventional thinking and wisdom and to come up with innovative ways of creating new forms of social organization and solve familiar problems. The 'box' represents the usual way of conceiving things. The box is the common assumption that underpins everyone's thinking. In order to be able to think outside the box one needs to identify the assumptions that underlie thinking inside the box and then challenge them. The region's problems have hitherto been conceived in terms of religious, clan, ethnic and national identity and interests and look the sorry state it is in. The central thrust of the paper is to challenge the obsolete and tired assumptions that prevent people from being able to think outside the box. A stable peace in the region can only be achieved by challenging the assumptions that underpin the mindset, attitudes and behaviours of the political and civil society actors both at home and in the diaspora.

In order to be able to think outside of the box, not only is it important to challenge the assumptions that underpin our thinking within the box, but as Osho Tarot (1999) argues we should also be able to "get rid of all the conditionings" into which we have been socialized into since our childhood "otherwise our creativity will be nothing but copying, it will be just a carbon copy." As Tarot argues one can only be creative as an individual not as a part of the mob psychology. The mob mind and the collective psychology tend to stifle rather than enhance the creative mind. Osho Tarot states: "The collective mind is the lowest mind in the world – even so called idiots are superior to the collective idiocy. But the collectivity has its own bribes: it respects people, honours people if they go on insisting that the way of the collective mind is the only right way (1999: ix). Without challenging the herd mentality and the mob psychology that permeate the attitudes, mindset and behaviours of political and civil society actors and their followers, including many intellectuals both in the Horn and the diaspora, we will simply be copying and recycling the recipes or formulae that have ground our region into the dust.

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State-Building Project of Peace-Building in the Horn of Africa

Abstract

The paper discusses the project of state-building in the Horn of Africa (HOA). It argues that the project of state-building is a project of peace, stability, development and democracy. The emergence of a hegemonic state engenders pacification of society and emancipation of state. Sustainability of societal pacification and state emancipation, however, presupposes institutionalisation and democratisation of the state. Democratisation entails resuscitation of traditional democratic practices and institutions. External interventions that include colonialism, neo-colonialism, cold war and war on terrorism have proved to be profound impediments to the development of an indigenous state. All this has resulted in the situation where the HOA is suffering from endemic inter-and intra-state conflicts and wars arresting the development of the region. It is argued that the ailment of the HOA states could be explained by their young age and their subsequent non-full evolvment, hence, the process of state-building is of current importance.

Introduction

The debate on the African State can be described as a hyperactive wave. It ebbs and flows, sometimes in support of the salience of the state, and at other times in its denunciation. The hopeful start of the debate, the post-war and post-independence enthusiasm (informed by modernisation theory) (Crow 1997: 115) was replaced by the 1970s' pessimistic debate. When it became incontrovertibly clear that the systematic campaign against the state was founded on inadequate research and erroneous methodology and theories, again the proclivity leaned towards 'bringing back the state' kind of debate (Evans, Rueschemeyer and Skocpol 1985). The 1990s, following the collapse of state socialism and the triumph of the Reagan-Thatcher led neo-liberal doctrine, again the state was denounced, portrayed as an obstacle to development and 'rolling back the frontiers of the state', became the catch word again. The first

decade of the entry to the 21st century has seen another shift toward presentation of the state as playing a positive, in fact, having a decisive role in development matters. Cognisant of the tides characterising the debate on the state, and distancing itself from the Euro-centric driven pessimistic debate, the paper argues for the positive role the state plays in the developmental endeavour in the Horn of Africa (HOA).

Four assumptions constitute the point of departure of this paper. These are: firstly, the non-full evolvement of the state could explain the problem besetting the HOA; secondly, state-building is still of current importance in the region; thirdly, state-building is basically an internal process, thus; fourthly, external intervention impedes considerably the indigenous process of state-building. The four assumptions, in combination, constitute the hypothetical edifice of the paper.

The countries of the HOA are suffering of endemic inter- and/or intra-state conflicts. This endemic conflict primarily derives from the fact that the post-colonial states in the HOA have not yet evolved into fully matured responsible hegemonic socio-political agency. In addition to this, rather as a result of it, centrifugal internal forces and external interventionist ones, continuously aggravate the precarious situation of the state-building project.

The evolvement of a hegemonic state that arrogates to itself sole monopoly on the legitimate use of coercion within the territory in which it claims sovereignty (Weber 1948), functionally and structurally fulfils, at least, two tasks. The first is pacification of internal societal actors (centrifugal forces) that could potentially compete with the state. It is an indispensable prerequisite that subordination of societal actors to the absolute agency of the state takes place (Young 1994: 16). This societal responsibility of pacification brings about security, law and order, peace and stability by enforcing a single hegemonic order that presupposes volitional social submission to the omnipresent and omnipotent state. The state itself, it is suggested, will abide by the social contract it enters implicitly with its citizens and, in turn, ultimately submit itself to the general popular will. Such a general will whose genealogy of sovereignty and legitimacy emanates from the people in a mutuality of enhancing of the social contract, underpins, fundamentally, the state-building project.

The second functional social responsibility or task of the state is outward-looking (Young 1994: 21). It relates to ensuring territorial integrity, security and sovereignty vis-à-vis states located near and far. It is incumbent on the state to make sure that hostile external actors are kept at an arm's length. A potent state is functionally and structurally expected to maintain territorial integrity, sovereignty and security. Failure to fulfil one of these sacrosanct functionalities locates or rather dislocates the state into the category of failed states.

Internal pacification and ensuring territorial integrity and sovereignty is not only a presupposition of a fully evolved state, but also a precondition for societal peace, development and democracy. A society marked by endemic internal and external conflicts could by no means concern itself with issues of development and democracy. Its fundamental preoccupation concerns the issue of survival. Therefore, the project of state building is, par excellence, a project of peace, stability, development and democracy.

The sustainability of this structural-functional involvement and societal responsibility of the state in the long term depends on its institutionalisation and democratisation. Institutionalisation in this sense, arguably, pertains to a state of de-personalisation and routinisation of the art of governance, which leads to transparency, predictability and accountability (Evans 1989). In this sense, it means transference of state governmentality, from what we have so far in the HOA (personalisation and privatisation of the state) to popular institutions such as the legislative, executive and judiciary, where popular checks and balances are rendered supreme. Democratisation also involves popular ownership of, and active and substantive participation in, state affairs. But above all it means relating it to traditional democratic and institutional ethos and practices. All these, however, are objectives of the future, which the state-building project should aim at.

The paper intends to investigate the state of condition of the process of state-building in the HOA. Unlike the dominant debate of the post-nation state, I argue here that the state building process in the HOA is as animate as the society itself. The point of departure of the paper is that peace, stability, security and development in the HOA is directly related to the project of state-building. The project of state-building in this sense fulfils the function of societal transformation and pacification, on one hand, and territorial integration and protection from external forces (organisations, groups and states), on the other; which are prerequisites for internal peace, stability, security and friendly neighbourliness.

Following this brief general introduction, I proceed to examine three eminent dimensions in the project of state-building, notably the process of state-building in the HOA, state-society relations, institutionalisation and democratisation, and external intervention. The final section of the paper deals with tentative conclusions.

The Process of State-Building in the Horn of Africa

The ontological genesis of the formation of the modern state in all the HOA countries virtually coincides, time wise. It is the product of the 19th century, including the oldest state, Ethiopia. In terms of agency of state formation, external forces (imperial powers) stand behind that social agency. Ethiopia, widely accepted as the oldest state and the sole country in the whole continent that did not fall under the yoke of colonialism assumed its modern shape during the Menelik II era (1889-1913) (Zewde 2001: 112, Käufeler 1988: 83, Tareke 1996: 25ff). In collusion with Western imperial powers (Britain, France, Italy and Russia) Menelik expanded, centralized and consolidated the Abyssinian state, bulging it by several times its original size as well as maintaining the sovereignty of the country. Although Ethiopia is believed, broadly speaking, to have escaped Western colonisation, and in spite of the fact that it claims several thousand years of existence (cf. Rubenson 1976, Zewde 2001) yet its state-building process remained precarious. The addition of Eritrea to its imperial posses-

sions, following the demise of Italian rule, increased the number of centrifugal forces within the empire. Hence the various centrifugal forces challenging the imperial core constituted the underlying factors of the weak state formation in Ethiopia.

The modern Sudanese state is a creation of external imperial forces. The first of these imperial forces that contributed to the formation of the Sudanese state was the Turco-Egyptian imperial power that laid the foundation stones of modern Sudan in 1820 (Woodward 2006: 87). Sudan, with the exception of the brief autonomy of the Mahdist reign of 1885-1898 that was established by the defeat of the Turco-Egyptians in 1885 (Abd Al-Rahim 1969: 23, Woodward 2006: 87, Rolandsen 2005: 23), thus attributes its modern existence to successive imperial forces. The Turco-Egyptian imperial rule was replaced by the Anglo-Egyptian Condominium (1898-1956) established after the battle of Omdurman in 1898 (Abd Al-Rahim 1969: 39, Woodward 2006: 88). A state that was constituted, primarily, to fulfil imperial objectives and interests was doomed to contain within its body politics centrifugal forces that challenge, if not its existential legitimacy, its exercise and allocation of power. Already on the eve of independence, in 1955, Sudan experienced its first centrifugal challenge when the southern army unit mutinied (Woodward 2006: 88, Rolandsen 2005: 24). The Southern Sudan problematic has been the major challenge to state-building enterprise in Sudan. In addition to the South problem, which is predicated on religious, ethnic, racial and developmental cleavages premises, Sudan also suffers from centrifugal forces based in the eastern and western parts of the country. The absolute northern domination of the state has driven the peoples of eastern and western Sudan to the utmost margins of state realms (Rolandsen 2005). These contesting loci of legitimacy claims render the state-building process in Sudan highly precarious.

The colonial state-building enterprise partitioned the Somali people into five territories: British Somaliland, French Somaliland, Italian Somaliland, Kenya and Ethiopia that suited the agenda of the European imperial and their sole collaborator, Abyssinia. While the first three constituted autonomous colonial states, the Northern Frontier District was incorporated into the colonial state of Kenya and the Ogaden region was integrated in the imperial state of Ethiopia. This partition sowed the seeds for future conflict. The successor of the colonial state, the post-colonial state of Somalia, comprised only two units, Italian Somaliland and British Somaliland, which were united upon commencement of independence (Lewis 2002: 166, 178-79, Laitin 2007: 3). The post-colonial reconstitution of the Somali state fell short of fulfilment of the dream of all Somalis because it failed to reunite the five territories (Mubarak 1996: 9-10). This unfulfilled dream was to constitute a source of internal and external instability as well as rendering the indigenous Somali state-building enterprise incomplete, at least, according to the perception of the Somalis. In spite of the fact that the post-colonial Somali state was the only homogenous state, yet it became one of the few states that bear the designation of collapsed states.

The remaining states of the HOA – Djibouti and Eritrea – were surgically tailored into multi-ethnic colonial states. The surgicality of the colonial formation was designed in such a manner that it gave rise to a perennially contested identity with neighbouring states. The post-colonial statehood of Djibouti reflected a cleavage be-

tween two ethnic groups that are found spread across the political borders (Tholomier 1981: 80). From this reality arose claims from both Somalia and Ethiopia that if it were not for the presence of France, the independence of Djibouti would have not seen the light of the day or would have been short-lived (Tholomier 1981: 82). Eritrea was the last colonial territory in the Horn of Africa to emerge as a sovereign state (see Iyob 1995, Habte Selassie 2003, Bereketeab 2007). The Italian colony of Eritrea was later annexed and absorbed by the imperial Ethiopian state leading to a thirty-year liberation struggle that ended with the independence of the territory in 1991. Eritrean independence generated great resentment among the Ethiopian population. Ethiopians saw the departure of Eritrea as a premeditated act intended to destroy Ethiopia not only by detaching an important part but also by land-locking it. Thus in a number of ways, the Ethiopian resentment has negatively affected the state-building process in Eritrea, the manifestation of latent problems that surfaced in conjunction with the outbreak of the second war have made clear the hostile Ethiopian position regarding the Eritrean state-building project.

The creation, consolidation, expansion and centralisation of the colonial states of the HOA were obviously carried out in a manner that served imperial power interests. From the very outset, therefore, the state formation process contained a range of elements that were by their very nature anti-local community ownership of the endeavour of the constitution and reconstitution of the state as a political organisation rising from the indigenous societal fabric and serving it. This state of condition, indeed, hindered the consolidation and sustainability of the formation and transformation of the societies into a viable political organisation. So instead of progressively and firmly nurturing, it disrupted and distorted the natural evolution and indigenous formation of the state.

A salient element that eventually became an inalienable part of the discourse of state building is democracy. An overwhelming part of the literature argues that modern state building has to be accompanied by the process of democratisation and institutionalisation of state organs (to be discussed later in detail) (cf. Mengisteab and Daddieh 1999: 8). It is important to note that, historically, at the early phase, state-building in Europe was not connected with democratisation, as a matter of fact, its benchmarks were internal coercion, external aggression and territorial expansion (Callaghy 1984: 84).

state formation is the set of complementary and competing processes that deal with the creation, consolidation, and extension of an organization of domination, over a population in a given territory using an administrative apparatus backed by a coercive capability and various legitimating ideas (Callaghy 1984: 81).

Indeed, rarely was democratisation mentioned as a salient part of the state-building process in historical Europe. Callaghy (1984: 81) further notes,

It is a struggle for dominance with internal societal groups and external groups, organizations, and forces for compliance, resources, and the fulfilment of ideal and material interests; it is a struggle for internal control, political unification, and external security.

The historical formation of the state proceeded, unlike today, through external wars and internal suppression (Young 1994: 15) without paying any attention to the democratic and human rights of subjects. What seemed to be of significant importance was the proper emancipation of the state and consequent pacification of society that engendered dominance of the state and societal compliance. Today, however, it has become a fashion to link state building with democratisation. Nevertheless, there are few voices that deviate from this paradigm. Francis Fukuyama is one of those who object to the connection between state-building and democracy. He notes,

State-building in a strict sense is about creating the Weberian monopoly of legitimate violence over a defined territory, and therefore has at its core the concentration of the means of coercion in practical terms, armies and police-under the control of the central political authority. Both the liberal rule of law and democracy, by contrast involve *limiting* the central state's authority to coerce, the first by putting it under a set of transparent and universal rules, the second by ensuring that the exercise of power reflects the popular will (Fukuyama 2007: 11)

Turning now to the HOA societies, under colonial rule, for obvious reasons, the state building endeavour in the HOA was devoid of any democratic aspects (Young 1994). However, the European state demanded from the post-colonial African state, what it was unable to do while in power, notably, democratisation (Callaghy 1984: 88). The post-colonial state was a replica of the colonial state. The structures of the colonial state were directly transferred to the post-colonial (First 1983) compelling the emergent nationalist state to inherit potentially inimical structures and political legacies. In this respect the post-colonial state was not properly emancipated from its colonial structures and institutions. This not only facilitated the entrenchment of neo-colonialism, but also pushed further the indigenisation of the state to an unknown future.

The indigenisation of the state was supposed to entail measures of democratisation too. Here it is important to stress that the process of democratisation also needs to be indigenised. Indigenisation of the process of democratisation means surrendering ownership of the state to the general masses. Surrendering ownership of the state to the masses in turn means inducing local structures, institutions, culture, ethos and practices, which local communities easily identify with and express respect for. This of course did not take place.

The successive external interventions, whether with the aim of bringing democratic changes or driven by superpowers' self-interest perpetuated the domination of alien institutions and structures that imperatively alienate the masses, create cleavages between them and the political elite that bear those structures and institutions. Though, in the era of globalization, mercantilism, protectionism and enclosure is impossible to maintain, the societies of the HOA have to be allowed to make their own mistakes and learn their own lessons, after all "state-building is inherently a long-term, several generational process" (Wade 2007: 312). Hence, they need to undertake the state-building project at their own pace and according to their own agenda.

Necessary conditions of state involvement

State-society relations: emancipation and Pacification

It took several hundred years for the predecessor of the post-colonial state to emancipate itself and pacify the society under its control (Young 1994:15-16). The major challenge for the post-colonial state of the HOA, in its formation, has been to emancipate itself and pacify the societies. Emancipation means ensuring sovereignty. A sovereign state enjoys both internal and external legitimacy in governing citizens in its domain and in dealing with other states (Young 1994: 28-29). But, the hard reality is that the situation in the HOA, far from mono-sovereignty where the state have the benefit of absolute sovereignty, is characterised by duality of sovereignty.

The concept of dual sovereignty (Tilly 1978) appropriately captures the state of condition in many of the states of the HOA. Duality of sovereignty implies prevalence of parallel loci of power competing for legitimate dominance, and existing side-by-side, impeding the emergence of state of condition that leads to absolute hegemony of a central state. The prevalence of mutually exclusive centrifugal forces that engender parity (symmetry) between state and society, render the state-building process highly feeble. The state-society relation in the HOA, broadly expressed, could be defined as still, both functionally and structurally, infused, that is there is no clear delineation and differentiation between society and state, which is a characterising feature of a modern state.

In the conventional view the evolvement of a modern state, presupposes, among other things, the separation of the state from society (Young 1994, Chabal and Daloz 1999). The process of separation involves two interrelated process, notably state emancipation and societal pacification.

State emancipation

The premise of the emancipation of the state relates to the emergence of three inter-related situations: (i) autonomy of the state, (ii) standing of the state above societal group, (iii) establishing state hegemony over society. State autonomy means independence of state to exercise legitimate authority and control over society without interference of other agencies. The legitimate exercise of authority in turn presupposes the standing of the state above societal groups where it proves its neutrality and equal treatment of societal groups: classes, ethnic, religious, linguistic groups. The establishment of uncontested hegemonic state position arising through the instrumentality of coercive and administrative apparatuses (Callaghy 1984) is arguably perceived as an indication of the evolvement of modern state. In sum, the three situations constituting emancipation characterise an evolved modern state.

State-building is presumed to presuppose emancipation of the state from society. State emancipation engenders submission of society to the will of the former. The

state assumes its hegemonic position by subordinating centrifugal societal forces. A state that has not gone through this process is presumed to be weak, because it still shares its authority with other centrifugal forces. The weakness of the state in the HOA, therefore, arises partly from the lack of its proper emancipation. "The development of a modern a state depends above all on the gradual emancipation of established political structures from society" (Chabal and Daloz 1999: 4-5). According to this understanding a properly emancipated state then could easily be institutionalised, the lack of proper institutionalisation, being another source of state weakness. As we have seen earlier, and as will be discussed below, the endemic conflict in HOA could be partly explained by the lack of proper emancipation of the state.

The non-emancipation of the state is attributed partly to the nature of the colonial state, a state both arbitrarily and poorly bureaucratised (Chabal and Daloz 1994: 4). Chabal and Daloz trace the non-emancipation of the state to its colonial foundation. Being an alien body, it simply floated above society without intermingling. It did not spring from the local society as such, therefore the issue of its emancipation was irrelevant. As an instrument of oppression and exploitation its *raison d'être* was to extract resources on behalf of the society back at home, and not be concerned in the institutionalisation and bureaucratisation of local institutions and structures which are salient pre-requisitions for state emancipation in HOA.

Pacification of society

The pacification of society entails two dimensions. These are internal and external dimensions. In the internal dimension the most salient conditions of the evolution of the state deals with the domination of state where there presupposes the submission of society. The variables domination and submission as expressions of the evolved modern state progressively have to be couched on emergent national institutions and structures in order to ensure their sustainability. The development of such state institutions and structures coupled with the disarming of centrifugal societal forces produce a matured state.

The external dimension of pacification entails: (i) ensuring territorial integrity and sovereignty, (ii) maintaining good neighbourliness, (iii) preventing the passage, in or out, across the border, of hostile items such as illegal arms and rebellious groups (resistance movements). Maintaining good neighbourliness and being able to prevent hostile forces operating from your own soil or entering your own territory is a sign of state maturity. While prevention of rebel forces from using one's side of the political border indicates the capacity of the state to control its territory, preventing intrusion into one's territory by foreign forces testifies to the state's capability to deliver one of its sacrosanct responsibilities, sovereignty over its territory.

The emancipation of the state gradually leads to the pacification of society. A pacified society is presumed to be one that has surrendered to the state. In this sense "The state may be viewed as a ruling organization that competes for power with other political economic, and social organizations and groups" (Callaghy 1984: 90) and

has concluded the competition to its benefit. The competition eventually has to be resolved in favour of the state in order for centrifugal forces to be pacified.

In this state of relation, the state is devoid of the autonomy it deserves, an autonomy that would enable it to exercise power over class, ethnic, religious and regional societal groups. This autonomy would also enable the state to pacify societal centrifugal groups. According to this perception state emancipation and societal pacification gradually consolidate autonomy of the state. Societal pacification also emancipates the state in order to fulfil its external functional tasks, defending the integrity and security of society from external forces. The lack of state emancipation in the HOA also means that sectarian social groups, quite often dominate power, giving rise to a real or imagined sense of marginalisation of groups. This sense of marginalisation further leads to ethnic and clan strife resulting in chronic civil wars. This is exactly what is taking place in the HOA countries.

The non-pacification of society and poor emancipation of the state in HOA characteristically defines the duality of sovereignty expressing the reality in the HOA. This duality of sovereignty produces societal cleavages where power is dissected into various centres leading to a local community being able to seriously challenge the central state. This state of condition where state hegemonic domination is not yet established, partly explains the perennial intra- and inter-state conflict in the region.

Institutionalisation and democratisation: necessary conditions of modern state

As briefly mentioned above institutionalisation and democratization have increasingly come to be characterising features of the modern state. Institution theories attempt to make a conjunction between institutionalisation and democratisation of the state (Kamrava 2000, Poggi 1978, Bratton and Van de Walle 1997). Arguably a fully developed state is presumed to be one that is properly institutionalised. Institutionalisation in this sense refers to the entrenchment of duly constituted national institutions that include legislative, executive, judiciary, independent press; micro, meso and macro level organs of governance, necessary instruments of exercising legitimate and democratic political power. Moreover, institutionalisation, noticeably, is presumed to remedy the rampant person-based appropriation of power, and instead lead to institution-based polity, thereby introducing transparency, accountability and predictability in the way power is exercised.

Kamrava (2000) maintains that state-building is institution-building. In this sense institutionalisation could not be seen in separation from a protracted process of state building, as such, therefore it is closely related to the project of peace and stability. The large corpus of literature on the genesis of the modern state deals with how the centuries long process of state-building in Europe, in reality, was about institution-building and institutionalisation of the state. Beginning with the Westphalia convention where European states signed a contract to establish the state system (Smith 1986: 11), the overriding endeavour was directed towards institution-building and institu-

tionalisation of state functions and structures. In this context institutionalisation of the state system was perceived as a necessary condition for stability, security and development in Europe. This was seen as vital because it is a presupposition of predictable and stable dealings among states. Gradually, therefore, institutionalisation became an inalienable part of another dimension of the state-building project (Mengisteab and Daddieh 1999).

Another dimension of institutionalisation that eventually became tied to state-building is its relation to democratisation. The process of institutionalisation and state-building is also intimately connected with the process of democratisation. Since the second half of the twentieth century the literature on state-building began to take seriously the connection between democratisation and state-building. The Euro-centric literature, making itself oblivious of the historical separation between democratisation and state building in Europe, is now stressing the inalienability of the two in the process of state building in Africa. Nevertheless criticism on this connection in Africa is also abundant (cf. Mengisteab and Daddieh 1999, Fukuyama 2007, Lo 2006). This criticism is primarily directed at the connection between state-building and the liberal version of democracy. Belated, but growing realisation of the indigenous foundation of democracy is slowly assuming momentum. Lo notes, "Democratic institutions have to be groomed in the experience, tradition, and popular culture, which is primarily a matter of time and process" (Lo 2006: 108). Institutionalisation and democratisation are relative terms; even within the Western setting they display rather considerable heterogeneity. Here the application of the concepts is in a selective manner where due sensitivity is accorded to domestic reality of the HOA societies, that is it is contextualised in opposition to the ahistorical and de-contextual approach.

As the full institutionalisation and democratisation of the state secured Europe its peace, stability, security, development and prosperity, it is presumed it will also bring those things to the HOA. Institutionalisation and democratisation of the HOA post-colonial state, a state predominantly resting on alien structures, has to entail elements of the traditional local institutions and practices, and traditional democratic exercise of power that purposively seeks consensus in order to bring on board all stakeholders. It is of great importance to note that the simplistic and naïve perception that prescribes to the fashionable notion of dismantling the colonially implanted state that was transferred intact to the post-colonial realm (First 1983), misses the reality of the cohesively woven colonial legacy and indigenous heritages. The way forward, therefore, imperatively is striking a balance between the two dimensions.

When the necessary conditions are not fulfilled

The fulfilment of the conditions of an evolved state (emancipation and pacification) leads to peace, stability, security and development is our central proposition. The op-

posite, conversely, engenders adverse situations. Concretely speaking, the non-fulfilment of the necessary conditions gives rise to the prevalence of: (i) no or weak state (Somalia), (ii) centrifugal forces challenging central state (Ethiopia and Sudan), (iii) endemic social strife, (in its extreme form leading to civil wars) (most of the HOA states), (iv) state prone to external intervention (Somalia), and consequently (v) lack of peace, stability, security and development (majority of HOA states) (cf. Laitin 2007: 21). The current situation in Somalia is a good example of the existence of all these interrelated premises.

The situation that has gripped Somalia for the last seventeen years epitomises condition (i), collapse of the state. State collapse followed the transpiration of the other three premises. Simultaneously, the premises that led to state collapse also constitute conditions of lack of peace, stability, security and development. The Ethiopian invasion in December 2006 was the last testimony of the susceptibility of the Somali society to external intervention because of the collapse of the state.

In the case of Sudan also the endemic social strife characterised by the prevalence of centrifugal forces that challenge the central state has contributed to the existence of a fragile state (Woodward 1994). The fragility of the state and its inability to bring under control centrifugal social forces whose inevitable results have become endemic instability and civil wars, have given rise to international pressure for intervention in one of the most beset regions, notably Darfur. In the longest running conflict in Sudan, the South Sudan, an agreement towards a final solution was signed after intensive pressure from the international community, yet the conflict does not seem to be nearing a final settlement. To the contrary, all the indications are that Sudan is heading toward a split.

Ethiopia, though the oldest state in the region, has never experienced peace, stability, security and development. Endemic social strife, generated by centrifugal forces that perceived their incorporation in the imperial state as a violation of their fundamental rights, has plunged Ethiopia into chronic civil wars for the last forty or so years. Centrifugal forces, determined either to secede or impose a fair share of societal resources -political, economic, and cultural- in a reformed Ethiopia continue challenging the centre (cf. Gudina 2003, Tareke 1996). The protagonists (centre and periphery), regardless of their politico-ethnic form, essentially seek to alter the political formation of the state. The request for self-determination of the forcibly incorporated people, in one or another form, while perceived by some as ill-intentioned (breaking the empire state), is seen by others as opening the door to liberty of the enslaved ones.

Djibouti, until recently, was beset by civil war where the two ethnic components of the state -Somalis and Afar- had different understandings about state exercise of power. The Somalis, the dominant group, dominated the post-independence state. The aggrieved section of the society, the Afars, attempted to change their lot by resorting to violence. This in turn rendered the state-building process precarious. Eritrea, the last country to get its independence, was plunged into crisis following the second Eritrea-Ethiopia war (1998-2000). The state-building process in Eritrea is also under considerable stress both from within and without.

External intervention impediment to genuine state-building

One of the major contributing factors to the non-fulfilment of the necessary conditions for the development of the state is external intervention. State-building is necessarily an internal process that takes into consideration or is governed by the history, social and economic structures, cultural, traditional values and norms of the society concerned. As such it requires its own ample time of maturation. In that context external interventions might have detrimental effects. Yet, the history of several generations convincingly reveals that the state-building process in the HOA has been characterised by none but external intervention. In the last hundred years the region has seen four successive external interventions. These are: (i) colonialism based on economic and political domination, (ii) neo-colonialism founded on economic domination, (iii) Cold War guided by rivalry to dominate the world, (iv) war on terrorism reflecting American paranoia.

The first such systematic and concerted interventions related to the scramble for Africa. The 1884-5 Berlin Conference that, using ruler and pencil, partitioned the African continent into possessions of European imperial powers, constituted the genesis of the formation of the modern state in the region. A state was established that not only structurally and functionally represented alien interests, but was also brutally exploitative and oppressive, (cf. Young 1994, Callaghy 1984). The very nature of the partition, that failed to pay attention to the demographic, linguistic, ethnic and cultural composition of the emerging units, necessitated that the colonial state was born carrying in its womb hostile seeds that made the post-colonial state extremely anaemic.

Colonial intervention was succeeded by neo-colonial and Cold War interventions, which, instead of curing its inherent ailment, to the contrary made sure its perpetuation (First 1983: 208). The post-colonial state-building enterprise was the closest that came to represent an indigenous endeavour, in modern statehood, yet it was disrupted by the neo-colonial economic agenda and the Cold War struggle for world domination. The Cold War that gripped the post-World War II era converted the HOA into a battlefield where the two superpowers unleashed part of their bitter struggle for world domination. This deadly rivalry negatively affected the process of state-building in the region. Besides its instability, the notorious frequent re-alignment of superpower-local government relations (as manifested in Sudan, Ethiopia and Somalia), the Cold War regime also wittingly or unwittingly, is credited with undermining the state-building process partly through helping in the creation of dictatorial regimes.

Following the demise of the Cold War, the US-dominated mono-polar new world order was put in place. Now, the USA, as the sole hegemonic power, began to play the role of world police in order to impose its political and economic national interests. Accordingly, it cast wide its fishing net in every corner of the world subjecting anyone, by will or compulsion, to submit to the new world order resting on the

shoulders of the US. The self-interest driven US foreign policy initially saw no compelling reason to be actively involved in the HOA, because there was no manifest immediate economic interest, neither was there compelling political competition, the struggle for domination had been won (Woodward 2006). But this passive involvement was soon to alter.

The incident of 9/11, after a relatively low US involvement, subsequent to the demise of the Cold War, put the HOA in the limelight of US foreign policy, mainly to hunt alleged al-Qaeda bases (Woodward 2006: 7-9). The hunt for al-Qaeda operatives led to the formation of Joint Task Force, Horn of Africa (JTF-HOA) consisting of 1800 military and civilian personnel based in Djibouti, and an offshore capacity centred around the command ship USS Mounty Whitney with 800 US Marine aboard in the Red Sea. Task Force 150 was also established where Spain commanded a naval and air force to patrol Bab el Mandab. Task Force 150 is also supported by German ship and air patrol, and 1000 German personnel are stationed in Djibouti. France already had a force of 3,200 men in Djibouti (Woodward 2006: 143). The aftermath of 9/11, thus brought the highest foreign military concentration, after the record high of the late 1970s Warsaw Pact involvement, to the Red Sea and HOA. A concrete result of this interventionist posture was evidenced in repeated bombardment by US forces of alleged al-Qaeda bases in Somalia in December 2006 and early 2007 apparently with tacit approval of the Transitional Federal Government (TFG) of Somalia. It was an approval that has proven highly divisive in the Somali society, effectively paralysing the state-building process. The misguided war on terrorism has not only victimised the Somali people unnecessarily, but also through its blind support to so-called friendly states become a hindrance to the democratisation of the societies. Moreover, it has become a source of instability and division in the region.

These successive external interventions have proved to be a great impediment for the development of indigenously anchored state-building projects, sensitive to culture, history and the socio-economic structure of society. The most palpable reason for this impediment lies in the fact that these interventions most of the time aim at promoting the economic, political and strategic interests of the perpetrator external states that quite often, by extension, undermine the development endeavour of the local state. The institutions of the intervening external state also endanger the evolution of domestic institutions and structures. This endangerment also has to do with the corrupting influence of domestic state actors. But above all, the immediate and most devastating effects are the internal division and wars they generate.

Conclusion

The current chronic problem in the Horn of Africa is necessarily a problem of state building. Deep down it pertains to the unfulfilled, weak gestation of the state. Besides the sources of chronic problems the HOA has been encountering, the project

of state-building itself is strongly questioned. Indeed, according to certain theoretical persuasions the cataclysmic problems of the HOA are attributed to the state, and particularly to its ontological origin. Many scholars of Africa attribute, perhaps rightly, to the Western origin of the state. They see it as a misfit between externally imposed structure and an entirely different local reality; hence, they order a completely different or new thinking. Their prescription of abandoning the project of state-building whose ontological origin is presumably located outside itself, although it at first glance might appear appealing, is not the right way forward, however. It is an undisputable reality that the post-colonial societal reality in the HOA is a blend of inseparably externally grafted elements and indigenously produced ones. The noticeable impossibility of disentangling the colonial past from the post-colonial state (we cannot for instance force people to cease utilising technology imposed by the colonial state, or shade down the western education many earned and the subsequent change of behaviours and practices) tells in clear language that we could not simply abandon the project of state-building. Neither can we simply embrace it uncritically. The fact is that legacies of colonialism are here to stay; it is also a fact that indigenous institutions and structures that pose veritable challenges to the predominance of the colonial elements are there. Hence, the post-colonial state inexorably is a blend of colonial (western state) elements and indigenous ones. Thus this reality locates the HOA state in the realm of transitionality.

Furthermore a number of things should be seriously taken into consideration if we are to capture the picture of the post-colonial state in HOA. The first is that we need to acknowledge that the life span of the state in the HOA is very short compared to the more than five hundred years of the modern European state. This means that all the ailments that we observe in the post-colonial state could be explained by the young age of the state. So the ahistorical view that advocates discarding the state because of its current ailment should be rejected outright. Instead of discarding it, what is needed is to consolidating and institutionalise it. Secondly, throughout most of the evolutionary years, the European state witnessed continuous violence and crisis that along the way engendered the formation and reformation of it. It should not be perceived, therefore, too peculiar, when the HOA state displays all these pathologies. Indeed it should be perceived as an imperative historical necessity that corresponds to its level of development. The state-building project is a long process, which along the journey could display all sorts of anomalies and pathologies. Though the human suffering is undoubtedly deplorable, it should not be considered unprecedented. In this sense purposive and conscious enduring endeavours of state-building are indispensable. Thirdly, we have to acknowledge that external interventions undermine the state-building process, since state-building is necessarily an internal mechanism. The consecutive interventions: colonialism, neo-colonialism and Cold War, and now war on terrorism have disruptive effects. As such they have to be vigorously objected to. Forcible impositions rather pervert and corrupt the indigenous transformation and formation process of the state in the HOA, with endemic contestation, conflict and violence as a consequence. In order for this objection to obtain meaning, boosting

state capacity is of prime importance, because it is only states furnished with invigorated capacity to withstand external intervention that invest it with meaning.

It is presumed that a fully evolved state is a state that is properly emancipated from society. An emancipated state is also presumed to be a state that has succeeded in pacifying the society. This sounds tautology, a deeper inquiry, however, indicates the dialectics and intricacies dictating the relation and the interdependency of both presuppositions of the project of state-building. The cumulative effects of these dialectically interrelated processes is the emergence of a state that controls internal centrifugal forces and external interventionist forces thereby bringing peace, stability and security. Peace, stability and security is a *sine qua non* for democracy and development, hence the project of state-building is a project of peace, stability, development and democracy.

The societies of the Horn (for that matter the continent as a whole) find themselves at a critical stage of the historical trajectory of their transformation toward fully evolved states. They are, indeed, at a cross roads, either to evolve into a fully metamorphosed modern state or take a sharp descending road toward obliteration. It could be argued that pressure from within as well as from without is posing a real challenge that could have the role of making or breaking of the state-formation project. Since state-formation is primarily an internal process, consequently real attention should be paid to internal mechanisms and structures. As such the state-building project has to be allowed to go, if necessary, through the arduous and painful process of maturation and metamorphosis. This is not to advocate isolationist cultural relativism, and reject our day's hegemonic paradigm of globalisation, but internal processes and mechanisms should be given priorities and autonomy within the hegemony of globality. So far the global agenda seems to have benefited states that are equipped with advantageous capacities. The HOA state should also be emancipated from external intervention. The recent development in HOA clearly shows the proclivity of narrowly-defined and self-interest motivated external (both far and near) interventions.

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Human Rights, Conflict and Peace-Building in the Horn of Africa – What Can Governments and Civil Society do?

Thank you to the organizers for inviting me again to speak at this annual conference on the Horn of Africa, which this year focuses on post-conflict peace-building. I am here representing Amnesty International, a politically and financially independent global movement of people who campaign for internationally recognized human rights to be respected and protected in every country. Amnesty International's vision is for every person to enjoy all the human rights enshrined in the Universal Declaration of Human Rights. It conducts impartial research on human rights observance or violations by governments and armed groups, and takes action to prevent and end grave abuses of human rights. It works for freedom of expression and association, and protection from arbitrary detention and torture. We campaign to stop violence and discrimination against women and minorities; to press for best standards of justice and no impunity for human rights violations; to abolish the death penalty; and to support international protection for refugees. There have also been particular Amnesty International projects on the right to health and the right to shelter.

My own position at Amnesty International is Researcher on the Horn of Africa, covering Somalia, Somaliland, Eritrea, Ethiopia and Djibouti. There would be much to say about Sudan but that is the special expertise of other speakers, not myself.

At previous conferences, I have given recognition of the important work of human rights defenders in these countries and spoken of the dangers they face. I am very pleased to inform you that Ethiopia's most prominent human rights defender, Professor Mesfin Woldemariam, who is 76 years old and not in good health, was just last month freed from 21 months' imprisonment and political charges for which the prosecutor demanded the death penalty. You will recall that this conference last year presented a petition to the Ethiopian embassy in Sweden for his release as a prisoner of conscience. Opposition politicians and journalists were also freed through a highly unusual pardon process – some were released only last week. Sadly, two civil society activists tried with them still remain in prison awaiting a verdict. They are Daniel Bekelle of ActionAid, and Netsanet Demissie of the Organization for Social Justice in Ethiopia. They are human rights defenders as well as legal professionals, and have

been central in Ethiopian civil society action in the Global Campaign Against Poverty. I hope those of you who have been involved in this important campaign will continue to press for their unconditional release.

The dangers of doing legitimate human rights defence and peace work are also illustrated by the murder in Somalia in July 2005 of Abdulqadir Yahya Ali, director of the Centre for Research and Dialogue. And in March 2007 Isse Abdi Isse, head of Kisima Peace and Development Organization in Kismayu, was murdered in Mogadishu by unidentified assailants while attending a UNICEF conference on psycho-social support for children affected by civil war.

Last year's conference was about the role of the refugee diasporas from the Horn in supporting human rights, promoting peace and reconciliation, and supporting democratization and development – which are all inter-connected. Many in the audience then, as today, were asylum-seekers or refugees, some still fearful of their governments and their embassies, all starting new lives. Like human rights defenders in each country of the Horn, you are also stakeholders in peace-building, for the sake of a possible return to your homeland, or, when that is not possible due to conflict or continuing human rights violations, a positive involvement there from a distance for the sake of the next generation.

This year's conference puts the spotlight on post-conflict peace-building in the region. Some of the conflicts have ended, others somehow persist without endangering central state authority. Somalia is still only part way on the road out of years of failed statehood and conflict of rapidly successive kinds of regional and indeed global significance. To be sure, reconstruction must not wait for full peace, but in Somalia the necessary major international plans for reconstruction and development require a much greater degree of political reconciliation and security than has yet been achieved.

Conflict in the Horn

The Horn in the last decade has been particularly affected by short-term or long-term conflict of all kinds. Conflicts have included an inter-state border war between Ethiopia and Eritrea in 1998-2000; armed internal opposition against the governments of Ethiopia, Eritrea, Djibouti and Somalia; civil wars between faction leaders (known as warlords) in Mogadishu; Ethiopian military intervention to support Somalia's Transitional Federal Government against the Council of Somali Islamic Courts in late 2006; and inter-communal clashes over resources based on “nationality”, ethnicity or clan in several countries. In all these conflicts, international humanitarian law – the Geneva Conventions, which apply to both international and internal conflicts and to both government forces and opposition groups – has been frequently violated with impunity. War crimes have been committed with impunity – killings of civilians; killings, torture or ill-treatment of prisoners of war; rape; and ar-

bitrary detentions or hostage-taking. Humanitarian workers responding to humanitarian emergencies created by conflict have also been killed or kidnapped.

The perpetrators of these serious violations have been both government security forces and opposition forces – such as the Ogaden National Liberation Front (ONLF), which killed Chinese and Ethiopian civilians in an attack on an oil installation in April 2007.

Government reactions to opposition violence have commonly been arbitrary and disproportionate, abandoning careful police investigation and fair trial in place of illegal detentions, torture, unfair political trials or violent reprisals – which perpetuate the cycle of violence and set back peace-building. This occurred recently in Ethiopia's Somali Region after the ONLF attack. The security forces stepped up their counter-insurgency operations, with reports of widespread arbitrary detentions, torture and extrajudicial executions. It expelled the International Committee of the Red Cross (ICRC) from the Somali Region and closed down access to humanitarian organizations and trade, which resulted in extreme economic hardship and rising malnutrition.

The US “War on Terror” policy in the Horn has involved US forces in combating “terrorism” within or emanating from Somalia during the period of the Islamic Courts’ rule in Mogadishu in mid-2006. In pursuit of alleged Al-Qaeda operatives suspected of involvement in the bombings of US embassies and other facilities in Kenya and Tanzania in 1998, US forces conducted at least two bombing raids in southwest Somalia in January 2007 killing dozens of civilians. The phenomenon of “renditions” – secret and illegal extraditions of political suspects – has also appeared in the Horn, with Kenya detaining and deporting to Somalia dozens of Kenyan Somalis as well as foreign nationals and asylum-seekers allegedly involved with the Islamic Courts forces in Somalia. Most were then rendered by Ethiopian troops in Somalia to secret detention in Ethiopia, where they were interrogated by western intelligence agencies. Many have been released to their countries of origin in the Middle East, North Africa, UK, Sweden, USA and other western countries, but at least 40 and probably many more remain detained in secret locations in Ethiopia, possibly to face secret trial by military courts.

The Ethiopian military intervention and its defeat of the Islamic Courts forces in December 2006 led to the TFG beginning to establish itself in Mogadishu in the face of continued clandestine armed opposition and assassinations. Human Rights Watch has recently published its findings of investigations in Mogadishu into violations of international humanitarian law by Ethiopian forces and TFG militias in operations against TFG opponents. The Ethiopian Foreign Ministry’s response failed to convincingly deny the main charge which needs full independent investigation – that Ethiopian troops arbitrarily and disproportionately fired on civilian areas, causing large-scale casualties of civilians. Human Rights Watch also criticised Islamist opponents for war crimes such as firing from civilian areas and placing civilians at risk.

The main victims of these conflicts have been civilians, especially the vulnerable categories of women, children, minorities, internally displaced persons and refugees. There has also been massive infrastructure damage affecting public utilities as well as

people's safety and livelihoods. Some businesspersons and warlords have profited from conflict but the economic consequences for the majority of the people have been a major setback for development, worse poverty, diversion of scarce resources to enriching arms manufacturers and shadowy arms dealers, and creation of new humanitarian crises and refugee flows.

In Somalia, international peace support was intended to play an important role after the Kenya peace talks in establishing the Transitional Federal Government (TFG) and taking Somalia away from the dangers to international stability and security of being a collapsed state since 1991. Ethiopian troops who were reportedly called in by the TFG President have been the principle force protecting the TFG and fighting armed clan-based and Islamist opponents in Mogadishu. A Ugandan contingent of 1,700 troops comprises just a fraction of the intended African Union peace support force (AMISOM), whose mandate has this week been renewed by the AU and UN for a second six months. Amnesty International urged that its mandate should include prominently the protection of civilians, and that if it is succeeded by a UN peacekeeping operation or a hybrid UN/AU force, this should have a strong and defined human rights component.

In some of these conflicts in the Horn, there has been mediation or peace-building with varying success. This has been conducted by a variety of actors – local clan and religious elders according to cultural traditions and local “laws of war”; local NGOs such as Somali Peaceline; international NGOs such as the Carter Centre or faith groups such as the World Council of Churches; and by governments or inter-governmental organizations – the African Union, European Commission and the UN. Kenya provided the venue and a facilitator for the Somalia Peace and Reconciliation conference in 2002-4, which was sponsored by IGAD (the Inter-Governmental Authority for Development) after 13 previous peace talks had failed.

The current National Reconciliation Congress in Mogadishu is gradually getting going, with some international support. Its aim is to lead eventually to some form of national political settlement between the TFG and its opponents, who now include former Islamic Courts and defectors from the TFG and parliament, currently forming themselves into a new anti-Ethiopia opposition based in Eritrea – Ethiopia's enemy. Whether this will lead to a resolution of the current insurgency or alternatively increase regional conflict is a major question.

The political and military tensions between Ethiopia and Eritrea since the border war have dismayed the international community. Ethiopia and Eritrea fought a two-year border war in 1998-2000, with huge military casualties and leaving unresolved compensation claims and apparent failure of an international border commission judgment. In the chequer-board pattern of conflict in the Horn, whereby neighbouring countries frequently support their enemy's enemy, Ethiopia gives political support to an Eritrean opposition coalition which comprises former armed groups as well as exile political groups but is not active militarily, while Eritrea provides political and alleged military backing to a coalition of Oromo and Somali armed groups operating in Ethiopia – the Oromo Liberation Front (OLF) and the ONLF. Eritrea

also, according to the UN arms embargo panel report, provided military support to the Islamic Courts against Ethiopia.

Some parts of the Horn, such as Ethiopia's Somali Region, Oromia and Gambella Regions, have been embroiled in long-running conflict. The connection between conflict and human rights violations is varied and complex but many of the human rights issues in the Horn are not directly conflict-related. For example, political imprisonment and torture in Eritrea were not a response to armed conflict, though the context of forced military conscription and refugee flight has some roots in the legacy of the country's war with Ethiopia and threats of exile armed opposition. Religious persecution in Eritrea of Christian evangelical churches and even the official Eritrean Orthodox Church is not even a matter of resistance to forced conscription, which was only a principle to Jehovah's Witnesses. Likewise in Ethiopia, killings of demonstrators by the army and police in 2005 and imprisonment of opposition leaders, journalists and human rights defenders were the government's response to *non-violent* opposition. And repression of the media and jailing of journalists in every country – Ethiopia, Somalia, Eritrea, Somaliland, Puntland and Djibouti has rarely been anything to do with conflict.

Yet abuses of human rights and the rule of law, exclusion and discrimination do underly many of the worst conflicts in the region, and have led to countless civilians suffering reprisals for armed attacks they were never involved in.

What can governments and civil society do to build and secure peace?

The following general proposals and messages from Amnesty International relate especially to Somalia, but also in various ways to most of the conflicts and post-conflict situations in the Horn which will be discussed in more detail in conference papers and discussion.

1. To prevent and reduce conflict, governments should make every effort to protect human rights and abide by the human rights treaties they have signed or ratified. First and foremost, they should ratify and abide by the Geneva Conventions, and cooperate fully with the International Committee of the Red Cross (ICRC).
2. All conflicts should be addressed by conflict prevention and conflict resolution, mediation and negotiations through whatever appropriate means – though difficult and complex, this will always be less costly than coping with the consequences of conflict.
3. Where peace talks are in process, there should be a role for civil society and human rights defenders, rather than a simple power-and-resource-sharing deal between opposing forces, some of which may have perpetrated war crimes and

have little commitment to national unity and reconstruction. Civil society organizations should organise themselves to play this role, and represent populations who want an accountable and peaceful government to support.

4. Peace talks should be based on the principle that there can be no sustainable peace without human rights. Peace talks should include provisions for human rights protection, so as to prevent repetition of war crimes and build institutions to protect human rights in the future. Disarmament, Demobilization, and Reintegration (DDR) of former armed groups during the formation and training of new security, defence and policing institutions are particularly important.
5. Civil society should – and of course often does – demand a policy of allowing no permanent impunity for war criminals and perpetrators of crimes against humanity. Even if the practical considerations of a transitional period mean that warlords and war criminals are brought into a new provisional government, this cannot be allowed to persist into a post-conflict period of democratization and elections.
6. Part of the process of “transitional justice” is that they should be justice for the victims. New armed forces must screen out war criminals as a vital safeguard against new abuses.
7. Finally, civil society peace groups should be given international support in advocating for peace and preparing civilian populations for peace.

Concluding remarks

Let me conclude by expressing the sincere hope that these issues of peace and human rights will be actively taken up by speakers, panel chairs and participants at this conference. Let us hope that a similar conference next year will be able to report major improvements and a massive reduction, if not end, of these devastating conflicts in the region.

Horn of Africa: What Kinds of Security and Cooperation?

Like “peace”, “security” will forever be what the philosopher Gallie called an “essentially contested concept” with no universally accepted definition. This means that in every context it has to be clarified how it is used in that context. The connotations of the two terms tend to overlap each other to a considerable extent, but “security” with more “right wing” connotations and “peace” with more “left wing”.

“Cooperation” is often thought of as the opposite of “conflict”, but this is misleading; two parties may well have both, and parts of their conflict may be about their cooperation.

In security theory, one of the central concepts has become “security complex”. This means a set of states (or other actors) so related to each other that the security of each is related to that of anybody else, at the same time as this is not true for actors outside the set. This may help to understand the specific features of the Horn of Africa, by comparing it with some other security complexes or their sub-complexes. Its own complex includes the states of Sudan, Ethiopia, Djibouti, Somalia and Kenya. Among these, Sudan, Somalia and Ethiopia can be seen as sub-complexes of their own. The complexes here used for comparison are Former Yugoslavia, Afghanistan, Iraq, and the Middle East complex, with Israel/Syria/Lebanon as one sub-complex, Israel/Palestine as another and Lebanon as a third.

The dimensions of comparison are related to the following questions:

1. How many actors (not necessarily states) are there in the complex?

The essential distinction is between two and more actors, since the logic and dynamics differ strongly between them: in the latter, we may – and normally do – get shifting coalitions.

2. To what extent is the (sub-) complex relatively self-contained?

The more self-contained, the more driven by its own dynamics in relation to external forces.

3. To what extent do the main actors have “state quality”?

This may range between unilateral and unrecognised declarations of independence and full international recognition. This is among the factors that decide with what weight an actor can appear and what other actors can legitimately do.

4. Is the very existence of some actor(s) challenged, or seen as challenged by some internal or external actors?

This may make a great difference, for instance for mobilisation, for negotiation possibilities.

5. Where does the complex lie between strong asymmetry and being fairly symmetrical?

This often makes a difference for strategies, external intervention, etc. Deciding where a conflict lies can be quite difficult, inter alia since it depends on what relative weight one allots to military, economic and other dimensions of power.

6. To what extent do Great Powers have interests involved in the ongoing conflicts or in the balance of powers in the security complex?

The more such interests are involved, the more difficult do conflicts get to resolve, the solutions having to satisfy Great Power demands in addition to those of local actors.

The Hollywood filter

Adequately classifying a conflict by the above criteria is often quite difficult due to what we may call “the Hollywood Filter” in mass media with its three “axioms”:

1. A conflict can have no more than two parties.
2. Each party can be personified by some leading politician there.
3. One of these persons is the Bad Guy – and by virtue of that, the other leaders are Good Guys.

There may be various main sources of this “filter”: mass media traditions, remainders of Cold War thinking, successful propaganda by a local party or a Great Power, etc.

Whatever the case, the Hollywood Filter normally creates great misrepresentations and misunderstandings, which in their turn make adequate analysis and formulation of proposals difficult – if possible at all. Most conflicts, when regarded more closely, have three or more parties, and since these have logics and dynamics that are different from those of two-party conflicts, that simplification also gravely misrepresents the conflict, a frequent consequence of this being that interventions lead to results quite different from the (proclaimed) intentions.

Second, representing a whole political system by a single persons rarely fits reality: while we may find occasional cases of absolute dictators that can afford to disregard the political currents and counter-currents in their own countries, but for most lead-

ers, democratically elected or not, trying to do so is a kind of political suicide. Representing them by single persons grossly overestimates the latitude of action they have,

Third, who is Good and who is Bad is a matter of political judgement, which may be fairly consensual within a region and therefore mistaken for universal there, while a different opinion on the same issue prevails in a different region and is mistaken for universal there. Another grave consequence is that by this axiom, once the Bad Guy has been appointed, his opponent is automatically made Good Guy, even though as a person he is often a crook of about the same magnitude, as an office holder under about the same restrictions from his own system, or both.

To catch the essence of a conflict or a security complex, it is therefore often necessary to dig behind the image that is prevalent in mass media, which is what the following sections try to do.

Former Yugoslavia

By the end of the 1980s, the conflict system in Yugoslavia was relatively self-contained, but also under escalation. It had seven main actors: Six republics, two autonomous provinces in Serbia and the Yugoslav People's Army. Crucial events included Serbia's unilateral and unconstitutional abolition of the autonomy of Kosovo and the declarations from Slovenia and Croatia that they would – equally unilaterally and unconstitutionally – declare themselves independent in 1990.

The EU then managed to get itself to mediate and got the support from all important organisations and USA for this role. Starting from a relatively low key and impartial position in summer 1991, it gradually got more and more intrusive, even making threats and carrying them out, at the same time as it took increasingly anti-Serb positions. It may have thought that its prestige was enough to carry this. It was not and the EU was thrown out of the role in December after not only declaring that it would recognise Croatia and Slovenia but also inviting other republics to declare themselves independent and apply to the EU for recognition. The role was taken over by the UN, represented by the US ambassador Cyrus Vance, who finally managed in early 1992 to arrange a functioning ceasefire and a procedure for continued negotiations.

Before that, there had been an operetta war in Slovenia in June-July 1991, followed by a quick agreement between Ljubljana and Belgrade about a ceasefire and pull-out of the Yugoslav People's Army by October 1991. To create common interests between them and the EU, the latter was invited to mediate in July and broker the agreement they had already made. It worked, President Tudjman's insistence on everybody or nobody failed and he got a war on demands he had thought he could get satisfied by pressure on Serbia and the Serbs in Krajina in Croatia, who had proclaimed their independence as Republika Srpska Krajina.

During many months of war in Croatia, there was a miracle in Bosnia-Herzegovina: the grand coalition of the three main nationalist parties – the Serb SDS, the Croat HDZ and the Moslem/Bosnjak SDA – managed to keep peace and to negotiate in Lisbon, chaired by the Portuguese Foreign Minister Cutilheiro representing the EU. On 18 March, they managed to agree on the outlines of constitutional and territorial issues and how to continue negotiating. This was within three weeks however, when the EU decided – on the anniversary of Hitler’s attack in 1941!! - to recognise Bosnia, which meant proclaiming it to be indivisible and regarding Alija Izetbegovic, who had already cheated with the constitution, as its legal leader. Both these things being seen as dangerous threats by the great majority of the Serb and Croat Members of Parliament, the war broke out in full scale with everybody fighting everybody. There was soon a de facto Serb-Croat coalition against the Moslem/Bosnjak forces.

In terms of actors, many got more. How many of them had state quality also shifted rapidly. The open conflict had started by some of the members challenging Yugoslavia, then rapidly getting challenged by parts of their own territory.

In military terms, “the Serbs” were usually strongest – but they consisted of the armies of Republica Srpska Krajina and Republika Srpska, plus various regional and political militias there, plus a large and increasing part of the Yugoslav People’s Army (as soldiers from other ethno-national groups deserted to join their new own units). Developments everywhere made it clear that they were far from invincible..

For a long time, the Western Great Powers and their organisations proclaimed an interest that was probably genuine in the stability of Yugoslavia. There is a question how much this changed in the late 1980s as the Cold War gradually disappeared, President Reagan’s directive on destabilisation of communist regimes made no exception for Yugoslavia and Bundesnachrichtendienst was active in the same direction in collaboration with Croat exile organisations. Yet until the declarations of independence in June 1991, the positions stated by the EU and the UN were the same: one would not recognise or support anybody until there was agreement among all, and a promise of development aid tried to persuade the parties to stay together. It was only after months that the EU switched its position and the USA kept a low profile until spring 1992, when it got more strongly involved in Bosnia-Herzegovina and pushed for increased UN involvement there.

The Middle East with sub-complexes

This is by far the biggest security complex in the area and its boundaries are controversial in all directions. While some its sub- or sub-sub-complexes may have been self-contained to some extent, the Middle East as a whole was not: major actors could count on support from Great Powers, at least till the end of the Cold War around 1990 – and some of the actors were – as in the Horn of Africa – clients of different Great Powers at different time points. The actors were always many and the propor-

tion of states high. Some actors were challenged for a long time, notably “there are no Palestinians” and “There is no Israel” until the Oslo Agreement (which is still controversial on both sides). No actor has ever come close to being dominant, although some, most notably Israel, have achieved something in this direction in sub-complexes they belong to the same reservation as made above: military power is not everything. Great Powers have been strongly involved in the Middle East security complex all the time, “which with whom” has shifted over time in several cases, exemplified by Iran, Iraq, Syria, Egypt and Israel.

The sub-complexes where Israel figures, Israel/Palestine and Israel/Lebanon/Syria, are not very self-contained. The former has few actors, who only reduced the mutual questioning of each other’s existence after Oslo, the latter many independent actors, some of whom have not even reduced it. The actors in the former do not seriously question each other’s existence or at least have no hope of successfully doing so, whereas issues of Palestinian statehood have been absolutely central in that sub-complex. These two sub-complexes have been strongly asymmetric in Israel’s favour if looked at through military lenses only, but Israel has got remarkably little out of that. – another indication of the limited weight of military power. In both of them Great Powers have been strongly involved on opposite sides until the end of the Cold War – Russia has only to a limited extent taken over the interests of the USSR.

