Accord

an international review of peace initiatives

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edited by
Mark Bradbury and Sally Healy

Whose peace is it anyway?
connecting Somali and international peacemaking



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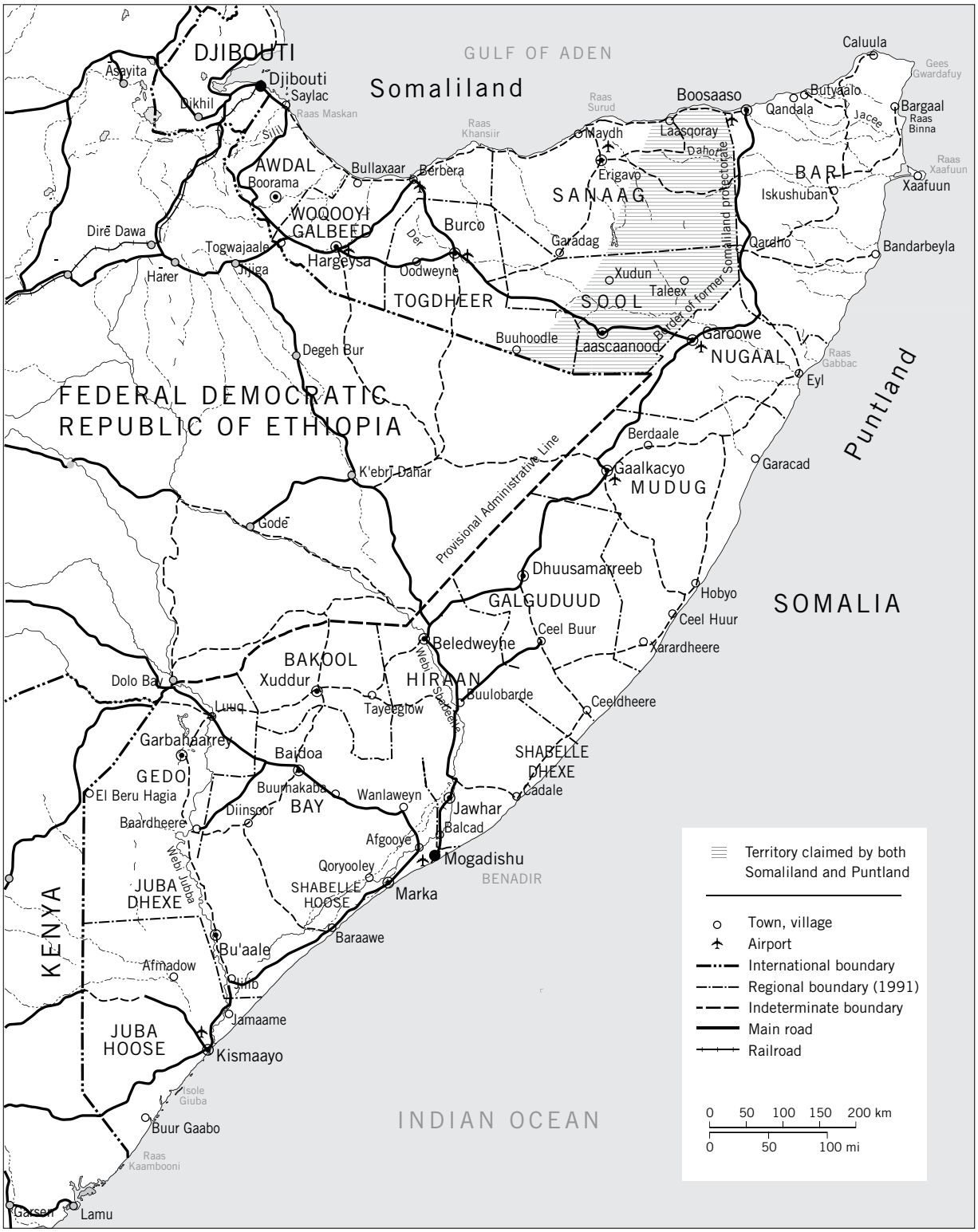
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Acronyms

AIAI	Al Itihad Al Islamiyya
AMISOM	African Union Mission in Somalia
APD	Academy for Peace and Development
ARPCT	Alliance for the Restoration of Peace and Counter Terrorism
ARS	Alliance for the Re-Liberation of Somalia
AU	African Union
COGWO	Coalition for Grassroots Women Organizations
CRD	Center for Research and Development
CRC	Constitutional Review Committee
CSO	Civil Society Organization
EC	European Commission
EU	European Union
FCC	Federal Constitutional Committee
FPENS	Formal Private Education Centre
GOS	Somali Olympic Committee
HINNA	*Haweenka Horseedka Nabadda* (Women Pioneers for Peace and Life)
ICU	Islamic Courts Union
IFCC	Independent Federal Constitutional Commission
IGAD	Inter-Governmental Authority on Development
INXA	Iskuxirka Nabada iyo Xuquuqal Adamiga
JSC	Joint Security Committee
MSSP	Mogadishu Security and Stabilization Plan
NEC	National Electoral Commission
NGO	Non-Governmental Organization
NSSP	National Security and Stabilization Plan
PDRC	Puntland Development and Research Center
PHRN	Peace and Human Rights Network
PSC	Peace and Security Council (AU)
RRA	Rahanweyn Resistance Army
R2P	Responsibility to Protect
SNA	Somali National Alliance
SNF	Somali National Front
SNM	Somali National Movement
SNRC	Somalia National Reconciliation Conference
SPM	Somali Patriotic Movement
SRRC	Somali Reconciliation and Restoration Council
SRSG	Special Representative of the Secretary-General (UN)
SSA	Somali Salvation Alliance
SSC	Somali Salvation Council
SSDF	Somali Salvation Democratic Front
SWA	Somali Women's Agenda
TFG	Transitional Federal Government
TNC	Transitional National Charter
TNG	Transitional National Government
UAE	United Arab Emirates
UCID	Justice and Welfare Party
UDUB	United Democratic People's Party
UNDP	United Nations Development Programme
UNHCR	United Nations High Commissioner for Refugees
UNITAF	Unified Task Force
UNOCHA	United Nations Office for the Coordination of Humanitarian Affairs
UNOSOM	United Nations Operation in Somalia
UNPOS	United Nations Political Office for Somalia
UNSCR	United Nations Security Council Resolution
US	United States
USC	United Somali Congress
USF	United Somali Front
USP	United Somali Party
USR	United Somali Roots

Map of Somalia



Source: Based on: Somalia, No. 3690 Rev.7 UN Jan 2007, areas of alignment courtesy of Ethan Zuckerman. http://www.ethanzuckerman.com/blog/wp-content/somalia2.jpg

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Introduction

Whose peace is it anyway? connecting Somali and international peacemaking

Mark Bradbury and Sally Healy

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

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

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

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

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

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

This publication examines the multiplicity of international and Somali-led peace initiatives of the past two decades. It has been a challenge to produce a study of Somali peace processes against a backdrop of continuing conflict. Violence has intensified in south central Somalia during the lifetime of this project, begging the question whether there has been any peace to study. It is a reflection of the pernicious violence that three authors in this publication requested anonymity. But we believe there are important lessons to be drawn from experiences of Somali peacemaking. We hope that this publication can help to inform the development of more complementary and effective peacebuilding strategies.

A collaborative project

This issue of Accord has been produced in collaboration with Interpeace, whose Somali partners have undertaken pioneering work on recording, analyzing and supporting Somali-led peace processes. The insights gained from the work of the Center for Research and Dialogue (CRD) in south central Somalia, the Puntland Development Research Center (PDRC) in Puntland, and the Academy for Peace and Development (APD) in Somaliland are integral to this study. It draws on their work in 2007 in mapping Somali-led and internationally-sponsored peace processes. www.interpeace.org, situating it within a broader comparative field of international conflict resolution approaches in Somalia. In doing so it brings Somali perspectives on conflict resolution to a wider international

audience and deepens the debate about how endogenous peacemaking methods can be better aligned with international conflict mediation.

Structure of the publication

The publication is divided into four main sections. In the introductory section we trace the history of the crisis, from a civil war in the 1980s, through the period of state breakdown, clan factionalism and warlordism in the 1990s, to a globalized religious and ideological struggle in the new millennium.

The second section covers internationally-led peace processes, the third deals with Somali-led peace processes and a fourth section looks at efforts to build local structures of government. A final section draws policy lessons for the future. We have sought throughout to include the views of Somalis and practitioners and participants in developing a critique of the various processes.

Lessons of international engagement

The first article by Ken Menkhaus asks why intensive diplomatic interventions have failed to end the Somali crisis. His critique of six Somali peace conferences identifies lack of political will, misdiagnosis of the crisis, confusion between statebuilding and reconciliation and poor mediation skills as factors that have contributed to failure. It concludes with some constructive lessons, above all the need to ensure greater Somali 'ownership' of the peace process.

Jeremy Brickhill develops the critique of international involvement. He explores how security arrangements have been handled, arguing that the habitual international strategy of building a state with a monopoly of violence has not worked. Brickhill points out that security arrangements are central to endogenous Somali peace processes and demonstrate that, given the right conditions, Somalis are capable of managing security outside the framework of the state.

> "In the absence of government, Somali people have employed their own resources and traditions of conflict resolution to recreate security in many communities"

Another intractable problem that international mediators have faced is who has the right to represent the Somali people in formal peace talks and in government. As Abdulaziz Xildhiban and Warsan Cismaan Saalax discuss, political factions have multiplied at every international peace conference since 1991 creating a recurrent dilemma of how to determine legitimate and authoritative representation.

In Somali society political representation is a complex issue related to notions of descent and perceived and self-ascribed power, size and territorial control of clans. Markus Hoehne's article examines Somali notions of 'belonging' and reviews representation in internationally-mediated peace conferences, and local political representation in Sool region. He concludes that a delegate's legitimacy is tied to their 'accountability' to the people who select them.

Lee Cassanelli's contribution deepens the critique of international engagement further with an emphasis on economic factors. He identifies in private sector-led economic recovery the potential to alter Somalia's current political trajectory through entrepreneurship and economic development. He questions the international focus on politics and statebuilding as prerequisites for economic recovery and suggests focusing instead on Somalis as economic actors and building on what they do best — namely, responding to economic opportunities.

To provide an international perspective on the Somali conflict and how to resolve it, we are pleased to have secured four contributions from international practitioners. Three are senior diplomats from international organizations whose mandates charge them with responsibility for managing the Somali crisis.

Charles Petrie, UN Deputy Special Representative of the Secretary-General (SRSG), reflects on the changing character



Erigavo reconciliation conference 1993 © APD

of UN intervention and the importance of partnership with Somalis and with other international organizations. H.E. Mahboub Maalim, Executive Secretary of IGAD, explains how and why Somalia's neighbours have shouldered responsibilities to restore a functioning government and calls for more international support for IGAD's initiative. Nicolas Bwakira, Special Representative of the Chairperson of the African Union (AU) Commission, discusses the role that the AU Mission in Somalia (AMISOM) is playing in support of Somalia's transitional government.

A fourth article by Meredith Preston McGhie describes the tactics employed by the UN as mediators in the 2008 peace talks in Djibouti between the Transitional Federal Government (TFG) and the Alliance for the Re-liberation of Somalia (ARS).

Owning the peace: learning from Somali peace processes

In part three of the publication we present a series of articles that explore how Somali communities have achieved reconciliation, managed their security and reconstructed viable ways of life. Several of these articles draw on studies by Interpeace's partners in south central Somalia, Puntland and Somaliland. Although little known beyond their immediate setting, more than 90 local peace processes have been catalogued in south central Somalia since 1991, more than 30 in Somaliland between 1991 and 1997 and eight in Puntland.

As Pat Johnson and Abdirahman Raghe explain, these locally-managed processes have proved more effective than internationally-sponsored national reconciliation initiatives. In Somaliland and Puntland they have led to the creation of government structures that enjoy more public consent and are less predatory than the highly contested 'national' authorities produced by internationally-sponsored processes.

Articles by Ibrahim Ali Amber 'Oker' and Abdulrahman Osman 'Shuke' describe how local peace processes draw on traditional practices of negotiation, mediation and arbitration conducted by clan elders using customary law as a moral and legal framework [*see glossary for a description of clan, elder and customary law*].

This section includes interviews with three senior Somali elders from south central Somalia, Puntland and Somaliland who are practitioners in reconciliation. The authority of elders is derived from being delegates of their communities and accountable to them. Hajji Abdi Hussein Yusuf, Sultan Said and Malaq Isaaq discuss the qualities that Somali elders are expected to possess and the role they play in maintaining peace.

Formal public peace processes are only one way in which Somalis manage conflicts. Articles by Faiza Jama on women and peacebuilding and Jama Mohamed on 'neighbourhood watch' and on security schemes for Mogadishu's Bakaaro market demonstrate that peacemaking is not the sole preserve of elders. Civic activists have mobilized groups in Mogadishu and elsewhere to reduce violence and create conditions for dialogue by demolishing checkpoints, demobilizing militia, monitoring human rights and interceding between belligerents.

Women in particular, who have very limited opportunities to participate in formal peace processes, have provided critical leadership in such civil society peace initiatives. Another 'non traditional' actor is the decentralised local authority of Wajid, whose endeavours to manage competing clan interests and maintain access for humanitarian assistance in the midst of violent political changes in south central Somalia are described in a further article.

A final contribution in this section explores how social and cultural components of Somali life can impact on peace and security. Maxamed Daahir Afrax's article discusses how Somali poets, singers and actors have responded to the long crisis. He explains the importance of understanding war and peace in the Somali regions through a cultural lens and the power of culture in influencing attitudes to both.

Frameworks for stability

The fourth section of the publication discusses some of the efforts, successful and unsuccessful, to create more enduring systems for the maintenance of peace and order.

Ulf Terlinden and Mohamed Hassan chart the history of Somaliland's political development from indigenous grassroots peacebuilding processes in the early 1990s to the development of a democratic political system from 2002. Not withstanding the issue of contested sovereignty over the eastern regions and the stalled presidential elections in 2009, Somaliland has emerged as one of the most peaceful polities in the Horn of Africa.

Hassan Sheikh's article on Mogadishu describes the many attempts made since 1991 to establish an administration in the capital, ranging from political deals between faction leaders to community initiatives on local level security. The brief authority of the Islamic Courts Union (ICU) in 2006 that brought security to the streets of Mogadishu for the first time since 1991 gave a glimpse of what could be possible. But external interests prevented this from developing further.

The challenges of constitution-making illustrate the contested nature of statehood. Three linked articles by Kirsti Samuels, Ibrahim Hashi Jama, and Ahmed Abbas Ahmed and

Ruben Zamora explore the varying experiences of drawing up constitutions in Somalia, Somaliland and Puntland. In Somaliland and Puntland this has helped to consolidate peace and create structures of government, but the lack of a political settlement in south central Somalia has made progress impossible.

Islam is a fundamental pillar of Somali society and provides an important moral compass in Somali peace processes. An article on Islam explores this, discussing the rise of the Islamic Courts and the impact of Islamic militancy with which Somalis are currently grappling. The violence perpetrated by militant Islamists in Somalia obscures the fact that peace and reconciliation are fundamental tenants of Islam.

The Somali diaspora has been one of the most important drivers of economic recovery in Somalia. Khadra Elmi's article explores the complex ties of Somali diaspora youth in Britain to their home country. Their social milieu in the UK, compounded by generational issues and events in international politics, has 'radicalized' some of these young people although many more are constructively involved in responding to humanitarian needs in Somalia. This positive engagement is something that can be harnessed to bring new and fresh approaches to Somali peacebuilding.

Somalia has one of the largest internally displaced populations in the world. Anna Lindley observes that while Somali elite in the diaspora do exert an influence on Somali politics, the voices of the displaced and other marginalized people in the country and overseas need to be heard.

Peacebuilding and statebuilding

The name Somalia remains synonymous with conflict, violence, warlordism, famine, refugees, terrorism, *jihadism*, and piracy. As this report shows, despite this image, it is not a lawless and ungoverned land, but one where Somali people over the past two decades have forged systems of governance to manage conflict and provide security and law.

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

At the heart of the Somali crisis is an unresolved problem over the nature of statehood. Since the collapse of the state, power and authority has been fractured and radically decentralized among the clans and political elites. While international diplomacy continues to adopt a statebuilding approach aimed at restoring a sovereign national government, Somalis themselves have been re-establishing systems of governance.

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

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

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

No single factor can explain the causes of the conflict and there is no consensus among Somalis on how it should be resolved. The nature of the crisis has mutated and efforts to resolve it have been frustrated by a host of domestic and external actors. Islamist militancy has brought a new dimension to the twenty-year conflict and has become one of the most pressing issues for international actors. Somalis are themselves grappling with how to respond to this as much as the international community. It is time for the international community to find more effective ways to move the country out of this protracted crisis and to develop methods that are more responsive to Somali realities.

Mark Bradbury is a social analyst who has worked extensively in Somalia and Somaliland with Somali and international organizations. He is the author of *Becoming Somaliland* (James Currey) and is the Chair of the Board of Conciliation Resources.

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Endless war

a brief history of the Somali conflict

Mark Bradbury and Sally Healy

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

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

From Cold War to civil war 1988-91

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

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

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

State collapse, clan war and famine 1991-92

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

In the midst of drought, the destruction of social and economic infrastructure, asset stripping, 'clan-cleansing' and the disruption of food supplies caused a famine in which an estimated 250,000 died. Those who suffered most came from the politically marginalized and poorly armed riverine and inter-riverine agro-pastoral communities in the south, who suffered waves of invasions from the better-armed militia from the major clans.

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

Signs that war was radically restructuring the state came in May 1991 when the SNM declared that the northern regions were seceding from the south to become the independent Republic of Somaliland (*see box 1*).

Humanitarian intervention

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

In December 1992 the outgoing US administration authorized the deployment of US forces to support the beleaguered UN mission in Somalia. Under US leadership, UNOSOM mustered a multinational force of some 30,000 troops. Ostensibly launched for humanitarian reasons, the intervention also responded to the challenge that the collapsed Somali state posed to a supposed 'new world order', proclaimed by President George Bush at the end of the Cold War. UNOSOM dominated Somali politics for the next three years.

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

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

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

Governance without government

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

In some areas communities drew on traditional institutions, such as elders and customary law (*xeer*), to end violent confrontations, renegotiate relations between groups and establish local

Box 1

The Republic of Somaliland

On 18 May 1991, at the 'Grand Conference of Northern Clans' in the northern city of Burco, the SNM announced that the northern regions were withdrawing from the union with the south and reasserting their sovereign independence as the Republic of Somaliland.

The declaration, made under public pressure, has left a deep rift in Somali politics that has yet to be resolved. In 1991, however, the move insulated Somaliland from the war and famine in the south and enabled people to begin a process of reconstruction and statebuilding.

That process has not been easy. Between 1992 and 1996 Somaliland experienced two civil wars. Embargoes on imports of Somali livestock by Gulf countries, the return of refugees, urban drift, and contested territorial claims over the eastern regions have presented challenges.

Yet today Somaliland has all the attributes of a sovereign state with an elected government that provides security for its citizens, exercises control over its borders, manages some public assets, levies taxes, issues currency and formulates development policies. This has been achieved through the resourcefulness and resources of people in Somaliland and the diaspora, with minimal international assistance.

Acknowledgment of what has been achieved in Somaliland has been growing, but no country has formal diplomatic relations with it and it therefore has no international legal status or representation in international forums.

And yet a generation has grown up in Somaliland that knows no other country than the one they have been educated in, and no other government than the one that they are now able to vote for. Continuing international ambivalence over the status of Somaliland entrenches the vulnerability of the new state and ensures that it remains, in essence, a 'fragile state'.

Box 2
Puntland State of Somalia

In 1998 political leaders in northeast Somalia, frustrated at the lack of progress from internationally-mediated talks in Ethiopia and Egypt, decided to wait no longer for a national government to emerge.

A series of consultative conferences led to the creation of Puntland State of Somalia in August 1998, as a self-governing state in Somalia's north eastern regions. Colonel Abdullahi Yusuf, military leader of the SSDF, was selected as Puntland's first president. He later became president of Somalia's Transitional Federal Government.

As a non-secessionist state, Puntland epitomizes a 'building block' for a future federal Somali state within the 1990 state borders and was duly supported as such by the international community.

Puntland is a form of 'ethno-state', founded on the unity of the Harti clan. Along with the Majeerteen, this includes the Dhulbahante and Warsengeli clans of Sool and Eastern Sanaag regions over which Somaliland also claims sovereignty. The territorial dispute between Puntland and Somaliland has at times escalated into violent clashes and remains a deep fault line in Somali politics.

Puntland has experienced acute internal divisions and more recently has become internationally known as the home of Somali pirates. However it has remained a relatively stable polity and is in the process of reviewing its constitution and democratizing its political systems.

governance structures as a transitional step to developing public administrations and regional and trans-regional polities.

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

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

In southern Somalia a variety of institutions emerged, including two 'governments' in Mogadishu, councils of elders, district councils and *Shari'a* courts, which provided forms of 'governance without government'. While fragile and uncoordinated, these structures produced an incremental improvement in security, so that by the late 1990s the situation in much of Somalia was described as 'neither war nor peace'.

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

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

Building blocks and regional initiatives

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

Ethiopia was especially concerned by the growth of an armed Islamist group in Somalia, Al Itihad Al Islamiya, with regional ambitions. Ethiopian forces attacked and destroyed Al Itihad camps in the border areas during 1997. At the same time, Ethiopia brought Somali factions together at Sodere and attempted to broker an agreement.

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

In the late 1990s regional rivalries were reflected in different approaches to statebuilding. The model favoured by Ethiopia and briefly supported by Western donors was the so-called 'building-block' approach. Taking a lead from developments in Somaliland and Puntland, the RRA administration in Bay

and Bakool regions and an all-Hawiye peace conference in Beletweyn in 1999, the approach sought to encourage the emergence of regional authorities as a first step towards establishing a federal or confederal Somali state.

Donor and development organizations hoped to encourage the process by rewarding the areas of stability with 'peace dividends' of aid. Critics of the approach contended that it had limited applicability in the south, encouraged secessionism and was designed by foreign states to keep Somalia weak and divided. The alternative approach, supported by Arab countries, advocated reviving a centralized Somali state through a process of national reconciliation and the formation of a national government.

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

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

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

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

The return of government

Arta process

International diplomatic efforts were re-energized in 2000 when the Djibouti government hosted the Somalia National Peace Conference in the town of Arta. The 'Arta process' achieved an important political breakthrough in August 2000 by producing a Transitional National Government (TNG) that commanded some national and international support.

This was due, in part, to an innovative peace process that consulted with Somali society beyond the usual faction leaders. It also adopted a system of fixed proportional representation of Somali clans in the conference and in government based on the so-called '4.5 formula': an equal number of places were allotted to each of the four major Somali clan-families, and a 'half place' to 'minorities' and to women.

The TNG became the first authority since the fall of Siyad Barre to fill Somalia's seat at the UN and regional bodies. It was supported by the UN and several Arab states but it failed to win the backing of Ethiopia or the confidence of major donor governments. In Somalia the TNG did not follow through on the reconciliation efforts begun in Arta and became associated with the powerful Mogadishu clans and the business class, which included Islamists. The TNG was opposed by a coalition supported by Ethiopia, called the Somali Restoration and Reconciliation Council (SRRC) in which Abdullahi Yusuf had a leadership role.

In the climate of international insecurity that followed the 9/11 attacks on the US, the failed state of Somalia attracted renewed interest as a potential haven and breeding ground for international terrorists. The TNG's reputation suffered as the growing influence of Islamic Courts and Islamic charities increased suspicions about its links with militant Islamists.

To some Somalis the return of government provided the best opportunity for Somalia for a decade, and they criticized Western governments for failing to adequately support it. The experience of TNG also demonstrated the difficulty of securing a lasting agreement in Somalia that does not address the interests and needs of both internal and external actors.

The IGAD initiative

The mandate of the Inter-Governmental Authority on Development (IGAD) was revised in 1996 to include the promotion of peace and security, in addition to fostering regional cooperation and economic development. IGAD had supported past Somali reconciliation efforts by Ethiopia or Djibouti.

In 2002 IGAD took up the challenge of reconciling the TNG and the SRRC, each supported by an IGAD member state. The influence of external actors was apparent during the two-year reconciliation conference facilitated by Kenya. The Transitional Federal Government (TFG), which succeeded the TNG in November 2004, saw Somalia's leadership shift from the Mogadishu-centred, Hawiye and Islamist dominated coalition to the federalist, Darood and Ethiopian backed coalition, with Abdullahi Yusuf chosen as the transitional president.

Substantial financial support for the TFG was anticipated with the inauguration of a World Bank and UNDP Joint Needs Assessment of the country's rehabilitation and development requirements. But like its predecessor the TFG fell short of being a government of national unity.

Power was concentrated in a narrow clan coalition and Abdulahi Yusuf was viewed as a client of Ethiopia. His immediate call for a military force from the African Union (AU) to help him establish his authority in the capital alienated his slender support base in Mogadishu. Without dogged international financial and military support the TFG would not have survived either its internal divisions or the rise of the Islamic Courts Union (ICU) in 2006.

The Islamic Courts Union

An important feature of the past two decades has been the emergence of a variety of Islamist movements seeking to establish an Islamic state in Somalia. These range from traditionalist *sufi* orders, to progressive Islamist movements like *Al Islah*, and *Salafi* and *Wahhabi* inspired groups like Al Itihad Al Islamiya pursuing a regional or global agenda. Their significance came to the fore in April 2006 when a coalition of Islamic Courts, the Islamic Courts Union (ICU), in alliance with other clan militia, ousted a coalition of warlords (the Alliance for the Restoration of Peace and Counter Terrorism) from Mogadishu that had been backed by the US government.

The ICU won public support for creating an unprecedented degree of security in the capital and quickly established a presence across most of south-central Somalia. It seemed to offer an alternative political system that could deliver services and security to the population, in sharp contrast to the failing authority of the TFG.

When mediation efforts by the Arab League failed to forge an agreement between the parties, Ethiopian forces, with implicit backing from Western governments, entered Somalia in December 2006. They forced out the ICU and installed the TFG in Mogadishu. The US air force attacked retreating ICU forces in an unsuccessful effort to kill Al Qaeda operatives allegedly harboured by the ICU. The ICU leadership took refuge in Eritrea where, with other opposition figures, they established the Alliance for the Re-Liberation of Somali (ARS) that mobilized support against the Ethiopian occupation.

In early 2007 a small contingent of AU peacekeepers (the AU Mission in Somalia – AMISOM) was deployed to Mogadishu to protect the Transitional Federal Institutions (TFIs). But over the next two years efforts by the TFG and Ethiopia to impose a 'victor's peace' provoked violent resistance from a mixture of clan militia and remnants of the militant wing of the ICU – *Harakat al Shabaab* ('the youth movement').

During 2007 alone fighting between the TFG and the insurgency resulted in the displacement of up to 700,000 people from Mogadishu, and the economic base of the Hawiye in the city was weakened. The Ethiopian occupation rallied support to the resistance within Somalia and in the diaspora, helping to radicalize another generation of Somalis.

Djibouti talks

During his four years in power, Abdullahi Yusuf's government failed to implement any of the transitional tasks of government. By inviting Ethiopia to intervene militarily against the ICU, it lost all semblance of legitimacy and was unable to establish its authority over the country.

When UN-mediated talks between the ARS and the TFG in Djibouti agreed a timetable for Ethiopian withdrawal in late 2008, Abdullahi Yusuf resigned paving the way for the creation of a new TFG under the presidency of the former Chair of the ICU, Sheikh Sharif Sheikh Ahmed.

The withdrawal of Ethiopian forces and the establishment of a new 'unitary' TFG created an opportunity to establish a moderate Islamist government in Somalia that had considerable backing from Somalis and the international community. Nine months later Somalia finds itself in even greater turmoil. Al Shabaab denounced the Djibouti agreement as a betrayal by the ARS. Under the leadership of Ahmed Godane, who is widely held responsible for organizing suicide bombs in Hargeisa and Bosasso in October 2008, Al Shabaab has declared its support for al Qaeda. The TFG has to date proved itself incapable of building a coalition to combat Al Shabaab and Hizbul Islamiya forces that control much of south central Somalia. The international community has responded by increasing support for the TFG, including the provision of arms by the US government.

The three years from 2006-08 were catastrophic for Somalis. Military occupation, a violent insurgency, rising *jihadism* and massive population displacement has reversed the incremental political and economic progress achieved by the late 1990s in south central Somalia. With 1.3 million people displaced by fighting since 2006, 3.6 million people in need of emergency food aid, and 60,000 Somalis a year fleeing the country, the people of south central Somalia face the worst humanitarian crisis since the early 1990s.

Section 1

Lessons of international engagement

Accord 21 is an important publication: a great strength is its focus on the local Somali-led peace processes that have had much greater success than internationally backed ones, but received relatively little attention. Instead of vague generalizations about 'traditional elders', we hear directly from several of these, explaining in detail their role, difficulties and achievements.

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Diplomacy in a failed state

international mediation in Somalia

Ken Menkhaus

Somalia is the longest-running instance of complete state collapse in the post-colonial era. It has also been the site of some of the world's most intensive mediation efforts, designed to bring the country's twenty-year crisis to a close.

Diplomatic initiatives have varied in approach, but all have met with failure. Collectively, they have been the subject of intense debate about what has gone wrong and what lessons can be drawn from them.

Ten challenges for external mediation

For a variety of reasons, the Somali crisis has been an especially challenging case for external mediators.

1. The context of complete state collapse poses unique difficulties. It complicates issues of representation at the bargaining table and adds the daunting task of state revival to the challenges of reconciliation and power-sharing.
2. Somalia has been exceptionally prone to disputes over representation, making it difficult to identify representatives at the negotiating table who are both legitimate (ie able to speak on behalf of a constituency) and authoritative (ie able to enforce agreements reached).
3. Somalia's susceptibility to centrifugal political dynamics, exacerbated by the fissurable nature of clanism, has made it especially difficult to maintain coalitions.
4. The ubiquity of small arms has increased the number and capacity of potential spoilers. The combination of small arms proliferation and unstable coalitions has prevented any one side from imposing a 'victor's peace'.
5. While peace itself is viewed by most Somalis as a positive-sum game, revival of central government is viewed by many as a zero-sum contest and hence a risky enterprise. This is in part because of a past history of predatory state behaviour in Somalia. Somalis want a revived state, but they fear the consequences of losing control of the process to a rival.
6. Regional rivalries in the Horn of Africa have led to proxy wars, entangling the Somali crisis in a broader complex of regional conflict and creating competing diplomatic processes.
7. Standard international negotiating procedures have been in constant tension with Somalia's rich heritage of traditional conflict management practices, and have generally crowded them out.
8. External mediation has had to proceed on thin and questionable knowledge of Somalia's complex political dynamics, increasing the odds of missteps by diplomats. The physical isolation from Somalia of the Nairobi-based diplomatic corps is largely to blame for this.
9. More recently, growing US preoccupation with the security threat posed by prolonged state collapse in Somalia has fuelled greater external support for reviving a functional central state that can effectively monitor and prevent terrorist activities. This has reinforced in the minds of Somalis the sense that peacebuilding in Somalia has largely been driven by outside rather than Somali interests.



Internally displaced people in Mogadishu © Abdurrahman Warsameh

10. The protracted nature of the Somali crisis has not, as some conflict resolution theories would predict, created a 'hurting' stalemate, but has instead deepened divisions and added new layers of complications onto the search for peace.

This latter point is especially important. A case can be made that with each failed peace process, the Somali crisis has become more intractable and difficult to resolve as distrust grows, grievances mount, coping mechanisms become entrenched and the percentage of the Somali population that has a living memory of a functioning central government shrinks.

Mediation in Somalia since 1991

Although it is frequently stated that over a dozen national reconciliation conferences have been convened on Somalia since 1991, a closer look reveals that only six were fully fledged national peace conferences.

First, the Djibouti Talks of June-July 1991, at which Ali Mahdi was declared interim President, a move General Mohamed Farah Aideed rejected. This peace process, which convened six factions, was really only a set of negotiations intended to form an interim government. It inadvertently exacerbated political tensions which culminated in the explosion of armed conflict destroying much of Mogadishu in late 1991.

Second, the Addis Ababa National Reconciliation Talks of January and March 1993. This was the linchpin of the UN intervention in Somalia and was meant to provide a blueprint for the creation of a two-year interim government.

The Addis Ababa talks convened fifteen clan-based factions and produced a rushed and vaguely-worded accord that sparked tensions between the UN and some armed factions over whether the creation of district and regional councils were to be a bottom-up process or controlled by factions. Armed conflict broke out between General Aideed's faction and UN peacekeepers, which derailed the mission and blocked implementation of the accord.

Third, the Sodere Conference of 1996-97, convened by neighbouring Ethiopia, which sought to revive a decentralized, federal Somali state at the expense of factions that opposed Ethiopia. A rival peace process in Egypt, the 'Cairo Conference', undermined Sodere. The Sodere talks introduced the principle of fixed proportional representation by clan, the '4.5 formula', used subsequently in the country.

Fourth, the Cairo Conference of 1997 convened by Egypt, a regional rival of Ethiopia, to promote a centralized Somali state and elevate the power of Somali factions that boycotted the Sodere talks. The two broad coalitions that emerged from Sodere and Cairo formed the basis for the main political divisions in Somalia in subsequent years.

Fifth, the Arta Peace Conference of 2000 convened by Djibouti. This brought civic rather than faction leaders to the talks and used telecommunications technology to broadcast proceedings back to Somalia. In the end it produced a three-year Transitional National Government (TNG) that empowered a Mogadishu-based coalition at the expense of a pro-Ethiopian alliance. It faced numerous domestic opponents as well as Ethiopian hostility and never became operational.

> Arguably the single biggest mistake by external mediators since 1991 has been to conflate the revival of a central government with successful reconciliation"

Finally, the Mbagathi conference of 2002-04, sponsored by regional organization IGAD, a lengthy conference in Kenya to produce a successor to the failed TNG. With heavy Kenyan and Ethiopian direction, the delegates consisted mainly of militia and political leaders, not civic leaders, and promoted a federalist state. A phase of the talks dedicated to resolution of conflict issues – an innovation intended to prevent the talks from devolving into a mere power sharing deal – never gained traction.

The Mbagathi talks culminated in the creation of the Transitional Federal Government (TFG) in late 2004 and the controversial election of President Abdullahi Yusuf. The TFG was deeply divided at the outset, with many Somalis raising objections about the legitimacy of representation at the talks. The TFG has struggled in subsequent years and has yet to become a minimally functional government or to advance key transitional tasks.

Power brokering

In addition to the six conferences outlined above, a number of other national peace processes were held by external actors but are more appropriately described as peace 'deals' – attempts to forge a narrow ruling coalition without wide consultation across Somali society.

In early 1994, for example, a desperate UN peacekeeping mission, the UN Operation in Somalia (UNOSOM), tried to broker a deal bringing together three of the most powerful militia leaders at that time – Colonel Abdullahi Yusuf, General Aideed and General Morgan – culminating in the ill-fated 'Nairobi informal talks'. Such external attempts to broker expedient deals are usually based on a crude and ill-informed understanding of the nature of power in Somalia.

Assessing external mediation in Somalia

Many of the problems encountered in Somali national reconciliation processes have been a reflection of obstacles to peace over which external mediators have had little control. This fact is often forgotten in the rush to criticize international diplomats working to resolve the Somali crisis.

Nevertheless, the quality of external mediation in Somalia has been uneven and has resulted in several missed opportunities for peace. Some of the most common criticisms of external mediation in Somalia are outlined below.

Over-emphasis on state-revival and power-sharing

Arguably the single biggest mistake by external mediators since 1991 has been to conflate the revival of a central government with successful reconciliation, leading to a preoccupation with brokering power sharing deals. Time and again power sharing accords in the absence of even token efforts at national reconciliation have produced stillborn transitional governments.

Lack of international political will

Weak international political will to address Somalia was especially evident from 1989-92 when external attention was distracted by the end of the Cold War and other major global developments. But this was also the case in the post-UNOSOM period, when Somalia was again given only marginal attention.

A related problem has been half-hearted follow through after having reached an accord and the failure of external actors to provide timely, robust support to newly declared transitional governments. This was a central feature of the debate in 2000 and 2001 between those who argued for a 'wait and see' approach to the TNG versus those who advocated immediate aid in order to 'prime the pump' and build confidence in the fledgling government. A similar debate occurred in 2005 with the TFG.

This latter view stresses that the months immediately following peace accords constitute a brief window of opportunity that is lost if external assistance is delayed and the fledgling government fails to earn 'performance' legitimacy in the eyes of the Somali public, by improving public security and provision of basic services.

Misdiagnosis

Somalia's crisis defies easy boilerplate approaches and pre-set templates. Yet far too many diplomatic initiatives in Somalia have been formulaic and have actively resisted tailoring mediation to close knowledge of Somali politics and culture. A related problem is the tendency for external mediating teams to acquire just enough knowledge of Somalia to feel that they have mastered the country, when in fact they have dangerously misread it. Nowhere is the adage 'a little knowledge is a dangerous thing' more apt than in Somalia.

Lack of strategy

In several cases important mediation efforts have substituted timetables for a genuine reconciliation strategy. Little thought was given to handling spoilers, security guarantees and other

important issues, leaving mediators susceptible to unexpected surprises and ensuring that the entire mediation effort was reduced to crisis response.

Lack of neutrality

Several national reconciliation conferences were clearly mediated with the intent of producing a political outcome in favour of local allies. Others started relatively neutral, but once the process was underway mediators made decisions which tilted the playing field in favour of one or another political group.

Whenever peace processes led to the declaration of a transitional government, mediators treated that transitional authority as legitimate, even if other Somali groupings rejected it. From UNOSOM in 1993 to the TFG in 2008, mediators' understandable support for the transitional entities they helped establish has created accusations of bias on the part of rejectionists. This points to an important dynamic in Somalia, namely the tendency for conflict to continue during and after accords have been signed.

Poor quality mediators

In a few instances, Somalia has been saddled with external diplomats with weak credentials and capacity. The result has been embarrassing mistakes and missed opportunities.

Lessons learnt

Despite the multiple setbacks suffered in external mediation since 1991, a number of important positive lessons have been learnt.

First, Somali ownership of the peace process is critical. Negotiations cannot be driven by external actors or they quickly lose legitimacy. Somali ownership means that Somalis themselves must determine agendas, timetables and procedures.

A corollary to this observation is that peace processes that tap into traditional Somali reconciliation practices, especially the essential practices of having negotiators extensively vet positions with their constituencies, will stand a better chance of success. National reconciliation processes in Somalia need to combine the most effective traditional and contemporary peace initiatives. Innovations at the Arta talks established some best practice in this regard.

Second, although representation is deeply contested no matter how it is determined, some systems of representation are better than others. To date external mediators have tended either to privilege either militia leaders on the basis of a crude 'realist' belief that those who control the guns control power, or traditional and civil society leaders, in the hope that grassroots representation is more legitimate.

There has also been an uncritical reliance on the 4.5 formula to determine clan representation in talks and in transitional governments, despite widespread objections. There is no easy solution to this conundrum, but it is worth noting that effective hybrid systems of representation have been devised at sub-national peace talks and may offer potential solutions.

Third, we have clearly learned that reconciliation processes cannot and must not be reduced to power sharing deals by political elites. This 'cake-cutting' approach has repeatedly failed and is contributing to growing cynicism among Somalis about peace processes. The phase two reconciliation effort built into the Mbagathi peace process was a first attempt to tackle this problem.

Fourth, if the establishment of transitional governments is an unavoidable component of peace accords to extricate Somalia from its twenty year crisis of state collapse, external mediators and donors must press Somali leaders to focus on executing key transitional tasks rather than building maximalist security states.

Fifth, mediators must have a clear strategy to understand and manage spoilers to peace processes. This includes differentiating between 'intrinsic' spoilers – warlords and others who have no interest in allowing a revived central government – and 'situational' spoilers, whose objections to a peace process have to do with specific aspects of the accord or power sharing arrangements.

Creating political space for a 'loyal opposition' would allow groups unhappy with aspects of an accord or transitional government to voice their objections, without becoming rejectionists opposing the entire process.

Finally, it is essential to develop more creative transitional security and stabilization mechanisms that are designed to maximize the sense of security for anxious communities during early phases of implementing peace accords. Boilerplate approaches to the creation of a single security sector, giving those in control of a transitional government the prospect of a monopoly on the use of violence, virtually guarantees the rise of rejectionists and spoilers.

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Mediating Djibouti

Meredith Preston McGhie

The conclusion of the Mbagathi peace process in 2004 ushered in a Transitional Federal Government (TFG) in Somalia and a renewed hope that through a political arrangement in the country would be on the path toward stability. This hope was short lived.

In 2006 opposition to the TFG in the form of the Islamic Courts Union (ICU) took control of Mogadishu. Within six months, on invitation by the TFG, the Ethiopian military moved in and pushed the ICU out. Further destabilization ensued. Attempts at national reconciliation failed to draw in any opponents of the TFG and little progress was made.

As the situation on the ground worsened, so did the political deadlock. A coalition of disaffected MPs, Somali diaspora and the ICU leadership came together under the umbrella of the Alliance for the Re-liberation of Somalia (ARS) and established themselves in Asmara. Fighting escalated in Mogadishu between the ARS and the Ethiopian backed TFG (which was also protected by an African Union peacekeeping force from May 2007), and the security situation continued to deteriorate.

Amid increasing calls for a political solution to the crisis a number of external actors began to make discreet moves to try to build a constituency for political dialogue between these two groups. This developed formally into the Djibouti mediation process that lasted, in its official form, from June 2008 to February 2009, and resulted in a new TFG that brought together the ARS and former TFG within one transitional government.

This paper looks briefly, from the perspective of a participant in the talks, at the process and structure of the Djibouti peace negotiations between the TFG and the ARS and led by the UN Special Representative of the UN Secretary-General (SRSG), Ambassador Ould Abdallah. The paper reviews the tactics employed in running the talks in Djibouti, including how certain political events impacted on those tactics and how these were managed.

Beginning the Djibouti process

While the ongoing insecurity and lack of political progress in Somalia in early 2008 made it clear that dialogue was required, bringing the two parties together proved challenging.

The first months of 2008 represented a pre-mediation phase, with quiet shuttle diplomacy and outreach to the ARS leadership in Asmara through various channels in order to secure agreement, in principle, to dialogue. There was also behind the scenes work by the SRSG and other key actors to secure a similar commitment from the TFG. There was a common understanding that discreet steps needed to be taken, as the situation was not yet ripe for a larger and more open process.

The official Djibouti process began in earnest in June 2008 with the convening of a meeting between the TFG, under the leadership of Prime Minister Nur Adde, and the ARS, led by Sheikh Sharif Sheikh Ahmed. In the early stages of the talks confidence was low, with the parties not yet ready to meet directly. The SRSG again used shuttle diplomacy to secure agreement on a basic agenda. When they were first brought to Djibouti the parties refused to stay in the same hotel or to meet directly.

Choosing to meet in Djibouti was a strategic decision, which highlights an interesting dilemma in mediation: using actors and locations which may not afford complete neutrality, but conversely can apply positive pressure on the process when engaged constructively.

The process needed to take place within the region and consideration was given to Nairobi. However Nairobi's various distractions made this unfeasible for the kind of talks that were needed, and other locations in the region were also viewed as unworkable. There needed to be a sense of safe space and a retreat-like atmosphere, particularly one in which it would be possible to control the media and other actors who would be attracted to the process.

Djibouti was an important player, not only as the host, but also as a key supporter of the talks. Pressure on the parties by President Ismail Oumar Guelleh at key junctures helped advance the process. Djibouti facilitated the convening of the Somali Parliament, offering the use of the Djiboutian Parliamentary premises as well as the provision of security and accommodation. This was of particular importance given the time pressures that developed during the final phases of the process.

Basic principles

The June 2008 Djibouti Agreement (formally signed on 18 August) put in place basic principles between the parties, including the structures that would then facilitate advancing the process. These included agreement on a cessation of hostilities (although this had limited immediate impact on the ground) and the withdrawal of Ethiopian forces from Somalia. The agreement also established a High Level Political Committee and a Joint Security Committee that would to take the talks forward.

The agreement on the withdrawal of Ethiopian forces was important during this early period. Although this took time to implement (the forces did not fully withdraw until early 2009), it was a significant step in building confidence and keeping the ARS engaged in the process. That said, the slow nature of the withdrawal was also a challenge to the dynamics of the process.

This first agreement was used by Ambassador Ould Abdullah and the parties as a platform for the subsequent agreements on security and political cooperation reached in October and November 2008 and January 2009. Although it did not provide much detail, this early deal was deliberately used as a broad platform to move forward other agreements in the coming months.

Structuring Djibouti

The fundamental approach of Djibouti may not have appeared structured from the outside. In fact, as is often the case, much of the process was dictated by events and responses to them, with structure being sacrificed as a result. Flexibility was therefore central, yet with clear objectives and direction. While this flexibility was deliberate, the process was forced to become even more responsive to events in its final stages. Arguably the overall sustainability of the agreements has been more of a challenge as a result.

While there was no formalized strategy for the mediation, Ambassador Ould Abdullah had a vision of where he wanted to direct the talks. From a tactical perspective, four key principles threaded through the process and dictated how it played out: 1) the constructive use of deadlines to push the process along (although control over the deadlines, crucially, was lost in January 2009); 2) building mechanisms that would allow Somali leadership and ownership; 3) managing regional and international actors; and 4) ensuring flexibility to respond and adapt to the changing situation.

The evolution of the structure of Djibouti also developed as a response to the needs of the parties and therefore relied less on more standardized tools or mechanisms for structuring peace talks.

During early sessions at Djibouti the parties agreed to the establishment of two committees. These broke discussions down into political and security elements, under the High Level Political Committee and the Joint Security Committee, respectively. These committees were made up of 15 representatives from each of the two parties, each having their own chair.

The UN Political Office for Somalia (UNPOS) was the official chair of the meetings, but much of the time these sessions were managed by the two parties themselves, often without external actors present. The committees had minimal terms of reference, which allowed them to be used and adapted as required. The committees were also used for capacity building through brief workshops during each Djibouti session on different substantive issues, and they allowed space for the parties to become more comfortable in discussions.

The ability of these committees to build capacity for mediation of the delegations highlights a broader challenge in peace processes. While there is often a need for more guidance on mediation techniques, parties may resist this. Or the pace of events may leave insufficient time for this to take place – the priority will be addressing issues of substance that will move the process along.

In the Djibouti case, therefore, brief sessions on substantive issues such as transitional justice exposed the parties to international experts in these areas (including UN Special Rapporteurs and members of the UN Mediation Standby Team of Experts, for example), while also building confidence between the two delegations.

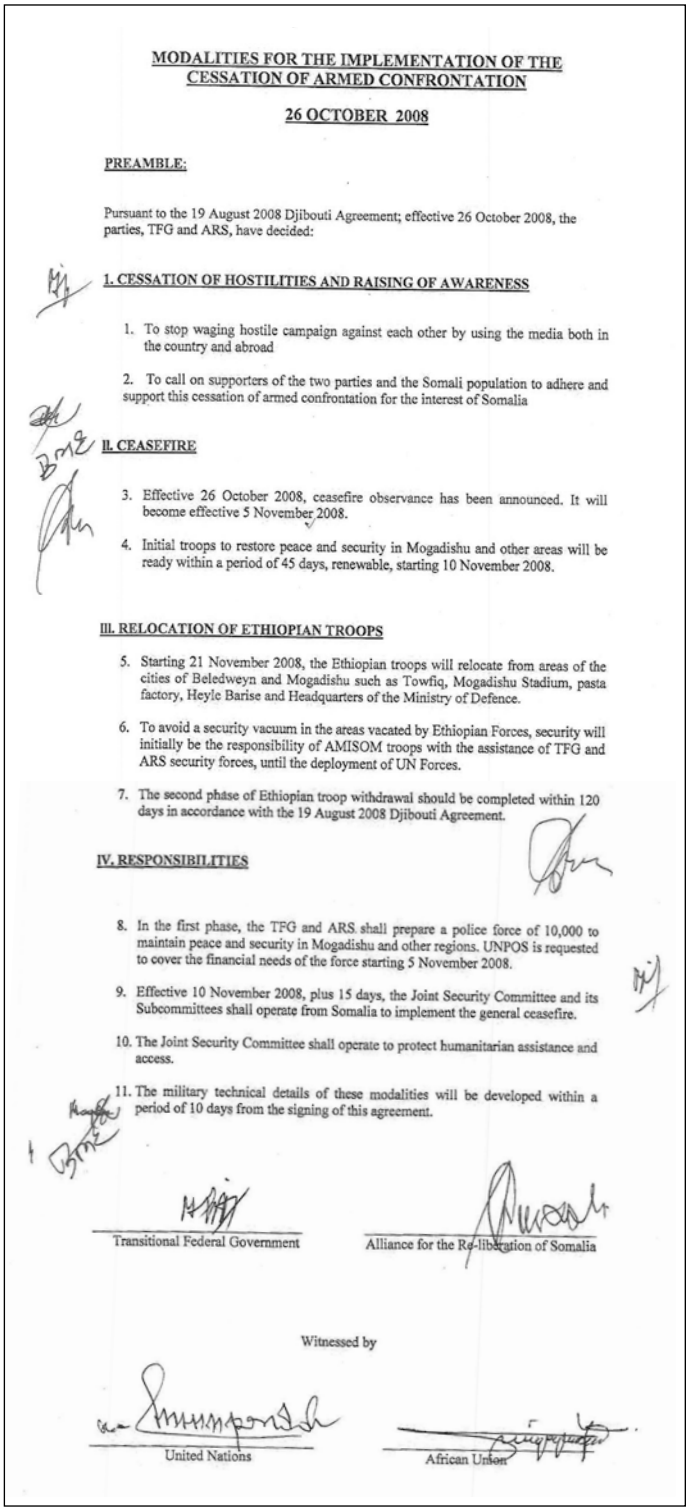
Generating momentum

Previous mediation processes in Somalia before the Djibouti talks had been drawn out affairs, with months spent in session. In contrast Djibouti moved quickly – often surprisingly so.

In order to generate momentum and avoid stagnation, the Djibouti process was initially arranged so that the parties would meet for a limited period once a month to advance the agenda. The remaining time was spent addressing political issues, building consensus and preparing the ground for the next round of talks. This gave the SRSG better control over the speed of

the process. It allowed him to bring the parties together at a pace that enabled both consultation and time for agreements to percolate internally within the constituencies of the two parties, while still ensuring that momentum was not lost.

This approach meant that the parties met for two to three days each month, at which point agreements were cemented. However much of the groundwork was being done during the intervening periods, during which time ownership of the process by those not directly involved was also being developed.



MODALITIES FOR THE IMPLEMENTATION OF THE CESSATION OF ARMED CONFRONTATION

26 OCTOBER 2008

PREAMBLE:

Pursuant to the 19 August 2008 Djibouti Agreement; effective 26 October 2008, the parties, TFG and ARS, have decided:

I. CESSATION OF HOSTILITIES AND RAISING OF AWARENESS

1. To stop waging hostile campaign against each other by using the media both in the country and abroad
2. To call on supporters of the two parties and the Somali population to adhere and support this cessation of armed confrontation for the interest of Somalia

II. CEASEFIRE

3. Effective 26 October 2008, ceasefire observance has been announced. It will become effective 5 November 2008.
4. Initial troops to restore peace and security in Mogadishu and other areas will be ready within a period of 45 days, renewable, starting 10 November 2008.

III. RELOCATION OF ETHIOPIAN TROOPS

5. Starting 21 November 2008, the Ethiopian troops will relocate from areas of the cities of Beledweyn and Mogadishu such as Towfiq, Mogadishu Stadium, pasta factory, Heyle Barise and Headquarters of the Ministry of Defence.
6. To avoid a security vacuum in the areas vacated by Ethiopian Forces, security will initially be the responsibility of AMISOM troops with the assistance of TFG and ARS security forces, until the deployment of UN Forces.
7. The second phase of Ethiopian troop withdrawal should be completed within 120 days in accordance with the 19 August 2008 Djibouti Agreement.

IV. RESPONSIBILITIES

8. In the first phase, the TFG and ARS shall prepare a police force of 10,000 to maintain peace and security in Mogadishu and other regions. UNPOS is requested to cover the financial needs of the force starting 5 November 2008.
9. Effective 10 November 2008, plus 15 days, the Joint Security Committee and its Subcommittees shall operate from Somalia to implement the general ceasefire.
10. The Joint Security Committee shall operate to protect humanitarian assistance and access.
11. The military technical details of these modalities will be developed within a period of 10 days from the signing of this agreement.

Transitional Federal Government

Alliance for the Re-liberation of Somalia

Witnessed by

United Nations

African Union

Agreement on implementing the cessation of armed confrontation as part of the Djibouti peace process. © United Nations 2008

Managing Djibouti

A critical element in Djibouti was the need to maintain the pace and momentum of the talks. It was necessary to demonstrate regular progress in order to convince detractors of the process of the benefits of 'coming on board'. This required both successes in the monthly rounds of talks as well as sustained external pressure to highlight the negative consequences of hindering them.

In practice, this meant carefully managing the statements and communiqués that resulted from each round of talks so that they would demonstrate success, but not giving too much out publicly before the parties had consolidated their own constituencies' support behind agreements.

For example, following agreement in principle in November 2008 to political cooperation, the delegations of the two parties needed to return to their constituencies and talk through what this would mean and to get their support for the details that would then be agreed in the next round of discussions.

However the ability of the mediator to control the pace of the talks changed with the political developments at the end of 2008, and especially the unexpected resignation of President Abdullahi Yusuf on 29 December. This set in motion a new set of deadlines under the Transitional Federal Charter whereby a new President needed to be elected within 30 days.

Rather than managing and controlling the deadlines, therefore, the mediation now had to compress the political cooperation dialogue into this revised and curtailed timeframe, and to contend with the other new political realities that the President's resignation brought with it.

Although this was a difficult shift for the mediation, the momentum it produced – for both the parties and the regional and international players – made it possible to push this aspect of the talks to a rapid conclusion. This was by no means uncontroversial, with considerable debate among external and Somali actors around the broader impact of speeding up the process.

Bringing the existing TFG MPs and the prospective ARS MPs to Djibouti was an example of the importance of momentum in peace talks. Convincing MPs to come to Djibouti indicated that the balance of support among Somalis was shifting towards the Djibouti process. Equally importantly, momentum was generated by pressure from Somali actors in Djibouti, as well as through pressure from regional and international actors.

It is important to note, however, that there were political interests at play. It was these rather than a pure commitment

to reconciliation, or the need for further dialogue, which helped make progress. The shift can be interpreted as a recognition that the political balance had changed, and different actors calculated that their political interests lay in being part of the process rather than remaining outside it.

External actors

The influence of regional actors – negative or positive – cannot be overestimated in the Somali context. In October and November 2008, as discussions in Djibouti became more focused on a ceasefire and an agreement on political cooperation, coordinated pressure from the international and regional community proved vital.

UN Security Council Resolutions, in particular resolution 1844 of 20 November 2008, in concert with strong declarations from the Inter-Governmental Authority on Development (IGAD) and the AU, asserted a zero tolerance policy for people obstructing the peace process. This helped to maintain pressure on the momentum of the talks. While this was an important point of leverage in the Djibouti process, sanctions – targeted or more general – are still a challenging issue for regional organizations to grapple with. Questions remain about whether this limits the role of these institutions as mediators once sanctions are applied.

A huge amount of the time and energy of Ambassador Ould Abdullah and his advisors was taken up with regional travel, to ensure that key external actors were on board and regularly briefed, and that they understood the unspoken messages that were coming out of the talks. This was a delicate task that often only core mediation team members were able to undertake.

Taking the Djibouti process forward

The first phase of the Djibouti talks has resulted in agreement on the formation of a newly formed Transitional Federal Government, established in early 2009. This has included the expansion of the Parliament from 275 to 550 members, to bring in ARS MPs and an expanded Cabinet.

What was not agreed in Djibouti at this time, however, was how this new coalition would actually function in terms of its day to day operations. Many power sharing agreements end at the water's edge of the 'big picture' – the drawing together of two opposing groups. Perhaps the most challenging piece of such a power sharing arrangement is how these groups manage their day-to-day affairs – how to ensure the parties remain in consultation, not only on large scale decisions, but also on other aspects of governance, including key appointments such as ambassadors.

The Djibouti process was one step in the broader process of political settlement and peacemaking in Somalia, which entered a new phase with the formal conclusion of the Djibouti process in February 2009. The subsequent period has been exceptionally difficult for the continuation of political dialogue – both within the TFG to cement the gains that have been made, and to draw others into a constructive dialogue and out of a cycle of violence.

Balancing a continued structure for dialogue with the flexibility to allow the new government to address the continually changing circumstances will be critical to embedding the successes of Djibouti.

Looking back on Djibouti, one year on

Mediation processes are the 'art of the possible'. Many of the decisions taken in a given political setting take on a different hue with the benefit of hindsight. Looking back on Djibouti almost one year later, some insights emerge.

Perhaps the most significant lessons from Djibouti are the importance of flexibility, responsiveness and the ability to react to both the needs of the parties and the political situation. This was a critical feature of the process and is one of the reasons for its success in securing the political agreement. However it remains to be seen to what extent Djibouti has succeeded in terms of cementing structures for the parties to manage the next more challenging period of reconciliation in Somalia.

The question that has subsequently emerged is how to continue the momentum of those months. It can be argued that Djibouti moved too fast. But what it offered was a new mechanism for organizing consultations and developing political cooperation through the monthly sessions.

In any mediation process, when formally structured mediation ends it is always a challenge to identify other clear channels of focus. In the post-settlement implementation period, many priorities emerge and the parties' attention therefore risks becoming more diffuse.

For Somalia, it is especially important in this longer political process to support mechanisms for continued political dialogue in order to cement the steps that were made in Djibouti.

Meredith Preston McGhie is Senior Programme Manager for Africa at the Centre for Humanitarian Dialogue and provided technical support to the UN Political Office for Somalia in the Djibouti peace process for Somalia, October 2008 to February 2009.

Regional engagement in Somalia



African peacekeepers in Mogadishu, November 24, 2009
© Yasuyoshi Chiba/AFP/Getty Images

a conversation with HE Engineer Mahboub M. Maalim

HE Engineer Mahboub M. Maalim is Executive Secretary of the Inter-Governmental Authority on Development (IGAD)

Before taking up office, had you ever been personally affected by or professionally involved in efforts to resolve conflict in Somalia?

I come from the Garissa District of northern Kenya so I am very much aware of the wider impact of the Somali conflict. My home district of Lagdera is where the highest population of refugees in Kenya is stationed. Currently there are 350,000 refugees there, possibly one of the largest refugee concentrations in the world. You can imagine the local impact of this in terms of depleted resources and perpetual tensions between the refugees and the people. So I have certainly felt the affects at a personal level.

Professionally I had also been involved. I worked for the Arid Lands Resource Management Project as their Coordinator in Wajir in northern Kenya where we were involved in conflict resolution and peacebuilding initiatives with the local community. While this was internal to Kenya it is was clear that the conflict in Somalia had a great deal of bearing on these issues.

How would you describe the impact of the Somali situation on IGAD?

IGAD has a broad-based mandate. Peace and security is only part of that mandate, which also includes food security, infrastructure development and a host of other issues to promote regional economic integration.

Yet we have found that peace and security has been the overwhelming pre-occupation, absorbing so much of the organization's time and resources. It has been a major distraction from the broader regional economic and development strategies we would like to focus on. Since I took up office in 2008 I have been fully engaged in conflict amelioration pertaining to the Somali conflict, often at the expense of other very important organizational goals.

What about the impact of IGAD on the situation in Somalia? How would you respond to criticisms by Somalis that divisions among IGAD countries help to fuel the conflict in Somalia?

On the contrary, IGAD has been a key stabilizing factor in the Somali conflict, and remains key to the very existence of Somalia. IGAD is the one organization that has never abandoned Somalia. It is mainly thanks to IGAD's efforts that everyone else in the international community is also involved.

IGAD member states decided it was time to intervene after the thirteenth reconciliation attempt had failed. That first attempt produced a tangible outcome in the Transitional Federal Government (TFG). IGAD has definitely not had a negative impact on the situation in Somalia. Indeed it is a good thing that IGAD was there for Somalia.

Does IGAD have an overall peace and security strategy for the region? What are its main features?

We have been working on IGAD's peace and security strategy and it has reached an advanced stage of preparation. The draft strategy is completed and will be presented for adoption at the ordinary IGAD Council of Minister's meeting scheduled for October 2009. So it is ready, subject to approval. The strategy covers all aspects and facets of conflict resolution and peacebuilding and includes proposals on organizational structure. It includes all the things that have been going on already such as mediation issues and standby forces that now need to be operationalized.

Does this mean that IGAD will be doing more rather than less on peace and security in future?

We definitely will not be able to ignore any future needs for interventions on peace and security in the region. But as part of our ongoing revitalization, we are trying to do as well on economic development and integration as we are doing on peace and security.

What would you say are the main reasons why Somalia has gone on for so long without being able to establish a government?

This is a good question, but I think the Somali people are best placed to say why. It is really a question for Somalis to ponder why this situation has gone on for so long. It is their issue. I believe that if the Somali people agreed once and for all that they wanted this to end, I am sure it would.

What is IGAD's position on Somaliland's claim to independence?

The issue has not been on the table during my time in office. We are working on the principle of one Somali nation.

Do you think that some form of forceful intervention could help to create stability in Somalia?

Yes, I do. But by forceful intervention I do not mean more outside firepower. What is needed is more direct support to the government of Somalia so it can maintain a standing force of its own and establish a police force to bring about law and order. That is the kind of force that could make a difference.

If such support were available, Somalis would be able to set their own priorities for dealing with insurgents and bringing about stability. It is their country; they know the terrain and the issues. They are better placed than anyone else to find ways to tackle the problems, including that of piracy.

IGAD has been deeply involved in reconciliation efforts in Somalia since 2002. What do you see as its main achievements?

The main achievement has been the establishment of the TFG. This provided the legitimate stop point for the international community to rally around. Establishing a government has been IGAD's main achievement and this is the right entry point for wider international involvement.

Concerning the IGAD-led Somali National Reconciliation Conference, many analysts say that the reason the TFG is so weak is because the people involved in the peace conference were unrepresentative and lacked legitimacy. Do you agree with this assessment?

I don't agree. This question of legitimacy and representation is highly subjective. To use a scientific analogy, if we liken democracy to a spring, it is like asking for a point in time in the entire elasticity of a spring. Even in mature democracies it is simply not possible to pinpoint where legitimacy occurs.

Since legitimacy is in the eye of the beholder we need to establish who is asking the question and why. Those who question the legitimacy of the TFG are people in the diaspora, often members of the former regime or their senior civil servants, who could not stoop so low as to come and join the discussion. It is their doubts that are not legitimate. The process itself was legitimate enough to produce a government as a stop point and starting point.

How does IGAD maintain its neutrality when there are conflicting regional interests at work in Somalia?

Regional interests operate at a point beyond national interests. They exist at a point that is reached naturally when national interests have been exhausted and can become equipped for a broader regional purpose. That point in time is a break point in diplomacy, when one is forced to put national interests aside in pursuit of regional interests. Thereafter, member states can reach consensus very quickly.

Is reaching that consensus easier to do since Eritrea has excluded itself from the organization?

Eritrea has, as you correctly put it, excluded itself from the organization. Even now Eritrea is a member of IGAD. It has not withdrawn but suspended its membership. This is a matter of Eritreans' national interest on which they are not ready to take the regional view. But they still have the opportunity.

How does the relationship between IGAD and the African Union (AU) work in relation to Somalia?

The AU is our continent's premier organization. We are building blocks for the AU, one of the eight regional economic communities. For me, we are all one thing and our work is complementary. For example, the AU peacekeeping force (the AU Mission in Somalia – AMISOM) comes under the auspices of the AU but operates with the full support of IGAD member states and the rest of the African continent.

IGAD makes its own decisions, at the highest level, and issues these in the form of communiqués. It is normal practice for decisions on security matters to be taken to the AU's Peace and Security Council, which then adopts this stand. This is the diplomatic chain that we follow. Also, certain matters, such as those for discussion by the UN Security Council, are required to go through the AU. In general, the AU looks to the regional organizations to take the lead on issues within their particular area.

Does IGAD try to involve countries outside the immediate region, eg in the Arab world, in the reconciliation process in Somalia? What role can these other countries play?

Yes. Agencies like the Arab League are very close collaborators. A representative of the Arab League attends most of our ministerial level meetings on the conflict in Somalia. Therefore, both as an organization and as member states the Arab League is very supportive of IGAD and AU efforts.

The Arab League also has an important role to play itself. The best thing it could do now for Somalia is to expedite all the support it can directly to the TFG. We need it to back up the efforts of IGAD and the AU to strengthen the government institutions and help it stand on its own feet. As long as it is weak and not standing on its own feet it cannot be effective.

What would be the most useful role that the UN and the international community could play in Somalia?

There's no question that the international community has been very helpful and has made a very substantial contribution over the last 18 or 19 years amounting to billions of dollars and euros. But if you really examine the impact of the interventions so far you'll find a lot of gaps. If these had been targeted properly earlier on we would not be where we are now.

Our delivery mechanisms for assistance have not been well thought through. There has been a lot of help but with far too many different offices and agencies involved. That is why I am making a very strong case for help to go directly to the TFG.

> "Establishing a government has been IGAD's main achievement and this is the right entry point for wider international involvement"

Would that extend to international humanitarian assistance?

I'd like to see a much more country-based approach to humanitarian action. It is important that those on the frontline, those involved in food distribution and such like, are based in the community. Community level organizations should take the lead – it is their show – and then the warring parties will see less of the 'foreign' element.

There are many successful examples of local agencies leading humanitarian efforts with international backing. The government also has to own the process and, while it lacks the capacity to receive all the assistance itself, it should be involved in approving and establishing the mechanisms for a community-led approach.

How do you see the way forward? Are there innovative approaches that IGAD and the international community could try in order to assist Somalis to move out of the current crisis?

IGAD member states are strongly engaged, exemplified by the fact that this year alone we have held four extraordinary council of ministers meetings on the Somali issue. They are getting more proactive and are now quantifying what they are doing to support the TFG.

The main thing for the international community to do is to take heart and stay on. It is not time to despair when one last step could take us to the goal we have strived so hard to achieve. We need the international community to give timely support to African initiatives.

IGAD, the AU and the international community need to work in a synchronized fashion in order to achieve results. What has been embarked upon in Somalia can only be sustained by the efforts of the entire African continent and the international community working together.

Interview conducted by Sally Healy.

Security and stabilization in Somalia

learning from local approaches

Jeremy Brickhill

From South Africa to Sudan and Burundi to Côte d'Ivoire, negotiations over security arrangements have been critical to successful stabilization and peacebuilding. Although different in each case, the central lesson is the importance of treating security processes seriously and not simply as technical addendums to political agreements.

Hard-won lessons from across Africa show that peace processes must include negotiations on credible security mechanisms if they are to be effective. This is essential to manage and mitigate conflict, and to create a stable environment for post-conflict recovery. Effective security mechanisms are best realized through close attention to the necessary sequencing of security transitions and where possible through negotiation, mediation and consensus building.

Negotiating jointly managed security structures that will de-escalate violence, restore public security and build confidence between belligerents is integral to indigenous Somali peace processes. A starting point for security sector policy in Somalia should be to understand the ways in which Somalis themselves mediate conflict, negotiate ceasefires and manage security.

Over the past two decades, however, international actors have ignored local approaches, applying instead external blueprints for rule of law programmes to strengthen the capacity of the state and establish a monopoly over violence. This article examines what lessons can be learned from Somali approaches to security governance.

Best security practice

The experienced mediator Julian Hottinger has highlighted the importance of getting the approach right: introducing security arrangements into negotiations in a way that will do more good than harm, and that ensures they can be implemented. Unfortunately, as the Abuja negotiations on Darfur illustrate, not all international mediation efforts recognize the strategic significance of security arrangements. Too often they are simply seen as technical mechanisms to secure the political strategy for a peace process. This ignores the reality that security arrangements are critical elements of the overall political strategy and are fundamental to the effectiveness of a peace process.

Hottinger has stated that, in the past, mediators used to think that if violence could be stopped disarmament could be started and society simply brought out of conflict. Today such a strategy is no longer an option as warring parties demand a 'total vision' of their future before they are willing to put down arms: an idea of how their future together will look, which guarantees the survival of each side. Quick fix approaches to security negotiations or a failure to address the totality of security arrangements process are therefore strategies for failure. Yet both of these approaches characterize international mediation efforts in Somalia.

Experience from successful peace processes emphasizes the importance of a negotiated, phased and sequential approach to building security. The first phase involves establishing an effective ceasefire, because a cessation of hostilities is a prerequisite for establishing the political and public space for credible and representative negotiations. A commitment by the warring parties to a ceasefire is a demonstration of a serious intent to negotiate.

A ceasefire itself is a process that involves a series of steps, from a tentative cessation of hostilities through to a more comprehensive, formal ceasefire agreement. Without a serious ceasefire there is little reason to expect a peace process will be sustained.

The second, transitional phase is vital. It involves parties engaging in a series of confidence-building measures, and gradually compromising on their own security perspectives as they move towards joint responsibility for the management of the ceasefire and interim security forces. This helps build confidence between the parties and is a bridge to the third phase.

> A starting point for security sector policy in Somalia should be to understand the ways in which Somalis themselves mediate conflict, negotiate ceasefires and manage security"

The third phase involves negotiating a final 'status of forces' agreement, which is the security component of a comprehensive peace settlement. Without a transitional confidence-building phase, the parties are effectively being asked to sign a ceasefire that leads immediately to a final disposition of military and security capacities, in which the winner takes all. Few belligerents could accept such an arrangement outside of surrender. In most cases failure to invest in the transitional phase leads directly to the collapse of the ceasefire and critically undermines the peace process.

No conflict is the same. Each context requires a different approach so the basic template outlined above must be tailored to the realities on the ground. However, as has been emphasized by the Development Assistance Committee of the Organization for Economic Cooperation and Development (OECD DAC), establishing security – particularly in fragile, conflict or post-conflict situations – requires a clear focus on security governance.

Security governance

There are three basic components of good security governance that need to be addressed: 1) building a set of capable and responsive security institutions that are subject to effective oversight; 2) establishing legitimate security governing principles and norms; and 3) building an effective legal framework.

In circumstances of ongoing insecurity these basic principles of democratic (and legitimate) security governance can often be perceived as a secondary issue by international actors. The focus instead – as in the case of Somalia – is placed almost entirely on the apparent need to simply, and immediately, deliver military and police capacity. As OECD DAC again points out, such an approach is unlikely to be legitimate and therefore will not ensure sustainability in the long run. In this regard, delivering effective security is also about enabling a dialogue on the causes of insecurity, and establishing frameworks for negotiation between factions on appropriate and collaborative mechanisms to restore public safety and order.

Among the many effective local peace processes in Somalia, one particularly illustrative example of how Somali-led processes have incorporated these key elements of good security governance into effective security sector practice stands out. This is to be found in the ceasefire arrangements negotiated by the Bakaaro Market business and community leaders and the insurgents in Mogadishu in 2008.

Recognizing that the externally-funded TFG police and the police commander himself lacked legitimacy, stakeholders in Bakaaro created a new community-based force, including members of the TFG police, to monitor and implement the ceasefire and carry out local policing. Significantly they placed this new police force under the joint control of the parties. In effect they were creating an integrated and more responsive police force and placing it under a more representative, and therefore legitimate, governance mechanism. Such an arrangement could only have emerged through genuine negotiation based on a recognition of the mutual needs and actual realities of establishing effective security by the parties.

Local Somali security strategies

The missing element from a successful negotiated strategy to end conflict in Somalia has been any serious attention to such negotiated security arrangements as described above. Many other examples of effective local Somali strategies for security stabilization and negotiation can be found in Interpeace's *Peace Mapping* study, which is outlined in more detail elsewhere in this publication (*see section 2, p. 45*). The arguments put forward in this paper draw heavily on the lessons of these case studies.

Local Somali processes demonstrate an indigenous demand for security and law and order, and a capacity, in the absence of a state, to control and manage conflict. Ending or de-escalating violence, establishing public security, and instituting a judicial system are clear goals in most local Somali peace processes.

Effective technical mechanisms used in local Somali peace processes include cessation of hostilities (*colaad joojin*); disengagement of forces (*kala rarid / kala fogeyn*) and ceasefires (*xabbad joojin*); the creation of buffer zones and greenlines between warring parties (*baadisooc*); the exchange of prisoners; and the cantonment of militia.

Local peace processes illustrate the rich traditions of mediation, reconciliation and consensus building that exist in Somali society. Consensus decision making is a key principle of Somali peacemaking. As the parties in conflict have the power to reject any settlement that they are not happy with, only decisions reached by consensus carry real authority.

Consequently a common feature of all Somali-led processes is an incremental approach. This mirrors global best practice, with an emphasis on joint and transitional security responsibilities. Local Somali-led processes are also functional and pragmatic, focusing on threat reduction as a means to manage and reduce conflict. And they avoid final status 'winner takes all' agreements.

Security, peace and the state

In Somalia, simplistic assumptions about the relationship between statebuilding and peacebuilding have led international actors to neglect key elements of the latter, notably the challenges of negotiating meaningful transitional security arrangements. Instead, the international community has assumed that the revived state will address these questions.

Bitter experience has made many Somalis both sceptical and fearful of the state. This is exacerbated by attempts to re-establish the state monopoly on force without negotiation or consensus. Moreover by leaping from a preliminary ceasefire straight to direct assistance to re-establish state security capacities, the international community removes from the Somali parties the vital consensus and confidence building stage of joint responsibility and management for security, which lie at the heart of Somali approaches to peacebuilding.

Despite the clear commitment made by Somali participants in the 2004 National Reconciliation Conference in Kenya to establish a government that is transitional and a state that is decentralized, international support for security arrangements in Somalia has in fact been neither transitional nor decentralized. Instead international security assistance to the Transitional Federal Government (TFG) has been explicitly state-centric. This is exemplified by the 'National Security and Stabilization Plan' (NSSP), which was developed after the formation of the TFG in negotiations with international donors.