Lebanon, like Former Yugoslavia, is a case where a single state can form a security sub-complex. It was never very self-contained, different groups looking in different directions (Syria, Israel, Iran, France et al) for support and Syria and Israel often intervening in different ways, including full-scale invasion and occupation, but it always had many actors – at one time point, there were seventeen armies and militias with their political leaderships, not counting the foreign ones, but none of these seeking independence or statehood and the main challenges were occasional attempts at providing the Army of Lebanon with a monopoly, which never managed to get far beyond the paper on which they were written, and minor groups who would continue to see Lebanon as a part of Syria. No group was ever able to dominate the entire Lebanon – a suitable counter-coalition could always be found, but there were temporary zones ruled by the armies of Israel or Syria while Lebanon is treaty-bound never to invite forces hostile to Syria on its territory.

The Lebanese complexities took many years to penetrate international mass media, which would try to squeeze into some version of two-party conflict, such as “Christians vs. Moslems”, or “left wing vs. right wing”, neither of which came even close to fitting the facts of forever shifting coalitions between the actors.

Afghanistan and Iraq

Afghanistan was fairly self-contained in some periods (but still one of the objects of competition and more of a sub-complex to the “maximal” Middle East security in

others.). The many actors (clan confederations, etc.) had in common that they would not tolerate attempts at establishing a strong central government, whether domestic or foreign. The Afghans threw the British Empire out three times (around 1840, 1880 and 1920) and then the Soviet superpower in 1990 after ten years of war, so it looks like a good bet that USA will be gone within a few years. The actors were always many, in shifting coalitions, the most well-known example being the USA, first heavily supporting and then fighting Al-Qaeda and Osama bin Laden. Only rarely did a single actor come close to overall dominance, the latest example of that being the Taliban in the late 1990s, when it had managed to wrest control from the local would-be left-wing strong central government and its USSR armed support - and then from most of the local warlords after the USSR pull-out (it was with the help of the surviving ones that USA managed to drive the Taliban out of so much territory, or at least under ground). There was, however, unanimity on Afghanistan: no important actor questioned it or sought statehood of its own. With the Taliban as the exception, the conflict system was symmetric, in the sense that nobody came close to dominance - this would call for a whole coalition of actors. Since the early 19th century, there were always Great Power interests involved, from the Great Game before the First World War to the intense US-USSR competition from the late 1970s.

Though located on territory with five millennia of history of city states, empires, caliphates, etc., Iraq as a state was constructed after the First World War from some wilayats of the Ottoman Empire (Kuwait had first been broken out of Wilayat Basra by the British to be made their protectorate) to satisfy in part a promise to Sherif Hussein of Mecca about an Arabic kingdom with his son Feisal implanted as the first king. (another son, Abdallah, was implanted as Emir and later king of Transjordan). Its boundaries were finely tuned by "negotiations" under British chairmanship (which had instructions not to give Iraq any coast) between Iraq, Kuwait and Saudi Arabia in 1922 and by consultations with some of the Kurdish chiefs in the Mosul area showing that these preferred joining Iraq to remaining in Turkey. The Hashemites were unfortunate, being widely seen as foreigners: the British first had to fight a war to seat Feisal in Iraq - and later, when he became too independent, replaced him by his son Feisal II, who was publicly hanged together with his prime minister Noori after a coup d'état in the late 1950s that - together with later ones - moved Iraq from being one of the most pro-Western to one of the most anti-Western states in the area. During long periods with military regimes with their basis in the Sunni minority in Central Iraq, the only other significant internal actor was the Kurdish leadership in the north, shifting between domestic war and sitting in the Iraqi government. After the US invasion, the number of actors (based on language, religion and the clan system) has multiplied, some of them actively fighting each other. Since Iraq has long been an active player in the wider security complex, it was never very self-contained as a sub-complex of its own. Kurdish factions looked at Israel, (the Shah's) Iran, USA, etc. for support.

The only part of Iraq that intermittently sought statehood of its own was the Kurdish area. But since its leadership(s) found that it was easier to get external support (regional or international) if not doing that, a low profile has usually been kept

on that issue, even though Kurdistan has de facto been quite similar to a state at the same time as not publicly questioning the state of Iraq. For a long time, Iraq was ruled by military regimes with leaderships in the Sunni minority. After the US invasion, the armed forces of Iraq were first dissolved, after which the USA attempted to build up new and multiethnic forces; what happens with them after a USA withdrawal is anybody's guess.

An overall comparison: Where is Somalia?

On each of the six questions listed in the first section and crudely treated there, we find greatly different answers for different security complexes and sub-complexes. Furthermore, the answers change over time for some of the questions. Since the variations are so great, this means that there are no ready-made groupings to try to fit Somalia into: we will rather have to look whom Somalia is most similar to dimension by dimension and then see what conclusions, if any, can be drawn from that.

As for the first question, how self-contained a security complex or sub-complex is, some of our cases have low values, others vary over time. The latter group crudely coincides with the countries that can be seen as sub-complexes within greater ones (Afghanistan, Iraq and Somalia itself), but not entirely: Lebanon has more limited possibilities for self-containment.

As for the number of actors, most others have many, like Somalia itself, so here is little more to get by contrasting. We find more variation as to whether single states/sub-complexes contain parts with state-like qualities. Somalia clearly does (Somaliland and Puntland), as did Former Yugoslavia, Palestine and Iraq. The related question, whether the existence of the state is challenged by some of its parts, the Yes for Somalia puts it together with Iraq, Former Yugoslavia (and some of its successors) and Israel/Palestine, but apart from the non-challenged Afghanistan and Lebanon.

If we ask the question about symmetry as, "Can one single actor prevail on its own?", the answer for most security complexes and sub-complexes is "No, that takes a wider coalition", as it also seems to be for Somalia.

Summing up by this crude count, there is none of the other cases taken up here that resembles Somalia perfectly by having the same value on all six dimensions. Those that come closest are those that, like Somalia, are at the same time parts of wider security complexes and sub-complexes in themselves: Former Yugoslavia, Afghanistan, Iraq and Lebanon. Yet in each of these cases, there is some crucial difference. If we give some weight to whether the state is internally challenged or not, then Somalia lies closest to yesterday's Former Yugoslavia and today's Iraq, with Lebanon and Afghanistan one further step removed. Since these four countries differ considerably if we take more thorough analyses into account, the conclusion may be that they can at most give some ideas about Somalia, but not enough to be clear guidelines: Somalia must be thought of and treated as unique, further ideas to be had from

a deeper analysis of Somalia in its security context rather than extrapolations from elsewhere.

Unite the People from the Red Sea to the Indian Ocean: Division and Fragmentation Has Not and Will Never Work!

I. Inspiration

“As long as boundaries inherited... drawn arbitrarily with no heed to the ethnic, economic and social realities of Africa (continue), so long shall we be plagued by the political refugee problem... (Thus) the fault is in ours, not in our stars!” K. Nkrumah, October, 1965, Accra

“Where there has been racial hatred, it must be ended. Where there has been tribal animosity, it will be finished. Let us not dwell upon the bitterness of the past. I would rather look to the future, to the good new Kenya, not to the bad old days. If we can create this sense of national direction and identity, we shall have gone a long way toward solving our economic problems.” Jomo Kenyatta, Kenya’s founding President

“This is my plea to the new generation of African leaders and African peoples: work for unity with firm conviction that without unity there is no future for Africa...I reject the glorification of the nation-state, which we have inherited from colonialism, and the artificial nations we are trying to forge from that inheritance. We are all Africans trying to be Ghanaians or Tanzanians. Fortunately for Africa we have not been completely successful...Unity will not make us rich, but it can make it difficult for Africa and the African peoples to be disregarded and humiliated. And it will therefore increase the effectiveness of the decisions we make and try to implement for our development. My generation led Africa to political freedom. The current generation of leaders and peoples of Africa must pick up the flickering torch of African freedom, refuel it with their enthusiasm and determination, and carry it forward.” Julius Nyerere, First president of Tanzania

“Deal with the enemy of today without ever forgetting that he could become the friend of tomorrow” Habib Bourguiba, First president of Tunisia

“...Constructing a nation from scratch: We know we don’t have the knowledge. We know we do not have the resources. We know we do not have the experience. Our conclusion is: let’s face it.” Isaias Afewerki, current president of Eritrea (quoted from National Geographic, June 1996, p.87)

2. Introduction

The Horn of Africa Conference was held for the sixth time at Lund University, Sweden between 23 August and 26 August, 2007. It is guided by a wonderful concept of generating constructive dialogue amongst civil society groups, scholars, political leaders and business communities from the Sudan, Somalia, Ethiopia, Eritrea and Djibouti

The theme of the conference was on post-conflict peace-building with the objective of identifying key characteristics and contentious issues with a view to facilitate a communicative rationality to encourage consensus by enabling networking and possible undertaking of future activities by the stakeholders drawn across the regions. Indeed such a venture to bring the relevant and significant actors from the region together to learn to cooperate and not continue to fight and hate is commendable. In this conference attendance was full, the arguments were lively and at times heated and the issues urgent and very compelling. Not only were all the ambassadors from the region represented and participating, (except Eritrea represented by a Counsellor serving as the ambassador), but also scholars from the region as well as from Scandinavia participated. There was a lot of information and opportunities for networking in the conference. The conference was to come up with recommendations to facilitate a post-conflict era in the wider region from the Red Sea to the Indian Ocean. The question we ask is the following: will such a useful forum be helpful in advancing the cause of building trust and moving into a higher level of unity amongst the relevant forces in the region? Can it be useful to create dialogue and communication by refocusing thought and action to solve the real problems of real people? Can it bring the communities, intellectuals, civil societies, the state and society together? If nothing else this conference concentrates our thoughts to ask many pertinent questions.

3. Special Relationship

The people residing from the Red Sea to the Indian Ocean have a special relationship. The Ethiopian ambassador made this point very clearly and on several occasions in the two days I attended on the 25th and 26th. The people and the region can either move forward by acting together “like a great body that refuses mutilation” (Fanon) and work for enduring composition or they can also remain trapped in fighting, spreading hate and confusion by trying to pursue misguided missions to form nations without knowledge, resources and experience as Isias boasts. In Africa the post-colonial states have not been successful in bringing about a tolerable and acceptable level of well-being for the people nor yet bringing fully the dignity and respect of Africa from marginalisation and a constant state of conflict and warfare. The countries of the Horn of Africa by now should have learned the bitter lesson from the way they

mutilated each other by joining the Cold War and dying for an agenda which had nothing to do with their own welfare. Having failed to learn from the Cold War debacle, they seem to fall once again to being victims of global agendas and global politics they have absolutely no part in manufacturing. Some of them fight on the side of one set of global actors that fight another set of global actors. As long as they continue to do so and behave with such subservience to other powers greater than them, they may have a geographical proximity, but may not be able to realise and cement their special relationship to construct a shared present and future free from war and misery. A special relationship means a unity of purpose and approach to develop a shared goal, direction and strategy on how to deal with the external forces and internal challenges in the region itself. How can "one Africa that fights against colonialism and another that attempts to make arrangements with it" (Fanon) ever unite to pursue shared goals either as good neighbours or as entities that need to share a common approach in relation to outside forces that come with their own exclusive agenda and/or internal challenges that can be overcome by deploying unity born of the special historical, cultural and spatial connections of the region and the people in it?

4. Myth of Origin

Looking far back at the possible birthdates of the names Ethiopia, Sudan, Djibouti, Eritrea and Somalia, one finds a remarkable history that they more or less originated in the same area and the forces that shaped each one has shaped the other. If we look back thus to the myth of origin of these entities, we find that it argues for their unity and composition rather than their division and fragmentation.

If we take the Pre-Judaic, Pre-Christian and Pre-Islamic phases of historical evolution, again the same thing transpires: the same forces that shaped each have shaped the others.

If we take the Judaic, Christian and Islamic periods respectively, we see a history of interaction, communication, migrations, wars, and a shared civilisation and extensive contact through trade with the outside world of Europe, India and China. We see that not only did these entities from the Red Sea to the Indian Ocean communicate through mutual subjugation and the brutalities, injustices and oppressions recorded in history from the outside medieval and ancient worlds, but also through the migration of their own civilisations through the Indian Ocean, the Mediterranean, even the Atlantic and other outlets. (Shihan de S Jayasuriya & R. Pankhurst (eds.) *The African Diaspora in The Indian Ocean*, 2003)

The division of these entities into the states as we know them, as they are arranged now, came during the notorious period of the European Scramble for Africa. During this period in the 19th century the people of this region were divided or mutilated and their determined resistance against the colonial encounter was largely and on the whole, though heroic, unsuccessful. Even the Ethiopian kings, who appeared to have

been able to snatch and retain from the jaws of the European scramble a territorially carved Ethiopian state formation that waxed and waned territorially over time, were on the whole only able to maintain and retain a tenuous grip. Their states have been constantly threatened by perfidious imperial humiliations through unequal treaties and unrealistic and unfair border demarcations that imbedded the seeds of all sorts of conflicts and antagonisms that have undermined the state and unification in Ethiopia. The imperial-colonial pressure was victimising rather than building. Ethiopia emerged scathed with the scars and threats of the imperial agenda of the time, falling prey to it once more by those it defeated, for example, at Adwa in 1896 and falling under fascist occupation between 1936 and 1941 under the Italians' colonial adventures.

Whilst it is very clear to any sober person that Ethiopia suffered as an oppressed country, and that whatever it managed to recover from the imperialist onslaught was gained through huge sacrifice and resistance, a particularly sinister reading and twist was given to its role during the Scramble for Africa, as if it were part and parcel of the Great Powers, and indeed a great power itself! Nothing can be further from the truth than this preposterous claim that Ethiopia was part and parcel of the imperial and colonial system. Ethiopia was a victim of the colonial-imperial order and cannot be considered as part and parcel of the imperial system even if it were to have allied with one sort or group of imperial powers locked in rivalries with each other to retain a partially carved state from the Indian Ocean to the Red Sea.

In the Conference in Lund some delegates who should know better tried to spread some unusual tales claiming that the current Somali invasion by the Ethiopian Government was a continuation of the imperial colonial project of the Scramble for Africa, where they alleged Ethiopia participated by sending a delegation to the infamous Berlin meeting 1885. Even if Ethiopia sent an observer, it is a far cry from exaggerating such a presence into a role that Ethiopia was part of the forces that carved the African continent.

Conceptually such a claim is outrageous and bankrupt. The Ethiopian emperor was clear that the people from the Red Sea to the Indian Ocean are historically and culturally connected. But he lamented the fact that the imperial project disrupted their unity and appealed to God to restore their unity at some possible time in the future. That prescient insight by Emperor Menelik has nothing to do with a colonial project. It has everything to do with redressing Great Power imperial and colonial injustice visited upon not only on the people from the Red Sea to the Indian Ocean, but also on Africa from the Mediterranean to the Indian and Atlantic Oceans.

In Ethiopia those who had legitimate demands for decentralisation of the states of the region, particularly in Ethiopia by localising authority at the grassroots, by devolving power and empowering ordinary citizens, went overboard and created false ideologies of Ethiopia as a 'colonial' power. This thesis has been loosely spread by books such as Addis Hiwot's *From Autocracy to Revolution*, London, published by the Review of African Political Economy group, 1975, Bereket Habte Selassie, *Conflict and Intervention in the Horn of Africa*, MRP, New York, 1980, A. Jalata, *Oromia and Ethiopia: State Formation and Ethnonational Conflict 1868-1992*, Lynne

Reinner, 1992, Sisay Ibsa et al *The Invention of Ethiopia*, Trenton, Red Sea press 1991. There are many articles and pamphleteering from the various fronts from the TPLF to OLF, ONLF, Sidama Liberation Front and others that spread loosely the false conception of Ethiopia's relations with the various communities both inside and outside the region as a colonial relation. This sinister anti-intellectual and devious misconstruction must be rejected and the precise concept that truly characterises relations of oppressions involving the peoples of the region re-formulated by mounting an unsparing criticism of so much of the propaganda masquerading as science. Ethiopia's relations with Eritrea, Somalia, Djibouti or Sudan have never been colonial and are not colonial in the sense of a relationship that Britain, Italy or France had with these various states including Ethiopia.

5. Build the unity of the people from the Red Sea to the Indian Ocean

The people of the region must enter into an overriding project to unite and reject colonial boundaries. It is a scandal that in 1998-2000 nearly 100,000 people died to defend borders drawn by others for their own reasons against the interest of the grass-roots population, by the elites that chose to split Eritrea from Ethiopia and bring both regions to the brink. This is indeed a historic wrong that continues to amaze all justice and humane people throughout the world. Not only has a war been fought, but to this day a no war and no peace state prevails, affecting negatively the people who live on both sides of the Mereb River.

The elites have created refugees from each side and it looks as if the refugees have turned into a breeding ground to destabilise each regime. In recent weeks a new rhetoric has been launched by the rulers in both Ethiopia and in Eritrea. Isias has given an interview in a glossy magazine in three languages about his undying and unchanging commitment to a 'one Ethiopia – andit or hanti Ethiopia'!!! He declared on the front cover: "It's our persistent stance to strive for a united Ethiopia." Isias utters such a statement, according to the Ethiopian ambassador in Stockholm, whilst hosting forces that have an explicit agenda to break away and create splinter states from Ethiopia in Asmara!

It is also the case that Isias has been instrumental in the support given to the TPLF during its early formation. It is no exaggeration that the formulation of Eritrea's relation with Ethiopia as a relation between colonized Eritrea and colonizer Ethiopia has given impetus to the tactics and strategy of using and exacerbating ethnic divisions in order to facilitate Eritrea's separation from Ethiopia. This strategy has been used by the EPLF and now it looks rhetorically as if Isias wishes to join the forces of unity rather than the forces of fragmentation. Curiously on the back cover of this glossy magazine, which was distributed at the Lund conference, it has a picture of

engineer Hailu Shawl of CUD and Siye Abraha of the TPLF!! Siye has been credited for refusing to be bullied by Isias and urging to re-arrange fair settlement of the Eritrea and Ethiopian problem.

To his credit Isias now seems to oppose ethnic inequalities under the guise of equalising ethnic communities in his concept of 'hanti Ethiopia': He said:" The people of Tigray have suffered and have become victims of the hostility created by the TPLF regime's apparent favour towards the people of Tigray over other ethnic groups."(p.56) What prompted this commentary in a glossy magazine projecting an austere and modest Isias? If indeed there is a profound change in the way Isias understands Ethiopia, his call for 'hanti Ethiopia' can be welcomed. The real problem is what does Isias understand by it and even more do his word and deed match or go in opposite directions as the Ethiopian ambassador to Stockholm pointed out at the conference? The true reasons for this latest posturing by both sides, i.e. Isias swearing for Ethiopian unity on the one hand, and Meles and Sebhat swearing to preserve Eritrean sovereignty on the other, may be revealed when something in terms of actions ensue.

The only way that the recent rhetoric from Isias can be taken seriously is if it stops him from reacting with knee-jerk logic and continues to support forces that keep misformulating relations between Ethiopia and others in the region with concepts of colonialism and such like. Any colonial formulation is not aimed at a fight against the regime in Ethiopia now. It becomes a fight against Ethiopia's existence: it is thus, above all, a fight for the very survival and ontology of Ethiopia as an entity and country itself.

The TPLF leaders now in power also believe in such loose concepts as Ethiopia being a 'colonial power in Eritrea' and they too are putting at risk the very survival of Ethiopia both by the clumsiness of ethnising the country's politics and by insisting Ethiopia had been a 'colonial' power over Eritrea until they took over the helm of state and found they had to deal with their own idiotic games on Ethiopia's future. Such self-serving formulation has deeply hurt Ethiopia's prospects and future. The worry that Ethiopia may be harmed by them is shared by all those who understand Ethiopians having a project of unification of the people who share a long history and fate from the Red Sea to the Indian Ocean.

6. Searching for a constitutive foundation to unite the people in the region

Looking back to the long duree, one sees the origin of each of the states we now call Djibouti, Eritrea, Ethiopia, Somalia and Sudan is shared and similar. And if we, for example, take the origin of Ethiopia we see two myths of origin: one is Atiopik, grandson of Noah who created the Ethiopian nation and his son Aksumai who

formed the Axumite civilisation. In this sense Ethiopia, which included not only the states of Eritrea, Djibouti and Somali and Sudan, but also southern Egypt, Yemen east of Aden, Southern Saudi Arabia can be seen to be like what Scandinavia is to Norway, Denmark, Finland and Sweden today. The other version is Ethiopia as in the Greek term for sun-burnt faces, and in this latter sense, Ethiopia can mean 'the whole of Africa' today.

If we take each of the states and play back history we see the organic connections that existed amongst them throughout history until the 19th century Scramble for Africa. This brings us to an important theorem. How have we tried to understand the past? How should we understand it now? Should we derive positive possibilities from our past or condemn it? Should we dialogue with the past or reject it? Can we back-cast to look far ahead in the future and shape the future together with rules and procedures for full rights of all the grassroots whilst finding workable arrangements for living together peacefully and with security and stability? What constitutive foundation will bring the people from the Red Sea to the Indian Ocean to live together in peace, stability, security and unity by doing away with the hurts, hatreds, fights and various unhealthy interventions by outsiders owing to the chronic mistrust, fragmentation and divisions amongst the people that has made it possible for such negative and destructive interventions to occur so frequently and so unnecessarily? How can we heal the divisions and create trust to go beyond the innumerable tragedies, hatreds and fights that have accumulated over years and years of wrongs and internal oppressions backed by external divisive interests?

Moreover should we look back to our past to learn from it or justify the current fragmentation? Should we look at the past to justify division rather than overcome it? Should we look at the past to set new standards rather than accept the ineffective post-colonial states that have earned the ignominy of a varied status of fragile, collapsed and failed states? How can we derive positive and constructive spirit and energy from the past to create a positive and constructive spirit and energy capable of generating a national direction for transforming the individual, society, and economy, polity with shared democratic systems, rule of law, human rights and governance in the region as a whole?

The 19th century division mutilated the body of our region as indeed it mutilated the whole of Africa to use Fanon's words. As the distinguished thinker, Prof. Kwesi Prah put it: "We had nothing to do with the creation of these states (say from the Red Sea to the Indian Ocean in our case). They were created for us, not with the intent of serving our interests, but rather with the object of benefiting the European powers, which carried out this carve-up, so painfully, and with ruthless determination. Ironically, while we often bemoan colonialism and the legacies of the colonialists, we appear to want to defend, most tenaciously, the most detrimental legacy of colonialism, the colonial borders." (The Africa Nation: the State of the Nation, CASAS, Cape Town, 2006, pp.289-290). Wars have been fought between Ethiopia and Somalia, Ethiopia and Eritrea to defend colonial borders drawn by others for their own purposes. People have died in hundreds and thousands for something that must be rejected and not defended. Eritrea and Ethiopian ruling elites tell us they are in a

‘no war and no peace’ situation because they are fighting over the issue of making sure one of the borders drawn by Italy that divides families and parishes must be honoured. Such is the utter bankruptcy, myopia, lack of self-respect, and criminality of the elites that rule with crude power, putting at risk our region and not having any positive hope to offer a way out.

9. Concluding remark: the only way out is *unity* not fighting and spreading hate and lies!

This commentary was prompted by the Conference on the Horn of Africa in Lund. I found the emotional temperature of this conference very high. It was difficult sometimes to see a constructive way out when people who should behave as organic intellectuals and see deeper and with greater vision feel hurt and communicate that hurt. I write this to urge us to go beyond the hurt and find a resourceful way to deal with the many problems and conflicts that complicate the emergence of a bright future for our region.

I think we can only ignore or side-step the variegated history of communication of the peoples through migration, civilisation, wars and injustices at our peril. The past must be handled with moral intelligence and we must be prepared to deploy and construct the present and shape the future. The 19th century burden must be lifted from the backs of our region by only rejecting it and not defending it. Unity of the region must be a priority of priorities. The people must be allowed to come together. The elites must stop using various stratagems to obstruct the crystallisation of people’s unity in the region. The people’s transactions must be increased systematically and not discouraged. The architecture of peace and stability must be built not partially but regionally. There must be legitimate and agreed rules and procedures to bring us together. Without building a common perspective of the region in relation to external and internal challenges, it would be difficult to create enduring institutions that can valorise the power, rights and freedoms of the people of the region by constructive, flexible, sustainable and workable democratic arrangements.

The current destructive expressions of elite nationalisms will not bring the region together. Religion will not bring us together either. Only sustained commitment to democratisation and liberty to realise and consolidate the unity of the region and the people from the Red Sea to the Indian Ocean will bring us to the promised land of unity and development in freedom. And once we unite, we can create the model for the next important project: the unification of Africa, starting from the Mediterranean to the Indian Ocean and culminating from the Atlantic to the Indian Ocean. When we become more Africans, we become even stronger Ethiopians, Somalis and Sudanese by embedding our security, stability, peace, freedom, democracy, rule of

law, freedoms of association and speech and governance in our region on a sustainable pedigree.

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Perspectives on Somalia

Statement on Somalia

Excellencies, Distinguished Delegates

The Transitional Federal Government of Somalia was the outcome of the two and half year's reconciliation conference held in Kenya, participated in by various stakeholders of the Somali conflict. The fundamentals of the TFG are based on three pillars: a) the sharing of the political power on clan basis (the 4.5 formula), (b) Transitional federal charter, and (c) federal administrations.

On the basis of these agreements parliament was established, the president was elected and the cabinet was nominated.

Excellencies, Distinguished Representatives.

It is obvious, that the absence of an effective government in Somalia for nearly two decades created an atmosphere of absolute lawlessness where the gun was the master. For some, the violence became a wealth-generating business enterprise. The categorization of all acts of violence in Somalia as having a political foundation gave the beneficiaries from these acts power, and made them "faction leaders". It was imperative to deal with this widespread lawlessness in the country.

For the first two years of its existence, the TFG has taken a conciliatory approach to dealing with the political and security situation they inherited and tried to accommodate all the leaders of the armed factions.

Today, some of those who have lost the monopoly of violence are trying their best to intimidate the government and people of Mogadishu by carrying out acts of terrorism, by planting explosives in the streets of the capital or targeting prominent individuals for assassination. This small criminal class must be dealt with in a manner that effectively puts an end to the kind of lawlessness that rendered our country to become a potential haven for international terrorism.

The government is resolved to root out terrorism from Somalia, restore law and order, rehabilitate state institutions, and last but not least, establish good governance. Together with our friends we have made substantial gains in some of these important areas.

1. Security situation

Since the fateful error of the ICU forces in attacking the temporary seat of the Somali government, the TFG forces assisted by our Ethiopian allies are fully in control of most of Southern Somalia. The TFG is following a two-pronged approach to pacify these areas.

- First, we intend to vigorously fight lawlessness and eliminate extremism.
- Second, we want to quickly rehabilitate the administrative and legal apparatus of the government including the police stations, regional and local courts, and other security and legal institutions.

We have thus far succeeded in completing the reestablishment of regional and local transitional administrations in most of the southern regions of the country including Mogadishu.

Today, with the exception of some pockets of Mogadishu, Somalia is indeed peaceful and the people are going about their daily life without fear for their lives. The government is determined to restore peace to Mogadishu too.

2. Political process

As you are all aware, the political spectrum of Somalia changed radically with the defeat of the Mogadishu warlords at the hands of the Union of Islamic Courts. The government tried to engage with the Islamic Courts in order to find a way out for Somalia. Unfortunately the Courts had no plan to negotiate and used the Khartoum meetings as a delaying tactic until they took control over the rest of the country by force and created new realities on the ground. Their true intention became apparent in December 2006 when their forces attacked Baidoa, the seat of the TFG.

Despite this change of circumstance, the TFG extended a conciliatory hand to the moderate elements of the UIC to join the political process. Instead they preferred to seek sanctuary in Eritrea and mastermind the terrorist activities that were seen in some parts of Mogadishu. That will not succeed.

3. The national reconciliation congress

In order to complete the reconciliation process and draw the curtain on the darkest period of Somali history, President Abdullahi Yusuf called for a national reconciliation congress. It is not, as some cynics have it, a window dressing meant to get financial support from the international community. This is a genuine all-inclusive Congress to which the government is committed to ensuring its success with or without external help.

- The Congress is supervised and administered by an independent group of distinguished citizens led by the former president Ali Mahdi Mohamed.
- The attendance is based on the representation (4.5 formula) and is open to whoever is nominated by their clan leaders with respect to guidelines set by the National Governance and Reconciliation Committee.
- The participants will include clan leaders, religious leaders, business community, women and youth groups, representatives from regional and local administrations, and Somali professional organizations including local non-governmental organizations and the Diaspora communities.
- The TFG will respect the outcome of the Congress and will give the outmost consideration to the recommendations outlined by its participants. The aim of the Congress is to facilitate genuine national dialogue and resolve outstanding issues between the various clans.

The success and sustainability of the Somali peace process depends not only on the agreements among Somali Clans and the efforts of our Government but also on the commitment and assistance of the international community. Both regional and international involvement are needed. The challenges that await my government however continue to remain daunting and the TFG now more than ever needs your sustained support.

4. International support

The vast majority of the Somali people inside and outside the country support the Government and the Government is trying its best to restore law and order and good governance to Somalia. We know it is not easy and we are not complaisant.

But Somalia needs political and economic support from the international community. The many pledges of support we were given in the past three years were not translated into reality. We don't think the international community would want to

see Somalia slip back to the bad old days of instability and bloodshed. There is a real opportunity for Somalia to rise once again and that opportunity is with the TFG. The alternative is chaos and instability in Somalia and beyond. A peaceful Somalia is in the interest of world peace.

The Somali government has almost no indigenous economic capacity to effect and sustain quick change on the ground on its own and this makes the need for the international community to fulfill its pledges all the more urgent.

As the Somali President recently said, the outside world promised a reconstruction plan with a full package to develop the lives of Somalis in war-torn Somalia but the efforts of the international community are confined to meagre humanitarian work.

As of today, the financial support the TFG receives is at best negligible and miraculously we are still holding pretty firm. The alternative simply is not acceptable. Unfortunately, the only thing we hear from some members of the international community is a growling protest against the security operations undertaken by the TFG with the help of our Ethiopian and AMISOM friends. We simply refuse to go back to hell again, but we may be forced by circumstances to remain in purgatory a bit longer than we must if the international community fails to fulfill its promise.

With no means to put boots or uniforms on our forces, nor the means to arm, feed, or pay their salaries, the TFG might not be able to forever contain the forces of doom and gloom that have nothing to lose and everything to gain from the perpetuation of anarchy in Somalia. In the meantime, external material and moral support continues to replenish the coffers of the terrorist groups in Somalia through Eritrea among other places.

The Transitional Federal Government would like to reiterate its commitment to cooperate with and support relief agencies and would like the International Community to contribute more urgently needed humanitarian assistance. The whole country needs immediate intervention to rebuild and redevelop what was destroyed.

Support for AMISOM in Somalia: Ladies and Gentlemen, let me clearly state our heartfelt and sincere appreciation of our friend and neighbor, Ethiopia, who came to our rescue and sacrificed both blood and treasure to save us from the global terror network. We are also equally grateful to the people and government of Uganda for their generous and tangible support to the TFG.

The Ugandan AMISOM contingent continues to make a real difference in the streets of Mogadishu everyday. We are eternally indebted to both of these sister countries. Hopefully one day we will be able to return the favor.

We understand the desire of our Ethiopian friends to go home and Somalia is forever grateful for their sacrifice, but without the arrival of the complete AMISOM forces the departure of the Ethiopian forces will create a potentially catastrophic security vacuum, which only services the dark forces of terror and destruction. Therefore, we would like them to remain in the country and help maintain peace and stability until the African peacekeeping forces arrive in reasonable strength or until the Somali forces reach a level of strength in number, equipment and training that gives them the capability to do the job themselves.

Finally, as some of your Excellencies will surely understand, democracies may be able to easily defeat terrorists and other elements of organized crime militarily; but it is not nowadays nearly as easy to defeat these criminal forces in the political realm. This is especially true when criminals master the language of democratic discourse and cynically and maliciously exploit it by appealing to the sensibilities of civilized society; when in fact, they are, on the other hand ceaselessly working to bring that which nourishes these very sensibilities to an abrupt end.

The supporters of the so-called UIC in Somalia fall squarely into this category. On the one hand, they want to commit horrendous, indiscriminate acts of terrorism including assassinations and the planting of Improvised Explosive Devices (IEDs) for the sole purpose of murdering and maiming not only the TFG's security forces but also those of AMISOM and civilians. On the other hand, they expect to be exempted from the due process. A great danger looms in the view espoused by some organizations and states that protecting the rights of the terrorists must take precedence over that of their victims.

These groups have enough surface-to-air missiles, suicide vests and explosives to sustain their war against the internationally backed Somali government, largely due to secret shipments from Eritrea. According to the United Nations, Eritrea has shipped a "huge quantity of arms" to these groups. The shipments continued despite UN efforts to bring peace to Somalia and the deployment of African Union peacekeepers.

I hope that this distinguished panel will help the larger community get a fuller appreciation of what is at stake in Somalia and how critical it is for the TFG to succeed in resuscitating this long comatose state. To this end, I once again appeal to you individually to convey to your respective governments the difficulty that we face in bringing peace and stability to Somalia.

We are, on our side, ready to engage, embrace and even incorporate into every sector of the government those who genuinely foreswear violence and make a commitment to a true peace and reconciliation before it is too late.

Conclusion

In conclusion, Somalia is back on track and moving on. The future is bright for Somalia and the fruits of the reconciliation process will be seen soon. We will no longer allow the nation to be held to ransom through violence and intimidation.

The international community should not stand on the sideline and give lip service to Somalia. A genuine political and financial support from the international community will speed up the reconciliation process and make sure that Somalia will never be a haven for international terrorism.

There is no going back for Somalia.

Thank you.

The Horn of Africa and the US “War on Terror” with a Special Focus on Somalia

Abstract

Even though the war on terror proclaimed by President Bush after 9/11 2001 has mainly focused on Afghanistan and Iraq, the Horn of Africa has also featured quite prominently. The US assumes that this subregion is particularly prone to terrorism, both in the sense of a battlefield, breeding ground and hiding place for terrorists – especially of the Islamist or Jihadist brand. These assumptions have motivated the launch of several regional counter-terrorist initiatives. Closer analysis of the historical record and the available statistics, however, provide no empirical support for these assumptions. On the contrary, the incidence of terrorism on the Horn is generally quite low, most terrorist incidents are politically motivated, and those in which religion plays a role have mainly been perpetrated by a sectarian Christian movement, the Lord’s Resistance Army.

The paper then focuses on Somalia, showing how statelessness has persisted since 1991, yet with some redeeming features and significant elements of order. This incipient stateless order was upset by US attempts, in the spring of 2006, of forging a counterterrorist alliance of warlords. This provoked a countervailing alliance of Islamic courts which emerged victorious in the summer of 2006, taking control of Mogadishu and most of the rest of the country. This in turn provoked an Ethiopian military intervention in December 2006, ostensibly in support of the otherwise moribund and impotent Transitional Federal Government and with explicit US support. Having defeated the Union of Islamic Courts, however, neither the TFG nor Ethiopia, the African Union or the United States have been able to restore order in the country which has, moreover, been designated as a battle ground for the war against the infidels by the Al Qaeda network.

Preface

The Horn of Africa has long attracted the attention of external players, first in the era of European colonialism and then during the Cold War when it became an arena for the global struggle between East and West. Most recently, it has drawn the attention of the United States as a potential hotspot of international terrorism, as a consequence of which Washington has launched several programmes, all intended to prevent or defeat terrorism in the Horn of Africa. The paper critically investigates some of the underlying assumptions of these programme, finding most of them to be unfounded. It then proceeds to zoom in on Somalia, which has especially been in the spotlight in recent years. The article provides an account and analysis of the issues of nationalism, religion, clanism and state-building in post-independence Somalia as a preliminary to a more detailed study of the recent crisis, pitting a weak transitional government backed by neighbouring Ethiopia against a loose union of Islamic courts. It concludes by outlining two possible scenarios for the future – one optimistic, but unlikely and one more likely, but profoundly pessimistic.

External Powers in the Horn of Africa

The Horn of Africa (HoA) subregion is here defined as comprising Djibouti, Eritrea, Ethiopia, Somalia and Sudan, but other analysts have included Kenya in the subregion, while some have excluded Sudan from it.¹ One also sometimes encounters the term “Greater HoA”, defined as comprising the Horn itself as well as Kenya, Uganda and Tanzania. In between the two is the delimitation of the subregional organisation IGAD (Intergovernmental Authority on Development), to which Kenya and Uganda, but not Tanzania, belong.²

Not only the United States but other external powers have long played an important role in the HoA. During the scramble for Africa in the late 19th Century,³ both the UK, France and Italy were eager to impose their colonial suzerainty over parts of the subregion.

The French established themselves in French Somaliland, i.e. the present Djibouti⁴

The Italians made bids for Somalia where they established a colony in the southern parts,⁵ as well as for the present Eritrea and Ethiopia. They were, however, defeated by the latter in 1896 in the famous battle of Adwa.⁶

The lion's share was, as elsewhere, taken by the British, who not only established themselves in British Somaliland, i.e. the present Somaliland. They also beat the French to the control of the Sudan (at Fashoda)⁷ over which they established a peculiar form of condominium rule jointly with Egypt.⁸

As elsewhere in the world, however, the United States showed no particular interest in establishing colonies. On the other hand, the Ethiopian empire embarked on a project of territorial expansion into neighbouring territories, representing a form of intra-African imperialism.⁹

The colonial period also saw isolated instances of what is most appropriately called national liberation, but might today have been labelled “Islamist terrorism,” especially in Sudan and British Somaliland. The *Mahdist* revolt from 1881-1885 against combined Egyptian-Ottoman rule was led by Muhammed Ahmad (1843-1885) who proclaimed himself *Mahdi*, i.e. “righteous”.¹⁰ Demanding the establishment of an Islamic state and the imposition of *shari’a*, he proclaimed a *jihad* against the infidels, thus launching what essentially amounted to a war of national independence for Sudan. His followers were a blend of devout ordinary Muslims and former slave traders, whose business had been damaged by the British anti-slavery raids¹¹ and the imposition by the UK of anti-slavery legislation in Egypt (hence also in Sudan). The armed struggle of the Mahdist *Dervishes* was remarkably successful, leading by 1884 to an Egyptian withdrawal followed by the fall of Khartoum to the *Dervishes* and the establishment of the Islamic state, the *Mahdiyyah*. Upon the death in 1885 of the *Mahdi*, his successor Abdallahi ibn Muhammad established a *khalifate*, which proceeded with the *jihad*, e.g. with raids into southern Sudan and even Ethiopia and Egypt.¹² These offensives, however, brought the UK into the struggle in a big way. London in 1895 thus issued an order to reconquer Sudan, in which endeavour the British forces finally succeeded in the battle of Mdurman in September 1898, followed by a total collapse of the *Mahdist* forces in November 1898.¹³ In the following decades the Anglo-Egyptian condominium rule saw a few small Mahdist rebellions (in 1900, 1902/03, 1904, 1908 and 1916), but none that represented a serious challenge.¹⁴

Even though it followed the tradition of indirect rule, British colonialism in northern Somalia was contested by parts of the local population, partly inspired by the Mahdist revolt in Sudan, and led by the Sheik Mohammed Abdile Hassan. In 1895 he launched a religiously-inspired revolt (the *Darawiish* or *Dervish* revolt) in 1895. It featured guerrilla warfare, but also established *de facto* statehood in liberated parts of the territory. This revolt by the “Mad Mullah” (as he was called by the British) was only quelled around 1920, partly by means of rather brutal air strikes.¹⁵

Whereas the First World War had no major impact on the HoA, its successor produced a certain rearrangement of the colonial map, as the UK managed to dislodge Italy from its possessions. These included Ethiopia which the fascist regime in the 1930s had finally managed (with the utmost brutality) to subdue and incorporate into its *Africa Orientale Italiana*.¹⁶ Having liberated Ethiopia, the UK in 1942 recognised its independence while maintaining its hold on parts of its territory and playing around with ideas of a “Greater Somalia” and/or an East African federation until 1954.¹⁷ By and large, however, the colonial map maintained intact until the wave of independence hit the HoA in the late 1950s. As in most other parts of the continent, independence was achieved around 1960 and generally without major conflicts, yet followed by a slight reshuffling of the territorial cards. Formerly Italian Eritrea was

thus first federated with independent Ethiopia and subsequently incorporated directly,¹⁸ while British and Italian Somalia merged almost immediately after independence.¹⁹

By that time, however, the subregion was partly subjected to the Cold War dynamics, coming to be viewed by both East and West as part of the “grand chessboard” of global geopolitics,²⁰ albeit merely an arena of minor importance, where involvement mainly took place in the form of arms provisions, sometimes in return for base rights.²¹ Because of the weakness of the states in the subregion, however, even such a minor and half-hearted involvement by a great or superpower could make a tremendous difference. Even though the HoA was thus very much “penetrated” by the global East-West conflict, the impact of the latter fell short of “overlay” in the terminology of Barry Buzan and associates.²² The pattern of alignment was neither altogether clear nor particularly durable as the “ties of amity and enmity” to a large extent remained indigenous – the most persistent being the perennial Ethiopian-Somali rivalry.

As argued by Jeffrey Lefebvre, “one cannot be friends with both Ethiopia and Somalia. Those who wish to meddle in the affairs of the Horn must be prepared to choose sides.”²³ During the Cold War, both superpowers came to realise this. The United States thus supported Ethiopia during the reign of Emperor Hailie Selassie in return for some base rights in what is now Eritrea, i.e. the “Kagnew Station”, the importance of which did, however, gradually decline. Partly as a result thereof, but also because of the Marxist and increasingly pro-Soviet leaning of the *Derg* in Addis Ababa under the dictator Mengistu Haile Mariam,²⁴ Washington gradually shifted its support to Somalia.²⁵ The Soviet Union, in turn, supported the avowedly Afro-Marxist Siyad Barre regime in Somalia until around 1976 when it gradually shifted its support to the *Derg* in Ethiopia. The Soviet ally (or even proxy) Cuba provided troops for the *Derg*’s defence against Somalia as well as, to some extent, its counter-insurgency campaigns against the various liberation movements – albeit significantly not for the struggle against the EPFL (Eritrean People’s Liberation Front), which Havana had previously supported.²⁶

The USSR already began its almost complete disengagement from all of Africa during the Gorbachev era,²⁷ thereby removing the Cold War dynamics of alignment that had previously pushed the USA to engage in the HoA. In the immediate aftermath of the Cold War the United States nevertheless became involved in Somalia in the form of a humanitarian intervention (*vide infra*). However, when this failed dismally, the USA disengaged almost as completely as Russia, not only from Somalia or the HoA subregion, but from Africa in general.²⁸

Throughout the Cold War period, the USA was on quite friendly terms with Sudan most of the time, albeit with a considerable cooling off of relations in the period when Nimeiri was “flirting” with the USSR, as well as after the assumption of power in Khartoum by the National Islamic Front (NIF) in 1989.²⁹ They did, however, maintain an engagement, e.g. with regard to the North-South conflict in which they at various stages sought to play the role of “honest broker.”³⁰ What has hampered these praiseworthy efforts is, however, the “terror issue,” to which we shall now turn.

3 The War on terror and the HoA

Many analysts have argued that the terrorist attacks against the USA on the 11th of September “changed everything”. This is surely an exaggeration, but there is little doubt that it did have a profound effect on the US attitude towards the rest of the world and that this was predestined to impact the world order, considering the US position in the unipolar world.³¹

3.1 The global war on terror and the Horn of Africa

Following the 11 September 2001 attacks against the United States, US President Bush proclaimed a “war on terror”. “On September the 11th, enemies of freedom committed an act of war against our country (...) Our war on terror (...) will not end until every terrorist group of global reach has been found, stopped and defeated. (...) We will direct every resource at our command – every means of diplomacy, every tool of intelligence, every instrument of law enforcement, every financial influence, and every necessary weapon of war – to the disruption and to the defeat of the global terror network.”³²

The United Nations implicitly gave its approval when the Security Council in resolution 1368 (12th of September 2001) explicitly called terrorism a “threat to international peace and security” and referred to the “inherent right of self-defence” endorsed by the UN Charter.³³ This was echoed by NATO’s formal activation of the article five of the North Atlantic Charter, i.e. its collective defence clause.³⁴ The proverbial *opinio juris* also seems to be in agreement on the permissibility of even anticipatory or pre-emptive self-defence against such threats, as this seems to be the only way of parrying them – e.g. by attacking such known bases of terrorists as had been established in Afghanistan. To wage a “war” on terror thus seems to be in conformity with international law in the sense of *jus ad bellum*, from which one can, on the other hand, neither conclude that the actual war is waged in conformity with the *jus in bello* criteria nor that it is wise to wage it.³⁵

Even considering the US tradition of declaring “wars” against such phenomena as drugs, crime, abortion, and even obesity, to declare war is still something special.³⁶ It signifies that “the gloves come off” and that normal rules and behavioural constraints no longer apply. It thus meets the criteria of “securitisation” – a term invented by Ole Wæver for the “speech act” of discursively constructing a problem as being of existential importance and extreme urgency, hence warranting a resort to “extraordinary measures.”³⁷ It has thus served to legitimate a curtailment of civil liberties in the countries of the West and elsewhere in the name of national security against terrorism,³⁸ but it has also served to legitimate military actions.

The military element of the war on terror has been lumped together by the United States as “Operation Enduring Freedom”, (OEF)³⁹, comprising several campaigns: the war against the Taliban in Afghanistan (OEF-Afghanistan) followed by the OEF-

Philippines, the OEF-Pankisi Gorge and two which relate directly to Africa: The OEF-Trans Sahara is the military component of the somewhat broader Trans Sahara Counterterrorism Initiative (PSCI) which is a successor to what was called the Pan-Sahel Initiative (PSI) from 2002 to 2004. The OEF-Horn of Africa is a follow-up to the EACTI (East Africa Counter-Terrorism Initiative) programme and includes the Combined Joint Task Force-Horn of Africa (CJTTFHOA).⁴⁰ While it remained, at the time of writing, subordinated to the US Central Command (CENTCOM), the decision had been taken to transfer the CJTF-HOA to the new Africa Command (AFRICOM) with initial operating capability (IOC) scheduled for October 2007 and expected to be fully operational a year later.⁴¹

The headquarters of CJTF-HOA is at Camp Lemonier in Djibouti. Its area of operations comprises the territories of Djibouti, Ethiopia, Eritrea, Kenya, the Seychelles, Somalia, Sudan and Yemen, and its mission is described as ... operations and training to assist host nations to combat terrorism in order to establish a secure environment and enable regional stability. The mission is focused on detecting, disrupting and ultimately defeating transnational terrorist groups operating in the region – denying safe havens, external support and material assistance for terrorist activity. CJTF-HOA counters the re-emergence of transnational terrorism in the region through civil-military operations and support of non-governmental organization operations, enhancing the long-term stability of the region.

The activities it lists on its website are mainly civilian such as “providing clean water, functional schools, improved roadways and improved medical facilities,” i.e. it portrays itself as devoted to “winning hearts and minds” tasks.⁴² Besides this, however, it has also been involved in military operations, e.g. in Somalia, to which we shall return in due course.

Even prior to these new initiatives, however, terrorism had impacted the US policy towards the Horn of Africa, especially as far as Sudan was concerned. Under the auspices of its “rogue states” doctrine⁴³ the United States had kept an eye on especially Sudan because of its Islamist regime and supposed links with international terrorism,⁴⁴ and in 1993 the country was first placed on the US State Department’s list of countries sponsoring international terrorism.⁴⁵ Following the terrorist attacks on the US embassies in Nairobi and Dar Es Salaam in August 1998,⁴⁶ the United States even launched a missile attack against the *a-Shifa* pharmaceutical plant in Sudan, alleged to be a covert production site for chemical weapons (including the dreaded VX agent) – a mistake which was later (almost) admitted.⁴⁷ In the wake of 11 September, Sudan pledged its support for the US.⁴⁸ It has not yet, however, managed to be struck from the US list of “state sponsors of terrorism,” even though in the most recent issue of the US State Department’s *Country Reports on Terrorism* it is described as nothing less than “a strong partner in the War on Terror” which “aggressively pursued terrorist operations directly involving threats to U.S. interests and personnel in Sudan.”⁴⁹

3.2 The Horn of Africa: A hotspot of terrorism?

It has become a commonplace in the US discourse, including the academic literature that the Horn of Africa (or, more broadly, East Africa) is a particularly dangerous place, i.e. a hotspot of terrorism, particularly of the “jihadist” kind.⁵⁰ The arguments in favour of this view vary: Some allege that it is the weakness of the states in the region which make them particularly susceptible to terrorism and that, *a fortiori*, collapsed states such as Somalia will serve as staging areas, hiding places or operational bases for terrorist attacks.⁵¹ Others argue that extremist versions of Islam are making headway in the subregion, having already become established in Sudan and now moving also to Somalia and Kenya, and that this is likely to produce more jihadist terrorism.⁵² However, the available statistical data do not seem to really support the alarmist view of the threat.⁵³ Table 1 is compiled as a complete listing of all the terrorists incidents in the region, based on the incident records in the “Terrorism Knowledge Base,” which is referred to as the authoritative database by the very same US Counterterrorism Office which has placed the spotlight on East Africa.⁵⁴ It has taken 1998 as the starting year, for the simple reason that this was the first year with data for both international and domestic terrorism. However, 1998 was special because of two almost simultaneous incidents, i.e. the aforementioned attacks on the USA embassies in Kenya and Tanzania on the 7th of August, which account for about one third of the total fatalities for the entire period and almost ninety percent of the total recorded injuries. The analytical tables 2-4 have therefore also included totals excluding the 1998 figures, i.e. totals for 1999-2005.

All the categorisations are based on the present author’s interpretation of the “raw” incident and group descriptions in the database. The first observation is that neither the total number of terrorist incidents in the region, nor the numbers of deaths or injuries from terrorist attacks seem particularly alarming. Around eleven incidents on average per year with an annual death toll of less than hundred people for the HoA subregion as a whole (See Table 2). Secondly, as is apparent from Table 3, with the exception of the two incidents on the 7th of August 1998, most terrorism has been politically, rather than religiously motivated. Moreover, when religion has been the driving force, it has usually not been Islam but Christianity which has spurred the terrorists into action, albeit the particularly perverted and sectarian form of Christianity represented by the Lord’s Resistance Army (LRA), operating against Uganda from bases in Sudan.⁵⁵ Twenty times as many people have thus perished in terrorist attacks perpetrated by “Christians” than in ones launched by the dreaded Islamist terrorists of the *Al Qaeda* type. Thirdly, the terrorist risk seems to vary quite a lot from country to country as set out in Table 4. Uganda clearly comes out as the most terrorist-ridden of the eight, at least if the two embassy attacks are excluded. The table also reveals mainland Tanzania as a very secure country, as all the (small-scale) terrorist incidents have taken place on Zanzibar.

Table 1: Terrorist Incidents in East Africa, 1998-2005								
Country	Year	Date	Inc.	Inj.	Fat.	Perp.	Nature	Targ.
Djibouti	2004	18/01	B	6	0	?	?	Train
Eritrea	2003	10/08	As	1	2	EIJM	Isl	Car
	2004	01/03	B	12	3	EIJM	Isl	Hotel
	2004	24/05	B	50	3	?	?	Gov.
	1999	03/04	K	0	0	ONLF	Pol	Aid
	1999	13/11	B	1	2	?	?	Train
	2000	22/03	LM	1	14	OLF	Pol	Kenyans
	2000	17/08	R	0	6	?	?	El. mon.
	2002	23/07	B	?	?	OLF	Pol	Vehicle
	2002	11/09	B	38	1	?	?	Hotel
Ethiopia	2003	19/01	M	1	0	?	?	?
	2003	20/03	B	12	0	?	?	Hotel
	2003	10/09	AA	?	1	?	?	Aid
	2003	26/09	B	9	2	?	?	Train
	2004	04/01	B	0	0	?	?	Vehicle
	2004	05/04	AA	0	0	OLF	Pol	Education
	2004	02/05	AA	3	1	OLF	Pol	Business
	2004	24/06	B	?	?	OLF	Pol	Gov.
	1998	07/08	B/S	5,000	291	AQ	Isl	US Emb.
Kenya	2002	28/11	R B/	0	0	AQ	Isl	Aircraft
	2002	28/11	S B	80	13	AQ	Isl	Hotel
	2002	18/12		0	0	?	?	Discotec
	2002	20/12	Ar	0	0	?	?	Discotec
	2003	08/03	B	0	0	?	?	Mosque
	1998	15/04	K	?	?	?	?	Aid
	1999	19/09	B	0	0	ULA	Isl	Oil pipeline
	2001	16/11	AA	9	18	?	?	Quran School
	2003	28/07	B	0	0	?	?	Hotel
Somalia	2004	20/06	K	?	?	?	?	NGO
	2004	04/10	As	0	1	?	?	Aid worker
	2005	09/02	As	0	1	AI	Isl	Journ.
	2005	17/02	B	6	2	?	?	Hotel
	2005	03/05	B	38	15	?	?	Gov.
	2005	11/07	AA	?	1	?	?	NGO
	2005	06/11	AA	?	5	?	?	Gov. target
Sudan	1998	02/07	B	?	?	?	?	Airport
	1998	02/07	B	?	?	?	?	Power plant
	1999	18/02	K	0	4	SPLA	Pol	NGO
	2001	23/01	B	0	0	SPLA	Pol	Oil pipeline
	2001	05/08	?	?	?	SPLA	Pol	Oil pipeline
	2002	26/04	AA	0	60	LRA	Chr	Funeral Party
	2002	15/10	H	?	?	?	?	Saudi aircraft
	2005	05/7	AA	0	5	LRA	Chr	Vehicle
	2005	05/7	AA	11	6	LRA	Chr	NGO
2005	05/11	AA	1	1	LRA	Chr	Air worker	
Tanzania	1998	07/08	B/S	77	10	AQ	Isl	US Emb.

Tanzania (Zanzibar)	1999	23/12	B	0	0	?	?	Beer depot
	2004	20/03	B	0	0	?	?	Restaurant
	2004	20/03	B	0	0	?	?	Gov.
	2000	12/11	B	1	0	?	?	Gov.
Uganda	1998	04/04	B	2	0	?	?	Hotel
	1998	04/04	B	5	2	?	?	Hotel
	1998	12/07	B	3	1	?	?	Restaurant
	1998	18/07	B	?	?	?	?	Civilians
	1998	25/08	B	6	30	NALU	Pol	Bus
	1998	27/11	AA	17	16	LRA	Chr	Aid
	1999	01/03	B	4	0	?	?	Restaurant
	1999	01/03	K	0	8	IH	Pol	Tourists
	1999	10/04	B	4	0	?	?	Taxi park
	1999	11/04	B	13	2	?	?	Taxi park
	1999	14/04	B	35	4	?	?	Restaurant
	1999	24/04	B	16	5	?	?	Stadium
	1999	06/05	B	1	0	?	?	Civilians
	1999	07/05	B	10	1	?	?	Civilians
	1999	30/05	B	12	2	AMM	Isl	Restaurant
	2000	04/05	K	0	0	LRA	Chr	Rel.
	2000	01/10	As	?	1	LRA	Chr	Rel.
	2000	09/10	B	60	9	LRA	Chr	Disco
	2001	14/03	B	3	2	?	?	Civilians
	2001	16/03	B	4	1	?	?	Civilians
	2001	07/07	B	13	1	?	?	Civilians
	2002	24/07	K	?	?	LRA	Chr	Gov.
	2003	01/09	Am	?	22	LRA	Chr	Vehicle
	2003	13/10	AA	20	22	LRA	Chr	Restaurant
	2003	18/11	AA	?	12	LRA	Chr	Civilians
	2004	01/02	AA	?	8	LRA	Chr	Civilians
	2004	21/02	B	60	239	LRA	Chr	Refugees
	2004	05/02	AA	50	47	LRA	Chr	Refugees
	2004	14/04	AA	8	13	LRA	Chr	Vehicle
	2004	18/04	K	0	0	LRA	Chr	Rel.
	2004	17/05	AA	10	7	LRA	Chr	Vehicles
	2004	20/12	AA	1	2	LRA	Chr	Vehicle
	2005	19/01	As	0	1	LRA	Chr	MP
	2005	23/02	AA	7	1	LRA	Chr	Civilians
2005	26/02	Ae	8	1	LRA	Chr	Civilians	
2005	09/03	AA	16	6	LRA	Chr	Civilians	
2005	15/03	AA	7	2	LRA	Chr	Civilians	
2005	26/03	K	13	?	LRA	Chr	Civilians	
2005	05/05	AA	?	4	LRA	Chr	Vehicle	
2005	05/05	AA	14	10	LRA	Chr	IDPs	
2005	10/07	AA	?	14	LRA	Chr	Civilians	
Uganda	2005	18/11	AA	?	5	LRA	Chr	Vehicle
2005	21/11	AA	5	12	LRA	Chr	Vehicle	
2005	13/12	AA	?	8	LRA	Chr	Vehicle	

Legend: AA: Armed Attack; AI: Al-Islah; Am: Ambush; AMM: Ahmadiya Muslim Mission; AQ: *Al Qaeda*; Ar: Arson; As: Assass; B: Bomb; C: Christian; EIJM: Eritrean Islamic Jihad Movement; H: Hijacking; I: Islamist; IH: Interahamwe; K: Kidnapping; LM: Land Mine; LRA: Lord's Resistance Army; M: Mortar; NALU: National Army for the Liberation of Uganda; OLF: Oromo Liberation Front; ONLF: Ogaden National Liberation Front; P: Political; R: Rocket; S: Suicide attack; SPLA: Sudan People's Liberation Army; Tanz(Z): Tanzania (Zanzibar); ULA: Ummah Liberation Army

Year	Inc.	Inj.	Fat.
1998	11	5,110	350
1999	14	96	28
2000	6	62	30
2001	6	29	22
2002	9	118	74
2003	10	43	61
2004	18	200	324
2005	20	126	100
Av. 1998-2005	11.8	723.0	123.7
Av. 1999-2005	11.9	96.3	91.3

Legend: Inc: Incidents; Inj: Injuries; Fat: Fatalities; Av: Annual Average

Motive	Inc.	Inj.	Fat.
Unknown	43	284	76
Political	11	10	57
Christian	32	308	534
Islam	8	105	21
Emb. attacks	2	5,077	301

Country	Inc.	Inj.	Fat.
Dibouti	1	6	0
Eritrea	3	63	8
Ethiopia	15	191	43
Kenya (A)	6	5,080	304
Kenya (B)	5	80	13
Somalia	11	53	43
Sudan	10	12	76
Tanzania (A)	5	78	10
Tanzania (B)	4	1	0
Tanzania (C)	0	0	0
Tanzania (D)	4	1	0
Uganda	44	427	521

Legend: Inc: Incidents; Inj: Injuries; Fat: Fatalities; (Kenya and Tanzania) A: Total; B): without embassy bombings; (Tanzania) C: Mainland; D: only Zanzibar

It thus seems that the threat from (what the West calls) terrorism, and even more so that of Islamic terrorism, is blown completely out of proportion as far as East Africa and the HoA is concerned. This may not only be the West's fault, as it may also be in the interest of governments in the region to exaggerate the threat. First of all, positioning themselves as the allies of the United States in its global "war on terror" is likely to gain them some much needed goodwill. Secondly, it also makes them eligible for support from the EACTI pool, e.g. for military or police upgrading programmes. Thirdly, and more problematically, it may allow governments to label their opponents terrorists, thereby allowing them to resort to "extraordinary measures" to defeat them.