Without reference to the need for consensus, for the transitional tasks of government, or the decentralized federated polity established by the Transitional Charter, the NSSP simply established a range of top down national security structures, including a National Security Council appointed by the president. Such an approach establishes a 'winner takes all' situation in which the opposition equates disarmament to surrender. When the opposition fails to disarm, the 'winner' – ie the internationally recognized president and government – can only respond in one way: through the use of force, as former President Abdullahi Yusuf unsuccessfully attempted to do.

Ways forward

For Abdullahi Yusuf's successor, President Sheikh Sharif Sheikh Ahmed, there was an opportunity to recast the mould and embrace a consensus-based, decentralized and incremental approach to security arrangements. And for the international community there was an opportunity to re-think the strategy that equates statebuilding with peacebuilding.

Some efforts were made in this regard. In early 2008 a team of international security sector experts made a series of recommendations to the International Contract Group on Somalia, on security governance. These involved 1) ensuring that security arrangements were integrated into negotiations to discussions aimed at developing a political consensus; 2) emphasizing national rather than government ownership of the security sector and a decentralized approach; and 3) situating stabilization and the security sector within a transitional context and adopting a phased approach; and 4) building legitimacy based on the rule of law.

Elements of this approach were incorporated into the Joint Security Committee (JSC) established in 2008 during the political dialogue between the Somali TFG and opposition in Djibouti. The JSC was a collaboration between the TFG and the Alliance for the Restoration of Somalia (ARS), supported by international partners to coordinate efforts in support of national security sector institutions. The JSC called for the creation of a range of transitional joint security structures and processes in which all armed groups and Somali communities could join structures to develop peace and reconciliation in Somalia.

The spreading insurgency over much of south central Somalia during 2009 – a consequence, in part, of recent international security strategies in Somalia – has been seized upon by those policymakers reluctant to rethink the approach to security sector governance as a justification for the use of force to build and defend the state. Consequently, while valid, many of the recommendations of the JSC and the international security experts remain unimplemented.

Repeated failures in internationally-sponsored peace and security strategies in Somalia suggest that it is time for a change. The convergence of local Somali-led experiences of managing security and international best practice point to a way forward that could bear fruit.

Jeremy Brickhill is a Zimbabwean who has worked on security transitions in many African countries, including as a Senior Advisor for Security Sector Planning in Somalia.

An African solution to Somalia?

a conversation with Nicolas Bwakira

HE Nicolas Bwakira is Special Representative of the Chairperson of the African Union Commission for Somalia

What is the overarching strategy of the African Union (AU) for supporting peace in Somalia?

Our strategy originates from the need to implement our mandate from the AU Peace and Security Council (PSC), which is backed up by UN Security Council (UNSC) resolutions to support peace in Somalia.

The legitimacy of the Transitional Federal Government (TFG) is challenged by many Somalis. How can the AU and the AU Mission in Somalia (AMISOM) help to strengthen links between the TFG and the Somali people?

The link has to be the Djibouti process. And this is why AMISOM continues to stress the importance of the Djibouti process to all Somalis. We have also placed emphasis on encouraging the TFG to bring on board those outside the Djibouti process. Recently, AMISOM played a critical role in encouraging the Somali Islamist group *Ahlu Sunna Wal Jama'a* to accept the TFG's legitimacy within the context of the Djibouti process. And it continues to encourage the various stakeholders to support the government in its reconciliation efforts.

A primary objective of AMISOM is to 'work with all stakeholders to support dialogue and reconciliation in Somalia'. How is it trying to achieve this?

AMISOM is in constant dialogue with all stakeholders at all levels of Somali society. We do this through political outreach both in Mogadishu and in Nairobi where there is a large Somali community.

AMISOM is not currently mandated to protect civilians. How should it be trying to uphold the human security of ordinary Somalis?

As a subsidiary organ of the AU Commission (AUC), AMISOM is bound by the AU Constitutive Act of July 2000, which sets among its objectives the protection of African civilians, including Somalis. AMISOM's ethos is also consistent with the AU's principle of 'non-indifference'. When able to, our forces have continued to provide human security for ordinary Somalis.

AMISOM is still a long way short of full capacity. What does this say about the commitment of AU member states and of the AU's international partners?

There can be no question of the commitment of AU member states in seeing a lasting peace in Somalia. The PSC communiqué in July 2009 is a strong expression of member states' will to contribute to the force generation needed for AMISOM. As of today, countries such as Djibouti, Malawi and Nigeria to name a few have pledged to contribute forces. With regard to the international community, the pledges made at the 2009 Brussels Conference are a testament to their commitment to both AMISOM and Somalia.

How have regional political dynamics impacted on the AU's activities in Somalia, in particular the role of Eritrea and Ethiopia, and the AU's relationship with International Governmental Authority on Development?

There is a general acceptance that the issue of Somalia must be solved politically. Regional organizations such as IGAD

> We are currently denying insurgents a support base by working with local communities and focusing on building a strong national force"



Nicolas Bwakira, the African Union envoy to Somalia, addresses a media briefing in Kenya's capital Nairobi © Reuters/Thomas Mukoya

continue to complement the AU's lead role in Somalia. Both organizations are also actively and constructively engaging frontline states to ensure they both put the interest of Somalia first.

Given its capacity constraints, how can AMISOM respond to the threat posed by Al Shabaab?

AMISOM is currently working with all stakeholders in Somalia. Our aim is to use these stakeholders to reach out to insurgents to embrace dialogue and reconciliation. AMISOM is also using its wide support among the Somali population to draw support from insurgents to join the peace process. We are currently denying insurgents a support base by working with local communities and focusing on building a strong national force.

Increasing attention is being paid to local Somali peacemaking efforts. Is this something that the AU is interested in supporting? How?

The AU will continue to welcome and support any local initiative that is aimed at bringing a lasting peace to Somalia. It is within this context too that AMISOM regularly meets local leaders to discuss peace initiatives.

How will the AU's peace and security relationship with the UN develop in the future, in Somalia and more broadly?

The current crisis in Somalia has proven that both the AU and the UN can work in partnership successfully to address effectively conflicts in Africa. The AMISOM model in Somalia has the capacity to strengthen the working relationship with the UN in other ongoing regional conflicts.

What do AMISOM's experiences to date say about the development of the AU's peace and security capability in the longer term?

First, it is a strong statement that there should be no doubt about the AU's commitment to peace and security in Africa. That said, Somalia remains a challenge and AMISOM is able and capable of delivering a lasting peace to Somalia. AMISOM's Somalia model has also proven to ordinary Africans that future conflicts will be primarily resolved within an African context.

How should the AU work with Somalis and with the international community to build peace in Somalia in the future?

AMISOM and the international community must continue to build upon the Djibouti process, by encouraging dialogue and reconciliation in Somalia as a prerequisite to a lasting peace.

Interview conducted by Alexander Ramsbotham.

Somali peace agreements

fuelling factionalism

Warsan Cismaan Saalax and Abdulaziz Ali Ibrahim 'Xildhiban'

Over the past 19 years Somalis have held many peace and reconciliation conferences and concluded many peace agreements, some between a few individuals and others between larger political alliances.

The majority of these agreements have not been implemented and many were barely worth the paper they were written on. At each successive reconciliation conference the number of factions taking part has increased, but all have failed to deliver peace in Somalia.

This article extends the discussion of multiple peace agreements that have been brokered since 1991 to establish a new national government in Somalia. It is written from a Somali standpoint, reflecting on why so many agreements have failed to deliver results.

Conferences, clans and factionalism

The clan system defines Somali social relationships and politics. But it has interacted with the structure of internationally-led Somali peace conferences in such a way as to promote factionalism.

Conflict in Somalia is characterized by complex and competing personal and clan interests. Reconciliation conferences have failed to address real grievances and have instead been vehicles for furthering these interests. As the number of factions grew in the 1990s, convening a new conference became a goal in itself, rather than consolidating what had already been agreed upon.

Anyone who has become a prominent leader through a reconciliation conference is seen first and foremost as a representative of his clan. Some have created a faction simply to generate support, thereby increasing the number of participants and prolonging negotiations. Others have participated with the sole aim of blocking the ambitions of a rival. Unfortunately, clan solidarity can be invoked by individuals to gain access to political power for private gain.

Despite an ever-expanding cast of participants, no reconciliation conference has achieved a lasting settlement. The late Mogadishu warlord General Mohamed Farah Aideed first coined the expression *'looma dhamma'* – 'not inclusive'. This phrase has been used time and again to dismiss peace agreements and justify a continuation of conflict, although it often means little more than the absence of certain individuals from the negotiating table.

Early reconciliation meetings

The first two international reconciliation meetings aimed at re-establishing a Somali government took place in Djibouti in June and July 1991. Six organizations participated, all representing a clan or sub-clan constituency. But in reality the clan served as an instrument to further ambitions of individuals, most of whom had held influential government positions in the past and were competing for similar ranks in a possible new administration.

An agreement was signed endorsing Ali Mahdi as president. This deal was immediately rejected by General Aideed, who was from a different Hawiye sub-clan to that of Ali Mahdi and was contesting Mahdi's leadership of the United Somali Congress (USC). As result a bloody civil war in Mogadishu and the south ensued.

The second major national reconciliation meeting was organized by the United Nations (UN) in Addis Ababa in March 1993. This time there were 15 parties to accommodate. Some were new clan organizations, including some minorities that had not been present at Djibouti, but many of the new factions were splinter groups aligned with either Ali Mahdi or Aideed.

The Somali National Movement (SNM) was invited but did not participate. Only three parties had remained intact since the Djibouti meeting. A process to form a new government was agreed but never implemented. By this time the faction leaders were popularly referred to as 'warlords'.

The UN held another meeting in Nairobi in March 1994. The number of attendees had again increased, but all belonged to one of two alliances, Aideed's Somali National Alliance (SNA)

and Ali Mahdi's Somali Salvation Alliance (SSA). Divided factions carried the name of which grouping they were allied to, eg the USC/SSA and USC/SNA, the Somali Patriotic Movement (SPM)/SSA or SPM/SNA.

In October 1996 Kenyan President Daniel Arap Moi hosted the three main Mogadishu leaders, Ali Mahdi, Osman Atto and Hussein Aideed (who had succeeded his father as SNA leader after the latter's death) along with other members of the SSA. Despite agreeing a nine-point peace deal, the initiative failed to resolve anything and the proliferation of parties continued.

The international community was unable to engage fresh leaders or persuade the factions to be represented by unified bodies. New breakaway factions of existing groups were always allowed to attend.

Some twenty-seven signatories were party to the third major reconciliation conference organized in Sodere, Ethiopia, from November 1996 to January 1997, even though Hussein Aideed and four factions allied to him had refused to attend.

A fourth reconciliation meeting in Cairo in late 1997 saw 28 signatories to the ensuing agreement, including both Ali Mahdi and Aideed. But this time faction leaders closer to Ethiopia such as Abdullahi Yussuf withdrew from the talks, which they saw as hostile to the Ethiopian-backed Sodere process and also too close to some members of Al Itihad – an Islamist militant group engaged in armed confrontations with Puntland and Ethiopia.

From Arta to a federal charter

The next national peace conference was held in Arta, Djibouti and marked a new phase in Somali reconciliation. Endorsed by neighbouring countries as a regional initiative of the Inter-Governmental Authority on Development (IGAD), talks took place over five months, culminating in August 2000 with the Arta Declaration and the formation of the Transitional National Government (TNG) led by Abdulqasim Salad Hassan.

In contrast to previous reconciliation meetings, the Arta conference included extensive participation by unarmed civic leaders – intellectuals, clan and religious leaders and members of the business community. A few of the less powerful warlords took part, but the more notorious Mogadishu warlords did not, and nor did Abdullahi Yusuf who objected to the lack of a federal structure.

Nevertheless the TNG was the first Somali government since 1991 to secure a measure of international recognition, enabling Somalia to reoccupy its seat at the UN and in regional bodies. But the international community failed to provide substantive assistance to the TNG, in part due to Ethiopia's support for Abdullahi Yusuf.

Abdullahi Yusuf met with 17 other Somali political groups and alliances in Awasa, Ethiopia, in March 2001 where the Somalia Reconciliation and Restoration Council (SRRC) was formed to oppose the Arta process and the TNG, and to promote the formation of a federal Somali state.

In an effort to reconcile the TNG with its SRRC adversaries, IGAD launched a fresh national reconciliation process before the TNG mandate had ended. This process eventually developed into a sixth major Somali reconciliation meeting, the Somali National Reconciliation Conference, held in Eldoret, Kenya, in October 2002. It produced a ceasefire agreement signed by 24 faction leaders stipulating the need to create a federal structure, reversing the unitary structure established at Arta.

Signatories included representatives of the TNG, a strong cohort of the SRRC, several of Somalia's most powerful warlords and various leaders linked to the factions that had appeared in earlier meetings. The process engaged 300 delegates in lengthy deliberations over two years. This led to an agreement on a Transitional Federal Charter and the selection of 275 members of parliament, who in turn elected Abdullahi Yusuf as President of the TFG in October 2004.

Both Arta and the federal charter employed the '4.5' power-sharing formula dividing Somali clans into four major ones and condensing all others into the remaining '0.5'. The formula masked the lack of support from the administrations in Somaliland and Puntland. Individuals from the predominant clans of these regions took part in the peace talks but were limited by their inability to represent their own regions on the basis of the 4.5 formula.

Looking back

The multiple Somali peace and reconciliation processes have produced many agreements but have never sufficiently addressed the real grievances that exist among Somali individuals and clans. At each round of talks and conferences the factions and international community members repeated the same mistakes made in previous processes and agreements.

It seems that Somalis look back on these processes only to regret, not to learn lessons, which is why the outcomes have rarely changed and the political balance has stayed the same.

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Political representation in Somalia

citizenship, clanism and territoriality

Markus V. Hoehne

Representation is a complex issue in Somali society, which has been devastated by several decades of civil war causing distrust between people and disillusion with the 'state'.

More than a million Somalis live outside Somalia, either in refugee camps or in the diaspora, near and far. The war has also led to social fragmentation along lines that previously have been either suppressed or not recognized, and so in addition to issues of lineage and territory, Somalis define their status in terms of 'race', minority, political and religious orientation, generation and gender.

Over the last two decades political representation and participation in externally-supported peace talks in Somalia has been based on a mixture of clan, military and financial power. This has often strengthened the prestige of warlords and political elites from the diaspora. Such actors often lack interest in peace or broad based legitimacy in Somalia in the long term.

The engagement of traditional authorities in externally-sponsored peace negotiations at the national level, designed to imbue these talks and their results with popular legitimacy, has backfired. It has interfered with the flexibility inherent in relations of traditional authority. By siding with one or other party, international involvement has diminished the legitimacy of elders and clan-leaders in the eyes of their local constituencies.

Inclusiveness is a persistent problem. Although women's and minority groups' formal participation in politics has increased in recent peace processes, recognition of their influence and capabilities has changed little and they are still largely regarded as marginal political actors, both by Somalis and internationally.

Belonging and citizenship

Before the outbreak of the civil war in the late 1980s Somalis were commonly perceived as a homogenous 'nation'. Building a perception of cultural integrity served the interests of nationalist and post-colonial elites who were striving to overcome centrifugal forces of clanism.

The military regime of Siyad Barre took this further by elevating loyalty to the state above the clan. Yet behind the nationalist facade clientism and nepotism continued. In their struggle for power successive Somali governments as well as factions in the civil war have used notions of clan loyalty to mobilize support and to foment divisions among their adversaries.

In the Somali Republic of 1960-91 citizenship was primarily based on patrilineal descent. Article 1 of the Somali citizenship law of 1962 grants citizenship to any person whose father is Somali. Somalis who live abroad and renounce any other citizenship are also included, with a Somali defined as any person who by origin, language and tradition belongs to the Somali nation (article 3).

Somali citizenship broadly derives from the concept of *u dhashay* (born to a family/group/clan/nation). This ancestral understanding of citizenship stresses the blood relationship of all Somalis, who claim descent from a common forefather (*Hiil*). At the sub-national level, different Somali communities – pastoral nomadic, agro-nomadic or urban – have different perceptions of belonging relative to their respective needs.

The descent model of citizenship exists in its purest form among pastoral nomadic clans. It allows for flexible alliances, but also for divisions and individual freedom. This suits pastoral nomads who have to act quickly and often individually in pursuit of pasture and water for their herds. For raiding or in defence, groups of relatives unite.

Among agro-pastoralists in southern and central Somalia territoriality is more important. They depend on land and cooperation for survival. A notion of *ku dhashay* (born in a land or a place) is significant here. Strangers are easily adopted. Descent is referred to only for defining social identity at the highest level and strengthening collective security.

In contrast urban communities are characterized by the confederation of different lineages integrated in a centralized political structure based on a complex system of domination, alliance formation and resource exploitation. Religious authorities and leaders have a strong influence. In both the agro-pastoral and the urban models, hierarchy and locality are comparatively more important than in the more 'egalitarian' pastoral nomadic model.

In the Somaliland Citizenship Law of 2002, patrilineal descent was reaffirmed as the basis of citizenship. At the same time clan 'cleansing' during the civil war and massive urbanization since 1991 has strengthened notions of territoriality and 'belonging to a place' throughout the region. Many members of the diaspora have developed a transnational understanding of belonging, and are simultaneously engaged in their country of residence and the homeland.

'Getting used' to a new environment is described by the Somali term *ku dhaqmay*. In the past, this represented a nationalist viewpoint, when particularly under Siyad Barre's regime members of the administration and the security forces were rotated throughout the country. Today it captures the internal and international migration experiences of many Somalis.

Complexities of representation

The internationally-sponsored national reconciliation conferences in Arta, Djibouti (2000), and Mbagathi, Kenya (2002-04), illustrate the complexities and challenges of organizing representation in Somali peace talks.

The Arta conference was conceived as different to previous processes. Warlords were largely excluded from the talks, which were said to be 'owned' by civil society. Religious groups, particularly the 'moderate' Al Islah movement, exercised great influence. No official representatives of Somaliland and Puntland attended the meeting because both administrations demanded recognition as territorial entities before agreeing to participate.

Importantly a mechanism was agreed for allocating parliamentary seats proportionately by clan – the '4.5 formula'. In the 245-seat parliament, 49 seats were assigned to each of the four biggest clan-families (Dir, Darood, Hawiye and Rahanweyn). Some 29 seats were allocated to 'minority groups' (which is roughly half of the number of seats assigned to the majority clan-families, ie '.5'), with 25 seats (about ten per cent) reserved for women. The share of women's seats includes five from the minority groups, thus the total number of seats adds up to 245.

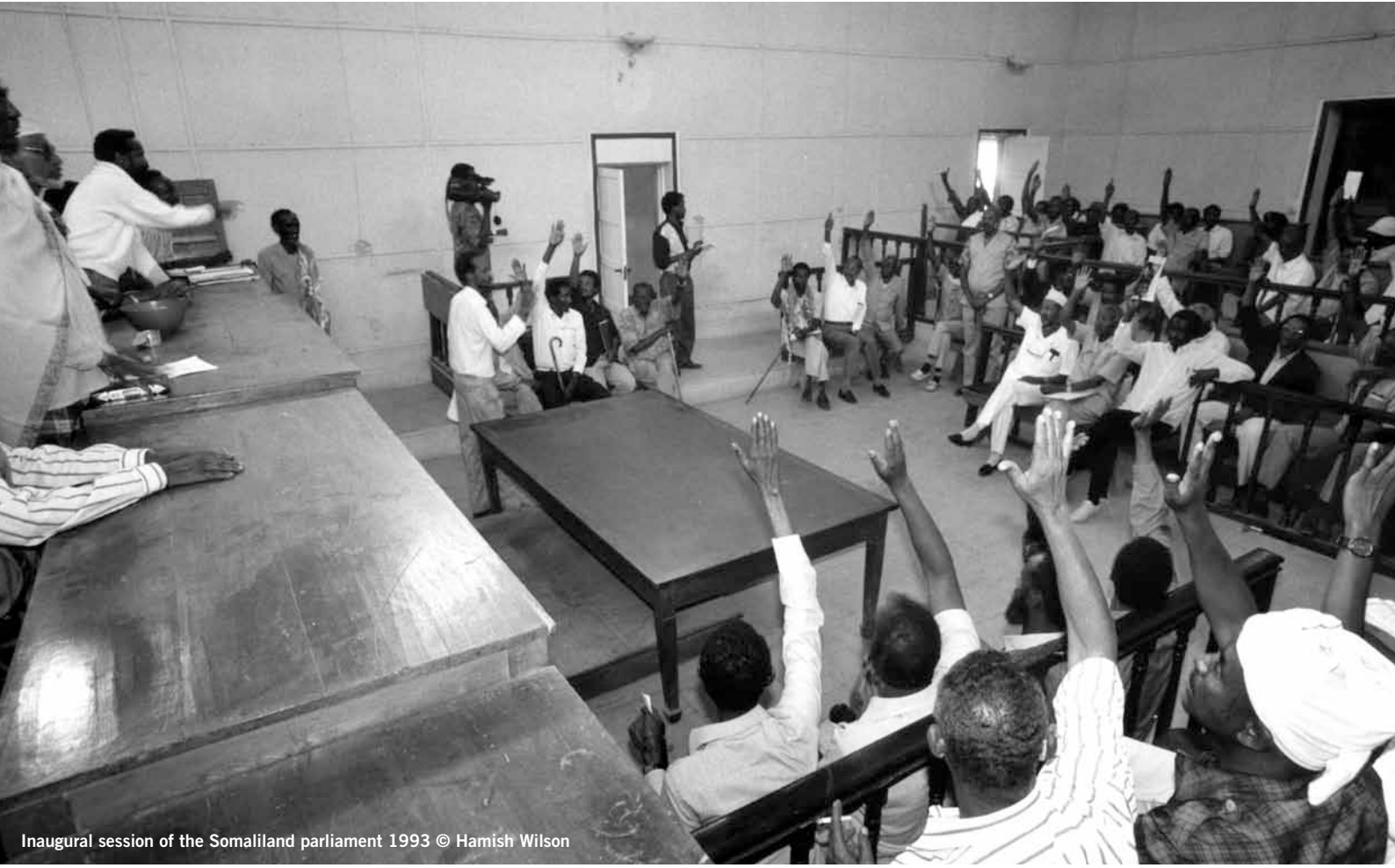
The conference produced the Transitional National Government (TNG). However, the TNG only enjoyed limited legitimacy in Somalia. Besides being rejected by the warlords, who immediately mobilized resistance against it, and by Somaliland and Puntland, the fact that the TNG largely comprised elites from the diaspora and former employees of Siyad Barre reduced its credibility inside Somalia.

As the TNG foundered a renewed attempt to establish a representative and effective transitional government was undertaken in Kenya. This time the warlords were invited as main actors, following the logic that those who control the violence have to be brought on board in order to achieve peace.

The Eldorat meeting agreed on a federal structure of government: the Transitional Federal Government (TFG). But in the absence of existing federal entities in Somalia, the 4.5 formula was again used to allocate seats for MPs and cabinet ministers. The parliament comprised now of 275 seats, 33 (12 per cent) of which were assigned to women.

In October 2004 the former Puntland leader Abdullahi Yusuf was elected President of the new TFG. The legitimacy of his selection was questionable, however. It was the job of MPs to elect the president. But although traditional authorities were officially meant to be involved in the nominating MPs, this process was hijacked by the faction leaders.

Both Somaliland and influential Islamist groups in Mogadishu rejected the TFG. The new government was also fragmented along clan and other lines and was soon confronted by the Islamic Courts Union (ICU). The ICU defeated a US-backed warlord alliance in Mogadishu in the first half of 2006. It then made quick progress, establishing control over much of southern and central Somalia and challenging the TFG sitting in the town of Baidoa. The success of the Islamist forces reflected



Inaugural session of the Somaliland parliament 1993 © Hamish Wilson

the lack of legitimacy and political power of the TFG, which ultimately only survived following massive Ethiopian military intervention in December 2006.

The ICU has been the only authority that has enjoyed even a reasonable amount of local legitimacy in southern Somalia since 1991. However it was perceived as a threat by most neighbouring countries and by the West. Its removal by Ethiopian military forces dramatically illustrated the gap between internal and external conceptions of representation and peacebuilding in Somalia and marked the beginning of two years of violence in which clan and Islamist militias fought the TFG and its Ethiopian ally.

The increasing influence of political Islam (particularly *Wahhabism* and *Salafism*) has added another dimension to the complex dynamics of representation in Somalia. For Islamists, patrilineal descent is subordinate to belonging to the community of Muslims (*Ummah*). Islamism also impacts on the issue of gender. Women were officially integrated at the conferences in Djibouti and Kenya, although in the end they did not receive all the seats allocated to them officially. But there are fears that an Islamist government might exclude women from politics altogether.

Multiple affiliations: the Dhulbahante clan in the Sool region

The situation in Sool region in northern Somalia demonstrates competing Somali models of belonging, based variously on lineage, territoriality and religious orientation.

Sool region is predominantly inhabited by members of the Dhulbahante clan, part of the Harti clan federation, itself a subset of the larger Darood clan-family. Together with the Isaaq, Warsengeli and Gadabursi clans, the Dhulbahante were part of the British Protectorate of Somaliland in northwestern Somalia until 1960.

The Isaaq are the majority population in the northwest. Historically many Isaaq were allied to the British protectorate, while most Dhulbahante supported the anti-colonial Dervish uprising between 1899 and 1920. During the civil war between the government of Siyad Barre (1969-91) and the Somali National Movement (SNM), the Dhulbahante and the Isaaq stood on opposite sides. While the SNM was predominantly an Isaaq movement, the Dhulbahante generally supported the government.

The SNM took over most of northwestern Somalia in early 1991 and proposed peace negotiations to all other clans in the region. To avoid further fighting Dhulbahante representatives

– comprising traditional authorities together with some intellectuals, military figures and politicians – acceded to the majority Isaaq wish to secede from a collapsing Somalia.

By territory the Dhulbahante became part of Somaliland, which claims the borders of the former British Protectorate. Since then a small number of Dhulbahante have cooperated with the Somaliland government, either in the capital city of Hargeisa or in the Sool region. However the majority of the clan never agreed to secession and over the years many Dhulbahante have felt marginalized by Hargeisa and have distanced themselves politically from Somaliland.

Dhulbahante dissenters found a new political home in the Puntland State of Somalia, which was established in the northeast of the country in 1998. Founded as 'Harti-state', Puntland brought together all clans descending from Harti (ie Majeerteen, Dhulbahante, Warsangeeli) and a few other Darood clans in the region. Many members of the Dhulbahante actively supported the presidency of Abdullahi Yusuf, the first president of Puntland (1998-2004) and for this were allocated the position of the vice president in the Puntland polity.

The government of Puntland, based in Garowe, aims to re-build a strong and united Somalia within the 1990 state borders. It does not recognize the independence of Somaliland and actively undermines its regional neighbour's territorial ambitions, claiming Sool and other Harti-inhabited regions of Somaliland. Between 2002 and 2007 Somaliland and Puntland forces clashed several times in the contested boundary areas, although these skirmishes were short lived.

By manoeuvring between Somaliland and Puntland, many Dhulbahante elites, such as traditional authorities and political and military leaders, have lost credibility in the eyes of their own people. The traditional authorities of the clan especially are increasingly perceived as 'politicians', a derogatory reference implying that they follow their own self-interests rather than doing what is best for the community.

Everyday life for local people in the Sool borderlands involves a struggle for survival, torn by conflicting affiliations with neighbouring political centres in Hargeisa and Garowe. Members of these borderland communities hold administrative and military office in Somaliland and Puntland. In certain places in Sool region there are two administrations with two police and two military forces, staffed with Dhulbahante and salaried either by Hargeysa or Garowe. Additionally, Dhulbahante managed to get high ranking positions in the TNG, and later in the TFG. In the early 1990s they were also prominently represented in the militant religious movement Al Itihad Al Islamiya that fought for the establishment of an Islamic state in Somalia.

Having multiple affiliations has brought some costs for the Dhulbahante. While they play delicate political roles in Somaliland and Puntland, they are also marginalized by both administrations. They are perceived as strategic allies, but hardly ever fully embraced. Also, Sool region does not attract many resources from the political centres and due to the ongoing conflict between Somaliland and Puntland, it is seen as unstable by the international community. Almost no international aid reaches the region, despite its enormous needs.

Representation and accountability

Representation in Somalia is characterized by multiple affiliations, shifting alliances and transferable identities based on nation, clan and religion. Somali representatives in peace processes commonly wear several 'hats', transferring affiliation as appropriate to whichever role suits their personal interests or those of their patrons. Efforts to reduce this complexity to simplistic blueprints such as the 4.5 formula or standardized concepts of federalism have so far proved ineffective.

The cases of Somaliland and Puntland suggest that building a representative government can begin by bringing together clan delegates, guerrilla commanders, intellectuals and women's groups. And the increasingly influential religious leaders should be added to this list. Generally, representation can only be effective if it is bound tightly to the local context, and if representatives of groups are genuinely accountable to their constituencies at home, to face queries and possibly even sanctions.

Somali 'national' peacemaking processes, such as the conferences in Arta and Mbagathi, have not been able to match the level of representation reached in processes in either Puntland or Somaliland. Many delegates at national reconciliation conferences are from the diaspora, who fly in to meetings held outside of Somalia, frequently get 'per diems' from international donors, and can simply return abroad if things do not 'work out' back home.

Representativeness cannot be created from outside. It has to come from within and to be accountable to those who supposedly are being represented: ordinary Somalis.

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Getting engaged?

the United Nations and Somalia

a conversation with Charles Petrie

Charles Petrie is UN Deputy Special Representative of the Secretary-General for Somalia

Tell us about your personal association with Somalia

I first came to Somalia in 1992 to join the UN Operation in Somalia (UNOSOM I), the mission headed by Ambassador Mohamed Sahnoun, at the time the UN Special Representative of the Secretary-General (SRSG).

I arrived in August before the deployment of UNITAF [the US-led United Task Force that preceded the second UN peacekeeping mission, UNOSOM II] in December 1992. In fact, I had to prepare the groundwork and negotiate the arrival of UNITAF forces in Kismayo in the south of the country, and I discussed their deployment with the local warlords.

After that I became part of the second UN peacekeeping operation (UNOSOM II), which unfortunately became embroiled in conflict with General Farah Aideed at the end of 1993. At that time I headed the Crisis Action Group under US Admiral Jonathan Howe, the new SRSG.

I left Somalia in April 1994. We knew that the mission had failed. Before leaving Somalia I wrote a paper for Secretary-General Boutros Boutros-Ghali entitled *The Death of a Noble Call*, arguing that the UN was mistaken in thinking that the Somalis had turned against them. Rather, through its actions the UN had been seen as having taken sides in the clan conflict. By supporting Somali groups against Aideed's Habr Gedir clan in Mogadishu the UN had become what I called 'the 15th clan'.

Immediately after Somalia I was instructed to take up a post as the UN Deputy Humanitarian Coordinator in Rwanda. I went with great reluctance. It was April 1994, just as the genocide began. I saw the price that was paid for failure in Somalia. I still believe it was Rwanda that paid the biggest price.

What drew you back to Somalia?

There were two main factors. One was the encouragement I received from Ambassador Ahmedou Ould Abdallah, the current SRSG who took up office in September 2007. I knew him from Burundi during the genocide in Rwanda. He is a man of extraordinary courage who had been instrumental in containing violence in Burundi.

By now I had also worked in UN missions in Gaza and Afghanistan where I had seen the challenges and the potential, as well as the missed opportunities, of working with Islamic groups. I see working with different groups and ideologies as one the greatest challenges facing the UN. I felt I could help to contribute to finding common ground.

When you returned to Somalia, in what ways had the situation changed?

What was clear when I returned in November 2008 was that no solution had emerged in the previous 19 years. But there have been some significant changes. The political landscape has become more complicated, no longer just defined by the clans and warlords who were familiar from the past. There are new actors such as religious groups to take into account. The diaspora too is now a political entity. Also a great many intellectuals and prospective leaders have left because of the violence.

In the 1990s Somalia was seen as an international responsibility. But after 19 years of conflict we now have to confront the inability of the Somali leadership to deal with the violence. Now we are all equal in blame that has to be shared between us. Somalis cannot blame the international community. We are all responsible for this problem. A solution has to be found.



Charles Petrie, Abdirahman Raghe (Interpeace), the Hon. Wafula Wamunyinyi (Dept. Head, AMISOM), and Jeremy Brickhill at Accord workshop Nairobi, June 2009. © CR/Cynthia Petrigh

How would you characterize or contrast the role of the UN during UNOSOM and the role that it is playing now?

The differences are fundamental. UNOSOM was an exceptional mission, a real UN engagement and the first post Cold War UN intervention. However much one can criticize UNOSOM, it was driven by a very genuine desire to solve the problems and help the people of Somalia.

The UN approach is different now. We learnt the lessons of failure. There is not the same steamroller effect. The Somalis themselves will have to lead this and define how the international community should engage. The Somalis need to regain the confidence that something can be done.

The international atmospherics and political dynamics are also different today. It is true that international attention is focused on Somalia again, but partly for negative reasons – the fear of pirates, the threat from terrorists. This presents us with an opportunity.

The negative attention has to be captured and transformed into a positive interest in solving Somalia's problems. International security interests are there and they need to be channelled in positive ways that will allow Somalia to emerge from the violence. If this fails, the most likely result will be a negative policy of containment of Somalia.

Compared to the 1990s, how has the nature of UN interventions changed? What are the implications of this for Somalia?

The UN has gained enormously in its experience of intervention. One could argue that the UN's impact in Somalia is much more incisive. There is also a growing relationship with regional bodies. The relationship between the UN and the African Union (AU) is new. The concept of a UN supported regional force, as we have in the AU Mission in Somalia (AMISOM) is an interesting and innovative new construct. We are seeing the beginning of a more equal partnership with regional bodies.

Another change from the 1990s is that the Security Council seems rather more hesitant about getting involved. It needs to be drawn in more actively. But there are real opportunities to be seized.

What is the single most important lesson that the UN can take from its engagement in Somalia over the past 18 years?

The most important lesson is that the process of recovery must be led by Somalis themselves. What is needed remains the same: a governance entity that can rebuild the country. It is the UN's role to build the capacity of such an entity. In order to realize the potential that is out there we need to establish confidence between Somalia and the international community. We could do with a more sustained level of international interest. That way the resources needed to build that capacity will be found.

What are the peacekeepers doing in Somalia?

The approach being followed is for the forces to secure the ports and airports to facilitate access for goods and humanitarian assistance to the country. Second, to provide security to institutions of the Transitional Federal Government (TFG), giving them time and space to get established. Third, to help build security forces. This is the approach that is being pursued.

What is the UN doing to support AMISOM?

It is being assisted exactly as if AMISOM were a UN peacekeeping operation. Funding is from assessed contributions. The amount allocated for the first nine months of 2009 is more than $200 million.

We have established a dedicated support office for AMISOM and we are providing direct logistical support to the mission for housing and such like. The UN is trying to facilitate and encourage additional bilateral capacity and is helping to build the capacity of the police and security forces.

How do you see the role of international peace support operations in a situation of live conflict – as we see now in Mogadishu?

The international military intervention is there to provide safe space and time for the government so that it can start to assert itself and start to govern. The international role is also to encourage the government to continue its efforts at outreach.

This is a fast moving situation. Do you think that the peacekeeping mandates approved by the UNSC have kept pace with events? Are they appropriate?

AMISOM is operating under a Chapter VII mandate. This is a very broad mandate and suitable for the mission. Their rules of engagement are under constant review by the AU.

I would argue that AMISOM has done well overall. AMISOM peacekeepers have managed to avoid falling into the lethal 'UNOSOM trap' of becoming a belligerent. They have taken casualties and at times they have needed to take a robust stance, for example during fighting with Islamist insurgents in July 2009.

Unfortunately there have been civilian casualties. But AMSIOM is working in a very imperfect setting. Given the horrors that have been unleashed it has exercised considerable restraint in the face of violence.

Do you see the Djibouti process as complete or do you envisage any further UN role in mediation?

What we want to avoid at all costs is a new process or another conference. We are mid-way through a transition and we are pushing the government, the Somalis themselves, to bring it to a successful conclusion by reaching out to make it more inclusive.

The UN role, especially that of the SRSG, is to facilitate, not to lead. We encourage the Somalis themselves to mediate and we want them to commit to a strategy of outreach. Groups that are outside the process need to be brought in, but we want them to engage in the transition, not to attempt to re-define it. The ultimate opportunity should come at the end of the transition and will provide the political moment for everyone to participate.

What are your views on entities such as Puntland and Somaliland that have remained outside the formal structures of the TFG?

This is the next dimension of the Djibouti process. The challenge that Puntland and Somaliland represent are very different and the approach to each one should be different. But steps need to be taken to enable them to feel comfortable with the transition process and to search for common ground. This requires outreach and discussion. But the process established at Djibouti is open enough to allow others to join in and flexible enough to be enlarged so that others can participate.

Do you see any prospect of helping to bring Al Shabaab or Hisbal Islamiya into a negotiation?

The principle is that anybody who is willing to negotiate or discuss their differences would be facilitated by the UN. Anyone willing to look for solutions and engage in peaceful dialogue about fundamental differences should be able to take part. The UN is willing to facilitate.