Even though HoA is not yet a terrorist hotspot – and especially not one of Islamist terrorism – one cannot rule out that it may become one in the future. In this connection, concerns have been raised about the alleged spread of particular forms of Islam in the subregion.⁵⁶ Others have, however, pointed out that the predominant forms of Islam throughout the region (mainly various forms of Sufism) have been quite moderate and apolitical.⁵⁷ Even though there have surely been attempts at Is-

lamization and at garnering popular support for “jihadism,” e.g. using various Islamic charities and NGOs as instruments, these have generally been unsuccessful.⁵⁸ The only country where Islamism ever really established itself was Sudan and even here, the tide seems to have turned, e.g. with the split between the government and the Muslim Brotherhood of Al Turabi.⁵⁹ Whether something similar might have happened, or been about to happen, in Somalia is the question to which we shall now turn in a rather elaborate case study of this troubled country.

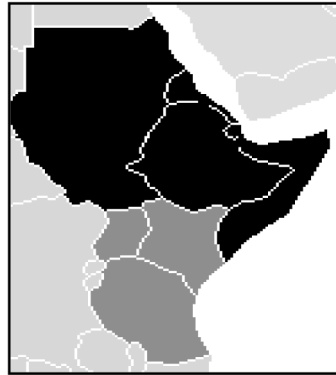
4 Case study: Somalia: A breeding ground for terrorists?

Since 9/11 Somalia has attracted growing attention as allegedly one of the most likely breeding grounds for terrorism. The actions taken by the United States and its allies (mainly Ethiopia) in the years 2006-07 seem to have pushed this troubled country over the edge, plunging it back into chaos. As a background to the account and analysis of these recent events, a brief account of the historical background is provided, highlighting some of the recurrent themes which also play a role today – nationalism and irredentism, clanism, various “state pathologies,” the economy and religion.

4.1 Somali nationalism

The fact that the Somali are ethnically homogenous may help explain their strong sense of nationhood, notwithstanding the fact that there has never been a state to serve as a superstructure on the national community. In fact the closest the Somali ever came to being united in one state-like political structure was during the aforementioned short-lived Italian empire in East Africa. It should therefore come as no surprise that the lack of correspondence between the “imagined community” of the Somali nation and the political realities have taken the form of a nationalism which has featured elements of both secessionism and irredentism – the former because members of the Somali nation were “trapped” in multinational states such as Ethiopia or Kenya, and the latter because the nation was not united in one state. Partly because of the country’s location it was bound to draw the attention of both the Arabs⁶⁰ and later the Europeans, but also that of the rulers of the most state-like polity in Africa, the cohesive and expansive Ethiopia. Hence the division between Ethiopia and the three European powers France, Italy and Great Britain. The latter controlled both the northern parts, governed as a separate entity, and the southern-most parts, administered as part of Kenya, whereas France controlled the present Djibouti, the Italians the eastern parts and Ethiopia the north-western parts of the lands populated by Somali nationals.

Considering the strong sense of nationhood among the Somali, it was almost inevitable that independent Somalia was born with an irredentist agenda. Indeed, the irredentist aspirations were clearly depicted in the flag of the new republic, in which the five points of the star represent the components of the ideal Somalia, comprising the present Djibouti, the Republic of Somalia (*de facto* bifurcated at present into Somalia and Somaliland), the North eastern part of Kenya and what used to be called the Ogaden province of Ethiopia, now called the Somali Regional State.⁶¹ Unsurprisingly, this nationalist project led to wars, first the low-key “Shifta war” with Kenya (1963-1968)⁶² and then the “Ogaden War” with Ethiopia (1977-78) – in both cases commencing with Somali support for indigenous, secessionist rebel movements.⁶³ The latter war might be seen as a consequence of the pursuit by both sides of “anti-theoretical security goals” stemming from particular conceptions of statehood, as argued by Terrence Lyons:



Ethiopia’s security has been predicated on maintaining territorial integrity and building cohesion for its multinational population. This required maintaining control of the Ogaden. Somalia’s security goals have aimed at creating a nation-state that incorporated the Somalis living in the Ogaden. Actions by either of these states in pursuit of their conception of security therefore increased the perceived insecurity of the other.⁶⁴

Somali irredentism also goes a long way towards explaining the somewhat ambivalent attitude of both Kenya and Ethiopia towards Somalia even today – as well as Somali sensitivity towards any Ethiopian interference in its domestic affairs. Seen from Nairobi or, even more so, Addis Ababa, the ideal Somalia is one that is just strong and cohesive enough to be able to feed and care for its citizens, lest they end up as refugees across the border, but not strong enough to act on its latent irredentist national agenda – or, even better, one that is governed by a regime which is totally dependent for its remaining in power on the support from Ethiopia, as is the case of the present Transitional Federal Government (TFG), to which we shall return in due course. During the first phase of the Somali civil war, Ethiopia thus interfered by supporting various armed factions such as the DFSS (Democratic Front for the Salvation of Somalia) and the SNM (Somali National Movement),⁶⁵ just as the government in Addis Ababa has done in the recent crisis.

Viewed from Somalia, any interference from Ethiopia is quite understandably interpreted as attempts to curb the legitimate aspirations of the Somali nation, both in Somalia itself and in the Somali-majority parts of Ethiopia, with the inhabitants of which the Somalis feel a deep sense of community. Even though it probably helps that the post-Mengistu Ethiopian constitution with its “ethnic federalism” grants greater autonomy to the Somali inhabitants than any previous regime, it is not without problems, inter alia because it formally allows the constituent parts to secede

from the federation.⁶⁶ This is likely to make the government in Addis Ababa even more concerned about any secessionist aspirations and any Somali support for such movements, such as the WSLF (Western Somali Liberation Front) and its successors in the Ogaden region of Ethiopia. Even in the recent past, there has indeed been such support – viewed by Ethiopia as Somali interference in its internal affairs – including some terrorist attacks in Ethiopia itself in the 1990s perpetrated by the group *Al-Itihad al-Islamiya* (AIAI), to which we shall return below. At the time it provoked an Ethiopian military intervention which, in turn, merely exacerbated anti-Ethiopian sentiments in Somalia.⁶⁷

Had the Somali flag been designed today, it might have featured a sixth point, symbolising yet another part of the Somali nation, i.e. the diaspora, which is scattered across the world.⁶⁸ Various conflict theories, including the fashionable and influential one of Paul Collier, have found that the presence of diasporas in rich countries tends to intensify and prolong armed conflicts in the respective countries origin of these diasporas.⁶⁹ The links are probably not nearly as clear as claimed by Collier, as others have pointed to the occasional peace-promoting potential of diasporas, but it is probably fair to say that large diasporas add an element of unpredictability to armed conflicts, as they represent actors who are both involved in the conflict and detached from its consequences.⁷⁰

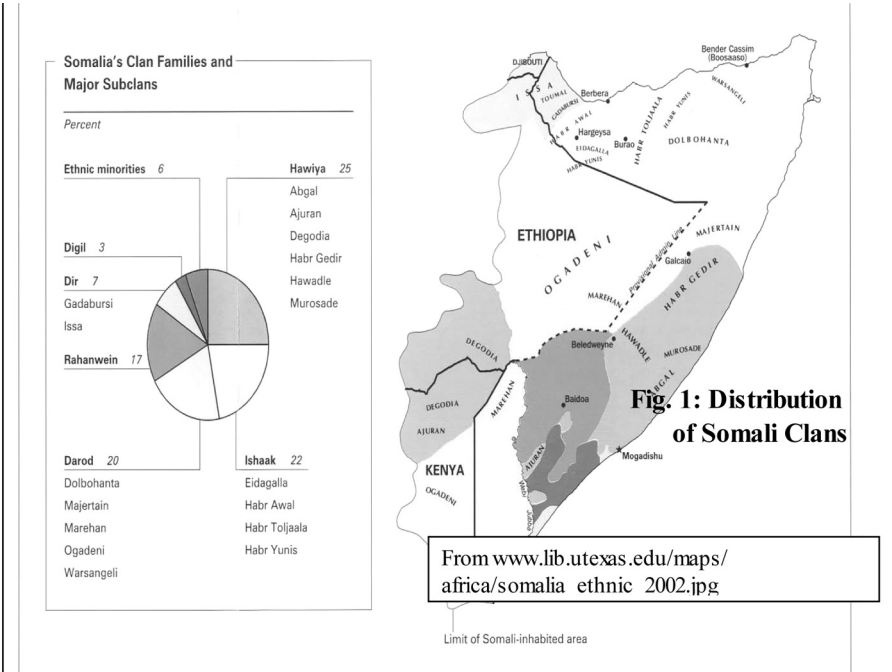
The War on Terror has further complicated matters. Regardless of whether Collier's thesis is true or not, or whether his findings can simply be translated into the thesis that diasporas tend to support terrorism, the United States seems to believe in both hypotheses. Washington thus harbours strong suspicions that at least some members of such diasporas contribute to financing terrorism, either by sending remittances to relatives in Somalia who may, in turn, support terrorism or by directly siphoning off funds to *Al Qaeda* and other terrorist groups from the remittance flow. The USA therefore in November 2001 cracked down on the *Al Barakaat* bank, which was the main source of remittances sent to the Somali civilians, transferring far greater funds than total international humanitarian aid, via a *hawala* system.⁷¹ Needless to say, this move did not really improve the already strained relationship between the United States and the suffering civilian population of Somalia in desperate need of these funds. Fortunately, the informal banking sector in Somalia proved resilient and diversified enough to find other avenues for remittance transfers, thereby averting the humanitarian disaster that would otherwise have been inevitable.⁷²

4.2 Identities and clans

Even though the Somali are arguably one of Africa's oldest and most homogenous nations, both ethnically and in terms of religion and customs (and with a unifying myth of origin based on Islam) the nation has long been divided according to other criteria, mainly those of kinship in the form of clans, previously often referred to as tribes. The clans have their origins in lineage, the Somali tracing their decent patrilineally many generations back, thus defining their identity and loyalties according

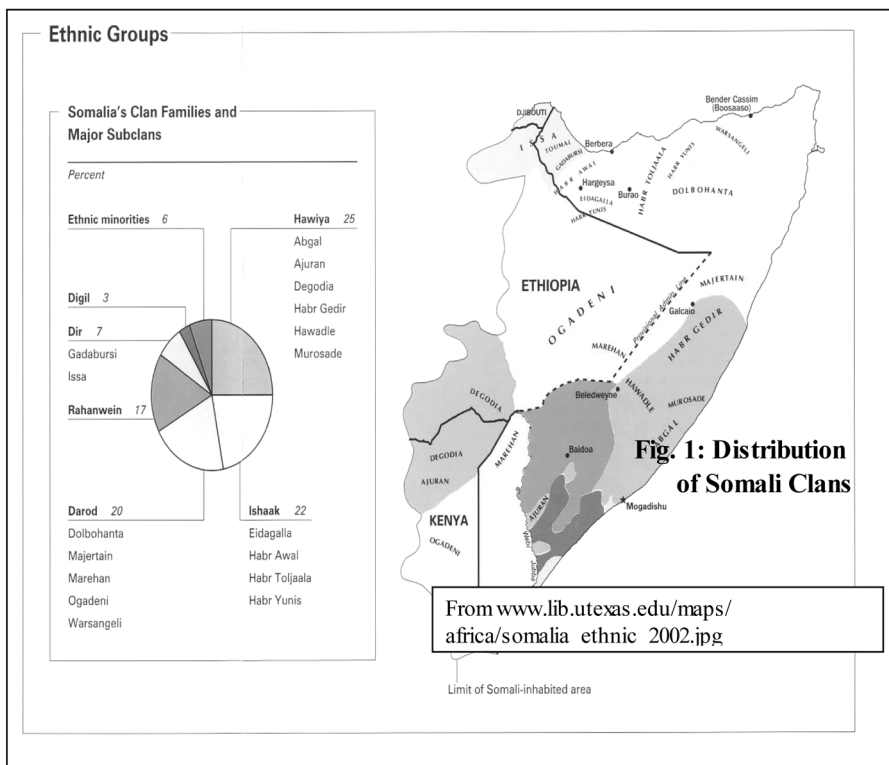
to a genealogy which may be partly mythical, as with the myth of descent from Arabian families, perhaps even from the prophet himself.⁷³

Fig. 1 *Distribution of Somali Clans*
 From www.lib.utexas.edu/maps/africa/somalia_ethnic_2002.jpg



The subdivision of the nation into clans forms a complex picture of “major clans” (sometimes referred to as “clan families”), (minor) clans and sub-clans as depicted in Chart 1.⁷⁴ Clan families tend to congregate in different parts of the country: *Dir* in enclaves along the coast in the south as well as in the border region between the present Somaliland and Djibouti; *Isaaq* in the Somaliland and parts of the Ogaden region of Ethiopia; *Darood* in the north as well as in the frontier region with Kenya; *Hawyie* in the middle parts, including the area around Mogadishu; and *Rewin* south of Mogadishu as well as parts of Ogaden (see Fig. 1).⁷⁵ Even though they thus tend to congregate territorially, each clan is scattered, not only across the country but also among adjacent states, to which should be added the aforementioned diaspora.

The clan structure further has some correlation with territory, in the sense that nomadic herding units, enjoying usufructural rights to particular pastures and wells, usually consist of agnatic groups belonging to the same clan.⁷⁶ The fact that pasture and water are scarce throughout Somalila, and therefore often fought over, has made these lineage-based groups essential units for self-help and thus for survival in an inhospitable environment. Unsurprisingly, they have often resorted to violence in their struggle against each other.⁷⁷ There is thus nothing “primitive” or irrational about them, and that these clan loyalties have also been manifested in armed clan militias and inter-clan strife is thus entirely understandable, however deplorable.



According to Issa-Salwe, “[T]he Somali inter-clan conflict is centred on feuds as it aims to injure or eliminate the hostile clan, to seek revenge, to reverse wrongs, and to protect its rights over resources.”⁷⁸ One might even speak of a “security dilemma of clan rivalry” as argued by David Laitin:

First, for all nomadic groups in a battle against unforgiving nature, every watering hole, is vital for survival. Increased measures by any clan to enhance security must therefore be seen by leaders of other clans as threatening their physical survival. The security dilemma can thus be seen as a permanent condition of life in the Somali bush. Second, as Siyaad seeded clan warfare through strategic distribution of weapons he received as foreign aid, he surely threatened the survival of enemy clans, who themselves were impelled to seek comparable arms to secure their future. Third, after the collapse of the Siyaad regime in 1991, all clans feared for their futures if an enemy clan captured the reins of power. Surely they armed themselves in part because of the disastrous potential consequences for their security of not arming.⁷⁹

Attempts at separating the state from the clan structure have been made in the past, e.g. under the Barre regime, which passed legislation forbidding the use of clan names for political parties – but all alleged no-clan (or anti-clan) initiatives have, on closer analysis, revealed themselves as tactical or strategic moves in the inter-clan struggle.⁸⁰

4.3 State weakness, collapse and attempted reconstruction

Not only was the Somali state born irredentist, it was also born weak. Upon independence-*cum*-unification in 1961, the formal political dispensation was democratic, but actual power was primarily distributed on the basis of kinship.⁸¹

4.3.1 *The Siyad Barre era*

The second and last round of democratic elections took place in 1969 in which no less than 64 parties competed, yet without being able to topple the incumbent Somali Youth League,⁸² and on the 15th of October the same year, the President Shermanke was assassinated and the military took over. This brought to power a military junta led by General Siyad Barre, who almost immediately suspended the constitution, closed parliament and banned all political parties, placing a Supreme Revolutionary Council in charge of the state, which was in 1976 superseded by a one-party system based on the Somali Socialist Revolutionary Party (SSRP).⁸³

What is today commonly referred to as “the Siyad Barre era” (with distinctly pejorative connotations) might in fact be broken down into at least two main periods: The period from the coup in 1969 until the Ogaden War in 1977/78 was characterised by socio-cultural experiments, albeit guided by a (mainly Chinese-inspired) “scientific socialism.”⁸⁴ The Ogaden War seriously weakened the regime. Even though an attempted military coup in 1978 was quelled, the domestic strength of the regime steadily weakened and the opposition gained strength, also spurred by the unpopular introduction of conscription in 1984.⁸⁵ After the war the regime went through a transformation, which Hussein Adam has aptly described as autocracy (1978-86) and tyranny (1987-1991).⁸⁶ Not only did the regime become more despotic, but it also became increasingly infected by clanism, notwithstanding its initial attempts at banning clanism and tribalism – to the point of making clanism a capital offence.⁸⁷ Now the positions of real power were primarily filled with members of the *Marrehaan*, *Ogaadeen* and *Dulbahante* clans (hence the derogatory term “MOD rule”) combined with systematic attempts at eliminating the elites of other clans.⁸⁸ The opposition, in its turn, also increasingly came to rely on clans – a trend which was reinforced by the mounting economic crisis, which was partly caused, and certainly exacerbated, by the high military expenditures after the Ogaden War. It weakened state structures and made people turn to their clan networks for support and security. The Ogaden War and its aftermath thus partly explains the rise of nationalist and gradually secessionist movements in what is today (*Isaaq*-dominated) Somaliland, led by the Somali National Movement (SNM), which was founded in 1981 and supported by Ethiopia. A similar development occurred, at about the same time, in the *Mijer-teen*-dominated north-east, where the Somali Salvation Democratic Front (SSDF) launched a struggle against the central government, thus laying the groundwork for what is today the semi-autonomous status of Puntland.⁸⁹ Other national movements were created amongst the Somali diaspora, both in the Arab countries and in Western Europe, all of them roughly following clan boundaries.

The USC (United Somali Congress) was thus based in Rome and mainly “represented” the *Hawiye* clan, including the subsequently (perhaps unfairly) notorious Mohammed Aideed. The Manifesto Initiative, in its turn, was somewhat broader, but also represented mainly the *Hawiye* and *Darood* clans, whereas the SPM (Somali Patriotic Movements) stemmed primarily from the Ogaden. Most of the several oppositional factions were thus based on clans, a simplified picture of which is presented in Table 5. A number of (mostly short-lived) alliances were forged between the various factions, e.g. between the USC, SDM, SSNM and SPM, and in 1990 agreement was reached on joint operations against Barre.⁹⁰

Table 5: Somali Factions (1991/92)

Acron.	Name	Membership	Basis	Leaders
SNM	Somali National Movement	<i>Isaaq</i>	Somaliland	Abdulrahman Ahmed Ali (“Tuur”)
SSDF	Somali Salvation Democratic Front	<i>Mijerteen</i>	Puntland	Abdullah Yusuf Ahmed
USC	United Somali Congress	<i>Hawiye</i>	Southern Somalia	Mohammad Farah Aideed
SDM	Somali Democratic Movement	<i>Rahanwiin</i>		Abdi Muse Mayo/ Mohamed Nur Aliyou
SSNM	Southern Somali National Movement	<i>Dir</i>		Abdi Warsame Isaaq
SPM	Somali Patriotic Movement	<i>Ogadeen</i>		Mohamed Saeed Hirsi (“Morgan”)
MG	Manifesto Group	<i>Hawiye/Darood</i>		Ali Mahdi
SAMO	Somali African Muki Organisation	Non-clan		Mohamed Ramadan Arbaw
SNU	Somali National Union	Non-clan		Mohamed Ragis Mohamed

After a protracted period of growing weakness and mounting turmoil, the opposition movements finally succeeded in deposing Siyad Barre in 1991. Following the fall of Siyad Barre, the Manifesto Group set up an interim government with Ali Mahdi Mohamed as interim president, but this was almost immediately followed by a split between (and within) the various rebel groups. The main protagonists were General Aideed and his *Habr Abgal* clan and the self-appointed president and his *Abgal* clan. The two groups effectively established control over the southern and northern parts of the city, respectively, divided by a so-called “green line”.

4.3.2 Civil war, state collapse and UN intervention

What followed was an extraordinarily messy civil war, featuring extensive inter-clan fighting and sheer banditry, combined with widespread looting, also of the food and other aid provided by the relief agencies.⁹¹ By March 1992 Mogadishu had thus been nearly deserted, at least 300,000 people had died of hunger and related diseases, and the direct death toll from the fighting was around 44,000. The severe famine suffered by the civilian population (also partly caused by a drought) was finally “discovered” by the international media.⁹² This belated media coverage brought the suffering of the civilian population to the attention of the proverbial “international community” with an implicit imperative to act – albeit initially mainly in terms of food aid. Not only did most of this only arrive after the famine had run its course, but it may ar-

guably even have exacerbated the problems by contributing to the emergent “war economy”, upon which the militias thrived.⁹³

The international community, i.e. the UN with the United States as lead nation both politically and militarily, also staged a military intervention, officially mandated as a peacekeeping operation, even though there was no peace to keep. More appropriately it has been referred to as a humanitarian intervention, i.e. an attempt at “saving strangers.”⁹⁴ As there seems to have been no other strategic or economic interests in Somalia – not even the geopolitical imperatives of the Cold Wars which had just come to an end – it seems reasonable to accept the humanitarian motive as the primary one in addition to which the United States surely also had to accept the “*no-lesse oblige* logic.” For the only remaining superpower laying claim to hegemonic position in a “new world order” characterised by human rights concerns and the promotion of democracy and other western values, there are situations where action is obviously needed and where the hegemon is obliged to take the lead.⁹⁵ Even though the two multilateral UN missions (UNOSOM-1 and -2) as well as the unilateral US missions UNITAF were primarily motivated by humanitarian concerns, their actual accomplishments fell far short of mitigating human suffering. In fact, according to most analyses they probably did more harm than good,⁹⁶ partly because of the US penchant for manichaeic thinking,⁹⁷ categorising groups and individuals as good or evil rather than recognising the predominance of different shades of grey. In the role as villain the United States cast one of the rivalling warlords, Mohammed Aideed, partly because of his refusal to sign an agreement coming out of talks in Addis Ababa in January and March 1993.⁹⁸ His reputation as (what would today be called) a “spoiler”⁹⁹ and the “enemy number one” of the United States was reinforced when his forces in June 1993 ambushed a number of UN peacekeepers, which started almost a chain reaction. The United States persuaded the UN to destroy Aideed’s radio stations, an attempt which on the 5th of June 1993 led to a serious fire-fight between Pakistani UNOSOM troops and Somali militiamen who, according to a subsequent UN investigation, belonged to Aideed’s faction. In revenge of the loss of 24 UN troops in this skirmish,¹⁰⁰ the Security Council passed a resolution (UNSCR 837) authorising the use of force to apprehend the culprits, albeit not explicitly naming Aideed or even his USC.¹⁰¹ The United States placed a prize of US\$25,000 on Aideed’s head, thus “acting in an idiom more suited to the Wild West than the complex task of peace and security building in Somalia” (as aptly put by Nicholas Wheeler)¹⁰² and effectively transformed at least the US part of what should have been an impartial peacekeeping operation into a combat mission against an identified target.¹⁰³ According to two senior US officials *in situ* (writing two years later), the designation of Aideed as an enemy was “devastating, for Somalis and the peacekeepers, for U.S. foreign policy, and for peacekeeping itself”.¹⁰⁴

The United States deployed its Quick Reaction Force (QRF) in pursuit of the evasive Aideed, but in the process of doing so caused substantial “collateral” damage – as did other contributors to UNOSOM-II. On one occasion, Pakistani UNOSOM troops fired into a crowd, killing twenty civilians; on another rocket fire was opened at a hospital, killing nine patients; and on the 12th of July, the QRF launched an air

and missile attack (code-named “Operation Michigan”) against a meeting of clan elders from the *Habr-Gedir* clan, employing no less than sixteen TOW missiles and more than 2,000 rounds of cannon fire, and killing at least 54 of the elders – but not Aideed.¹⁰⁵ Subsequently, the US (against the advice of then Chairman of the Joint Chiefs of Staff, Colin Powell)¹⁰⁶ deployed 400 Rangers and some Delta Force commandos to conduct raids against Aideed’s forces, killing “hundreds of Somalis” in the estimate of Trevor Findlay, as the raids took place in densely populated areas.¹⁰⁷ On the 3rd of October, US Rangers found themselves in a fire-fight with Somalis (who may or may not have belonged to Aideed’s forces) and eighteen were killed along with between 300 and a thousand Somali casualties (who were almost immediately forgotten) in the incident behind the book and movie *Black Hawk Down*.¹⁰⁸

The fact that the bodies of the dead soldiers were not treated with dignity, but that one corpse was stripped naked and dragged through the streets constituted a serious humiliation of the United States. Washington promptly reacted with a proclamation (7 October) by President Clinton that the US would begin a withdrawal of its forces and be out by 31 March 1994, come what may. Henceforth the US troops were almost entirely preoccupied with self-defence, and the hunt for Aideed was abandoned.¹⁰⁹ By March 1994, all US and most European forces had been withdrawn,¹¹⁰ and the UN Security Council in UNSCR 897 (4 February 1994) announced an unconditional complete withdrawal by March 1995, the last remaining forces being “extracted” with some US and European assistance from the 28th of February to the 3rd March 1995.¹¹¹

Not only did this chain of events exhibit an uncanny resemblance to the events in 2006, when the United States had merely substituted the hunt for terrorists (*vide infra*) for the hunt for Aideed. There is also a direct link between the two, at least as far as myth-building is concerned. Paradoxically, both the United States and Osama bin Laden have alleged that the latter’s *Al Qaeda* was behind the “Black Hawk down” incident, whereas most analysts dismiss this as highly unlikely and unsubstantiated by any evidence.¹¹² Even the official *9/11 Commission Report* is rather equivocal on the issue, claiming merely that AQ sent weapons to unspecified Somali warlords as well as “scores of trainers” some of whom “were later heard boasting that their assistance led to the October 2003 shutdown.” A recent report published by the Westpoint military academy on the basis of declassified papers, likewise dismisses the claim, pointing to the serious difficulties *Al Qaeda* operatives dispatched to the country had in their relations with the Somali.¹¹³

4.3.3 *Statelessness and attempted state building*

Ever since the collapse of the Somali state, more than a dozen different attempts have been made at state reconstruction¹¹⁴ of which the two most recent have produced the TNG (Transitional National Government) of the year 2000 and its successor, the TFG (Transitional Federal Government) of 2004. The TNG came out of a conference was held in Arta in Djibouti, where 2,000 delegates elected a 245-man Transitional National Assembly (TNA), on a clan basis. This in turn elected a transitional

President, Abdiqassim Salad Hassan, who appointed an interim Prime Minister, Ali Khalif Galaydh. This Transitional National Government (TNG) established in August 2000, remained in power until it was toppled by a vote of no-confidence in October 2001. However, its actual control extended to only half of the capital and small enclaves in the interior, and it was never able to ensure the personal security of its members, as several members of the TNG were assassinated. By 2003 the TNG had collapsed in all but name, even though it had called upon former SNA (Somali National Army) troops for protection.¹¹⁵ Despite its weakness, however, as representative of this “virtual state” the TNG’s President Abdiqasim attended UN Millennium Summit, thus achieving some *de facto* recognition by the UN of his “one-man government still in exile”, which was formalised on the 1st of November 2001. From the UN, he proceeded to summits in the Arab League, OIC and IGAD, likewise achieving *de facto* recognition, and the TNG was recognised *de jure* by the OAU in December 2000.¹¹⁶

The TNG seems also to have tried to exploit the US-proclaimed “war against terrorism”.¹¹⁷ As early as September 2001 it thus established a “national anti-terrorism task force,” undoubtedly in the hope that this would gain it some American sympathy and eventually perhaps even recognition. Despite its exploitation of the AIAI threat, some observers have alleged that the AIAI had strong links to the TNG, with about a dozen MPs in the transitional parliament affiliated with it;¹¹⁸ while others have pointed to the TNG’s obvious inability to play any active role in counter-terrorism: “Since the TNG has yet to police its own capital city, the notion that it will combat terrorist cells in the country as a whole is not to be taken seriously”, as succinctly put by Ken Menkhaus.¹¹⁹

In parallel with the demise of the TNG ran the so-called “Eldoret process”, commencing with a gathering of Somali political leaders in October 2002 in Kenyan town Eldoret, under the auspices of IGAD. On the 7th of October the Eldoret Declaration on “Cessation of Hostilities and the Structure and Principles of the Somali National Reconciliation Process” was adopted. Subsequently, the signatories constituted themselves as a “Leaders’ Committee”. In 2003, the process was continued, now under the leadership of the new IGAD envoy, Kenyan Ambassador Bethuel Kiplagat, and relocated to Mbagathi outside Nairobi.¹²⁰ By then, however, what had begun as a promising process had, according to the International Crisis Group, evolved toward “an unimaginative ‘cake-cutting’ exercise in power-sharing by an unelected and only partially representative political elite that threatens to repeat the history of earlier failed initiatives”.¹²¹

Regional rivalry between, on the one side, Ethiopia, sponsoring the Somali Reconciliation and Reconstruction Council (SRRC) and, on the other side, Djibouti and Arab countries, supporting the TNG, did not help at all. Nevertheless, in September 2003 agreement was reached on a draft transitional charter envisaging a federalist political dispensation, and dominated by the SRRC and Ethiopia’s closest ally in Somalia (in fact in semi-autonomous Puntland) Abdullah Yusuf. While a number of other clans were co-opted into the agreement, others were excluded. This was followed in the autumn of 2004 by the establishment (on the basis of clan-quotas) of a

transitional federal parliament (TFP) which on the 10th of October elected Yusuf interim president of the TFG. Three weeks after his inauguration, he appointed Ali Mohamed Geedi as Prime Minister, who in turn was charged with appointing a cabinet. Its very size – comprising three deputy PMs, 33 ministers, 34 deputy ministers and 8 state ministers – is evidence of its being based on co-optation of potential rivals. That this did not ensure its representativity was demonstrated when the TFP with 153 out of 275 votes passed a motion of no-confidence, which only made the president dissolve the TFP whilst retaining Geedi as the PM.¹²²

The main problem with the TFI (transitional federal institutions) has, however, been that they have exerted absolutely no actual control over the country which they are ostensibly governing. Even though leading members of most of the armed factions were represented in the cabinet, the TFG did not find the situation in Somalia safe enough for it to relocate from Kenya without foreign protection. Having appealed in vain to both the UN and the AU for a protection force of 20,000 troops, the TFG eventually settled for Ethiopian armed protection, allowing it to move its headquarters to Somalia, albeit not to the capital, Mogadishu, but to Baidoa in January 2006 – but still denying the presence of any Ethiopian troops.¹²³

This growing reliance on the arch-enemy was probably the main reason for the internal disagreements within the TFI, several members of the cabinet resigning in March 2005, mainly the so-called “Mogadishu group,” most belonging to the Hawiye clan. The TFG made some attempts at creating an army, partly in contravention of the UN-imposed arms embargo which remains in force,¹²⁴ but merely implemented a certain redeployment of militias from Puntland to the central parts. In late December 2006 and early January 2007, however, the TFG was finally installed in Mogadishu, yet only as a result of what was in reality (albeit not formally) an Ethiopian invasion. We shall return to these dramatic events in due course. Whereas state reconstruction has thus failed in the southern parts of Somalia, it has fared somewhat better in Puntland and to some extent even in the inter-riverine region, where a governing authority has emerged in the form of a “Digil-Mirifle clan authority”, created through consecutive conferences (in 1993 and 1995 in Bonka and Rewin, respectively). It is based on a bicameral system, featuring a House of Representatives and a House of Elders, and has promulgated recommendations for a future status as a regional state within a looser Somali federation. This is also the status demanded by the regional authorities in Puntland, where in 1997 a National Salvation Council established itself as a *de facto* state authority, based on a “constitution” adopted by a constitutional conference in 1998. The Puntland regional state comprises the Bari, Nugal and North Mudug provinces and is fairly homogenous demographically, most of the population belonging to the *Majerteen* clan (part of the *Darood* clan family). The state was officially proclaimed in July 1998, when a constitution was adopted and a president and prime minister appointed. Notwithstanding a dispute with Somaliland over the districts Sanaag and Sool, Puntland remained fairly stable compared with the south.¹²⁵

4.4 Coping without a state

Societies are remarkably resilient in the face of hardships and one such as Somalia perhaps more than most. In the absence of a functioning political system to manage societal relations, other societal institutions are likely to take charge, simply because life must go on and people are forced to cope as best they can, even under the most dreadful conditions. As far as law and order are concerned, various non-state mechanisms have taken the place of the state, including the *diya* system, offering a modicum of order via mutual deterrence among clans, and bringing into play traditional institutions such as the clan elders.¹²⁶ Moreover, Islamic (“*shari’a*”) courts have largely taken over from the defunct formal judiciary (*vide infra*) and Islamic charities are filling in for the non-existent social welfare system (*vide supra*). Most such arrangement have merely a local scope and they are often clan-based, thereby excluding people living beyond the core area of their respective clan as well as the small minorities who do not belong to clans.¹²⁷ Nevertheless, it is certainly better than nothing, and westerners (including the present author) should beware of their/our ethnocentric biases, blinding them/us to forms of order radically different from the state-based ones to which we are accustomed as argued in a controversial work by Patrick Chabal and Jean-Pascal Daloz.¹²⁸

As far as the economy is concerned, in the absence of a state, other societal institutions will usually take charge of “the authoritative allocation of values for a society,”¹²⁹ i.e. of determining “who gets what, when and how.” Indeed, Somalia’s stateless economy might be seen as simply following the prescriptions of economic liberalism – including the controversial “Washington Consensus” – only to greater extremes than almost any other country and with Adam Smith’s proverbial “invisible hand” in a leading role.¹³⁰ What makes this problematic is, of course, that Somalia was born with a legacy of poverty and a very backward economy, depending mainly on farming in the north-west and south and pastoralism in the central and northern regions, with fishing, leather works and trading also accounting for large shares of GDP as well as of employment.¹³¹ Moreover, the country is extremely vulnerable to climatic fluctuations as well as to such “coincidents” as outbreaks of rinderpest or rift valley fever, either in Somalia itself or in neighbouring countries. This has typically lead to the imposition by Saudi Arabia and other major trading partners of occasional bans on livestock imports from Somalia (e.g. in 1983 and 2000), which have severely disrupted the entire economy.¹³²

Successive governments have done little to improve the situation, but have tended to exacerbate rather than solve the problems. Surely, the civil war had extremely destructive effects on the economy, as commerce was superseded by looting – and where even the mere presence of the peacekeepers contributed to distorting the economy.¹³³ However, when the fighting had peaked the economy has actually benefited from state collapse, i.e. that “as far as economic welfare is concerned, absence of government has proven to be better than the repressive institutions and improper policies of Barré’s government”, as claimed by Jamil Mubarak.¹³⁴ It allowed for a revival of the private sector, especially the (today almost all-encompassing) informal econo-

my, which developed under Siyad, but which has also provided a fall-back system after state collapse. Not only has (at least parts of) the economy managed to “muddle through”, with most economic transactions now being based on clientilistic networks, i.e. on the basis of social rather than legal contracts. There have also been localised and rather chaotic economic booms, e.g. in cross-border trade in livestock. Foreign trade has thus continued, as has private investment, even though it has become more opportunistic, small-scale and short-term than before. The markets function, with an order of sorts being maintained by a combination of clan elders, clergy and militias. Perhaps even more surprisingly, the faith in the Somali Shilling persisted for a very long period as the legal and accepted tender even though by 2001 four different types of banknotes were in circulation¹³⁵ The aforementioned remittance system ensured a steady influx of foreign currency, e.g. via the *hawala* system.¹³⁶ Peter Little thus portrayed the economy of this war-torn society in rather sanguine terms: The economy of Somalia goes on, even “booms” in some cases, despite an environment of risk and uncertainty. Traders do business and consumers buy products, and through it all markets generally follow principles of supply and demand. Conflict disrupts commerce but, like droughts and floods, it becomes just another risk element for which the trader, producer, and consumer must adjust¹³⁷. Thus describing the armed conflict as “just another risk element”, however, does not capture the full impact on society of a prevalence of violence which has now lasted for about eighteen years. It may make more sense to describe it as a “war economy” in which the profits reaped by certain segments of society give them an incentive to perpetuate the fighting, regardless of the chances of winning.¹³⁸

4.5 The role of religion

Like in the rest of East Africa, Islam came to Somalia via the Indian Ocean trade (and slaving) routes, where Arab and other traders established gradually expanding enclaves along the coast of East Africa.¹³⁹ Moreover, large numbers of Africans were simply converted to Islam via deliberate proselytising (*da'wa*), mostly by Sufi “holy men.”¹⁴⁰ In the area between the Shebelle and Juba rivers, an *Ajuraan* imamate seems to have been in place from the 15th to the 17th Century. If not before that, then certainly by the early 16th Century, all of Somalia was clearly Muslim.¹⁴¹

The dominant form of Islam has ever since, at least until very recently, been that of Sufism.¹⁴² Hence the predominance of Sufi orders and brotherhoods (especially the *Qadiriya*, the *Ahmediya* and the *Saalihiya*) most of which are fairly liberal and often significantly “creolised,” i.e. syncretic. The clergy and scholars (*ulama*), on the other hand, tend to be more orthodox Sunni Muslims, and in many cases they are closely related (via clan, ethnic or patron-client bonds) to the ruling elites.¹⁴³ The influence of the more radical and/or conservative and fundamentalist *Salafi* orders (such as *Wahhabism*) is of a much more recent vintage. As argued by Ken Menkhaus, rigid forms of *shari'a* thus tend to be viewed as “an imposition of Gulf Arab customs, seen by most Somalis as “un-Somali,” whereas such fundamentalist variants of Islam

are more likely to attract a popular following among the Somali diasporas in non-Muslim lands or in Somalia proper when confronted by a foreign and non-Muslim threat.¹⁴⁴

Religion had not played any major political role in Somalia until the 1990s.¹⁴⁵ A group called *Waxda* was founded in 1969, promoting the ideas of the Islamist reformers such as Qutb and Mawdudi, yet with entirely peaceful means and mainly in the present Somaliland. Siyad Barre's regime nevertheless cracked down on them in 1978, thereby apparently further politicising the organisation leading its members to support the SNM with its secessionist agenda.¹⁴⁶ Neither did religious organisations play any major role for most of the civil war, except in so far as they provided various social services and in the sense that Islam and its various institutions were able to provide a modicum of security. Roland Marchal has identified a total of six predominantly religious groups playing a certain role: *Ahle Sunna wa Jama'a*, set up as a counter to the radicals by Aideed, the quietist *Al Tabliq*, *Al Majma al Islam*, the Wahhabist *Ansar-e-Sunna*, *Al Islaah* (Somali Islamic Movement) and *Al-Ittihad al Islaamiya* (AIAI) of which only the latter played any role as a combatant in the civil war.¹⁴⁷ AIAI is based on *Wahhabism* and an offspring of the Muslim Brotherhood. Its ancestry can be traced back to some of the early Islamic movements such as *al-Ahli* (founded in 1978 in Saudi-Arabia) and the Muslim Youth Union (*Wahda al shabab al-Islam*), which subsequently merged to form the Somali Islamic Union (SIU, i.e. *al-Ittihad*) in 1984, posing as a branch of the Muslim Brotherhood (*al-Ikhwan al Muslimin*) and with some overlap in membership with *al-Islah*.¹⁴⁸ Frequent allegations to the contrary notwithstanding, it seems to have had only weak and inconsequential links to *al-Qaeda* and similar networks.¹⁴⁹ AIAI had a militant agenda, based on a combination of nationalism/irredentism and Islam, on which it acted during the civil war, mainly in the form of guerrilla warfare. However, when it established territorial control (mainly over a couple of ports) it made itself vulnerable, *in casu* to an Ethiopian military intervention in 1996. Even before that, they had suffered from attacks launched by the present president of the TFG, Abdullah Yuusuf Ahmed, in control of most of what was to become the semi-autonomous Puntland, and already supported by Ethiopia.

Following their military defeat in the mid-1990s, AIAI seems to have abandoned the armed struggle as well as to have moved most of their activities to the Ogaden region of Ethiopia. On two occasions they have engaged in what might reasonably be called terrorism, but they are credited by the aforementioned MIPT Terrorism Knowledge Base with a mere two incidents (one in Somalia and one in Ethiopia, both in 1996) with a total of six fatalities and injuries.¹⁵⁰ According to an (Ethiopian) analyst it has primarily pursued a strategy of infiltration and it appears to have established some control of various charitable organisations allowing it to fund patronage networks, in addition to which it has sponsored Islamic courts, which have provided some law to the unruly country. There may thus have been pockets of Islamists in all the main, clan-based, factions, just as there may have been some infiltration in Puntland, Somaliland, perhaps even in Djibouti.¹⁵¹ The veracity of such claims is, however, difficult to determine, as most have their origins in Ethiopian intelligence and,

it would seem, misinformation. In recent years, however, AIAI seems to have virtually disappeared and it remains contested whether it even continues to exist.¹⁵² According to a 2005 report from the UN Security Council's Monitoring Group on Somalia, however, it had not only survived but was running no fewer than seventeen training camps and importing and stockpiling armaments.¹⁵³ However, the usually at least as well-informed International Crisis Group questioned this, whilst pointing to a new *jihadi* group, *Al-Shabaab*, comprising among others former AIAI combat veterans and led by a young militia leader called Aden Hashi Farah 'Ayro, which is alleged to have links with al-Qaeda, even though these links have also been questioned as based on quite weak circumstantial evidence.¹⁵⁴ We shall return to some of these questions in the following section.

4.6 2006/07: *Annus Horribilis* for Somalia

The year 2006 was to become quite dramatic for Somalia, featuring the creation of a counter-terrorism alliance of warlords of dubious repute, the establishment of control over most of the country by the Islamic courts with a somewhat opaque agenda, and an Ethiopian armed intervention of dubious legality which was followed in 2007 by a rapid plunge of the country into an abyss of chaos and human suffering. Ken Menkhaus is surely right in describing this as a tragedy rather than a cataclysm, i.e. an inevitable consequence of structural factors:

[T]he extraordinary events in Somalia since 2005 (..) were by no means preordained. The current crisis in Somalia was eminently avoidable, the result of a series of bad or cynical decisions and occasionally horrific misjudgements by Somali and foreign leaders who should have known better. More than a few of those miscalculations were the product of hubris. That qualifies Somalia's current crisis as a tragedy – in this case, a tragedy in five acts.¹⁵⁵

Having already dealt with what he calls the first act, i.e. the establishment of the TFG, we shall largely skip the second act, i.e. the apparently promising, but ultimately failed, security and stabilisation plan for Mogadishu, launched in the summer of 2005 by the aforementioned break-away faction from the TFG (consisting mainly of *Hawieye* clans, factions and warlords) with some participation of civil society. For all its merits, it could also be seen as a trap intended for the TFG. If a modicum of security could be established in the national capital, it would have been hard for Yusuf's TFG to refuse a relocation to Mogadishu, where he and his government (without foreign support) would be at the mercy of the *Hawieye* elites.¹⁵⁶

4.6.1 The CIA, the ARPCT and the terrorist threat from Somalia

It all seems to have begun with US efforts to enlist the support for its war on terror from various Somali warlords, including some who were formally parts of the TFI, but had broken ranks with President Yusuf. Even though it has not been officially confirmed, the United States – seemingly acting through the CIA and the private

military company “Select Armor” – was in the beginning of 2006 “handing suitcases full of cash to warlords on the streets of Mogadishu,” as bluntly put by John Pendergast and Colin Thomas-Jensen, who estimated the cash flow to be \$150,000 per month. The outcome of these efforts was the formation in February 2006 of an Alliance for the Restoration of Peace and Counter-Terrorism (ARPCT, sometimes referred to as ATA: Anti-Terrorist Alliance).¹⁵⁷

The rationale for the Bush Administration’s support for the ARPCT was spelled out by Assistant Secretary of State for African Affairs Jenday Frazer, according to whom, “We will work with those elements that will help us root out al-Qaeda and to prevent Somalia becoming a safe haven for terrorists, and we are doing it in the interest of protecting America.”¹⁵⁸ By 2006, the general impression was indeed spreading in the United States that Somalia represented a special threat with regard to terrorism, but there was very little concrete detail behind this impression, e.g. concerning who might do what to whom and how. The US State Department in the 2006 edition of its *Country Reports on Terrorism* thus only listed one Somali organisation as terrorist, namely the aforementioned (and probably no longer existing) AIAI. It further claimed that three individuals were hiding in Somalia, enjoying the protection of the Council of Islamic Courts and the *al Shabaab* leadership: Fazul Abdallah Mohammed, Abu Talha al-Sudani, and Saleh Ali Saleh Nabhan, suspected for complicity in the 1998 embassy bombings and a 2002 hotel bombing in Kenya.¹⁵⁹ The US Treasury further listed four individuals (Abbas Abdi Ali, Hassan Dahir Aweys, Ahmad Ali Jimale and Abdullahi Hussein Kahie) on its “Terrorist Exclusion List” along with several companies and other entities located in Somalia, i.e. *Al Barakaat* (several branches and subsidiaries), *Al Haramain* (several branches and subsidiaries), *Heyatul Ulya* and Somali Internet Company as well as two organisations located elsewhere but providing aid to Somalia – the Somali Network AB (in Sweden) and Somali International Relief Organization (in the USA).¹⁶⁰ AIAI was included in the US “Terrorist Exclusion List,” but not on the US State Department’s list of designated “Foreign Terrorist Organisations”¹⁶¹ These US listings have seemingly been more or less carbon-copied to that of the United Nations. The UN Security Council’s “1267 Commission” thus included on its list of individuals and entities associated with either the Taliban or Al Qaeda the AIAI, *Al-Barakaat*, *Heyatul Ulya*, the Somali International Relief Organization, the Somali Network Ab as well as Ali Abbas Abdi, Maxamed Cabdullaah Ciise, Hassan Dahir Aweys, Ali Ahmed Nur Jimale, Abdullahi Hussein Kahie, and Abdullkadir Hussein Mahamud.¹⁶² The European Union’s terrorist list, on the other hand, does not list any individuals or entities based in Somalia.¹⁶³

4.6.2 *The union of islamic courts: A taliban regime in the making?*

As so many other steps in the war on terror, the US creation of the ARPCT seems to have seriously backfired, as it led directly to a countervailing alliance of the various Islamic Courts throughout the country which inflicted a decisive defeat on the ARPCT in June 2006.¹⁶⁴

There is considerable confusion and disagreement about the organisational history of these courts, as well as about the name itself.¹⁶⁵ As mentioned above, *shari'a* courts had sprung up spontaneously, on a local scale and usually based on clans, especially since 1996. A Union of Islamic Courts (UIC) was formally established in 2002, according to Gérard Prunier,¹⁶⁶ whereas others have put the founding date somewhat later. The International Crisis Group thus mentions 2004 as the founding year of the Supreme Council of Islamic Courts of Somalia (SCIC) as the successor to a Shari'a Implementation Council, established in 2000.¹⁶⁷ In any case, a real unification, also including their paramilitary forces, i.e. court militias, only came about in 2006, mainly in response to the formation of the ARPCT. On the 20th of February court militias took up arms against the ARPCT warlords, producing heavy fighting for the following months, until the UIC finally defeated its opponents on the 16th of June.

Having established control of Mogadishu and most of the rest of Somalia (except Somaliland), the SCIC proceeded to establish order, actually managing to disarm most militias in Mogadishu and elsewhere, dismantle the roadblocks, to have the port and airport reopened, etc. – thus offering a significant improvement of the quality of daily life for civilian inhabitants.¹⁶⁸ They also set about governing, albeit in a somewhat incoherent and haphazard fashion – protecting the environment by banning the charcoal and wildlife trade,¹⁶⁹ caring for public health by banning the trade in *khat* and tobacco,¹⁷⁰ but also cracking down on a radio station and arresting journalists who were unsympathetic to their rule.¹⁷¹ Concerning the implementation of *shari'a*, the SCIC sent mixed messages, one member reportedly having stated that people who did not pray the compulsory five times a day should be shot (*sic!*).¹⁷²

The SCIC also vacillated as far as its relations with the TFG were concerned, sometimes apparently being prepared for some form of compromise and power-sharing, sometimes not – which was also the case of the TFG.¹⁷³ Whereas the two sides seem to have partly agreed on the need for integrating their respective armed forces,¹⁷⁴ the SCIC was just as firm in its rejection of foreign (and especially Ethiopian) troops as the TFG was in its insistence on them.¹⁷⁵ Indeed, the SCIC even proclaimed a defensive jihad against what it saw as (in retrospect, correctly) a clandestine Ethiopian military intervention.¹⁷⁶ On the other hand, the UIC also lent some support to both the Ogaden National Liberation Front (consisting of ethnic Somali) and the Oromo Liberation Front,¹⁷⁷ just as they forged close relations with Ethiopia's arch enemy Eritrea which probably saw the conflict as a proxy war that might allow it to "get even" with Ethiopia, having effectively lost the 1998–2000 war.¹⁷⁸

The best explanation of these mixed signals may be that the SCIC was a very mixed group without any clear hierarchical structure and with unclear chains of command. It featured both moderates such as the chairman Shaykh Sharif Shaykh Ahmed or his deputy, Sheykh Abdulkadir Omar, and more radical individuals such as former AIAI military commandrer Shaykh Hassan Dawir Aweys (designated by the USA as a terrorist) and the less well-known, but at least equally militant, Adan Hashi Ayro, who also seems to be in charge of the *Al-Shaabab* militia and responsible

for several, rather nasty, terrorist attacks, e.g. on personnel of humanitarian agencies.¹⁷⁹

Apart from such warning signs, analogical reasoning may also have played a role on the part of especially the United States, inducing it to abandon its initial opposition to an Ethiopian intervention in favour of whole-hearted support for it. Not only were the circumstances in Somalia in some respects similar to those in Afghanistan in the mid-1990s, but there were also certain undeniable similarities between (at least elements within) the UIC and the Taliban around the time of the latter's ascent to power in Afghanistan in 1996.¹⁸⁰ Hence, Washington may have feared a repetition and have been eager to prevent this, disregarding the equally striking differences between the two cases.

4.6.3 The TFG and the ethiopian intervention

In December 2006, Ethiopia launched a major assault at the Islamic courts, ostensibly on behalf of the TNG. Considering that this was a very uneven battle, it was not particularly surprising that the SCIC chose not to fight, but left Mogadishu, perhaps to continue the struggle by other means, either as a guerilla war or in the form of terrorism.¹⁸¹ Nevertheless, fighting continued in the following months and was still continuing at the time of writing (end of July 2007) even though it was unclear whether the main combatants were militant Islamists or merely clan-based militias – but, on the other hand obvious, that they included a growing number of child soldiers. In any case, the response by the Ethiopian forces was very indiscriminate, killing hundreds of civilians and displacing hundreds of thousands, especially from the capital – but their opponents also “fought dirty,” e.g. attacking humanitarian and UN agencies, and using roadside bombs.¹⁸² Following the eviction of the UIC from Mogadishu, the TFG was now, at long last, able to establish its seat of government in the national capital, albeit only thanks to the continued Ethiopian military support. It was somewhat equivocal about its relationship with the remnants of the defeated UIC, some spokespersons expressing the intention of co-opting at least moderate elements into the TFIs, but others taking a less conciliatory position. As so often before, however, the TFG's ability to actually govern the country was extremely limited, also because they had lost most of whatever legitimacy they might have enjoyed in the first place by aligning so closely with what was seen by most Somali as a hostile invader and occupant. It probably did not help either that the TFG President explicitly endorsed the air strikes which the United States launched against Somalia in the wake of the Ethiopian intervention in January 2007, apparently killing more than thirty innocent civilians. While both the United Nations and the European Union criticised the air strikes, Yusuf condoned them with the argument that the USA “has the right to bombard terrorist suspects who attacked its embassies.” Nor did he object to the transfer of at least one Somali detainees to the Guantanamo prison.¹⁸³ In May the Transitional Federal Parliament further passed an anti-terrorism bill introduced the TFG, allowing the latter to freeze property of people suspected of (as opposed to found guilty of) terrorist activities. An even more draconian measure in-

cluded in the same bill was the institution of capital punishment for membership of a terrorist organisation – regardless of whether this entailed actual terrorist activities.¹⁸⁴ The situation was thus quite volatile and the future unpredictable by the summer of 2007. Before nevertheless venturing some guesses about the future, it seems appropriate to provide an overview of the various external actors involved.

4.7 External actors

The 2006/7 crisis brought into play a number of external actors, most of whom have been pursuing their national or organisational agendas regardless of their compatibility with the interests of the Somali people.

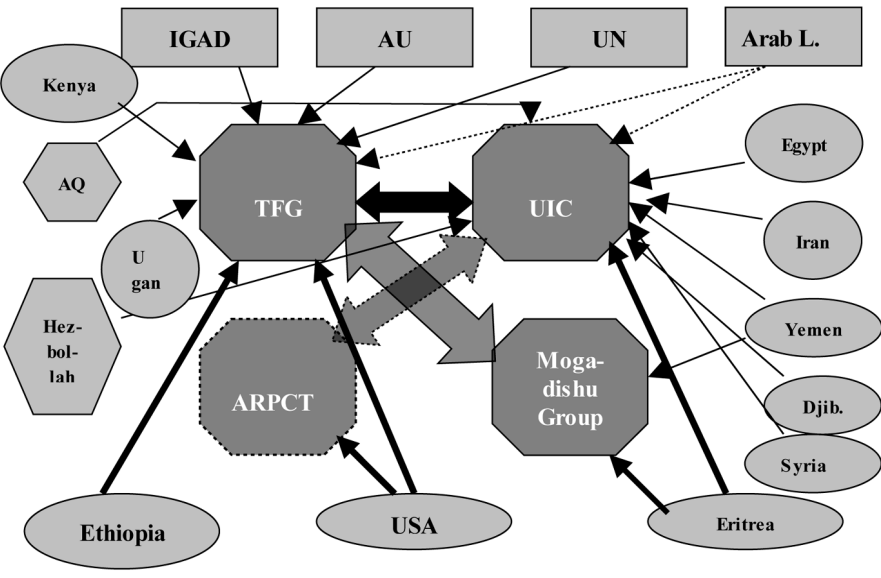


Figure 2 Alignments and Antagonisms in Somalia 2006/2007

The various humanitarian agencies constituted a partial exception, doing their best to cater for the innocent victims of the struggle, the refugees and internally displaced persons, under extremely challenging circumstances.¹⁸⁵ As will be obvious from the account above, the United States has been quite active throughout the crisis, yet almost exclusively pursuing its own security agenda with little regard for the Somali population. In addition to this, a plethora of neighbouring states and international organisations have also been involved.

The complex picture of external support has been summarised in Fig. 2, in which ordinary arrows signify support and block arrows antagonism. If it appears confusing this simply testifies to its approximate accuracy, as the situation is indeed very complex and confusing.

4.7.1 Neighbours

Ethiopia has obviously been a major player, partly driven by legitimate security concerns – which does not mean that its actions have actually enhanced Ethiopian national security. Meles Zenawi and his government have probably been sincerely worried about the perceived rise to prominence of their old foe, the AIAI (even though they seem to have vastly exaggerated its importance and strength), especially considering that it seemed to hoist the irredentist flag once again. They have probably also been concerned about a possible spill-over of Islamism from Somalia to their own population (about half of whom are Muslims),¹⁸⁶ especially considering the links forged between the UIC and the Ogaden and Oromo liberation movements, i.e. the Ogaden National Liberation Front (ONLF), the little known United Western Somali Liberation Front (UWSLF) and the Oromo OLF.¹⁸⁷ Finally, they have surely been concerned about the prospects of Somalia's falling under the influence of Eritrea.

Eritrea has throughout been a minor, but significant player, apparently supporting the UIC/SCIC with weapons – in clear violation of the UN embargo (*vide infra*). Eritrea's support has not been based on any religious or ideological affinity, as the regime of President Isaias Afwerki's PFDJ (People's Front for Democracy and Justice, an offspring of the old EPLF) is not at all Islamist (or even Muslim), but Christian and secular.¹⁸⁸ In fact, the regime is opposed by a couple of Islamist (and partly jihadist) rebel groups. The main opponents of the regime are the remnants of the former ELF (Eritrean Liberation Front), most of which are self-proclaimed Islamists. Some of them have at various stages resorted to an armed struggle, featuring elements of terrorism. This has, for instance, been the case of the Eritrean Islamic Jihad (EJI, sometimes referred to as EJIM: Eritrean Islamic Jihad Movement), founded in 1988 and based in Sudan, but operating in Eritrea since 1989, i.e. prior to independence, and allegedly related to *al-Qaeda*. Its leader in 1998 described the goals of the movement as “to realise our position as servants of Allah, and to establish the Islamic State.”¹⁸⁹ What has spurred the support of the PFDJ regime for Islamist forces in Somalia has thus rather been the wish to support whomever Ethiopia was opposing according to the “my enemy's enemy is my friend” logic – or even its derivative, “my enemy's friend's enemy is my friend,” as may have been the explanation for Asmara's support for the rebels – especially JEM (Justice and Equality Movement) – in the Darfur province of Sudan, viewed as opposing the government of Sudan, in turn seen as aligned with Ethiopia.¹⁹⁰ Following the Ethiopian intervention and considering IGAD's continued support for the TFG and its arch-enemy, Eritrea decided to suspend its membership of GAD.¹⁹¹

The role of Sudan seems to have been minor and on the whole rather constructive, e.g. much more even-handed than one might have expected from a government based on Islamism. Khartoum has thus remained neutral throughout the conflict, but played the role of honest broker, e.g. during the stand-off between the TFG

and the SCIC where Sudan hosted reconciliation talks between the opposing sides.¹⁹²

Kenya's role has been less central than one might have expected, considering that a good deal of the refugees from Somalia are bound to end up across their common border – and in view of its historical problems with Somali irredentism and its alleged (but probably vastly exaggerated) “Islamist problem.”¹⁹³ Whatever substantive role Nairobi has taken has followed the multilateral track, i.e. it has been working through IGAD (*vide infra*). Without really taking a stand on the substance, however, Kenya has been collaborating closely with the United States by helping to close the border to Somalia (in breach of international obligations) and apprehend people suspected by Washington (or Ethiopia) of being aligned with terrorists.¹⁹⁴

4.7.2 International organisations

Having served as the “midwife” of the TFG, it is hardly surprising that the subregional organisation for the HoA, **IGAD**, has been unswervingly on the side of this so-called “government,” also because Ethiopia has a large say in the organisation. IGAD was thus, from the very start, very favourably inclined towards the TFG's request for armed protection.¹⁹⁵ as well as in favour of a relaxation of the arms embargo on Somalia in order to allow for a build-up of armed forces loyal to Yusuf and his entourage.¹⁹⁶ In June 2006 the organisation (minus Eritrea) followed Kenya's lead in imposing various sanctions, including a travel ban, on what it called “warlords,” some of whom they also wanted prosecuted for crimes against humanity.¹⁹⁷

Likewise without Eritrea's participation, IGAD heads of state and government met in January for an extraordinary meeting at which they voiced no opinion on the Ethiopian intervention, yet took note of its intention to withdraw, urging the international community to take steps to prevent the emergence of a “security vacuum”.¹⁹⁸ Due to the organisation's weakness, however, its actual role has mainly consisted in putting pressure on the African Union.

The **AU**, in turn, could not easily go against one of the REC's designated as its operational arms in the making – or against the expressed wishes of its host country, Ethiopia – and especially not at a historical juncture where its utility was being assessed by the world community with a view to granting much needed external support.¹⁹⁹ Moreover, considering that the OAU had already recognised the TNG, the AU chose to view the TFG as a simple successor which made its support for the latter almost reordained.²⁰⁰ The actual role of the AU was, however, quite modest, mainly because of a lack of armed forces and other resources. Having first dispatched a fact-finding mission and then acknowledged the need for the dispatch of “peacekeepers” to assist the TFG – and having endorsed the proposal by the United States and IGAD to lift of relax the arms embargo the Peace and Security Council in January 2007 mandated a peacekeeping mission (AMISOM) to take over from the Ethiopian forces. Even though it was mandated to comprise 8,000 troops – and partly financed by EU and US support of 15,000 and \$14,000, respectively – by the time of writing, however,

only Uganda had actually sent forces which had come under heavy fire and proved unable to establish even a modicum of peace in Mogadishu.²⁰¹

The role of the United Nations has been predominantly reactive, presumably because neither the organisation as such nor the veto-wielding powers in the Security Council would want to land themselves in a situation resembling that of the early 1990s, obliging them to intervene (*vide supra*). The UNSC thus passed a total of twelve resolutions on Somalia since 2001 compared to fourteen in the years 1992-95, most of them dealing with the arms embargo which was imposed on Somalia in 1992 (UNSCR 733). In 2003 a Monitoring Group was established under the auspices of the Council's Sanctions Committee, which has ever since produced very detailed and insightful reports on the various breaches of the embargo.²⁰² It has, for instance, documented extensive violations of the regulations by several states, especially Ethiopia (in support of the TFG) and Eritrea in support of, first, the splinter faction of the TFIs from Mogadishu and then the UIC. This should be added to the clandestine (and usually denied) support provided by Uganda and Kenya to the TFG and the even more secret support provided to the UIC by Arab countries such as Egypt, Libya and Syria as well as by Djibouti and Iran, not to mention the assistance provided by *Hezbollah* and even the *Al Qaeda*.²⁰³

Throughout the present crisis, the Secretary General has presented regular situation reports and the Security Council has passed several resolutions, mainly endorsing the various IGAD and AU initiatives (e.g. in UNSCR 1725 of 6 December 2006) for an international force whilst making it clear that this also entails the specification included in the IGAD deployment plan, according to which "those States that border Somalia would not deploy troops to Somalia" (art. 4). There was thus no *ex ante* authorisation of the Ethiopian intervention (UNSCR 1725, art. 4). The Council did, however, amend the embargo to allow for the deployment of AMISOM (UNSCR 1744, art. 4-6).²⁰⁴ By the time of writing (ultimo July 2007), some consideration had been given to the deployment of a UN peacekeeping operation, but no decisions had been taken. The requisite strength of such a mission, even under the most optimistic assumptions, was estimated at around 20,000 troops with substantial air and maritime components.²⁰⁵

The Arab League has played a minor role as mediator in the crisis, mostly acting in consort with the AU and occasionally the United Nations,²⁰⁶ as has been the case of the European Union. An International Contact Group has been established, comprising the EU, Italy, Kenya, Norway, Sweden, Tanzania, the UK, the United States, the AU, IGAD, the League of Arab States, and the UN. At its meeting in January 2007, however, it merely took note of the new situation.²⁰⁷

4.8 Scenarios for the future

By the time of writing in late July 2007, the prospects for the future looked very bleak indeed. The TFG and what was left of the UIC still had not come to terms with each other and the reconciliation conference between the two kept being postponed. The

general security situation in the country had deteriorated considerably compared to one year earlier when the UIC was in control, and the TFG seemed completely unable to actually govern the country. The number of refugees and internally displaced persons had skyrocketed and the humanitarian crisis was very severe indeed, featuring shortages of just about everything – except weapons and ammunition. Rather than pretending to know what the future holds in store for the Somali, we may try to sketch the contours of an optimistic and a pessimistic scenerio – hoping that the former will materialise whilst being more inclined to believe that the latter will.

Optimists might hope that the TFG with the help of its foreign supporters may be able to actually establish control of at least Mogadishu and parts of the rest of the country before its mandate expires in 2009.²⁰⁸ If the TFG manages to co-opt significant parts of the present opposition, e.g. influential members of the *Hawiye* clan in and around the capital as well as (moderate, but still representative) Islamists, it may come to be viewed as reasonably legitimate by a major part of the population – especially if it manages to keep its Ethiopian backers at arm's length and only draw on their support discreetly. If the international community honours its pledges of support, the government might have enough funds available for distribution to actually achieve an improvement of the daily lives of its citizens. If so, it might achieve a “performance legitimacy” to make up for its shortage of procedural legitimacy, in which case its opponents may gradually come to be viewed by the Somali as spoilers rather than as freedom fighters protecting the nation against the Ethiopian foe. Not only might this benefit the Somali, but it might also make them less inclined to support terrorism, thus also furthering the national security of both Ethiopia and the United States. In other words, the Somali crisis could be contained as well as mitigated rather than spreading and escalating. Unfortunately, however, all its conceivability and indisputable attractions notwithstanding, this scenario does not seem at all likely at the present juncture.

A pessimistic – but in the present author's opinion much more realistic scenario – is premised on the assumption that the TFG regime is devoid of inherent legitimacy in the eyes that matter, i.e. those of the Somali nation. Not only was its coming into being somewhat questionable – exacerbated by its subsequent bending of the rules – but it is simply not sufficiently representative of the entire Somali nation, as it excludes some of the most important clans as well as other strata of the nation, defined in religious terms. “A victor's peace in contemporary Somalia is a fantasy,” as aptly put by Ken Menkhaus.²⁰⁹ Trying to make up for the unsatisfactory representativity and governing capacity by drawing heavily on Ethiopian (and American) support simply detracts further from what little legitimacy the regime might have had in the first place by giving it a “Quisling image.” This, in turn, makes the Somalia oppose the regime, either directly by taking up arms against it or indirectly, by lending moral and material support to those who do – perhaps even including terrorists.

Even though no armed conflict escalates in a linear fashion, but all have their ups and downs, there is no reason to expect the temporary lull in the fighting following the brutal Ethiopian offensive in Mogadishu to be more than just that – as the regime's opponents can afford to bide their time and launch new assaults at what they

deem to be an opportune moment. There is thus every reason to expect the conflict to continue as well as to spread to neighbouring countries, mainly Ethiopia. While some of it may take the form of guerrilla warfare, it is also very likely that it will feature terrorist attacks conducted by the remnants of the UIC and its allies. The major attack against an oil field in Ethiopia by the ONLF, with a death toll of 74, may thus be a harbinger of worse to come.²¹⁰

It is also entirely conceivable that elements from the routed UIC – perhaps especially the *Al-Shabaab*, rather than AIAI – may join forces with Al-Qaeda, and that this may be motivated just as much by the “my enemy’s enemy is my ally” logic than by ideological-religious sympathy or affinity. In its turn, Al-Qaeda is clearly welcoming the opening of a new battlefield in Somalia in addition to those in Afghanistan and Iraq, as is obvious from recent statements by Al-Zawahiri – often, albeit somewhat misleadingly, referred to as the second-in-command of AQ: The near-term plan consists of targeting Crusader-Jewish interests, as everyone who attacks the Muslim Ummah must pay the price, in our country and theirs, in Iraq, Afghanistan, Palestine and Somalia, and everywhere we are able to strike their interests... And the long-term plan is divided into two halves: The first half consists of earnest, diligent work, to change these corrupt and corruptive regimes.... As for the second half of the long-term plan, it consists of hurrying to the fields of jihad like Afghanistan, Iraq and Somalia, for jihad preparation and training. Thus, it is a must to hurry to the fields of jihad for two reasons: The first is to defeat the enemies of the Ummah and repel the Zionist Crusade, and the second is for jihadi preparation and training to prepare for the next stage of the jihad.²¹¹

5 Conclusion

The above analysis has, hopefully, shown that much of the attention paid by the international community, and especially the United States under the auspices of its War on Terror, is based on erroneous premises. Neither has the Horn seen many terrorist attacks in the past, nor were there prior to the dramatic events in Somalia in 2006-07 any reasons to expect so for the future. There did not seem to be much fertile soil for the seeds of Islamist extremism which some, including the Al Qaeda network, tried to sow there. Even though the subregion was host to several intractable conflicts most took the form of ordinary guerrilla war rather than terrorism, and most were primarily motivated by political grievances and nationalism rather than by religious fervour.

This was also the case of Somali, as the rather elaborate case study has tried to demonstrate. This conflict-ridden country has experienced a host of problems throughout its history, most of them related to the frustrated national ambitions and weak state structures – and ever since around 1990 the country has been in a state of war, pitting clans against each other with their respective political superstructures

and in ever-changing patterns of alignments, both internally and with external players. Religious extremism has never been predominant and, at most, an epiphenomenon, i.e. a vehicle for articulating political grievances and rallying support for a political cause, rather than a motive for conflict at such. Moreover, contrary to prevailing opinion, Somalia has been neither a battlefield, staging area or breeding ground for terrorism, not even after its effective state collapse. Failed states are not nearly as attractive to terrorists groups or networks as moderately weak and/or moderately strong but sympathetic states.

There was thus no good reason for the United States to fear terrorism in or from Somalia, but such fear was nevertheless a reality. Ironically, just as in Iraq – where there were no terrorists prior to the American invasion, but which was transformed by the invasion into the most terror-ridden country in the world – the steps taken by the USA to curtail a non-existent terrorist threat seem to have created one. When the United States sponsored a warlord alliance against terrorism it inadvertently helped bringing to power and subsequently radicalise Islamist forces. When it along with its ally Ethiopia then resorted to military force to dislodge these Islamists from power, they may well have transformed them into a terrorist foe which may cause both of them considerable trouble in the years to come.

6 Notes

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- 12 Holt, P.M. & M.W. Daly: *A History of the Sudan. From the Coming of Islam to the Present Day*. 5th ed. (Harlow: Longman, 2000), pp. 86-97.
- 13 Vandervort: *op. cit.* (note 6), pp. 169-177; Warner: *op. cit.* (note 10), pp. 168-225. See also the various contemporary accounts of the siege and subsequent fall of Khartoum (1884/85) in Harlow & Cartel (eds.): *op. cit.* (note 7), pp. 566-625 – including Rudyard Kipling's tribute to the Mahdist fighters in the poem "Fuzzy-Wuzzy": "So 'ere's to you, Fuzzy-Wuzzy, at your 'ome in the Soudan/ You're a pore benighted 'eathen, but a first-class fightin' man" (*ibid.*, pp. 622-623).
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- 202** All documents are available at the Group’s website, www.un.org/sc/committees/751/index.shtml.
- 203** “Report of the Monitoring Group on Somalia pursuant to Security Council Resolution 1630 (2005),” *UN Documents*, no. S/2006/229, pp. 10-14 & *passim*; and “Report of the Monitoring Group on Somalia pursuant to Security Council Resolution 1676 (2006),” *ibid.*, no. S/2006/913, pp. 11-21 & *passim*.
- 204** IRIN: “Somalia: Gov’t Welcomes Authorisation of Peacekeeping Force,” *IRIN News*, 22 February 2007.
- 205** “Report of the Secretary-General on the Situation in Somalia Pursuant to Paragraphs 3 and 9 of Security Council Resolution 1744 (2007),” *UN Documents*, no. S/2007/2004, pp. 12-15; “Report of the Secretary-General on the Situation in Somalia,” *ibid.*, no. S/2007/381 (25 June 2007), pp. 8-12.
- 206** “Somalia: Arab League Mediators Meet Govt and Islamic Delegations,” *IRIN News*, 22 June 2006; “Somalia: Joint Mission to Consult Somali Leaders,” *ibid.*, 30 June 2006.
- 207** “Communique of the International Contact Group on Somalia” (5 January 2007), at www.issafrica.org/dynamic/administration/file_manager/file_links/ICCSOMALIAJAN07.PDF?
- 208** Menkhaus: *loc cit.* (note 155), p. 389.
- 209** *Ibid.*, p. 363.
- 210** *Ibid.*, p. 358; idem: “The Somali Catastrophe” (*loc cit.*, note 164).
- 211** Statement by Al-Zawahiri, July 2007, quoted in Blanchard, Christopher: “Al Qaeda: Statements and Evolving Ideology,” *CRS Reports for Congress*, no. RL32759 (Washington, DC: Congressional Research Service, 2007), pp. 13-14.

State of Siege in Somalia and Post-Conflict Reconstruction: Horn of Africa Countries Perspective

I. Summary

Post-conflict states risk falling into a spiral of abuses and becoming dependent on outside forces to maintain a more peaceful status quo. Human rights, development, local empowerment, and constitutionalism must each be an essential component in any plan to put a failed state on the right track. Each also raises a difficult question: when it comes to nation-building, is there a conflict between global interests and local needs?

Post-conflict societies usually have high risks of renewed conflict during the first decade after conflict has diminished or ended. There is, however, much that can be done by both post-conflict governments and the international community to reduce these risks (Collier, 2000). Recent research has begun to focus on the role of outside biased interventions in the duration of civil conflicts (Regan, 2002). Specifically, interventions that beget opposing interventions increase the expected duration dramatically over the baseline expectations, as do nearly any military or economic intervention. Strategies should address the local roots of hostility; the local capacities for change; and the (net) specific degree of international commitment available to assist change (Doyle and Sambanis, 1999).

Somalia occupies a unique space, both geographically and strategically. The country sits at the crossroads of sub-Saharan Africa and the Near East. Indeed, for years the Horn of Africa, filled with weak, corrupt, and warring states, was seen as fertile ground for radical Islam. For over a decade, the United States has considered the Horn of Africa – Kenya, Ethiopia, Djibouti, Somalia, Eritrea, and Sudan – a major source of instability. In combination, over the centuries successive rulers of Abyssinia (now Ethiopia) claimed and dreamed that Somalia was a part of Ethiopia. Thus, the current US-backed Ethiopian invasion and occupation of Somalia is nothing less than those centuries-old Ethiopian dreams to conquer Somalia come true (Omar Salad, 2006) according to the perception of the Somali majority. For the Somalis such

an Ethiopian invasion and occupation are absolutely unacceptable aggressive acts which cause them deep consternation, bitterness, and fury that cannot be allowed to pass unchallenged.

The other problem is that conflict affects neighbouring states. It does so either by spreading the conflict into them or because neighbouring states use it as an opportunity to take advantage of a vulnerable, failed or conflict-prone state, it looks like what the IGAD countries did in Somalia.

The U.S. government and other OECD countries are currently facing enormous challenges in stabilizing nations emerging from conflict. After more than a decade of experience in Somalia, Haiti, Bosnia, Kosovo and now Iraq and Afghanistan, reconstruction and stabilization operations are still plagued by persistent failures. The United States knows how to win wars, but not how to secure lasting peace. *Winning the Peace* needs the overall approach of “four pillars of post-conflict reconstruction--security; governance and participation; economic and social well-being; and justice and reconciliation.

The US Senate introduced a new legislation that would require a comprehensive US strategy to aid the war-torn country. The legislation includes the following:

- Appointment of a Special Envoy for Somalia responsible for coordinating US government policy, reporting on challenges and progress in Somalia, and pursuing reconciliation;
- Support for a regional or international peacekeeping force for Somalia under the umbrella of the African Union;
- Providing assistance aimed at strengthening the federal institutions of Somalia; and
- Convening an international donor conference and increasing coordination with international partners.

“A comprehensive approach to Somalia will better enable the US to assess the economic, political and developmental needs for the nation and in the process bring peace and stability to the region,” Coleman added.

II. Objective

The objectives of this paper are, firstly, to analyze the current Somali crisis from the Horn of Africa’s comparative perspectives; secondly, to understand the international implications and finally, to suggest policy challenges and opportunities.

III. Theoretical Framework

Since the 1990s, in particular, globalisation has brought increased interdependence, time-space compression and interconnectedness, expanding the scope of social, cultural and economic interaction. The opportunities and threats posed by such processes have once again called for response through global governance structures, multilateral approaches or *ad hoc* bilateral cooperation ('coalitions of the willing' or regional structures, Ban-Ki-Moon, 2007) in order to regulate areas such as conflict areas, migration, capital markets, terrorism, international organised crime or infectious disease.

By definition, conflict is a difficult and huge subject that has many interweaving strands. Contemporary Africa's changing reality necessitates the fusion of theoretical aspects of policy formation and applicative aspects of policy implementation to provide creative, innovative and timely solutions to changing needs (Holsti, 2002). These needs are especially important in the areas of conflict prevention; conflict-de-escalation, mediation and resolution; and post-conflict reconstruction. Over ten years since the Rwandan genocide, conflict causes persist in most African states. A cursory appraisal of the continent in 2005 shows 34% of the countries either emerging from or trapped in protracted social conflicts. Approximately 83% of states in Africa are low-income countries (Bangura, 2005).

This paper will analyze the effectiveness of international intervention to promote identified political goods such as peace, sovereignty, human rights, democracy, and good governance, in the post-conflict context. The post-conflict transitional phase encompasses all recovery and development efforts, ranging from security and governance to transitional justice and socio-economic development.

IV. Introduction

The stabilization and reconstruction of failed states and war-torn societies has become one of the defining challenges of our era. Yet the process of nurturing stable, responsible governance has proven elusive. The conflict in Somalia is now so uncertain that no one can predict when it will be possible to begin the systematic reconstruction of the economy. It is important to note that the competence and integrity of the Somali government may be just as much of a problem as security and the government's willingness to act.

There has been little progress in making ministries effective; improving coordination at the national, regional, and local levels; and fighting corruption. Somali government institutions are undeveloped and confront significant challenges in staffing, a competent, non-partisan civil service; effectively fighting corruption; and using modern technology and managing resources effectively. Ministry personnel are fre-

quently selected on the basis of political or clan affiliation rather than competence or skills.

The US General Accounting Office has raised serious questions about progress in creating an Iraqi government capable of planning development and spending its own development funds. Is then the Somali government different and capable of administering a more complicated, poverty stricken country with non-existent public institutions?

From security perspectives, the Ethiopian forces helped the Transitional Federal Government in Somalia defeat the Islamic Courts Union earlier this year, the question on many people's mind is, now what? The country is already experiencing a backlash against Ethiopian troops. Even more troubling, the TFG is still unable to fill the power vacuum left behind by the defeat of the ICU. Ethiopian forces cannot stay in the country for long, given the animosity most Somalis have for them.

A renewed sense of Somali nationalism now seems to be emerging. It is the first time in more than a decade. However, Somalia faces 'enormous threats,' says Nicola Pedde, director of Globe Research, a Rome-based think tank that focuses on the Middle East and the Horn of Africa. One is the warlords. Somalis dread the idea they will return. If the government fails to allay those fears -- and do so quickly -- the door will reopen to instability and possibly the Islamic Courts' return. The Ethiopian presence also poses a dilemma. Somalis are suspicious of the Ethiopians and the longer they stay in Somalia, the more difficult it would be for the government to gain popular support.

V. The Horn of Africa's Comprehensive Perspectives

Post-Conflict Challenges

Violent conflict and its unresolved consequences rank among the top few factors seriously obstructing a large number of African countries from achieving their aspirations to peace and security and socio-economic progress. Countries emerging from conflict and in post-conflict situations are overburdened with complex problems including political instability, insecurity, human rights, justice and rule of law, reconciliation, reintegration and rehabilitation of displaced populations and, socio-economic challenges including rebuilding critical physical and institutional infrastructure, corruption, war economies and large unemployment problems.

The persistent absence of peace, security, and stability has serious consequences for the Horn of Africa's development and integration. Conflicts and wars have slowed integration in some regional economic communities—and brought it to a standstill in others. Regional economic communities have begun to establish formal institutional frameworks and to develop peacekeeping mechanisms. In the Horn of

Africa, the Inter-Governmental Authority on Development's (IGAD) has these responsibilities.

While it is well recognized that the stabilization of societies emerging from conflict requires more than peace agreements, peace-keeping troops and short-term humanitarian assistance, responses to such situations continue to be security and military oriented in spite of the increasingly articulate rhetoric for comprehensive solutions. As a result, very little attention is given to recovery and reconstruction needs and the civilian population in these countries may, at best, expect to benefit only from limited and poorly coordinated humanitarian assistance.

Weak strategic planning, severely limited capacities of internal actors, lack of significant and sustained international support and funding and poor coordination between humanitarian, reconstruction and development initiatives leave most of the recovery and reconstruction needs unattended. As a result most post-conflict countries will not be able to meet the Millennium Development Goals by 2015. In fact their socio-economic situation could even worsen further unless immediate and comprehensive action is taken to stem the downward trend. The impact of conflict on neighbouring countries and sub-regions including the burden of hosting large numbers of refugees could also have serious consequences on their socio-economic progress.

Addressing the needs of African countries in transition from conflict to sustainable peace would require a comprehensive and integrated approach, commitment of the concerned countries themselves and strong international support encompassing humanitarian assistance, recovery/ reconstruction and development. It is in an effort to provide a broad and strategic policy blueprint for such a comprehensive approach that the African Union is currently developing a strategic framework on post-conflict reconstruction.

Institutional Approach

The draft AU framework on post-conflict reconstruction and development has already been reviewed by members of the AU Peace and Security Council and other AU Member States during the PSC's 4th Brainstorming meeting held on 4 and 5 September in Durban, South Africa. The framework will shortly be reviewed by two separate meetings of international experts and experts of AU Member States during the first half of 2006. The Framework is expected to be endorsed by the AU's decision-making organs during the June/July 2006 AU Summit.

Since 1997 the IGAD Secretariat has embarked on activities in conflict prevention, management, and resolution. The region is prone to intermittent intrastate and interstate conflicts, which have slowed the momentum for regional integration. IGAD is pursuing peace processes in Somalia and Southern Sudan, with a view to restoring lasting peace. In January 2002 the ninth summit of IGAD heads of state adopted a resolution reaffirming IGAD's commitment to peace and reconciliation in Somalia and creating a technical committee of members bordering Somalia (Djibou-

ti, Ethiopia, Kenya) to promote dialogue with and among the Somali people. The resolution extended a plea to the international community to join IGAD in establishing peace in Somalia.

In addition, several projects aiming at mitigation and conflict resolution are being implemented. These include Control of Illicit Trafficking of Small Arms in the IGAD and Great Lakes Region and development of a conflict early warning and response mechanism. The mechanism is intended to enhance regional capacity for advance warning on conflicts and early response using a variety of means to diffuse or resolve conflicts. A Protocol on the Conflict Early Warning and Response has been ratified by IGAD member states. IGAD is also developing a disaster risk management capability with the objective of establishing capabilities to mitigate the impact of disasters.

According to the United Nations system support for the New Partnership for Africa's Development (NEPAD), the governance, peace and security cluster has two objectives: to promote good governance, and to provide support for peace and security efforts in Africa. High priority is given to: assisting African countries in the African Peer Review Mechanism process; strengthening their public administration systems; and supporting post-conflict reconstruction. The United Nations Development Programme (UNDP) has actively provided direct technical and administrative support to the African Peer Review panel and secretariat.

The humanitarian response and post-conflict reconstruction sub-cluster, which is chaired by the Office of the United Nations High Commissioner for Refugees (UNHCR), has two key responsibilities: developing integrated projects to respond to humanitarian crises; and promoting post-conflict recovery for countries in transition and those that have emerged from conflict situations. It has been agreed that the sub-cluster will prioritize support to the African Union through the development and dissemination of a post-conflict reconstruction and development framework.

UNHCR has also initiated a project to compile preliminary reports on postconflict recovery and reconstruction in 14 countries. The reports provide background information, analysis of causes of conflicts and ongoing recovery and reconstruction activities, and attempt to identify critical needs and gaps in past and current interventions.

The African Union has made post-conflict reconstruction one of its key objectives in ensuring stable peace and security in the Continent by including it in the mandate of the Peace and Security Council as well as its strategic plan for the 2004-2007 period. This progress, however, should be complemented by strong international support and the mobilization of resources to implement the framework, meet actual needs and bridge gaps on the ground.

It's very difficult to have a comprehensive regional view on Somalia's crisis. Every one is involved somehow. A recent UN report claims that Somalia's neighbors, including Ethiopia and Eritrea, are stocking the armed conflict that pits the Islamic courts against the Transitional Federal Government. Some of the region's other conflicts, like those in Southern Sudan and Northern Uganda appear to have reached

long-term negotiated settlements. However, the Darfur challenge continues without abatement.

In this section I will describe how main regional actors through IGAD are involved strategically in the Somalia crisis, and how they will affect the future stabilization and reconstruction plan. I will start with Kenya, Ethiopia, Djibouti, Sudan and Uganda.

Country-Specific Perspectives on Somalia

The situation in the Horn of Africa's security and post-conflict recovery today poses a number of theoretical and practical challenges about which model to pursue. While the formal structures of the African Union replicate those of the European Union, the conditions under which African countries are moving towards unity are very different to those prevailing in Europe. European security was driven by the concerns of two dominant European states – Germany and France – under the umbrella of NATO, led by the US. Hence, it is important to ask a number of questions about what it is necessary to put in place to create an African 'security community' as a precondition for unity.

- Do African countries recognise and accept a comparable role for hegemonic states?
- What are the preconditions in terms of democracy, civil society and demilitarisation?
- Can a security community be established by authoritarian governments, or does it require the engagement of an active, democratic civil society?

There is no single strategy that can provide peace and security in Africa. Strategies should focus on the different stages of conflict, namely conflict prevention and peace-building, conflict resolution and containment, and post-conflict reconstruction. Strategies also need to be undertaken simultaneously at local, civil society, national and regional levels, in the social, political, military and economic spheres. Strategies need to be simultaneously 'objective', dealing with the substantive issues and the institutional mechanisms for responding, and 'subjective', in developing the awareness, understanding and expectations of leaders at all levels. They need to move beyond purely military definitions of security to more comprehensive and strategic visions.

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The Role of Civil Society in Post-Conflict Peace-Building

This paper deals with the role the Somali Civil Society could play in peace-building and state-rebuilding. After a short explanation on the Somali social structure, i.e. its division in three castes (*waranle, wadaad, waable*) and its minority groups (city-dwellers, island-dwellers, river-dwellers), on its social functioning through the kinship system, social codes, customary laws, religion, cultural space and state, the paper gives the major lines of the changes that occurred in the society through the last century. It then discusses the role of civil society in the civil war and also gives examples of the work it has already done in favor of the population, filling the gap left by the state failure. Its conclusion is that nothing can be rebuilt without reconciliation between traditions and modernity and without the help of the civil society.

Somalia needs to rebuild itself. But it will have to reconcile traditions and modernity. Traditions are still present in the Somali society but modernity can't be avoided.

Before entering the subject I shall give an explanation on what is called "civil society" in the Somali meaning. Civil society can be seen through tradition as elders (traditional leaders, like *Ugaas, Malaq, Boqor, Suldaan, Garaad, Imaam, Islaan*, and so on) and religious leaders and through modernity as people involved in Peace, Human rights, Women and/or Professional organizations.

I will also give examples of the work the civil society has done to build peace and social structure during the civil war and how its workers have tried to help their citizens.

Then I will propose some tracks of what civil society can do in the post-conflict peace building process. Their previous experience will be really useful and shall not be lost or forgotten.

Defining civil society in the Somali context:

Civil society is usually defined as "volitional, organized, collective participation in the public space between individuals and the state"¹. This can take the form of NGOs

1 Cited by the late Dr Ahmed Farah in his unpublished paper, "Civil Society: the Somali Experience", Nairobi, April 2002, from Gerner and Schrodt, 1999.

(non-governmental organizations) or CBOs (Community-based organizations). These can be voluntary associations, or religious, advocacy or self-help groups (*iskaa wax u qabsa*) built up on a common project or around the same interests. They have no legislative or executive power, and non-profit aims. They use peaceful means.

Another classification separates them into operational NGOs, whose purpose is the implementation of humanitarian projects and advocacy NGOs meant to change policies and practices concerning a given cause. Some are acting strictly in a local area or country, others have international aims, these last ones usually based in Northern countries and carrying operations in other countries. Some national and international NGOs are only meant to collect funds from donors and to redistribute them to local NGOs according to their projects and aims. CBOs are different from NGOs for they are “people’s organizations”: members have joined together, generally at local level, to pursue a common interest. It is for example youth clubs, small credit circles (*shongolo, hagbad*), and so on.

But this definition of NGOs and CBOs must be regarded as especially given to modern occidental states where they first appeared. But they are not complete enough to describe Somali NGOs, CBOs and other voluntary associations. For there is no state in Somalia, hence many organizations are functioning for the welfare and well-being of the society and have filled the gap left by the state failure.

As formal governmental structures did not exist for many years, civil society assumed multiple roles normally devoted to state structures, like service and emergency provision, peacemaking, or reconstruction and development. Civil society faced these necessities through three main types of organizations: community-based organizations (CBOs), which should be qualified as “traditional structures”, local NGOs and professional associations, both forming “modern structures”. Traditional structures comprise traditional elders (*oday dhaqameedyada*), religious leaders (*hogaamiye diineedyada*), more especially those belonging to traditional tariqa and social and community groups (*kooxaha bulshada*). On the other side, but not opposing the traditional structures, one can find the LONGOs (local NGOs) and professional groups (*xirfadleyda*), such as teachers, lawyers, health persons, farmers, and so on. Most of them are very localized groups and operating in small areas, and usually acting on a clan-based framework. Nevertheless, their work for the population they serve was – and still is – outstanding. Traditional leaders and religious leaders as well as women’s organizations or professional groups have made considerable efforts toward peace making by solving local conflicts and diverting children from war and militia by providing school education and training.

The Somali civil society characteristics are a substitution for state inadequacy, instead of working aside with the state structures, and the inclusion of traditional elements in its way of working. However, media associations and business groups have not been included as civil society, even if they sometimes intervene inside networks to help on some specific projects.

Somali social structure

The Somali social structure is somewhat complex and the civil society reflects this complexity. The majority of the population belongs to the traditional clan-based society. This society is categorized in three classes: *waranle*, *wadaad* and *waable*. *Waranle* are the warriors, they form the noble caste of livestock herders and farmers; they keep the tradition of kinship system which separates them into tribes, clans and large families, following patrilineal trails. Known as *Gob* or *Nasab*, they hold power. *Wadaad* are men of religion. Their families are specialized in conducting worship, preaching and teaching the Koran and Hadiths. For a long time, these families didn't have livestock but were receiving payment for their work within the community in the form of live cattle and food. Finally, as the religious families also trail their name, they were considered of noble extraction. *Wadaad* and *waranle* can then intermarry. *Waable* are tradespeople, devoted to so-considered dirty handicrafts: tanners, blacksmiths, tailors, weavers, hunters, sorcerers-medicine men. Excluded from the kinship system, they can't possess livestock and can't intermarry with other clan members. Assimilated to a clan, they render services in exchange for the clan protection. Called *Gun* ("root" or "basis"), *sab*, or *Midgan*, *Tumaal*, *Yibir*, *Riibi*, *Waata*, *Aweer*, *Eyle*, *Muude*, *Jaaji*, *Yaxar*, following their handicraft, they suffer discrimination and injustice.

Other minority groups exist. City-dwellers, named for the city they live in or come from, such as *Reer Xamar*, *Reer Baraawe*, *Reer Marka*. Some of them were of Arab origin. Many are now living in exile. Island-dwellers, known as *Reer Bajjuuni*, are usually fishermen; they live on the southern coast or on *Bajjuuni* Island. Peasant-farmers, mostly of Bantu origin, are living in the rivers area. They belong to the following families: *Reer Baarre*, *Baajimaal*, *Gasar-Gudde*, *Reer Ciise*, *Digiino*, *Reer Geed-dow*, *Ali Mahad*, *Mashinguli*, *Oji*, *Gobaweyn*, *Shiidle* and *Makanni*. Said to be ancient slaves or regarded as descendants of the ancient Galla population, they are discriminated with the general name *Jareer* or *Tin Jareer*.

Waranle and *Wadaad*, of noble descent, were organized in clan-based structures: they belonged to a large family, included in a clan, part of a tribe, all structures defined on kinship trails. This segregation based on kinship trails is the most obvious structure of the Somali society. The Siad Barre regime, in its first years of existence, tried to obliterate it in favor of nationalism but soon the tribal structure came back, in the very inside of the government as Siad Barre rapidly appointed members of his own family and of his own clan at every level of the executive, legislative, administrative and economic structures. The opposition itself was based on tribal structure. The cross-clanic movement that overthrew Siad Barre's regime in 1991 turned up within a few months in a fierce civil clanic war.

Civil war has changed the Somali social classification. Minority groups, more especially trades castes and farmers of Bantu origin, now affirm their identity and are advocating for their rights. During the Arta conference (Djibouti, 2000-2002), they obtained for the first time the creation of a specific quota in the Upper House. Their number of representatives is half of the number of representatives of the other con-

federation; hence they are no longer dependent on the good will of their affiliation clan leaders.

Somali social functioning

Somali society is held by five pillars: the kinship system, its social codes and customary laws, religion, cultural space and values, which are the traditional pillars and more recently the state, as the fifth one.

Kinship system

This is the most obvious structure each observer can first see when studying Somali society. But what is seen is the *xigto* kinship, which means kinship based on patrilineal genealogical trails. Ethnic Somalis are thus organized in nuclear families, extended families, sub-clans, clans, tribes and confederations of tribes. Space occupancy is shaped on the same model. In times of conflicts or feuds, scattered families join together for defense and protection.

Each young Somali child learns his genealogy, that is the list of his ancestors beginning with the name of his father and ending with the name of the founder of the confederation he belongs to. The length of the list may vary but can reach at least thirty names, if not forty. The lineage is an identity card or passport; mutual statement gives outsiders their degree of kinship and will sketch their future relations. Every kin blood related to a father is member of the child's *xigto*. On the other side, all kin related to his mother are his *xidid* kinship that means its "roots" or his secret family. Marriage is seen as an alliance between two lineages; this alliance is reinforced by other new marriages between them. But the social relations with kins depend on their belonging to the *xigto* or the *xidid* kinship. For example, a child will have to be strong, mature, proud and undemonstrative with his *xigto* kin, while he will find tenderness, comprehension and advice within his *xidid* kin. While his *xigto* uncles will teach him martial arts, his *xidid* uncles will teach him esoteric skills. This kin structure is further entwined with age and gender divisions: for example, young boys and men are devoted to the protection of livestock and community, while elders participate in the management of the community and are decision-makers. Women are in charge of the household; they can't take decisions but nevertheless they can be involved in debates.

Large families, clans, alliances by marriage are different places of solidarity and mutual aid expression. For example, blood debt is a *xigto* matter, while the sharing of pastures and water-points is not limited².

2 For further information, see Mohamed-Abdi Mohamed, "Somalia: kinship and relationships derived from it", in *Mending rips in the sky, options for Somali communities in the 21st century*, ed. By Adam and Ford, 1997, pp. 145-59.

Social codes and customary laws

No society can be sustainable without rules. The Somali social code of values (*dhaqan*) is based on tradition (*caado*) and on customary laws (*xeer*). It regulates the whole society, from everyday activities to crisis management. Tradition defines what is allowed and what is not; many activities are carried out without discussion and trying to change the way they are performed is seen as abnormal. Customary laws, all oral until recently, manage relationships between individuals and groups. They are divided into four thematic branches: *dhiig* for assault and battery, *dagaal iyo nabad* for war and peace, *shaqo* for work regulations and *dhaqan* for civil rights (especially marriage and inheritance). They are common to all the tribes, except for some small variations. When a new issue arises, its resolution will serve as jurisprudence (*ugub*).

Typical internal cases that are conflicts between members of the community are usually solved by the chief and his judicial advisers (*xeer beegti*). But cases that might threaten relations between communities need the intervention of a *guurti*, i.e. a court composed with a judge and jury, all being elders chosen for their knowledge of customary laws. The most serious cases will bring together judges and juries from both sides and they will discuss the matter until it is solved. In rare cases, when the affair is too serious, the *guurti* assembles on the territory of a third uninvolved group that will act as mediator. Religion and its moral code reinforce the customary laws and religious leaders usually sustain the chief's decisions.

Religion

Islam spread through the Horn of Africa from the first century of Hegira. It came in successive waves, making its way smoothly through the area. Some clans claim descent from the early Arab leaders who arrived on the coast. Islam is now the religion of more than 99.9 % of the Somali population, which follows the Sunni Shafi'ite school of thought. Since the 16th century, three main brotherhoods settled in the area: the *Qaadiiriya*, with its *Uweysiya*, *Rizaqiya* and *Zayliciya* branches, the *Ahmediya*, with its *Dandarawiya*, *Saalixiya*, *Rashidiya* and *Marganiya* branches, and the *Rufaciya*. *Qadiiriya* and *Rufaciya* can be qualified as Sufi brotherhoods, while the *Ahmediya* is reformist: it proclaims a faith purified of all its emotive manifestations and is rather austere (tobacco, coffee, khat are forbidden, dress must respect very strict codes). Nevertheless, the majority of Somali people practise Islam with moderation and with respect for its teaching of Koran and Sunnah.

The colonial and post-colonial periods opened the door to politicized Islam in the form of the Muslim Brothers, Al-Ittihad and Tabliq ways of thought.

Cultural space and values

Cultural space describes the shared values of a society, relating to kinship, language, religion, culture and ethnicity. This concept transcends physical boundaries. Thus, Somalis living in Somalia, Ethiopia, Djibouti, Kenya and the Diaspora all over the world share these values.

State

State (*dawlad*) is a new concept: in the past, Somalis never formed a centralized nation as they didn't have a king or a president ruling the country. On the contrary, the Somali territory, maybe due to its harshness, was divided in smaller territories belonging, as far as they could protect it, to tribes and clans. Some were organized in Sultanates, like the *Ajuuraan*, *Majeerteen*, *Aji*, *Geledi* or *Biyomaal*. Nevertheless, each tribe was ruled like a state of which it had all the characteristics: territory, economic resources (that is livestock and agricultural products), armed defense, emblem, a chief and an assembly. While not acting as a nation in everyday life, Somalis could join their forces and skills to face danger, as for example they produced a coercive action beyond clanic bonds, against the colonial administration in the form of the Derivish movement or the *Biyomaal* upsurge.

Embryos of non-clanic management appeared in towns where people from different clans would come together to trade, settle and intermarry with Arab-Persian or Indian traders' populations. New ties were linked which defined them as city-dwellers, hence they became *Reer Xamar*, *Reer Marka*, *Reer Zeylac*, and so on. This proclaims a Somali identity beyond clan and could have been a model for a nascent nation on Independence Eve. The participation in the public sphere, whether of business or governance, produced the new concept of citizenship.

The modern state concept is an importation inherited from the colonial period. What is generally admitted in this modern state concept is a State free of any clanic restraint and built on the European models that gave it birth, i.e. the British and Italian ones. Its failure has many causes, one being the dictatorship it became under Barre's rule. But deeper causes exist: Somalia was the reunion of British Somaliland and Italian Somalia, two entities that were ruled by completely different administrations. Thus, education, justice, administration, administrative language and formulas, even highway-code, were different. Independence occurred in 1960, but the first attempt at standardization was not performed before 1972. Banishing the traditional clanic system without providing another understandable and sustainable system was another mistake.

Somalia has faced a state vacuum for sixteen years now. Rebuilding a new state will be a great challenge, as this new state will have to reconcile traditions and modernity and avoid the repetition of past mistakes.

Changes in Somali civil society

The Somali society has a long self-help tradition. It is included in its oral traditional customary law (*xeer*) that members of the same family, in its largest meaning, or of the same village, give each other help and mutual assistance for everyday activities and for special events.

Many examples are available to describe the phenomenon. Nomadic pastoralists, representing more than 70 % of the Somali society, used to manage their livestock, their pastures and water wells commonly. Farmers along the Juba and Shabelle rivers, used to plough, to sow, to weed, to harvest and to thresh grains altogether, working one day on one of their fellow's place, and the next day on another's. The digging of water ponds and their upkeep was also a common job performed by the community members using them. The fishermen and citizens were also working together for the sake of the community. The education of children, except for their very first years, was also a common matter: after the *gudmo* (which is the circumcision of boys and excision-infibulation of girls) the children were brought together by parents and neighbors of the same gender. Boys were sent with older boys to cope with the livestock in far away pastures, they learnt to protect them from wild animals and to fight; girls were educated to house tenure by mothers, grandmas and aunts. Offense reparation, marriage, death were also common affairs and poor and disabled were never left without help. Elders, traditional as well as religious ones, managed their community with respect for the customary laws: they had to solve all problems arising within the community and with other communities. Traditional elders (*Ugaas, Malaq, Boqor, Suldaan, Garaad, Imaam, Islaan*, and so on) were helped in this job by community elders who were religious leaders and other wise persons. Decisions were made through discussion and consensus. None of them received salaries for their work.

Colonial administration partly changed the functioning of the customary law, by appointing traditional leaders and sustaining some religious institutions and in the meanwhile banning others institutions or associations, and punishing their leaders. This ended up in the birth of an anti-colonial movement led by some traditional and religious leaders and involving men, women, poets, youth groups as well. But others were more favorable to colonization and chose to help the colonial authorities against their fellow countrymen. Hence, traditional leaders partly lost the respect and the confidence of their communities, which then chose new leaders, hence disobeying the colonial administration. Islam also changed and became politicized: parents first chose to give Muslim names to their new-born babies instead of Somali names and secondly they chose to send their children to Koranic schools instead of colonial schools. Somali civic groups, political parties and armed groups rose up everywhere to struggle against colonial authorities and played a vital role in the first expression of a nationalist Somali identity. In 1960, Italian Somalia and British Somaliland joined and formed the Independent Somalia. Many civil society groups, including women's associations, youth clubs, professional associations, emerged but were immature and could not implement their vision of progress and modernity. In 1969,

the military coup brought new concepts. All former civil associations were banned and replaced by strictly regulated organizations meant to support the scientific socialism. These were covering all social sectors: trades unions, teachers, women, artists but they had very small latitude of action. The traditional governance was banned and the traditional Somali structure ripped into pieces: the common management of live-stock, pastures, water-ponds, farms was dismissed; traditional solutions to conflicts and social disorders were no longer available.

But the national scale crisis brought back the self-help Somali tradition. The Ogaden war against Ethiopia in 1977-78 opened the door to international NGOs and allowed the creation of Somali NGOs under their umbrella. The resolution of the humanitarian disaster caused by this war and the following drought and the departure of the international NGOs didn't really lead to the dissolution of local NGOs in spite of the efforts of the Barre regime. During the 1980s, many organizations, civic and religious, were secretly created with the aim of helping the population suffering from increasing poverty. For example, they helped young married couples to settle in with minimum furniture. They provided free medical consultations for the poorest.

Under the pressure of massive cross-clan opposition, the Barre regime collapsed in 1991. But quickly, the movement fractured and took the form of a clanic civil war, fuelled by the collaboration of traditional leaders with warlords to recruit clan militias. But soon, seeing the senseless bloodshed that was occurring, the traditional leaders understood their mistake and changed their attitude towards warlords: they decided instead to participate in peace-building and population assistance work.

Somali organizations' actions during the civil war

Very few surveys were done on the Somali civil society despite its particular specificities. One can mention the study ordered by the Institute of Somali Studies (Mogadishu University), the one led by Bernhard Helander³ for UNDOCS in 2002 or the one I led for NOVIB in 2003⁴. My own implication in the peace-building process since the beginning of the civil war has allowed me to meet a lot of associations' and organizations' leaders.

The Novib Mapping of Somali Civil Society has shown that CSOs (NGOs and CBOs altogether) are diversely spread all over Somalia. Their types and numbers depend on the region where they are settled. Muqdisho and Somaliland, for example, have a large number of NGOs and very few CBOs while in regions like Gedo, Lower and Middle Jubba, the distribution is inverted. But all over the country, CSOs lack international funding, with a few exceptions. Generally CBOs collect funds in the

3 Helander, Bernhard, "Is there a Civil Society in Somalia?", UNDOCS, Nairobi, 1998.

4 Novib, *Mapping Somali Civil Society*, 2003.

Diaspora which every year sends around a thousand million dollars to Somalia to support families and their activities for their fellow Somalis. Nevertheless, CSOs have and are still doing a lot of actions for the population.

Professional groups are of different types. Some are more like cooperatives: their members decide the price on the market for their products (fish in the Bajuuni Islands, grain in farming areas, shoes in other places, and so on). Veterinary associations are helping with livestock, organizing vaccination and preventing massive exportation of females to the Arabic Peninsula in order to protect further production. Agriculture associations help with grain seeds and organize common work. Unfortunately, their work is sometimes ruined by the intervention of INGOs or by the World Food Program when they provide the population with free food during the harvesting periods, hence slashing prices.

Environmental associations, sometimes supported by women's groups and youth groups, are educating the population in environment protection and are advocating to protect the coast from overfishing, the forest from overexploitation to transform wood in charcoal for export, and to stop the burying of European toxic waste in the Somali soils.

Youth education has been handled by different CSOs: religious groups, women's groups, CBOs and NGOs have organized classes for Koran basic learning, or in other case for basic reading, writing and counting. 150 000 pupils are actually registered in those schools but a professional syllabus is not available yet. Few universities are open: Hamoud, Hargeysa, Bosasa, and four in Muqdishu. Others are due to open soon: Kismayo, Beletweyn, and Bardheere.

On the health side, hospitals are open, in spite of war and conflicts still raging from place to place. Doctors and nurses are often giving free consultancy for the poorest. They are also educating the young in basic medical aid; they are ready to engage themselves in a larger syllabus for the young and to staff dispensaries in the countryside. Health is also linked to water and sanitation; many groups have tried their best to provide them.

Many CBOs, in the form of religious and elders' groups, have been engaged in peace seeking and conflict resolution. Women's and youth groups have supported their actions as pressure groups. They are also advocating for those suffering from discrimination due to their clan or class. They have been working to divert the young from engaging in militias even though they have not been able to give them a substitution job. Elders and religious elders have also carried out micro-credit means, with the help of *xawaalad*, a sort of banking system through which Somalis in the Diaspora are sending money to their relatives in Somalia. Religious groups were used to ask for a small fee for each money transfer; these fees were use for micro-credits or providing supplies to the population.

Groups are also working to support women left alone with their children because of war: they help them to learn a handicraft, like weaving or sewing so they can sustain their family. They can also have sessions on AIDS and child health care.

Members of CSOs have paid for their work for their Somali fellows: elders and religious have been killed for having diverted children and young men from militias

or for their peace seeking work. Teachers and children have been killed while at school by blind bombings. But all these tragedies have not stopped CSOs' engagement.

Two other important groups though not considered as CSOs are the business groups and the media groups. During the war, businessmen have gained a lot of money by dealing with warlords on one side and developing means of transport and communications on the other. They have also helped inside their own area to develop some CSOs' projects. Media have played a role in broadcasting programs for peace and promoting peace demonstrations.

Conclusion

Today Somalia must reconstruct but must be careful not to repeat mistakes made in the past. A new state must be recreated, but it will have to find an alliance between traditions and modernity. Tradition is held by traditional elders and leaders and religious leaders, who have engaged themselves in CBOs. Modernity is bound to professional groups, women's groups, youth clubs and NGOs. CSOs, that are NGOs, CBOs and all other voluntary associations, have done a lot in favor of their Somali fellows and their experiences shall serve to this reconstruction.

Traditional elders, especially those specialized in *xeer* (customary laws) and religious leaders, specialists of the Islamic law, as well as modern jurists, must offer their help to rebuild the law system. The new constitution must be built on *xeer*, *sharia* as well as modern law. The new Somali state must be able to be reintegrated with the world, but without giving up its own traditional values.

Another example is the way the civil society can help young generations to build their future and give them hope. For seventeen years, schools were closed, and the young were given no education. Here and there, classrooms were opened but could not offer more than Koranic basic teaching or basic reading and counting. In this field, the role of the civil society will be to mobilize its brains and skills to educate the young. With education, they will be able to find jobs and build their life without guns and violence. This education will be directed towards militia men on the one hand and young people in general on the other hand. Many domains need to be reconstructed: education, health, sanitation, roads, houses, official buildings, and so on. All this can provide Somalis with work and jobs to rebuild their own lives while reconstructing their own country. All these skills must be employed and not left on the ground.

Africa's Responsibility to Protect: Does it Extend to Somalia?

Abstract

This paper deals with the reasons for the failure of the international community to intervene in instances of humanitarian disaster and internal wars and traces the evolution of the doctrine of the Responsibility to Protect (R2P) as a way of transcending problems traditionally associated with humanitarian intervention. It argues that in the case of Somalia its transitional federal government (TFG) does not have the legitimacy or capacity to assume the responsibility to protect its citizens. It is therefore the duty of the international community to intervene in Somalia in order to promote protection and security and to assist the country to find a peaceful solution to the conflict and to rebuild the Somali state.

Introduction

The aim of this paper is twofold. It explores the applicability of the emerging norm of the Responsibility to Protect (R2P) to the crisis in Somalia and second, some of the problems of this evolving norm as illustrated by the case of Somalia¹. In the first section I briefly discuss the emergence and meaning of R2P, whilst the section deals with its applicability to Somalia. In the third section I pay attention to a number of problems related to R2P, using Somalia as a case study.

1 For a comprehensive analysis of the current situation in Somalia, see Menkhaus (2007)

R2P: evolution and content

The basic principle of the Westphalian state – that of the sovereignty of states – has been protected by the rule of non-intervention since the peace treaties of Westphalia in 1648 and was enshrined in the mid 20th century in art 2 (7) of the Charter of the United Nations. Non-intervention was predicated on historical experience – that of international war and was aimed, not least, at preventing such wars. The only exception to the rule of non-intervention was that of a threat to international peace and security, in which case the Charter made provision, through Chapter VII and the doctrine of collective security, for intervention. During the 1990s, in the wake of the end of the Cold War, it became increasingly clear that the core peace and security problem facing the contemporary international system was not inter-state war, but intra-state war – something for which no provision had been made in the UN Charter.² Faced with the civil wars in the disintegrating Yugoslavia throughout the 1990s, the violent disintegration of Somalia in 1993 and the Rwandan genocide of 1994, the international community reacted erratically, or, in the case of Rwanda, not at all. In the Darfur region of Sudan, the situation has been dragging on for several years, with the EU expressing its ‘serious concern’ or ‘profound concern’ a total of 53 times between early 2004 and April 2007. The explanation for the failure of the international community to intervene in such instances of humanitarian disasters is four-fold.

First, there is little in international law, especially in the UN Charter, to provide clear guidance on dealing with situations that are basically internal to the states involved. Second, these situations are extremely complex and without knowing what the exact purpose of intervention is, so the argument goes, it might actually only exacerbate the situation, rather than solve it. Here the problem is linked to the very nature of the state as the accepted form of political organisation: intervention implies restoring the status ante quo – what happens once the international community leaves? Would its intervention have addressed the core causes of the domestic conflict? These questions point to the inherent problem of humanitarian intervention: what happens in the long-term?

Third, intervention has a bad reputation, especially in the developing world, and perhaps more so in Africa, where intervention has usually meant interference by the big powers, more often than not former colonial powers, in the internal affairs of countries, often exacerbating the situation, rather than solving it. Think of the enigmatic and still highly contested role of France in Rwanda in the run-up to, during and after the genocide. A more recent example is that of the US-led invasion of Iraq. Fourth, intervention in the internal affairs of countries has traditionally been conceived as an act of non-consensual military force, rather than a ‘graduated series of lesser measures with military action only as an absolute last resort’ (Evans, 2007).

2 Intra-state wars of course always attract international involvement, or spill over into regional involvement. Few, if any, civil wars are contained within the national borders of the state in which such a war is taking place.

These problems resulted in an international impasse on thinking about and developing measures to deal with human catastrophes resulting from violent conflict within the national borders of states.

Yet, despite these difficulties, the international community did start to grapple with the question of intervention on the basis of internal civilian protection against gross violations of human rights. Two initial attempts were made to set international thinking on a new conceptual path that would generate consensus, and therefore action in the face of such disasters. The first was the idea of the 'right of humanitarian intervention', coined by Bernard Kouchner, the founder of Medicines Sans Frontier, a right which many countries have been loathe to accept. The second attempt to resolve the problem inherent in the debate about what to do in the face of humanitarian disaster, was the attempt by (former UN secretary general) Kofi Annan to argue that national sovereignty had to be weighed and balanced against individual sovereignty as recognised in international human rights instruments. This argument made little headway and was considered to be a restatement of the problem of intervention and not a way out of the problem.

A breakthrough came with the report of the International Commission on Intervention and State Sovereignty (ICISS), sponsored by the Canadian government and chaired by Gareth Evans of the International Crisis Group (ICG) and the Algerian diplomat Mohamed Sahnoun. The Commission's report was released in late 2001 and was almost lost in the international upheaval following the terrorist attacks against the US in September 2001. The 2003 invasion of Iraq did not do much to help the acceptance of the Commission's key ideas and recommendations. Annan's 2004 High Level Panel on new security threats embraced the ideas put forward by the ICISS and during the UN 60th Anniversary World Summit in 2005, when, with the support of Sub-Sahara African countries under the leadership of South Africa, and key Latin American countries who adopted limited-sovereignty principles, the concept R2P was formally accepted.

R2P, in terms of the 2005 Summit Declaration, confirms the responsibility of the state to 'protect its population from genocide, war crimes, ethnic cleansing and crimes against humanity', and further confirms that the international community, through the UN, 'also has the responsibility to help to protect populations' under these conditions, 'in a timely and decisive manner, through the Security Council, including Chapter VII... should peaceful means be inadequate and national authorities are manifestly failing to protect their populations...' (World Summit Outcome Document paragraphs 138 and 139).

The ICISS (Evans, 2005:4) further recommended five criteria to be met to ensure not only legality in the case of a decision to implement military action in the case of R2P, but also to strengthen the effectiveness of such action through legitimacy:

- Just cause: is the harm threatened sufficiently clear and serious to justify going to war? This is an attempt to measure the seriousness of the harm done to a population.