Can the UN engage with Islamic groups in Somalia?

It is a case of seizing the opportunities that present themselves. From my work in Gaza and Afghanistan I know how perceived differences between Islam and the West can affect attempts to provide essential assistance to those in need. It raises doubts and suspicions about what the international community is trying to achieve with its humanitarian assistance.

These problems are mainly in the political sphere and are highlighted, for example, in the work of the UN Security Council. But the UN is not only about the Security Council and politics. The principles embodied in the UN Charter and the work of the agencies concern all populations.

Common ground exists on situations of suffering where the UN and Islamic groups can work together and do work together in Somalia, and have reached understandings on humanitarian need. It is this kind of cooperation that must be fostered and encouraged.

We have heard a lot about the international responsibility to protect. How do you see this being realized in Somalia today?

The responsibility to protect (R2P) is groundbreaking in terms of statuting. It brings another dimension to tackling conflict, recognizing warring parties as accountable entities who have responsibilities that they are required to honour. R2P is not just about enforcement and intervention. It has another dimension that involves trying to get all groups to understand their responsibilities. The UN, especially the UN Human Rights office, is seeking ways to create mechanisms through which those responsibilities would be honoured by all parties.

What is the single most important thing that the international community should do to help Somalia move out of the current crisis?

The international community must get off the fence and engage. We are mid-transition. This is a Somali process that needs active international support to develop a capacity to govern and build in a sense of responsibility and accountability. The international community has other distractions and is afraid of history. It should not wait, but engage and support the transition now.

Interview conducted by Sally Healy.

Private sector peacemaking

business and reconstruction in Somalia

Lee Cassanelli

Economic factors underlie much of the recent conflict in Somalia. Rival factions continually struggle to control land, natural resources and ports of trade which generate revenue.

Before its collapse in 1990-91, the Siyad Barre regime had used a combination of socialist-style legislation, international military and relief assistance, and political nepotism in an effort to capture the country's major economic assets and concentrate economic power at the centre.

After 1991 victorious factions competed to take control of urban and rural assets that had enriched the supporters of the old regime. In the south an array of armed militias drawing heavily on recruits from the pastoral clans of central Somalia occupied the homes and shops of town residents, seized key ports and airstrips, and imposed tributary regimes over many of the productive farming districts along and between the Shabelle and Juba rivers.

In Somaliland and Puntland, in contrast, locally based militias recaptured economic assets in their regions and established autonomous governments, which had to develop their own local sources of revenue.

Since the collapse of the state, the quest for economic security – and power – has taken place at local and regional levels. Throughout Somalia countless actors seek access to whatever sources of local revenue are available. Everything has a strong economic component, from the imposition of roadblocks along strategic transport routes, to pirate operations off the northeast coast, and efforts by competing 'religious' movements (including Al Shabaab) to seize control of village courts and local police forces.

Despite what is clearly a locally oriented, economically driven quest for security by Somalia's citizens, international efforts to bring stability to the country have focused on political institutions. National peace conferences have had as their goal the restoration of a functioning central government, on the assumption that effective national governance is a prerequisite for economic recovery.

These efforts have viewed Somalis primarily as political actors who need to be reconciled around the 'governmental table'. Indeed most Somalis love politics, and the country's powerbrokers (including many businesspeople) have benefited considerably from the infusion of international aid in support of peace conferences and interim government budgets.

Yet such initiatives have done little to bring economic security to the majority of Somali citizens; in fact they seem to be perpetuating certain patterns of political behavior that hinder the search for peace. There are three primary problems with such an approach:

1. The preoccupation with political representation at the centre has resulted in interminable negotiations over who should sit in government – presumably to help solve future problems – rather than in focused efforts to deal with the array of problems which exist now.
2. Actors who benefit from local extortion rackets or commerce in war materials continue to act as 'spoilers' whenever national political negotiations approach consensus on matters of national security or government regulation.
3. Focusing on formulas for political 'power sharing' does little to regularize or institutionalize practices which

promote economic security, create belief in the idea of a government that serves the common good, or instill confidence in the international donor community.

Somalis need to be understood as economic as well as political actors. Somalia's 20th century history provides numerous examples of Somalis' ability to rebuild local economies even after prolonged periods of war, drought or social dislocation.

The recent success of the Somaliland experiment – however fragile – is instructive. Wherever one stands on the sovereignty issue, most would agree that the north's initial economic recovery occurred in spite of (or maybe because of?) the fact that the Somaliland state did not have the capacity to intervene very strongly in the private sector. As a result the region succeeded in attracting valuable contributions of money, skills and professional expertise from members of its own diaspora and from a number of NGOs.

The vibrant commerce between Somaliland and eastern Ethiopia, and across Somalia's border with Kenya, has also brought modest prosperity to many in the transport, hotel, and retail trade sectors. In other words, it appears that in several parts of the Horn of Africa, economic recovery is leading political recovery, despite our intuitive sense that political reconstruction ought to come first.

Evidence suggests that the international donor community, along with most Somali politicians, have their priorities wrong. They have put their intellects and their energies and their resources into finding political solutions first, which is always the most difficult thing for Somalis to achieve; and not enough energy and resources into building on what Somalis do best – that is responding to economic opportunities.

Perhaps we should look for ways to build political consensus on the foundations of economic security, rather than vice versa? One need not abandon the quest for a viable system of national governance to begin exploring creative opportunities to build stability and peace outside a narrowly political framework. Might Somalia's economic entrepreneurs – rather than its political ones – be leading the way to stability and security in the region?

Business, war and peace

The Somali business community has played an important role in Somalia's recent troubled history: at some points hindering efforts at reconciliation by financing warlords and their militias; at others working with local activists and NGOs seeking to establish peace. Somali businesspeople have also supported *Shari'a* courts.

The wealthy and well connected members of the business class have the most influence on policy. There is little doubt that businesspeople bankrolled rival warlords in the early 1990s and facilitated the flow of weapons and other war *materiel* into the country. At the same time the private sector filled the major void left by the collapse of the national banking and telephone systems by investing in money transfer (*hawala*) and telecommunications enterprises. They also supported private schools, both for religious and technical education, and helped pay the salaries of security personnel to keep the ports operating.

Businesspeople typically sought accommodation with whatever local political and military forces happened to be ascendant in their spheres of activity at the time, even as they hedged their bets by establishing branch offices and business partnerships outside zones of endemic conflict.

By 2000 many Somali entrepreneurs – often with bases of operation in Dubai, Nairobi, or Dire Dawa – had moved away from profiteering in the 'war economy' and had begun to diversify into the service sectors (finance, transport, information technology), the construction industries and the import-export trades involving Somalia's neighbours.

In a 2007 survey of 41 African countries Somalia ranked 16th in number of mobile phone users and 11th in number of internet users. Some 15 companies operate aviation services in Somalia, using leased aircraft and foreign personnel for maintenance and air traffic services.

The transfer of revenues into Somalia from Somalis overseas has been estimated at $1-1.5 billion annually, and *hawala* companies now provide an ever-growing range of banking services and have invested in other sectors of the economy. If World Bank figures can be believed, Somalia's GDP grew from around $1 billion in 1996 to more than $5.5 billion in 2007, with a real growth rate in 2007 of 2.6 per cent. Because virtually all economic activity in Somalia is 'informal,' these figures need to be treated with extreme caution. Nonetheless, they suggest that Somalia's economic actors have been moving toward economic diversification and providing real growth in several sectors of the economy.

Some of the economic innovations in the region are simply the result of necessity, the efforts of Somalis to adapt and survive in an unpredictable political environment. For every success story there are dozens of failures. Small traders constantly disappear from the market, for in the absence of a national security system only the most powerful or well connected businesspeople tend to survive.

Even those commentators such as Peter Little who celebrate the successes of the 'economy without state' in Somalia acknowledge that the unregulated economy in the country leaves many vulnerable people behind. Wealthy businesspeople may occasionally fund private schools and universities, but they have little incentive to invest in major infrastructure projects or broad-based social and health services.

Private entrepreneurs also tend to ignore the damage to the natural environment caused by charcoal harvesting or enclosed grazing reserves. And a 'stateless' society is unable to provide the kinds of certifications that, for example, can satisfy the health requirements of foreign livestock importers, who frequently impose bans on Somalia's livestock exports.

At present Somalia's regional neighbours (Kenya, Ethiopia, Djibouti, and even Uganda and Tanzania) seem to be prospering more from Somali economic enterprise (chiefly through the provisioning of consumer goods and services) than the citizens of Somalia itself, where local predatory practices continue to limit opportunities for entrepreneurs to accumulate productive assets inside the country.

Nonetheless, as national political reconciliation conferences have failed time and again to deliver either results or a sense of hope, Somali businessmen and women have gone ahead in efforts to expand their activities. Defying the tendency toward endless political fragmentation, they have found ways to cooperate with agents in neighboring countries to construct regional networks of finance, real estate investment and retail services across clan and territorial boundaries.

The private sector cannot completely ignore the process of state rebuilding, and most wealthy businesspeople continue to bankroll their own favorites in national political negotiations, thus contributing to the centrifugal forces that prevent lasting political accommodation at the centre. But increasingly it appears that many in the private sector see the establishment of a functioning central government as a 'sideshow,' a process from which they do not want to be excluded, but whose success is not at the moment pivotal to the conduct of their businesses.

A new generation of businessmen and women

There are several reasons why the business sector may posses the potential to bring a new dynamic to the Somali situation.

First, along with the old guard, today's private sector includes talented individuals from the under-40 generation. Somalis often complain that most of the players at national peace conferences are products of or have ties to the older generation



Trade continues despite war © CRD

of politicians, and that until this older generation is replaced there is little likelihood of substantive progress in peace talks. These younger entrepreneurs realize the necessity of playing by the rules of international business if they are to profit from the global economy in the long run. They may also become catalysts for the development of formal and informal business 'schools' within Somalia and in neighbouring countries.

Second, many in the new business classes have studied or trained abroad, have language and technical skills which the older generations lack and have connections with business partners and firms outside Somalia. They are thus better positioned to participate proactively in the wider regional economy, rather than simply relying on clan nepotism or looking for handouts from international donors.

Third, the 'new' business sector has greater access to and respect for professionals in the Somali diaspora. Many educated Somalis living overseas have been frustrated by the limited opportunities for input into the peacemaking process at the national level, where they tend to be marginalized unless they are 'in the service' of one of the warlords or lead politicos. Their contacts and skills might be put to more effective use if they could partner with private Somali firms operating in the Horn.

At the same time there are many vested economic interests on the scene that are wary of business-driven reforms, and even the 'new' entrepreneurs are not fully autonomous in their efforts to promote conditions which facilitate private enterprise.

For example, modern Somali businessmen and women may no longer be prisoners to their clans, but they are still part of them. Even those who have lived abroad for several decades are expected by their relatives to act in ways that at the very least do not harm the interests of the group. These expectations hinder efforts to transmit professional and associational

identities and attitudes to their counterparts in Somalia, and it is still risky for entrepreneurs to operate in country without support from their kinsmen.

Also, the transnational commercial networks that provide inexpensive consumer goods to markets in Somalia, Ethiopia, and Kenya can also be conduits for the flow of weapons and illegal drugs. It should be no surprise if many of the new entrepreneurs still have a hand in the illicit economy even where they are also (or even primarily) engaged in legitimate enterprises.

At present there are few institutional (as opposed to personal) links between members of the entrepreneurial sector and the Transitional Federal Government (TFG), and no formal framework for incorporating the private sector into the peace process. Promoters of political reconstruction must use any leverage they have with the political actors to bring economic, legal, and financial expertise from the private sector into the problem-solving process.

While some enterprises have been launched by Somalis in the diaspora, locally entrenched entrepreneurs may be suspicious of the newcomers. The current transitional government of President Sheikh Sharif Sheikh Ahmed includes many Somali professionals who have lived in the West, but his choices have provoked strong opposition from political and religious leaders with local constituencies who want their own place in the government.

The economic sectors which have benefited most from the absence of state regulation – financial services, telecommunications, and the commerce in consumer goods across national boundaries – have also profited the warlords and spoilers, and have not done much to develop Somalia's critical infrastructure (roads, power grid, water supplies). The latter can only attract private investment when a stable national government (or regional authority) with reliable security forces at its disposal is in place to ensure their maintenance and protection from extortionists or rent seekers.

The thorny issue of land and property rights in Somalia cannot be resolved by the private sector until there is a government committed to adjudicating the claims of those dispossessed during the 1990s, particularly from the productive farm lands of the inter-river region and the from the most desirable real estate in Mogadishu and other urban centres.

Most of those who lost their assets to the armed militias – including many members of Somalia's minority groups – have not been able to recover them, and the dispossessed enjoy scant representation in the TFG. None of the leading politicians have advocated publicly for the establishment of a land claims tribunal, chiefly because most of them are themselves beneficiaries of the post-1990 land grab.

"If Somalis find better economic security in their markets than in their militias, they are more likely to bring pressure on their leaders to support a regime of law and order"

While there is reliable (if anecdotal) evidence that the Islamic Courts' leadership in 2006 succeeded in restoring some unlawfully occupied urban properties to their previous owners, there is no indication that they or their successors had any plans to address claims of rural farmers. This remains the single most volatile economic issue to be confronted by any government that comes to power in Mogadishu.

Peace entrepreneurs?

Given these many obstacles, it may appear that Somalia's economic entrepreneurs have little chance of altering the current political trajectory in Somalia. However, if the limited economic recovery led by the private sector continues to expand to include more of the region's inhabitants, more people will find an alternative to the economy of predation and may come to have a stake in the predictable and peaceful flow of goods and services.

If Somalis find better economic security in their markets than in their militias, they are more likely to bring pressure on their leaders to support a regime of law and order. The creation of a peace constituency anchored in an expanding regional economy may take a decade or more, and will require the continued tacit cooperation of the governments of Kenya and Ethiopia.

It may also take some new thinking on the part of international donors and policymakers, who might consider prioritizing projects that promote business training, cooperating with successful entrepreneurs in improving infrastructure in regions where peaceful commerce has emerged, and looking for more effective ways to use the economic expertise of Somalis in the diaspora.

Lee Cassanelli is Director of the African Studies Center and Associate Professor of History at the University of Pennsylvania.

Section 2

Owning the peace: lessons of Somali peace processes

Is it six or even fourteen? But does it really matter how many internationally-led efforts there have been to establish a central state in Somalia? They have not succeeded.

Through this latest Accord publication, editors Mark Bradbury and Sally Healy show with compelling analysis and understanding the fundamental importance of Somali principles and processes toward national reconciliation. We would be wise to follow the voices and lessons set out here, in whatever role we play in helping Somalia create a more peaceful future for itself.

Bernard Harborne, Lead Conflict Adviser, Africa Region, World Bank

How Somali-led peace processes work

Section introduction

Dr Pat Johnson and Abdirahman Raghe

How do Somali communities deal with their need for security and governance in the absence of a state? The reality is that since 1991 numerous Somali-led reconciliation processes have taken place at local and regional levels. Often these have proven more sustainable than the better resourced and better publicized national reconciliation processes sponsored by the international community.

Some Somali reconciliation processes have provided a basis for lasting stability and development, such as those in Puntland and Somaliland. Others have addressed an immediate crisis but have not been sustained. But few processes are known beyond their immediate context. A recent study by Interpeace and its partner organizations has catalogued over 100 such indigenous peace processes in south central Somalia, Puntland and Somaliland since 1991. This has deepened our understanding of the methods and efficacy of Somali peacemaking.

This introduction to Somali-led peace processes draws on the findings of the Interpeace research (www.interpeace.org/index.php/Somalia/Somalia.html) and peace initiatives by other civic actors.

The contributions that make up this section refer to different types of Somali-led peace processes. Many processes draw on traditional practices of negotiation and mediation conducted by clan elders that have a long heritage in managing relations between clans and sub-clans [*please refer to the glossary for a description of clan and elder*]. Adapting to the context, they also incorporate modern practices and technologies and involve educated professionals.

Several of the articles also describe innovative peace initiatives by women and other civic activists to end violence and deal with security threats, which do not draw directly on traditional practices. Some of the essential features of Somali peacemaking and the generic lessons about peacemaking in the Somali context are highlighted in the articles that follow.

Procedure

Thorough preparation is an essential feature of Somali-led peace processes. Typically this involves making initial contacts to establish a cessation of hostilities (*colaad joojin*) and the formation of a preparatory committee to mobilize people and resources and to ensure security. The committee will usually set guidelines on the number, selection and approval of delegates and the procedures for conducting the negotiations.

The preparatory committee will assign other committees to oversee different aspects of the process, including fundraising. The choice of venue is critical for practical, political and symbolic reasons. The hosting community has responsibility for providing security and covering many of the expenses, which are predominantly raised locally.

Respected and authoritative leadership and mediation talks are chaired by a committee of elders *(shirguudon)*, sometimes from neutral clans. Since effective reconciliation is heavily influenced by the quality of the mediation, facilitation and management, it is fundamentally important that the chair is a trusted and respected person who commands moral authority, and is often a senior elder.



Elders at a peace conference in Puntland discuss payment of *diya* (blood compensation) © PDRC

Three senior Somali elders from Somaliland, Puntland and south central Somalia, Hajji Abdi Hussein Yusuf, Sultan Said and Malaq Isaaq, talk in this section of the publication about the qualities that elders are expected to possess. They describe the vital role they play in maintaining peace within their own community and in settling disputes with neighbouring clans. Abdurahman 'Shuke' also explains (*see p. 58*) the importance of traditional institutions, based on *xeer* (customary law), in laying the foundations for reconciliation and the emergence of stable political structures in Somaliland and Puntland.

Inclusiveness is an important principle of Somali-led peace processes, although women and displaced populations are rarely involved in political deliberations for reasons elaborated in the articles on women and on displacement. The numbers of official delegates are agreed in advance according to an established formula, usually based on proportional representation by clan. Delegates speak and negotiate on behalf of their community, to which they are also accountable. Parties that are not directly involved but who could become an obstacle to a settlement also have to be accommodated.

Poetry, religion and ritual are all significant features, helping to facilitate or sanctify an agreement, and therefore the range of actors includes not only traditional and religious leaders, politicians, military officers, diaspora, business people and civic activists, but also poets, 'opinion makers' and representatives of the media – all with recognized roles to play.

Meetings typically attract a large unofficial contingent of people who are part of the constituency to whom delegates can defer and who may contribute through informal mediation, specific expertise, drafting agreements or mobilizing support. Often the final stage of a process is witnessed by delegates of neighbouring clans, adding weight to its conclusion. Inclusiveness is just as important in non traditional processes, as illustrated by the account below of the operation of the District Committee in Wajid (*see p. 70*).

Women's roles are rarely recognized beyond their support for logistics in traditional inter-clan processes. As Faiza Jama Mohamed explains in her article on women and peacebuilding (*see p. 62*) , women's position in society – as daughters of one clan or lineage and often married to another – has denied them

a formal role in politics. Nevertheless women have organized themselves using innovative tactics to mobilize support and to pressurize parties to stop fighting and continue dialogue when it appears to be faltering.

In Somaliland peace conferences, women recited poetry to influence proceedings. In 1998 in the Puntland parliament a woman poet shamed male delegates into allocating seats for women. Elsewhere women have pressed elders to reach an accord and avoid conflict by offering to pay outstanding *diya* (blood compensation).

In many urban settings women have been able to play more influential roles, as Faiza Jama highlights in her account of the remarkable efforts by women civic activists who have 'waged peace' in Mogadishu and elsewhere.

Consensus decision making is another key principle of Somali peacemaking. The time needed to negotiate consensus is one reason for the length of some Somali peace processes. Malaq Isaak observes (*see p. 50*) that speed can kill peace processes. Different forces may be brought to bear to encourage resolution, including the burden of financial costs being borne by the hosting community or lobbying by groups of stakeholders (often women). The authority of peace accords derive from the consensus decision making process as well as the legitimacy of the leadership, the inclusiveness of the process, and the use of *xeer*. Abdurahman Shuke explains how the use o*f xeer* has been fundamental for the restoration of peace.

Somali negotiators adopt an **incremental approach to peacemaking**. First attempts to resolve a conflict often fail and a process may be restarted with new strategies and participants learning from one initiative to the next. Many of the larger conferences are the culmination of several smaller, localized meetings.

It is not uncommon for Somali peace processes to spread over many months or even years. The process leading to the conference and implementation of the accords produces the peace, not the conference itself. Hajji Abdi Hussein (*see p. 60*) explains how Somaliland's successes in reconciliation and statebuilding in the 1990s are attributed to a sustained focus on resolving issues at a community level before tackling broader governance issues.

Somali-led peace talks typically ensure **effective public outreach** throughout the process and wide dissemination to ratify the outcomes. This is recognized as critical to the legitimacy and sustainability of peace accords.

“It is not uncommon for Somali peace processes to spread over many months or even years. The process leading to the conference and implementation of the accords produces the peace, not the conference itself”

Substance

The aim of Somali peace meetings is to **restore social relations between communities and reinstitute a system of law and order**. Reconciliation is considered central to success and is achieved through restitution and restorative justice rather than retribution.

The declaration of responsibility by the aggressor is seen as representing more than a third of the path to a solution. Both Malaq Isaaq and Sultan Said (*see p. 56*) stress the importance of 'telling truth' or 'confessing wrongdoing' as an essential precursor to a settlement.

Many local peace processes reach agreements on re-establishing institutions for **governance**. Ibrahim Ali Amber 'Oker' discusses the many different forms that such institutions take in the still fragmented south central area of the country.

Abdurahman Shuke explains the need to restore the social contract between clans after it has broken down and rules have been broken. **Compensation (*diya*) payments** are agreed and one of the jobs of an elder is to collect the agreed amount from the clan members, as Malaq Isaaq describes. A key factor in the recurrence of conflict can be delayed payment of *diya* and some accords therefore include a timeframe for payments to address this. Ibrahim Ali Oker suggests some of the factors that have worked against instituting a more stable framework of governance in south central Somalia.

Agreements usually institute **sanctions** for those violating the accord, as highlighted below by both Abdurahman Shuke and Malaq Isaaq. Often there is an agreement on mechanisms for monitoring implementation and managing future conflicts.

Restorative justice supports social reconciliation through collective responsibility but militates against individual responsibility. Some local accords tackle this by specifying

that violations will be addressed through application of *Shari'a* (Islamic law), rather than payment of *diya*. Ibrahim Ali Oker observes that one of the weaknesses of locally negotiated agreements in south central Somalia is the absence of a central (or local) authority or administration to uphold or enforce them.

In terms of the agenda for peace conferences, a clear and pressing objective of virtually every Somali led peace process studied was that of **ending violence and re-establishing public security**. The cessation of hostilities that preceded many initiatives was reaffirmed and translated into a ceasefire at the conference, and measures were instituted to maintain security and build confidence.

In places where disarmament has taken place, like Somaliland and Puntland, consensus is reached to put weapons at the service of the local authorities. But there is an implicit understanding that communities may withdraw these commitments should the agreements be violated, thereby generating sufficient confidence for the peace accord to be sustained. The Somali commitment to consensus in peacemaking processes is reflected in commitments to joint responsibility and management of ceasefires and social control of the means of violence.

Outside the formal Somali framework of dispute settlement and peace conferences, Somali men and women in many walks of life have had to find innovative ways of dealing with the security challenges they face. Women have played a particularly important role as civil society activists seeking to broker new arrangements for public security, as Faiza Jama's article describes.

The extraordinary efforts that have been made by the public in Mogadishu to contain violence and establish local systems of law and order is also the covered in Jama Mohamed's contribution on neighbourhood watch (*see p. 66*) . The remarkable survival of Mogadishu's Bakaaro market is also described below (*see p. 68*). These are important examples of the innovation that has take place to achieve security in urban settings.

Different kinds of outcomes The large, region-wide conferences in Borama in Somaliland in 1993 and Garowe in Puntland in 1998 were political processes that produced lasting agreements on power sharing. The important role that traditional elders played in these peace processes is noted in the article by Abdurahman Shuke and in the interviews with elders from Puntland and Somaliland.

These conferences formulated a political vision of a future state, articulated in charters that defined the structure and responsibilities of public administrations and the establishment of public security services. Such structures are still lacking in south central Somalia where, as Ibrahim Ali Oker points out, there are occupied territories and serious imbalances of power, and where a capable administration is needed to uphold and sustain agreements.

Finally, local processes are **not divorced from national or regional level politics.** They can be heavily influenced by factors beyond the control of the local communities, whether political manoeuvring by their elite, external sponsors of local conflict (including the diaspora), or dynamics emerging from national level peace conferences.

Both Sultan Said and Malaq Isaak in conversations that took place hundreds of miles apart each observe how difficult it is to make or keep the peace when 'politicians' are involved, people who are generally perceived as self interested, unrepresentative and unaccountable. And as the articles by both Jama Mohamed and Faiza Jama show, the neighbourhood security arrangements that had flourished in Mogadishu foundered largely as a result of national and international politics.

Interpeace's peace mapping study was carried out from January 2007 by Somali researchers from the Academy for Peace and Development in Somaliland, the Puntland Development Research Center and the Center for Research and Dialogue in south central Somalia. Using Interpeace's participatory action research methodology to interview over four hundred people.

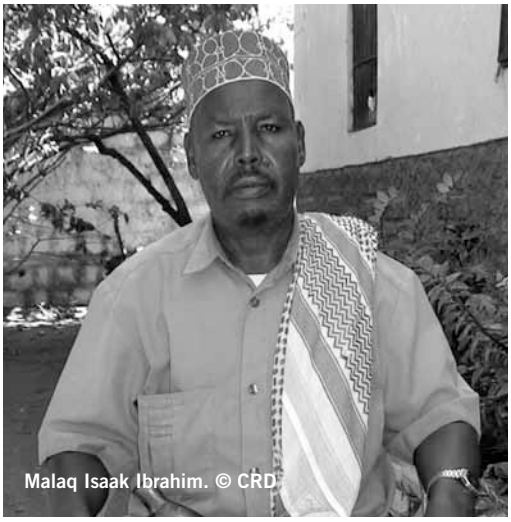
The CRD also undertook research on internationally sponsored national peace conferences in collaboration with Professor Ken Menkhaus. Five films were also produced as part of the research.

Dr Pat Johnson has been Senior Program Officer with the Interpeace Somali program since 2005, having previously worked with Oxfam-GB and the UN in Puntland, and the EC Delegation in Nairobi. She has played a major role in Interpeace's peace-mapping study, undertaken by the three Somali partner institutions, which reviews Somali-led peace initiatives and lessons learned from national-level peace processes.

Abdirahman Osman Raghe was the Permanent Secretary in the Ministry of Interior until 1989, later working for the UNDP. He returned from Canada to the Somali region/ Nairobi in 1998 as one of the co-founders and deputy director of the Somali program for WSP (later re-named Interpeace) and plays a lead role in supporting reconciliation and peacebuilding throughout the Somali region and democratization with the local communities in both Somaliland and Puntland.

Building peace in south central Somalia

the role of elders


Malaq Isaak Ibrahim. © CRD

a conversation with Malaq Isaak Ibraahim

Malaq Isaak Ibrahim is from the Luway sub-clan of the Rahanweyn (Digil-Mirifle) clan from Bay region in south central Somalia. He is a prominent, influential and well respected senior elder who has participated in many local and national peace processes during the last nineteen years of civil war in Somalia.

How did you become an elder?

Traditionally there are three different ways that a person can become an elder in the Digil and Mirifle community. The first is through an election process whereby clan and sub-clan members choose the elder. The second is through inheritance, when a prominent and well-respected clan elder dies and clan members crown the son of the elder and ask him to assume the responsibilities of his father. A third way is through appointment by the authorities and is the least effective of the three.

I was elected as a *Malaq* of the Luway after the previous *Malaq* passed away and have served in this role for about thirty-five years.

What has been your role in peace processes?

Like other elders of the Digil and Mirifle community, I have been entrusted by my community with important roles and responsibilities in peace processes. These are to prevent and resolve conflicts both within my sub-clan, and with other sub-clans with the help of other elders, and also to represent my Luway sub-clan in local, regional and national peace processes. For this we often use *xeer* (customary law) and *Shari'a*.

It is also my responsibility to pay and collect *diya* (blood compensation payments) from my sub-clan members if someone from my clan kills other clan members. Likewise I receive *diya* if a member of my sub-clan is killed by another clan. This is in accordance with to the traditional *xeer* of the Digil and Mirifle people.

As an elder of Luway sub-clan, I have participated in five major peace processes including the Idaale land ownership dispute, a power sharing conflict in Dinsor District council, a clan conflict over grazing land in Wajid district and a dispute over power sharing in the administration between competing wings of the Rahanweyn Resistance Army (RRA).

What is the traditional role of Somali elders in peacemaking?

When elders receive reports of impending conflicts involving two clans, they organize the selection of suitable elders and dispatch them to the site. Often elders are not from the clans engaged in the fighting. Through an informal negotiation process, elders bring representatives of the fighting clans to a negotiation tree or to any other environment conducive to talks and mediation. If need arises religious leaders are brought into the mediation process as they carry moral authority.

The traditional role of Somali elders in peacemaking is to impose sanctions on any group or individuals who oppose the peace process. This can be by fining those groups or individuals who violate the peace, and punishing collectively those who refuse to sit in peace negotiations to solve their conflict through dialogue rather than by violence. It is also common in the Digil and Mirifle community to confiscate the assets of people who violate the peace.

How has the elders' role changed over the past 20 years?

The role of elders has been challenged over the years, particularly during the civil war. But elders still remain powerful social forces that cannot be ignored. Every authority who has taken over the Digil and Mirifle regions has tried to limit our authority but none of them has succeeded.

What qualities does an elder need to be good peacemaker?

To be a good peacemaker an elder should be a religious man who practices Islamic *Shari'a*, well respected in the Digil and Mirifle community, impartial, honest and a good decision maker. He should be knowledgeable of *xeer.* He also needs good communication skills and the capacity to engage with people outside his own sub-clan.

What are the key elements that can contribute to a successful Somali-led peace process?

I strongly believe that peace cannot be sustained without the involvement and the endorsement of the elders. To be successful a peace process needs to give more opportunity for important stakeholders in the community to participate. These people will bring fresh ideas to the peace process.

It is also important to reduce the influence of external actors. The cost of peace processes should be reduced. It is also important to allow enough time to discuss fundamental issues.

Why do peace processes sometimes fail?

Failure of peace processes can be the result of many factors. Among the most important are that too much money is spent. Peace cannot be bought. Peace conferences have generally failed to address fundamental issues of reconciliation. This should include acceptance of guilt, forgiveness, tolerance and divulging the truth about past atrocities. How can we reach peace if we do not address important issues that brought about the conflict in the first place?

The top-down approach that is used in all Somali national peace processes has contributed to failure. Most of them are held outside the country and look for a quick fix solution rather than responding to the real conflict. There is a lack of continuity and consistency.

Most Somali peace processes are poorly organized and managed and they lack the fundamental base for the peace process. Most lack legitimacy in the eyes of the constituencies they represent, although this can also occur in local peace processes. The limited engagement or the absence of traditional elders is the major contribution to failure. Also there is an absence of strong authority to reinforce the agreements that can be reached.

None of the internationally-sponsored peace processes have brought sustainable peace or a functional government. What do you think the reasons for this are?

I think about this every day. Why cannot the Somali problem be resolved once and for all? It appears to me that despite the international community expending time and money on Somali peace processes, none of this has produced any viable institutions.

Everyone wants to become president without putting the country first. And it seems like the outside world also supports a short cut. Somali leaders often put their personal interest before the national interest. The organizers of peace processes have not had enough knowledge of the Somali culture and the real root causes of Somali conflict.

We Somali people have needed a government. But the outcomes of those peace processes have not reflected the voices of the Somali community. They have reflected the need of the organizers. Most of them believed that the accommodation of those with guns in leadership positions could bring a solution. This has not worked so far.

I would also like to point out the lack of political and financial support from the international community for the outcome of Somali peace processes.

How could elders contribute to national reconciliation?

Traditional elders could contribute to Somali national reconciliation if they were given a chance and their voices could be heard. Good examples are the regional administrations of Puntland and Somaliland, where traditional elders made it possible to bring sustainable peace and stability. In Bay and Bakool we play an active role in the establishment of the local administration and maintaining peace in the absence of authorities.

What is your vision for the complete recovery of the Somali region in terms of peace, stability and statehood?

If conflict resolution starts at the grassroots level and through a bottom-up approach, Somalia will be able to recover from the current crisis. I strongly believe that Somalia will get peace. The difficulties we are seeing today will serve as an experience for a future Somalia. I am optimistic that a better Somalia is coming, although may be slowly.

Interview conducted by the Center for Research and Dialogue.

Community peace processes in south central Somalia

Professor Ibrahim Ali Amber 'Oker'
Center for Research and Dialogue


Elders meet to update members of the community on progress of the Mudug-Galgadud reconciliation process © CRD

During the long period that Somalis have been without a viable national government, many different local governance systems have emerged in south central Somalia. These little-known arrangements have been organized at the local level and have fostered degrees of stability and peaceful co-existence between different communities with varying success.

Since 1991 there have been more than 90 local peace initiatives in south central Somalia that have used traditional conflict mediation practices under the guidance of clan elders, Islamic scholars and other key stakeholders. Despite the abundance of such community-based initiatives, a number of factors have worked against the consolidation of peace in the region.

This article outlines different types of governance systems that can be found in south central Somalia and describes different sorts of local and regional peace initiatives. It is based on a fuller study of community-based peace processes by the Center for Research and Dialogue, based in south central Somalia, carried out in 2007.

Local governance systems

Since the government collapsed in Somalia there have been a wide variety of local governance systems in south central Somalia. Five types can be distinguished reflecting their differing origins and purpose.

The first, and earliest, were formed under the auspices of the United Nations peacekeeping operation in Somalia (UNOSOM, 1993-95). Under the terms of the UN-brokered Addis Ababa Agreement in 1993, the UN supported the establishment of district and regional administrations, together with reconstituted police forces in Hiran, Lower and Middle Shabelle and Bay and Bakool regions.

After UNOSOM's departure in 1995 some of the district administrations continued, for example in Hiran and Benadir regions, but with varying degrees of authority and lacking resources to provide governance or deliver services.

The second type of administrative structures are those set up by powerful faction leaders ('warlords') in areas under their control, such as in Lower and Middle Shabelle and parts of Middle and Lower Jubba regions. These administrations levied taxes and provided some security but no public services.

A third type are community-based structures established through consultative processes involving traditional and religious leaders and other local stakeholders. These exist in, for example, Belet Wein in Hiran and Guri'el in Galgudud region.

A fourth kind of local administration is that provided through clan-based Islamic courts. These have existed in a number of locations, such as in north Mogadishu, Belet Wein and Lower Shabelle, and their primary focus has been the provision of security. They were financed through business groups associated with a particular sub-clan and gained the support of the general public by filling the vacuum of governance and security in this collapsed state.

Finally there are governance systems mediated by local traditional and religious leaders, who have taken the lead in resolving local conflicts and maintaining some level of stability. These are often *ad hoc* institutions established to address a particular crisis, but in some places may become a more enduring structure, as happened in Belet Wein.

Peace initiatives

The CRD study found that peace initiatives in different regions varied in relation to the complexity of relationships among clans and sub-clans, the resources of the region and the impact of national politics. For example, nearly 40 per cent of local initiatives catalogued by CRD took place in Lower and Middle Jubba regions. This reflects the fact that these regions are inhabited by more than 19 Somali clans and are endowed with rich agricultural and pastoral resources.

By contrast only 13 per cent of local initiatives took place in the central regions of Galgudud and South Mudug, which are more homogeneous and which have fewer natural resources to stimulate competition or attract incoming clans. Furthermore conflicts between clans in this region tended to take place in Mogadishu. The relative military strength of clans in a territory can affect the likelihood of a local peace process being initiated, as can the role of national-level politicians or business figures who may facilitate or obstruct local initiatives.

Political events beyond the local context have also helped to trigger local peace initiatives. Under UNOSOM eight local and regional reconciliation processes in south central Somalia had a significant positive impact on the lives of thousands of people. In 1999 when the Rahanweyn Resistance Army (RRA) ended Hussein Aideed's occupation of the Bay and Bakool regions, a series of peace initiatives were undertaken among the indigenous Digil and Mirifle communities. Over five significant local reconciliations were concluded in this period. In late 2004, as the National Reconciliation process in Kenya approached its conclusion, another series of local reconciliation processes was initiated in anticipation of the establishment of a national government.

Local peace initiatives

The majority of local Somali peace initiatives can be described as 'social'. That is, they address conflicts over shared land, pastoral resources, or clan-related revenge killings. They normally involve communities in a village, town or district and address conflicts within a clan or sub-clans in the immediate area.

An example is the conflict in Hiran region between Afi and Abtisame sub-clans of the Gaalje'el clan over revenge killings and rape, which spread to Belet Wein town and destroyed property in the western part of the town. Clan elders, religious leaders, businesspeople and civil society groups from the area supported a reconciliation agreement between the two parties. This was concluded at Buqda-Aqable village near Bulo Burti in 2005 and still holds.