- Right intention: is the primary purpose of the proposed military action to halt or avert the threat in question, whatever other motives may be in play?
- Last resort: has every non-military option for the prevention or peaceful resolution of the crisis been explored, with reasonable grounds for believing lesser measures will not succeed?
- Proportional means: is the scale, duration and intensity of the planned military action the minimum necessary to secure the defined human protection objective?
- Reasonable prospects: is there a reasonable chance of the military action being successful in meeting the threat in question, with the consequences of action not likely to be worse than the consequences of inaction?

With the adoption of the R2P, the international community effected an important change in the way in which sovereignty is perceived and exercised, moving it from a *right* to a *responsibility*, and accepting that a) when states do not exercise this responsibility, the international community should, i.e. has a responsibility, to intervene and that b) sovereignty is not only a right to non-intervention, but places a responsibility on states for the well-being of their citizens. R2P resulted in another conceptual development in that a thematic Security Council resolution (Resolution 1674) was adopted in April 2006 on the Protection of Civilians in Armed Conflict and in this resolution being invoked in the specific situation pertaining in Sudan with the adoption of Resolution 1706 in August 2006. The importance of resolutions 1674 and 1706 lies in the fact that these were adopted by the Security Council, the UN organ responsible for executive action.

R2P is rather narrowly, and purposefully so, concerned with security – it does not address issues of broad security as currently subsumed under the concept ‘human security’, but is aimed very specifically at the prevention of or response to acts of gross violations of human rights in instances where states do not intervene or are themselves the perpetrators of these violations. The violations targeted by R2P are genocide, war crimes, ethnic cleansing and crimes against humanity. R2P rests on three pillars: prevention, reaction and rebuilding. Its substance concerns the ‘provision of life-supporting protection and assistance to populations at risk’ (Takur, 2003:163).

Within Africa, an early indication of the (implicit) adoption of the R2P was the establishment of the African Union (AU) in 2002 and art. 4 (h) of its Constitutive Act, which aims at restricting unlimited state sovereignty by giving the AU the right to intervene in situations of ‘grave circumstances, namely war crimes, genocide and crimes against humanity’. So, for Africa, the R2P has a meaningful existence and recognition over and above the formal adoption of the norm by the UN and this might explain, at least in part, the continent’s, and the Security Council’s increasing attempts at strengthening the relations between the Security Council and regional organisations in terms of Chapter VIII of the Charter. After all, since the 1993 Somali debacle, the international community has made it clear that it is not much interested in sending their troops and civilians to participate in peacekeeping operations on the

continent. This is a job for Africans themselves (Africa has in any case been arguing for the past decade that it wants 'African solutions to African problems'). At most, the majority of Northern members of the UN will provide resources and technical support to African attempts at peacekeeping and protection, whilst the SC maintains the right to make the decisions on when to intervene.

In a way the elements of R2P are not new and can be found in the Charter and in international law, as it is a basic principle of international law that every state has the legal duty to protect its citizens (Fri-Ent/FES 2006). The protection of human rights is therefore consistent with states' international obligations despite the provision for non-intervention in art. 2 (7) of the Charter. R2P provides an international consensus around an already existing legal obligation.

The main achievement, at the theoretical level, of the new thinking on intervention is that the norm of R2P has, at the very least, bridged the conceptual and political divide that existed for so long in the debate on humanitarian intervention.

At present interest in the application of R2P seems to be focused mainly on the crisis in Darfur. Somalia enjoys little international attention beyond sporadic reports on the problems experienced with the peace conference in Mogadishu. It would not seem that the UN is paying much attention to the conference, treating the Somali case as an internal affair to be managed and solved by the TFG with the (informal) International Contact Group on Somalia (the EU, UK, US, Sweden, Italy and Tanzania with Norway as chair) keeping a rather distant eye on the proceedings. How do we explain this apparent lack of interest shown by the international community in the so-called peace and reconciliation process in Somalia? I can think of four explanations:

First and foremost is the power of agenda setting – the US and its allies have decided that Somalia is not important and Somalia obviously has few friends internationally, in addition to which it is rather difficult to figure out 'who' is Somalia. Second, this neglect of Somalia shows the power of the global agenda being set and managed by the US – once an issue or situation is defined as being part of the 'war on terror', few questions are asked. Third, the 'opposition' in Somalia is generally viewed, again because of the setting of the global agenda and the power to manage the agenda, as rather crudely being 'bad and radical Islamists' under the sway of al-Qa'eda and intent on providing a haven for terrorists from where they can launch their attacks against the West and Western targets.³ In such cases democracy as a system that tolerates and manages opposition does not extend to embrace all forms of opposition. Fourth, the myth that there is a government in Somalia – the TFG – and that this government is legitimate as it is the product of inclusive peace negotiations conducted in Kenya in 2004 under the auspices of IGAD, has been successfully sold to the international community. Now, the argument goes, the challenge is to support that government, in the face of terrorist insurgencies, to assert itself and to fulfil its

3 That the AU has wholeheartedly bought into this interpretation is clear from the AU PSC Communique (2007), in particular par. 2 which refers to 'terrorism' and 'extremist elements', though one should hasten to add that the Communique also calls on the TFG to follow an inclusive process and 'to spare no effort to reach out to all sections of the Somali population' (par. 6)

duties and functions, amongst which of course is the responsibility to protect its population – a rather convoluted argument, but there you have it. One may also mention here that this neglect of the Somali crisis manifests in a very practical and callous way – despite international commitments to the funding of the current peace and reconciliation conference, few donors have so far honoured their pledges and chances are that the conference will anyway run out of steam due to lack of resources. Furthermore, the AU authorised AMISOM for a period of six months, starting in January 2007, appealing to the Security Council to take the necessary steps to deploy a peace-keeping mission in Somalia. In July 2007, the AU had to extend AMISOM for another six months as there is no sign that the UN is going to assist.

These explanations cover a deeper one – that the debate about Somalia has been moved from that of a collapsed state to that of a state in which state failure is possible because the government is being threatened. In other words, a useful fiction of an existing state (in the sense that it is understood in the international political and legal environment) has been created which then calls into action a range of measures that serves the interests of very specific actors, in this case mainly the US and Ethiopia, but also, to an extent, the interests of the AU: a government under threat is easier to deal with than a collapsed state, as there is ‘something’ that can take responsibility for implementing the goals of external actors and this ‘something’ can then be used as a justification for ‘supporting’ its measures (a circular argument, but one that makes political sense), for instance, invading the country to protect and strengthen the weak and besieged TFG. Yet this useful fiction now hides the fact that the TFG derives what legitimacy it has from its external environment, and that, as one ordinary Somali put it, ‘the government is making friends with itself’. In other words, to the extent that legitimacy of a government is necessary for its functioning, such legitimacy in the case of Somalia comes from the outside, and mostly from actors being perceived with deep suspicion and bitterness by a very large section of the population, with little evidence of *domestic* legitimacy. The question is, how long can such a situation endure? And to what extent might the allegations of the existence of radical Islamists and terrorists become a self-fulfilling prophecy?

This brings me to R2P and its applicability to Somalia. As discussed in the previous section, R2P rests on the pillars of prevention, reaction and rebuilding in the face of the threat of or actual existence of gross violations of human rights, viz. genocide, ethnic cleansing, war crimes and crimes against humanity. Can one say that these conditions prevail in Somalia or that there are indications (early warning) of such violations? I would argue that there are at least five reasons why the Somali case should be considered a candidate for R2P with international intervention on the basis of both prevention and reaction:

- the serious tensions amongst groups (roughly speaking the warlords, who seem to be supporting the TFG mainly because of the perceived power that might accrue to them in a legitimate way should the TFG manage to fulfil the resolutions of the Transitional Charter, and the supporters of the Union of Islamic Courts, and

to some extent ordinary Somalis who do not recognise the TFG) might result in a relapse into carnage and civil war

- threatening remarks by the President Abdullahi Yusuf against the Hawiya clan earlier this year (Samatar 2007:2)
- the displacement of almost half a million people since the beginning of 2007 and the precarious conditions under which they have to survive
- the lack of order and stability in the country despite (or perhaps because of) the presence of Ethiopian troops and the fledgling African Union Mission in Somalia (AMISOM) force consisting solely of two battalions of Ugandan troops who themselves are constantly under threat and
- the obvious inability and lack of capacity of the TFG to exert its authority over the territory and inhabitants of Somalia, as is required of a state, and its inability to provide protection to the population.

In fact, I would say that what we witness in Somalia at present is neither protection nor responsible international behaviour. The above conditions provide ample evidence that there is an urgent need for an R2P operation in Somalia. There are, however, a number of problems or questions regarding R2P in the case of Somalia:

- Is 'R2P' to be a formal declaration of such intent? When and at what point does an intervention become one to protect vulnerable populations?
- Who decides on the nature of such an intervention? Whose voices are heard and who decides whose voices are heard?
- Who protects and for how long?

I will deal briefly with each of these.

When is an intervention aimed at protection?

I think this is an important question, especially taking into account the huge damage done to the idea of the R2P in the case of Iraq when, after the event, attempts were made to cloak the intervention in humanitarian concerns, thereby entangling it in the discourse of 'regime change' and enforced democracy. Currently, in Somalia, we have an intervention in aid of strengthening the faltering and fragile TFG, presumably to assist it in exercising its responsibility to protect. Yet, part of that intervention is outspokenly aimed at removing 'terrorists' and it has the overt support of the US. The intervention removed what seemed to have been an institution – the Islamic

Courts – that enjoyed more legitimacy than the TFG and one that seemed to have been able to offer more protection to people.

At the same time, though, there also seem to have been some radical Islamist elements in this government who, in the words of Samatar (2007; see also Menkhaus, 2007), were guilty of ‘irresponsible rhetoric and rash actions’ which then gave the US reason to support an Ethiopian invasion of Somalia on the grounds of threats to international peace and security. It should also be kept in mind that Security Council resolution 1725 prohibited Somalia’s neighbours to interfere in Somali affairs, but approved a regional, i.e. IGAD intervention, long on the books. Eventually, though, the intervention was an Ethiopian operation and openly so, yet it was not condemned internationally. Taking the case of Sudan as a guideline, it would seem that in order to intervene to protect, a Security Council resolution calling on the resolution on the Protection of Civilians in Armed Conflict (Resolution 1674 of 2006) would be a first necessary step. In other words, the purpose of an intervention needs to be very clearly stated in terms of the R2P.

Who decides how and why to intervene?

The intervention in Somalia in December 2006 and the rapid ‘defeat’ of the Union of Islamic Courts might turn out to have been a Pyrrhic victory, just as was the case in Iraq. As the ICG (2007) pointed out in January this year, the militant Shabaab leadership and the grassroots network of schools, mosques and enterprises supporting and spreading Salafist teachings remain intact and there is a dangerous political vacuum in much of Southern Somalia, again much like the situation in Iraq. There does not seem to be anything positive about the Ethiopian intervention to prop up an unpopular and largely illegitimate government, and the US air strikes in January this year did absolutely nothing to restore confidence in the international community, neither has the way in which the AU has been dealing with the crisis.

One of the purposes of acting on the norm of the responsibility to protect is to assist with peace building and reconstruction after war. Yet, what we see in Somalia, is that the situation is as precarious as ever, that the TFG is too weak to establish its authority, but more importantly, that the international community either does not insist on comprehensive peace talks, or that it makes little or no impact on the TFG and its Ethiopian backers, thereby worsening an already tense and bloody situation and with little apparent hope of finding a long-term solution. The challenge then for Africa in exercising its responsibility to protect, is to get the right people involved: international actors should be legitimate and credible, and not merely those who seemed to be willing to intervene – such a willingness often stems from self-interest and re-enforces the allegation that humanitarian intervention is an excuse for the pursuit of national interest. Domestic actors should also be credible as leaders, even though they might not be viewed in all quarters as acceptable on the basis of their

political values and objectives. But although there is a clear role for Africa, and a need for the AU to play a leadership role, the decision to intervene in order to protect still has to be made by the Security Council, not only because it is the executive arm of the UN as a global organisation established with the aim of providing collective security, but also because a SC resolution has, at the very least, the potential to galvanise the international community into providing the necessary resources for such an intervention.

Who protects and for how long?

It is fairly clear that Ethiopia's intervention is in contravention of UNSC resolution 1725. But it also seems obvious that the resolution's granting of authority to intervene to IGAD is unfeasible, not least because members of IGAD are either stretched to breaking point already, due to their peacekeeping obligations (Uganda), or are themselves embroiled in internal crises (Sudan) or are sworn enemies (Ethiopia and Eritrea) or have lost their credibility as neutral actors (Kenya). Obviously, *who* protects on behalf of the international community is an issue that needs careful consideration. In the case of Somalia it would seem that both the UN and the AU put the burden of responsibility onto IGAD, an organisation clearly no longer capable of exercising this responsibility, although the AU has since January this year become seized with the matter and the current peacekeeping force in Somalia is an AU force. The involvement of the US of course exacerbates the problem, yet also with little international concern shown, except by NGOs such as the International Crisis Group. US support to Ethiopia and its air strikes in southern Somalia in January this year have served to strengthen the arguments of those who oppose humanitarian intervention and the R2P on the grounds of abuse and inconsistency. This is not an easy one: the US can and does justify such actions on the basis of the war on terror which it, too, wages in the name of a responsibility to protect.

A further problem highlighted by the Somali case is that of the legitimacy of the intervening party/ies – if such an intervention does not enjoy the support of the population it is supposed to benefit and protect, is it wise to intervene? This is probably one of the most difficult aspects facing the development of International Human Rights Law and Humanitarian Law: trying to find an answer to the question: who is sovereign – the state or the people?⁴ R2P tried to address this by changing our con-

4 Takur (2003:165-166) discusses the development of sovereignty and points to the fact that subsequent to the enshrinement of the sovereignty principle in the Westphalian Treaties, the concept was redefined over time to denote (in the sphere of its internal meaning) 'a social contract between citizens and rulers' and that by the end of the 19th century, 'a distinction was being drawn between legal sovereignty as vested in parliament and political sovereignty as vested in the electorate'. In terms of domestic politics, then, the 'people' and their representatives are sovereign, yet this definition only holds true for democracies, and is not of much assistance in answering the difficult questions about intervention.

ceptual tools from thinking about sovereignty as a right to treating it as a responsibility, as argued in an earlier section. Yet it has not really provided an answer to this thorny issue and Somalia is an excellent case of how necessary it is to find an answer. Of course this is the subject of much academic debate and it will continue over time, but while we attempt to find answers and to promote new international norms, ordinary people suffer and die. And whilst mandating intervention by parties considered to be legitimate in the eyes of the international community (a decision of expedience?) and even of the government to be assisted in its role of protector of its civilians, what is to be done when the people who are to be protected actually regard their protectors as illegitimate and threatening? This is perhaps where old-fashioned diplomacy comes into play. The decision as to who will protect, needs to be the product of intense coalition-building and lobbying for support and agreement among a range of actors, including individual states, international organisations, NGOs and credible representatives of those to be protected. It is interesting to note the extent to which *international* support for the TFG in Somalia is emphasised, whilst as much emphasis is placed on the lack of support for it amongst the Somali population. The current operation in Somalia, aimed at protection of the government (and not the population) might therefore, as has been warned by the ICG, actually achieve the exact opposite of what was intended.

One suggestion that has been made in this regard is that of Abdi Samatar (2007a) who believes that the international community should mandate Sweden and South Africa to undertake the responsibility for facilitating the peace process in Somalia. The core principle of such an arrangement should be that the ‘caretakers’ do not *substitute* the political process but *facilitate* it. Such a move would have a number of advantages, amongst these:

- acting as interlocutors between the various parties in Somalia and the international community at large, as well as the UN and AU in particular
- facilitating the development of a genuine and comprehensive peace and reconciliation process based on a careful examination of the IGAD process which produced the Transitional Charter and the TFG
- facilitating the rebuilding process in Somalia.

The rebuilding aspect of R2P will probably in the long run turn out to be a big test of the success of the doctrine, as it will test the international community’s commitment to stay the course. In this regard the role of the Peace-building Commission will be crucial, and it underlines the importance of the relationship between the SC and regional organisations, not only in terms of a division of labour, but also in terms of a commitment at the level of the UN to support regional organisations in the long term to assist states in building a capacity to protect. In this regard the AU’s evolving policy on PCRD might provide the necessary guidelines, measures and framework for implementation of such an effort.

Conclusion

What we have in Somalia at present is a case of threatening disaster getting little international attention as it would seem that there is a consensus that 'things are being fixed'. What we have internationally is a comprehensive mechanism – R2P – that might provide a way out of the quagmire of Somali politics. What is needed is for the international community to recognise this through the Security Council, for the Council to issue a resolution that would facilitate the implementation of R2P in Somalia and for the international community to then, under the leadership of a small number of genuinely committed countries, start the process of R2P to prevent further human suffering and political turmoil in that country. On paper the mechanisms and measures to rebuild Somalia into a secure and stable country do exist. The challenge is to convince the US that its interests – and those of the Somali people and the broader Horn of Africa region – will be best served by a comprehensive effort to protect and rebuild Somalia.

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African Solution to African Problems: The End of the Mogadishu Syndrome¹

The fall of Mogadishu on New Year's Eve to the allied forces of the Transitional Federal Government (TFG) and Ethiopia will not hurt the Union of Islamic Court's (UIC) jihad on Ethiopia, nor will it automatically bring stability to war-torn Somalia. It is unlikely that the UIC will lay down their arms and surrender their militias, or that the TFG will be able to extend its authority outside of Mogadishu. This is the general opinion among many Somalis and friends of Somalia, largely because Somalia's past 16 years have shown so many tangible examples of unsustainable transitions.

However, this latest transition could be an opportunity to close a chapter of instability and anarchy in the Somali peninsula. If successful, it may bring the end of lawlessness and of Somalia's stigma as the only failed state on the globe. In the longer run, it may help to restore the unity of Somalia and to curb the war on global terror. Since the collapse of the state in January 1991, Mogadishu has experienced a number of disastrous transitional authorities which have left their mark on the Somali psyche as well as on that of the international community. During Ali Mahdi's interim government (1991-92), the city was turned into rubble because of indiscriminate shellings between Mahdi's militia and rival forces led by General Muhammad Farah Aideded. Mogadishu was divided by a de facto "Green Line", where Mahdi's militia controlled the northern portion of the city and Aideded's the southern.² The post-Arta settlements of May-August, 2000, brought about the Transitional National Government (TNG) with Abdulqasim Salad Hassan as President.³ The TNG could not establish its authority over even one sector of Mogadishu. Then the Mbeghathi⁴ Peace and

1 Parts of this article is published originally in *African Renaissance*, Vol. 4, No. 1, Quarter 1, 2007, under the title "Somalia and the End of Mogadishu Syndrome?" pp.22-27.

2 Hirsch, John L, and Robert B. Oakley, *Somalia and Operation Restore Hope: Reflections on Peacemaking and Peacekeeping* (Washington, D.C.: United States Institute of Peace, 1995), 14-16.

3 Arta is a summer resort in the Republic of Djibouti, where the reconciliation conference was held. See details in Mohamed Haji Mukhtar, *Historical Dictionary of Somalia, New Edition* (Lanham, M.D.: Scarecrow Press, 2003), 41-42.

4 Another resort in Kenya. It is noteworthy that the duration of Somalia Reconciliation Conferences was extending astronomically, from one week (June 5-11, 1991) in Djibouti, which is known as Djibouti 1 -where Ali Mahdi's interim presidency was endorsed- to almost a month (dec.-January 3, 1997) in Sodere, Ethiopia, another resort. Then four months in Arta (May, June, July and August, 2000), and two years in Kenya (2002-2004).

Reconciliation Conference of 2002-2004 produced the Transitional Federal Government (TFG). The new president Abdullahi Yusuf Ahmed and the majority members of his parliament failed even to “put their feet” in Mogadishu because of fears for their security. Now after more than two years of brief sojourns in Jowhar (2005) and Baidoa (2006), the TFG has taken over Mogadishu with Ethiopian support and without resistance. The UIC who controlled the city from June 2006 withdrew and their leaders are on the run.

For the past 17 years, Mogadishu’s residents have lived under different reigns of terror. More than 10 warlords split the city into enclaves. Their “isbaro,” checkpoints, limited the mobility of the local residents as well as the flow of goods and services. Each enclave controlled aspects of the city’s security and economic resources i.e. ports, airports, airstrips and leading roads to the rest of the country. Since 1990 all attempts to establish an autonomous administration for Mogadishu city have failed. The city became a safe haven for criminals. Assassinations of Somali peace-makers, educators, medical doctors as well as international humanitarian providers were common; victims included Ali Iman Sharmarke (August 11, 2007), Mahad Ahmed Elmi (August 11, 2007), Mohamud Ali Ahmed Elman (March 1997), Ayub Sheikh Yerow Abdiyow (September 19, 1999), Abdulqadir Yahya (July, 2005); Dan Eldon (1993), Sister Leonella Sgorbati (2006), and Kate Payton of the BBC (February 9, 2006). In June, 1993, it was in Mogadishu where dozens of UN peacekeepers were murdered while guarding an outside soup kitchen for the malnourished and victims of the famine.⁵ Moreover, the massacre of Black Hawk Dawn cost 18 US troops in Operation Restore Hope their lives (1993).⁶

As a result of the power struggle between self-appointed administrations, clan based warlords and fanatic Islamists, thousands of innocent Mogadishans were killed from the indiscriminate shellings and crossfire and hundreds of thousands displaced. Somalis in general and Mogadishans in particular were murdering the very individuals or groups who were attempting to help them. For reasons only a psychiatrist, perhaps, could explain, Somalis in general and Mogadishans in particular became their worst enemies.

It is obvious that Somalis failed to help themselves and recover from the abyss, and the international communities seemed unable to tackle the root causes of the problem. Somalia needed to root out weapons and militias or faction leaders in order to promote reconciliation and effective governance. According to the UN/World Bank’s Joint Needs Assessment (JNA) in 2005, the total estimated number of militias is 53,000. Of them 15,000 militias are controlling Mogadishu. Unfortunately, efforts towards disarmament have failed during the past 17 years.

5 John Drysdale, “Foreign Military Intervention in Somalia: The Root Cause of the Shift From UN Peacekeeping and its Consequence.” In *Learning From Somalia: The Lessons of Armed Humanitarian Intervention*, edited by Walter Clarke and Jeffery Herbst (Boulder, Colorado: Westview Press, 1997), 132.

6 Mark Bowden, *Black Hawk Down: A Story of Modern War*, (New York: Atlantic Monthly Press, 1999), 261-326.

There are a number of lessons to be learned from Somalia's past, when the country was devastated by similar crises. In the post World War I era, 1923-27, armed Somalis returning from the war zones started vandalizing the region. The Italian administration succeeded in "pacifying" them and controlling a territory even vaster than Somalia today (called "la Grande Somalia", the greater Somalia) by introducing a serious policy of disarmament.⁷

Similarly, after World War II, the British Military administration (BMA), 1941-50, faced the same question. The defeat of Italy in the Horn of Africa by the Allied Forces left Somalia in a political vacuum, because Italy had earlier destroyed the Somali lines of authority. Moreover, thousands of young Somalis armed by the Italians were left behind with their weapons. These young men, mostly recruited from the nomadic clans turned the country into a scene of pillage and plunder. The BMA had no clear mandate to govern Somalia. Its responsibility was a transitional one, to keep Somalia as an "Occupied Enemy Territory" until the Allies – the Four Powers- decided the future of such areas, but the situation gave new incentives to the Somali pastoral propensity for property looting and inter-clan feuds. The BMA had no other choice but to disarm the Somalis.⁸ While the means and goals of the colonial powers in Somalia were not precisely the same as those of today's multinational troops, the circumstances and clan intrigues of the Somalis are quite similar.

For example, when inter-clan war spread throughout the country and caused a famine in the inter-riverine region in 1991-93, the US-led Operation Restore Hope (ORH) was essential to keep Somalia's brigands and their weapons at bay while relief aid was being delivered. During the United Nations Operation in Somalia (UNOSOM) which followed ORH, Somalia began a tentative recovery. Baidoa, which the media in 1992 had called "the City of Walking Dead," reclaimed its historic name "Baidoa Jinay" the heavenly city; and the inter-riverine region that was labeled as "the Triangle of Death" became one of the most peaceful regions of the country.⁹ However, immediately after the withdrawal of the international authority ORH and UNOSOM, new forms of anarchic authority emerged in the region. The Republic of Somaliland which had seceded in 1991 was joined by the autonomous Riverine State in Baidoa (formed in March 1995, and overthrown by Aideed in September, 1995) and by the regional authority of Puntland State in Garowe in 1998. Thus, Somalia went back to square one.

Operation Restore Hope and UNOSOM will be remembered widely as a success story in Somali history. The missions alleviated an unimaginable tragedy among the devastated Somalis. But its success would have been more lasting if the rescued Somalis had been helped towards a workable political solution in a parallel effort to the humanitarian cause, and if the international community had been more aware of the real causes behind the Somali tragedy.

7 De Vecchi di Val Chismon, *Orozzonti d'Impero: Cinque Anni in Somalia*, (Milan: A Mondadori, 1934), 25-27.

8 Sylvia E. Punkhurst, *Ex-Italian Somaliland*, (New York: Philosophical Library, 1951) 164-69.

9 Mohamed Haji Mukhtar, "The Plight of Agro-Pastoral Society of Somalia." *Review of African Political Economy*, Vol. 23, No. 70, (1996), 552.

Recent examples also might shed some light on the necessity of international intervention in Somalia's affairs. Since leaving Nairobi in November 2004, the TFG has failed to achieve a quorum for a meeting. Some of the TFG parliamentarians went to Mogadishu, arguing that the seat of the government should return to the old capital, while others refused to go Mogadishu believing it could not provide the necessary security. They agreed instead on Jowhar, 90 km north of Mogadishu as an interim capital until Mogadishu was secure. None of the group could have a quorum and this kept the TFG dysfunctional for over a year. In February, 2006, the two groups agreed to convene in Baidoa, 250 km West of Mogadishu. This would have been impossible without UN facilitation. The UNDP provided some basic operational funds, including infrastructures, services and some basic security.

On 28 February, 2006, the 275 members of the parliament convened and called for the necessity of international involvement in Somalia.¹⁰ It became clear that the TFG would remain handicapped without international assistance. No progress whatsoever could be achieved without rigorous deployment of international troops to tackle the issue of disarmament, which is essential to sustainable peace and reconciliation in the country. It is also obvious that without stability no meaningful reconstruction is possible and all social and economic progress will remain doomed.

The TFG invited the international community to take action, this time not to rescue Somali people from famine or to restore its failed state, but rather to prop up the faltering government and prevent the establishment of a Taliban-style state that might provide a safe haven for al-Qaeda and other terrorist groups in Somalia. The African Union (AU) authorized deployment of troops for this endeavor.¹¹ Ethiopia was the first to heed the call, initially providing trainers and more recently sizeable numbers of troops, following the UIC attacks on Baidoa, the headquarters of the TFG. The UIC are backed militarily by Eritrea and Egypt, the archrival of Ethiopia in the Horn of Africa, financed by Iran and Saudi Arabia, and has the overwhelming support of the global jihad movement. In Baidoa the UIC staged some serious suicide bombings. In September, 2006, Abdullahi Yusuf Ahmed president of the TFG, survived a devastating attack where eight of his bodyguards were killed. Baidoa also experienced some heinous assassinations. In July, 28, 2006 Abdalla Derow Issaq, Minister of Federal Affairs, and other dignitaries were shot at point blank range; the assassins were never captured. These are just some examples of al-Qaeda style of actions in Baidoa. In Mogadishu and elsewhere, where the Islamists established control since June 2006, they introduced practices that are antithetical to Islamic values such as chopping off hands of thieves or generally applying "hudud" laws when there is no functioning state apparatus; laws forbidding women from riding in cars with men even when there is no transportation capable of supporting that segregation; and introduced regulations that men cannot shave beards or watch television. No women were included in their Shura and Executive Councils.

10 Crisis Group, Africa Report No. 116, *Can The Somali Crisis be Contained?* (August 10, 2006), 7-8.

11 In January 2005, leaders of the Inter-Governmental Authority on Development IGAD authorized the deployment of a peace support mission known as the IGASOM to help the TFG on disarming militias, training police force and maintain law and order in the country.

The UIC showed themselves to be insensitive about Islam in the Horn of Africa. Almost half of the Ethiopia population professes Islam and most of the time live harmoniously with the other Christian half. This is true of Eritrea as well. If the Somali Islamists are in pursuit of establishing an Islamic state they should have been passionate about Ethiopia's legacy on Islam. When companions of the Prophet Muhammad were persecuted by their own clansman, the Meccans, the Prophet suggested that they go to "Abyssinia", Ethiopia: "There... you will find a king under whom none are persecuted. It is land of righteousness..." Indeed, the companions were given asylum and safe haven and were protected from Meccan retrieval.¹² It is believed that Islam came to Somalia from this migration. And Somalis are proud of claiming that they became Muslims even before Medina.

The outcome of the Ethiopian interventions and the eventual empowerment of the TFG should be looked at by both Somalis and the international community as a potential blessing in disguise. Somalia has lacked governance for the past 17 years, and it is ranked at the bottom of the development index. The masses have been yearning to have their state back, to have some semblance of dignity. Now that the TFG is functional, Somalis should welcome and work towards the success of the TFG. The armed Somalis are the problem. For a sustainable peace and stability, they must voluntarily give up their guns. It would have been ideal to disarm without foreign intervention. Somalis should first and foremost do their homework. Building roads, schools, hospitals and other basic civic infrastructures is impossible if builders are at gun point or infrastructures are bombed at any moment. The Somali people should put down arms and the government should find alternatives for the armed youth. We need to give peace a chance.

The international community should commit itself more than ever. Multinational troops must be deployed immediately, first for helping the disarmament process in a year, and then for training the Somali police force. The task of reconciliation and reconstruction is more than Ethiopia can do alone. In fact the continued presence of Ethiopian troops in Somalia would inflame tensions. Genuine reconciliation should start and grievances should be settled. Again, international assistance is crucial, as only neutral parties, without clan links, can settle long standing tensions. It is necessary to bring the war criminals to justice. It took Liberia many years to nail Charles Taylor. After Taylor was indicted, not only Liberia, but many countries of Northwest Africa were able to restore peace.¹³ Similarly, the Democratic Republic of Congo is expected to be at peace after putting the infamous warlord Thomas Lubanga in the International Criminal Court's custody. The international community must ban Somali warlords, and Islamicists alleged to have ties with international terrorism from coming to their countries. Stop issuing visas, and freeze and shut down their bank accounts.

12 Abi Muhammad Abdulmalik Ibn Hisham al-Ma'afiri, *Al-Sirah al-Nabawiyyah*, vol. 1, (Cairo: Dar al-Hadith, 1996), 266-81.

13 Mohamed Haji Mukhtar, "Somalia: Trampling the Grass." *The World Today*, Vol. 63, No. 2, (February, 2007), 16-17.

This opportunity may not last long. The UIC may be retreating for tactical reason, and though they have restricted freedoms, they brought some degree of stability not seen before in Somalia. If the TFG cannot bring about better stability and tangible progress in the near future, this might invite insurgencies and the Somali crisis could overflow and turn the entire region into a battlefield, and Somalia might descend into chaos again.

Ethiopian Occupation and American Terror in Somalia¹

Abstract

This essay assesses the nature and the objectives of the illegal Ethiopian invasion of Somalia and America's misguided support for it. America's war on terror has imposed a reign of terror on the Somali people which has destroyed a third of the Somali capital, killed 7000 people in the last ten months and displaced over half a million people from Mogadishu and surrounding areas. There are credible reports that the occupation has induced near famine conditions in several parts of the south and the so-called international community remains silent about the horrific plight of the Somali people. American and Ethiopian euphoria surrounding the defeat of the Union of Islamic Courts was short-lived as a fierce national resistance movement has reemerged. The long-term effects of these developments for Somalia and the region are foreboding. Paradoxically, it seems likely that Islam will play a greater not lesser role in the civic reconstruction of Somalia.

Introduction

The United States-sponsored Security Council resolution, 1725,² to lift UN arms sanctions on Somalia and allow the military forces of the Intergovernmental Agency on Development (IGAD) member states to intervene in that country, ratified on December 6, 2006, became a prelude to the Ethiopian invasion of Somalia. America's pretext for pushing this resolution through the Security Council was that the "internationally legitimate" government of Somalia needed international military support since it was in danger of being overtaken by radical Muslims. The Islamic leaders, supported by the population, who drove out the warlords and restored peace to the

1 A slightly different version of the essay was published in the *Review of African Political Economy* (34, 111, 2007). Permission granted.

2 Somalia: Resolution 1725 (2006) adopted by the Security Council at its 5579th meeting on 6 Dec 2006 (S/RES/1725).

capital and surrounding areas, were branded as friends of terrorists or terrorists. Much like earlier US claims about weapons of mass destruction in Iraq, the American accusation that Muslim leaders in the Somali capital have *links* with terrorists seems imagined, as no evidence has been produced thus far to substantiate the assertion. It seems that the United States has confounded the possible presence in Somalia of three individuals accused of terror with the Islamic movement. The American and its Ethiopian proxy's rhetoric of saving Somalia from terror was a new clarion call since neither of these governments came to the rescue of the Somali people when the warlords imposed a decade-long reign of terror on the population. Instead they tap-danced with warlords and continue to do so. Within two weeks after the resolution was passed the Ethiopian PM, whose forces already occupied much of the regions of Bay and Bakool pre-empted the intent of the resolution by invading Somalia with an estimated force of 20,000 well-equipped troops.³ The African Union shamefully supported the Ethiopian invasion only to recant later, and the US and its allies blocked two attempts at the UN Security Council that called for immediate Ethiopian withdrawal. A day later the AU, Arab League, and IGAD all demanded a prompt Ethiopian pull-out from Somalia, but by then the die had been cast and Ethiopia ignored this plea since it had the backing of major Western powers.

This short essay narrates the pathway to the creation of the TFG, the Ethiopian role in its establishment, warlord terror in Somalia and the United States' support for them, the rise of the Islamic Courts and the Ethiopian invasion of Somalia. It also assesses the implications of the Ethiopian illegal occupation for the future of Somalia.

The Road to invasion

The UN Security Council Resolution which authorized the deployment of a peace-keeping force, “[e]ndorses the specification in the IGAD Deployment Plan that those States that border Somalia would not deploy troops to Somalia,”⁴ deliberately failed

3 Reuters reported that the quick Ethiopian victory was not due to the efficiency of its war machine, but because of the extensive support it received from America and Britain. Accordingly, “The dramatic victory by Ethiopian troops was the culmination of months of preparation inside and outside Somalia by US and British Special Forces, and US –hired mercenaries. The ‘professional assistance’ was recruited by officials based in the US embassy in Nairobi at the end of 2005 as part of a deniable operation, sources said. ‘The brief was to enter Somali territory with the objective of studying the terrain, mapping and analysing landing sites and regrouping areas, and reporting on suitable entry and exit points,’ one source said. According to a CIA source, both American intelligence and its military have been bankrolling the Ethiopians since the start of last year, as well as providing them with satellite surveillance, technical, military and logistic support but even spare parts where needed, the source said. Although it was a goal of US policy to overthrow the Council of Islamic Courts, which had taken power in most of Somalia, ‘all the investment in the Ethiopians was ultimately to get to the three suspects,’ said the source. Hala Jaber and Michael Smith, Reuters, January 14, 2007.

4 Somalia: Resolution 1725 (2006) .

to acknowledge that Ethiopia already had over 20,000 troops in Somalia in breach of an earlier UN resolution. The Council's stand on this matter, in the context of long standing enmity between Somalia and Ethiopia (who fought two wars in the last forty years) and Meles Zenawi's declaration of war on Somalia virtually prepared the way for further Ethiopian aggression. The Security Council's willful avoidance of recognizing Ethiopian troops deep in Somali territory, its refusal to demand that the regime in Addis Ababa immediately evacuate its forces out of Somalia, and the resolution's unbalanced criticism of the Union of Islamic Courts made a mockery of justice and fair play. The Muslim leaders in the Somali capital warned the United Nations that the passage of the US-sponsored resolution will mean a declaration of war on their country given that the edict will formally legitimate an Ethiopian invasion of Somalia. These developments at the UN and the terrorist rhetoric in Washington completed America's demonization of the Islamic Courts, while ignoring warlord terror in Somalia, and primed the world for the eventual Ethiopian invasion of Somalia. The question is what compelled the US government to become partisan in regional and local conflicts and endorse the agenda of the Ethiopian regime that continues to use brutal violence against its own population; and what might this strategy mean for Somalia and America's long-term interest in the region? To answer these questions requires an understanding of recent events in the region.

Somalia has been stateless for nearly two decades and this has meant unimaginable suffering for the local population. Life conditions in the country were so abominable in the early 1990s that President Bush senior was moved to deploy American troops to rescue hundreds of thousands of Somalis from starvation. Operation Restore Hope saved tens of thousands of lives but was undermined by a vague mandate, poor advice, criminal warlords, and a new American president (Clinton) who did not have the nerve to take on the latter. The warlords murdered 18 American soldiers and desecrated their bodies in the streets of Mogadishu in 1993. When American troops withdrew from Somalia warlords triumphed and the people lost. Since 1995 Ethiopia illegally funneled weapons to the warlords, who turned Somalia into the worst humanitarian condition in the world. Meanwhile a dozen peace conferences were organized for Somalia but none led to the formation of a national government until 1999 when a conference sponsored by the Republic of Djibouti assisted Somali civil society groups to reach a compromise and form a Transitional National Government (TNG). The accord was made possible because the warlords were not allowed to dominate the gathering. The Somali government formed in Djibouti was broadly supported by the population. However, the TNG failed to deliver the peace and the services the population yearned for as its leaders were incompetent and driven by avarice while Ethiopia and its warlord allies also did everything to subvert it. Ethiopian effectiveness ultimately forced the TNG to accept a proposal which called for an IGAD-sponsored peace conference. Kenya and Ethiopia, who were the chief managers of the conference, allied themselves with the warlords. The convention ultimately produced, in 2004, a new warlord-dominated government beholden to Ethiopia.

Ethiopia's dominance was so complete that it was able to help appoint the president and nominate the Somali Prime Minister.⁵

Somalia's new warlord government refused to relocate to the Somali capital, Mogadishu, and languished in Nairobi until it was forced to resettle in the small Somali town of Jowhar, 90 km north of Mogadishu. Some warlord members of the government and nearly half of the MPs including the speaker of parliament moved to the capital and insisted the government shift its operations to Mogadishu. While this stalemate continued the warlords who controlled Jowhar severely limited the authority of the government by refusing to let it bring its sectarian militia to the town. This complicated roadblock was removed when the speaker and the president finally reached a deal in Yemen which led to the relocation of Government to Baidao. In the meantime, the US government's Central Intelligence Agency clandestinely⁶ hired Mogadishu's notorious warlords to hunt down what it considered radical Muslim clerics who it claimed were sheltering terrorists. These hired guns began a violent campaign which virtually put every religious person at risk of being captured and handed over to the Americans or killed. As the CIA/warlord instigated violence increased, many of the religious men who managed local Islamic Courts began to organize in order to defend themselves. The public which had suffered under the terror of warlords for over a decade joined the campaign and defeated the warlords. Mogadishu was finally at peace and in the hands of one leadership and the port and airport both reopened, after a decade in which warlords held them closed, for national and international traffic. Citizens celebrated their newly found freedom and started enjoying complete freedom of movement, and unprecedented physical and material security.

The religious leaders who were united into the Union of Islamic Courts (UICs) announced their willingness to work with the warlord government in spite of its unsavory character and invited it to relocate to the capital. Further, the UICs declared their readiness to cooperate with the international community. Despite attempts by the UICs to reach out in good faith, the TFG leaders, taking their cue from Ethiopia, accused them of being Islamic terrorists. The US Government panicked and followed suit. Continued attempts by the Courts to reach out to the USA were ignored or dismissed and the American government, which had contempt for the warlord government began to speak about it as the internationally "legitimate" government of Somalia. Influenced by what former Assistant Secretary for African Affairs, Herman Cohen, called false Ethiopian intelligence, the US endorsed an Ethiopian initiated proposal to lift the UN arms sanction on Somalia and allow a military force from IGAD countries, excluding the so-called frontline states of Ethiopia, Kenya and Djibouti, to be deployed to ensure stability and advance the peace. This is the origin of the UN Security Council Resolution which was adopted on December 6, 2006.

5 This was reported by senior members of the international community present during those events and confirmed by renegade members of parliament.

6 C. Bryson Hull, "US moves diplomat critical of Somali warlord aid," Nairobi, Reuters May 30, 2006.

America opportunistically switched its political stance and recognized the TFG not because the latter achieved anything worthy of respect for its people, but owing to the fact that the US government's regional proxy convinced American policy makers. Former American Ambassador to the UN, Bolton, noted that supporting the TFG is the only option open to advance reconciliation and secure peace. Unfortunately, the Ambassador and his superiors intentionally ignored the fact that this warlord regime is deeply corrupt and sectarian (and has members who took part in the killing of American troops in Mogadishu) and lacks the integrity to be able to lead the Somali people toward a sustainable peace. Further, the transitional Somali charter, which the Ambassador endorsed, is so divisive that it cannot provide a sound basis for establishing an inclusive and accountable system of government. All of sudden America became "seriously" interested in saving the "internationally legitimate" government, never mind that this government has no legitimacy from its own people. America's most recent support for the Ethiopian invasion and the TFG demonstrates beyond any doubt that the so-called war on terror is anti-civic and anti-Islamic in substance. The United States' brazen arrogance and ideological blindness has once more led to unnecessary war, the invasion of a Muslim country, and the imposition of yet another dictatorship on a Third World society.

The invasion of Somalia

Three factors precipitated the war. First and foremost, false Ethiopian intelligence to the USA reinforced the latter's exaggerated suspicion of all Islamic movements, particularly in the context in which the US had already accused Islamic leaders in the Somali capital of harboring three individuals. Consequently, America's predisposition meant that Ethiopia was granted the green light to invade Somalia. US Government's claim that three individuals suspected of taking part in the bombing of American embassies in Nairobi and Dar es Salam in the late 1990s were hiding in Mogadishu protected by the Islamic Courts made it an easy sell in the West. The Courts contested that they had no knowledge of the aforementioned individuals and invited the US to send investigators to examine the areas the courts control. This offer was rejected and subsequently the American government began to mirror the language of the Ethiopian regime that UICs is a terrorist front. Second, the Ethiopian regime's commitment to support its client, the TFG, entailed *initially* deploying over 10,000 of its troops in and around Baidoa in violation of the UN Security Council Arms Sanctions on Somalia. The confluence of American and Ethiopian interests was articulated in the diplomatic language of "protecting the internationally legitimate government of Somalia." This joint Ethiopian and American project was codified by the Security Council's adoption of an American-sponsored resolution to allow IGAD countries to send peace-keeping force to stabilize Somalia, completely ignoring that peace had been restored in the most troublesome regions of the country by the Is-

lamic Courts. The UICs interpreted the passage of the resolution as a declaration of war and an endorsement of the Ethiopian occupation. Finally, the Islamic Courts made strategic blunders by failing to organize the population and establish working administrations for the areas of the country it controlled. Further and more damagingly, it was not able to create a chain of command within the courts and consequently lacked a policy structure within which all members operated. This meant that different actors, principally on the military front, made decisions unilaterally without clearing it with the leadership. In particular, tactless statements were made, such as *jihad* against Ethiopia for invading Somalia, providing cannon fodder for the Ethiopian propaganda machine and other Western groups who distorted the substance of the declarations. Moreover, the military wing of the UICs took irresponsible actions that compromised the integrity of the Courts and which undermined the collective project. The haughtiness of these military elements was in part due to over-confidence generated by their quick success against the warlords, considerable public support for the UICs that came with the peace, and their articulation of nationalist ideas. In addition, they were grossly ignorant about the magnitude of the peril which the Somali cause faced. Thus, the chaotic internal organization of the UICs led from one major bungle to another forcing it into a strategically unnecessary confrontation with the Ethiopian forces buttressing the TFG. Ultimately, this gave the Ethiopian regime and its allies the pretext they had hoped for.

The lightly armed militias of the Courts were no match for the massive and heavily mechanized Ethiopian forces estimated at 20,000 soldiers, at the start of the war, and supported by American and British intelligence, mercenaries, and resources. Within a week of the formal start of the hostilities Ethiopia's invasion of Somalia was almost complete, and the Courts lost all the territories they had controlled and their leadership fled Mogadishu. Somalia's capital fell to the Ethiopian forces and the country came under full Ethiopian occupation.

Now that the Union of Islamic Courts does not control any part of the country, it is important to reflect on the significance of Ethiopian occupation of Somalia and the support of key Western states for the invasion. First and foremost, America's superciliousness towards the Islamic Courts is based on *analogy rather than analysis*. Some US officials have often said that the Talibans of Afghanistan, just like the Islamic Courts, also restored peace to the country only to turn it to a terrorist haven. The implication is that, given America's pre-emptive military strategy, the restoration of peace to Mogadishu and surrounding regions was considered a Trojan horse for anti-American Islam that must not be allowed to sail. This preemptive approach might be appropriate in a situation of *genuine* danger but Somalia did not pose such a menace to real American interests. The Courts have been willing to work with the international community and have written several letters to the UN and USA with a promise to cooperate. Further, they invited the US government and the UN to come and investigate the claim that three individuals accused of being responsible for bombing American embassies in Kenya and Tanzania were hiding in Mogadishu and sheltered by the Courts. Even if the Courts were not telling the truth about the three terrorists, the American administration and the UN should have called their bluff

and accepted the offer to investigate. It is possible this would have spared Somalia an Ethiopian invasion as well as the imposition of a warlord government. Instead of wanting to work with the courts to ensure that real terrorists (against Somalis and other populations) do not find a foothold in the region the US government has empowered America's regional proxy to have a free hand in Somalia with a promise of material and military support.⁷ This was another American blunder in which a precious chance was lost to work with the most civic Somali force that was able to accomplish what the international community has been unable to do for 16 years: defeat warlord terrorists and restore peace to Mogadishu. Further, the material resources that will be spent on financing the seeming phantom AU force could have been used to help the country's reconstruction, particularly generating productive employment for the young men who have been the foot soldiers of the warlords and sectarian militias.

A second matter of significant note is the return of the warlords. As the Ethiopian troops advanced toward Mogadishu they were accompanied by warlord terrorists, who were defeated by the Courts, and the former allowed them to re-occupy their previous fiefdoms. More recently, some of the most brutal warlords have been appointed to senior positions, such as the mayor of Mogadishu and the head of the police. It seems that the invading power, which had a long tradition of creating parallel structures among its subjugated groups, seems to be using the same formula in Somalia. This old colonial strategy of using locals against one another by having people who are just outside the favored circle always looking in and who can be brought to the center if the administering clients do not behave in line with prescribed orders from the dominant class. These warlords will not have the power they wielded earlier but they will be kept in reserve for use if and when that is deemed necessary by the invading force. The leadership of the TFG and Western actors who have supported the Ethiopian invasion are either silent about the illegality of the occupation or continue to make excuses for it. Much of the silence of the so-called international community on the return of the warlords and the occupation is testimonial to the absurd nature of the anti-terror war as well the democratic pretensions they peddle.

Third, American support for the Ethiopian occupation confirms the view of many Somalis and others in the region (Muslims and non-Muslims) that US foreign policy is driven by arrogance and disregard for the interests and well-being of poor people. It demonstrates that the United States Government which was least interested in supporting the civic camp during the Kenya-based Somali negotiations, 2003-4, and which actively supported the warlords in its aftermath will never allow local people to solve their problems in ways that diverge from the imperial American view. Therefore, American policies in the region and this invasion will prolong the agony of the Somali people, having derailed their wish for freedom and national autonomy without warlord terrorists or tyrants who are clients of other states. Recent statements

7 A high level Ethiopian military officer told the author in Washington DC that his country is getting more resources from the USA than they have requested. More recently, the American Government announced that it will be granting Ethiopia \$75 million to that country's strategic importance. This grant is seen by many observers as a reward for Ethiopian occupation of Somalia.

from the US government indicating that various Somali factions should go back to the negotiating table and work out their differences peacefully is not only ironic and indeed condescending.⁸ Given that martial law has been declared by the TFG one wonders how the Assistant Secretary thinks peaceful reconciliation will take place. In addition the introduction of martial law enforced by Ethiopian troops, as the TFG does not have its own forces, frontally destroyed whatever little grain of truth America's utterings might have had. This reveals that American authorities do not care about the fate of the Somali people and have been willfully dishonest since they cannot explain how their proposition of non-violent reconciliation could be possible given that Washington's ally has invaded the country in support of one faction and that others have been destroyed or intimidated and threatened. The subtext of this statement is that Somalis must now accept Ethiopian domination.

Fourth, the AU's claim that the American Resolution at the Security Council was an African project smacked of old imperial bosses letting their boys do the dirty work. What made it worse is how African Ambassadors at the UN Security Council and their government did not comprehend the nature of the Somali issues/problems nor cared to realize the implication of the votes for the Somali people and continent at large. Moreover, the AU endorsement of the Ethiopian invasion and then retracting its announcement two days later and now re-stating that the occupying Ethiopian troops are doing the work of the AU underscores the incompetence and disgrace of the continental organization.

Finally, neither the TFG nor its Ethiopian master is trusted by the Somali public. The TFG denied that Ethiopian troops had invaded Somalia even long after the Ethiopian government admitted having its troops in Somalia. Such false denials of known facts have undermined whatever credibility the TFG had. Further, the Ethiopian government initially justified its invasion of Somali territory in order to defend the Somali government from the Islamic militias. Then both the US and Ethiopian talked about the presence of 2,000 Eritrean troops in Somalia but no evidence has been produced yet to sustain this claim. Subsequently, the first pretext was dropped and a new alibi invented: the UICs and its terrorist allies were a menace to Ethiopia

8 See the recent remarks by the Assistant Secretary of State for African Affairs. "I had three primary objectives for this trip: mobilize international support to help build the governance capacity of the Transitional Federal Government Institutions; move forward with the deployment of an African stabilization force in Somalia; and encourage inclusive political dialogue between the Transitional Federal Institutions and other key Somali stakeholders... We have made clear that we see a role in the future of Somalia for all *who renounce violence and extremism*." One wonders if the Assistant Secretary understands that an invasion is a most violent act. Furthermore, the Secretary fails to indicate what every observer of the Somali scene knows – the incompetence of the leaders of the TFG and their sectarian project. She also fails to note that the Speaker of Parliament has been unable to go to Mogadishu under Ethiopian occupation. One wonder who the stakeholders are that she has in mind! Also what might the American Assistant Secretary say to the fact that martial law has been approved, by parliament under the guard of the Ethiopian troops, and has given Abdullahi Yusuf dictatorial authority in the country. How would such an act facilitate reconciliation? Moreover, Senior UNDP officers for Somalia, based in Nairobi, have told a delegation of civil society leader that they must work with the TFG if they want to have any assistance from that office. These developments indicate that there is a big push that everyone toes the line of the warlord regime, despite the latter's character.

that required preemptive action against Somalia and hence the offensive which started the week before Christmas. It is critical to remember that Somalia has had no army to be a credible danger to its neighbor for over 17 years. Although the Ethiopian Prime Minister stated that he intends to withdraw his forces from Somalia soon, he has contradicted that assertion by noting that Ethiopia has an outstanding interest and will not withdraw its forces until that mission is accomplished. What could that mission be? In addition, the President of TFG statement in Addis Ababa that Ethiopian forces will remain in Somalia to train his troops contradicts the PM's account and is similar to previous misinformation provided by the two sides. Most recently, the occupying force has compelled the TFG militias to hand over their weapons and now the former is the sole security authority in the capital. This last act is the final signature of the occupation and ensures that the TFG has no authority of its own other than what the commander of the Ethiopian forces will sanction.

Somalia and the road ahead: cul de sac or possibly not!

What might the future hold now that Ethiopia's invasion of Somalia has dismantled the formal elements of the Islamic Courts? First, experience in Ethiopia under the hegemony of the Tigray People's Liberation Front since 1991 is pregnant with many lessons that can shed light on what can be anticipated in Somalia. Among the most important of these lessons is the way in which the occupying force establishes a charade democratic structure, handpicks local leaders, and holds them accountable to itself rather than the population. This has been the regime's political practice in Ethiopia⁹ since it came to power, and the Tigray government has dealt with Somali warlords and regional leaders in the same fashion. Given this record, there is every reason to expect that the Tigray project in Somalia will sail along a similar course. Exactly what might be the contours of this course?

Second, the transitional Prime Minister, who was originally promoted into this position by the Ethiopian government, declared a day after he landed in Mogadishu on board an Ethiopian military helicopter that Ethiopian forces can stay in Somalia for as long as they want and the transitional president virtually reiterated the same stance.¹⁰ A prolonged Ethiopian military presence will turn Somalia into an Ethiopian Bantustan ruled from Addis Ababa via a supplicant Somali authority in Mogadishu. The TFG will have limited autonomy from Addis Ababa on major national issues (even if Ethiopian forces are formally withdrawn) and therefore will not be able to earn respect and loyalty from the majority of the population. Warlords who have

9 See S. Pausewang, K. Tronvoll, and L. Aale. *Ethiopia since the Derg: A decade of Democratic Pretension and Performance* (London: Zed, 2002). A. I. Samatar, "Ethiopian federalism: Autonomy versus Control in the Somali Region," *Third World Quarterly* 25, 6 (2004): 1131-1154.

10 Associated Press, Dec 30, 2006.

been brought back to town by the Ethiopian army will have no autonomy and might disappear when their use to the occupying force is no longer needed.

Third, the occupying force will establish a security force that is controlled by Ethiopia and its handpicked Somali allies. This force will be the principle instrument of governing the country and it will be used against any Somali individual or political and social group that might have a different political agenda than Ethiopia and its clients. The politics of intimidation, fear, and violence has become the norm. A mark of what is to come is the harassment of religious people, the killing and mass imprisonment of Oromo refugees in southern Somalia who are considered to be supporters of the Oromo Liberation Front by the regime in Addis Ababa, the murder of several thousand Somalis since the start of the occupation, the destruction of a third of Mogadishu through indiscriminate shelling by the Ethiopian troops, and displacement of nearly a half million people from the Somali capital.

Fourth, the presence of Ethiopian forces has reinforced the authoritarian and venal behavior of the TFG leadership. For example, the President and Prime Minister continue to act as if they are the country's sole institutions by naming governors and heads of police without any process. The declaration of martial law on January 13, 2007 signaled that the march of the dictatorship is on. Such behaviors will *likely* lead to TFG attempting to extend its life beyond the remaining two years of its five-year term. If the international community and an organized Somali civic movement bring adequate pressure to bear on the TGF and their Ethiopian backer, the former will most likely set up a structure that nominally resembles a standard national election commission which will guarantee them victory (see the Ethiopian model).

Fifth, foreign consultants who have been appointed by the TFG (using EU money) and who are at work in Nairobi will produce a draft constitution which will institutionalize clanistic politics that will undermine whatever little civic potential the TFG had. Such a political and constitutional strategy will attempt to turn Somalis into social, cultural, and political strangers by reifying the very problems (i.e. politicized genealogy) that destroyed Somalia in the first place. Further, this strategy will turn public authority into a sectarian and instrumentalist operation and consequently government departments will become clan ghettos rather than national operations that serve all citizens equally. A most damaging recent example is the president appointing a relative of his to the governorship of Kismayo, the most *southern* city in the country and one that is contested by various genealogical groups. This action reconfirmed what the president articulated (captured on videotape) when he was the warlord of the *northeast* by claiming that Kismayo belongs to his genealogical group. Another clear foreboding of what is to come is the way in which the Prime Minister has behaved since he returned to Mogadishu. He has anchored himself among a clique of hangers-on, encircled by relatives, guarded by Ethiopian soldiers, and has failed to seriously engage a broad spectrum of Somalis in the capital let alone those beyond Mogadishu. This order will create conditions that are fertile for deep corruption which in turn will corrode national cohesion. The most visible manifestation of

such corruption is the recent struggle between the two principals of the TFG over money provided by the Saudi Arabian government¹¹

Sixth, the executive leadership of the TFG lacks serious vision that can jumpstart reconciliation among Somalis. They have missed the opportunity to halt the hostilities once the Ethiopian army defeated the Courts in Mogadishu and much of the southern region of the country. In particular, they could have demanded that the Ethiopian army stop pursuing the last military vestiges of the Courts in the southernmost areas of the country and offer to solve the matter peacefully. Such an approach could have been a public relations coup for the TFG and would have signaled to the population that they may not be as obedient to the Ethiopian overlords as originally thought. The TFG's inability to see beyond its political subservience to Ethiopia indicates that the chances for peace through genuine reconciliation look grim.¹²

Seventh, continued leadership by the two principals of the TFG depends on Ethiopian support and the balkanization of the body politic. In addition, factionalism within the TFG driven by opportunism and Ethiopian manipulations will continue to bedevil its operations. The two leaders' unflinching belief in clanist politics will entail enshrining genealogical division in every facet of public affairs.¹³ The combination of these forces will continue to be a source of political instability and bad governance.