Another example is the territorial conflict over the village of Kulan Jareer, near Baidoa, and its surrounding grazing land, which has traditionally been shared by the Jiron and Hadame sub-clans of the Digil-Mirifle clan. In the early 1990s, the two groups clashed over ownership of the village and grazing rights. Traditional and religious leaders and women mobilized to support a reconciliation process to restore harmony, which was concluded successfully in 1994 at the neighbouring village of Labatan Jirow.

Regional peace initiatives

Reconciliation processes involving people from two or more regions have occurred in several parts of south central Somalia. These represent a significant investment by the communities involved and can have a concomitant positive impact for many people when they succeed. An early example was the 1993 Mudug peace agreement between Habar Gedir clans in Galgudud and South Mudug and Majeerteen clans in north Mudug, which ended large-scale confrontations of militia across this clan border.

Another significant regional peace initiative was the 1994 Kismayo conference sponsored by UNOSOM in which representatives of all nineteen clans from Middle and Lower

Jubba regions participated. The Bardhere peace conference in 1993 was initiated by elders of the Digil-Mirifle clan in Bay and Bakool regions and the elders of the Marehan clan, in order to end serious fighting over pasture and water resources. The communities have continued to co-exist harmoniously, with the Bardhere agreement being used as the reference for any issues that arise between them.

Another significant regional peace conference amongst the Hawiye clan was held in Belet Wein from October 1998 to June 1999. This was organized and hosted by a well-respected titled traditional elder, the late Ugas Khalif of the Hawadle clan. Over 650 clan representatives participated with the aim of fostering reconciliation within the Hawiye clan and with other clans. In its final stages, politicians contested the leadership of the process and the initiative ultimately failed. Nevertheless, it did improve trade between the regions and demonstrated the potential of bottom-up reconciliation processes.

More recently the reconciliation process from February 2006 to February 2007 between Sa'ad and Saleman sub-clans ended the protracted violent conflict between the two groups in Galgudud and South Mudug.

Political reconciliation

Some local peace processes are overtly political, concerned with power sharing and focused on the control of local administrations and strategic resources. The high stakes and the large number of players involved can pose significant challenges to mediation and many such efforts fail. For example, in 1994 representatives of all the clans of Middle Jubba region met with veteran politicians with the aim of resolving differences and forming a regional administration. Ultimately no agreement was reached.

Another example was the 1996 Garbaharrey conference among the Sade sub-clans of the Marehan clan in Gedo region, aimed at establishing unity and forming a local administration. Again clan elders and leaders of the armed faction, the Somali National Front (SNF), failed to reach agreement. The following year a peace conference near Bulo Hawa worked towards a power-sharing arrangement between the SNF and the armed group, Al-Itihaad Al-Islaamiya, but also ended in failure.

There are also examples of successful political reconciliation occurring at a regional level. An example is the 2006 Wajid Peace Conference, when agreement between two factions of the RRA led to social reconciliation between the clans supporting them.

Conflict had broken out within the Digil-Mirifle clan because of splits within the RRA leadership. These also reflected a broader rift within the TFG over its relocation to Baidoa (rather than the capital Mogadishu). It led to intense fighting between the two wings of the RRA, which then degenerated into a wider clan conflict involving most of the Digil-Mirifle sub-clans.

The titled elders of the clan (*Malaqyo*), elders from the Asharaf, religious leaders, intellectuals and women's groups all intervened and sponsored a political reconciliation between the rival factions at Sarmandhere village, which concluded successfully.

A second phase of this reconciliation process was organized for all three leaders of the RRA at Wajid, followed by a regional meeting of all the sub-clans of the area, to consolidate unity and peace amongst the Digil-Mirifle clan community. The successful outcome of the process enabled the TFG to relocate to Baidoa, hosted by all factions and communities in the area. This is an interesting example of a political reconciliation process transforming into social reconciliation between communities.

Obstacles to consolidating peace

Despite the abundance of local peace processes in south central Somalia, they have not led to the establishment of more durable government structures of the type that have emerged in Puntland and Somaliland. Certainly traditional elders have played a critically important role in mediating and regulating the interactions within and between local communities. However a number of factors have made their task more difficult.

First the powerful clan-based faction leaders (the 'warlords') that have emerged from the conflict in south central Somalia have consistently challenged traditional elders' authority. During the prolonged period of chaos and lawlessness, such leaders, along with politicians and business people, recruited armed militia to further their own interests. They also promoted their own choice of elders, who lacked local legitimacy and undermined the existing system of leadership.

Before the collapse of the state, power in the rural communities was mediated through traditional chieftains and elders, supported by government security institutions. The effectiveness of customary law and codes of behaviour was weakened by these 'merchants of war', who used tactics of divide-and-rule among the clan elders in pursuit of their own agendas.

The reliance of the international community on armed faction leaders as their primary interlocutors in Somalia and apparent representatives of clan constituencies has compounded the problem and further eroded the standing of traditional authorities. Dahiye Uulow, a prominent elder in Belet Wein, has stated that "the emergence of armed warlords and business people during the anarchy of the civil war period is the

primary reason for the failure of attempts to settle local Somali conflicts".

A second difficulty has been that fragmentation and distrust within the main clan families, which has led smaller sub-clans to identify their own leaders. Traditionally clan elders were seen as responsible for ensuring the peaceful co-existence of the community as a whole and for working to resolve local conflicts. However the circumstances of the civil war led some elders to mobilize their own clan militia for inter- and intra-clan fighting and to side with their kin, even when they were the aggressors.

In the Somali cultural context, the declaration of responsibility – "I am an aggressor" – by the relevant party is critical to the success of traditional conflict resolution. If the responsible party declines to confess to being the aggressor, the reconciliation initiative usually fails.

Another important feature of the civil war period in many areas of south central Somalia has been the breakdown of traditional customary law *(xeer)* between pastoral and agricultural communities. In rural communities disputes over access to shared grazing or water sources and agricultural land are common and can become violent.

In most cases a *xeer* exists between co-habiting groups that governs social relations and access to communal resources. Before the collapse of the Somali state these kinds of conflicts were generally arbitrated successfully by elders using *xeer.* Any clan member (or clan) who challenged the arbitration faced sanctions *(Maraado-Ta'siir)* by the clans concerned.

The efficacy of customary law in these circumstances rested on a relative balance in power between clans. However the arming of different clans during and after the Siyad Barre regime typically left agricultural communities at a military disadvantage to better-armed pastoralist groups.

Furthermore, during the initial years of the war agricultural communities faced occupation by militarily stronger clans with whom they had no established relationship or *xeer*. In these circumstances, and in the absence of state protection, the rights of the weaker party were overrun.

A significant imbalance of power between the parties in conflict can be an obstacle to reconciliation as the stronger group may impose unreasonable conditions, provoke confrontations or otherwise act as spoilers in the reconciliation process.

In a case where pastoralists are the aggressors, elders of the agricultural community will tend not to ask for a meeting to discuss the issue because they expect little recompense from the more powerful group. However, if the aggressor is from the agricultural community, customary law will be applied and compensation paid to restore the peace.

The application of customary law and traditional practices has helped to shore up stability in some places in south central Somalia, but in many cases where there is an unequal relationship between the communities it falls short of genuine reconciliation.

A particularly damaging effect of the civil war has been the undermining of the *xeer* that protected vulnerable groups – *Birmageydo,* 'those who are spared from the spear'. This includes women, children, the elderly, titled elders and religious leaders, and peace delegates. Repeated violations of such codes have weakened this important function of traditional governance and resulted in the deaths of those who would normally be considered 'safe from harm'.

Long-term peace

Social conflicts over local resources increased significantly during the war due to the breakdown of traditional codes governing social relations, the forced displacement of people, the occupation of land by armed groups and the ready availability of weapons. The imbalance in the acquisition of weapons has meant that better-armed clans dominate weaker ones and have captured resources that had previously been used communally.

The past two decades have seen fierce competition between communities to accumulate heavy weapons and become the dominant force in their area. And, as even weak clans have gained access to some weapons, violent clashes have continued.

A common theme running through peace processes in south central Somalia is the need for a functional state authority for sustaining reconciliation agreements at both a local and national level. However if that state authority is not governing in the interests of the people, it can also be a cause of conflict.

Local peace processes have proven effective in managing security in many parts of south central Somalia. But experience shows that hard-won local peace accords reached through traditional conflict resolution mechanisms are vulnerable to being undermined by armed factions, business leaders and other powerful stakeholders. In the long term, peace needs a viable state authority to sustain it.

Ibrahim Ali Amber 'Oker' was lead researcher at the Center for Research and Dialogue, Mogadishu, Somalia.

A conversation with

Sultan Said Garasse



Sultan Said Garasse discussing traditional elders' contribution to peacebuilding, Garowe, Puntland. © PDRC

Sultan Said is a respected and influential traditional titled elder from Garowe town, Nugal region in Puntland. He has participated in numerous peace processes in northeast Somalia, including those that resulted in the formation of the Puntland State of Somalia in 1998

What is the role of an elder?

Being an elder is a Somali tradition established long ago, when there was no government and people needed to maintain some form of order based on decision-sharing.

Even if a modern government springs up, the traditional system of governance continues to survive because the government cannot be everywhere. We know that the majority of Somalis live in rural areas. Urban settlers depend on the rural economy since the country has neither industry nor profitable agricultural production, except along the two rivers in the south.

Life therefore depends on livestock rearing. A typical rural community may be 300 kilometres from the town. Such a community needs leadership and decision makers who keep order. The idea behind traditional leadership is now, as it was in the past, to serve such communities.

What has been your role in peace processes? What conflicts have you been involved in resolving?

When news of a problem reaches an elder, he immediately focuses on containing it with everything at his disposal.

We see peacebuilding as a divine purpose and spontaneously carry out our duties. Had we kept records of what we did in the past twenty years, you would surely be surprised, as not a single day passed without us handling at least three cases of conflict. We have been fully engaged in peacebuilding tasks throughout the past twenty years. We elders are free from political motivation, and seek no profit in return for our services. We do our work for the benefit and welfare of our people. There is a saying: "nobility is measured by how much you give away from your own share".

What is the traditional role of Somali elders in peacebuilding?

The elder plays a great role in peacebuilding. Somalis have a saying "God, let us not find ourselves in a thorny place, without having the means to rid us of thorns". This is a prayer against being in a place with only wrongdoers and with no one standing for justice.

In any community, you find all types of people, good and bad. Had there been no bad people, there would be no need for an elder. The role of the elder is to create justice among men. To do that, firstly he attempts to contain a conflict as soon as it erupts. After that, he proceeds to call upon any formal authority nearby. In case the formal authority is out of reach, the elder communicates with intellectuals to help him extinguish the problem.

In Somali tradition the important question is not 'what happened?' but rather 'how did it end?' The role of the elder is therefore to be constantly prepared to respond to threats to peace. He has well-informed sources and is often among the first to know of events as they occur.

How has elders' role changed in the past 20 years?

I believe that the role of the elder has increased substantially over the past twenty years. This is because the elder's role changes with the number of problems and we have had more and more problems.

What qualities does an elder need to be a good peacemaker?

To be chosen a crowned elder one should be God-fearing and fair. Fear of God tends to make an elder considerate and do the right things with a sense of justice. There is a saying: "men without justice scatter as deer!" With such qualities, the good elder becomes a 'father' to all men under him, irrespective of their political affiliation or religious beliefs.

Other important characteristics of a good elder are being prudent, wise in judgment and, above all, patient. Patience is particularly important since the elder is often improperly challenged or verbally assaulted, or even deliberately robbed. He should be patient at such times. The good elder must be capable of making sacrifices, sometimes by taking wealth away from members of his family and giving it to others just to maintain peace.

What are the key elements that can contribute to a successful Somali-led peace process

Nothing seems to have worked to resolve Somalia's conflict. We Somalis suffer because of individuals and groups motivated solely by personal and political interests. You may possibly find an entire nation of clerks, but never an entire nation of presidents! This led us Somalis to destitution and indignity to a point that we eventually lost face in the eyes of the world.

To reconcile as a nation, we need to have true faith once again, confess our wrongdoing and forgive one another. Application of force and suppression of freewill resolves nothing.

Why do peace processes sometimes fail?

Peace processes fail mainly for two reasons. Firstly, you find many participants are insincere. They come with hidden agendas, determined to compromise the whole process if their demands are not satisfied. Secondly, national-level peace processes almost always fall subject to political manipulation by foreign countries. Foreign countries are known to surreptitiously align with parties to the peace process, prepared to provide support if the latter fail to achieve their evil goals.

What are the hardest conflicts to resolve?

The hardest conflict to resolve is that of politics. Every political leader has people who trust him, but whom he regards as his own. Every political leader's primary dream is to be a president. He takes advantage of the trust put in him as a means to attain that particular goal.

Pursuit of political interests leads to disputes and conflict among close friends. Experience has taught us that politics is based on false realities. In Somalia it undermines the prospects of any two politicians remaining committed over a significant period of time to the worthy vision of serving the common good of the people. That is why there is a constant shift in the makeup of political groupings in Somalia. Consequently, two young combatants who had been on the same side one day might be found on opposite sides in a gunfight the following day.

> "Had there been no bad people, there would be no need for an elder. The role of an elder is to create justice among men"

How could elders contribute to national reconciliation?

To be honest, during the past twenty years a number of elders were misled, either by financial incentives or under clan pressure, and joined politicians' campaigns. There are other elders who remained true to themselves and who are devoted to peace and nation-building.

Good elders can contribute to national reconciliation, provided that the process is inclusive and that the right kind of people, those free of self interest, can participate.

Puntland is a good example. Here in Puntland, we elders and the people elect our leaders: our representatives in parliament as well as the president and vice president. We take part in decision making on key policy issues. We can therefore take Puntland as a model and have the rest of Somalia adopt a similar structure. If other regions had their own administrations, then Somalia's problems would have been concluded in one day!

What is your vision for the complete recovery of the Somali region in terms of peace, stability and statehood?

I believe that the United Nations should directly intervene in the parts of Somalia still in active conflict and, in parallel, should provide reconstruction and development support for peaceful areas. I strongly believe that no indigenous solutions are likely to spring out of those conflict zones.

Once in full control, the UN can implement disarmament and further help the local people establish their own administrations. That way the regions currently categorized as conflict zones will be able to join wider Somalia as federal states. I see no other solution than that.

Interview by Muctar Hersi, Puntland Development Research Center.

Order out of chaos

Somali customary law in Puntland and Somaliland

Abdurahman A. Osman 'Shuke'

Terms like 'anarchy' and 'chaos' are regularly used to describe the catastrophe that followed the collapse of the Somali state in 1991. But in the absence of government and a judicial system, Somalis fell back on traditional institutions and practices of governance to manage security and maintain order, including customary law and Islamic law (*shari'a*) (*see* Islam and social order*, p. 94*).

Even in Somaliland and Puntland where public administrations and formal judicial systems have been revived, customary law has remained important. In south central Somalia, where no judicial system exists, customary law, together with *shari'a*, has provided a framework for managing conflict and protecting people.

Customary law and peacemaking

Somali customary law, known as *xeer Soomaali*, comprises a set of unwritten conventions and procedures that are passed down orally through generations. These define reciprocal rights and obligations between kin and clans, covering domestic matters, social welfare, political relations, property rights and the management of natural resources.

Xeer is more than a contract. It shapes basic values, laws and rules of social behaviour. It incorporates aspects of *shari'a*, while the application of *shari'a* in Somalia is also influenced by customary law.

Unlike either *shari'a* or secular law, *xeer* is not universalistic. It is specific to relations between any two clans or sub-clans, although there are rules that are common to all Somali communities, relating to payment of *diya* compensation, to marriage practices and to the management of property resources. Different rules exist for different livelihoods systems, such as agriculture and pastoralism. They can vary between urban and rural settings and can change over time.

Historically there has been a sub-set of customary law for warfare. These laws proscribe violence against certain groups, such as women, children and elders, who are 'spared from the spear' (*biri-ma-geydo*), and they prohibit certain violent practices and protect specific economic assets. Since 1991 these Somali 'laws of war' have frequently been violated. Local peace processes commonly involve the renegotiation or renewal of *xeer* between belligerents, with the peace accord itself representing, in effect, a new *xeer*.

Upholding the law

The observance and enforcement of customary law depends on respect for authority and social pressure. *Xeer* are negotiated by councils of elders (*xeer-beegti*) with specialist knowledge of customary law.

More generally clan elders have, in the absence of government, played a critical governance role to manage conflicts as mediators, facilitators or negotiators. In theory any adult male can be an elder with the right to speak in council (*shir*). In practice elders are selected as representatives of their clan for their attributes, which may be age, powers of oratory and wealth.

Elders have moral authority and power because these are delegated to them by clan members to advocate on their behalf on all matters that affect or influence their interests. Some clans



Collecting camels for diya (compensation payment) as part of a reconciliation process © PDRC

have more senior titled elders, variously called *Isim*, *Suldaan*, *Garaad*, *Ugaas* and *Malaq*. They commonly acquire the title by inheritance and rarely engage in the day-to-day management of clan affairs.

The institution of elders and the power and authority that they command vary considerably within Somali society, and in the past two decades the place of elders has gone through significant changes. In the absence of the state, elders have proven to be immensely important in upholding law and order and they have been central to all Somali-led reconciliation processes.

Neither Puntland nor Somaliland would have survived their internal wars without the constant support and involvement of elders in resolving political and security problems. Although these traditional institutions do not enjoy the resources of a state, their decisions – whether reached under a tree in the pastoral areas or in a modern house in urban centres – can carry the power of a government.

Elders and religious leaders work daily with pastoralists to share wells and grazing land without resorting to violence. When an incident occurs between two clans, the elders of both sides ideally would convene a meeting to discuss the matter frankly and to resolve the conflict through peaceful dialogue and consensus. The resolution reached may involve reparation of damages followed by a solemn statement that such incidents should be avoided in future. Religious leaders who assess the damages and the value of the reparation to be made according to *Shari'a* assist the elders in their deliberations.

Elders and modern government

The role of elders is not confined to the 'traditional' sphere. In Puntland and Somaliland they are engaged in modern government institutions. In Somaliland their role as guardians of peace and security has been institutionalized in the Upper House of Elders (the *Guurti*) and they have been involved in the selection of party candidates. In Puntland they have engaged in the nomination of candidates for parliamentary seats.

In Puntland and Somaliland, despite the presence of a public administration and security forces, elders continue to have a law and order role, drawing upon customary laws and *shari'a* and sometimes acting in cooperation with religious leaders. Often government law enforcement institutions have to resort to traditional methods to tackle intractable security issues. In Puntland, for example, many traditional and religious leaders are engaged in persuading young sea pirates to abandon their criminal activities. They have made steady progress in their endeavour as many youngsters have abandoned pirate activities.

Elders have the experience and authority to mobilize human and other resources for communal security. Given the respect they enjoy from their communities, the Puntland administration will consult them and secure their support before taking any action on security issues that would affect their people, such as banditry, militia roadblocks, kidnapping of foreigners, the rebellion of a clan against the government, and disarmament.

Cooperation between the Puntland administration and elders also occurs regarding political differences between members of parliament and the president, when clan elders and religious leaders are called in to mediate between the parties in conflict to avert the use of force.

Lessons

Somalia is passing through a difficult historical moment. The country is still divided into separate territorial entities, held together by clan militia, warlords or weak administrative structures created on clan lines. In spite of the existence of a variety of *ad hoc* social, commercial, administrative and political arrangements, it is the traditional structures that hold the people together. There are many obstacles yet to be overcome to restore fully functioning modern, religious or customary legal systems in Somalia.

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The role of Somaliland elders in making and keeping peace

a conversation with Hajji Abdi Hussein Yusuf

Haji Abdi Hussein Yusuf 'Abdi Warabe' is one of oldest and well known genuine traditional leaders in Somaliland. He is the second deputy chair of the Elders House (*Guurti*) of the Somaliland bi-cameral parliament. He is known for his tough positions and strong voice in both traditional conflict resolution issues and peacebuilding and political challenges. He was one of the few elders who were instrumental in the 1993 Borame conference where the successful social contract was agreed among the Somaliland clans and from there the Somaliland Administration was given a solid basis to take incremental growth to date. His traditional title is 'chief Aqil'.



Haji Abdi attending the 10th anniversary celebrations of the establishment of the Academy for Peace and Development in Hargeisa, Somaliland, 12 October 2008. © APD

On 18 May 1991, a few months after the collapse of the Siyad Barre regime, the Somali National Movement (SNM) declared the people of the northern regions were ceding from Somalia to form the Republic of Somaliland. Over the next three years, clan elders steered the new state through a series of reconciliation conferences that laid the basis for the stability that exists in Somaliland today. This interview with Hajji Abdi Hussein, a prominent Somaliland elder, explores his role in peacemaking and unifying a divided society.

How and when did you become an elder? What was the process of nomination and how it was conducted?

My elder brother passed away in 1940 and I was nominated by our clan as his successor. This followed the Somali tradition that when either your father or your elder brother passes away, you will be nominated as his successor by clan elders.

I initially refused the offer and only accepted once the clan agreed to three conditions: to protect and keep the peace; to abide by the government's rulings; and not to be envious or jealous of what other clans have. I was consequently inaugurated as the chief (*aqal*) of my sub-clan.

What was your role during the insurgency against the regime of Siyad Barre?

During the war, I retreated to a small village in Ethiopia, from where I was active in gathering together elders, military leaders and sheikhs, to discuss the future of the SNM.

One of the disputes I helped to resolve was the transfer of power from one chairman of the SNM to another. This change of leadership was instrumental in restoring the strength and unity of the movement and averting a potential conflict among its members. Later on I was involved in the transfer of power from the SNM military leaders to the Somaliland council of elders (*Guurti*), which enabled Somaliland's traditional elders to play a role in building peace and coexistence among Somaliland's clans.

What was the specific role that you played in the Somaliland inter-clan reconciliation process?

After the SNM defeated Siyad Barre I returned to Somaliland and worked with other elders to defuse conflicts between different clans. I played a leading part in the various Somaliland national reconciliation conferences, which discussed the future of Somaliland and how to incorporate people from clans that had previously supported the Barre regime. These issues were ultimately resolved through dialogue.

During the insurgency I had argued that if the SNM proved successful, it should accommodate clans who supported the former government. This policy has been followed. It has maintained the unity of Somalilanders, fostered trust among people, and defused inter-clan conflict. It has enabled us to establish a central government and parliament that could represent the entire people of Somaliland.

What is the role of the *Guurti* in conflict resolution?

The main role of the council of elders has been to maintain peace. They have been able to resolve conflicts in ways that are familiar to them and to avoid military intervention. Somali culture provides that elders are representatives of the clans. They speak on behalf of their clan and also have full authority to make decisions on its behalf. They have enormous power that they can exert on two conflicting parties.

Have you played a role in the statebuilding process?

During the 1993 Borama National Reconciliation Conference, where the Somaliland clans came together to decide upon the future system of government, I was involved in discussions on deciding what political systems we should adopt.

I suggested that the best political structure is the presidential system. I argued the presidential system had three advantages for the peace and security of the country. Firstly, a directly elected president would not create tension among the clans. Secondly, the president needed to be given full power in order to maintain a strong and effective central government. And finally, the president could only be removed from office through an impeachment process and not by violent means.

During the Borama Conference it was agreed that the government must draft a constitution to make Somaliland a constitutional democracy. Have you played a role during the democratization process of Somaliland?

After adopting a presidential system, the interim government began drafting a national constitution, which would provide a baseline for the peace and stability of Somaliland. This took a long time. During the constitution-making process I helped to resolve disputes between the executive and the legislature on the adoption of the constitution. This was achieved through compromise, dialogue and a vision to rebuild the country together.

What was your role in the institutionalization of the *Guurti*?

On my return to Somaliland I had helped to establish an informal group of the *Guurti* to help defuse conflicts. At the Borama conference, I lobbied for the *Guurti* to be incorporated into the new political system. This enabled us to preserve the traditional methods of managing conflict for use when new conflicts arise. In this way we played a crucial role in the institutionalization of the *Guurti*.

Why have internationally sponsored national peace conferences for Somalia failed?

During the colonial era, southern Somalia was colonized by Italy, which destroyed the traditional conflict management systems, rendering the elders ineffective. So their role in conflict management and peacebuilding disappeared.

But Somaliland, which was colonized by Britain, kept its own traditional conflict management mechanisms in place and these values and norms were not disrupted. These have ultimately enabled us to reconcile our people and have nurtured mutual trust and dialogue.

Interview by Mohamed Farah, the Academy for Peace and Development.

Somali women and peacebuilding

Faiza Jama

During the Somali civil war many women found themselves at the centre of conflicts fought between their sons, husbands and other male relatives. For the sake of their families many women have been active in peacemaking and peacebuilding.

In Somali society it is men, specifically the elders, who traditionally have the means to make peace through dialogue and mediation. But although women are typically excluded from decision-making forums where peace accords are negotiated, their position within the clan system gives them the ability to bridge clan divisions and to act as a first channel for dialogue between parties in conflict.

Women have also been effective in influencing elders and others to intervene in conflict and have mobilized resources to finance peace meetings and support demobilization. While men typically focus on achieving a political settlement, with the assumption that peace will ensue, women's vision of peace exceeds this and includes sustainable livelihoods, education, truth and reconciliation.

Women have also led the way in mobilizing civil society engagement in peace work, although few of their initiatives for peace have been documented. Many women peace activists have found the struggle for peace inextricably linked to that for women's rights.

In internationally-sponsored peace processes women have successfully lobbied for places in decision-making forums and for seats in parliament. And they have made some gains in formal politics, holding seats in the different Somali parliaments and some cabinet posts. But their political role remains severely compromised. The emergence of religiously driven politics presents Somali society with a new challenge: some Islamic groups are supportive of women's participation in politics; others are against it, which threatens to undermine the few political gains that women have made.

This article speaks to the vision of peace that Somali women embrace, the initiatives they have embarked on and the outcomes of their efforts.

Women, tradition and local peace processes

The war against Siyad Barre's regime in the 1980s was seen as a just cause by many Somalis and many women participated in the struggle to end the dictatorship. Those who earned respect from their participation later used this to demand concessions from warlords and militias. Several became leading members of civil society and the women's movement and became engaged in peacebuilding.

But with the collapse of the state, women also lost the legal status and equal rights that had been afforded them. While women have actively engaged in peacebuilding, the gendered nature of clan-based politics means that women are typically excluded from full participation in peace talks.

It is commonly said in Somalia that while women can build peace only men can make it. One reason for this is that a woman's affiliations with her father's clan, and her mother's, husband's, children's and son-in-law's clans, mean that a woman's clan loyalty is perceived as unpredictable. They therefore are not included as clan delegates in negotiations and decision-making forums that can affect the fortunes of the clan.

By the same token a woman's multiple clan affiliations can give her a structural role as a peacebuilder, enabling her to act as a conduit for dialogue between warring parties and to exert pressure on them to keep talking.

When mobilized, women play an important influencing role in local peace processes, especially if they have wealth, are related to clan elders or come from a respected family. In Puntland, in response to one conflict, elderly women from several clans



Medina Mohamoud Elmi ("Generale") addresses the Mogadishu forum in June 2005, where an agreement was reached to clear the city's roadblocks © CRD

"Peacebuilding conferences in Somaliland, in Borama and Sanaag (1993) and Hargeisa (1996), would not have taken place without the collective lobbying of women pressurizing the elders to intervene to end the conflicts"

approached the leaders and demanded a cessation of hostilities. Their message was simple: 'we have had enough displacement in our lifetime and at this age we can't tolerate it anymore'. This mobilized clan elders and leaders to intervene and ensure the conflict was peacefully resolved.

Peacebuilding conferences in Somaliland, in Borama and Sanaag (1993) and Hargeisa (1996), would not have taken place without the collective lobbying of women pressurizing the elders to intervene to end the conflicts. But despite their efforts, and confirmation from religious leaders that Islam offered no grounds to exclude them, women did not participate in the talks themselves, other than as fundraisers and cooks. After exerting pressure on their clansmen, ten women were allowed to observe the peace talks in Boroma in 1993 and eleven were allowed to observe the 1996 Hargeisa Conference, but had no voting rights.

One of the powerful lobbying strategies women have used under such constraints is poetry. In the 1998 Garowe conference in Puntland, Anab Xasan, frustrated by what she called 'male power-grabbing and selfishness', recited a poem that left many men in tears. Reportedly, after hearing the poem the elders agreed to allocate women seats in the administration.

Oh men, why don't you realize the difficult circumstances that
We are now facing?
Or keep the land and we will emigrate.
When the rhythm for rebuilding slows down, we rally and mobilize
For the purpose. We are always beside men, never behind them.
We are at the forefront of peace and reconciliation,
We are ready with what it takes to resurrect good government.
But you men ignore our advice and inspirations,
You suffocate our intellect, so it never sees daylight…
Be warned, we are now awakening after a deep sleep and passivity.

(Excerpt translated by Faiza A. Warsame)

For the most part, male delegates dictate the shape and form of negotiations. Women remain in the conference venue as observers and as pressure groups ensuring that any challenges that would cause a break-up are promptly dealt with.

Puntland and Somalia allocated quotas for women parliamentarians of eight per cent and twelve per cent respectively. Somaliland has no quota system and in the 2005 parliamentary elections only two out of the 82 seats were taken by women candidates, and only one of these two was elected.

Women, civil society and peacebuilding

Excluded from the all-male arena of clan-based politics, women have directed their collective political acumen and agency into the civil society space that opened up after state collapse. Within the somewhat inchoate definitions and boundaries of civil society, Somali women have operated as key players and shown keen leadership. Indeed some women would argue that Somali civil society organizations' engagement in peace work did not start until women took a dedicated leadership role.

Inspired by their involvement in the Beijing Conference on Women in 1995, women in Mogadishu in 1996 built on their growing experience in cooperating for peace to establish the Coalition for Grassroots Women Organizations (COGWO) as a platform for peacebuilding that united women's voices and efforts. COGWO has worked to promote women's rights and to support victims of violence, but its major contribution to peacebuilding in Somalia has been in stimulating the engagement of civil society organizations (CSOs).

In 1997 a workshop of CSOs organized by COGWO in Mogadishu concluded that it would take more than dialogue among a small group of warlords and their international patrons to secure a lasting solution to the Somali conflict. The organizations at the meeting made a commitment to take action to overcome the obstacles to peace: warlords and their supporters in the international community, certain businesspeople, elders, militia, and irresponsible media, and inaction by civil society.

The first step taken after the workshop was to set up the Peace and Human Rights Network – *Iskuxirka Nabada iyo Xuquuqal Adamiga* (INXA). This was a turning point in Somali politics and CSO engagement in peace processes. INXA became a platform that politicians wanted to associate with, including the warlords, who saw it as an opportunity for political survival because the public was fed up with them.

In addition to those mentioned, the range of peacebuilding activities that Somali women are involved in can be illustrated by the following examples from south central Somalia:

- *Human rights* Mariam Hussein, widow of the human rights lawyer Ismail Jumale, founded the Ismail Jumale Centre for Human Rights to monitor and record human rights violations so that perpetrators could be brought to justice once proper institutions were in place.

- *Disarmament* The IIDA Women Development Organization of Merca was founded by Halima Abdi Arush, a former teacher, headmistress and education inspector, who lost her husband and many members of her family in the Somali conflict. Initially formed to support internally displaced populations, in the mid-1990s it started a daring initiative to disarm and retrain young militiamen. In a direct challenge to the warlords, the programme required militiamen to commit to refrain from violent acts and to hand over their weapons. In return they were given tools, training and start-up capital. Some 156 militiamen were demobilized and their rifles melted down.

- *Peace and security* The network Women Pioneers for Peace and Life, known as HINNA (*Haweenka Horseedka Nabadda*), was formed in 2003 by former women fighters, such as the late Medina Generale. They became 'peace pioneers', organizing peace campaigns and using the respect they earned as fighters to intervene with militia and warlords to diffuse tensions at critical times in Mogadishu.

  HINNA's first major campaign in 2005 was to remove 42 roadblocks from Mogadishu and to encamp and retrain the militia. With the agreement of warlords and militiamen HINNA mobilized resources from businesses and CSOs and established two camps. A lack of international assistance, however, meant that the camps could not be sustained and the boys returned to the roadblocks.

  At the time US-led counter-terrorism action involved huge payments to warlords to deliver individuals on Washington's terrorist list. As the warlords needed to engage their militia for this, it undermined the women's plans for further demobilization. Some of the women were later involved in mediating between the Islamic Courts Union (ICU) and certain warlords who had held and deported individuals they suspected of being on the US terrorist list.

- *Political advocacy* In 2007 IIDA initiated the Somali Women's Agenda (SWA), linking Somali women in the diaspora with those in the country. Based in Mogadishu and with branches in several Somali regions, its members are engaged in promoting peace and advocating for the appointment of women in local councils and regional administrations.

Such initiatives have attracted support from international donors who have seen civil society pressure groups as an essential counterweight to the faction leaders, warlords and clan elders who have filled seats at internationally-sponsored peace talks. In 2000 the Djibouti government accorded civil society organizations a prominent role in the Arta reconciliation conference. In the peace talks in Kenya (2002-04) civil society participation was supported by the European Commission (EC) and other donors.

Women and internationally-sponsored Somali peace processes

In theory at least, international support has afforded women civil society activists an entry point into externally-sponsored peace processes, which had previously largely been a male preserve. In the Arta conference in Djibouti and the Mbgathi conference in Kenya, women made inroads with their participation and representation.

The Arta process coincided with the adoption of UN Security Council Resolution 1325 on Women, Peace and Security. This stresses the importance of women's 'equal participation and full involvement in all efforts for the maintenance and promotion of peace and security, and the need to increase their role in decision-making with regard to conflict prevention and resolution'.

At the Arta conference women lobbyists succeeded in convincing Djibouti President Omar Guelleh to secure a position for women in the talks and quota of 25 seats for women in the 245-member parliament. The achievement was somewhat undermined, however, when women were selected by men on the same clan basis as male MPs, using the '4.5 formula', rather than on merit.

Two years later, at Mbagathi, conference organizers categorized women together with civil society. Some 100 women from diverse backgrounds tried to take part in the conference on this basis, which at its height had over 1,500 male delegates. The lines between civil society activism and politics were blurred and some political opportunists sought to gain seats under the civil society banner.

With the conference management *de facto* in the hands of the faction leaders and their regional supporters, just 55 women were given places: 21 as officially registered observers and 34 as official voting delegates. Of these, 26 women took part as members of faction groups or the TNG. A woman sat on each of the Reconciliation Committees established as part of the process, and two women participated in the powerful 'Leaders Committee', consisting of 22 faction leaders and five members of civil society.

Women therefore made some gains in terms of their formal participation at the Mbgathi talks because of international support. However the Transitional Federal Charter reduced the quota of parliamentary seats allocated to women at Arta to twelve per cent in the larger Transitional Federal Government (TFG) parliament. Political leaders have since failed to uphold even this number and when a woman vacates her seat her clan fills it with a male candidate. Consequently women made up only eight per cent of MPs in the 275-member parliament. Since the parliament was expanded in January 2009, women make up only three per cent of parliamentarians in the new government of Sheikh Sharif Sheikh Ahmed.

Looking forward

Somali women-led civil society organizations have achieved much in the past two decades. They have helped to disempower the warlords, reduced the significance of clan affiliation, ensured civil society representation is essential to any peace and reconciliation process, and made progress on the participation of women in politics. But Somali women still face constraints in breaking through gender-based inequalities and cultural and practical barriers to equal political participation.

It will be interesting to see how women fare in Somaliland where male dominated clan politics has, theoretically, been replaced by multi-party politics. Women have exercised the right to vote in large numbers in the three elections that have been held since 2002. Civic activists and the Nagaad Umbrella Organization have been educating the public on women's leadership and have supported women's candidates in elections. But they face a strong cultural bias against female leadership in government, among both women and men.

In south central Somalia the challenge is daunting. An increase in violence since 2006 has deepened insecurity for everyone, undermined some positive civil society developments, stalled progress towards the formation of a stable government authority, and brought religiously-driven politics to the fore.

In theory women have more rights under *Shari'a* than they do under Somali customary law, which treats them as legal minors. Under a moderate Islamic government women could gain in terms of increased political rights. But militant Islamist groups like Al Shabaab and Hizbul Islamiya promise no good news for women's rights or the civil society space that Somali women have managed to occupy and evolve since 1991. Somali women point out that under traditional law women are in principle protected from killings. In some areas under Al Shabaab authority women have been targeted and face increased strictures on their rights and organizations.

"UN SCR 1325 enjoins international peacebuilding efforts to ensure the full participation of women. To insist on this risks accusations of imposing foreign values and alienating Somali society. Not to do so risks undermining the rights of Somali women"

International diplomatic engagement in this context also faces tough dilemmas. UN SCR 1325 enjoins international peacebuilding efforts to ensure the full participation of women. To insist on this risks accusations of imposing foreign values and alienating Somali society. Not to do so risks undermining the rights of Somali women.

Finally, civil society organizations and activists should take some responsibility for failing to build upon their successes. After the Arta conference, for instance, CSOs relaxed and did little to monitor the progress of the TFG and hold it accountable. Instead several activists joined the parliament or the cabinet. Similarly CSOs have failed to ensure that seats allocated to women in the TFG are filled by women only. While they have succeeded in addressing some internal obstacles to peace in Somalia, they have not addressed regional and international ones.