The aforementioned possibilities are not preordained but are contingent on the duration of the Ethiopian occupation, the mood of the population and the strength of their resistance to the invasion, and whether the long-awaited AU force is deployed. Since the leaders of the TFG have already declared that the Ethiopian force can stay indefinitely, the only way things will change is if either pressure from the population and the resistance of the militants is sustained or an African force, with carefully crafted mandate, is deployed without further delay. So far the militant resistance, supported by the population, has forced the Ethiopians to bring more than 10,000 new soldiers into Mogadishu and surrounding areas. Only time will tell whether the presence of such forces will diminish the strength of the resistance, but Mogadishu remains divided into two segments, one controlled by the TFG and their Ethiopian allies and the other by the resistance movement.¹⁴

The most important challenge to the occupation could come from the possible deployment of an UN-mandated African Force. Uganda, which is most eager to lead the charge is more aligned with the America agenda and Ethiopia, and seems to be an ardent supporter of the TFG while the other countries have remained skeptical about the operation. If an African force that is politically neutral is not deployed soon, the Ethiopian military is already planning to create a Somali force loyal to it

11 Even the recently appointed US Envoy to Somalia told the Council on Foreign Relations in Washington DC that there is no confidence in the TFG.

12 Nearly all observers consider the reconciliation conference recently held in Mogadishu to have been a farce.

13 Abdullahi Yusuf has already brought his clan militias to Mogadishu to help enforce his dictates.

14 This division is reminiscent of the Mogadishu riots in 1948 when the Somali Youth League (SYL), the nationalist party opposed the return of Italian rule to Somalia. A small group of Somalis supported the Italian agenda.

and the TFG leaders and not to the country, and which will make the UN-sponsored African force redundant. Thus, the timing, speed, and the quality of the deployed African force is of the essence. Unfortunately it seems unlikely that such operation will occur in a timely fashion given that those who pushed through the Security Council resolution, the American government in particular, are not in a hurry to do so anymore.¹⁵

Lastly, since an African force has failed to materialize, a way must be found to reduce the oppressive effects of the invasion in the short run. A possible instrument for such a program could be to station internationally sanctioned human and civil rights monitors in Mogadishu and major population areas and for the international community to demand that Ethiopian troops leave all these centers. These monitors will regularly report to the UN and the international press on the activities of the occupying force and their allies that infringe on human rights and that impede the population's right to self-organize politically in order to actively partake in the affairs of their country. After 10 months of Ethiopian occupation, dreadful human rights abuses, and the displacement of half a million people, the international community is not moved to act.

Whatever the immediate outcome of the Ethiopian occupation of Somalia and the installation of the TFG in Mogadishu might be, it is clear that politics in Somalia will not be the same again. The probable impacts of the invasion were noted earlier, but the essay has not indicated what legacy, if any, the Courts left behind during their limited tenure in power. Among other things, the Courts will be remembered for the strategic lapses they made. Those mistakes exacerbated the crisis because they were unapprised about the dangers Somalia faced from the region and beyond, and failed to heed the advice of Somalis and non-Somalis who sought to help them safely navigate through the international system in order to serve the wellbeing of the Somali people. Despite these blunders they made five critical contributions to Somali history which could have enduring effects. First, they demonstrated that civic life can be rejuvenated using fundamental Islamic principles of justice and inclusive community. Second, the efforts of the courts confirmed that the clanist political project deployed by sectarian entrepreneurs and its damaging social and political effects need not be considered as second nature to Somalis, and that an Islamic/civic alternative is possible. Third, the reign of the courts proved that an inclusive political project can attract a large following of citizens and this confirmed the redundancy of the need to bring in an expensive or a hostile external force to restore peace and disarm the population. Fourth, the Courts' autonomy from Ethiopia and other states inspired the Somali people and signaled that Somali sovereignty and independent spirit may be deeply rusted but far from comatose and what is lacking to reenergize it are leaders with integrity. Fifth, the Courts' immediate engagement with desperately needed public service such as refuse removal from the city, the rehabilitation and accountable management of the port and airport, return of looted properties to their rightful owners, and the public's approval of these deeds indicate the population's wish for a

15 It is reported that the EU is exceptionally unhappy about the way in which the US endorsed the Ethiopian invasion and is consequently holding back its funds for supporting the AU force.

responsible government.¹⁶ Finally, the Courts have led the resistance to the Ethiopian occupation and through this continue to attract a lot of support from the population not only in the Benadir region but across the Somali world.

Finally, American policy and the Ethiopian regime who vilify Muslim movements in the region that are not subordinated to their dictates¹⁷ were euphoric in early 2007 after the defeat of the Union of Islamic Courts, but their jubilation was momentary as a national resistance movement remerged. Unlike the short-lived tenure of the Courts one thing is certain, that Islam inspired political movements will boomerang and shall become the central force in Somali politics for a long time to come. Given recent history of the relationship between nationalist and Islamic movements, it will be ironic that Ethiopia's invasion of Somalia and America's support for it has inadvertently enhanced the appeal of Islam as the major political force in the country in the near future!

16 Recent remarks by the deputy Prime Minister and Minister of Interior of the TFG indicate how irresponsible the TFG is. He told the BBC Somali Service that Ethiopia and Somali will soon abolish their boundary and share the same passport as the two countries are brotherly states. <http://www.bbc.co.uk/somali/index.shtml>. January 2, 2007. Apparently the occupation is a sign of fraternal relations in the minds of significant number of TFG leaders. One of the key leaders of the TFG noted that he does not want to hear suggestions from the public regarding how to move the peace forward, but to simply support the agenda he brought with him.

17 The official Islamic Council of Ethiopia was instructed by the authorities to issue a declaration in support of the Ethiopian invasion of Somalia. Contacts in the Council told the author that the government literally wrote the declaration which the Council was asked to issue under thinly veiled threat. This method of getting consent is part of the standard operating procedure of the TPLF regime. The author witnessed this type of operation first hand when he was a Fulbright researcher in the country in 1999.

Education and Peace-building: The Contribution of the UN in Somalia

What young people in Somalia want

An opinion poll conducted among Somali children and young people tells us that two-thirds of the children believe that elections are a 'very effective' means to improve the state of things in the country. Though none of the children had ever themselves experienced an election, it is notable that the majority supported a democratic electoral process.

And here is an extraordinary statistic: over 50% of the Somali population is under 18 years of age.

That figure alone says much about where we should be looking in Somalia for ideas, future development and investment opportunities.

In the UNICEF-supported youth poll conducted in May 2006¹, Somali young people listed education among the top issues about which they are most concerned: the need for more schools and an improvement in educational standards.

In a country that has not known peace, nor had a stable government for over 16 years, these young people cited among their hopes for the future, good governance, less delinquency and violence, better education, a better economic situation, and less poverty.

Education was also identified as the top priority in a 2006 survey of 7000 people conducted by the UN and stakeholders as part of the Somalia Joint Needs Assessment.

Therefore, to fulfill the rights of young people and to meet the aspirations of the majority of Somalis, where better to start than by supporting an education system that contributes to the peace-building process?

1 The youth poll was initiated by UNICEF in partnership with the Africa Child Policy Forum. The first of its kind in Somalia, the poll was conducted in May 2006 and sampled 531 children (286 boys and 245 girls) aged between 9 and 17 years old in four key urban and rural locations (Merca, Beletweyne, Bossaso and Hargeisa).

The power of education – to divide or unite

Schools (whether formal or non-formal) are a powerful socializing force to transmit values, beliefs, attitudes and behaviours. In communities, schools are often the focus of activities and participation; and teachers are community leaders as well as educators.

In this regard, every education system has the potential either to exacerbate or to mitigate the conditions that contribute to violent conflicts. It can segregate and divide children or unite and promote ‘civic citizens.’

As a source of power and income in societies, education can create access to jobs and political participation. Conversely, inequalities in access to education can lead to inequities in income, employment, nutrition, health and political position. These inequalities, in themselves can be a source of violent conflict.

In a country divided, this puts the onus on its educational system to promote peace and reconciliation.

Education’s role in peace-building

Education is fundamental to peace-building.

1. It has the capacity to deliver knowledge on human rights, gender issues, to build skills in communication, problem-solving, teamwork and cooperation; and to encourage mutual respect.
2. No other intervention demonstrates, for each and every family, that there is added value in having a government in place: it can bring children into school.
3. Education has a comparative advantage among the social services, in that it also demonstrates quick impact and value for money. It is also an entry point to improve service delivery and local governance.
4. During the recent years of chaos in Somalia, community-driven and community-based development, supported by the Diaspora, has been the single most important instrument to increase school enrolment.
5. At the same time, community-driven development and education service delivery can demonstrate a turn around in the reconstruction and peace-building process: building peace ‘from the bottom up’.

The peace school in Galkayo

In North-East Somalia (in the semi-autonomous state of 'Puntland') UNICEF is interacting with communities, and demonstrating that this 'bottom up' principle works.

After seventeen years of inter-clan and political enmity between communities of the north and south of Galkayo, the situation is changing as a result of a 'Peace School'.

Starting in September 2007, the Galkayo Peace School will hold the key to future reconciliation. It will draw its students, teachers and administrative body (the Community Education Committee) from rival areas in equal measure: 50% from the north and 50% from the south.

Together the communities of north and south have acquired land, provided labour and construction materials and will contribute stipends for the teachers for a school that will no longer reinforce the notions of 'them' and 'us.'

UNICEF, with donor support, will contribute teacher training, textbooks and teaching and recreational materials all centred on an enhanced primary school curriculum which includes peace education and life skills.

The school will be complemented with water and sanitation facilities, a clinic and health education programme, a feeding centre and a community hall.

By working with the community to develop an integrated package of education and social services, the Galkayo Peace School is strengthening a weakened social system, encouraging social reconciliation and preventing conflict.

Education in a fragile state

Schools and education systems in fragile states are debilitated by conflict, leaving them weakened, damaged, and under-resourced just when communities, governments and international agencies expect them to play a role in simultaneously rebuilding and transforming themselves and the societies they serve.

However, when Somalia – for years a neglected country – suddenly reappeared as a priority on the international agenda (for example, in the Security Council and the media) it was in the context of the 'war on terror' and an 'Islamist takeover.' Security and governance were the focus of attention. There was very little news on social service issues and education.

Even today, in the present reconstruction and state rebuilding process, education is considered an 'add on': something which will come when the reconciliation process is on track and when government institutions are in place.

But state-building and reconstruction can *only* occur when the foundations are secure – and education is a *critical* foundation.

How the UN is supporting education

As a result of 16 years without government and central education institutions and years of poor education provision, education indicators are extremely low in Somalia – among the lowest in the world!

Somalia still has a school enrolment rate of only 28%.² Only about 14% of primary school teachers are female.

Enrolment rates of children from nomadic communities are worse. It is estimated that less than 1% of children from nomadic families have access to formal education.

Although Somali authorities, the UN and NGOs have given increased attention to education in recent years, improvements have been small but it is important also that as a result of this investment an additional 200,000 children came to school in the last 4 years. And there is a well-documented “peace dividend” in Somaliland and Puntland. When authorities started paying salaries to a small number of teachers, enrolment rates rose to 40% in Somaliland and 36% in Puntland. In South Central Somalia enrolment rates remained at 22%.

All of this does not take away the enormous challenges facing education in Somalia. Aside from low enrolment, issues still to be addressed include the quality of education, the qualification of teachers and the level of government funding.

No matter what the political progress in Somalia, it is unlikely that the country will achieve the international education targets established in the Millennium Development Goals

For out-of-school youth, UNICEF continues to support engagement and capacity building for youth groups and networks. Leadership training has facilitated young people’s participation in their communities and improved their relationships.

The development of youth policies in Puntland and Somaliland have also allowed them to take an active role in their communities, encouraging them to work with adults for a safe, healthy and productive future and preparing them for responsible adulthood.

For the UN, education is a priority: especially for the peace building process. For this reason, UNICEF is also in the process of developing a programme to support Quranic schools. These schools provide education to between 70% and 80% of Somali children. Our areas of intervention include support for teachers through training and the upgrading of skills, the provision of learning materials and improvements to learning environments.

The UN’s aim is to move from reaction to prevention: to move away from short term humanitarian interventions in order to rebuild institutions and systems. With state-building as the central objective, the UN will focus on capacity building not as a by-product, but as a goal in itself. We aim to support technical experts within the Ministry of Education to sustain the process of organizational and structural reform; and to support local institutions to deliver training.

2 According to the UNICEF Primary School Survey 2006, enrolment for boys is 34% and for girls, 22%.

Other UN support to Somalia

To ensure better coordination between agencies, the UN has developed one country programme for Somalia. Our priorities are set out in the Reconstruction and Development Programme (RDP), a five-year national plan for Somalia, which was produced after a Joint Needs Assessment (JNA) process carried out in the past two years by the UN, the World Bank and Somali partners.

The RDP is built around three core 'pillars' – three overall goals:

- Deepening peace, improving security and establishing good governance
- Investing in people through improved social services in education and health
- Creating an enabling environment for private sector-led growth to expand employment and reduce poverty

Three main themes cut across the goals:

- Peace-building, reconciliation and conflict prevention
- Capacity building and institutional development
- Gender and human rights

For the next two years the UN has developed a Transition Plan (UNTP) based on the RDP. All UN programmes for Somalia will aim to support Somalis in building a durable peace and beginning reconstruction and development. The UN will structure its work around five overall strategic outcomes.

The UNTP outcomes are as follows:

- Key federal, Somaliland and Puntland institutions administer and manage core government functions more effectively (Central governance).
- Local governance contributes to peace and equitable priority service delivery – primary education and health – in selected locations.
- Improved security and protection under the law for all Somalis.
- Children, youth and vulnerable groups have increased and more equitable access to quality education and health services.
- Vulnerable and marginalized groups have improved sustainable food security and economic opportunities.

As indicated in the RDP and the UNTP, education is at the same time a *goal* (primary education for all Somalis) and an *instrument* for peace building, reconstruction and the development of local government.

Conclusion

For the international community and the UN to succeed in promoting peace in Somalia, it is essential to understand Somali communities, not just as victims of a 'failed' state, but as people who have been able to develop alternative systems for peace and service delivery.

The UN aims to maximise the resilience and resourcefulness of the Somali people by engaging with authorities and communities – including young people – to develop education systems that deliver peace-education and are themselves, systems of conflict prevention, conflict resolution, and reconciliation.

Engaging with children and young people of all clans while they are in school, will not only encourage peace-building but discourage disaffection.

State-building will fail in Somalia if the international community chooses to focus on its own priorities rather than those articulated by the people it intends to serve.

The Somali people have clearly identified 'education for all' as their priority. If the international community genuinely wants to engage with Somalia, then it must regard education as the foundation for peace and reconstruction.

Perspectives on Sudan

The Genesis of Darfur Crisis

1. The Humanitarian crisis

The humanitarian crisis in Darfur manifests itself in the presence of over one million and a half citizens who have been deliberately driven away from their homes by the Government and its allies of mainly Arab tribal militias.

These militias have been trained and armed by the Government to burn villages, loot property, rape women and kill and maim whomever they find in the targeted villages. The victims of these carefully planned actions are, in most cases, indigenous African farmers.

As a result, those villagers, who are close to the borders of neighbouring countries have fled to those countries carrying nothing with them but their children and the cloths they were wearing at the time. These people are now living in refugee camps in Tchat and Central African Republic under subhuman conditions. Their numbers are estimated to be over one quarter of a million people.

Over one million of the displaced people who stayed in the country are now living in camps heavily guarded by the police or by the government supported militias who displaced them from their homes in the first place. They were not allowed to go back to their villages to start cultivating their farms before the rainy season came to an end.

Strangely enough, the Government has also been putting obstacles on the way of international humanitarian organizations that come to help these people.

The fact that the government allied militias are Arabs while the victimized farmers are indigenous Africans, the fact that the Government insists on keeping the displaced people in camps rather than allow them to go back to their villages to cultivate their farms, the fact that the Government is putting obstacles in the face of international humanitarian organizations which want to help the displaced people, the fact that the Government has not fulfilled the promises it made to the United Nations Secretary General and to the American Secretary of State to stop bombing villages and to disarm its allied militias and to create safe atmosphere to enable the displaced people to go back to their homes, all these failures to keep promises and the consistent breaking of promises by the Government led the U N Security Council to pass a resolution giving the Sudan Government one month notice to fulfill these promises. Failure by the Sudanese Government to fulfill these obligations also led many people to draw the logical conclusion that the Government and its militia allies are deliberately practicing ethnic cleansing and genocide on the non-Arab population of Darfur.

The present Sudanese Government is essentially both pro Arab and Islamic fundamentalist. It did not come to power by the consent of the Sudanese people but through military force. This may explain why it is so brutal to the people, particularly to non-Muslims and to non-Arabs even if they are Muslims like the people of Darfur who are all Muslims.

Many people think that the hidden policy objectives of this government may well be that it wants to transform The Sudan into an Arab-Islamic State and to spearhead the spread of Islam, particularly, fundamentalist Islam, in Africa and the world at large.

What ever the intentions of the Sudanese Government may be, the fact remains that its policy and its actions have produced devastating suffering and death to many people in Darfur. Almost one and a half million people in Darfur are now displaced from their original homes and are living in camps under terrible conditions in concentrations camps or in equally terrible conditions in camps in neighbouring Tchad.

If the international community does not act quickly to protect these beleaguered people and if it does not put enough pressure on the Sudanese Government to carry out all the promises it made to the leaders of the international community and the agreements it signed with the fighters of Darfur the world will soon see a human disaster in Darfur worse than the disaster it has failed to stop in Rwanda in 1994.

2. The Political and Economic Dimensions

Darfur is one of the richest regions in the Sudan as far as economic resources are concerned. Darfur is among the most populated regions of the Sudan. Even though most of its northern part is desert the rest of its land gets sufficient rain to enable the people to grow stable crops and various cash crops as well. The main economic activities of the people of Darfur are traditional seasonal farming or nomadic herding of camels, sheep and cattle. Very few efforts have been made by all the Sudanese governments to develop any of the resources available in Darfur.

The level of social services in Darfur has deteriorated below level of services that existed during the colonial period. Administrative and security services have also deteriorated due to over centralization of administration and the abolition of native or tribal administration.

All these factors together made the people of Darfur feel that they have been deliberately neglected and marginalized by the governments, which were predominated by people far away in the North and around the capital Khartoum. The participation of Darfurians in the administration of their country was marginal to say the least.

All these factors show that the political crisis in Darfur is mainly due to lack of economic and social development, collapse of security and administration as well as the prevailing feeling among the Darfurians that they are politically marginalised by the predominantly Riverian ruling elites. These grievances are similar to the grievanc-

es felt by all the people of the marginalized areas of the Sudan, including the South, the Nuba Mountains, The Bija And the Ingasana people of south eastern Blue Nile region. Since Niavasha conferences between the Sudanese government and the SPLA have nearly come to an agreement on how to solve the problems of these marginalized areas, it is only logical that similar steps should be taken to find a solution to Darfur crisis particularly in as far as the process of power and wealth sharing between the central government and all the regions of the Sudan are concerned.

Unfortunately the behavior of the Sudanese government indicates that it is not negotiating in good faith with its opponents. Therefore it is the moral duty of the international community to do its utmost to force the Sudanese government to change its attitude or be removed.

The Transition from Post-Conflict Assistance to Rehabilitation in Sudan – An IOM Contribution to State-Building and Reconstruction

Introduction

The modern history of the Republic of the Sudan, which with an area of over 2.5 million square kilometres is the largest country on the African continent, cannot be told without referring to the continued upheaval and insecurity caused by war and its human tragedies. Two lengthy civil wars and the present hostilities in the Darfur region have caused untold suffering to Sudan's population, destabilized the country's institutions, and wrecked the basic socioeconomic infrastructure necessary for Sudan to function effectively.

The common denominator of these conflicts has been the call by groups representing the periphery – as compared to the central State in Khartoum – for a redistribution of power and resources more favourable to the people in whose name these groups have been fighting; leading to a widening gulf separating state and society.¹ In the eyes of many, Sudan has been “dominated by chronic [and] exceptionally cruel warfare that has starkly divided the country on racial, religious, and regional grounds”, damaging its economy, leading to food shortages and ensuing starvation and malnutrition, and a lack of investments resulting in an undersupply or simply the absence of basic health services, education, and jobs.²

The pitfalls of peace-building and post-conflict reconstruction in war-torn societies – the topic of this year's Horn of Africa conference – continue to be illustrated

1 Tiébilé Dramé (1996), “The crisis of the State”. In: Ellis (edit.): *Africa Now. People, Policies, Institutions*. The Hague, New Hampshire, Oxford / The Netherlands Ministry of Foreign Affairs, Currey, Heinemann.

2 Morrison and de Waal (2005), “Can Sudan escape its intractability?”. In: Crocker, Hampson and Aall (edit.): *Grasping the Nettle: Analyzing Cases of Intractable Conflict*. Washington DC, US Institute of Peace.

in a particularly disturbing way in Sudan which, in an apparent contradiction, was not only one of the very first states in Sub-Saharan Africa to gain independence from colonial rule, but also one of those where the state-building process has been most severely challenged.

Twenty years of armed conflict in Sudan have caused the death of more than two million people and produced nearly five million internally displaced persons (IDPs) within the country's own borders as well as some 480,000 refugees scattered in the sub-region and further afield.³ Current estimates from the Internal Displacement Monitoring Centre suggest there are 5,355,000 IDPs in Sudan.⁴ This situation is compounded by the brain drain that has occurred in recent decades as many of the best and brightest have left – and continue to leave – the country, depleting it of the human resources that are so critically needed for the state-building process.

While the international community has made extensive efforts to assist Sudan and its people in this major humanitarian tragedy, these efforts have not been enough to prevent the country from disintegrating. Added to Sudan's existing long-term reconstruction needs, the ongoing conflict in Darfur demands urgent remedies, straining the resources of United Nations (UN) agencies, the NGO community, and other humanitarian players working in Sudan. In this context, the transition from the delivery of humanitarian relief to assistance in state-building is all but linear.

As an integral part of the international community's efforts to assist the people of Sudan, the International Organization for Migration (IOM) works in the critical nexus between peace-building and post-conflict reconstruction in areas that remain of critical importance to Sudan's present and future: return, reintegration, and the development potential of migration.

Conflict patterns

Since its independence in 1956, Sudan has experienced two fully fledged civil wars and a seemingly endless series of internal disruptions mostly concentrating on the western province of Darfur.

The first of these conflicts, the north-south civil war – dividing the country along ethnic and religious lines, opposing Arabs and Africans, Muslims and Christians – ended in 1972 with the signing of the Addis Ababa Agreement, seventeen years after it began.⁵ After a decade of calm, the second civil war began in 1983, pitting the northern government against the Sudan People's Liberation Army (SPLA). It dragged on for some twenty years, until peace talks between the parties in 2003 and 2004

3 U.S Department of State (2003), "Sudan: The Refugee and IDP Situation", August 8: <http://www.state.gov/p/af/rls/fs/23136.htm>

4 Internally Displaced Monitoring Centre: <http://www.internal-displacement.org/> (accessed 17 August 2007).

5 IRIN, Sudan Humanitarian Country Profile: <http://www.irinnews.org/country.aspx?CountryCode=SD&RegionCode=HOA>

paved the way for the Nairobi Comprehensive Peace Agreement between the Government of Sudan and the Sudan People's Liberation Movement in January 2005, granting Southern Sudan a six-year period of autonomy to be followed by an independence referendum and a plan to share the mineral resources equally between the north and the south.

The signing of the Comprehensive Peace Agreement (CPA) represented a major turning point in Sudan's modern history, leading to the provision of humanitarian aid and development assistance by the international community. Two months later, the UN Security Council established the United Nations Mission in Sudan (UN-MIS).

However, in early 2003 another conflict that had been simmering for some 20 years broke out in the western region of Darfur, overshadowing the optimism created by the resolution of the protracted civil war. The Darfur conflict is particularly confusing due to the large number of parties involved, including not only the government and its Arab militia but also 20 or more rebel groups. Two of the more prominent rebel groups are the Sudan Liberation Movement (SLM) and the Justice and Equality Movement (JEM).

Since the early 1970's, tribal clashes between nomads and farmers have occurred in this vast desert region over access to dwindling water resources. The central government attempted unsuccessfully to quell these through the use of militias known as the *Janjaweed* which, in turn, led to the displacement of hundreds of thousands of local people, many of whom fled to neighbouring Chad, and accusations by some in the international community of genocide on the part of the Khartoum government.⁶

The Darfur conflict has resulted in another major humanitarian catastrophe. Despite the signing of the Darfur Peace Agreement in May 2006 between the Government of Sudan and the Sudan Liberation Movement/Army (*Minni Minawi*) some 12,000 people are uprooted and displaced every week according to the UN.⁷ The government in Khartoum continues to downplay the amplitude of the problem, refusing – until summer 2007 – to accept a UN and African Union (AU) peacekeeping force.

The situation in Darfur remains cause for serious concern, despite the peace agreement. Furthermore, because of overspill from the conflict affecting neighbouring Chad, Darfur presents a risk for an extension of hostilities to the sub-region, which is a regionalization pattern that has been observed in recent years in the Democratic Republic of the Congo.⁸

The planned transition to recovery and development in the Darfur region remains contingent on the completion of the Darfur Joint Assessment Mission (D-JAM), a process that remains seriously impeded by security concerns. The D-JAM was man-

6 Martin Meredith (2005). *The Fate of Africa. A History of Fifty Years of Independence*. New York, Public Affairs.

7 IRIN, Sudan Humanitarian Country Profil, *op.cit.*

8 see Thomas Weiss (2001). "‘Diamonds are forever’. Le Zimbabwe, les diamants et la guerre en République démocratique du Congo", *Afrique Contemporaine*, no. 197 – Actualité autour de l'Afrique centrale, La Documentation Française / Secrétariat général du gouvernement, Paris.

dated in the Darfur Peace Agreement and is based on two mutually reinforcing tracks.⁹ The first track focuses on immediate priority needs for IDPs and refugees returning to their areas of choice to re-establish their livelihoods. The second track focuses on post-conflict economic recovery, reconstruction, and development needs to reach the Millennium Development Goals. According to the Mission, “[I]nitial recovery efforts should lay the foundation for, and speed up the transition from, relief to development.”¹⁰

This statement reflects the importance of the “gap period” between the emergency assistance phase and the reconstruction and development phases. The gap period is particularly sensitive and if it is not managed appropriately there is a high risk that instability and/or conflict could return, often caused by the absence of basic infrastructure. Pragmatic, step-by-step approaches are essential for achieving peace and stability after crises. Of paramount concern during this period is the timely provision of assistance to local populations in order to avoid conflict over resources. Simultaneously assistance must be provided to support reconstruction of socioeconomic infrastructure. Regional imbalances, such as those seen between Darfur and other parts of Sudan, and reliance on assistance present particular obstacles in the transition from humanitarian emergency aid to reconstruction.

The multi-layered conflict patterns in Sudan challenge the international community’s attempts to bring lasting peace and stability to Sudan. The UN’s 2007 yearly Work Plan for Sudan outlines the planning, programming, and funding requirements for humanitarian, recovery, and development interventions for the country.¹¹ The focus is on the continuation of the implementation of the CPA and the provision of humanitarian assistance while an increased emphasis is placed on expanded recovery and development activities, especially in the field of reintegration initiatives for returning populations, accelerating the shift towards recovery and development. The total cost of this assistance is some \$1.25 billion for humanitarian activities and \$560 million for recovery and development.¹²

IOM’s contribution to post-conflict peace-building and reconstruction

Headquartered in Geneva with a global network of offices, IOM is the major migration agency. In its more than half a century of existence, IOM has carried out post-conflict operations in some 30 countries and has been involved in bringing relief to

9 Darfur Joint Assessment Mission website: <http://www.unsudanig.org/darfurjam/index.php?fid=intro>

10 *ibid.*

11 United Nations and Partners, “2007 Work Plan for Sudan, December 2006”: <http://www.unsudanig.org/workplan/>

12 *ibid.*

populations in need in all of the major humanitarian emergencies over the last 25 years. In Africa, IOM has operated in crisis-affected areas such as Angola, Ethiopia, Ivory Coast, Liberia, Mozambique, Sierra Leone, Uganda, and Zimbabwe.

In addition to providing emergency assistance in the immediate post-conflict period, IOM assists throughout the transition period with a view towards reconstruction. In order to provide prompt assistance to regions in crisis and flexible services in often unpredictable situations, IOM established the Emergency and Post Crisis Division (EPC).¹³ The EPC coordinates IOM's response to migration emergencies, such as population displacement, large-scale evacuations, and returns. It initiates contingency planning for IOM and supports field missions in emergency situations. The EPC also acts as IOM's early warning instrument and maintains a close watch on emerging humanitarian crises, for which it undertakes assessment missions and explores areas in which IOM expertise would be of benefit. It maintains liaison with the emergency services of the UN and other agencies.

Based on its experience in responding to emergency and post-conflict situations, IOM has acquired expertise in the following programme activities:

- Registration, survey and processing of migrants;
- Transportation assistance by air, land, and sea;
- Integration or reintegration assistance tailored to the needs of specific target groups (IDPs, refugees, former combatants), which also benefits the wider community;
- Capacity-building to provide local administrations with the skills to manage emergency displacements;
- Population stabilization and livelihood recovery activities;
- Diaspora outreach services for absentee voting and for the return of qualified nationals;
- Medical assistance and psychosocial programmes to address post-conflict trauma.

As mentioned earlier, the successful transition from conflict to peace requires targeted programmes that focus on the immediate post-conflict or gap period. Post-conflict situations are often characterized by a high level of population mobility and an intense need for specialized programming aimed at establishing conditions of security and stability. IOM has two particular focuses in this period: 1) the return and reintegration of IDPs; and 2) disarmament, demobilization, and reintegration (DDR) services for demobilized combatants.

IOM's increased involvement in assistance to IDPs in the 1980's and 1990's led to a series of internal policy recommendations for further development in the area of

13 More information on IOM's Emergency and Post Crisis Division can be found at the IOM website: <http://www.iom.int/jahia/Jahia/op/edit/pid/714>

IDP assistance. This process was formalized in 2002 with the IOM policy paper “Internally displaced persons: IOM Policy and Activities.”

IOM activities pertaining to IDPs may be divided into five major areas:

- Emergency assistance;
- In-displacement activities;
- Return preparation;
- Livelihood development and re-integration;
- Capacity-building.

The successful return and reintegration into civilian life of ex-combatants is an essential part of the transition from conflict to stability and peace. Ex-combatants, many of whom have been displaced, have particular needs that are often overlooked in the competition for scarce resources. For ex-combatants, peace means giving up their uniforms, their identity, and their previous survival strategies. Demobilized soldiers are often poorly prepared for a return to civilian life. Typically, a large number have been in the military for long periods and do not have easily marketable skills. A weak and often non-existent private sector and a shrinking civil service usually have little capacity to absorb additional human resources.

IOM in Sudan

IOM has been present in Sudan since the early 1980s, initially focusing on the return and resettlement of refugees in partnership with UNHCR. In 1998 Sudan became an IOM member state; IOM set up its first office in Khartoum in 2000. In 2002, IOM began to work on the return and reintegration of IDPs alongside the UN country team.

IOM expanded its activities to Darfur in 2004 after signing a Memorandum of Understanding (MoU) with the Government of Sudan that contains a comprehensive framework for the return of IDPs and refugees within and to Darfur. Today IOM continues to work closely with the UN country team in Sudan and has more than 650 staff in 13 locations all over the country. The organization is involved in a wide range of activities, including the return and reintegration of IDPs and refugees, the return of qualified Sudanese, and DDR activities.

Return and reintegration of IDPs and refugees

With the onset of peace and renewed rehabilitation efforts, conditions are slowly improving in transitional areas and South Sudan. Following the signing of the CPA in 2005, hundreds of thousands of IDPs have begun to return home to areas in central and Southern Sudan. Returns are either carried out in an organized way through the Joint Organized Return Programme,¹⁴ of which IOM is the main implementing partner, or spontaneously.

Since the signing of the MoU with the Sudanese government and IOM's resulting work on return of IDPs, forced returns of displaced people have been entirely eliminated in North and South Darfur. Return and reintegration activities are coordinated through reintegration working groups (RWGs) that bring together organizations working in the region with the aim of maximising effectiveness and efficiency. IOM is the co-chair for the RWGs in South Darfur and North Darfur alongside the UN Office for the Coordination of Humanitarian Affairs (OCHA).¹⁵

In October 2006, the overall planning figure for returns under the Joint Organized Return Programme for 2007 was set at 300,000. This number included the planned return of 102,000 refugees by UNHCR as well as the return of 198,000 IDPs. Of that number, 115,000 IDPs were supposed to be assisted by the Government. IOM's initial target of 83,000 returns has been revised during the year to 63,719. IOM's services in this area include organized transportation assistance, health screening, escorts and monitoring of returnees, emergency transportation for IDPs who become stranded en route, and, through a network of way stations, overnight assistance along major routes of return.

Since Joint Return Plan Operations began from Khartoum and South Darfur to Southern Kordofan and South Sudan, by February 2007, IOM has assisted a total of 44,610 formerly displaced person to return home. As part of the programme, IOM's Migration Health Unit medically screened 45,254 IDPs and vaccinated 22,711 persons against meningitis and other routine vaccinations as well as 17,720 persons against meningitis prior to their departure on IOM convoys by land, barge, as well as by air.¹⁶

According to the RWG liaison group, by mid-2007 spontaneous returns were estimated to have reached 1,135,000 since the signing of the CPA.¹⁷ Spontaneous returnees do not receive transport or sustenance support en route (unless the return results in vulnerability) but can access way stations. In areas of arrival, spontaneous returnees are treated the same as organized returnees by agencies providing assistance.

14 The programme is implemented by the Government of National Unity (GoNU), Government of Southern Sudan (GoSS), the UN, and IOM.

15 Return, Reintegration and Recovery Section (RRR), UN Framework for Return in Darfur, January 2006 <http://www.unsudanig.org/rrr/data/policy/UN%20Framework%20for%20Return%20in%20Darfur%20January%202006.pdf>

16 All figures provided by IOM Sudan and valid up until August 2007.

17 Report from Return and Reintegration Liaison Group Meeting, 16 August 2007, provided by IOM Sudan.

IOM also provides assistance in cases where spontaneous returnees are stranded en route.¹⁸

In order to provide information about returns, IOM runs information centres in all four official IDP camps and is a key member of UNICEF's Sudan Information Campaign for Return (SICR). Information on all aspects of return is provided through loud speaker campaigns, information meetings, fact sheets, and so on. IOM also organizes "go and see" visits to high return areas so that potential returnees can make an informed decision about return.

Refugee returns are also being carried out in large numbers, coordinated by UNHCR. They mainly take place from neighbouring countries such as the Central African Republic, Democratic Republic of Congo, Uganda, Kenya, Ethiopia, Eritrea, and Egypt. IOM assists UNHCR with these returns through carrying out pre-departure medical screening and arranging transportation.

According to IOM/UNHCR figures, by 11 August 2007 repatriation of Sudanese refugees to South Sudan and Blue Nile State reached a cumulative total of 157,031. Of this number 66,515 were organized and assisted self-repatriations. The remainder were spontaneous returns.

Return of Qualified Nationals

The emigration of trained professionals and skilled labour from Sudan is seriously affecting the country's socio-economic potential. "Brain-drain" has distorted the country's urban labour markets, depriving vital economic sectors of the skilled and qualified human resources necessary for the delivery of public services such as education and healthcare.

Through the return of qualified nationals (RQS), IOM, in close collaboration with the Government of National Unity, Government of South Sudan, and international partners, assists Sudan in meeting immediate needs for rehabilitation and basic service delivery, fostering long-term development, and contributing to the sustainable economic advancement of South Sudan through the targeted return and placement of skilled, qualified and highly qualified Sudanese nationals currently residing outside their region of origin. RQS assists public sector institutions and private enterprises in South Sudan to meet critical human resource gaps by facilitating the return and reintegration of Sudanese nationals who have the skills and expertise needed to deliver essential services, build capable institutions, and encourage domestic and foreign investment in South Sudan.

While a number of qualified South Sudanese who fled the South have since returned, and there are many training and capacity-building efforts underway, enor-

18 IOM Khartoum, "Life as a Displaced Person in a Sudanese Camp", July 2006 <http://www.iom.int/jahia/Jahia/featureArticleAF/cache/offonce?entryId=8127>

mous gaps in skills and expertise persist. These gaps will be increasingly evident as the region further stabilizes and seeks to diversify its economic base to include significant sources of non-oil income.

There are three target communities of qualified and skilled Sudanese: 1) IDPs; 2) those who have emigrated within Africa; and 3) those who are further away in Europe, North America, and elsewhere. Among this target group there is a wide range of experience and skills that could contribute greatly to Sudan's further stabilization and long-term advancement.

Using both informal and formal networks to reach IDPs and Sudanese abroad, RQS invites eligible candidates to apply for the programme and selects those who meet essential criteria, including minimum qualifications and an expressed desire to return to Sudan. At the same time, IOM Sudan reaches out to public and private sector employers within priority sectors to identify the specific gaps in skills and expertise that are in short supply as well as the job-specific needs and requirements that employing institutions and enterprises face. Once there is a successful match, RQS requires that the employer commit to, and the candidate accept, a firm job offer prior to the candidate's return. RQS supports both the permanent and temporary returns of qualified Sudanese. Additionally, IOM supports the initiatives of entrepreneurial Sudanese who wish to return to Sudan to establish independent self-employment ventures by issuing small grants and providing support and services.

Up until mid-2007, a total of 724 RQS Candidates have been registered in the RQS database in sectors including education, health, agriculture, and a range of skilled vocational professions. Since November 2006, a total of 122 qualified candidates and 455 of their family members have been assisted to return to southern Sudan under the RQS programme. Through the Return of Qualified Nationals (TRQN) Programme funded by the Government of the Netherlands, for example, IOM provides qualified migrants in the Netherlands with the opportunity to return temporarily. Since the start of the project IOM has assisted 30 Sudanese from the Netherlands to temporarily return to Sudan. The TRQN skills database currently consists of profiles of over 50 qualified Sudanese from the Netherlands.

Darfur IDP Registration Database

IOM hosts and maintains the Darfur IDP Registration Database, which covers the entire Darfur region and contains detailed demographic information on 2,771,388 beneficiaries (almost half the population of Darfur). Of these beneficiaries, 57 per cent are IDPs, 32 per cent are residents, five per cent are IDP returnees, one per cent are refugee returnees, and "others" make up five per cent.¹⁹

19 Figures provided by IOM Sudan.

Working in close cooperation with the World Food Programme (WFP), the Darfur IDP Registration Database is the cornerstone for the provision of food and non-food assistance to vulnerable populations in Darfur and provides a wealth of statistical data that assists in planning the return of IDPs to their former homes and enables IOM and other agencies to track returns and provide assistance and protection during and following the return process.

Disarmament, Demobilization and Reintegration

At the request of UNDP, IOM is supporting the demobilization of 5,000 soldiers from the Eastern front through camp management and reintegration support to ex-combatants in three sites established in the Red Sea and Kassala States in Eastern Sudan.

IOM has also been requested by UNMIS to support the demobilization of 13,000 soldiers from the Sudanese People's Liberation Army and Sudanese Armed Forces in southern Kordofan.

Other Initiatives

IOM provided the majority of non-food items that were distributed in Darfur in 2005. Additionally, working as both the lead agency, and as cooperating partner with UN-OCHA and UNHCR, IOM has supported camp coordination in Darfur through conducting humanitarian relocations of IDPs and refugees in West and North Darfur. Assisting UNHCR in the evacuation of Sudan/Chad border areas, IOM provided transport assistance to 3,841 persons in 2006 and working in close coordination with other UN agencies and the Government of Sudan, IOM assisted in the relocation of 12,024 IDPs in 2005.

As well as its core focus on activities for IDPs, refugees, and demobilized soldiers, IOM is active in a number of areas related to community development and reconciliation. For example, in areas of high return in Darfur and South Sudan IOM has begun implementing community assessment surveys in order to assess infrastructure and service provision. The surveys are designed to identify the greatest concerns and needs at the community level. Water provision, food, health services, and education are amongst the highest concerns registered in the areas surveyed, and amongst IDP populations. Community participation in the selection of projects, and where tenable, in the implementation of projects is an integral part of ensuring project sustain-

ability and meeting the objectives of providing community stability during the influx of returnees.

Over the years IOM has been involved in election processes in countries recovering from emergency situations. As external voting has become standard practice in most countries with significant numbers of their nationals residing abroad, IOM has been requested by the government to support external voting operations on behalf of the Government of Sudan and electoral management bodies. IOM is able to provide support to the establishment of institutional procedures for the planning and organization of out-of-country voting and works closely with the parties to meet their specific needs and provide the necessary guidance in the implementation process.

Conclusion

State-building is a long process and especially difficult for those countries such as Sudan that have been ravaged by decades of internecine war leading to chronically unstable political, economic, and social systems, inadequate infrastructure, and a severe lack of human resources. The mass dislocation of populations, regional imbalances, and simmering conflicts continue to challenge the efforts of the Sudan and the international community to achieve the level of security required for effective reconstruction and development.

International humanitarian agencies, including IOM, are playing a key role in the provision of emergency assistance and efforts towards reconstruction in Sudan. Considerable achievements in the return of IDPs and refugees have already been made and a wide range of development-related activities are being implemented. However, despite these efforts, there is still a long way to go towards reconstruction and development in Sudan, particularly in the Darfur region. It remains to be seen how well Sudan will negotiate the highly sensitive period between the initial provision of emergency assistance and more extensive reconstruction efforts. The Government's decision in summer 2007 to allow a UN and AU peacekeeping force will most certainly have an effect on stability.

IOM's past experience in emergency and post-conflict situations highlights the importance of a well-planned and well-coordinated approach to emergency assistance and development. A stable, functioning government, coordination and cooperation between agencies working on the ground, the active interest and involvement of diaspora communities abroad, and continued support from the international community will go a long way towards creating the required conditions for Sudan to make progress down the long and arduous road to reconstruction and, ultimately, state-building.

State Building and Post-Conflict Reconstruction in the Horn of Africa: The example of the Sudan

Prologue

- Conflicts in the Horn of Africa are not of a transitional or temporary nature. They are deep seated and embracing national crises, and they have affected all aspects of political, economic, social and spiritual life in the countries of the region. In the case of the Sudan, the crises are endemic and their roots go back to the early days of political independence. Yes, they are natural manifestations of the problems related to the constitutional & structural issues of the state building of the newly independent countries, but still they have been confounded and entwined by ill-conceived and wrong treatment at the hands of the social forces that constituted the civil and military regimes which have usurped power since the dawn of political independence.
- These constitutional and structural issues include:
 - a. The nature of a suitable system of governance that would guarantee a fair sharing of power in the country between the various national formations, ethnic groups and orientations.
 - b. Equitable and fair distribution of wealth i.e. dealing with the national resources and national development plans in a manner that would remove injustice and negligence through according top priority to areas of ethnic, social and national tension. This is best achieved by adopting scientific planning to prevent any decline & depletion in the periphery areas that generate the economic surplus and, at the same time, to preserve the role of the centre as the source of the scientific knowledge.
 - c. Reform of the political system (i.e. the political parties, the electorate system, the parliamentary practice, the role of civil society organizations including the trade unions, etc.), in a way that combines the constant universal values of democracy with the local social realities & peculiarities.
 - d. The relationship between religion and the state, and the question of the national identity. . .

- Failure to address these constitutional issues has led to real tragedy in the Horn of Africa countries. Tragedy in terms of:
 - # the spread of rule of terror and tyranny and abuses of human rights.
 - # the spread of the civil war to cover almost all the countries in the region; an all-out civil war which is destroying everything, both man and nature: loss of lives, increased number of the maimed or handicapped, increased number of the displaced people & those who are seeking safe refuge and asylum with a subsequent drainage of intellectual & skilled labour and young productive forces, the spreading of the culture of killing and cruelty, lack of safety and security, emergence of the phenomenon of street children, breaking up of families, decay of the social fabric, fear of the future...
 - # lack of the basic necessities, the spread of famine, begging for food to survive, and the collapse of the middle class.
- In the case of the Sudan, the following four manifestations of this tragedy are very clear:
 1. The appearance of new forms of apathy and alienation, not only towards the state apparatuses, but also towards the country itself as an entity & an identity!!
 2. Impeding the growth and expansion of the modern forces in the society, such forces are supposed to build the future of the country.
 3. Ruralisation of the cities by making them lose their role as cultural and political centres.
 4. Exhausting the institutions of civil society and subsequently losing the trust in these institutions, including the political parties, and hence, the retreat of the individual to the confines of his/her tribe in search of safety and security, and all what this may involve in terms of a possible break up of the state.
- In a nut shell, one could say that failure to address those fundamental issues concerning state building, and the consequent crises & conflicts that result, are leading us to the phenomenon of the “**Stateless State**”. I think it is very easy to figure out many good examples in the Horn of Africa!

Fundamental issues that should be addressed

The Horn of Africa countries, with their multi-ethnic formations, diverse religious beliefs as well as cultural and civilisation roots, should carve for themselves the proper path to solve their endemic problems in order to remain stable viable modern states and entities worthy of the respect of their peoples and the world. This can only be

achieved through addressing the various contradictions & crises endemic to these countries. In this regard let us discuss the following issues:

- a. One of the most crucial issues in the state building and post-conflict reconstruction process is the proper handling of the issue of the post-conflict transitional periods. States cannot be built or reconstructed on the basis of ideologies, nor by one or two political parties or by a majority alliance or a “*firm*” military regime. This is a responsibility of the whole nation. It is a mission that can only be accomplished in a free environment with no patronizing from any one. The starting point should be the awareness of recognizing the plurality in the society in the broadest sense of the word i.e. accepting that there are various stages of social developments, and that there are multi-races, -nationalities, ethnic formations, -religious beliefs, -civilizations, -customs, and -languages. Although this plurality did not mean anything to many people in the past, it has come forcibly to the fore in recent years and it has become widely accepted, even if only verbally, by all political forces and factions in the different countries. The challenge we are facing starts with accepting this plurality and then moving forward to formulate the basic political, economic, cultural, and social rights of the individual on the basis of this recognition. However, and at the same time, this view to plurality should not blind us from identifying the factors that unified our societies in this or that country over the centuries.
- b. The key action in this process is **Democracy**. In my view, there are four main important points associated with the issue of democracy in our countries:
 1. Democratic values are universal irrespective of the peculiarities of this or that country, but the practice can – and in fact should – differ and reshape itself in different forms according to these peculiarities. Hence, our democracy is not necessarily the liberal one as practised in the western societies.
 2. Parties and parliaments are relatively modern & new political institutions, which are the product of the bourgeois industrial revolution in Europe, but in our countries the paradox is that the content, the essence of these institutions is always overloaded with traditionalism associated with the tribe and sectarianism.
 3. There are contradictions in political practice resulting from the marginalization of the modern production sectors in the cities (modern forces) and at the same time the marginalization of the peripheries (centers of national tensions, but also centers of the resources).
 4. So, political thinkers & leaders in our countries have to come out with new political thoughts & ideas that address these contradictions and objective realities in our societies, aiming at creating forms & structures of democratic practice that are in harmony with the peculiarities of our local societies, while at the same time preserving the fixed universal values of democracy.

- a. Another fundamental issue is the role of sectarianism/tribalism in the state building process as well as in insuring the future stability of the political and social life in the country. In the Sudan, like in many other parts of the Horn of Africa, sectarianism/tribalism is an objective outcome associated with the special features characterizing the political and social development in these countries. A quick look at the political parties in the region reveals that the majority of them are either linked to the sectarian or the tribal component in society or both. It is true that this association has a negative impact on the development of the national state, but this negative impact cannot be evaded or reversed through administrative counter-measures from the authority, irrespective of the nature of this authority. Such behavior amounts to a misjudgment that always leads to either dictatorship or civil war. To circumvent the danger of sectarianism/tribalism on politics we need to conduct a peaceful democratic social struggle, putting in mind that this is a very long process.
- b. Sudan, like most of the countries in the region, is a multi-religion and multi-belief society in which there are Islamic and Christian majorities living side by side with African beliefs. Hence, the need for forgiveness and respect of religious beliefs is a precondition for equality between all citizens. It is necessary to stop making religion a pawn in the relationship between the majority and the minority groups. On this basis lies the acceptance of the fact that religion is a basic element in the beliefs and souls of the peoples in the region. Thus, we do not accept any call that rejects or belittles the role of religion in the life of the individual and in the coherence of the society and its civil, cultural, moral and religious values. Throughout the history of Sudan, and despite the multiplicity of religious beliefs, a spirit of religious tolerance has prevailed in the country and it did not experience any incident of religious oppression until Numeiri imposed the September Islamic laws and proclaimed himself an Imam! But, the very religious Sudanese people overthrew that Imam! However, that was the beginning of state oppression and fascism in the Sudan under the cover of religion, and it appeared again after the 1989 coup of the National Islamic Front that escalated the civil war in the country.

Given the above objective background, I do believe that the political democracy in the Sudan should tackle its relationship to religion on the basis of the principle of the “**Plurality**” & the “**Democratic Civic System**”. However, this constitutes our interpretation of the concept of “**Secularism**”. We are considering the term “civic system” to be closer to our situation than the term “secular system” as the latter is more closely related to the European experience. This not a call for kicking out or renouncing religion from society, but it is a Sudanese formulation reflecting the unity of the Sudanese political movement, including the political parties with religious roots, on the basis of the Nairobi Declaration in 1993 and the Asmara Conference of 1995. It is a formulation that distinguishes the Sudan’s way on the road to a modern democratic state on the basis of the civic democratic system from that of European nations and societies. The main elements of this system are:

1. Equality in citizenship, in freedom of beliefs and consciousness, irrespective of religious belief.
2. Equality between religions.
3. The separation of religion from political practices.
4. The final authority rests with people, and the system of governance draws its legitimacy from the constitution.
5. Supremacy of the rule of law and the independence of the Judiciary and equality of all citizens before the law irrespective of belief, sex or race.
6. Guarantees of political, civil, economic, social and cultural basic rights and freedoms and guarantee of human rights as stipulated in international accords and agreements.
7. Guarantees for freedom of scientific, philosophical & religious research.
8. As far as legislation is concerned, abidance by what has been agreed upon by the Sudanese political movement in Nairobi on the 17th of April 1993 which states that: “(1) the international treaties and agreements in relation to human rights are regarded as part and parcel of the Sudanese laws and any legislation that contradicts those stipulations is null and void and unconstitutional. (2) The law guarantees complete equality between citizens on the basis of citizenship and respect of beliefs and does not differentiate between citizens on the basis of their religion, race, sex or culture, and any law that contradicts this stipulation is null and void.”.....

I think, on the basis of these principles, interpretations can be extended to accommodate religion, customary practices, universal human thought and the Sudanese judicial precedents, as sources of legislation.

Also, it is worth saying that, when we are talking about curbing the influence of sectarianism/tribalism, and adopting the principles of the “**Democratic Civic System**” as a solution for the role of religion, this should not be taken as disrespect of the views of whoever represents the institutions of sectarianism/tribalism or religion. We do not ask these institutions to drop their ideological cover, but we are emphasizing that the state building process, as well as the unity & stability of these states is independent of ideology or the role of one party or one class, while it is very dependent on the active & equal comprehensive participation of all the components of the society.

- a. The issue of identity cannot be tackled in a generalized approach towards all the countries of the region. However, taking Sudan as an example, one can say that the Sudanese identity has come into being after a long and painful struggle extending over various historical epochs starting with the Meraweic Civilization before the birth of Christ, going through the various Christian and Islamic civilizations, up to the national struggle against colonization. It is the product of the interaction of the African & the Arab tribal formations and the Islamic, Nilotic and African religions. For this reason the Sudanese identity is

the legitimate child of plurality and diversity which colours all elements that formulate and maintain our society. Given the supremacy of this principle then the factors that unite and bond this society together are stronger than the factors that push it apart. Therefore, it is wrong to single out one element from all the elements that constitute the Sudanese identity and rate it as absolute and to negate all other elements in this formation. Ignoring this fact, and saying that the Sudanese civil identity has an Islamic component only, is one of the reasons behind the spread of civil war to all parts of the country.

The question of identity is closely related to the issues of culture & language. From this angle, one can say that the Sudanese culture is diverse and its languages are diverse too and it is absolutely essential to allow the various Sudanese languages to develop and become advanced tools of expression and education. This opens the door for a free culture with maximum interaction between these languages and this would ultimately lead to a new cultural reality. There are certain sectors in society who voluntarily use the Arabic language as a means of communication. This must be welcomed, but we must stand firm against any attempts to impose the Arabic language upon any one who doesn't want to learn or use the Arabic language as a lingua franca. At the same time we must defeat the narrow linguistic concepts that advocate linguistic purity of the Arabic language which hampers the assimilation of all strong expressions and words of the languages of non-Arabic speaking nationalities into the Arabic language. Any state apparatus that does not take this objective situation into account and fails to deal with it in a scientific manner would be consolidating concepts of racial supremacy.

- b. Still, there is the slogan of **Self-determination!** I think we have to face this situation with really broad, open minds. It is a very fundamental issue in the case of state building in the post-colonial or post-conflict era. In fact, this exercise was practiced some years ago in the region (Ethiopia & Eritrea), and it is planned to be performed in Sudan within two years with the strong possibility of having two states at the end, although the Sudan has existed as a united entity for nearly one hundred and fifty years!! But, in the case of Sudan, self-determination is raised as a reaction to the many grievances and lack of trust. More importantly, the slogan is not purely a mechanism or a technical concept since it bears viewpoints that fiercely oppose each other. But, it should be seen as a political right to exercise the free will of the people to accept unity or separation on a voluntary basis with no violence at all. Equally, it is seen as a safety valve which could be exercised if the political movement continues with its old practices that promote the lack of trust. The Sudanese political forces are considering self-determination as a basic democratic right and as a mechanism to put an immediate end to the civil war and to facilitate the process of strengthening democracy, peace and development.

The way out!

I think we are in a position to summarize **the way out** in simple three phrases:

1. To abandon violence and military options for resolving conflicts, and instead stick to dialogue & peaceful negotiating means under the umbrella of democratic and human rights values.
2. To exercise the mechanism of Truth & National Reconciliation.
3. To adopt & implement a program of National Consensus in order to build & reconstruct our countries.

The Role of Women in Post-Conflict Reconstruction: A Case Study of Sudan and Somalia

Abstract

Armed conflicts in Sudan and Somalia have had a negative impact on development and political processes. In terms of human cost hundreds of thousands civilians have been reported dead and millions have become displaced, within their own countries or abroad, as the case in Darfur.

Women in both countries also have suffered trauma and been subject to violence. However, they have shown resourcefulness in opposing war and bringing peace at the grass roots level.

To sustain peace a gender perspective is needed in the post-conflict reconstruction era. This includes elimination of all forms of oppression and ratifying international legal instruments that advocate for women's rights, developing gender-sensitive constitutions and improving women's political participation.

Introduction

Prolonged armed conflicts in Sudan and Somalia, as elsewhere, affect all levels of society. They destroy infrastructure and bring development efforts to a halt. They also limit the public sector's capacity to govern, disturb democratic processes and reduce women's and men's political participation (Moser 2001: 33).

Moreover, gender-stereotyping in both countries that views women as passive actors, has excluded women from decision-making processes, notably political decisions regarding war and peace. However, as this paper argues, women do participate and contribute to conflict-resolution and peace-building from the very outset. They campaign, lobby and advocate for peace using different methods.

When peace is achieved, women face huge constraints that prevent them from being active actors in post-conflict reconstruction era. These constraints include lack of gender awareness or political will that perpetuates patriarchy and old negative traditions. However, despite these constraints women are able to find a place for themselves in a male-dominated sphere and to be able to play dynamic roles in the reconstruction process of their countries.

Armed conflict: a history of destruction

In both countries armed conflicts are now longer and more destructive. They become more chronic with fewer clear battle lines. Relief convoys, feeding centres and displaced persons' camps are seen as military targets. In this sense, more civilians are suffering.

In Darfur where the Sudanese government continued its war by proxy: allying, supporting and arming the *Janjaweed* militia, 300,000 people have died and 2.5 million have become displaced. Ironically, this bloody internal conflict emerged while negotiations were going on to end the war in the South.

The civilian population from ethnic groups such as Fur, Masalit and Zaghawa have been subject to "ethnic cleansing" committed by the Government of Sudan and the *Janjaweed* militias it backs (Human Rights Watch 2004, www.hrw.org). Strong evidence, including victims' testimonies, shows that the government-backed *Janjaweed* militia used rape as a systematic weapon of ethnic cleansing (Washington Post 2007).

A 35-year-old woman from Sudan narrates: "We had to flee because our village was attacked and our farm was burned by the government troops. Children were screaming and the elderly were trying to flee as well. When we left our village we had no idea where to go. All we wanted was a safe place for our children. So we hid in the bush for two weeks, surviving on wild food. After a long and tiring journey we managed to arrive at this camp".¹

In Somalia war has led to state disintegration as its control over resources disappeared. By contrast, warlords, crime masters took over the shattered shells of the state. Ronnas (2005: 44) argues that about 50 different Somali militia groups were active when peace negotiations started in 2003.

Another problem for Somalia is that many people have become leaders through gun power as no election has taken place since the 1960s. Therefore, the question of who is a legitimate representative of different parts of society is still a matter of concern (Ronnas 2005: 43).

"Women have suffered a lot during the war. They have been subject to violence and forced to flee from their homes. Nevertheless, they have worked hard for peace

1 The interview was conducted in Al-Salam displaced persons' camp in Khartoum, 2002

to come and to make Somalia a peaceful place for everybody. In other words, women were visible in the peace movement. However, when it comes to political representation, political leaders, representing the male dominant culture, want them to be invisible” (Personal communication with a 40-year-old Somali woman, London 2005).