The Somali Women's Agenda provides a platform around which to mobilize a common internal and international agenda in the face of these on-going challenges. This time there should be no relaxing until threats to peace and the road to recovery are decisively dealt with.

Faiza Jama Mohamed heads *Equality Now* in Nairobi. She is active in the women's movement in Somalia and has 20 years experience working with international organizations. In 1998 she received the *Hundred Heroines* award for her work supporting Somali women's rights. She is a laureate of the 2008 *Africa Prize for Leadership for the Sustainable End of Hunger.*

Securing Mogadishu

neighbourhood watches

Mohamed Ahmed Jama

The civil war in Somalia has killed hundreds of thousands of people, created millions of refugees, destroyed the environment, and reduced a centuries-old civilization to ashes.

In response to chronic insecurity in Mogadishu civic activists and civil society groups have organized numerous initiatives to reduce civilian casualties and to protect people, including the neighbourhood watches described in this article. The aim has been to stop violence and create an environment conducive to political dialogue necessary to bring a resolution to Somalia's crisis.

Erazing Mogadishu's greenline

In 1992, after four months of vicious fighting for control of Mogadishu, a ceasefire was brokered between Ali Mahdi Mohamed and General Mohamed Farah Aideed. With neither side winning overall control of the capital, a 'greenline' was established between north and south of the city that demarcated their areas of control.

The line split families and communities and created social barriers between people in the two enclaves. Two different Somali currencies were even introduced by the authorities, which circulated in the respective enclaves. Taxes were levied on traders at the greenline and foreign aid workers had to change vehicles between the north and south of the city.

In the early 1990s a coalition of civil society organizations, the Peace and Human Rights Network (PHRN), the Coalition for Grassroots Women Organizations (COGWO) amongst others, felt strongly enough to take action. Through a combination of dialogue with the warlords and pressure from mass public action, from elders and religious leaders and the media, the greenline and other roadblocks were removed.

Neighbourhood watches

Neighbourhood watches (*ciidamada madaniga*) were the largest coordinated attempt by civil society organizations to provide protection for civilians in Mogadishu through a structured community policing system.

In 2002 the authority of the Transitional National Government (TNG), challenged by the Ethiopian-backed Somali Restoration and Reconciliation Council (SRRC), was critically waning. Warlords were jostling for recognition to secure places for the next peace and reconciliation conference being planned in Kenya. Security in Mogadishu was deteriorating with a spree of kidnappings, killings, rapes and robberies.

In response, civil society organizations came up with a structured plan to roll out a community based security system in Mogadishu, which became known as 'neigbourhood watches'. The idea had first been proposed by an elder from Bulo Xuubey in Medina District of Mogadishu during a civil society gathering in October 2002. It was developed further in early 2003 as communities mobilized to address the increasing problem of kidnapping. Organizations at the forefront of the action included Civil Society in Action and Women Pioneers for Peace and Life (HINNA), and many other civil society networks in Mogadishu including both Center for Research and Development (CRD) and COGWO.

The plan divided Mogadishu into 80 neighbourhoods, based on the 1990 administrative structure of the city and the security situation of each neighbourhood. These were asked to recruit 20 armed community police officers who were placed under the administration of a four-person security committee selected by the neighbourhood itself.

The resources to administer the neighbourhood watch scheme and pay the security forces were raised from respective neighbourhoods and administered by the security committee. This amounted to 20,000 Somali Shillings (US$1) a month contribution by each household.

Civil society organizations played different roles to monitor the selection process and to train members of the security committee and community police officers on the rules of engagement and a code of conduct. A monitoring mechanism was also devised whereby the media provided live security coverage through the popular radio programme known as *Hodi Hodi*? ('May I come in?'). The process proved successful and the scheme was established in all of Mogadishu's neighbourhoods.

For petty crimes the Mogadishu neighbourhood watches used public shame as the main tool for punishment and deterrence, with criminals locked in a cage publicly for 24 to 48 hours.

In the absence of a conventional judicial system for other crimes such as murder, theft or the destruction of property, both *Shari'a* and Somali customary laws (*xeer*) were applied using public courts. The presence of armed community police forces and the threat of being interned in cages in public view deterred criminals. Security improved and crime rates diminished.

In parallel with the neighbourhood watches, local development NGOs supported a voluntary demobilization programme. Organizations such as COGWO, SAACID, Somali Olympic Committee (GOS), the Formal Private Education Centre (FPENS) and Safe supported a voluntary demobilization programme. This helped to reintegrate militias, criminals and unemployed youth who had been causing insecurity in the neighbourhoods into the community. It gave them new life skills through education programmes and income generating activities. Many militia and criminals were rehabilitated, but the programme later faced resistance from warlords who saw it as a threat to their military capacities by reducing their pool of recruits.

The success of the initiative led to proposals to extend the scheme to other towns in south central Somalia. However, the formation of the Transitional Federal Government (TFG) in 2004 brought with it an expectation that the new administration would provide security for the citizens. As the TFG reopened police stations the system of caging prisoners was stopped. The government ostensibly took over responsibility for the disarmament of the militias and the general public.



Heavy weapons were decommissioned as part of the Mogadishu Security and Stabilisation Plan in 2005 © CRD

Civil society organizations tried to engage the government in a dialogue to maintain the neighbourhood watches. But, as many of the ministers in the TFG were warlords who were opposed to the scheme, the government refused and disbanded the forces. Nevertheless the structure of the *ciidamada madanniga* continues to exist in each neighbourhood. The public wants to see them redeployed again, although the government continues to oppose it.

Linking community-based security to political dialogue

Somali civic actors have undertaken initiatives to bring peace to the country and protect the lives and property of ordinary people. These initiatives have saved the lives of many Somalis and created a platform for political dialogue.

One of the lessons learned from the neighbourhood watches in Mogadishu is that they cannot provide total security and safety for civilians without a justice system. A criminal can be arrested and temporarily detained, but without courts, prisons and rehabilitation programmes, this can only provide a temporary solution.

However in the absence of a functioning government neighbourhood watches have provided an alternative and effective mechanism for delivering safety and security. They have done so because they have the trust and support of the public. Lasting peace in Somalia requires a process that links local approaches to security governance with political dialogue, where participation or representation in political dialogue is tied to one's capacity to deliver security and stability in the areas one controls.

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Business as usual

Bakaaro market in war

Bakaaro market lies in the heart of Mogadishu. As the economic powerhouse of Somalia it has shown a remarkable capacity for survival and revival during two decades of protracted civil conflict. Bakaaro's story shows the resilience of the Somali business community and the role it can play in building peace, or in fuelling war.

History of Bakaaro

The name Bakaaro comes from the underground kilns that are used to produce lime for construction. In 1950s there were many such kilns in the current Bakaaro area. The first makeshift shacks appeared at the northern edge of Bakaaro in the late 1950s selling meat, milk, dates, salt, tobacco and other small items. Bakaaro market grew in the 1960s when the government settled people on a large tract of land to the south.

In the early 1970s Bakaaro market became part of Howl-wadaag district where government employees – civil servants and military and police officers – were allocated land to construct houses. By the end of the decade the settlement of relatively wealthy people in Howl-wadaag, and improved access due to the construction of four tarmac roads around Bakaaro encouraged expansion of the market to the east.

The first big food stores, shops, restaurants and hotels in Mogadishu were constructed in the vicinity of Bakaaro. Because Mogadishu's larger markets in Via Egitto, Via Roma, and the more recently established cloth and electronic market of Ba'adle in Hamar-weyne district, had little room for expansion, Bakaaro began to attract well-established businesses. In 1983 another wave of businesspeople moved to Bakaaro after fire engulfed Ba'adle market.

The collapse of Siyad Barre's regime in 1991 unshackled the creativity of the private sector from constrictive state regulations. New businesses flourished including *hawala* (money transfer agencies), telecommunications (particularly cheap telephones) and new transport and media companies.

In the big cities and towns, particularly Mogadishu, businesspeople established privately owned hospitals, schools, electricity generators, drinking water companies and even a Coca Cola factory. Somali traders started exporting livestock, skins and hides, fish, and fruits and sesame oil, and importing all manner of goods: food, construction materials, petrol and medicines. The vast majority of these economic activities were based in Bakaaro market. Bakaaro grew to become one of the largest and busiest markets in East Africa, supplying a wide variety of imported and locally produced goods to much of Somalia and the Somali speaking regions of Ethiopia and Kenya.

Bakaaro also functions as the 'Wall Street' of Somalia. Somali shillings and foreign currency both circulate in the market. In the absence of a Somali central bank, exchange rates in many parts of the country are pegged to rates set in Bakaaro. It houses the main *hawala*, such as Dahabshiil, Amal and Qaran, as well as the major telecommunications companies – Hormuud, Telecom Somalia and NationLink – and airline ticketing offices. The most popular media houses, HornAfrik, Radio Shabelle and Radio Simba also have their headquarters in Bakaaro.

This bustling market is also an arms bazaar servicing all parties to the conflict. The weapons market is a notorious feature of Bakaaro and has earned it the nickname *Cir Toogte* ('Sky Shooter'), based on the practice of allowing customers to test-fire on the spot all sorts of light weapons, including AK47s. Imported weaponry ranging from small arms to anti-aircraft missiles can all be bought there.

Challenges to Bakaaro

Bakaaro market and the people who work there have overcome many challenges in the last 40 years, including the oppressive political and economic system of the Barre regime and recurrent fires. Because of its wealth it has attracted the attention of warlords, bandits, militias and soldiers. It has suffered attacks, extortion and looting.

One of the most serious challenges to Bakaaro occurred in 2007-08 as a result of the military alliance between Somalia's Transitional Federal Government (TFG) and Ethiopian troops. Some members of the TFG were convinced that, as the economic hub of Mogadishu, Bakaaro was a source of funding for insurgent forces that were operating against it. The former Mayor of Mogadishu at that time, Mohamed Omar Habeb, described Bakaaro as a hub for 'anti-peace elements'. Indeed, the market did become militarized, with insurgent forces taking control of the strategic junctions in various districts, including Howl-wadaag, Blacksea and Bar Ubah.

Gaining control of Bakaaro market became one of the priorities of the TFG and its Ethiopian allies. They used all means at their disposal to achieve this, from threats and blackmail to full-scale attacks, causing many casualties and massive destruction of property (*see box 3*).

The TFG did not succeed in bringing Bakaaro under its control. When Ethiopian troops left Somalia in January 2009 there was a collective sigh of relief in the market. However it has continued to be a war zone between the government and insurgents. On several occasions it has come under intense shelling by the African Union Mission in Somalia (AMISOM) and by insurgent forces.

Market forces: private sector contribution to peacebuilding

People who own and manage big businesses wield enormous power in Somalia. This can be used in two ways: either to build peace for the benefit of all; or to collude with warlords and other elements who gain from instability. In the early 1990s when clan rivalry was at its peak in Mogadishu there were many examples of businesspeople who became warlords or financiers of warlords.

However from the second half of the 1990s animosity among clans gradually decreased. Many businesspeople started arming themselves and, more importantly, recruiting staff from other clans to defend their businesses. Thereafter, mixed ownership of businesses by people from different clans and different geographical areas became standard practice.

Today businesspeople from south-central Somalia have booming businesses in Somaliland and Puntland, and vice versa. Entrepreneurs are becoming bolder in setting up inter-clan businesses because they are more profitable. This contributes to overcoming clan hostilities and to promoting stability.

The private sector has contributed to peacebuilding in Somalia by paying for the disarmament, rehabilitation and employment of thousands of former gunmen, although not in an organized or coordinated fashion. In Mogadishu, many telephone repairmen, petty traders, drivers and company or business guards are former gunmen. Business also finances clan elders in peacemaking processes and usually pays the costs of inter-clan meeting venues, transport and lunches.

The business community helps to mitigate the consequences of conflict by paying for fuel for hospitals regardless of their location, assisting the victims of drought, paying school fees regardless of students' clan affiliation and supplying food and clothes to internally displaced people in and around Mogadishu and surrounding areas.

With more organization the role of businesspeople in building peace could be enhanced still further, even twisting the arms of the politicians to reach political settlement.

The author is a Somali writer. Author's identity withheld.

Box 3
Bakaaro Market protection initiative

Between December 2006 and January 2008 local security forces nominally attached to the TFG targeted businesses in the Bakaaro district and looted substantial amounts of money, causing the death of many traders, labourers, and bystanders. As the fights against the TFG and Ethiopian occupation intensified insurgents established a foothold in the market. From February 2008 attacks on the market increased with government forces raiding and looting the market on multiple occasions under the pretext of security sweeps.

Civic activists, representatives from the business community, human rights activists and religious leaders undertook an initiative to address the escalating insecurity. After several discussions they concluded that the solution was to demilitarize the market area and establish a community police force. To achieve this, civic actors created committees to engage the TFG and the insurgents in dialogue. The committees increased pressure on the parties, using both the local and international media to showcase the plight of the market.

After tough negotiations the committees managed to broker a Memorandum of Understanding with the parties. This agreed to:

- **Demilitarize the market zone**
- **Deploy a 450 person community police force in the market**
- **Establish a Peace Fund for the protection of the market and humanitarian services**
- **Establish a coordination committee to monitor the implementation of the agreement.**

All of this was to be achieved within 30 days. The MOU was implemented and businesses were able to resume their activities with greater security.

By Mohamed Ahmed Jama, *see p. 66*

Wajid district

an 'island of peace'

This article describes how peace was maintained in one district of south central Somalia through a unique collaboration involving a decentralized local authority and community elders, business leaders and women's groups. Stability was maintained and humanitarian access sustained for over a decade as Wajid handled its interaction with different Somali political groups and a succession of different authorities, some of them the product of internationally-led peace processes.

For many years Wajid district has been described as an 'island of peace' in the sea of conflict in south central Somalia. A district of Bakol region, the residents of Wajid are from the Digil Mirifle (or Rahanweyn) clan family, belonging to the sub-clans of Jirroon, Hadame, Leysaan, Harin, Moalim-weyne, Garwale and Ashraf.

Soon after the collapse of the central government in 1991, Wajid district was taken over by militia backing Ali Mahdi's United Somali Congress (USC). After consulting with community elders, delegates of Ali Mahdi appointed a district commissioner – or mayor – of Wajid who was a 'son of Wajid', having been born, educated and resident there. In mid-1991 the mayor joined other civilians fleeing across the Ethiopian border to escape attack by Marehan militia who were fighting against the USC. The lesson from this was seen to be to avoid taking sides in other clans' conflicts.

In April 1992 he returned to Wajid as mayor. This was a devastating period of war-induced famine in the region when many civilians died, mostly children and women. International humanitarian assistance came on the scene in 1992 and after the establishment of the UN peacekeeping mission (UNOSOM) Wajid district assembly elected a new mayor.

There were new authorities to contend with in 1994, when General Mohamed Farah Aideed's wing of the USC attacked and took control of Bay and Bakol regions. In 1996 the Rahanweyn began to fight back and the Rahanweyn Resistance Army (RRA) was established in Bay region.

The era of Rahanweyn Resistance Army

The formation of the RRA divided the community and resulted in bloody fighting among Wajid's residents. One sub-clan, the Jirroon, supported Aideed's USC-SNA while other sub-clans in the district stood by the RRA. Wajid was completely destroyed and burned by the RRA forces, civilians were killed and others forced to flee.

In April 1998 the original mayor was re-appointed and began to take steps to reconcile the community. Elders collected funds for the process from pastoralists and businesspeople and travelled from village to village until all components of the community were on board. An agreement was signed by all the elders on the following four points:

1. Restoration of justice and forgiveness of each other
2. Safe-guarding security and co-existence
3. Removal of all roadblocks from the district and execution of anyone who blocks roads in and out of Wajid, whatever clan he was from
4. Execution of anyone who kills anyone else within the district territory

The agreement held for just over a year. In May 1999 the RRA, with support from Ethiopian troops, evicted the USC forces and took control of Bay and Bakol regions. This was the fifth change of leadership in eight years.

The era of the Transitional National Government

The 1990 Arta peace process, designed to form a national government, had a destabilizing effect in Wajid. The RRA leadership split into two opposing factions over whether or not

> Wajid provides a rare example of a grassroots community helping a larger political organization to reconcile its differences"

to participate. The local administration and the community leaders decided to take a stand against getting involved in any more armed conflicts in the Wajid area.

The split in the RRA worsened with one side aligned to the Arta government and other aligned to Ethiopia, each of them trying to establish their own administration and seeking the support of Wajid.

The community was divided once again along clan lines, each supporting different wings of the RRA: only the Jirroon sub-clan were unanimous in supporting Wajid as a neutral space.

Given this fragmentation within the Wajid community, another approach was taken by the local administration: talking to supporters from both sides and asking them not to fight inside Wajid and to ensure everyone could enter and leave the district safely. Everyone accepted this proposal.

More remarkably, Wajid provides a rare example of a grassroots community helping a larger political organization to reconcile its differences. The local administration engaged the help of community elders and women's groups to reconcile the two factions of the RRA, welcoming and accommodating the leadership of both sides, and finally convincing them to reconcile. Over 200 community elders from each of the Digil and Mirifle sub-clans participated in the reconciliation process, led by the *Malaaq* (titled elder) of the Jirroon sub-clan, Malaaq Ali Barre.

The era of the Transitional Federal Government

After the peace process led by the Inter-Governmental Authority on Development in Kenya (2002-04) the Transitional Federal Government (TFG) was established. It included RRA representation and for a short time was based in Baidoa.

The Wajid authorities agreed to accept the TFG army in the area, but it proved to be an undisciplined force and TFG soldiers started to misbehave, participating in killing and robbery. From 2007 the TFG forces were relocated to Mogadishu with the help of Ethiopian troops. Thereafter the local administration and Wajid's community leaders resumed their efforts to maintain Wajid as a neutral space.

Factors contributing to Wajid's success

Equitable management of resources When humanitarian organizations decided to be based in Wajid district in 2002, the local authorities took precautionary steps to safeguard them and to avoid any internal conflicts. They agreed a set of ground rules to ensure an equitable spread of benefits. These included the fair regulation of rents, staff recruitment and tendering, all of which had potential to fuel hostilities between clans.

Special arrangements were agreed for airport security and Wajid's District Committee took responsibility for the distribution of aid. This was carried out at the local level by the community elders and other stakeholders. Such arrangements produced a positive correlation between security and resources. It allowed the Wajid community to use security as a positive resource and to host whoever wanted to invest and work in the district, with corresponding benefits to the local community.

Community ownership Responsibility was delegated to the district committee, with final decisions taken consultatively. This demonstrated to locals the community ownership of the district authority and appears to have encouraged all concerned to put aside personal interests and follow whatever seemed to be in the public interest for the Wajid.

Participatory decision-making Extensive consultation has also helped to consolidate peace in Wajid district. Whenever a concrete decision was needed to move ahead – particularly for security – the practice was to consult all levels of the community, especially the elders and businesspeople.

All the district committee members and the community elders would sign final decisions, which meant that it was much harder for spoilers to criticize them. In the case of local security, there was a time when all the community elders and district committee members sat together and signed a clan-based agreement that authorized the killing of militias who put roadblocks in the area and no one could claim *diya* (blood compensation).

Wajid now falls within the area of control of Al Shabaab forces in south central Somalia, its eighth administration since 1991.

The author is a Somali writer. Author's identity withheld.

Towards a culture for peace

poetry, drama and music in Somali society

Maxamed Daahir Afrax

"Somalis are born talkers. Every elder is expected to be able to hold an audience for hours on end with a speech richly laced by judicious proverbs and quotations from famous poems and sayings." **Professor I. M. Lewis**

In Somali society poetry, oratory, theatre and song are the dominant forms of cultural expression. Somalis' thoughts about the last two catastrophic decades have been recorded in poems, drama and song, as well as written literature.

In the dialogue-based, problem-solving forum of a peace meeting, poetry and oratorical eloquence can affect the emotions and outcomes of negotiations and their influence has been seen in internationally-sponsored peace processes such as the 2000 Arta conference.

In a society where skills of oratory are highly respected, speeches and verbal agreements can carry more weight than written peace accords. Somali oral culture is a very powerful tool to promote peace and conflict resolution.

Oratory

In pre-colonial times Somalis valued highly the skill of oratorical eloquence. Successful orators would show their ability by making extensive use of oral literature such as poetry, proverbs and words of wisdom. Speeches needed to be formulated in poetic form or augmented with quotes from famous poems, as well as proverbs and allusion to commonly known stories.

This cultural tradition continues, despite the huge changes in Somali ways of life and the social upheaval caused by two decades of war. The talent for oratory is still esteemed and in local and internationally-sponsored peace conferences elders, poets and other participants have used it to appeal to the hearts and minds of participants to secure a positive outcome. Oratory and poetry, by men and women, were creatively used in the series of peace meetings that ended hostilities in Somaliland in the early 1990s.

Oratorical interventions made at crucial moments saved the Arta Conference from collapse more than once. At one point the talks in Djibouti were endangered when two major clans refused to reconcile their differences and threatened to withdraw from the process. Sultan Axmed, an elder from the Yebro (an 'outcaste' group) delivered a moving and humorous speech laden with poetic quotes, proverbs and allusion to known narratives.

Sultan Axmed directly addressed members of the two rival clans, threatening to unleash *Xanfaley,* a curse in the form of a 'magic wind' that the Yebro are renowned for, to 'sweep away' anyone who dared to withdraw from the talks or become an obstacle to peace. This changed the whole atmosphere. The entire hall burst into laughter and Sultan Axmed received a standing ovation. Tension was diffused and the representatives of the two defiant groups withdrew their threats.

Poetry

The 19th century English explorer Richard Burton famously described Somalis as a 'nation of poets' in his classic work *First Footsteps in East Africa*. Poetry has traditionally been the principal medium through which Somalis define their identity, record their history, express their innermost feelings and communicate their views.

Somali poetry includes both a rich folklore heritage such as work songs (*hees-hawleed*) sung to accompany everyday tasks like watering camels, and a classical form of poetry (*maanso*) composed by poets. Within Somalia's oral culture, poetry is especially powerful in influencing people's attitudes and Somali history provides ample examples of poets who used their art both to fan the flames of war and to bring peace.

The early 20th century poet-warrior Sayid Muhamed Abdulle Hassan is a case in point. A symbol of proto-Somali nationalism for the twenty year war that his dervish movement fought against the colonialists, he is considered by many Somalis to be the greatest ever Somali poet, and he used his status to rally his followers.

Many Somali poets have also used their art to promote peace, as the following line from a classical poem illustrates:

Hawo iyo hilow gacalo iyo, hurud nabdoon baa leh
"The pursuit of pleasure, love and tranquillity are attributes of peace"

This poetic viewpoint is consistent with some well known Somali sayings:

Ha dagaalin: minaad raydo reerkaaga waaye; minii lagaa raayo ruuxaaga waaye
"Do not fight: if you win, you pay with your stock; and if you lose, you pay with your life"

Dagaal waa ka-dare
"War is worst"

Nabad la'aan waa nolol la'aan
"No peace is no life"

An example of a poet as peacemaker is the early 20th century poet Salaan Carrabey, who used poetry to separate the forces of two related kin groups, Axmed Faarax and Reer Daahir, that were on the brink of war. Following a failed attempt at mediation by a religious leader, Salaan Carrabey asked that he 'speak to them in a language they could understand' and recited a poem entitled *Waar Tolow Colka jooja* – "Oh Clansmen, Stop the War".

The influence of the poet and his poem proved stronger than that of the Sheikh and *Qur'anic* verses. The forces disengaged and the fighting was averted. Below is an extract from this famous poem. The English translation is Martin Orwin's:

Oh Clansmen, Stop the War
You killed Rabjaan in revelry
And in transgression of custom
And up to today a stick has not been broken for him
And we remember well-known Jaamac
Who was the first in oratory for us
We know about what happened in the past
No one is more close to each other than us
And yet there is anger between us
If you devour each other
I won't respect you
It's as much as I'll join forces with one side
And join in the attack on the other
It is as if my fingernails are
Cutting up my stomach
And I shall die of anger
And grief and rage
My power will diminish
So say together "I seek protection from God"
Oh Clansmen, Stop the War!

Poetry remains very influential in Somali society both in the country and among the diaspora, but it is changing under the influence of new forms of media, communications and other cultures.

Drama and music

Poetry has been the basis on which other forms of oral cultural expression have developed, such as Somali theatre which emerged in post-independence Somalia as an important art form in Somali urban life. Somali theatre, which incorporates drama, music, dance, visual arts and short-lined modern poetry, became the main medium of expression for artists prior to the civil war and played an important political role.

A play called *Gaaraabidhaan* (Glow Worm), staged in 1968 by the late playwright Xasan Sheikh Muumin, is believed to have inspired the military coup led by Siyaad Barre in 1969. Similarly, *Landcruiser*, a play by the late poet-playwright Cabdi Muxumed Amiin, staged at the National Theatre in Mogadishu in 1989, attacked the deeds of the Barre regime and is popularly believed to have hastened its downfall. After the playwright was arrested, a song of the same name articulating the play's central idea became an instant hit, catching the growing mood of popular opposition to the government.

Towards a culture for peace

In the early 1990s some Somali artists gave their support to particular factions fighting the civil war, thereby exacerbating clan chauvinism. However most of the better known Somali poets and other performing artists inside and outside the



Young livestock owners milking goats

country have devoted their art and lives to the pursuit of peace and justice, denouncing the civil war and promoting stability.

Examples include the famous poets Mustafa Shiikh Cilmi (now in Sweden), Cabdi Dhuux Yuusuf (in Mogadishu), Cabdulqaadir Cabdi Shube (in Puntland); the musicians Axmed Naaji Sacad (in Yemen), Mariam Mursal and Fatima Qaasim (in the UK), Saado Cali (in the US); and the late poet-playwright Cabdi Muxumud Amiin who delivered five collections of poetry during the civil war and produced a play called *Qoriga Dhig Qaranka Dhis* ("Put down the Gun, Build the Nation") staged in Mogadishu in the late 1990s.

In contemporary Somali society poets continue to be highly esteemed figures. In the second half of 2003, for example, the Somali poet Maxamed Ibraahim Hadraawi, the most famous living Somali poet, who spent five years in prison and a decade in exile during the Barre regime, travelled the length of the country preaching peace and non-violence.

On his long journey for peace, Maxamed Ibraahim Hadraawi's 'peace caravan' gathered support from many Somali civil society organizations and ordinary people. The reception given to Hadraawi took him and his fellow travellers by surprise. People welcomed him as a beacon of hope and a desperately needed spiritual leader who could fill the huge leadership vacuum. However he had no political ambition, agenda or vision, but simply sought to promote peace as a virtue.

Another interesting artist that represents an evolution of an oral artistic tradition is the young Somali-Canadian rapper K'naan who found worldwide fame with the release of his album *Nagala soo Baxa* – "The Dusty Foot Philosopher". K'naan tirelessly delivers powerful messages promoting peace in Somalia through his lyrics. In his most famous song *Nagala soo baxa* ("Come out with it") he directly challenges the Somali warlords:

Come out of my country
You've spilled enough blood
You've killed too many people
You've caused a ton of trouble.

In another song K'naan expresses his outrage against the brutalities of the warmongers:

See they rack bodies not grain
Chop limbs not trees
Spend lives not wealth
Seek vengeance not truth
Moisten pain not plants
Sharpen feuds not minds.

Poetry, drama, music and oratory have been major factors in the success of important political movements and events in Somali history: the nationalist movements that led to independence in 1960; the early years of the military revolution of 1969; the overthrow of that military regime; or the Peace and Reconciliation Conference in Arta, Djibouti, in 2000, which led to the formation of the first Somali Transitional National Government.

During the Arta Conference, for instance, many poets and performing artists were mobilized, including from the Djibouti artistic community and the diaspora. During the six months of the conference they engaged in artistic productions that promoted peace and reconciliation, which were broadcast on Somali-speaking media channels in Somalia and around the world.

The effectiveness of these cultural forms as tools for promoting peace is underscored by two important factors: that Somalis are united by a single language; and Somalis' renowned love of oral literature. Over the past two decades Somali artists have proved their commitment to promoting peace in their country, producing a huge body of literature on the theme.

If members of the Somali cultural community are supported and encouraged to be better organized and to produce new work, or even reproduce and disseminate their existing work in support of peace efforts, such initiatives would have better chances of success.

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Section 3

Frameworks for stability

Accord 21 provides great insight into a multiplicity of international and Somali-led peace initiatives to inform the development of complementary and effective peacebuilding strategies. The publication includes a balance of practitioners' insights as well as analysis, focusing on lessons learnt in this ongoing process.

Hibo Yassin is regional representative for the NGO, Cooperation for the Development of Emerging Countries

Somaliland

‘home grown’ peacemaking and political reconstruction

Mohammed Hassan Ibrahim and Ulf Terlinden

The Republic of Somaliland declared independence from Somalia in 1991 after years of war had culminated in the overthrow of the Somali dictator Siyad Barre. Since then Somaliland has proven the most stable entity in the Somali region.

Despite setbacks during two internal wars in 1992 and 1994-96, Somaliland has also been one of the most peaceful places in the Horn of Africa. A lengthy self-financed process of clan reconciliation in the early 1990s led to a power-sharing government. This has provided an important base for Somaliland’s enduring political stability and for its reconstruction and development.

Somaliland defies a common view that Somalis are incapable of governing themselves. Despite numerous and continuing challenges, especially in the context of the democratization process begun in 2001, Somaliland presents an alternative path to state reconstruction in the Somali region.

Building peace and forming a state

From the outset the existence of functioning traditional institutions in Somaliland was fundamental. These institutions have survived both British colonial rule and Somali statehood functionally intact, albeit transformed. Revitalized during the resistance against Siyad Barre’s regime, *ad hoc* councils of elders (*guurtiida)* instantly took on the role of quasi-administrations, managing militias, mediating disputes, administering justice, interacting with international agencies and raising local revenue in the absence of local administrative structures.

Moreover traditional clan elders provided a readily available conflict resolution mechanism and reconciliation infrastructure. In the 1990s international intervention by the UN Mission in Somalia (UNOSOM) and by other foreign powers struggled to cobble together an agreement between warlords in Mogadishu. However Somaliland achieved its cessation of hostilities and also longer term stability through a series of no less than 38 clan-based peace and reconciliation conferences and meetings between 1990 and 1997.

The efforts in Somaliland (and also in Puntland) differed from those in south central Somalia on a number of key characteristics: 1) meetings were materially supported by communities, including the diaspora; 2) key figures of each affected clan participated voluntarily; and 3) resolutions were adopted by consensus after broad consultation.

These circumstances provided for a remarkable degree of local and national ownership, legitimacy and inclusion. Much of this was transferred to the statebuilding process in Somaliland, too – at least initially.

The new polity is often described as a ‘dynamic hybrid’ of western form and traditional substance. It is founded on clan-based power sharing and balanced political representation (the *beel* system). But this occurs within the framework of western style procedures and institutions, such as elections, parliament and cabinet. At its centre, the constitutional *Guurti*, the powerful Upper House of Parliament, institutionalized the political participation of traditional and religious elders.

Reintegration and demobilization of former combatants were crucial in terms of neutralizing potential spoilers. Once the port of Berbera had effectively been brought under government control in 1993, Somaliland strongly benefited from the absence of any other significant resources that could have attracted a war economy. The availability of the port revenues also enabled the government to integrate many militias into a new national army. Former SNM leaders were appointed as cabinet ministers. As well as consensus building, cooption was an important and successful government tactic.



Children look at a monument of the Somali National Movement's struggle, Hargeisa, Somaliland © Mark Bradbury

The desire for international recognition – within the borders of former British Somaliland – also provided a strong incentive for stability. All parties, and especially the victorious SNM, were aware that to be recognized as an independent state Somaliland required consensual, negotiated resolution of outstanding issues from the war. It was equally clear that any government needed to obtain at least minimal endorsement by all clans.

The political elite further understood that Somaliland needed to present itself as a modern state with a democratic system of government. However while the introduction of democracy provided stabilizing impulses, it also brought an inherent contradiction. In view of the continuing significance of the clans, the political system had to accommodate clan-based power sharing within electoral democratic representation (usually based on nomination), such as the *Guurti*.

Stabilization and political reconstruction

Five main characteristics contributed to the process of stabilization and political reconstruction:

1. *The process moved incrementally* from peacemaking to state formation and statebuilding, in parallel with reconciliation and democratization. Although all 'grand' clan conferences had an element of each of these components, the respective emphasis was shifted carefully and each new step was shaped along the way to allow room for 'organic' growth and continuing, pragmatic adaptation whenever the need arose.

   Contrary to many 'national' government-making processes, the Somaliland model has not been defined by timeframes and explicit targets. Rather, it has focused on internal dynamics, and this has been further supported by the hesitant, incremental growth of international assistance for institutional capacity building and democratization.

2. *State and government capacity expanded gradually* from the administration's strongholds in the west towards the east, which was partly controlled by a disgruntled clan-based opposition and has been somewhat contested by neighbouring Puntland.

   In contrast to a prescriptive and blanket 'top down' deal, this gradual (and still ongoing) approach has enabled a heterogeneous process of statebuilding, granting time and political space to accommodate different needs and challenges at the local level.

3. Especially after 1993 there has been clear and strong *leadership, providing vision and direction*. Former President Mohamed Egal, a veteran politician who enjoyed considerable public trust, was able to consolidate state power and chart Somaliland's way towards democratization.

4. Although the *clan system* has been an obstacle to statebuilding and nationbuilding, it also *provides essential checks and balances*. Despite its increased capacity, the executive is still under pressure to strike a careful equilibrium between different interests of clans and sub-clans, both inside and outside the state apparatus. This curtails the central government's room for manoeuvre in areas that might otherwise provoke renewed instability.

5. Principles of *compromise and consensus building* have remained important after Somaliland embarked upon the democratization process. Where Somaliland's legal framework has not provided either sufficient regulation or room for manoeuvre, the process remained sufficiently lenient to accommodate the underlying reality of the clan social structure. Codes of conduct, a 'give and take' approach and mediated solutions were used to maintain the greater good of stability.

Democratizing Somaliland's political institutions

Despite its successes, statebuilding in Somaliland has suffered both challenges and conflict. Two civil wars in the 1990s derailed the rebuilding process and almost shattered Somaliland's territorial unity. And ironically the strengthening of the central government has also had some destabilizing effects. For instance the *beel* political system was increasingly usurped by the executive, threatening to derail its ability to provide legitimacy and to safeguard clan interests.

But the promise of introducing electoral systems after the Hargeisa reconciliation conference in 1997 ultimately provided

a much needed prospect of adjustment and transformation. Although it took another five years to adopt a constitution, the democratization process absorbed a lot of the emerging tensions and dissent.

The move to a constitutionally-based multi-party democracy after 2001 presented new challenges to stability, however. The key question was whether and how political stability built on the traditional *beel* system could successfully evolve into a constitutional democracy based on the rights of its citizens.

Severe structural resistance from within Somaliland's traditional clan society demanded a highly flexible democratic system. Political parties, the National Electoral Commission, candidate nomination procedures, the election system itself, voter registration and other formal institutions all needed to accommodate a vast array of social and political forces. This left little room to transform government bodies into effective, stable, formal and professional institutions.

The multi-party electoral system also introduced a 'winner takes all' system, in contrast with the more inclusive traditional framework of clan representation. As a result political disputes have sometimes threatened to escalate into violent conflict. And the fact that such disputes have subsequently been defused through private mediation has further undermined the development of formal conflict management institutions. Nor has private mediation proved reliable, efficient or sustainable.

The judiciary and the legislature remain weak. Despite the existence of a constitution, in reality the absence of tangible checks and balances leaves the executive vastly stronger than these other branches of government. Parliament cannot exercise its constitutional authority to oversee the executive. The legislature lacks the resources, expertise, unity and the political will to hold the executive to account. And the judiciary operates largely as subordinate to the executive.

Somaliland's formal political, administrative and judicial structures have been circumvented on a number of issues, including, for instance, the security sector, the rights of parliament, the budgetary process and the detention of critics. Patronage is rampant and limited public resources are often mismanaged.

Elections themselves have further challenged Somaliland's young political system. Elections were first held at district level in December 2002. The three political associations that emerged strongest from these elections became the only parties licensed under the current constitution. This restriction and the very limited development of structures and democratic procedures within the parties seriously limit political competition.

The presidential elections in 2003 gave the ruling party a narrow victory over the opposition by a margin of 80 votes. The opposition contested the results and the Supreme Court eventually ruled in favour of the government. However it was only after intense mediation and strong public pressure that the opposition conceded victory to the incumbent President Dahir Rayale.

In 2005 however, the opposition won a majority in parliamentary elections, creating a situation of divided government. Since then the country has frequently found itself mired in political confrontation between the executive and the legislature.

Meanwhile, the credibility of the – unelected – *Guurti* has been severely damaged because of its allegiance to the executive, undermining its constitutional mandate to mediate political conflicts in the country. Existing legal frameworks, because of their ambiguity, have also proved inadequate in the context of these disputes.

The weakness of formal institutions, the power imbalance been the contestants and above all the inherent contradictions between the social structure (clans) and the procedures enshrined in the constitution, have culminated in an extended and on-going delay of the second electoral cycle.

Local elections – meant to take place in December 2007 – have been delayed until further notice. The presidential elections, originally due in April 2008, were postponed for the fifth time in September 2009, now without scheduling a specific new election date. Along with these repeated postponements, the terms in office of the local district councils and national government have been extended without elections. Instead, the *Guurti* have controversially provided several extensions of their terms of office.

Following two years of incremental delays, these actions have not only damaged Somaliland's emerging democratic system and its reputation. Ultimately, reflecting the incomplete political transformation described above, they now threaten to undermine Somaliland's stability.

Many of these issues are closely connected with the insufficient development of a strong domestic constituency to promote and safeguard the democratization process. So far Somaliland lacks a 'critical mass' that could clearly be identified as the popular driving force of democratization.

'Horizontal' forms of civic association and organization across clan lines remain very limited, strongly contributing to the absence of a culture of broad-based social movements. In the absence of experience of participation in a system of liberal democracy, there is a tendency to 'look up' and wait for concepts to come from above. Although there is a broad perception that democracy is beneficial to the populace, democracy so far has too little active lobby.

Disputed boundaries and Somaliland's unrecognized status

The most serious threat to Somaliland's stability is currently from militants associated with the (purportedly Islamist) insurgency in south central Somalia. Elements of Al Shabaab and similar groups exist under ground because they do not enjoy popular support. But they have repeatedly engaged in assassinations of aid workers since 2003 as well as in three simultaneous suicide bombings in Hargeisa in October 2008. These groups pursue (Somalia-wide) unionist or even (globally) universalistic agendas against Somaliland's independence and seek to stall its secular democratization.

Somaliland's longstanding territorial dispute with neighbouring Puntland over Sool and Eastern Sanaag regions is also a continuing problem. Somaliland's claims are based on its colonial boundary within Somalia, while Puntland bases its position on the fact that the Dhulbahante and Warsangeli communities inhabiting the area are part of the Harti clan that controls Puntland.

The conflict remained a 'cold war' until a bloody confrontation in 2002. Since then forces of both sides have been locked in a standoff, resulting in several rounds of fighting. Sool's capital Las Anod was captured by Somaliland forces in October 2007. The situation remains tense and sporadic clashes can be expected to recur so long as the underlying conflict remains unaddressed and both sides insist on their claims to the territory.

Closely linked and to some extent underlying these external challenges is Somaliland's continuing desire to achieve international recognition and the unresolved relationship with Somalia. There is growing 'fatigue' in Somaliland over stagnation on these issues. This is reinforced by concern over the shortage of territorial guarantees and protection that it can call upon as an unrecognized territory, despite its relatively close relationship and security cooperation with Ethiopia.

Lessons from Somaliland's experience

Somaliland's experience illustrates the potential and – especially in the Somali context – impressive sustainability that 'home-grown' peacemaking and reconciliation can generate. With relatively little international help – except from its huge diaspora in the Gulf region, Europe and North America – Somaliland accomplished gigantic tasks such as demobilization, the restoration of law and order, the management of a deregulated economy, making a constitution and at least initial steps towards a plural democracy.

All of this has been achieved without peace being imposed either from above or from outside. National compromise in Somaliland has grown locally and with the liberty of different speeds in different contexts and regions, 'quick and dirty' short-cuts in the peace process were largely avoided.

Also avoided has been resort to 'cake-cutting' power-sharing exercises, which have been unsuccessfully attempted elsewhere in Somalia. Instead the overlapping but consecutive peacemaking, institution-building and democratization processes in Somaliland have followed the successive establishment of a ceasefire, the careful restoration of relationships, genuine reconciliation, and a locally-owned process that has determined the future design of the polity.

None of the accomplishments in Somaliland can be taken for granted, however. Post-war political reconstruction is not a linear, let alone an irreversible process. The recurrent need to 'reinvent' political institutions (eg the changing role of traditional authorities) and the recent setbacks in the democratization process underline that consolidation requires continuous effort – and favourable circumstances – at every juncture.

Looking at lessons to draw from Somaliland's case, it is important to note the unique combination of circumstances that worked in Somaliland's favour: a strong traditional system, the absence of 'war-economic' resources, and the incentives from the search for international recognition.

Somaliland's experiences are therefore not easily transferable to southern Somalia or beyond. But they should clearly encourage international practitioners and policy makers to support 'home-grown' peacemaking and political reconstruction wherever the circumstances permit, be it on a national, regional or local level.

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Building structures for peace

how to administer Mogadishu?



Hassan Sheikh

Mogadishu has gained a reputation as the most dangerous city in the world. Since the fall of Mohammed Siyad Barre in 1991 different factions have been locked in deadly competition to control it.

Numerous attempts have been made to establish an administration for Mogadishu and its surroundings – the 'Benadir region'. From short-lived political deals between faction leaders based on asset sharing, to major community initiatives to restore local level stability, none have been able to deliver basic security let alone offer public services.

The complexity of Mogadishu stems from the perception of it being the political centre of Somalia, compounded by controversy over its future status: is it the capital city of the Somali nation or a clan city? Is it one of the regions of Somalia or does it need special status as a union territory belonging to all Somalis, regardless of their region or clan?

The enduring national symbolism of Mogadishu as Somalia's capital ups the stakes for its control. Successive governments have fought unsuccessfully to establish themselves, just as Al Shabaab and Hisbal Islamiyaiya are doing today. With a multiplicity of actors involved in deciding Mogadishu's fate, the establishment of an effective Benadir administration remains as elusive as ever.

The division of Mogadishu

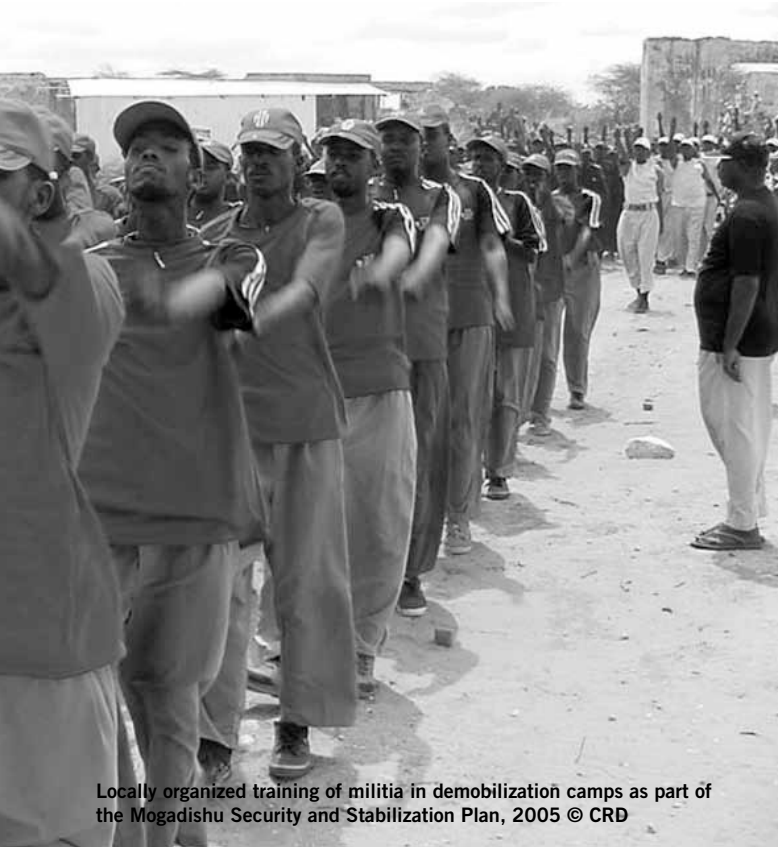
Attempts to establish a Benadir administration started immediately after the fall of Siyad Barre in 1991. The breakup into two warring factions of the United Somali Congress (USC), the dominant political group in Mogadishu at that time, led to a hugely destructive four-month war.

A 'greenline' was established that divided Mogadishu between the north, controlled by interim President Ali Mahdi, and the south, controlled by his arch opponent General Mohamed Farah Aideed. Militia checkpoints were erected at junctions linking the two parts of the city, since when it has remained divided into enclaves.

The war changed the social character as well as the physical fabric of Mogadishu. Many of the original inhabitants left and were replaced by people from the regions. Traditions of peace and security were lost and many historic buildings were destroyed.

The Cairo national reconciliation conference of 1997 was a turning point for Mogadishu. Ali Mahdi and Huseein Aideed, who had succeeded his late father General Aideed, agreed to establish a new Benadir administration, which was launched in August 1998 based on a power sharing deal between the two. Public participation was limited but the business community was supportive of the new administration, investing more than $500,000 in it. It also received $800,000 from Libya. Three thousand police officers were trained and factions and clans provided them with weapons such as 'battlewagons'.

Ultimately, the new administration failed due to fresh divisions in the leadership. Two important faction leaders, Muse Sudi (a deputy of Ali Mahdi) and Osman Atto (a rival to Aideed) opposed the administration. The number of factions in the



Locally organized training of militia in demobilization camps as part of the Mogadishu Security and Stabilization Plan, 2005 © CRD

> “Major steps in the Mogadishu Security and Stabilization Plan were implemented. Most roadblocks were removed and militias were cantoned”

city doubled as these new leaders established bases and assembled militias to stake their claim to power.

The Arta reconciliation process of 2000 was the first Somali peace initiative since 1991 to form a parliament and elect a president. Immediately after relocation to Mogadishu, the new government appointed a governor, Ali Ugas Abdulle, and a mayor, Abdullahi Muse Hussein.

Armed factions in Mogadishu that had not participated in the Arta process opposed these appointments. But instead of emphasizing reconciliation with the armed factions and providing space for people to participate in the formation of the administration, the government merely changed the leadership. Between 2000 and 2004 the Arta government appointed three separate mayors and governors, all of whom failed to live up to public expectations.

Mogadishu Security and Stabilization Plan

The Somali government formed in Mbgathi in Kenya in October 2004 could not agree on whether to relocate to Mogadishu, where the new president, Abdulahi Yusuf, was not popular. Even before it had left Kenya, Mogadishu was a divisive issue for the Transitional Federal Government (TFG), with some of the top leadership claiming that the city had to be cleared of opposition forces before it could relocate there.

President Yusuf opted for a temporary base first in Jowhar and later in Baidoa. He also called for the deployment of a large African Union peacekeeping force to support his administration, an idea abhorred by many in Mogadishu.

A group of parliamentarians and cabinet members led by the new speaker, Sharif Hassan Sheikh Aden, went to Mogadishu in March 2005 to prove to the government that it could relocate there. They challenged the inhabitants of Benadir to participate in the formation of a new administration.

Consultations led by civil society and business communities resulted in an agreement to form a technical committee to propose a way forward for the Benadir region. After two months of intensive dialogue, the Mogadishu Security and Stabilization Plan (MSSP) was produced. The plan emphasized two main needs – the pacification of the city and establishment of a regional administration.

The MSSP initially focused on security issues in order to assist in the formation of an administration that would enable the new government to function in the capital. The major components of the plan were: 1) dismantling all roadblocks in the city; 2) cantoning armed militia outside the city; 3) selecting a local council to elect a governor; and 4) establishing the administration’s executive branch, the police and the judiciary.

The plan was strongly supported by key actors and opinion formers in Mogadishu. Civil society and the business community embarked on fundraising and building public support. The media launched an extensive awareness-raising campaign, while civil society institutions provided neutral discussion forums to develop consensus.

One such forum brought together two former presidents, the speaker, parliamentarians, the deputy prime minister and seven

> “Is Mogadishu the capital city of the Somali nation or a clan city? Is it one of the regions of Somalia or does it need special status as a union territory belonging to all Somalis, regardless of their region or clan?”

ministers of the TFG, along with prominent civil society leaders – including women's groups, and the business and religious leaders of Mogadishu.

The event was broadcast live on many local FM radio stations and produced a joint declaration endorsing the MSSP. It called for the removal of all roadblocks inside and outside the city; highlighted the importance of civil society participation in the implementation of the plan; and urged TFG institutions to take over the work.

Major steps in the plan were implemented. Most roadblocks were removed, militias were cantoned and a seven-member committee, mainly of parliamentarians, was appointed to finalize the formation of the administration. In December 2005 the committee agreed to nominate a 64-member regional council for Benadir. Hawiye sub-clans were well represented but other regions and clans were also included.

As the process evolved the support of the TFG group in the city began to erode. This group preferred to nominate the council as well as the governor and his team on the principle of power sharing, rather than allowing an appointed council to elect the governor as the committee had proposed. As a result some of the TFG members withdrew their support, resulting in another failure.

The story of the MSSP provides a very good example of the hidden legacy of the wars in Mogadishu and the lasting polarization that resulted. Mogadishu politicians were seriously challenged as to whether they could pacify their city and the very people they represented. The experience showed they were unable to make the concessions needed to form an interim administration and proved that Mogadishu politicians and their supporters were not yet ready to address this challenge positively due to abiding distrust between them.

Civil society leaders in Mogadishu had no option but to support whatever initiative came from the politicians. They hoped that the successful formation of an administration would achieve the local reconciliation needed for sustainable peace. Civil society groups made a significant contribution towards the implementation of the MSSP, including raising funds and awareness. Civil society and the business community financially maintained around 700 clan militia (not including Islamic Courts militia) in camps until February 2006. After that the militia left the camps due to the failure of the politicians to agree on the new administration.

Many people in Mogadishu argue that the formation of the Alliance for the Restoration of Peace and Counter-Terrorism on 18 February 2006, an alliance of warlords, was a direct result of the failed MSSP project. Others argue that the warlords withdrew their support from the MSSP as part of a broader global agenda within the ‘war on terror’, backed by the US government. The immediate impact was the emergence of the Islamic Courts Union (ICU) and their takeover in early 2006 of Mogadishu and most of the regions in south central Somalia.

The Islamic Courts Union

The ICU was a conglomeration of clan and lineage courts, originally formed to deal with the pervasive security threats that plagued Mogadishu and its environs. Neighbourhood watch schemes had improved security in certain quarters of the city, but the challenge of how to deal with criminals once in custody remained.

Local clans and associated businesspeople supported the establishment of numerous Islamic courts in different areas of Mogadishu, which acted as the judicial wing of the neighbourhood watches. As the courts received more financial and technical support, they took over the watches and assimilated most of their members into their security forces.

Like the clans, the courts only united when they felt threatened by faction leaders who claimed to be hunting terrorist operatives hiding in Mogadishu under the auspices of Islamist groups. When the ICU took over Mogadishu, the first thing they addressed was security on the streets. This broadened their popular support.

Civil society and business communities welcomed the security brought by the ICU and encouraged them to prioritize establishing an administration for Benadir, so that the long awaited dream of the people in Mogadishu could be realized. The ICU appointed a committee comprising their supporters and members of civil society to propose a way to establish the administration.

The committee suggested that the administration should be set up through a participatory process, involving all actors and stakeholders in a congress to be called ‘The Congress for the Fate of Benadir’. The committee presented their proposal to the ICU executive committee, setting out 1) the objectives and expected outcomes of the congress; 2) modalities for participation and participants; 3) venue and time; and 4) the proposed structure of the new administration.

After the committee's presentation there was a tough question and answer session on what they meant on each point of the proposal. The ICU thanked the committee and promised to study the proposal and decide the way forward. This promise was never fulfilled. Besides presenting their proposals, many civic actors preferred the reinvigoration of the existing council (established under the auspices of the MSSP) by the addition of new members and some adjustments in the executive branch.

The ICU neither modified the existing structures nor established new ones before the Ethiopian occupation of Mogadishu in December 2006. Instead, the ICU focused primarily on security and justice: arresting and trying criminals, rather than forming a political administration. They were also pre-occupied by events on other fronts such as expanding their influence, their contest with the TFG and the subsequent intervention by Ethiopia, all of which happened within six months.

Relocation of the government to Mogadishu

The TFG did not recognize the efforts of the speaker and other parliamentarians in developing the MSSP. In 2005 the TFG Prime Minister, Professor Ali Mohamed Geddi, had appointed Mohamoud Hassan Ali (Adde Gabow) as mayor-governor for Mogadishu, but he was largely ineffective.

It was not until the Ethiopian forces ejected the ICU from Mogadishu in December 2006 that the TFG relocated to the capital for the first time. In April 2007 Prime Minister Geddi created a new security structure for the city. He appointed a new mayor-governor, Mohamed Omar Habeb (Mohamed Dhere), who was a former warlord and governor of Middle Shabelle region.

At this time Mogadishu was the scene of intense fighting between the TFG and Ethiopia against an ICU-led insurgency. The violence divided the city along new boundaries and even affected areas that had not been touched by the fighting in 1991.

The 2007-08 war was very intense and destructive due to the use of heavy weapons, and it resulted in the displacement of nearly one million people. Mayor-Governor Mohamed Dhere did nothing to prevent this and was an avid supporter of the war. He was eventually sacked in July 2008 by the TFG's second Prime Minister, Nur Hassan Hussein (Nur Adde), who had entered into dialogue with opposition forces. Mohamed Dhere tried hard to retain his position, which meant that Mogadishu's administration became a major cause of contention between the president and the new prime minister.

The prime minister insisted on following the procedure laid down in the Transitional Federal Charter and in November 2008 around 70 district councilors from Mogadishu elected Mohamed Osman Ali 'Dhagahtur' as the new mayor-governor of the city.

Looking forward

None of the administrations established by the TFG for Benadir and Mogadishu have been able to deliver even minimum basic services to the people. The reasons for this failure lie in the approach used to make appointments, the affects of the war between the insurgents and the Ethiopian forces and the conflict within the top leadership of the TFG. The ongoing fighting between the TFG and the two Islamist opposition groups, Al Shabaab and Hisbal Islamiyaiya, is bound to delay the long-awaited dream to stabilize the city.

Mogadishu has never experienced a fully-fledged reconciliation process to restore lost trust and heal the bitter memories of the past among the people. Civic actors in Mogadishu have advocated local reconciliation between the supporters of the factions that have fought over and divided the city.

Although the greenline was abolished a long time ago, there is still a psychological partition in many parts of the city. Mogadishu continues to host one of the most gruesome conflicts in history and war still haunts the memory of many ordinary citizens. This polarization is one of the hidden reasons for the failure of all the attempts made in the last 19 years to form an administration.

Article 5 of the Transitional Federal Charter adopted in Kenya in 2004 states that Mogadishu will be given a special status once the federal system is implemented. The parliament still has to define this in order to protect the city's diversity and symbolism, its economic power and national political standing. Because of its troubled history, ongoing bloodshed and the ungovernable situation, for many of Mogadishu's residents this cannot come soon enough.

In 1999 Hassan Sheikh co-founded the Somali Institute of Management and Administration Development (SIMAD). He joined the Center for Research and Dialogue (CRD) in 2001 as a researcher and later research coordinator and led the formation of the Somali Civil Society Forum in 2005 – a conglomerate of networks, coalitions and action groups. In 2006 he co-founded the Somali Research and Education Network (SomaliREN), and since 2007 has worked as a consultant with various international and local organizations, including UNDP and UNICEF.

Experiences of constitution making in Somalia, Puntland and Somaliland

Sub-section introduction

Sally Healy

At its simplest, a constitution is nothing more than a document that sets out the basic principles or established precedents according to which a state (or other organization) is to be governed. It will usually entrench and institutionalize political agreements, define the state and its population and frame the rules for the lawful exercise of authority.

In ideal terms constitutions describe a social contract between rulers and ruled, explicitly formulating the obligations, rights and duties of the two sides. Considering the fundamental importance of 'contract' (*xeer*) in Somali social order and the multiplicity of contracts that actually regulate social relationships among Somali clans and lineage groups, it might be supposed that constitution making in the Somali context would be a reasonably straightforward undertaking. As the three case studies presented here of different Somali constitution-making processes illustrate, in reality this has not been the case.

The studies refer to three rather different types of constitution making. Kirsti Samuels outlines failed attempts to develop a national constitution for the Transitional Federal Government (TFG) in 2006. Ahmed Abbas and Ruben Zamora describe the process of developing a constitution for the State of Puntland since 1998. Ibrahim Hashi assesses the rather more successful constitution-making process in the self-declared Republic of Somaliland.

The authors bring different perspectives to bear on the process. Samuels was engaged by the United Nations as a constitutional expert to assist the nascent TFG. Ahmed Abbas and Ruben Zamora work for Interpeace, an international peacebuilding organization, on a donor funded democratization project supporting civil society involvement in the constitutional process in Puntland. Ibrahim Hashi, an independent lawyer, offers an analysis of the experience of developing a constitution in Somaliland without external assistance, and the political challenges of sticking to the rules laid down by the constitution.

The challenges of constitution making in the Somali context illustrate all too clearly the contested nature of statehood. For most countries emerging from conflict, the territorial definition of the state and its population is a given. This is not the case in Somalia.

It is instructive that the most successful case of constitution making to date is that in Somaliland, where the act of agreeing a constitution through a plebiscite was intimately linked to the formalization of separate statehood and termination of the 1960 union with Somalia.

Puntland is a different case where a constitution has been developed for a federated state, notionally forming part of a federal state of Somalia that has not yet been defined legally and does not exist as a political entity.

The concept of a constitution for Somalia as a whole – as defined internationally – is deeply constrained by the constitutional advances in both Somaliland and Puntland. Yet many of the Islamist groups now in the ascendant in south central Somalia favour a unitary rather than a federal state.



Women and men line up patiently to vote in Somaliland Presidential election © Mark Bradbury

The more militant Islamists oppose Western-style constitution making itself as an implicit challenge to *Shari'a* law. Some would go further to reject the existing territorial definition of Somalia in favour of an Islamic emirate embracing all the Somali people in the Horn of Africa.

Aside from identity problems there are the difficulties of re-establishing forms of central government for a society where political authority is traditionally decentralized. The regulation of political power is never easy, but even the basics of statehood – the government's right to monopolize force and its duty to protect citizens, the concept of individual rights, responsibilities and obligations under the law – are tempered in the Somali context by the primacy of clan and *xeer*, which provide the basis not only of political solidarity but also the foundations of law and order and personal security.

The international template for statebuilding after conflict now follows a fairly consistent pattern. The typical sequence is a peace agreement, the establishment of a power-sharing government under a transitional charter, the development of a draft constitution by an independent commission with the help of international experts, followed by a public consultation process, which is regarded as part of the democracy and peacebuilding process.

After endorsement by the relevant legislative bodies the constitution is often submitted for formal public approval through a popular referendum. Once adopted, elections are normally held on the basis of the new constitutional arrangements.

What has been the Somali experience of constitution making to date? Elements of the internationally-favoured, process-heavy and 'politics-lite' approach have been tried in Somalia, as these case studies show.

Somaliland, Puntland and Somalia are all at different stages in a process of moving from a peace agreement, to a transitional charter, to a constitution, a referendum and elections. The results have been mixed and generally disappointing from the perspective of the practitioners involved in them.

But one lesson seems to be that success correlates with the strength of the political arrangements that underpin the process. Somaliland's constitutional system continues to be challenged by political events. But it has shown itself to be built on strong foundations, demonstrating considerable resilience in the face of political challenges for well over a decade.

Puntland's process is newer. After nine years in the making, a draft was approved by the legislature in 2009 but has yet to adopted by the executive or endorsed by the public. In both the Somaliland and Puntland cases – and despite a reasonable level of political consensus – the making of a formal constitution has taken very much longer than anticipated.

Term extensions, in breach of constitutional provision, have posed challenges in Puntland as they have in Somaliland and in each case a political compromise has provided a short term solution. But the process of constitution making has helped to consolidate peace and create structures of government that possess public legitimacy. At the national level no such progress has been made since 2006 and none seems likely without a broader political settlement behind it.

An opportunity for peacebuilding dialogue?

Somalia's constitution-making process

Dr Kirsti Samuels

Somalia is one of the most difficult contexts for a constitution-building process. Not only has it experienced 20 years of civil war, but its younger generation has grown up in a failed state. Having lived through two decades of dictatorial repression followed by two decades of violent conflict, many Somalis living in Somalia do not have the conceptual models or personal experiences of an effective and peaceful Somali state, especially in terms of institutions, governance structures and leadership.

For a society emerging from civil war, a constitution-building process provides opportunities for reconciliation, for developing negotiated solutions to divisive issues, and for achieving consensus and agreement on the many areas of division.

It can also symbolize a break with the past by creating an atmosphere of hope and renewal, and help devise a legitimate and stable state. Comparative experience shows that constitution-building bodies that are inclusive and representative result in more successful transitions from conflict to peace, and more stable and effective constitutions. Participatory processes in constitution-building increase the legitimacy of the constitution and peoples' support for it, which is essential for the constitution to play a meaningful role in creating a stable state.

This article describes the efforts in 2006 to develop a constitution for Somalia. This was a period of relative peace in the country, but there had been little domestic buy-in to the internationally sponsored peace talks in Kenya, which produced the Transitional Federal Government (TFG) and a Transitional National Charter (TNC).

The constitution-making process was envisaged as inclusive and participatory and expected to double as a grassroots peace initiative that would help to solidify the movement towards peace. It was also hoped that the process would help address remaining points of conflict, ranging from war crimes, stolen property, occupied territory, conflicting legal frameworks, to the rights of refugees, internally displaced people and the simmering resentment of groups that felt excluded.

The 2006 constitution-building process

By the time the Somalia Transitional Federal Parliament convened for the first time in the town of Baidoa on 26 February 2006, the constitutional process was high on the list of urgent business. In 2004 parliament had been sworn in, and according to the transition timetable a draft constitution had to be ready by October 2007.

Reliance on a constitutional process as part of a transition from a peace agreement to a legitimate elected government is an increasingly common methodology. It acknowledges that those at the table during peace negotiations may not represent all the interests in a country, that in many cases the range of issues that need to be debated in a constitution are too vast for a peace negotiation, and that many of these issues are best debated at a slower pace, in a more inclusive fashion.

This was certainly the case in Somalia. The peace agreement took the form of a transitional constitution – the Transitional Federal Charter of the Somali Republic – and set out many provisions that could be part of a constitution, including a federal governance structure and Islamic *Shari'a* as the basic source for legislation.

However the Charter had been adopted by unelected participants in a peace negotiation. It did not have the approval and involvement of the Somali people and lacked the legitimacy required to establish a workable peace and a viable state. Hence Article 71(2) of the Charter provided that a federal Constitution based on the Charter was to be drafted (within 2.5 years) and adopted by referendum during the final year of the transitional period. The TFG had a three-year window and a consortium of donors, NGOs and international agencies was formed to support this process. I was brought in as lead legal advisor to assist on the project.

The Charter provided for the creation of a Federal Constitutional Committee (FCC), the members of which were to be proposed by the Council of Ministers and approved by the parliament. The first step therefore was to create this commission.

Undoubtedly some difficult negotiations took place among the ministers and parliamentarians in putting together a list of 15 members, who were ultimately chosen on a clan basis using the '4.5 formula', like the parliament. An early list did not have any women on it, but in response to advice about the importance of having a representative commission, two women were included in the list sent for parliamentary approval.

Part of my role was to explore with the TFG the sorts of processes and methodological options available to them in setting up the constitution building process, and to enrich

their understanding of these options through comparative discussions of other constitutional processes.

Discussions with Somalis revealed that many of the core concepts that had been negotiated during the peace agreement were not well understood. Federalism, and in particular the fact that federalism requires relinquishing some power and control by the central government in favour of the states or regions, had not been internalized, as became clear in discussions with members of the TFG.

A lot of emphasis was put on the need for a public dialogue and an inclusive process in order to ensure that the final draft had legitimacy and would be accepted at referendum. At the time, Kenya was considered a cautionary tale as the people of Kenya had just rejected their new constitution at referendum.

In June parliament established the FCC in the Somalia Constitutional Commission Act (June 2006). This established guiding principles for the Commission, namely that it was to take account of: the Charter, the principle of Islam, democracy and social justice, and a process that "(a) promotes public participation, transparency and accountability to the people; (b) accommodates the diversity of Somalis and their opinions; and (c) promotes stability, peace and reconstruction".

The members of the FCC would not be powerbrokers within their clans, but they were respected clan members with professional backgrounds that ranged from former judges to religious elders. They convened for the first time at a week-long workshop hosted by the UN Development Programme (UNDP) in August. The members of the commission proved to be engaged and interested, aware of the risks and challenges they faced and determined to take their responsibilities seriously.

One of their first decisions was to change their name to the Independent Federal Constitutional Commission. During the workshop, the IFCC drafted their rules of procedure and agreed on the following methodology and procedural steps:

1. A civic education program that would run the entire three years (to late 2009) and empower the people of Somalia to understand why a constitution was being made and what their governance choices were. This was to be overseen by the commission but implemented by a Secretariat with civil society collaboration.
2. A consultation process of nine months following an initial period of civic education, in which the commission would initiate a national dialogue to bring divided and fragmented groups together to discuss a common future for the state.
3. The preparation of the draft constitution itself would take six months, and the commission would request comparative and expert assistance as they identified their needs. The draft would be the subject of further civic education before the referendum. There was discussion of a representative validation meeting before the referendum, but it had not been decided on.

These decisions were well received by Minister Derro, the Minister for Constitutional Affairs, and represented a hopeful start for the constitutional process. The international consortium agreed to support the process on this basis and allocated a substantial budget to so do, in the order of 10 million Euros.

However all of this activity was taking place against the background of the rise of the Islamic Courts Union (ICU) in Mogadishu (June 2006) and its standoff with the TFG. Even as the constitutional process seemed to be opening up an opportunity for dialogue and negotiation between all Somalis, including the Islamists, it was apparent that the ICU and the TFG were facing off for another round of conflict.

In fact the Minister for Constitutional Affairs became one of the first casualties of the renewed war in Somalia. He was assassinated after Friday prayers in August a few days after the launch workshop of the IFCC. It remains unclear whether he was targeted because of his involvement with the constitutional process or whether he was simply an accessible target. In the chaos that followed, the constitutional process was essentially put on hold, as the transitional parliament and government turned all their attention to the crisis.

Since 2006, the commissioners have attempted to continue with preparations, but with the TFG on the verge of collapse there was little impetus to run a complex constitutional process in such an unstable environment. With a new government in place since January 2009 there may be an opportunity to re-launch the process, but it will depend on whether the country is stable enough to conduct of a participatory constitution building process.

Key challenges

Even if the country had not returned to war Somalia would have faced substantial hurdles to building an effective constitution. Putting in place elections, designing new institutions and choosing the best constitutional language will not necessarily result in conditions for peace and stability.

The clan nature of Somali society provides one of the challenges to envisioning a coherent Somali state, as does Somalia's negative experience of governance. For instance, in interviews on the design of the constitution some Somalis



Elders in Burco deliberate on matters affecting the community
© Mark Bradbury

maintained that while they did want a state, they did not want one that had "anything to do with them".

A key question that arises is whether Western governance models will ever be implemented effectively in Somalia or whether it will be necessary to seek endogenous solutions. This dilemma exists to some degree in any democratization process supported by the international community.

Divergence between local ideas and values and a Western, Westphalian vision of a state often means the institutions created are not sustainable when the international community leaves. To be successful the institutions cannot be mere shells imposed from outside, but must be bodies that are understood and trusted by the population.

In Somalia a stark division has arisen between formal power structures and the reality of power on the ground. For the most part informal and traditional systems of governance have more or less managed power, dealt with disputes and often ensured a minimum of predictability and governance.

There are both informal clan-based governance structures and criminalized warlord power structures. Whether or not specific provisions are included in the constitution to recognize these local power structures, modify them, or seek to override them, it is clear that their existence must be taken into account. Attempts to dissolve or ignore informal mechanisms that have served the public effectively can produce chaos. New structures that are neither trusted nor understood and undermine informal systems may leave society worse off than before.

In Somalia this issue also arises with respect to the sources of law. Some codified law exists but in the absence of a functioning judicial system, *xeer* (traditional law) and *Shari'a* are currently the dominant sources of law. Making progress will require careful weaving of a hierarchy of laws that builds on the current reality. This should not mean that there is no scope for improving the existing laws and interpretations to better comply with international standards of human rights, but rather the reality must be taken into account when designing the constitutional rules on these issues.

Somaliland provides another challenge to achieving consensus on a vision for the future of the state. Although Somaliland has in effect been operating separately since 1991, many people in Somalia do not accept Somaliland's declaration of independence and consider it to be part of what should become the unified state of Somalia. In 2006 demarches to the Somaliland government seeking to involve them in the constitutional process were rebuffed, and the practice of including members of Somaliland clans in Somali institutions will not change the reality that those in power in Somaliland currently reject unification.

Some of these challenges may be ameliorated by an extended period of civic education and dialogue. But it remains uncertain whether attempts to transfer models, lessons and institutional structures from other stable and developed societies to Somalia will ever be successful. Given the weak, mistrusted formal legal and judicial structure and the lack of bureaucratic capacity, the prospects for implementing a constitution are very low. Furthermore the informal traditional structures are likely to compete with any new institutions or rules adopted in the constitution.

A public education campaign could inflame divisions if it adopts extremist views rather than encouraging moderation and compromise. A process could be rendered illegitimate by the exclusion of the voices of women or minorities. Also, the constitution adopted may be unrealistic and unenforceable if it is too ambitious and too expensive. Finally it may also induce conflict if it does not fairly address issues of land ownership, war crimes, or the division of power and resources.

Nevertheless, despite the disappointments so far, as well as the risks, there remains a valid role for constitution building in peacemaking in Somalia. But such a process could prove divisive if it is not sufficiently representative, participatory or consensus based.

Dr Kirsti Samuels is an attorney with extensive experience of countries in conflict – in Somalia, Afghanistan, East Timor, Bolivia, Ecuador, Haiti and Iraq. She is a writer and policy analyst on statebuilding and peacebuilding, and has advised governments and development agencies.

Making the Somaliland constitution and its role in democratization and peace

Ibrahim Hashi Jama

Somaliland's impressive peacebuilding record since 1991 has been accompanied by statebuilding. This has been achieved within the framework of a collection of basic laws articulated first in charters and later in an interim constitution, which was consolidated into a final constitution that was put to a plebiscite. This article explores the making of the constitution and how, to date, it has been used to maintain peace and uphold democracy in Somaliland.

Constitution making

The extensive peacebuilding initiatives that took place in Somaliland between 1991 and 1997 underpinned the constitution making process. While the latter was not as participatory as the former, it was crucial for the transformation from conflict to peace and in shaping the governance framework.

The grand conferences of the Somaliland Communities in 1993 and 1997 as described in Ibrahim Hashi Jama's paper (*see p.89*) served as Somaliland's version of constituent assemblies. They legitimized the adoption of a National Charter in 1993 and the more detailed interim constitution that followed in 1997.

Both the charter and the interim constitution spelt out the steps towards the adoption of a final constitution. Article 5 of the 1993 National Charter stated that the charter should be in force for two years from the date of signature, and then replaced by a constitution that would be endorsed through a referendum.

As it proved impossible to draft a constitution within two years, the period of the charter and the term of President Mohamed Egal (who had been elected at the 1993 Grand Conference in Borama) were extended for a year and a half. In 1994, the then House of Representatives appointed a ten-member constitution committee that was advised by a consultative body of 25 members consisting of lawyers, traditional leaders, religious figures and politicians.

The committee produced a draft constitution, but that same year President Egal appointed a Sudanese lawyer to produce an alternative version. The two drafts were distinguished by the balance of power they accorded to the legislature and the executive. On 26 November 1996 the Grand Conference in Hargeisa enjoined the constitutional committee to combine the two drafts and to present one final version. This was done and the conference endorsed it as the Interim Constitution of the Somaliland Republic.

The interim constitution was to be implemented for three years until a national referendum could be held to approve it. In August 1999 the government produced a draft of the revised constitution which reduced considerably the 156 articles of the interim constitution.

The amendments were debated by a 24-member joint committee of both the House of Representatives and House of Elders chaired by the latter's second Deputy Speaker. Almost all the changes made by the government were rejected. A final 130-article constitution was approved by both Houses on 30 April 2000 and was overwhelming endorsed in a public referendum held on 31 May 2001.

Maintaining the peace

The constitution making process in Somaliland from 1991 to 1997 was very much intertwined with peacemaking and statebuilding efforts. No public grassroots consultations were undertaken on the contents of the charter or the constitution prior to their adoption. However the peacemaking grand conferences were attended by all the various clans (*beelaha*) of Somaliland and provided the legitimacy required for the adoption of the charter and interim constitution.

After 2000 the indirectly elected Houses of Parliament took over this role. This long process, from 1993 to 2000, ensured that the customs, religion and the aspirations of the people were reflected in both the preamble and the provisions of the constitution.

Traditional practices are evident in the emphasis on cooperation, consultation and joint decision making and in the place given to the *Guurti* (the Elders). Islam is well reflected in many provisions, including the yet to be established *Ulema* Council. In these respects the 2001 constitution differs from the 1960 Somaliland Constitution and the Constitution of the Somali Republic, although some provisions of the latter were reproduced.

The 1993 National Charter gave a pivotal role to clan representatives. By co-opting traditional leaders selected by their own *beelaha (*clans or communities) into the parliamentary chamber of the House of Elders, the charter and the constitution effectively institutionalized some of the traditional leaders. The composition of the House is an important nod to the informal consociational power sharing arrangements between the Somaliland clans, which though not specified in the constitution are so important to all aspects of Somaliland life.

The consequences of this are still hotly debated, especially in light of what some see as the politicization of the elders. The Somaliland traditional leaders (*Suldaan* and *Ugaas*) do not sit in the House

of Elders as a group but have their own *ad hoc* 'Saladin Council'. However they did have some say in the original appointment of the membership of the House and continue to have an indirect role in the choice of House members who have taken up vacant seats.