It has been argued that in times of armed conflict, men are engaged in war and fighting, disappear or take refuge far from home. By contrast, women are left with the burden of ensuring the survival of their families. They struggle for the safety and health of their children and elderly, a task which depends on their ability to cope creatively with change and uncertainty (Rensen 1998).

Nevertheless, in both countries conflict offers women windows of opportunity for their emancipation and for the establishment of women’s groups. It gives them the opportunity to be more involved in the political arena, which they traditionally had limited access to.

Women and peace efforts

Although, as explained above, armed conflict is still ravaging both countries, there are some efforts to bring peace, democracy and stability.

It has been argued that women are the main victims of armed conflicts. However, they are excluded from conflict transformation and peace negotiations at local, national and international levels. Therefore, their legitimate interests and needs are overlooked (Moser 2001: 48).

Moreover,

Women and young people are rarely consulted during the political process of peace negotiation, yet they are often the ones who keep their communities alive – emotionally and physically - during the times of war (Women’s Commission for Refugee Women and Children 1995: 3).

Traditions that stereotype/portray women as non-decision-makers could also be seen a constraint. It has been argued that the Somali social structure generally prevents women from participating directly in decision-making processes. For example, when it was recommended that all regional representations to the Transitional National Council (TNC) should include at least one woman, no clan was happy to be represented by a woman (Jama 1996).

Moreover, in both countries, Islamic extremists and traditional leaders have managed to introduce and maintain a conservative and politicised interpretation of *Sharia* in order to tie women to the domestic sphere and to restrict their participation in political life, thus freeing men for politics. The political system is also a male-dominated and characterised by a power dynamic that excludes women from decision-making processes and stereotypes them as only mothers and carers.

In spite of the continuing prevalence of male-dominated polices that tend to exclude women from decision-making levels including decisions on war and peace, women are playing an increasing role in stopping war and bringing peace.

A recent report by the UN indicates that “Women make an important but often unrecognised contribution as peace educators both in their families and in their societies” (UN 1996).

Women are often among the first to call and lobby for an end to conflict and to work for order and rebuilding of their societies. In post-conflict eras, whether in groups or individually, formally or informally, women probably contribute more than government officials or aid agencies to reconciliation and peace-building (Rensen 1998). Therefore, they are being more active in a non-stereotypically female gender role.

In upper Nile, Southern Sudan in 1994, village women were very active in the People-to-People peace initiative that successfully managed to stop inter-ethnic violence in the region. Women used their talent, experience and influence within their families and communities to work for peace (South Sudan Friends 2004).

Furthermore, women continue to play a vital role through their work in grass-roots organisations, disseminating a new culture for peace, mobilising large numbers of women and organising peace education and training. For example, in May 2003, Somali women attending the Peace Conference in Nairobi tried to influence the formal peace process by lobbying and advocating for women’s rights to be included in the peace process. They met with the peace mediator to urge his support and for women’s inclusion in the peace process. They also agreed to advocate for at least 25% representation in the parliament (Irin News 2004). Thus, developing a new gender role, which used to be an exclusively male.

Moreover, the Voice of Somali Women for Peace as a grass roots organisation has managed to implement peace education programmes which targeted mainly school children in Mogadishu as well as programmes for families affected by war in Borama (Personal communication, London 2006). In this sense, women are becoming active agents for peace.

Women’s role in post-conflict reconstruction era

It has been argued that conflict, conflict resolution and building peace are engendered. Moser (2001: 30-31) points out that a gender perspective should be developed to deal with post-conflict reconstruction issues. This is mainly because women and men, as social actors, often have different roles, relations, interests, needs and identity in post-conflict efforts.

For example, new constitutions and laws developed during the post-conflict era tend to be gender-blind and do not recognise women’s role in post-conflict reconstruction. Therefore, new constitutions and laws need to address many gender issues,

such as gender discrimination in public and private life. Furthermore, inclusion of women in the constitution making process holds the potential for achieving sustainable peace.

Another important issue in the post-conflict era is elimination of all forms of oppression and discrimination. Human rights and democracy are crucial for any conflict resolution and peace-building processes. Therefore, women's organisations as well as peace-building activists should encourage and lobby for governments (in Somalia and Sudan) to ratify international legal instruments promoting the rights of women including the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW).

Regarding political reconstruction a quota system needs to be adopted to guarantee women's political participation in post-war transitions. In decision-making positions following war, experience shows that women are leading efforts to promote good governance by fighting corruption, demanding accountability, and maintaining transparency in activities at national and local levels.

Economic reconstruction is also crucial in post-conflict era. In Northern Somalia, for example, and while the war was still on, nomadic women have developed a new trading role. They sell livestock and milk and buy other essential items. The main cause of taking this new role was the prevailing security situation. Women had an advantage over men because they had a double clan identity that helped them to be more mobile than men. This skill could be developed further and used in post-reconstruction era (Rensen 1998).

In Sudan, displaced women were able to develop new legal survival strategies such as street trading, domestic work and laundry as well as illegal survival strategies such as the selling and making of alcohol. These new survival strategies have helped women to earn income and to gain economic power (Osman 2006).

Resources including financial resources are also essential in the transition or post-conflict reconstruction. For example, funding is needed for women's organisations to maximize their efforts and to re-build their countries. Simple equipment such as computers and cell phones would have huge benefits (Rehn and Sirlesf 2002).

A gender-sensitive budget of humanitarian assistance and post-conflict reconstruction is also required to ensure that women benefit directly from resources mobilized through multilateral and bilateral donors.

Social reconstruction is also vital during the post-conflict era. It touches some painful aspects of war, heals the psychological wounds and generates a social environment where respect, trust, confidence and solidarity will be rooted (Rensen 1998).

In Somalia women from different ethnic groups established associations to deal with psycho-social issues that affect their communities and opposed fighting between clans as well as working for reconciliation (Rensen 1998).

In Sudan displaced women in Khartoum tend to gather, without men, in groups (*tajamoat*) in front of their houses/huts to do some domestic activities such as cooking, sharing meals or playing with their children. Through these *tajamoat* women were able to provide support and help to each other (Osman 2006).

One of the most significant impacts of these *tajamaot* lies in their potential and capability to reunite displaced women who belong to different ethnic groups, have different experiences in terms of displacement, needs, and aspirations. In this regard, and in the wider context of conflict resolution, it could be argued that these *tajamaot* have helped women from different tribes to work together and to empower each other, thus scaling down possible tensions over scarce resources, impoverishment and marginalisation (Osman 2006).

For healing the pain of women victims of war, drought and famine the *tajamaot* have developed psycho-social mechanisms. This is done in an informal, supportive and friendly way without help from NGOs or state institutions. This kind of help is offered to all displaced women irrespective of their place of origin or tribe. Women trust each other and talk about their traumatic experiences, their experiences of rape, and sexual and domestic violence. They tell each other what they could not tell their husbands (Osman 2006).

Finally, a gender-sensitive version of truth and reconciliation committees is also required as it could provide a forum for victims to air their grievances and to seek reconciliation. The truth and reconciliation approach developed in South Africa is a land mark in the African conflict and could provide a platform for Sudan and Somalia. However, a more gender-sensitive truth and reconciliation approach that deals with gender issues, addresses women's need and allows women to speak out should be developed.

Conclusion

Although women are traditionally perceived as less active in political life they have managed to make positive contributions to peace-building and post-conflict construction.

In Somalia, for example, women have become active in peace education. They understood the benefits of education and its role in sustaining peace. Therefore, they developed educational programmes that targeted children and families.

To heal the wounds of trauma, women managed to develop their own organisations in order to provide psycho-social support and services for victims of conflict-related violence. This could be illustrated by the work of women's groups or *tajamaot* in Sudan.

To promote the role of women in post-conflict reconstruction, many obstacles need to be addressed. These include, for example, ratification of international legal instruments promoting the rights of women including the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW).

In terms of political representation, a quota system needs to be implemented to ensure that women's skills, talents and experiences are used in post-conflict recon-

struction. Moreover, old constitutions that view women as weak and powerless should be replaced by new constitutions that recognise the agency of women.

Recommendations

1. Peace negotiations and agreements should have a gender perspective through the integration of women's concerns and their full participation in peace processes.
2. Women should be involved as active actors in post-conflict reconstruction.
3. More training for women's leaders in conflict resolution, negotiations and reconciliations should be conducted.
4. Training on different gender issues related to war and peace should be conducted for government officials, political leaders, clan leaders, aid agencies and civil society organisations.
5. Further research on the role of women in post-conflict reconstruction is needed.
6. Gender budget analysis is required to ensure that women benefit from post-conflict reconstruction funding.
7. New constitutions and laws developed for post-conflict reconstruction should be gender sensitive.

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CPA – New Sudan, Old Sudan or Two Sudans?¹ – A Review of the Implementation of the Comprehensive Peace Agreement

Executive summary

On 9 January 2005 the Sudan People's Liberation Movement (SPLM) and the Government of Sudan (GoS) signed a peace agreement called the Comprehensive Peace Agreement (CPA), which ended the conflict in southern Sudan that had been going on since 1983 and had resulted in at least 54 000 battle-related deaths. In total it is estimated that two million people have died during the war as a result of violence, famine and disease.² The CPA was the final outcome of the so-called Machakos peace process which began in July 2002. Overall the implementation of this agreement is lacking in momentum. Some encouraging signs can be seen: a ceasefire that has held with just one major exception; the return of hundreds of thousands of refugees and Internally Displaced Persons (IDPs) to the South; an extensive redeployment of troops, the creation of a Government of National Unity (GoNU) and the instalment of the head of SPLM as First Vice President (FVP). However, other parts of the agreement have not been implemented: there is still no consensus on the contentious region of Abyei; several stipulated commissions have not yet been launched, and other commissions are not working properly. Another negative aspect is that despite wide redeployment of troops the first major deadline in the CPA was missed when the Sudan Armed Forces (SAF) had not left the South by 9 July 2007 as stipulated in the agreement. The overall impression of the implementation process is negative and the

1 A first version of this paper was written as a summary report at the request of the Swedish Church, International Department, Uppsala. The request from the Swedish Church was to give an update on the implementation of the CPA, building on the expertise of the UCDP, focusing both on obstacles and possibilities as well as identifying points of special interest for increasing CPA legitimacy among the population in Southern Sudan. I am grateful for comments and help from colleagues both within Uppsala Conflict Data Program (UCDP) and others at the Department for Peace and Conflict Research, especially Ralph Sundberg.

2 Uppsala Conflict Data Program (2007-08-23) *Uppsala Conflict Database* : www.pcr.uu.se/database Uppsala University

foremost reason for this is the GoS's lack of will and SPLM's lack of capacity to properly implement the CPA.

Acronyms

ABC – Abyei Boundaries Commission
CPA- Comprehensive Peace Agreement
DDR – Disarmament, Demobilization and Reintegration
DPA – Darfur Peace Agreement
EF – Eastern Front
ESPA – Eastern Sudan Peace Agreement
FVP – First Vice President
GoNU – Government of National Unity
GoS – Government of Sudan
GoSS – Government of Southern Sudan
IDP – Internally Displaced Person
JIU – Joint Integrated Unit (s)
LRA – Lord's Resistance Army
NCP – National Congress Party
OAG – Other Armed Group (s)
SAF – Sudan Armed Forces
SLM – Sudan Liberation Movement
SPLA – Sudan People's Liberation Army
SPLM- Sudan People's Liberation Movement
SSDF – Southern Sudan Defence Force
SRSG – Special Representative of the Secretary-General
UNMIS – United Nations Mission in Sudan
UCDP – Uppsala Conflict Data Program

I. Summary of the CPA

This review will start with a short summary of the agreement followed by a few contextual factors influencing the implementation process, and then follows an examination of the implementation procedure. The two final sections of this paper consist of recommendations and a forecast for the future of the CPA.

The CPA is composed of six partial agreements that have been signed by the parties. CPA is indeed a comprehensive agreement and some important stipulations in the CPA are: The South is given the opportunity to become independent through a referendum in 2011; until the referendum the South will have autonomy; the leader of the SPLM shall be FVP of Sudan, 28 percent of the seats in the GoNU should be

given to the SPLM; revenues from the oil in the South are to be shared 50-50 between the North and the South; Sharia law is to be applied only in the North and only to Muslims; the Sudanese Armed Forces (SAF) and the Sudan People's Liberation Army (SPLA) should be the only legal armed groups in the country; they should remain separate, but some integrated units are to be formed; the government will withdraw

91 000 troops from the South in two and a half years and the SPLA has eight months to withdraw its troops from the North; furthermore the North and the South shall have separate banking systems and currencies. The above mentioned points deal with North-South relations. However, the CPA also has a national level where nationwide elections stipulated for July 2009 is the most prominent issue.³

II. Contextual factors influencing the CPA

There is a vast variety of contextual factors that influence the implementation of the CPA. One is that Sudan is located in a conflict-ridden part of the world, with most of its neighbours involved in different armed conflicts. These conflicts are often interwoven through, for example, government support to rebels in neighbouring countries.

The conflict between the Government of Uganda and the Ugandan rebel movement Lord's Resistance Army (LRA) is the one that has had the strongest impact on the conflict in southern Sudan, as much of the fighting has taken place on Sudanese territory. The LRA is still present in the South. The Ugandan Government supported the SPLM in its war against GoS, and GoS supported the LRA in their war against the Ugandan Government, effectively using the rebel group in its conflict with SPLM. Hence, the LRA is an integrated factor to consider when dealing with the security problems in southern Sudan.⁴

Moreover, there are parallel conflict situations of varying intensity going on in Sudan, both in the East, the West and the North. These different situations are all influenced by the CPA as well as also influencing the implementation process. One important reason behind that is that CPA not only deals with the South but also has a national scope. Another aspect worth noting are the similarities of the demands of rebels in different parts of Sudan indicating the root causes for conflicts in the coun-

3 Comprehensive Peace Agreement (2005) available at http://www.usip.org/library/pa/sudan/cpa01092005/cpa_toc.html and UCDP (2006) *Uppsala Conflict Database Categorical Variables 1989-2005 version 1*

4 Uppsala Conflict Data Program (2007-08-23) *Uppsala Conflict Database* : www.pcr.uu.se/database Uppsala University

try.⁵ The single most fundamental aspect of this is the extreme regional imbalances that categorise Sudan.⁶

The conflict in eastern Sudan has clear links to the CPA since the agreement states that SPLA should withdraw from that area. When this part of the CPA was implemented it created a power-vacuum in the East that was used by the Eastern Front (EF). In 2006 the EF and GoS signed a peace agreement called the Eastern Sudan Peace Agreement (ESPA). This agreement ended the violent conflict in the East.⁷

The ongoing conflict in Darfur has a strong influence on the CPA. One such influence is that it makes GoS both an implementer of a peace agreement in the South and an active warring party in Darfur. In addition to this there was much hope that the CPA would help in decreasing the violence in Darfur. The argument would be that since SPLM and the rebel groups in Darfur had co-operated against the NCP at some points, SPLM entering the GoNU would enhance peace in Darfur. However, with the slow implementation process of the CPA these hopes have vanished.⁸ Moreover the redeployment of troops from the South to the North gives the GoS a possibility to increase its forces in Darfur. In 2006 the Darfur Peace Agreement (DPA) was signed between the GoS and Sudan Liberation Movement (SLM) – Mini Minawi faction, one of the rebel groups in Darfur. However, this agreement did not end fighting in Darfur. The clashes continue, but with other rebel groups than the SLM – Mini Minawi faction.⁹ Both the DPA and ESPA include power-sharing elements which possibly will affect the CPA since it changes the power-sharing balance between the GoS and the SPLM. Together these agreements give 20 seats in the National Assembly (out of 450) to the EF and the SLM-Minawi faction.¹⁰ In April 2007 twelve seats in the National Assembly were given to the signatories of the DPA. Nine of these seats were vacant at the time and three were given from seats that were allocated to the NCP.¹¹ Implementation of the ESPA began in the second half of 2007 and EF got the eight seats in the National Assembly that was stipulated in the ESPA in June. The seats were taken from National Congress Party (NCP) parliamentarians from eastern Sudan. This also changes the power balance between SPLM and NCP in the national assembly and hence might influence the implementation of the CPA, especially if you have more rebel groups in Darfur signing power-sharing agreements with the GoS.

5 Uppsala Conflict Data Program (2007-08-23) *Uppsala Conflict Database* : www.pcr.uu.se/database Uppsala University

6 Mohammed, Azzain Adam (2007) *The Comprehensive Peace Agreement and Darfur* in de Waal (editor) *War in Darfur and the Search for Peace* p. 199

7 Eastern Sudan Peace Agreement (2006), available at http://www.sudantribune.com/IMG/pdf/Eastern_Sudan_Peace_Agreement.pdf and internal coding material within UCDP

8 Madut Jok (2007) *Sudan Religion and Violence* p. 25-26

9 Darfur Peace Agreement (2006) available at http://www.unmis.org/english/2006Docs/DPA_ABUJA-5-05-06-withSignatures.pdf and UCDP (2007) *Uppsala Conflict Database Categorical Variables 1989-2006*

10 United Nation Mission In Sudan (2006) *The CPA Monitor- Monthly Report on the Implementation of the CPA November 2006* p.4 and Freedomhouse (2006) *Sudan*

11 United Nation Mission In Sudan (2007) *The CPA Monitor- Monthly Report on the Implementation of the CPA September 2007* p. 4-5

Thus, areas affected by conflict in Sudan have included the South, the West and the East and experts are now warning that the far North can be the new front of conflict in Sudan. Tensions have been rising in that area during 2007 because of the construction of two hydro-electric dams. The first dam is called Merowe dam and is strongly opposed by foremost the Manassir tribe but also by the neighbouring Amri and Hamadab tribes. The reason for these three tribes opposing the Merowe dam is that they will lose traditional native soil and have been refused access to the new waterfront by the government. This resistance has led to protests and at a peaceful protest in April the government killed three civilians. The other contested dam is located even further North in the Kajbar Area.¹² This area is inhabited by the Nubians, which is a non-Arab group with its own language and culture. In addition to this the Nubians take pride in being one of Africa's oldest civilizations. This ancient homeland is threatened to be flooded by the Kajbar dam. Because of this the Nubians are vehemently opposing the construction of the dam and in the Nubian community a rebel group calling itself Kush Liberation Front has been created.¹³ On 13 June police and security forces killed four unarmed civilians at a protest in Kajbar and the risk of a further worsening of the situation in the far North cannot be ruled out.¹⁴ With tensions increasing also in the North it further increases the turbulent areas in Sudan and increases the challenges for the regime in Khartoum. Potentially this will further shift away the focus on implementing the CPA.

Another factor that has strongly affected the implementation of the CPA is the death of John Garang in a helicopter crash on 30 July 2005 (an event that investigations have found to be accidental). John Garang was the leader of the SPLM, from the founding of the organisation until his death. Three weeks before his death he was sworn in as FVP of Sudan. The CPA was generally seen as the personal achievement of John Garang, and his personal relationship with the then FVP Ali Osman Taha was a sizeable reason for the signing of the agreement.¹⁵ Furthermore Garang was a person intent on reforming the entire country into a New Sudan based on equality, secularism and democracy; a focus that made him immensely popular, not only in the South but throughout Sudan. His successor, as head of SPLM and FVP, Salva Kiir is perceived as more favourable towards secession, even though he has publicly supported a united Sudan after he became FVP. The importance of Garang is shown in a statement by Hassan al-Turabi, leader of the Popular Congress Party, where he describes Garang as "the man around whom all the political forces and the Sudanese have built consensus for the first time in Sudan's history...his departure will greatly affect the issues he has raised and on which the Sudanese have agreed with him".¹⁶

12 International Crisis Group (2007) *A Strategy for Comprehensive Peace in Sudan Africa Report No 130 26 July 2007* p. 10-11

13 Los Angeles Times (2007) *In Nubia, fears of another Darfur 2007-08-31*

14 International Crisis Group (2007) *A Strategy for Comprehensive Peace in Sudan Africa Report No 130 26 July 2007* p. 10-11

15 International Crisis Group (2006) *Sudan's Comprehensive Peace Agreement: The long road ahead* p.1-2

16 International Crisis Group (2005) *Garang's Death: Implications for Peace in Sudan* p. 1-8

III. The implementation of the CPA¹⁷

A factor that is usually brought up as one of the most positive effects of the CPA is that there have not been any major clashes between the SPLA and the SAF since the signing of the agreement. Unfortunately, this cessation of hostilities lasted only until 28-29 November 2006, when a battle between SAF and SPLA soldiers in Malakal killed approximately 150 people, including civilians. This was the first major violation of the cease-fire and while it was encouraging that the parties immediately agreed to a new cease-fire, a joint investigation on what happened and a withdrawal of forces this event shows just how fragile the situation is on the ground.¹⁸

The implementation of the CPA is far behind schedule in many areas of the agreement. One central delay is that many of the commissions that should have been working by now are not even established yet. Examples are: the Electoral Commission, the Land Commission, and the National Human Rights Commission. Another problem is that the population census that according to the CPA should have taken place before 9 July 2007 has been delayed several times. The reasons behind these delays have been funding and capacity problems. The census is now planned to be finished by early 2008 and further delays will make it problematic to hold elections before the CPA deadline of July 2009.¹⁹

A more positive aspect is the extensive number of refugees and IDPs that have been able to return to the South. The United Nation Mission in Sudan (UNMIS), foremost through its Return, Reintegration and Recovery unit, assisted an estimated 580 000 (IDPs and refugees) in returning until November 2006.²⁰ As of October 2007 an additional 54 000 IDPs and refugees had been assisted to return to southern Sudan. However, due to financial problems this was below the goals set for that year.²¹ There are also several problems connected to people returning. High expectations, scarce resources and a non-existing infrastructure are examples of issues that have to be dealt with. One important aspect is that support to the returnees should

17 For detailed information about the implementation of the CPA see UNMIS CPA Monthly monitor, theoretical background information to this section was collected from Licklider, R. (2001) *Obstacles to Peace Settlements* AND Stedman, J.S. (2002) *Ending Civil Wars: The implementation of Peace Agreements*

18 United Nation Mission In Sudan (2006) *The CPA Monitor- Monthly Report on the Implementation of the CPA November 2006* p. 1

19 United Nation Mission In Sudan (2006) *The CPA Monitor- Monthly Report on the Implementation of the CPA September 2007* p. 10-11

20 United Nation Mission In Sudan (2006) *The CPA Monitor- Monthly Report on the Implementation of the CPA November 2006* p. 17

21 UNHCR (2007) *UNHCR faces funding crisis for South Sudan operations* <http://www.unhcr.org/cgi-bin/texis/vtx/news/opedoc.htm?tbl=NEWS&id=470225f54>

be combined with support to the people that stayed for the latter not to feel neglected.²²

The CPA states that the SPLA shall redeploy its troops from northern Sudan and SAF from southern Sudan. Part of this process is that Joint Integrated Units (JIU) consisting of both SAF and SPLA shall be formed. The SPLA has four areas that it shall redeploy from: eastern Sudan, Abyei, South Kordofan and Blue Nile. All SPLA troops have been redeployed from the East but SPLA redeployment in the other areas is not fulfilled due to delays in the forming of JIUs. SAF is stipulated to redeploy its troops to the North and UNMIS have confirmed that 68.9 of the SAF troops have conducted such redeployment. However, the SAF claims that an additional 8 919 troops have voluntarily demobilised. If this claim is correct it brings the figure of redeployed troops up to 89.2% but this information is unconfirmed and contested by the SPLM.²³ Moreover the CPA stipulates for SAF troops to have left the South by 9 July 2007. This was the first major deadline in the CPA and this deadline was missed without any international reaction.²⁴

The formation of the GoNU and the appointment of the leader of SPLM as FVP are factors in the implementation process that have been proceeding.²⁵ However, on 11 October 2007 the SPLM withdrew from the GoNU in protest at the slow implementation of the CPA. At the time of writing (mid October 2007) the implications of this step are hard to predict. However, it has been argued that the SPLM withdrawal from GoNU is the most threatening political escalation since the signing of the CPA.²⁶ SPLM stated that their causes for withdrawal were that the NCP had deliberately been slowing down the implementation of the CPA, including issues such as the redeployment of troops, demarcation of the North-South border, and the much contested area of Abyei. The SPLM also wanted to replace the Sudanese Foreign Minister Lam Akol who is an SPLM member but assumed to nowadays be leaning more in favour of the NCP.²⁷ Worth noting is also the timing of this withdrawal from GoNU by the SPLM since it took place just two weeks before peace talks about Darfur were planned to start in the Libyan capital, Tripoli.²⁸ The time was most probably deliberately chosen to tell both the NCP and the international community

22 In Zambia there is a program dealing with this issues called Zambian Initiative. This project has been a model for similar projects in other countries and I think that it could be helpful to study this initiative also in the context of Southern Sudan. For a field study focusing on this project and Angolan refugees in Zambia see Brosché, Johan and Nilsson, Maria (2005) "Zambian Refugee Policy: Security, Repatriation and Local Integration" Department of Peace and Conflict Research, Minor Field Study No.24

23 United Nation Mission In Sudan (2007) *The CPA Monitor- Monthly Report on the Implementation of the CPA September 2007* p. 34-35

24 International Crisis Group (2007) *A Strategy for Comprehensive Peace in Sudan Africa Report No 130 26 July 2007* p. 5

25 United Nation Mission In Sudan (2006) *The CPA Monitor- Monthly Report on the Implementation of the CPA November 2006* p. 4

26 International Crisis Group (2007) *Sudan: Breaking the Abyei Deadlock Africa Report No 47 12 October 2007*

27 Sudan Tribune (2007) *SPLM accuses Sudan president of slowing CPA implementation*

28 IRINNews (2007) *SUDAN: Darfur peace talks set for 27 October in Libya* <http://www.irinnews.org/report.aspx?ReportId=74172>

not to focus only upon the Darfur issue, and not to forget about the CPA implementation.

A precondition for the successful implementation of the CPA and sustainable peace in southern Sudan is that the SPLM succeeds in its transition from a rebel movement to a political actor. The CPA states that SPLM should be the major political party in the Government of Southern Sudan (GoSS) and the second largest party in the GoNU. This creates a big challenge for the former rebel movements especially since much of its political knowledge was lost when Garang died. Another tough challenge that the SPLM faces is to transform its armed wing into a state military. The lack of money, structures, qualified individuals etc make this process very problematic. Salaries to both civilian and military staff must be a top priority. Unpaid SPLA troops could turn into security threats in themselves or allow others a free rein. The expectations that the CPA has created in the South are huge both among the persons that stayed throughout the war, and among the returnees. How to live up to these expectations is a major challenge for the SPLM.²⁹ To fulfil these challenges SPLM also has to reprioritise its way of spending. Its only source of income is the revenues from oil. In SPLM's latest budget over 40 percent of its funds were earmarked for the military.³⁰

A major problem for the implementation of the CPA is the apparent shift in the NCP strategy after Garang's death, from earlier trying to implement the agreement to now undermining it.³¹ Garang's popularity was something that the NCP was planning to use in the democratic elections that are stipulated in the CPA. NCP's plan was to keep him as an ally and that his popularity would give the NCP a democratic support base. Garang's successor Salva Kiir, who is less popular and less dedicated to a united Sudan, does not give NCP that same option. A full implementation of the CPA with Garang as FVP instead of Kiir would have increased the possibilities for NCP to retain some power after the elections in 2009 and enhanced the possibility of a no-vote for secession in the 2011 referendum.³² NCP also sees full implementation of the CPA as a threat against its existence. The reason for this is that an entirely implemented CPA would create a more democratic and transparent Sudan, something that would challenge the power-base that the NCP has at the moment.³³

The NCP leadership now seems convinced that the South will vote for independence, and this view affects their approach to the implementation of the CPA. For example, Sudan's President al-Bashir has reportedly said that Southerners were going to vote for separation whether or not they had the post of Minister of Energy.³⁴ Many in the North seem to see secession for the South as a disaster, and one reason for this

29 International Crisis Group (2006) *Sudan's Comprehensive Peace Agreement: The long road ahead* p. 10-11

30 Economist (2006) *Glittering towers in a war zone – Sudan – Sudan* 9 December 2006

31 International Crisis Group (2006) *Sudan's Comprehensive Peace Agreement: The long road ahead* p. 3

32 International Crisis Group (2005) *Garang's Death: Implications for Peace in Sudan* p. 5-6

33 International Crisis Group (2007) *A Strategy for Comprehensive Peace in Sudan Africa Report No 130 26 July 2007*, executive summary and recommendations

34 International Crisis Group (2006) *Sudan's Comprehensive Peace Agreement: The long road ahead* p. 3

is probably the extensive oil production in the South.³⁵ Some sources state that as much as 90 percent of the oil revenues in Sudan come from the southern part of the country.³⁶ Another problem both for the South and for the rest of Sudan is that 70 percent of the GoS's share of oil income is spent on defence.³⁷ Moreover, this declining confidence in their CPA counterpart seems to be mutual. Former Special Representative of the Secretary General (SRSG) to Sudan, Jan Pronk reports that leaders in the South seem to have made up their mind that a united Sudan is not a possible option in the future. According to Pronk they feel that the GoS is trying to undermine SPLM and GoSS. An example of this is SPLM's accusation that the GoS still supports LRA. If this perception of the counterparts does not improve, and if the implementation of CPA does not accelerate, it is hard to imagine that the Southerners will see a united Sudan as their preferable option in the referendum. What effects a vote against unity would have according to the former SRSG in Sudan is shown in the below quote.³⁸

However, although a referendum resulting in a majority vote for separation would be legitimate, it would be disastrous. The UN would have to guarantee that such a majority vote would be respected. That would be sheer impossible. I am convinced that separation would lead to war. Many in the North would go to war in order to keep the South part of Sudan. The Southern minority living within the North would become a target and the Northern minority in the South likewise. The border between the North and the South would be disputed. Fights would start in order to occupy the oil fields. In the transitional areas (Abyei, South Kordofan and Blue Nile) civil wars would erupt. (SRSG Jan Pronk)³⁹

Abyei

Abyei is a disputed oil-rich area located between the Bahr el-Ghazal and South Kordofan provinces. The area is in geographic, ethnical and political terms caught between southern and northern Sudan. Abyei is home to the Ngok Dinka tribe and bordered to the north and north east by the Misseriya, who are an Arab cattle-herding tribe. Every year the Misseriya pass through Abyei for grazing their animals. Historically, the relations between the Ngok Dinka and the Misseriya have been harmonious and even mentioned as a model for North-South collaboration.⁴⁰ However, the North-South conflict where the Misseriya were armed by the regime in Khartoum and the Ngok Dinka were fighting on the SPLM side has complicated relations. The boundaries of the Abyei area are a much contested issue and the decision on the sta-

35 International Crisis Group (2005) *Garang's Death: Implications for Peace in Sudan* p. 5

36 Reeves, Eric (2005) *The Slow Collapse of the Comprehensive Peace Agreement for South Sudan*

37 New York Times (2006) *War in Sudan? Not Where the Oil Wealth Flows* 24 October 2006

38 Pronk, Jan (2006) *Weblog nr 12, February 12, 2006*

39 Pronk, Jan (2006) *Weblog nr 12, February 12, 2006*

40 International Crisis Group (2007) *Sudan: Breaking the Abyei Deadlock Africa Report No 47 12 October 2007* p.2

tus of this area was not included in the CPA, instead it was decided through the *Protocol on the resolution of Abyei conflict* that the demarcation of the Abyei border should be solved by an Abyei Boundaries Commission (ABC).⁴¹ The final report of the ABC came in July 2005 and their findings were seen as being favourable to the Ngok Dinka and hence more favourable to southern Sudan.⁴² In the CPA it is stated that the ABC decision should be “final and binding” but as of October 2007 the NCP has still not accepted the conclusion of the commission.⁴³ This refusal by the NCP has been highlighted by the SPLM several times as one of the most central factors when they have claimed that the NCP has been deliberately slowing the implementation of the CPA.⁴⁴

To resolve the Abyei issue is crucial as the area has been pointed out as the place where the risk of returning to a North-South war is largest. Moreover, succeeding in solving the issue of Abyei could be the measure that pilots the implementation of the CPA in the right direction and consequently the opposite could get the CPA to evaporate. There are several reasons for this. First of all Abyei is essential since it ties into the issues that are at the heart of CPA; border-demarcation, oil-revenues and the referendum.⁴⁵ Moreover it has become an influential symbolic issue and to solve such an issue could give the implementation some momentum. This is especially important when we are dealing with two different parties that completely lack confidence in each other.⁴⁶ Unfortunately the National Reconciliation and Healing Process mandate that was stipulated in the CPA has yet not started to work to overcome this lack of trust.⁴⁷ One way of decreasing tensions in Abyei is to make it a demilitarized zone. The troop presence by both the SAF and SPLA is high in and around Abyei and a demilitarized zone could reduce the risks of clashes between the two parties. Ideally the whole border between the South and North should be a demilitarized zone but Abyei should be the focal point to start with. Another important factor is that the displeasure with NCP among the Misseriya, who were fighting on the GoS side in the civil war, is increasing and many are beginning to see Juba (capital of southern Sudan) as a more preferred power centre than Khartoum. This also has an effect on the power-relations between the SAF and SPLA since reportedly 10 000 to 15 000 Misseriya troops are looking to join the SPLA.⁴⁸

41 For a full text version of *Protocol on the resolution of Abyei conflict* see <http://www.reliefweb.int/rw/RWB.NSF/db900SID/SZIE-5ZJR4Z?OpenDocument>

42 United States Institute of Peace (2005) *Resolving the Boundary Dispute in Sudan's Abyei Region* http://www.usip.org/pubs/usipeace_briefings/2005/1026_sudan.html Here you can also find a more comprehensive investigation of the ABC decision.

43 International Crisis Group (2007) *Sudan: Breaking the Abyei Deadlock Africa Report No 47 12 October 2007* p. 11

44 Sudan Tribune (2007) *SPLM accuses Sudan president of slowing CPA implementation*

45 International Crisis Group (2007) *Sudan: Breaking the Abyei Deadlock Africa Report No 47 12 October 2007* p. 2

46 Small Arms Survey (2007) Sudan Issue Brief- Human Security Baseline Assessment. *Emerging North-South Tensions and Prospects for a Return to War*

47 United Nation Mission In Sudan (2007) *The CPA Monitor- Monthly Report on the Implementation of the CPA September 2007* p.2

48 International Crisis Group (2007) *Sudan: Breaking the Abyei Deadlock Africa Report No 47 12 October 2007* p. 6

Disarmament, demobilization and reintegration (DDR)⁴⁹

An essential part of the CPA is the Protocol on Security Arrangements and its section on the DDR process which should help to facilitate an environment of human security and social stabilization.⁵⁰ In this overview DDR is highlighted, since it is both a fundamental part of creating peace and a sphere where NGOs could make an important contribution. For a better understanding of the problems and possibilities faced by the DDR processes in Sudan it is important to also look at experiences from other DDR cases, and into current research of the scholarly community. One factor that researchers find important is the economic possibilities for ex-combatants. To be considered are, for instance the non-combat skills of the ex-combatants, what needs exist within a society and what possibilities there are to meet these needs. Moreover, guaranteeing the safety of the ex-combatants is central, since giving up your weapon could create insecurity for former rebels.⁵¹ The CPA states that the SAF and the SPLA should be the only legal armed forces. This means that militias that have fought against the SPLA as well as with the SPLA are to be disarmed. This type of one-sided demobilisation, where the SPLA remains as the sole armed force, could create insecurity among ex-combatants from other groups.⁵² A study covering the disarmament of the White Army Militia (who fought against SPLA during the civil war) in the Jonglei and Upper Nile states in southern Sudan have pointed out three especially important points for militias resisting disarmament. These three are “(i) a fear and even hatred of the SPLA, (ii) civilians in Jonglei and Upper Nile states worrying about the need for self-protection generally, and (iii) a dislike of the very idea of being disarmed.” Another reason for the resistance to leaving among many people in southern Sudan is a fear that the CPA will collapse.⁵³ Moreover, ethnic tensions are a crucial issue when disarming people in southern Sudan. SPLM is by many Southerners perceived as a Dinka movement and has traditionally been in conflict with other ethnic groups in the region. This leads to a security dilemma where some groups do not want to disarm unless the other group does so too. A Lou Nuer elder states that “The Lou can accept the disarmament if others are disarmed too”.⁵⁴

All the factors mentioned above show the problems involved in disarmament. However, there are different ways to secure the safety of ex-combatants. One possible option is to station monitors in the area to prevent regular armed forces from committing abuses against ex-combatants. This monitoring task can be conducted through the UN or through NGOs. Another option is to provide human rights ed-

49 For a more thoroughly report on DDR process in Southern Sudan see for instance Arnold & Alden (2007) *“This Gun is our Food”*: Demilitarising the White Army Militias of South Sudan

50 Lutheran World Federation-Department of World Service Kenya/Sudan programme (2006) *The Comprehensive Peace Agreement (CPA): A Summary Booklet* p. 6

51 Nilsson, Anders (2006) PhD candidate and DDR-expert at the Department for Peace and Conflict Research at the Uppsala University discussion 2006-12-04

52 Lutheran World Federation-Department of World Service Kenya/Sudan programme (2006) *The Comprehensive Peace Agreement (CPA): A Summary Booklet* p. 6

53 Arnold & Alden (2007) p. 7 www.trainingforpeace.org/pubs/nupi/wp-722.pdf

54 Arnold & Alden (2007) p. 19 www.trainingforpeace.org/pubs/nupi/wp-722.pdf

ucation to the remaining forces; and a third option is to work for reconciliation within society. These options could preferably be used in combination.⁵⁵ To solve these problems becomes even more important since lawlessness among SPLA-soldiers is widespread and has been seen as “the most serious concern related to security in the South” in a UN-report.⁵⁶ The main reason for this lack of discipline among some SPLA-soldiers is large salary arrears.⁵⁷

In a DDR process it is important to work in parallel with both the ex-combatants and the society they will be re-integrated into. To work through media and information campaigns are ways to change a society’s view of the ex-combatants and to let the people know that the ex-combatants, for instance, have gone through demobilisation programs. Parallel to this, there is a need to change the mindsets of the ex-combatants and to work with their education.⁵⁸ This is especially important in a society where more than twenty years of war have created an extreme macho-mentality. An AK-47 is an important symbol of status among men, and the only skill that many men have is to kill.⁵⁹ To support the ex-combatants in becoming a part of society should be combined with support to the society itself, so that ordinary people also perceive that they are gaining from re-integrating the ex-combatants.⁶⁰ All these security issues related to disarmament are aggravated because of a lack of police in the area. The CPA is not very explicit on the police issue creating an ambiguous situation both for the local and national police.⁶¹ A central part of the demobilization process is the targeting of child soldiers and at the end of June 2006 1013 child soldiers had been demobilized from SPLA and other groups in the South. However, in the North authorities have not advanced significantly in the preparation of a child demobilization program for child soldiers associated with SAF.⁶²

A positive factor when it comes to the demobilization of groups in the South are the ongoing negotiations between the Government of Uganda and the Ugandan rebel group LRA. These negotiations seem to be making some progress and this increases the possibilities for disarming other armed groups in southern Sudan. The reason for this is that the LRA has traditionally been a threat to people in southern Sudan and people have been more unwilling to leave their weapons since they feel vulnerable to LRA attacks. Thus, a solution of the LRA conflict in Uganda could also have positive side-effects for the demobilization process in southern Sudan.⁶³

55 Nilsson, Anders (2006) PhD candidate and DDR-expert at the Department for Peace and Conflict Research at the Uppsala University discussion 2006-12-04

56 These crimes sometimes also lead to tribal clashes since the SPLA is mostly Dinka, and sometimes all Dinkas are blamed for their crimes.

57 UNMIS (2006) *Sudan Humanitarian Overview 1 May – 1 June 2006* p. 3

58 Nilsson, Anders (2006) PhD candidate and DDR-expert at the Department for Peace and Conflict Research at the Uppsala University discussion 2006-12-04

59 IRINnews (2006) *Sudan: Fragile Disarmament in the South*

60 Discussion with Anders Nilsson PhD candidate and DDR-expert at the Department for Peace and Conflict Research at the Uppsala University 2006-12-04

61 Arnold & Alden (2007) p. 20 www.trainingforpeace.org/pubs/nupi/wp-722.pdf

62 UNMIS (2006) *Sudan Humanitarian Overview 1 June – 1 July 2006* p. 2

63 IRINnews 2007-09-26 *UGANDA-SUDAN: Two-track strategy the best option to ending LRA rebellion – ICG* <http://www.irinnews.org/Report.aspx?ReportId=74499>

The DDR-processes are related to the CPA stipulation that there should be no other armed groups (OAG) within the Sudan except SAF and SPLA. On 8 January 2006 an important step towards this was taken when Salva Kiir and Paulino Matip, leader of Southern Sudan Defence Force (SSDF), an umbrella organisation embracing the bulk of previously SAF-aligned OAGs, signed the Juba Declaration on Unity and Integration of SPLA and SSDF.⁶⁴ Since SSDF and SPLA were involved in heavy fighting during several years of the war between SPLM and SAF this declaration is very important. Not least since it seems to mirror trust between the two signatories. It has even been argued that the Juba Declaration has done more to improve human security in southern Sudan than the CPA.⁶⁵

IV. Summary and suggestions

The implementation of the CPA faces several major obstacles in the near future, and unfortunately the outlook is bleak. There are three main reasons for this: the lack of will within the NCP to implement the agreement, the SPLM's lack of capacity to implement the CPA and the widespread problems on the ground. In addition to this the lack of engagement by the international community reduces the possibilities for the successful implementation of the CPA. Therefore the international engagement for implementing the CPA must increase. Especially the third party signatories to the CPA should feel a responsibility to this end. These signatories include the states of Kenya, Uganda, Egypt, Italy, the Netherlands, Norway, the UK, the US, and the organisations of Intergovernmental Authority on Development (IGAD), Arab League, UN, AU and the EU⁶⁶. Among the states in the region it could be argued that Uganda should take the lead since they are the neighbouring country that has suffered most from the war in southern Sudan. A return to war would have devastating effects on Uganda, not least because it would duplicate the problems that they face in the negotiations with the LRA. However, the other neighbouring countries should also put a lot of effort into a successful implementation of the CPA, both for humanitarian reasons and out of pure self-interest. The humanitarian reasons are above all that the people of southern Sudan already have suffered too much, and the self-interest lies primarily in that a return to war in southern Sudan will destabilise the region and create new large-scale refugee-flows.

The problems that the implementation of the CPA faces must be dealt with in parallel and a comprehensive approach has to be applied. At the moment the imple-

64 United Nation Mission In Sudan (2007) *The CPA Monitor- Monthly Report on the Implementation of the CPA September 2007* p. 37

65 Small Arms Survey (2007) Sudan Issue Brief- Human Security Baseline Assessment. *Emerging North-South Tensions and Prospects for a Return to War* p. 14

66 International Crisis Group (2007) *Sudan: Breaking the Abyei Deadlock Africa Report No 47 12 October 2007* p. 1

mentation process is caught in a bind where the NCP does not want to implement the agreement, in part because they believe that the South will vote for secession anyway. At the same time the South will probably become more likely to vote for secession, since the agreement is not being fully implemented. A situation has to be created where NCP sees a commitment to the implementation of the CPA as less costly than continued unwillingness to do so. This could be done with both carrots and sticks. The carrots could for example be a secured part of the oil-revenues in the South even after the referendum⁶⁷, and an example of sticks could be international sanctions.

The ongoing disaster in Darfur should not remove the limelight from the South, and instead these conflicts should be approached simultaneously by demanding decisive action from the GoS in both Darfur and the South⁶⁸. Another intricate aspect of how the situation in Darfur will influence the CPA is that it is possible that Darfurian rebels want to delay some of the deadlines in the CPA, such as the notion of national elections in 2009. The reasoning behind this is that they might want to have more time for political mobilisation after a plausible peace agreement in Darfur.

The CPA states that democratic elections should be held throughout Sudan by July 2009 by the latest. The implementation of this process is lacking in many respects, especially the process of conducting an appropriate census, which is not on schedule. This is a particularly important issue for the CPA, as well as for the rest of Sudan since it is the best chance to transform the whole country in a more democratic and peaceful direction. Therefore all necessary means should be put into getting these elections to take place as planned. The history of relations between the warring parties in Sudan (primarily the GoS) and the international community is in much a history of barking but not biting.⁶⁹ Numerous times threats have been made by the international community without being followed up. One example of this is that the UN Humanitarian coordinator of Sudan, Mukesh Kapila, on 22 March 2004 compared the attacks on civilians in Darfur with the genocide in Rwanda 1994 but this statement was not followed up with further outside pressure. Interestingly, the attacks on civilians in Darfur suddenly stopped after the statement but attacks resumed seven weeks later, which could indicate strategic calculations by the Sudanese government and Janjaweed militia.⁷⁰ Another example of the international community not following up on its earlier commitments was when the first major deadline in the CPA (withdrawal of SAF by 9 July 2007) was missed.⁷¹ International actors often

67 Here lessons could be learned from the Aceh 2005 peace agreement, between the Indonesian Government and GAM (Free Aceh Movement) since its also regulates nature resources and this is an agreement that have held this far. See UCDP (2006) *Uppsala Conflict Database Categorical Variables 1989-2005 version 1* or <http://www.reliefweb.int/library/documents/2005/govindn-idn-15aug.pdf> for the full agreement

68 For a report partially discussing the CPA and Darfur in combination see HRW (2006) *The Impact of the Comprehensive Peace Agreement* or Mohammed, Azzain Adam (2007) *The Comprehensive Peace Agreement and Darfur* in de Waal (editor) *War in Darfur and the Search for Peace*

69 Chicago Tribune (2007) *Bush on Darfur: U.S. 'will not avert our eyes'*

70 Höfer Petersen, Andreas and Lise-Lotte Tullin. (2006). *The Scorched Earth of Darfur* p. 16-17

71 International Crisis Group (2007) *A Strategy for Comprehensive Peace in Sudan Africa Report No 130 26 July 2007* p. 5

tend to focus so much on getting to an agreement that they do not have any commitment left for the implementation, which can have tragic results since non-implemented agreements can make things worse instead of better. One example of this is that the DPA that did not enhance the humanitarian situation in Darfur at all. Another tendency is to look at one crisis at a time, with a subsequent lack of a holistic view. This can also be seen in the Sudanese context where Darfur got little awareness when the focus was on finalizing the CPA. Now the CPA is getting little attention as Darfur is the focal point. The emerging problems in the far North of the country are another example that the problems of Sudan have to be dealt with through an all-inclusive approach.

A possible way for the international community to put pressure on the GoS is to go through China, since 70 percent of Sudan's exports go to this country.⁷² So how could pressure be put on China in a way that it will change its policy on Sudan? First a brief examination of China and its policies concerning these issues is needed. China is a huge country with a booming economy with great needs for many different natural resources, foremost oil. In addition to this China has a policy of not intervening in other countries' domestic affairs and as part of this they advocate not mixing economics and politics. The country also believes that it does not receive the respect in the international community that it deserves. I argue that you have to take China's needs and self-perception into account to be able to influence its policies. When it comes to oil, China puts forward the argument that the major Western powers have already secured their needs for oil in for instance the Middle East and thereby excluded China from getting its share of these markets. Moreover China emphasizes that the Western countries often work with non-democratic countries with bad human-rights records in order to receive important resources; so why should China not do the same?⁷³ China's interest in Sudan is economic and if you can convince them that it would be economically beneficial for them to work for an end to the different crises in Sudan I think that it is possible that they would make this policy shift. One possible way of doing this is if other major powers would assure China that they would get the right to buy the Sudanese oil even if Sudan is transformed into a more peaceful and democratic state. It is also possible to emphasise that a peaceful Sudan might be able to extract more oil than it is doing at the moment, since potential oil-fields are not being exploited because of the conflict situation.

Another way to get China to work in a more peace-enhancing way is to give them a role in the mediation process. This can be done both in the North-South context as well as in Darfur. One reason for this is that it is probable that China would appreciate being seen as having a peace-embracing effect in Sudan, especially since that would give them some international goodwill. Some would argue that China could not be used as a mediator since they are not seen as impartial in the conflict. However, previous research has shown that biased third parties under some conditions can

72 Economist (2006) *Never too late to scramble – China in Africa* 28 October 3006

73 Kreutz, Joakim (2007) Discussion with UCDP researcher and China expert Joakim Kreutz 2007-10-11

be more constructive than non-biased ones⁷⁴ and that government-biased mediators seem to outperform rebel-biased mediators.⁷⁵ The literature in this research area is extensive and a review of this debate falls outside the scope of this paper.⁷⁶ Thus here a few arguments will be put forward for why it could be useful to get China involved in the negotiating process. First of all China is essential to the GoS because of the close economic links between the countries, with China buying Sudanese oil and selling weapons in return.⁷⁷ This means that China has leverage on the GoS. Optionally the rebel groups can see this leverage as positive if they believe that it will make the GoS more committed to the peace-process and a possible future agreement. In addition if the rebels accept a government-biased mediator it will send a signal to the government that they are committed to the peace process.⁷⁸ Another plausible positive effect is if China goes from being a secondary supporter (at least in the form of tight economic relations) to becoming a third party. This could decrease the amount of weapons supplied to Sudan.

It is significant to note that China has started to take steps in the direction of putting pressure on the regime in Khartoum during 2007. One important step was made in early April 2007 when the Chinese Assistant Foreign Minister Zhai Jun visited Khartoum and met the Sudanese President Omar al-Bashir. The reason for this visit was to discuss the deployment of an AU/UN hybrid-peacekeeping force in Darfur. The GoS, shortly after the meeting, revised their official position on the hybrid-peacekeeping force. Having for a long time rejected any UN peace-keepers in Darfur, the GoS now took a more accepting position and it is probable that the official visit from China played a vital role in this change.⁷⁹ This shows both that China can function in an affirmative way and that they can put pressure on the Government of Sudan. This should be viewed as a positive example and encourage the international community to try to work through China to put pressure on the regime in Khartoum.

Moreover, the fact that China will host the Summer Olympics in 2008 is something that can be used to put pressure on the country. This event is of huge importance for China and they want to portray a positive image of the country to the world. China would strongly dislike it if much of the debate around the Olympics is focused upon China having a negative role in Sudan in general and Darfur in particular. Therefore it could be meaningful if politicians, athletes and other people connected to the Olympics speak out loudly if they believe that China is playing a neg-

74 Svensson, Isak (2006) *Intermediaries, Information, and Impartiality – Types of Mediators and Negotiated Settlements in Africa in Elusive Peacemakers. A Bargaining Perspective on Mediation in Internal Armed Conflicts*

75 Svensson, Isak (2007) *Bargaining, Bias and Peace Brokers: How Rebels Commit to Peace* p. 178

76 For more information on this debate see for instance Fearon 1998; Schmidt 2005 and Walter 2002
77 Small Arms Survey (2007) *Arms, oil, and Darfur The evolution of relations between China and Sudan* p. 2-5

78 See Svensson, Isak (2007) *Bargaining, Bias and Peace Brokers: How Rebels Commit to Peace* for elaboration of this argument.

79 Small Arms Survey (2007) *Sudan Issue Brief- Human Security Baseline Assessment. Arms, oil, and Darfur The evolution of relations between China and Sudan* p. 1

ative role in the situation in Sudan, thus putting pressure on China to work in a more peace-enhancing direction.

Representatives of the Sudanese Government have said that you have to put out a fire when you have the chance, having the CPA and the ending of conflict in the South in mind.⁸⁰ But with its record of conflict in the South, the East, the West and possible emerging in the North, you can also claim that you should start investigating what it is that ignites fires in all these different areas of the country. Arguably, a solution to all these conflicts in marginalised peripheral areas must involve a change at the centre. The best chance for this change is through launching the CPA stipulated democratic elections in 2009. Moreover, Sudan is a much centralised state and decentralisation could possibly solve some of the problems that Sudan faces. Decentralisation of Sudan would decrease the differences between the centre and the peripheral areas and thereby ameliorate the root causes for conflict. This would increase the responsibilities of the different regions. In addition to political decentralisation a shift in how the economical resources are distributed could work in a peace-enhancing direction. At the moment resources are collected in the peripheral areas of the vast country of Sudan, taken to Khartoum and rarely/never redistributed back to the remote regions.⁸¹

Despite these political problems at governmental level there are several things that can be done on a grass root level. The relationships between returnees and the people that did not flee is one important issue. Another is to improve the DDR processes. Recent history and examples from other countries show that a situation with many weapons circulating, with many ex-combatants whose main skill is war, leads to a fragile situation that could easily result in a return to clashes and war. A combination of pressure on the NCP, resources to help the transformation of the SPLM and dealing with problems on the ground such as returnees and ex-combatants are key factors in securing the implementation of the CPA. In addition the NCP and SPLM prioritisation of arms has to shift since it increases insecurity as well as shifting monetary resources away from other areas important for implementation.

V. CPA – New Sudan, Old Sudan or Two Sudans?

The late leader of SPLM, John Garang, had a vision of a New Sudan – One Country Two systems and the CPA to a large extent mirrors this vision. But will this vision be the future of the Sudan? With the current position of the implementation process of

80 H. E. Mr. Moses M. Akol, Sudanese Ambassador to Sweden at the Somalia International Rehabilitation Centre (SIRC) Horn of Africa Conference – VI Post-Conflict Peace-Building 24th – 26th August 2007, Lund, Sweden

81 For a more thoroughly discussion about these issues see Mohammed, Azzain Adam (2007) *The Comprehensive Peace Agreement and Darfur* in de Waal (editor) *War in Darfur and the Search for Peace*

the CPA it is not very likely that Garang's vision will be the future of Sudan. If this is to become true it demands that the South shall vote for remaining in a united Sudan in the referendum in 2011. Through talking to Southerners and through following online discussions among southern Sudanese communities a vote for unity does not seem to be the most likely option. The general view seems to be that they cannot see any good reasons for the South staying in a united Sudan. One important aspect of the CPA was that the leaders should try to make unity the preferable alternative for the Southerners in the referendum. In this they have unmistakably failed. The main reason for this on the GoS side is that they see full implementation of the CPA as an apparent threat to their power. The SPLM has also failed to portray unity as preferable and their weak capacity is one reason for this. In addition the death of John Garang affects both these processes. The GoS sees fewer benefits in implementing the CPA after his death. At the same time his death placed more secessionist minded leaders at the top of the SPLM hierarchy. Moreover, the slow implementation of the CPA creates frustration among Southerners which increases the lack of trust among Southerners for the regime in Khartoum.

However, before the referendum that should take place in 2011 there are planned elections for Sudan in 2009. These elections are probably the most decisive factor not just for the South but for the whole of Sudan. The main grievance that rebel groups usually state in Sudan, no matter if it is in the South, East, West or North is economic marginalisation and a lack of political influence. If there are free and fair elections in 2009 this might open up possibilities for the creation of a new Sudan. If we with 'old Sudan' mean a country with war in the South, continued delays in the execution of the CPA are the most extensive risk. If the implementation continues to lack momentum and especially if the referendum becomes threatened the option of a return to a North-South war cannot be ignored. If democratic elections in 2009 are not held or if there is a delay in the referendum planned for 2011, I see the future for peaceful South-North relation as bleak. However, a vote for secession in the referendum will not by necessity lead to war. One important reason for this is that there are some prominent leaders within the NCP that hold the view of secession for the South as being the preferable alternative.⁸² Moreover, it has been argued that the North could still keep some economic domination even over an independent South. A peaceful secession of the South is doable but involves an immense task for the involved parties themselves, as well as the international community. Pre-conditions for a peaceful secession involve engagement by the international community and responsible action from both the NCP and SPLM.

To sum up, continued delays in the implementation of the CPA could lead back to old Sudan (war), while the conducting of democratic elections in 2009 is the best chance for a new Sudan (more peaceful) and two Sudans is the most likely outcome if the stipulated referendum takes place in 2011. Of these alternatives my prediction is that a future with two Sudans is the most likely.

82 Institute for Security Studies (2007) *Dual realities: Peace and War in the Sudan – an update on the implementation of the CPA*. p. 11

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Darfur Movements: Vision and Blueprints for Action

Darfur region covers an area of 508,000 square kilometres, a size equivalent to that of France. The region is home to almost seven millions divided into over 100 ethnic groups. The Darfur war has so far left 200,000-450,000 dead and over 2.5 million displaced.

The war in Darfur involves two main insurgent movements: The Sudanese Justice and Equality Movement (JEM) and the Sudan Liberation Movement (SLM). In 2005, the SLM broke into two factions, one of which has signed a peace agreement with the Khartoum government. In September 2006, the National Redemption Front was formed out of JEM and some Leaders the SLM and the Sudan Federal Democratic Party.

In February 2003, armed insurgency erupted in the western region of Darfur. With the world still mesmerized by the progress being made at the time in the old and prostrated conflict of southern Sudan, Khartoum seized the opportunity to quickly quell the uprising and at any cost. In his visit to Elfashir soon after its brief occupation by the rebels, President Albashir launched into one of his characteristic frenzied speeches: "I want back no war prisoners and no injured captives", he roared. Incriminating as it was, the statement offered blanket impunity for Sudan's army and its associates. The use of Arab Militia already perfected in the south and central Sudan was to be repeated in Darfur. In Khartoum's eyes, a proxy army of Arab Militia would be cheap and effective. At the same time, it would provide a legal cover against international outrage with the militias bearing responsibility for ensuing atrocities, just in case.

In its strategies, the Khartoum government committed two cardinal mistakes. The first pertains to the use of a proxy army of Arab militias and the second related to international attention to Darfur.

The proxy militia army formed proved lethal against innocent civilians but hopelessly ineffective in fighting the rebel movements. But the fatal miscalculation was yet to come. The assumption that western and allegedly Christian sympathy could not be transferred to Darfur with its 100% Muslim population was a callous mistake. Khartoum was shocked by the speed at which the Darfur conflict was elevated to the international stage. Within a few weeks of the insurrection, Darfur assumed a regular space in international media. The word "Janjaweed" meaning a hooligan brandishing a GM 3 machine gun on a horse became a familiar term across the world.

Darfur grievances

In simple terms, it is the continuous marginalisation of Darfur that is behind the current conflict in the region. Over the years, Darfur people protested their marginalisation through peaceful and non-peaceful means to no avail. Since independence (1956), at least 8 Darfur movements have appeared, using different methods to bring the Darfur plight to the attention of Khartoum (Abuelbasha 2006). In February 2003, some Darfurians took arms against the government. The outcome is a tragedy far beyond what the insurgents and the government could imagine.

Many authors have articulated details of the dynamics that led to the marginalisation of Darfur (El-Tom 2006b, 2006c, Ibrahim 2004, 2006a, 2006b, Prunier 2005, Hashim 2004, Flint and de Waal 2006). In 1999, the grievances of Darfur were exposed in a rather unconventional way. They were articulated in a clandestine publication under the title: “The Black Book: Imbalance of Power and Wealth in the Sudan”. According to this publication, Sudan has been controlled by a small minority since its independence and this minority has monopolised wealth and power to the detriment of the rest of country. Further on, the publication presented statistics showing that this hegemonic minority has been acting on behalf of the northern region that constitutes only 5% of Sudan’s population. The result of this monopoly of power and wealth reflected itself negatively in human development of all regions including Darfur (The Black Book 2004, see Table below).

TABLE: Human Development (adapted from Ibrahim 2004)

Item/ Region	Northern Region	Southern Region	Darfur Region
% of Sudan’s Population	5%	16%	20%
Primary School Enrolment	88%	21%	31%
Hospitals per 100,000	3.9	1	0.4
Hospital beds per 100,000	151	68	24.7
Doctors per 100,000	13.4	2.8	1.5

While some details contained in the Black Book can be criticised, the general thrust of the thesis remains difficult to challenge. Indeed, the main findings of the Black Book have been affirmed by many writers (Ibrahim 2006a, Cobhom 2005, El-Tom 2003, 2006a, 2006b). Attempts of the government to produce a counter publication, code-named the White Book of Sudan did not materialise.

The Black Book avoids the dualistic approach that characterised the Sudanese north-south conflict. In that conflict, the problem was portrayed as between a hegemonic north and a marginalized south. This vision underlies the Comprehensive Peace Agreement (CPA) which brought peace to the southern region of the Sudan.

In sharp contrast to that, the Darfur Movements see the Darfur problem as clearly embedded in the relationship between a centre dominated by the northern region and all other marginalized peripheries. A solution of the Darfur problem therefore can best be addressed by ending marginalisation and by moving towards an inclusive

system whereby all regions share power and wealth on an equal basis. It is to be noted that this vision had to be watered down in the Abuja Peace Talks (2004-2006) on the pretext that Darfurians had no mandate to talk about other regions and that the venue was legally restricted to Darfur.

What the Movements Want

For the sake of brevity, let me focus on the latter part of the Abuja Peace Talks. That means I will be skipping several deals including the N'djamena Ceasefire Agreement (April 2004), the Humanitarian Protocol (November 2004) and the Declaration of Principles (May 2005)). During this latter part of the Talks, the focus was on three distinct strands: The Power-sharing Commission, the Wealth-sharing Commission and the Security Commission. Among these three Commissions, it was the Power-sharing that was most revealing and equally most obstinate.

A joint SLM-JEM document dated October 14th 05, reveals the vision of the Movements regarding Sudan's protracted problem, or the Darfur crisis as the Forum finally allowed:

Levels of Governance

Sudan is to pursue a federal system of governance with the following levels:

- Federal governance
- Regional Governance
- State governance
- Local governance within states

This vision assumes the division of Sudan into six regions, each having its own government, complete with a legislative authority. Heads of regions and states shall be freely elected. Regions shall all revert to 1956 borders, function as second level of governance below the Federal level and retain current state subdivisions.

The above structure disguises a challenge to the Khartoum government in several ways. To begin with, it introduces Regional Governance as a third layer of power. At present, only the southern region enjoys such a status. But more ominous in the Khartoum vision is the devolution aspect of the proposal, which effectively undermines Khartoum's authority and hence the current hegemony of the northern region. Moreover, emphasis on elections constitutes a further threat to the current political structure in the Sudan.

Federal Governance

Legislative Bodies:

Two legislative bodies are to be instituted here:

1. The National Federal Council whose members are freely elected.
2. The Council of Regions consisting of two representatives from each region. Regional representatives to the Council are to be elected by the Regional Legislative Councils.

Federal Governance

National Executive Authority

- The presidency shall be headed by the President of the Republic, who shall be directly elected through free universal suffrage.
- The President shall appoint a Council of Ministers in consultation with the Presidency Council.
- As for the interim period, the position of President of the Sudan shall rotate and be reviewed following six terms covering all regions. Regions that do not hold the Presidency in the Term shall occupy positions of Vice Presidents (5 of them altogether).
- In each Presidential term, positions of the (a) President of the Sudan, (b) Prime Minister (c) Head of Council of Regions (Senate) (d) Head of Parliament, (e) Head of Judiciary and (f) Head of Supreme Court shall be drawn from different Regions.

Regional Governance

- Sudan shall consist of six Regions with Khartoum accorded either a status of Federal Capital or otherwise treated as a separate Region.

Regions, later amended to read the Darfur region, are/is to:

- Revert to 1956 borders
- Function as a second level of governance
- Maintain a Council of Ministers and an elected legislative body
- Enjoy veto over a) amendments of national borders and (b) culture and heritage
- Have an elected governor in the post-interim period

- Have (a) a Supreme Court, (b) an Appeal Court, (c) General Courts and (d) Civil Courts.

Residual Issues:

- Regions have to be represented in the Federal Civil Service positions in accordance with their population weight.
- Recruitment to National Universities, the National Military College and the National Police College is to be allocated in accordance with the population weight of all Regions.
- Other criteria agreed upon shall also be activated as deemed appropriate in representation referred to in this section. These criteria include affirmative action, impact of war and distance from the capital.

As referred to earlier, little progress was made in the Talks with regard to this Commission on Power Sharing.

Wealth Sharing Commission

An important aim of the Darfur Movements is to achieve “equitable sharing of the national wealth”. While the Wealth-Sharing Commission can be said to have fared better than other Commissions, major points of disagreement were:

- Cost of repatriation of the IDPs
- Compensation
- Division of revenue between central government and Darfur, and
- Reconstruction fund
- Implementation mechanisms and guarantees.

Security Arrangement Commission

In this section, the Movements’ aims can be summarised as follows:

- Restructuring of the Sudan security system covering the national army, police and the national intelligence.
- Restoring security in Darfur and reigning over the Janjaweed
- Catering for armies of the Movements through retention, redeployment and disbandment

This Commission was backed up by numerous other security-related Agreements and Protocols. Nonetheless, the discussion was marked by several differences, most important of which were:

- Definition and disarmament of the Janjaweed
- Status, retention and maintenance costs of the armies of the Movements.
- Poor representation in security decision-making
- Implementation modalities and guarantees

Launching the DPA

In February 2006, citing lack of progress, the African Union (AU) decided to suspend all plenary meetings for Power-Sharing and Wealth-Sharing. That was nearly three months (February) prior to presentation of the DPA document to the parties. As it transpired later, the AU and the international community had decided to go it alone and compel the parties to accede and sign a document that they had little input in. Jack Straw of the UK expressed this intention in a forceful way; so forceful that you would be forgiven for thinking that the old British Empire was still reigning:

“The international community has poured lots of money, time and effort into the peace talks. (But) our patience is not unlimited. If the parties do not reach an agreement here soon, we, with the AU, will need to start looking at the alternatives” (Nathan 2006:4)

In April 2006, demonstrations broke out in the USA in support of Darfur. The US government was put under immense pressure to act and bring peace to Darfur. With President Bush under pressure from all fronts, the government panicked. George Bush then sent his Envoy Robert Zoellick to Abuja. On his way to Abuja, he was joined by the UK Envoy, Mr Hilary Benn.

But it was Zoellick who showed in no uncertain terms that he meant business and that he was getting it at all costs. His arrival at the Talks hotel in a convoy of seven cars amid a large presence of security personnel was a stark reminder that the emperor was soon to appear. The parties were put under intense pressure, using unprecedented methods borrowed from intelligence interrogation rooms including exhaustion, starvation and lack of sleep. A document referred to as the Darfur Peace Agreement (DPA) was rushed and stakeholders were summoned to sign it. Commenting on this process elsewhere, I described the DPA as a result of intimidation, bullying and diplomatic terrorism. In one of his threatening moods, Zoellick told Minnawi of the SLA/M that “he could be a good friend, but could equally be a nasty enemy”. Minnawi could not withstand the pressure and eventually caved in and signed the DPA. Ironically, Minnawi and his branch of SLM were party to a document prepared jointly with JEM and in which the two Movements outlined reasons behind their rejection of the DPA and proposed possible amendments to the text. But Ahmed Salim, the AU Envoy to the Talks, mesmerized by the backing of the Super Power was in no

mood for compromise. Hence, the AU refused to receive the document, insisting that “not a comma was to be added to the DPA” or “that the only important page was the last where signatures were to be inscribed”.

In some ways, the term DPA is a misnomer. The DPA does not constitute an agreement as such as the document lacked both input and consensus of the parties concerned. As it later transpired, the DPA was prepared by the AU and its international experts about six weeks before and was locked away waiting for the arrival of the likes of Mr Zoellick. In our campaign visit to the USA days after the DPA, we were told that the DPA document was circulated to friends in the USA long before it was shown to the parties in Abuja. Surprisingly, some US contacts were not impressed by the document and advised against it.

It did not take long for the DPA to collapse. Its stakeholders gave it a hostile reception almost everywhere. Instead of bringing peace to Darfur, it brought more violence. Even Mr Pronk, the UN Envoy to Sudan and an important player in the DPA fiasco had to concede and exonerate the non-signatories. In his own words, the DPA is “in a coma, paralysed, does not resonate with Darfur people and requires major rewriting”. That, the non-signatories had reiterated loud and clear in Abuja, but no one was in a listening mood. But the wide rejection of the DPA was not confined to the Movements. A DRDC document reads:

“At home, the document was met with discontentment from the major stakeholders in Darfur particularly the internally displaced persons (IDPs) and war affected community. Civil society groups from Darfur including women groups, students, lawyers, intellectuals as well as some major national political parties have rejected the DPA” (DRDC 2006:2, for further critique of the DPA see Abuelbasha 2006 and Sulaiman 2007).

In a patronising way, Sam Ibuk, the chief of the AU mediating team came up with the dubious revelation that suspicions about the agreement were based on the inability of the “rebels” to understand the complex DPA document. The issue thus became not of a farcical document but of simple-minded stakeholders (Nathan 2006: 5, 15). Others dashed in to help. De Waal, a prolific writer on Darfur matters and an AU advisor obliged. De Waal is reputed to be one of the editors of the DPA text. He compiled a series of ten articles under the title: *Explaining the Darfur Agreement* which according to him were aimed at “the Sudanese people in general and the people of Darfur especially”. The articles were subsequently published on the Justice Africa website and many other porters. Ironically speaking, Darfur people including the IDPs who rejected the DPA were hence invited to google away and view the DPA explained in simple and plain Oxford English (see de Waal 2006).

If it is ever possible to single out the most undermining aspect of the DPA in the eyes of the Movements, it is the fact that the deal allowed Khartoum to retain absolute power throughout all layers of the political structure. Thus, in the DPA, Khartoum was to hold the majority, right from the centre and down to the local governance layers. Abuelbasha estimates that in the DPA, the government “got 81% of the constitutional executive posts and 71% of the legislative seats in Darfur” (Abuelbasha 2006:6).

Which way out

Since the launch of the DPA, all parties had ample time to reflect on the situation in Darfur. The urgency of the tragedy frames all under moral obligation to act and to do so quickly. The dynamics of the crisis have also shifted with the formation of the National Redemption Front (NRF), Resolution 1706 and its related UN Hybrid Force, ICC indictments, UN Human Rights Report and subsequent splits in Darfur Movements.

For the coming period, parties to the conflict can build on certain positive elements:

- Renewed consensus that the Darfur problem is political and so is its solution
- All major issues have been debated to varying degrees in Abuja and do not have to be revisited at length in subsequent Talks
- War fatigue and the continuation of suffering in the country have exacerbated the urgency of finding a solution to the problem. While it is risky to declare time as “ripe for a solution”, there are indicators that point in that direction and can be seized upon.
- Conviction that the CPA cannot fully progress without peace in Darfur and that a continuation of the Darfur war retards development of the whole country.
- The DPA experience stands in proof that sustainable and comprehensive peace, and an all-inclusive deal is essential.

As far as the NRF is concerned, and according to numerous NRF statements, a framework agreement can be reached within days if not hours if attention is paid to the following points, as articulated in a JEM/NRF document (see Table 2):

1. The IDPs constitute the most powerless victims of the Darfur crisis. As the humanity of any society depends on how it treats its weakest, we must strive not to sacrifice them in the process. Having lost their homes and properties, the IDPs cannot go home penniless. The US\$1000 proposed per family – not individual – once and for all is a minimum amount that can barely enable them to kick-start their lives. Such an amount is surely less than the weekly cost of IPDs in their present camps. It is also within the means of the country given that senior government negotiators were paid US\$500 per diem for the entire period of the Abuja Peace Talks.
2. Compensation for those who have lost their basic means of survival is a sticky issue across Darfur. In Darfurian culture, and a well-recognized conflict-resolution tradition, compensation, fully or partial, is indivisible from any reconciliation and a precondition for peaceful coexistence. A Seed Compensation Fund of \$30 million was conceded in the DPA. While that establishes the principle, the amount given is, plainly speaking, a joke. Due to importance of this for the future of peace in Darfur, we suggest giving it its due weight.

3. The Darfur crisis started in the first place due to a lack of control of the Darfur people over their destiny. Had the Darfurians been managing their own affairs, what the US correctly termed genocide would not have happened. Hence, it is legitimate for Darfur to be a self-governing region within the framework of a united Sudan. The NRF has no qualms about sharing power in Darfur with Albashir's party as long as its nominees hold some form of a majority in the region. Otherwise, one risks preserving the current status quo. As for other sectors in Darfur who are not affiliates of the NRF or the ruling party, they can easily be accommodated in the new structure. Using democratic channels, Darfur's status as a region can be reassessed in the future, preferably within a restructuring of the entire country.
4. Reconstruction of Darfur is of paramount importance for a sustainable peace agreement in Darfur. As all experts concur, deprivation and lack of development in Darfur have been the prime reason behind the insurgency. Moreover, development remains the most fundamental function of any decent government. The DPA must be amended to secure a meaningful developmental budget for the region and in a way that delivers broad consensus on the agreement. Two factors help here. Firstly, one assumes that development is an ongoing process that no government will halt within three years as the DPA might imply. Secondly, further funds will be released by increase in petrol remunerations, reduction of defence/security expenditure, peace dividends and governance improvement.
5. The current Constitution of the country guarantees equal opportunity for all Sudanese to fully participate in the running of their country. Let us be true to that spirit and translate it into the Darfur agreement. We want Darfurians to be represented in the national government structure (the Presidency, the Parliament, the Council of Ministers, and the Judiciary) in a way that tallies with their weight in Sudan's population and as determined by government statistics. Darfurians equally call for a fair representation at the middle and upper levels of federal civil service of the Sudan including defence and security apparatus. It is imperative that this process may take more than one year to effect but a workable time plan can be negotiated.
6. Given the depth of the crisis, the rift between the Movements and the government is uncomfortably huge. Sharing post-agreement power with Albashir will be marred by a lack of trust, at least for some time. That calls for some form of trustworthy guarantee mechanism that is lacking in the DPA. Reliance on the good will of the government does not make for a sustainable peace agreement. A workable guarantee allows space for building trust among partners and is no less important for generating a broad consensus on the peace deal. Such a guarantee can be formed by a combination of an international component backed by retention of Movements' forces during the interim period. Legal guarantees may comprise provisions in the National Constitution entrenched against unfair intrusion by a requirement of two-thirds or three quarters majority amendment.

7. The National Security Act, which gives the security forces unlimited powers to detain and torture opponents of the regime is a real obstacle to the implementation of any peace agreement reached in the Sudan including the CPA (North-South Agreement). Abolition of this Act is a precondition for any sustainable peace in the Sudan (El-Tom 2006a, See table below)

Gap between DPA and Non-Signatories and Manoeuvre Areas

Item	Offered in Proposed DPA	Just/ Ideal offer	Possible Deal
Compensation per IDP family	None	\$1000	\$1000, Per IDP family
Compensation seed money	\$30m	\$300m	\$300m
Reconstruction of Darfur	\$300m (2006), \$200m for 2007 and 2008	\$300m (2006) + 6.5% for 10 years	\$300m + fixed % / amount for 10 years
Region with Government	Darfur Transitional Authority	Full Regional Government. No referendum	Full government with referendum later
Former Combatants	4,000 National Army, 3000 civic training and 1000 for police	Keep army paid for by central government, Interim period	50% into National Army, 37.5% civic training and 12.5% for police and security service
Representation in Darfur	Absolute majority for GoS	Absolute majority for Movements (MVTs) & allies	Majority for MVTs & allies
National Parliament	12 Seats for MVTs (previous offer 30)	80% for MVTs	Majority for MVTs & allies
National Cabinet	1 Minister and 2 State Ministers for MVTs	4 Ministers and 6 State Ministers for MVTs (for a total of 20% for all Darfur)	3 Ministers and 4 State Ministers

Source: Bureau for Training and Strategic Planning, JEM (23/05/006)

Confounding Developments

Since the launch of the DPA (May 2006), several events have taken place. These events have had a varying impact on the coming peace progress. High among these events is the issuing of UN Resolution 1706, ICC Reports and to a lesser degree the UN Human Rights Reports.

UN-SC Resolution 1706

The call for a UN military intervention in Darfur has always been high on the agenda of the Darfur Movements and their supporters in the Region. Naturally, the govern-

ment of Sudan is antagonistic to an intervention and is bound to see the Resolution as at least unhelpful for the Darfur peace process. Surprisingly, the Darfur Movements welcomed the Resolution with little effort to detail their reasons. JEM is an exception in this regard. In fact, JEM articulated its reservations in a letter addressed to the UN. JEM's stand won it approval from an unlikely source: the government of Sudan. Since the issuing of the Resolution, JEM declared that its opposition to the Resolution is not absolute but views certain aspects of it with reservations. Due to the importance of this issue, let me reproduce JEM's points in detail:

1. Resolution 1706 contains commendable aspects represented in the provisions for protection of Darfur unarmed civilians, preservation of human rights and safe return of IDPs to their original villages
2. The Resolution suffers fundamental deficiencies that make its full implementation, if ever possible, catastrophic. The deficiencies are as follows:
 - a. The Resolution is based on a presumed necessity of implementation of the DPA (Darfur Peace Agreement); the same DPA that has been rejected by Darfur people including the IDPs, refugees, intellectuals, youth and student organisations, political and social forces and Darfur armed Movements. The DPA is also rejected by national opposition forces/parties to the exclusion of the ruling junta. The international organisations themselves also affirmed the futility of the DPA. For example, Mr. Pronk, the UN Special Envoy to Sudan described it as paralysed, not resonating with Darfur people and requiring major rewriting. The UN Head of Humanitarian Operations correctly indicated that the DPA has led to an escalation of violence instead of reduction of tension in Darfur. If that is the verdict of all concerned parties on the DPA, it is difficult to see how the United Nations could build its Resolution on it.
 - b. The Resolution ignores the legitimate political, economic and cultural rights that have led to raising arms in the first place. Instead, it limits itself to dealing with the security consequences of the Darfur uprising. In so doing, the Resolution opts for a symptomatic approach that leaves the problem intact.
 - c. The UN, the AU, the EU and other regional and international bodies, have all recognised JEM and the SLM faction that did not sign the DPA and have dealt with them accordingly through resolutions, protocols and decisions regarding Darfur. Resolution 1706 totally ignores these Darfur Movements, save for urging them to sign the DPA without delay. The Resolution then proceeds to threaten them together with all Darfur and Sudanese opponents of the DPA with severe sanctions, for the simple reasons that they have objected to the DPA.
 - d. The Resolution mandates the UN force in Darfur to use all necessary measures to seize and collect arms and related equipment from all armed groups in Darfur, but without defining the nature of these armed groups. The UN force in Darfur is thus granted an absolute mandate to use all necessary force against all those who obstruct the DPA without discriminating between legiti-

mate and recognised Darfur resistance Movements and armed militias (Janjaweed) and impervious to the fact that the armed militias have been targeted by various Resolutions from the same Security Council as well as the AU.

- e. As the Resolution does not specify intended locations of bases of the UN force in Darfur, the UN force is left with absolute right of presence throughout Darfur and by implication the powers to remove others from their areas. Moreover, the Resolution mandates the UN force to locate itself in any part of the Sudan and without any time limit pertaining to how long it can remain in the country. This outsteps the stated objectives of the Resolution; namely protection of Darfur people and implementation of the DPA (see Jalal Aldeen 2006).

JEM is certainly justified in its worry about pegging the Resolution to implementation of the DPA, which it summarily rejected. The Resolution is also telling regarding the lack of coordination within the bodies of the UN itself. Otherwise, how can we reconcile Pronk's description of the DPA as not resonating with Darfur people and at the same time urge its implementation, through the use of force if necessary. In Paragraph 12, the Resolution states in clear terms its mandate to use "necessary force" to implement and/or prevent disruption of the DPA. What is pertinent here is the impact of the Resolution on the Darfur peace process. Reaching a quick solution and hence making the Resolution either redundant, relegated to peace-keeping work or less worrying for the government can provide a common ground for subsequent negotiations.

ICC Charges

In March 2007, the ICC released a report that effectively charged two Sudanese government-related nationals, a State Minister and a Janjaweed leader for numerous grave crimes worthy of landing them in the ICC court. The move is historic and with wide international ramifications and grave implications for Khartoum government. As far as the Darfur peace process is concerned, this is an issue with little prospect for manoeuvre. For the Movements including the Signatory SLM, the ICC must proceed with its charges and speed up the naming of other suspects as well, including Albashir if necessary. It is here that the Darfur peace process may depart from the CPA legacy. For understandable reasons, overseers of the CPA adopted a strategy of "forgive and move on" in their approach to the north-south conflict. As a corollary to that, over two millions who were massacred between 1983 and 2006 were simply written off for the sake of the peace agreement. Most of those casualties were non-combatants and many of them were victims of ethnic cleansing, war crimes and perhaps genocide. So colossal was the carnage that it has effectively put Albashir way ahead of ex-dictator Idi Amin, who massacred around 300,000 people. Time will tell how this issue develops and the author cannot risk any suggestion in this regard.

Concluding Remarks

There is now a general conviction that parties to the conflict must be brought together for a renewed negotiated settlement. Maximum effort must be made to ensure the rapid success of the coming round of Peace Talks. Without any claim to being exhaustive, here are some suggestions for the mediators:

- Mediators must realise that any agreement reached must be convincingly ratified by the parties. In order to guarantee lasting peace, the question of ownership must be fully considered and temptations of forcing parties to sign must be avoided.
- Mediators must allow sufficient time for parties to study a draft of any reached agreement and make proper consultation prior to final commitment to the deal. Deadline diplomacy has demonstrated its failure in the DPA and must not be repeated.
- The mediators must show commitment to their duty and must be allowed to proceed without interference from outside bodies.
- The Movements must be encouraged to negotiate as a united front. Efforts to play the Movements against each other either by the mediators, the government of Sudan or the outside world must be reduced as far as possible (see De Waal 2007)
- Mediators must avoid seeing a peace agreement as a function of military power. Rather, they must ground the deal on justice and fairness. Otherwise, a situation that encourages violence will be created and any reached agreement will be no more than a temporal tactical exercise.
- Parties to the conflict must be persuaded to enter into periodic ceasefires, say a week or ten days at a time and not to use these peaceful breaks for area expansion.
- As most of the main issues have been thoroughly debated, the number of negotiators must be kept sufficiently small and provided with an environment that is conducive for fruitful engagement. Facilities must be adequate, thus saving time wasted in search of photocopying, phone contacts and translation.
- Expert advice must be made available with adequate time-flexibility for consultation
- Efforts must be made to prevent the Talks falling foul to Naivasha “fanatics”, a term the Movements reserve for those whose horizon does not extend beyond the CPA.

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Perspective on Djibouti

State Building, Independence And Post-Conflict Reconstruction in Djibouti

1. Introduction

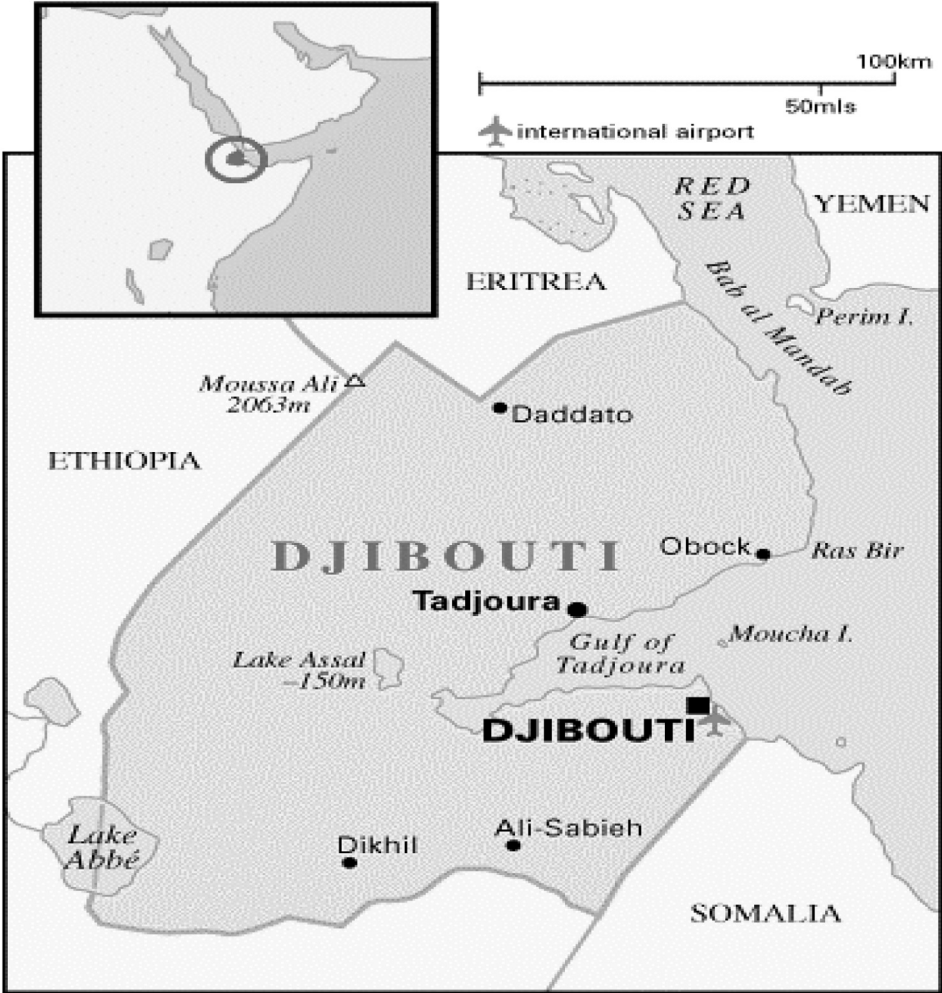
The aim of this article is to examine state building, independence and reconstruction efforts within the framework of Djibouti. Djibouti was created and consolidated like many African states, by a colonial power. France kept the Afars and the Issa-Somali in constant friction not only prolonging the colonial rule but also finally ensuring its continued presence in the country after independence. This made state building, independence and reconstruction difficult for the years that followed independence. As the colonial power imposed the superiority of one ethnic group over the other, inter-ethnic conflicts were intensified, diverting attention from opposition to colonial rule. Furthermore, those who were placed in a dominant position occupied important posts in the government and secured the backing of the colonial support. By the same token those who were placed in a subordinate position were therefore subject to “double oppression”, by both French colonialism and ethnic domination. This relation has continued to create tension between ethnic groups even after independence, making the achievement of democracy and unity in the country difficult. Hence, the political development of the post-colonial period, followed by ethno-political conflicts, has caused much tension and political instability in an independent Djibouti. After the reconciliation with opposition groups was made, however, the reconstruction process has not yet brought about any promising changes.

The land and the people. Djibouti as a state was a creation of French colonial rule. The two ethnic groups that inhabit the country, the Afars live in the north, west and southern parts of the territory and share the city of Djibouti with other ethnic groups, whereas the Issa-Somali¹ inhabit the southeastern parts and dominate the city of Djibouti. Throughout history it has been difficult to give an accurate estimate of the inhabitants of the indigenous population of Djibouti. The main reason has been primarily due to the political unwillingness of the ruling groups and regular im-

1 The name is used to mark the differences between the Issa indigenous groups from that of other immigrant Somalis in the country.

migration from the neighbouring states. Hence, it could be argued that, in much of Djiboutian history, ethnicity is the basic ground for psychological, economic and political reality.

Map of Djibouti



2. French Colonial Rule

Let us first say a few words about the remote history of the area: Prior to the French colonial power's arrival in the region we today call Djibouti, the area was under the

traditional leadership of the Afars and the Issas. The Afar Sultanate of Rahaita ruled in the north, Tadjourah in the west, and Gobaad in the south parts of the present Djibouti. Some parts of the west fall under the Sultanate of Awsa. The Issas on the other hand were subject to Ougas rule in the south-east of the territory. However there was no clearly defined territorial demarcation or common political framework which tied them together. The two groups came for the first time under one rule during the colonial rule of the French.

The French first came to the present Djibouti area in the 1860s, as a gateway to their Southeast Asian colonies and a base from which to counter British naval power in Aden. The signing of the treaties with the Afar sultans of Rahayta, Tadjourah and Gobaad formally established the French Djibouti colony in 1882.² With this agreement the French colonial power had acquired the Red Sea port of Obock, which was designed to become the nucleus of the French colony in the region. But as disagreement rose over the nature of the treaty with the Rahayta Sultanate the French gradually withdrew from Obock to the site of today's Djibouti city.³ The removal of the colonial headquarters from Obock to Djibouti, meant a closer relation with the Issa-Somalis. This furnished new ground for the French divide and rule policy in order to weaken solidarity between the Afar and Issa-Somalis. Until the Second World War, the French were engaged in expanding colonial administration in the country and their policy was marked by conflicts in the south-west of the territory, which ended in the battle of Morahto in 1935, killing the head of the French colonial administration of the Dikhel area.

The French Overseas Territory. After the war, the French colonial policy towards the territory was to modify the political system and institutional framework rather than to prepare a transition towards independence. Hence, French Somaliland was declared a French Overseas Territory in 1946, with a Representative Council, constituted with half French and half native members. In 1956 a constitutional reform or a blueprint (*loi-cadre*) was promulgated, replacing the Representative Council with a Territorial Assembly, elected by universal adult suffrage, from all administrative regions (*circles*) of the country. Although universal suffrage increased the participation of the local population in national decision-making the political organization remained sectarian.

One of the threatening factors during this time was the growing Somali nationalism in the region. In Djibouti this was advocated by Mohammed Harbi, who opposed French colonial rule and led a party known as the Union of Republicans (UR). It drew its support mainly from Somalis, and Arab communities engaged in commercial activities, and campaigned for independence and unity with Somalia. Against this background the first territorial election, in 1958, was won by the UR and gave local politicians the opportunity to exert some influence on the national issues of Djibouti through parliament. The intensification of Somali nationalist activities in the

2 An agreement was concluded with the Issa leaders in order to counterbalance the Afar against the Issas but also to facilitate in eventual expansion to the south-east wards of the territory.

3 1892 – Djibouti becomes capital of the territory, while the old name Obock territory was changed into French Somaliland.

neighbouring states fanned the aspiration for independence in Djibouti too. In response to the growing demands for independence, a referendum was held in 1959 to decide whether Djibouti should remain under French colonial rule or become an independent state where those who supported the continuation of French colonial rule were declared winners. The bitter feeling about the outcome of the referendum and the Somali insistence on pan-Somalis left the way open for a new alliance between conservative Afar groups and the colonial power.

“The French Territory of the Afars and the Issas”. Another popular uprising demanding independence from the colonial power emerged in 1966 while de Gaulle was on a state visit to Djibouti. Even though the colonial army reacted in a brutal manner against those who demanded independence, a day of referendum was announced to decide the future of Djibouti. However, if the population of Djibouti favoured independence in the referendum, France threatened to withdraw all assistance to Djibouti with immediate effect. If France was to put its threat of withdrawal into practice, the people feared conflict both from internal rivalry and the invasion from neighbouring states laying claim to the territory. Consequently, the result of the referendum was that the majority of the population favoured Djibouti’s continuation under French colonial rule, with possibilities for local autonomy. The same year the old name, “French Somaliland”, coined in 1897, was dropped and replaced by The French territory of the Afars and the Issas, indicating the two communities of Djibouti distinctively and hence making it acceptable to both. The name was also changed by the colonial power to discourage the two neighbouring states from territorial claims¹ and to emphasize the existence of the two indigenous groups in the country.

Meanwhile, a new leader of the Afar, Ali Arif, who led Rassemblement Democratique Afar (RDA), exploited the antagonistic relationship between French colonial rule and the Somalian ambition, and replaced the old one with a new alliance. In the election of June 1967, Ali Arif won a majority in the legislative assembly and became the Prime Minister of Djibouti. In the following election of 1973, RDA (then renamed Union Nationale pour l’Indépendance (UNI) won all seats in the parliament, leaving the Issa-Somali parties outside the parliament. The total victory of UNI reinforced ethnic rivalry and brought confrontation with the Issa Democratic Union (IDU) – then renamed African Peoples’ League for Independence (LPAI).

However, due to both internal and external pressures Ali Arif resigned from his position as Prime Minister in 1976 and was replaced by Abdallah Mohammed Kamil, who was also an Afar and the general secretary of UNI. Kamil was also appointed to lead a transitional government to independence. Hence the recurrent internal turmoil and the pressure from the neighbouring states obliged the French to guarantee independence to Djibouti with immediate effect. At a meeting in Paris on the future of the territory, the opposition parties agreed to form a coalition government and set the date of independence. They formed Rassemblement Populaire pour l’Indépendance (RPI), presenting a single list of candidates for the national election,⁴

4 Accordingly, in June 1977, Djibouti became Africa’s 49th independent state and the last colony of France on the mainland of the African continent.

paving the way not only for a one-party state but also for Issa-Somali domination in the country.

3. The aftermath of independence

In post-colonial Djibouti, conflicts that had been consolidated during the colonial rule continued to be closely inter-linked with government policy. The question was how to reconcile the factional politics with an emerging state and promote democracy in the country. One aspect of this was reflected in party politics by the banning all pre-colonial parties and imposing a one-party state in the country. However, this development led to more factionalism which was reinforced by armed confrontation. *The consolidation of the one-party state.* Traditionally the political system in Djibouti has been one of “ethnic representation” where ethnic groupings form the legal basis for parliamentary representation.⁵ The Afar position in the government of Djibouti declined with independence, while the Issa group became powerful. For instance, the office of the president has been made more powerful, leading to an unequal distribution of power between the Issa President and the Afar Prime Minister²⁾.

Independence was immediately followed by tensions. In 1978, antagonism reached its height when two bombs exploded in a club frequented by Frenchmen, killing and wounding several people. The Mouvement Populaire de Libération (MPL), which was formed on the eve of independence by radical Afar youth (known among the Afars as *undaneyta*), was accused of being behind the action. Consequently, Afar districts inside Djibouti City were sealed off and searched rigorously by the police. This resulted in the resignation of five Afar ministers, accusing the government of repressive actions. During the preceding year, the first two Afar prime ministers, Ahmed Dini and Abdallah Kamil, resigned from their government posts because of what they considered to be the tribal politics of the Issa-dominated government³⁾.

In an attempt to defuse tension between the two ethnic groups, Hassan Gouled, then president, reshuffled his government three times in the first two years after independence, which was expected to bring about harmony in Djibouti. Despite the reshuffle, Issas filled important positions in the government previously occupied by Afars. Such political measures made the Afars suspicious of the motives of the Issa-dominated regime. An Afar commission was later established by the government to carry out an inquiry into the grievances of the people. Afar spokesmen requested equal distribution of government positions in the Cabinet, the army, the police, and

5 As a matter of fact this ethnic representation and the principle of majority and minority rule have had less significance in the Djiboutian context. What matters has been rather which ethnic group is ruling!

the civil service. They also demanded that the Afar political detainees be released as soon as possible⁴.

Soon after independence, opposition groups were banned from working freely inside the country.⁶ In 1979, two of the Afar-dominated pre-independence liberation movements – the Mouvement Populaire de Liberation (MPL) and the Union Nationale pour l'Indépendance (UNI) formed a new united front – Democratic Front for Liberation of Djibouti (DFLD) against the government. The DFLD accused the Issa-dominated regime of being repressive and collaborating with imperialist France. In the same year, these groups carried out two major attacks on military bases in the northern and western parts of the country, killing and wounding a number of people. An assassination attempt was also made on the then commander of National Security, currently president of Djibouti, Ismail Omar Guelle. As a result of these actions Afar suspects were jailed and tortured⁵.

On the Issa side opposition has been insignificant. However, a prominent Issa opposition figure was Aden Robleh Awaleh, the leader of the Front for the Liberation of French Somaliland Coast (FLCS) before Djibouti's independence. Awaleh's expulsion from the ruling party (RPP) in 1986 and his subsequent flight amid allegations of having attempted to plant a bomb at the permanent Inter-Governmental Authority for Drought and Development (IGADD) summit brought an end to his former FLCS power base within the RPP⁶.

The Issa opposition accused the government of having a policy of factionalism and nepotism, favouring the Mammassan – a sub-clan to which the president belonged. This factionalism appears to be two-fold: the conflict among different Issa sub-clan groups and the conflict of Issa versus non-Issa Somali clans. For instance, the Mammassan Issa sub-clan was accused of having manipulated power in favour of their members at the cost of other Issa clans. On the other hand, the conflict between Ardiga, an indigenous Issa clan, and the Alanka, a clan with its origin in the neighbouring countries, was intensified⁷. This power struggle between the Issa sub-clans within the single government party (the RPP) was accentuated as conflicts among the Somali clans intensified in Somalia itself⁸. The Issas manifested two types of political tendencies. The tendencies inclined to Issa clan parochialism, centred on the interests of the clan, and a wider tendency, as part of the *pan-Somali* movement. These “double tendencies” of the Issas, one could argue, enabled them to create links to both neighbouring countries. The linkage with Somalia was used to bolster the Issa-Somali position inside Djibouti and Ethiopian domination against the threat of Afars whereas the link with Ethiopia, on the other hand, was used to counter-balance possible “external” Somali domination inside the country. This means that their wider socio-cultural ties with the countries in the Horn keep them divided in their commitment to state structures.

6 Constant requests were made by opposition leaders to set up alternative parties. One such party was Parti Populaire Djibouti (PPD), under Ahmed Dini (an Afar who worked closely with Gouled during the struggle for independence) which was promptly banned in 1981. The constitution was amended to make Djibouti a one-party state, denying the opposition any legal basis to contest for election or challenge the government.

Relations between the Afar and Issa-Somalis deteriorated during the Ethio-Somali conflict in the Ogaden in 1977-78. The Issa of Djibouti did not hide their sympathy for Somalia's intention, and the Afar felt a growing threat from the Somalis in Djibouti. During this critical period, the Ethiopian regime tended to support the Afar opposition inside Djibouti, but as things developed in favour of Ethiopia in the Ogaden this support was withdrawn. Even the Issa declined to continue relations with Somalia, when Somalia's attempt to wrest the Ogaden from Ethiopia failed and bedevilled her relationship with many African states.

Confronted by ethnic conflicts throughout Ethiopia, the dergue was more than willing to improve its relations with Djibouti in an effort to distance the Issa from the pan-Somali movement and to deny the Ethiopian opposition a sanctuary inside Djibouti. Thus, in the early 1980s the Ethiopian government suppressed the activities of the Djiboutian Afar opposition groups inside the country, which in turn led to a cordial relationship with the government of Djibouti. Frustrated by the Ethio-Djibouti rapprochement many members of the opposition gave up active political work against the Issa-led government and were obliged to return to Djibouti in 1981.⁷

The return of the opposition party, without a condition, was regarded as a total victory for the government of Djibouti. Many members of the opposition groups were imprisoned without charges and not permitted to work in government institutions, and many more were not permitted to work at all inside the country.

Meanwhile the Issa-Somali hegemony was systematically strengthened and the significance of the Afars was reduced dramatically. The discrimination was clearly seen in all government institutions, where they were overwhelmingly replaced by the Issa⁹). The equal participation in the government institutions has been crucial not only for the sharing of power between the Afars and the Issa-Somalis, but also to provide work opportunities across ethnic lines since the state has been the main source of employment in the country. A similar biased policy was directed against the Afars in development fields. The gap between the rural Afar areas (where the Afar majority live) and the capital city, where the Issa-centred government has its stronghold, has been widening since independence. At times projects planned to benefit Afar areas were arbitrarily diverted to Issa areas, which has further contributed to the marginalization of the Afar. This ethnic-centred politics triggered popular uprisings and provided a solid ground for a strong Afar opposition in the 1990s.

The politics of confrontation. In the 1990s, the political climate in the neighbouring states on which the Djibouti government relied for support changed dramatically. When both Siad Barre of Somalia and Mengistu Haile Mariam of Ethiopia were ousted, Djibouti's government had to seek other sources of support in order to avoid a similar fate. The neighbouring regimes, where guerrilla groups have taken power, were attending to their domestic affairs. Thus they have had little time to help Djibouti against the threat posed by the opposition. Refugees and demobilized soldiers from neighbouring countries have been recruited by the Djibouti government and

7 In 1981 – Djibouti becomes a one-party state with the People's Progress Assembly as the sole party.

have been paid to fight against the armed groups along with the government armies. According to Dahlé¹⁰, in a secret agreement between the Iraqis and Djibouti governments, the former promised the latter great quantities of weapons and ammunition. This became clear when the Iraqis sent two shiploads of arms and marine-fighting boats one week before the conflict of the Gulf War started. The controversy even led to the resignation of an Issa Interior Minister who declined to cover up the operation.

Meanwhile the ruling party, RPP, which favours the Issa-Somalis, has exclusively dominated the political scene in the country. The Chamber of Deputies was elected under the old single-party system in April 1987 and re-elected on December 8, 1992, and all the seats again went to the RPP as usual. The Afars boycotted the election for parliament and the constitutional changes solicited by the government. In the election of 1997 the same pattern was observed.

Meanwhile, the opposition had, once again, emerged as a strong political force threatening the government of Djibouti. In January 1991 in an attempt to silence all the discordant voices the authorities of Djibouti reacted brutally, arresting and detaining several opposition leaders without trial. Meanwhile all resistance parties merged and formed the Front for the Restoration of Unity and Democracy (FRUD) in August 1991 in a place called Sidiha-Mengela. FRUD was an umbrella organization for opposition groups dominated by Action pour la Revision de l'Order a Djibouti (AROD). In the meeting of October 12, 1991, FRUD forces announced a general war and carried out attacks on all strategic posts of the armies in the north and western side of the territory.⁸

FRUD proved capable of withstanding the military campaign of the Issa-dominated government of Djibouti in the battles of the north and west of the country. In the attack on Kalaf a concerted effort was made by FRUD to inflict a major blow, and the Djiboutian army was defeated.⁹ Following the debacle at Kalaf, the Djiboutian army sought revenge the next day (18th December 1991) by the cold-blooded massacre of Arhiba Afar civilians in Djibouti city.¹⁰ FRUD controlled the north and western side and even threatened life in the capital as became evident with its attacks on the port of Djibouti early in the morning of March 11, 1993, from the sea.

Promises and failures. With the growing FRUD success the need for rules and regulations in areas captured by the Front became crucial.¹¹ A congress was called at

8 On the basis of this decision, different army camps of Die, Asagayla, Dorra, Balho, Mulhule Tadjourah and Hayu were captured. During the attack in Ibnarade, in Tadjourah a number of Djiboutian soldiers were captured. In Asagayla a similar pattern was observed where in a major assault 72 soldiers were captured. In October 1984, five km from Hayu FRUD forces attacked the Djibouti-Hayu passenger boat from the Red Sea side.

9 During this action, while 5 of the FRUD army died, about 70 armies were captured and over 300 killed, among others an Arab who advised the Djiboutian army on military tactics. A lot of weapons, military vehicles and also the Tadjourah water plant were captured during the operation.

10 Civilians in Arhiba were murdered cold-bloodedly while asleep. The massacre was the first of its kind in the history of Djibouti and it was proof of the Issa-dominated government's discriminatory policy towards the Afar.

11 To improve the situation four military zones were established and the front was expected to mobilize FRUD forces to the south, in an effort to expand its sphere of influence.

Randa for field officers to discuss a common strategy on the continuation of the war where disagreements arose. During this meeting it was decided that forces were to be mobilized towards Lake Asal but instead Yoboki was seized.¹² In another meeting called at Asagayla Mohammed Adoyta, then head of FRUD announced a cease-fire with immediate effect because of the on-going negotiation with the Government.¹³ Apart from questioning the need for a cease-fire, disagreement was clear when Mohammed Adoyta presented a list of new FRUD leaders that was not accepted by the congress. However, Ahmed Dini refused to accept the cease-fire with the Government and reformed the FRUD leadership on a new ground.¹⁴

This was the facto separation between the compromising faction, the so-called *agaba* (the do not care) and *ayyawa* (the greedy), as the compromising factions of FRUD became known. In 1994 the government and the main faction of FRUD signed a power-sharing agreement officially ending the civil war. The former continued negotiations and later on joined the Government of Djibouti and the latter stayed behind fighting the Government forces. Gradually, however, the faction led by Ahmed Dini gave up their armed struggle too and decided to work from within through party coalition.¹⁵

Hence, in the election of January 10, 2003, the opposition Union for Democratic Alternative (UAD), headed by Ahmed Dini lost as the government party was declared to have won the election. Although the election was expected to pave the way for a new democratic reform, nothing seems to have changed!

The Challenges Ahead. A huge economic investment being carried out around the capital city of Djibouti means the alienation of the countryside into marginalisation. Since this development may divert meagre resources from the countryside for investment in the city, it is feared it will contribute little feedback to the countryside. On the other hand it may also consolidate the repressive government of the present authority and improve its international image.

The compromise made with the FRUD opposition has yet to be integrated and the decentralisation of the country agreed upon has to be put into practice. As long as significant compromises are not yet integrated within national decision-making the destructive ethnic factor is far from being resolved and may lead to concern over the reality of national security and reconciliation.

12 The disagreement arose over the issue of which operations be implemented, whether the original one directed at Lake Assal or the seizure of Yoboki. In an uncoordinated attack the Djiboutian army called for reinforcements and encircled the FRUD fighters. Eighty-six FRUD fighters died in this operation. This was the first time FRUD lost this many fighters at one time and the loss was too much for a new growing guerrilla group.

13 After the agreement with the government many Djiboutians defected from the government and joined FRUD, in order to achieve a good position in the eventual FRUD-led Government. The Djibouti government exploited internal factionalism and penetrated into the field officers by making negotiations without the recognition and approval of the FRUD leadership.

14 Becoming head of the Front himself and appointing Mohamed Adoyta as the second and Guelle as the third person.

15 2000 February – the government and the radical faction of FRUD signed a peace agreement finally putting an end to the civil war. 2000 March – former Prime Minister and leader of the radical faction of FRUD Ahmed Dini returned to Djibouti after nine years in exile.

The linkage with ethnic groups inside Djibouti by neighbouring states of the Horn is still there. The neighbouring states are much different than they used to be in the past. For instance, Somalia does not pose any direct threat today but the problem is far from being able to be neglected yet. The tribal war within Somalia has its implication in the development of Djibouti as well.

In Ethiopia a loose federal arrangement provides an opportunity for different national groups inside the country, including the Afars and the Somalis who also inhabit Djibouti. That means the federal Afar and Somali states inside Ethiopia may have their own role to play not least through their connection with their brethren inside Djibouti. The newly independent country of Eritrea is a new partner in the situation and could play a new role in the region.

In the past Djibouti was limited to the external influence of France. The policy of war on terror changes this situation and currently NATO, headed by the USA is a significant protagonist in the security and economic situation of Djibouti. Djibouti is no longer a reserve area of France as it used to be in the past but part of the international power game which cannot be ignored in the future development of Djibouti and the region of the Horn of Africa.

Conclusions

The aim of this article was to examine in brief the case of state-building, independence and post-conflict reconstruction process in Djibouti. Djibouti's state-building survived during the colonial rule by manipulative political intrigues. After independence, Djibouti survived through French political, economic and security backups. Still the decisive point is that ethnicity has a major impact on national politics because of the way ethnic identities and loyalties transcend national politics and divide the state of Djibouti internally.

At independence, the Issas assumed power, but their desire to unite Djibouti with Somalia was largely abandoned. They felt they were better off as Djiboutians than in a politically repressive, economically weak and disintegrated state like Somalia. The disintegration of Somalia has reinforced the Issa clan parochialism, which perceives Djibouti as its headquarters. The autocratic rule of the Issa President, the subordinate position of the Afar Prime Minister and the domination of important positions by the Issas reinforced institutionalized inequality.

Djibouti has faced major political crises since its independence and felt the growing threat of opposition forces. By 1995 FRUD field combatants increased enormously and they controlled large areas, which was beyond their capacity to handle. The growing influence and military success of FRUD and the defection of Djiboutian officers has forced the Issa-dominated government to seek non-military means to overcome FRUD, by merely exploiting internal and organizational weakness. The disagreements and contradictions between the newcomers and the old establishment

within FRUD resulted in a gap between the field officers and the exiled leadership which became a stumbling block to the consolidation process, and ultimately led to the fragmentation of the Front. Hence, after serious disagreement within FRUD, a major group of FRUD agreed with the government on terms of democracy. The fragmentation of FRUD has thus led to the present situation in which there is no discernible improvement whatever in the country's political future.

Djibouti has every chance to be a democratic state with pastoralist communities connected to Eritrea, Ethiopia and Somalia. Through its traditional, economic and geographical connection Djibouti could not only look for domestic development but could also be a bridge for peace and development in the region. The regime on its side seems to be happy with the present state of its political condition and none of the agreements and promises seem to be fulfilled in the near future of the country. The question is: can peace and democracy should be advocated only by opposition groups all alone? However, nation-building, independence, and post-conflict reconstruction are all subject to volatile situations in the neighbouring states.

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Workshops Summary and Recommendations

Workshop 1: “The Role of Civil Society in Post-Conflict Peace-Building in the Horn of Africa”. Open discussion

Moderator: Prof. Maxi Schoeman, PhD, Head Department of Political Science, Pretoria University, South Africa

Reporter: Abdullahi Elmi, PhD Candidate, Stockholm University

The workshop was opened by Prof. Maxi of University of Pretoria who firstly gave a brief presentation on the role that civil society organisations have in post-conflict peace-building in the Horn of Africa.

The workshop has discussed the definition of the term *civil society*, *CS*, which is a new concept to the region. One has indicated that the concept is wrongly understood. One participant of the workshop suggested replacing the term with Social Movement, which is more appropriate as it mobilises society for changes and improvements. It was indicated that the CS in Europe/Western countries are different from those in Africa because they are established in different environment.

The workshop has emphasised the importance of understanding that the political and civil societies are inter-linked, and both should have to exist in order to complement and encourage each other. CS should be part of overall system of society including political system. To say for instance, one can not have CS unless we have mature political system, is not then true. In many times, civil society organisations (CSOs) are under control of dictatorial regimes. Horn of African governments should accept the existence of CS and their right to raise issues and questions including the politics. Strong CS is good for the nation as well as for good governance as they have roles to play. CS should advocate for political change not to takeover in case of for instance corruption. CS should be totally different from political societies who are looking for power.

In the case of Somalia, as the country lacks central system of government, CSO saved many lives, educated many children and supported several disadvantaged communities particularly in their time of need. The country has got strong civil society community. The workshop emphasised that CS needs to be supported and empowered by international society and donor community which gave all power and opportunities to warlords in the case of Somalia. CSO needs to be stronger than what they are now and should represent people and communities not individuals with private interests.

CSOs that are initiated and supported by Diaspora communities was for instance very strong in Somalia in getting basic services like education, health care, reconciliation, water supply in many areas of the country where international community neglected.

Workshop 2: State Building and Post-Conflict Reconstruction in the Horn of Africa

Moderator: Prof. Arne Ardeberg, PhD, Former
Pro-Chancellor, Lund University

Reporter: Dr. Zufan Araya PhD, Research Scientist BioInvent International AB

Workshop Recommendations

1. Peace negotiations and agreements should have a gender perspective through integration of women's concerns and their full participation in peace processes.
2. Women should be involved as active actors in post-conflict reconstruction.
3. More training for women's leaders in conflict resolution, negotiations and reconciliations should be conducted.
4. Training on different gender issues related to war and peace should be conducted for government officials, political leaders, clan leaders, aid agencies and civil society organisations.
5. Further research on the role of women in post-conflict reconstruction is needed.
6. Gender budget analysis is required to ensure that women benefit from post-conflict reconstruction funding.
7. New constitution and laws developed for post-conflict reconstruction should be gender sensitive
8. 8. The state in the Horn of Africa has an important role to play in the developmental endeavour, therefore it has to be strengthened.
9. Emancipation of the state from society is vital
10. Pacification of society has to be ensured, the use of legitimate violence has to be a monopoly of the state
11. Institutionalisation and democratisation of state organs is important part of the state building process
12. As external intervention distorts the indigenous process of state building, it has to be avoided
13. The current endemic problem in the Horn of Africa stems from the fact that the state building process is not complete.
14. Country-Specific Perspectives on Somalia are needed

The situation in the Horn of Africa's security and post-conflict recovery today poses a number of theoretical and practical challenges about which model to pursue. While the formal structures of the African Union replicate those of the European Union, the conditions under which African countries are moving towards unity are very different to those prevailing in Europe. European security was driven by the concerns of two dominant European states – Germany and France – under the umbrella of NATO, led by the US. Hence, it is important to ask a number of questions about what it is necessary to put in place to create an African 'security community' as a precondition for unity.

- Do African countries recognise and accept a comparable role for hegemonic states?
- What are the preconditions in terms of democracy, civil society and demilitarisation?
- Can a security community be established by authoritarian governments, or does it require the engagement of an active, democratic civil society?

There is no single strategy that can provide peace and security in Africa. Strategies should focus on the different stages of conflict, namely conflict prevention and peace-building, conflict resolution and containment, and post-conflict reconstruction. Strategies also need to be undertaken simultaneously at local, civil society, national and regional levels, in the social, political, military and economic spheres. Strategies need to be simultaneously 'objective', dealing with the substantive issues and the institutional mechanisms for responding, and 'subjective', in developing the awareness, understanding and expectations of leaders at all levels. They need to move beyond purely military definitions of security to more comprehensive and strategic visions and recommends:

- Ethiopian military withdrawal from Somalia;
- Honest dialogue among Somali Transitional Federal Government, Islamic Union of Courts, traditional leaders and Civil Society without interference from border countries and mediated by powerful neutral country or organisation.
- Combination of UN Peace-Keeping Force and donor Conference on economic recovery of Somalia

Workshop 3: "Governance, democracy-building, and protection of human rights in post-conflict peace-building in the Horn of Africa." Open discussion

Moderator: Prof. Janis Grobbelaar, Chair, Department of Sociology, Pretoria University, South Africa

Reporter: Chloe Stull-Lane, LUMID Masters Candidate, Lund University, Sweden

Workshop 3 aimed at discussing governance, democracy-building, and protection of human rights in post-conflict peace-building in the Horn of Africa. The workshop began with statements from H.E. Mr. Dina Mufti, Ethiopian Ambassador to Sweden in regards to the Ethiopian intervention in Somalia beginning in December 2006 and H.E. Mr. Moses M. Akol, Sudanese Ambassador to Sweden in regards to Sudanese efforts towards reconciliation and nation-building.

The discussion that followed heavily focused on the current state of Somalia mainly through discussions of the legality of the Ethiopian intervention in December 2006 and the resulting impacts on civilians, particularly surrounding issues of human rights; the legitimacy of the Somali Transitional Federal Government and their role in peace- and democracy-building in Somalia; and possible paths forward in post-conflict peace-building in Somalia.

Recommendations that emerged from the workshop can be divided into short- and long-term responses. In the short-term, there was an agreement on the need for immediate assistance for civilians in Somalia. This could be realised through securing human rights monitors on the ground, increased humanitarian assistance, and possibly additional peace-keeping troops to support the Ugandan effort and withdrawal of Ethiopian troops. For the long term, there is a need to begin a reconciliation process. In the workshop, Sudan and South Africa were suggested as possibilities for guiding examples. In addition, there was a reminder that young people constitute over half the population on the African continent and the development of a culture of peace and solidarity will be vital to securing stability in the future.

Contributors

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