Interestingly this process produced the first female member of the House, who was sworn into office on 20 January 2009. While there have been occasional calls for members of the House to be elected rather than appointed, these have so far been rejected.

There is no denying that the constitution has helped in the maintenance of peace by legitimizing the institutions of the state and the way in which changes can be made to them. Unlike the Afghan *Loya Jirga*, the Somaliland constitution did not institutionalize clan conferences. With the adoption of the constitution, the national political discourse was to be conducted under its provisions and the need for grand clan conferences (*shir beeleed)* was reduced. Subsequent calls for national conferences (*shir qarameed)* at difficult moments of constitutional crisis have been vigorously denounced by the government as amounting to a rejection of the constitution.

Since then, several disagreements between Somaliland's political parties, the president and the elected House of Representatives have developed into serious political and constitutional disputes. A recent crisis about the delayed presidential election was settled on 1 October 2009 when the president and the leaders of the opposition parties signed a memorandum of understanding (MOU) about the delayed presidential election. This took the heat out of a political and constitutional dispute that has seriously strained Somaliland's own dispute resolution mechanisms.

The MOU enabled aspects of the electoral dispute to be tackled by removing from consideration the constitutional conundrum of what should happen when a president's term of office has expired. Although such negotiated compromises have been effective in maintaining Somaliland's peace and order, they still leave underlying constitutional controversies unresolved.

Democratization

Two principles that underpin the Somaliland constitution are defined in its various provisions as "democratic principles and the multi-party system" and "peace and cooperation". To what extent have these principles been upheld?

The president and the members of both Houses of Parliament were initially selected by an electoral college of elders at the grand peace conferences in 1993 and 1997.

The constitutional referendum in 2001 paved the way for the move to popular elections. Within two years of the constitution being publicly endorsed, a body of laws was passed to facilitate the formation of political parties, define citizenship, delineate the structure of local government, and lay down electoral procedures.

The first district council elections were held in December 2002, followed by the first presidential election in May 2003. The first election of the House of Representatives was held in September 2005. Although all three elections were held without a voters' register, in the opinion of international observers they were, on the whole, 'fair and free'.

The presidential election was scheduled to take place in May 2008, but has been postponed three times, most recently in September 2009, in part because of disputes over the voter registration process. Civil unrest over the latest postponement was averted by domestic and foreign pressure and a last minute agreement (the MOU referred to, above) between the three political parties to change the Electoral Commission, review the voter registration and agree a new election date. The president's term of office was also temporarily extended.

The postponed local district elections are to be held after the presidential election. The artificial three party limit (stipulated in Article 9 of the Constitution) and the linked ban on independent candidates, is seen by many as being fundamentally contrary to the commitment to democracy and the multi-party system set out in Article 9 (1) of the Constitution. Many who support the constitutional limit to avoid proliferation of clan-based parties argue that the current three parties need not always be the three allowed under the constitution.

The numerous 'term extension tussles' have also affected the public's view of both the constitution and the way it has been implemented by the president and the House of Elders. Term extensions are perhaps to be expected in an unrecognized country with limited resources to hold elections on time. But the frequency of the extensions and the fact that decisions on them have been taken solely by the House of Elders and the president, to the exclusion of the House of Representatives, the political parties and the Electoral Commission, seriously undermined public trust in the political process.

The House of Elders has limited powers, introduced under the 1997 interim constitution, to extend the terms of office of the president and the House of Representatives. Yet the House of Elders extended the term of office of the House of Representatives three times until the parliamentary elections were held. It also extended its own term three times, most recently for another four year term. The House of Elders assumed the power, unsupported by either the constitution or local government law, to extend the term of office of local

district councils. And since 2002 it has extended presidential terms five times, with the current president benefiting from four of these extensions, most recently in September 2009.

Upholding constitutional principles

Somaliland has managed to adopt a far from perfect, but sensible constitution that suits its current stage of political development. Yet it has become all too common for Somaliland politicians and others to ascribe some of the political and constitutional arguments or occasional crises that arise in Somaliland to defects in the text of the constitution.

While it is clear that some changes may need to be made in respect to, for example, the independence of the judiciary and the balance between the executive and the legislature, there are many other reasons why political and constitutional crises arise.

There is a lack of appreciation of the principles of constitutionalism and a continuing absence of the primary and secondary legislation required to implement many of the provisions of the constitution. Since the judicial body assigned to interpret the constitution is practically out of action it is easy for the Executive to sidestep the constitutional checks and balances or occasionally to act with impunity.

In the absence of an authoritative interpretation of the constitution from the Somaliland Constitutional Court – which has failed dismally to assume its constitutional role – Somalilanders have looked for pragmatic solutions that ensure continuing peace, preferring not to delve too deeply into the correct interpretation of the constitution.

This pragmatic approach is exemplified in the acceptance of successive unconstitutional term extensions and the settlement of partially constitutional and legal disputes through discussions in which the Executive, as the custodian of state power, always has the upper hand. The danger is that no authoritative constitutional interpretation will ever develop. Calls for constitutional amendments and disputes over its provisions will continue if issues like the assumed power to extend terms of office are not settled one way or the other.

Despite the latest last minute agreement in September 2009, if the forthcoming presidential election is not held within a few months, the dispute over the president's expired term of office will recur. The issue of constitutional dispute resolution is therefore one of the main topics that must be addressed in the years ahead.

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Puntland constitutional review process

Ahmed Abbas Ahmed and Ruben Zamora

Puntland State of Somalia was established at the Garowe Community Constitutional Conference in mid-1998 as a voluntary union of the communities inhabiting the regions of North Mudug, Nugal, Bari, Eastern Sanag, and Eastern Sool.

A transitional Charter endorsed by the conference defined the structures and functions of the government of Puntland, which was envisaged as a federal entity of a future Somali Federal State. The Charter outlined a three year timetable for drawing up a constitution and holding elections. These tasks were not completed by the time the administration's mandate expired in July 2001, but a draft constitution had been produced and approved by the legislature.

In contravention of the Puntland Charter, the first Puntland President, Abdullahi Yusuf, sought an extension of his mandate, which provoked a political crisis and military confrontation. This was ended in May 2003 with a compromise that recognized the presidential status of Abdullahi Yusuf in exchange for ministerial posts for members of the opposition and the integration of its fighters into the regular Puntland security forces. The constitutional dispute that was at the centre of the crisis was not addressed.

After Abdullahi Yusuf became President of the Transitional Federal Government (TFG) of Somalia in October 2004, the leader of the opposition, General Adde Muse, was elected by the parliament as the new Puntland President in January 2005.

In December 2006 Adde Muse issued a presidential decree setting out the following programme for the democratization of Puntland's political system:

- A constitutional review
- The establishment of an electoral commission
- Public dissemination of the amended constitution and social mobilization
- A popular referendum on the constitution
- Municipal and parliamentary elections

A 14-member Constitutional Review Committee (CRC) composed of MPs, a minister, an appellate judge and other respected members of Puntland society was appointed in February 2007. With the help of Interpeace, arrangements were put in place to conduct a constitutional review process.

The constitutional review process

The CRC decided that a systematic revision of the provisional constitution was needed. With the help of an advisory team, the first draft of the revised constitution was completed by November 2008. The next phase was to involve consultations with wider society and by January 2009 plans for public dissemination and formal consultative meetings were ready.

The dissemination of a radio education programme on the constitution generated a great deal of public discussion in Puntland, resulting in many of the key constitutional articles becoming 'buzz words'. Consultation meetings were held throughout February 2008 in Garowe, the Puntland capital, with a broad spectrum of organizations, prominent personalities, and a cross-section of representatives from the different sectors and geographical regions of Puntland. These ranged from governors, mayors, and officials from ministries, to civil society groups and religious and traditional leaders.

Public responses reflected the concerns of participants' interests. These included calls from local authorities for increased autonomy from central government, demands for women's rights by women's organizations, calls for freedom of expression from journalists, and for a bi-cameral legislature by traditional leaders.

The CRC incorporated the inputs from the consultative phase into the final draft constitution. It also added a number of last-minute changes unrelated to the consultations, such as removing the conditions under which the president can introduce a state of emergency, which presented serious contradictions with the principles of a democratic constitution.

The CRC forwarded the final draft to the Puntland cabinet for review at a special session on 2 June 2008. Ignoring technical advice about a number of contradictory articles, the cabinet delivered the draft revised constitution to parliament for its approval prior to preparations for a popular referendum.

By now however the mandate of parliament and the government was about to expire. In order to dispel speculation that parliamentary approval of the revised constitution would be used as leverage for the extension of their mandate, parliament voted to defer the proposal to the next parliamentary session.

A peaceful political transition was achieved in Puntland in late 2008. A new parliament was sworn in on 31 December 2008, a new president was chosen by the parliament on 8 January 2009 and a new State Minister of the President for the Democratization Process was appointed in the government.

> "Modern constitutions are based on concepts of 'citizen' and 'state' and presume the supremacy of the constitution over any other legal norms. However in Puntland the clan rather than the individual is the primary bearer of rights and responsibilities"

The new administration envisages that transition to a democratic multi-party system will be completed by the end of its first two-year period of office in early 2011. It asked parliament to return the draft constitution to the cabinet so it could familiarize itself with the content. This resulted in more changes that introduced new contradictions into the text. Some address observations made by Interpeace, others are oriented towards limiting the independence of the judiciary and increasing the power of the executive.

The president called for an extraordinary session of parliament in April 2009 to discuss, among other things, the draft constitution for referendum. Parliament spent the whole of May discussing the draft and making further revisions to the text, but some contradictions remained. In late June 2009 the new constitution of the Puntland State of Somalia was approved by a vote of 49 in favour, 2 against and 3 abstentions (with 12 MPs absent).

Subsequently there has been a call from civil society organizations and prominent personalities for a final review to correct the most serious contradictions and defects in the text approved by parliament. At the time of writing the executive had not yet signed off on the version approved by parliament or made it public. Nor had it expressed an official position on how to resolve existing problems with the text.

Some provisional lessons learnt

In a political process that remains incomplete, it is premature to draw conclusions and lessons learned. Nevertheless it is possible to advance some propositions recalling the Puntland experience. The following are observations that have emerged from the process to date.

1. This type of process is political and cannot be treated simply as technical. This presents serious challenges to external agencies called on to support constitution making, especially as it risks making the exercise externally driven by substituting internal actors with external expertise. A fine balance needs to be struck between what is technically sound, and respect for local ownership and control of the process.

2. It is important to recognize the impact of the social structure in the constitution making process. Modern constitutions are based on concepts of 'citizen' and 'state' and presume the supremacy of the constitution over any other legal norms. However in Puntland the clan rather than the individual is the primary bearer of rights and responsibilities. This contradiction manifested itself throughout the constitution making process. Although the text carries the usual dispositions on individual rights, the structures of clan power had to be taken into consideration so that the traditional systems remained valid instruments for exercising power.

   On the other hand the constitutional process started with an existing state structure and practices. Puntland has a fragile and simple governance structure with limited capacity in which the exercise of power by the president is highly personalized. An alternative, more complex, state structure risks becoming an economic burden for the country or not being implemented.

3. In view of the above considerations, the constitution making process needs to develop an 'outside force' in favour of the process. There is no substitute for strong public advocacy for democracy. The more intimately the different sectors of society are involved and take a stake in the process, the greater the guarantee that democracy will take hold in the country and that the constitution will have an instrumental role in defining and protecting it.

   The most critical moment in the constitution making process occurs when the consultation is complete and the text is ready for adoption. There is a real possibility that the work developed over many months, involving a broad range of stakeholders and technical expertise, will be in vain if the executive and legislative organs are unfamiliar with constitutional matters and political interests become paramount. The 'outside force' should play a public role in pressuring the state organs to maintain the democratic features of the new text. External actors, especially the donors, should also maintain pressure for the approval of a participatory constitution.

4. A final lesson from Puntland concerns the educational role of external agencies. Members of the Constitutional Review Committee were unfamiliar with constitutional texts and lacked legal training. External actors avoided the temptation to invest heavily in educating the committee members and providing elaborate technical support.

   The approach taken in Puntland involved a different pedagogical strategy that consisted of a very brief introduction to the constitutional task and the development of the overarching framework and structure of the constitution. The committee members were progressively exposed to relevant information and analysis as each chapter of the constitution was developed. This gradual approach proved more effective, less costly and less prescriptive.

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Islam and Somali social order


Koranic school © Ryan Anson/Interpeace

Suluh (pacification)

Peace and reconciliation are among the fundamental tenets of Islam, which preaches the virtue of the conflict resolution method known as *Suluh* ('Pacification'). This is mentioned in several verses of the *Qur'an* along with the importance of promoting reconciliation. According to Islam, promoting reconciliation is an act of goodness and people are encouraged to resolve their differences this way.

But according to the Prophet Mohammed (Peace Be Upon Him – PBUH), conflict breeds chaos and puts all the other pillars in jeopardy. Therefore, to pacify those in conflict is the most beneficial and *Suluh* is key to it all.

The Somali Islamic tradition

Somalis traditionally have adhered to the *Shafi'i* school of *Sunni* Islam. Historically most have have belonged to one of the established *Sufi* orders and in their practices have fused local traditions and beliefs with Islam. Clan ancestors have been assimilated as *Awliya* or 'trusted ones' and Somali customary law incorporates elements of *Shari'a*.

Somalia's post-independence civilian and military governments recognized Islam as the official state religion, but there was no tolerance for political Islam. When religious leaders challenged the government of Mohammed Siyad Barre in 1975 over a new Family Law giving equal rights for men and women, ten Muslim scholars were publicly executed. By the 1980s more radical interpretations of Islam had begun to gather pace as Somali Muslim scholars returned from Egypt and Saudi Arabia against a backdrop of widespread corruption, economic downturn and growing civil unrest.

In 1991 the Barre regime collapsed and reformist Islamic movements established a real foothold in the country, particularly in the south central regions. When the state collapsed Somalia fell into the same chaos that is also mentioned in the *Qur'an*. Clans fought against each other; political factions clashed over the pursuit of power; and crimes became a common occurrence. At this time killing sprees also became part of daily life and criminals walked without fear of being held accountable for their crimes. All of this violence came at the expense of innocent civilians, whose desperation spurred the creation of Islamic courts.

As people turned to Islam for security and the moral and physical reconstruction of communities, Islamic foundations and benefactors outside of the country invested in businesses and social services. At different times Somali political leaders also promoted Islamic movements in pursuit of their own political strategies.

The emergence of the Islamic Courts

The first Islamic Courts were established in Maka and Medina neighborhoods of Mogadishu as early as 1991. The militant Somali Islamic group Al Itihad Al Islamiya also established Islamic Courts in Gedo region around that time. More courts were established in North Mogadishu in 1994 and they later spread to other districts throughout Mogadishu from 1998 until 2000.



> “Islamic groups have also invested in social sectors such as education and health. Before the mass displacement of people from Mogadishu in 2007 more than 130,000 children were being educated with the support of Islamic foundations and charities. Higher educational institutes, such as Mogadishu University, were also revived with support from Islamic finance”

These courts were originally clan-based, but merged to form the Islamic Courts Union (ICU) in 2004. The primary reason behind their creation was to bring law and order and to promote *Suluh* among families, clans and individuals. The courts dealt with murder cases on the basis of Islamic jurisprudence, categorizing killings into three classes: intentional; semi-intentional (killing by means that would not normally threaten life) and accidental. All cases were dealt with through the application of Islamic law.

After achieving some success in containing criminality, the courts moved to address civic cases such as land disputes, divorces, inheritance claims, car-jacking and family disputes, employing both punishment and dispute resolution methods to achieve settlements.

Later on special tribunals were set up to tackle some of the unsolved crimes that had happened before the establishment of the courts. They offered the accused and the defendant a choice whether they wanted to agree compensation or to accept the court’s judgement. The courts also responded to requests to deal with incidents that took place in areas outside their immediate jurisdiction. In some murder cases, they applied traditional blood compensation where evidence was found.

Interweaving Islamic and customary systems

The Islamic Courts worked alongside traditional elders to gain acceptance of their rulings by the clans, as well as their help in consoling the bereaved and arresting criminal suspects.

But in other respects, Islamic Court rulings differed from traditional laws. Under traditional law, elders can influence individuals and families to accept or refuse a compensation settlement and have the power to overrule the victim’s own family. The Islamic courts did not endorse this and insisted that the victim’s own family must agree to the terms of any settlement.

Under customary law certain clans have their own rules for settling disputes, such as the payment of a limited amount of money as compensation for homicide. The courts, in contrast, applied Islamic law in homicide cases, compensating the killing of a man and a woman by 100 and 50 camels respectively – or cash equivalent. However, Muslim scholars believed that the proper application of Islam should always draw upon the support of Islamic leaders and elders, as well as intellectuals and other community leaders.

Somali customary law also states that the concept of punishment for a crime is largely absent as a basis for resolving disputes. Instead, the practice is one of restitution with the level of compensation negotiated by elders and the *Ulema* (religious scholars). The *Hudud* punishments under Islamic law that have been carried out by some of the Islamic Courts are not supported in Somali customary law. Encouragement for forgiveness between those in conflict was always a major part of conflict resolution both in Islam and in traditional Somali practice.

Before the inception of the Islamic Courts, Muslim scholars did not contest this combination of traditional and Islamic

practice and elders and religious leaders worked side-by-side. Elders and Muslim scholars, including some from the moderate Somali Islamist group Ahlu Sunna Wal Jama'a, had their own small *Shura* Islamic Councils, comprising religious scholars, clan elders and business and community figures.

The Councils' role was to maintain backing for the judges and keep the support of their clansmen. The 1994 Islamic Courts in north Mogadishu had a separate higher authority known as the Supreme Council of *Shari'a* Implementation. This acted as a 'board of governors' responsible for implementation and general guidance. It was led by a *Sufi* scholar and included traditional clan elders among its members.

Islam and social responsibility

In addition to peacemaking and law enforcement, Islam has been increasingly influential in commerce and in efforts to revive and maintain public services. Many of the new enterprises that have grown up during the war, in the import/export trade, telecommunications and money transfer, are owned by people inspired and motivated by new reformist Islamic sects.

Applying Islamic principles, these businesses attract shareholders from different clans, enabling them to operate across political divides. Islamic groups have also invested in social sectors such as education and health. Before the mass displacement of people from Mogadishu in 2007 more than 130,000 children were being educated with the support of Islamic foundations and charities. Higher educational institutes, such as Mogadishu University, were also revived with support from Islamic finance.

The *Ulema* and reconciliation

Islam has always played a tangible role in peacemaking and peacebuilding. The *Ulema* command automatic respect and people have always turned to them to help with unresolved disputes. During Somali reconciliation meetings in and outside the country, the *Ulema* have played important roles by counseling negotiators and speaking to them through the media, urging them to show flexibility and compromise. They would urge leaders to refer to Islam in solving their differences.

Some of the biggest conflict resolution efforts by religious leaders took place in 1991. When clan elders failed to contain violence between Ali Mahdi Mohammed and General Mohammed Farah Aideed in Mogadishu in 1992, Somalia's most famous Islamic scholars – Sheikh Mohammed Moallim, Sheikh Ibrahim Suley and Sheikh Sharif Sharafow (all now deceased) – met with Ali Mahdi and General Aideed to advise them against war. When the two sides started exchanging heavy gunfire the scholars continued traversing the frontlines lines in the midst of crossfire in a symbolic effort to urge ceasefire.

After the takeover of Mogadishu and much of south central Somalia by the ICU in 2006 the role of the *Ulema* scholars was taken over by the Courts. The ICU set up the *Shura* Council, which accommodated most of the leading Islamic scholars. They also formed an executive branch that was tasked with daily operations.

Scholars from Ahlu Sunna Wal Jama, an organization of Somali *Sufi* religious leaders created in 1991, found the atmosphere increasingly hostile because of the dominant influence of the *Wahhabists* and *Salafists*, who have always challenged and criticized what they perceived as the 'passive' role of *Sufis* in Somali political life.

But not all Islamic Courts were controlled by *Wahhabists* and *Salafists*. For instance, in 1994 the Islamic Courts in north Mogadishu were entirely run by *Sufis*, while *Sufi* scholars from Ahlu Sunna Wal Jama'a founded some of the clan-based Islamic Courts that were established in Mogadishu in 1998.

All these Islamic groups, including *Wahhabists*, *Salafists* and Ahlu Sunna Wal Jama'a, can be considered *Ulama*. However certain factions from the politically active Islamist groups, such as the Majma' Ulema (*Ulema* Forum), Al-Islah and Ahlu Sunna Wal Jama'a claim to be the biggest advocates of *Suluh*. These groups are most likely to collaborate with each other, but all can co-exist, as they showed before the ICU tookover, and as is further evidenced by the reaction of many Muslim scholars from different groups to the current militancy in Somalia.

In 2009, after the establishment of the new TFG under Sheikh Sharif's leadership, the *Ulema* Council was formed in Mogadishu. Two disastrous years of Ethiopian military involvement had sewn confusion over faith and politics.

The primary purpose of the Council was to create a religious authority that could provide moral leadership to the people. However conflict had already erupted between the government and opposition groups. The *Ulema* tried to tackle the conflict head on, issuing directives that were often controversial. They demanded the withdrawal of AU peacekeeping troops serving with AMISOM within a four-month period and demanded that Parliament be reconvened to adopt *Shari'a*.

At the same time they called on the opposition to stop fighting the government. In May 2009, after the opposition

launched major attacks on the TFG, the *Ulema* tried to broker a ceasefire between the two sides but the opposition refused. The Islamic scholars have been very clear about the current troubles. Sheikh Omar Faruq, perhaps the greatest living Muslim scholar in Somalia today, denounced any justifications to take up arms against the current government on the pretext of Islam. This has left the opposition Hisbal Islamiya and Jabhatul Islamiya divided on whether to endorse the *Ulema*'s proposals.

Islamic scholars and external mediation

If peace and security are to be sustained in Somalia, the engagement of the Islamic leadership is crucial. Islamic scholars have attended most previous reconciliation conferences, but usually as observers. Members of the Ulema Forum and Ahlu Sunna Wal Jama'a were observers to the 1993 Addis Ababa conference. Muslim scholars also took part in the 2000 Arta conference, although in a personal capacity, and several scholars from the Courts and members of Al-Islah became parliamentarians in the Transitional National Government (TNG).

Islamic Scholars had less influence in the Mbagathi peace talks in Kenya from 2002 to 2004, where warlords and clan elders were the main actors. And the 4.5 formula of clan representation has limited their numbers in the TFG parliament. However they were consulted in the drafting of the Transitional Federal Charter and they warned that any passages that contravened Islam would not be accepted.

The 2008 Djibouti negotiations between the TFG and the Alliance for the Re-liberation of Somalia (ARS) also involved a large number of Muslim scholars as ARS representatives. As a result of the Djibouti talks, Muslim scholars and other religious activists have their biggest representation in the subsequently expanded parliament and are playing a more prominent role within the Somali political process.

Many Somali Islamic scholars believe that only Islam has the potential to achieve absolute security in the country because Somalis are 100 per cent Muslim and will accept Islam more readily than any other political system. They believe that the stability achieved in the six-month period of ICU rule in Mogadishu was not a fluke and could be repeated.

Islamic scholars consider that political Islam is going through a turbulent period in Somalia similar to the warlordism that existed until recently. The difference is that most warlords and faction leaders were politicians, whereas today's militant opposition groups lack the leadership of recognized Islamic scholars who practice *Suluh* because of the violent attitude of these groups. The expectation amongst the scholars is that, with time, the Somali people will accept Islamic leadership under the guidance of respected scholars.

A number of Somalia's Islamic scholars also suspect that external powers would never accept an Islamic system taking root in the country. They see the actions of the international community as supporting this general thesis, particularly the West's condoning Ethiopia's intervention to topple the Islamic Courts. Many in southern Somalia strongly believe that Somalis could agree on one leadership and achieve trust and peace under *Shari'a*. Without external interference, they see a very real possibility of an Islamic state becoming established in Somalia.

Analysts debate whether the current Somali militant Islamic organizations have a domestic Somali agenda or an internationalist one. Previous radical Islamist groupings, such as Al Itihad Al Islamiya, articulated a domestic agenda. This is less clear for the militants of today. Al Qaeda's top leaders, including Osama Bin Laden himself, have recently sent supportive messages to the Al Shabaab leadership, which has reciprocated with pledges of allegiance to Osama Bin Laden.

Where next?

At the beginning of the Somali civil war, the conflict was between clans and later clan-based factions. Today, Islamic factions are pitted against a government that has stated its intention to apply *Shari'a* in full.

Politics rather than religion lies at the heart of the fighting today, with rival religious ideologies mobilized to support personal and political ambitions. The reality is that the current debacle has undermined the authority of the *Ulema* and has done serious damage to the reputation of Islamic leaders.

The militant Islamic organizations are too violent and ideologically polarized to bring together all sections of the Somali society and their actions have highlighted the sensitivities of putting religion at the centre of modern governance. The failure to uphold peaceful Islamic principles has created the current chaos and has damaged Islam in Somalia. Paradoxically, the militants' violent pursuit of an Islamic state may be pushing the prospect of an Islamic state further away than ever.

The author is a Somali writer. Author's identity withheld.

Distant voices and the ties that bind

identity, politics and Somali diaspora youth

Khadra Elmi

As Somalia approaches two decades of 'statelessness', a generation has grown up to know a country riddled with violent conflict and political turmoil. Many Somalis from this era have resettled and grown up in the West.

With reports of a small number of young Somali men going back to Somalia to fight alongside insurgent groups, the position of youth within the Somali diaspora – caught between their host and their home countries – has come under intense scrutiny by Western policymakers.

The issues that propel young Somalis to join groups designated as terrorists by Western governments are complex, relating to identity formation, diverse generational views, and how different generations engage with the homeland.

Attitudes of Somali diaspora youth need to be contextualized in Somalia's post-2005 political landscape – a period that has seen the rise and fall of the Islamic Courts Union (ICU) and the Ethiopian occupation of Mogadishu. Many Somalis have felt that their country has become yet another Muslim nation to fall victim to the 'war on terror' and the so-called 'clash of civilizations'. This period has ushered in a new Somali political consciousness, epitomized by a unified reaction against the Ethiopian occupation.

Transnational Somali identity

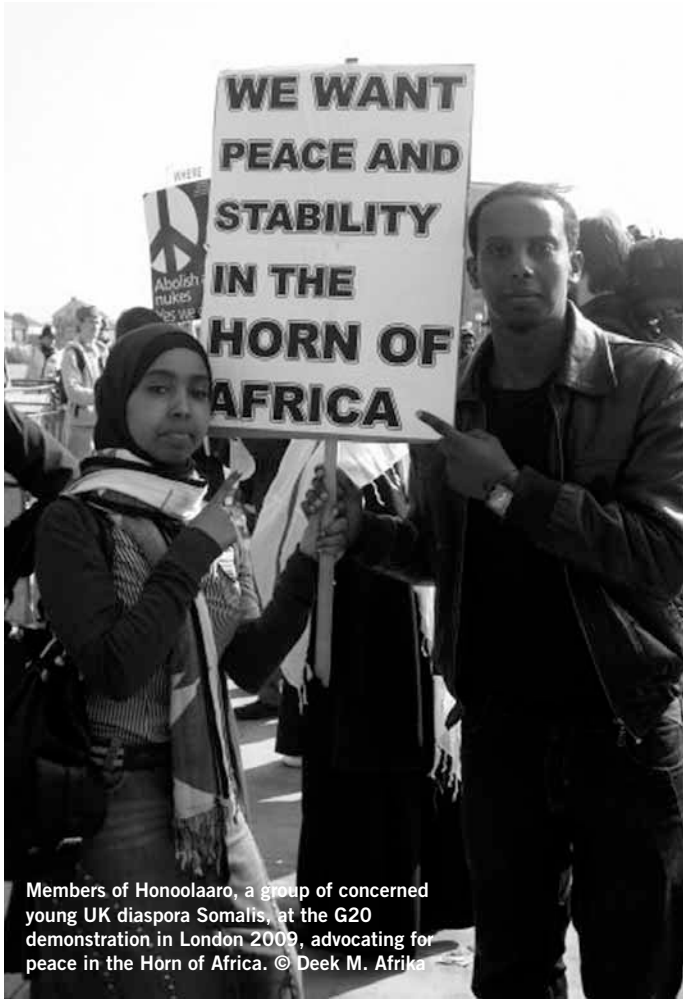
An estimated one million Somalis of a total population of about nine million are thought to reside outside Somalia, making the Somali diaspora one of the largest globally, proportionate to population size.

Migration is not a new phenomenon among Somalis. It has occurred within the Somali territories for centuries, with extra-regional movement to Western Europe traceable to Somali seafarers who worked on colonial ships in the early twentieth century, a few of whom ended up settling and forming communities in port cities in countries like Britain and Norway.

Further Somali migration took place after Somalia's independence, when Somali students went abroad to study in Western universities. Later in the 1970s a large number of Somalis migrated to Gulf states to seek employment and other economic opportunities stimulated by the oil boom.

From the 1980s onwards, as the Somali Salvation Democratic Front (SSDF) and the Somali National Movement (SNM) insurgencies developed, an increasing number of Somalis opposed to the regime of Mohamed Siyad Barre went into political exile in neighbouring countries, the Gulf states and the West. By far the largest wave of migration has emerged since the start of the Somali conflict and subsequent collapse of the Somali government in 1991.

The majority of those who took flight from the war went to Kenya, Ethiopia, Djibouti and Yemen, where thousands still



Members of Honoolaaro, a group of concerned young UK diaspora Somalis, at the G20 demonstration in London 2009, advocating for peace in the Horn of Africa. © Deek M. Afrika

> Young Somalis in the diaspora are also using their positions to create political dialogue between Somalia and the countries they live in. This is a policy space that must be harnessed, as their willingness to be engaged has potential to be positive and their dual identity and belonging is something that can create new and fresh answers to peacebuilding in Somalia"

remain in protracted limbo and displacement as refugees in camps and cities. A smaller but still considerable number were able to migrate further, joining already established communities in Middle Eastern countries, Western Europe, the US and Canada.

Reliable estimates of the size of the Somali diaspora are hard to obtain because of difficulties in collecting disaggregated data, differing residential status and continuing movements of people. But today the largest numbers of Somalis in the West are found in the UK (unofficial estimates suggest as many as 250,000) and North America, particularly in Minnesota and Ohio.

There are also sizeable Somali populations in the Netherlands, Norway, Denmark and Sweden, although there has been a recent trend for Somalis to migrate from these countries to the UK, where there is a larger Somali community, an apparently more multi-cultural society and better economic, educational and religious opportunities.

The Somali diaspora is widely dispersed and experiences of migration and reception differ from one country to another and in different times. This has influenced how Somalis have adapted to their new environments.

In countries such as the UK, Somalis joined existing Somali communities as well as other ethnic Muslim diasporas. Similarly in the US, Somalis found themselves as part of a wider African diaspora, although they still consider themselves different from other African migrants in that they are both Muslim and refugees. In countries like Denmark, Sweden and Norway, Somalis were simultaneously the first substantial African and Muslim immigrants, which often brought a host of problems relating to debates on integration and belonging.

Identity formation in the Somali diaspora can be influenced by where people end up resettling and which generation they belong to. Identity crisis and issues of belonging affect older Somali generations less, as their connection to Somalia is stronger and their beliefs more crystallized.

While there is some variation, older Somali migrants have generally reformed along clan identities. They have reasserted their Islamic values and embraced their Islamic identity, and they find it hard to integrate. They constantly look to Somalia and are engrossed by the political dynamics of the homeland, waiting for the possibility to return.

The surge in communication systems in today's globalized era has enabled Somalis to remain connected with their

home country and in touch with families dispersed across the world.

The nature of the long conflict in Somalia has made it necessary for diaspora Somalis to establish strong networks and to engage in a wide variety of transnational activities. Remittances sent by the Somali diaspora, estimated to be US$1 billion a year, far exceed official aid to the country.

Although most money transfers happen at a household level, they impact at a macroeconomic level by supporting spending, which in turn stimulates trade. A smaller but significant amount is invested directly in business, infrastructure and community-based projects in education and healthcare.

The older Somali diaspora have also played an important political role, participating in successive reconciliation processes to form a Somali government as well as supporting the autonomous governments in Puntland and Somaliland. Their involvement in political processes at national and sub-national levels can at different times both fuel conflict and facilitate peace, producing some confusion about their contribution to Somali political discourse.

Who am I and where am I from?

Younger Somali generations who left Somalia as children or were born and raised overseas have different identity issues and methods of engagement with the homeland. Socialized and educated in Western countries, they often find themselves between two cultures and do not feel a complete part of either. Therefore questions of 'who are you?' and 'where are you from?' evoke different responses depending on which country they reside in, their relationships with their parents and their understanding of Somali identity.

My own research in the UK shows that young Somalis' understanding of their identities is shaped by their history of mobility. Both those born in the UK and those who arrived as children continue to feel the effects of the war in Somalia because it directly affects their families and the ways in which their adoptive country relates to them.

Likewise their understanding of what it means to be Somali and of issues like the Somali clan structure, which is taught to them by their parents, both shapes and is shaped by their interactions with their family and friends.

But for Somali youngsters in the UK, it is their Muslim identity that is usually the cornerstone of their self-identification. It proves to be a single, permanent and unifying identity. The phrase 'I am Muslim first and foremost' is one that young Somalis relate to.

A person's identification with their culture can become more entrenched when central elements of it come under pressure or threat, and they can embrace the more controversial aspects of it. In this sense for young Somalis, Muslim identity can take precedence over clan and or national identity.

Somali youths' relationship to Islam can be different to their parents'. They ask questions about their faith and actively search for an Islam that is pure. They search the internet and read books to determine for themselves how to be a good Muslim in a Western society. This quest for deep faith may in turn lead some to bond with radical elements whose agenda is not always peaceful.

The adaptation of the young can also be seen through the lens of hybrid identity. Through multiculturalism youngsters often create hybrid diaspora identities, which allow them to identify with many different sub-identities. In the UK, many Somali youngsters see themselves as having a fluid nomadic conscience that enables them to embrace different identities – being British, Somali, Muslim, black, a specific Somali clan, or an Arab.

In the US young Somalis embrace hip-hop culture as well as their Somali and Muslim identities. Young people have their own understanding of and conscious engagement with these different value systems. Managing all these identities and moving between them is a necessary element of being young and of belonging. While some handle this well, others find these transitions between multiple identities difficult and confusing.

Islamic Courts, Ethiopian invasion and a re-awakened generation

Political events in Somalia in 2006, when the Islamic Courts Union (ICU) took over Mogadishu, captured the world's attention. While the international community raised its eyebrows at an Islamist movement controlling Mogadishu, many within the Somali diaspora, although wary of the ICU's religious ideology, welcomed the positive stabilizing effect that the ICU brought.

Reports of a cleaner, safer city and reopened ports and airports made many imagine a Somalia to which they could return. As a result, young Somalis in the diaspora, particularly young boys, saw the ICU as something positive.

This was to do with the fact the there were new faces in the political arena: a change from the warlords. The leaders

were seen as positive role models that young people could look up to.

One of the reasons that young males were so positive about the ICU is that it created the possibility of returning to a city that they had been displaced from at a young age, or had never been to at all. Many Somali girls also welcomed the peace and stability brought by the ICU. But they also felt that the Islamic regime would target women and so, unlike the boys, they could not envisage going back 'home' with the ICU in control.

When Ethiopia invaded Somalia in December 2006 in support of the Transitional Federal Government and ousted the ICU, many Somalis young and old felt angry. The narrative that resonated with the youth was of Mogadishu being occupied by Somalia's historical Christian adversary, and of a Muslim land being occupied by foreign forces with the backing of the West – particularly the US. Their response was a desire to 'liberate Somalia from tyranny' and to end the foreign occupation and the humanitarian and human rights abuses that came with it.

For a few this meant going back to Somalia to join the resistance. My research with young people highlighted that it was not always religion that drove them, but also a sense of nationalism and solidarity Their desire to return and the need to engage can, in part, be explained by their social exclusion in their host countries. In the UK many young Somalis live in poverty, overcrowded homes and segregated areas in inner-city zones. Somali boys particularly face educational underachievement and high unemployment.

Many young diaspora Somalis are raised in single-parent homes and role models for young boys in particular are hard to find. Somali youngsters are also involved in crimes and currently form the highest ethnic minority in juvenile detention centres in the UK.

These structural factors can be instrumental in creating a sense of alienation among young people, in addition to the pressures of Islamophopia, discrimination and racism. In the US, young Somalis face similar problems, often growing up in deprived areas and being drawn into gang crime.

Institutional responses to terrorism in the West leave Somali youngsters disenfranchised as they are targeted for 'stop and search' police operations or feel under attack for simply being Muslim. Such factors feed into processes that can lead to radicalization. Vulnerable young Somalis feel excluded in the countries in which they live, exacerbating their growing sense of resentment, which can then be exploited.

However, for most young Somalis in the disapora events in Somalia in 2006 induced more emotional and subtler forms of engagement, such as awareness raising and lobbying host governments to take action against the Ethiopian invasion, or raising funds to help in the humanitarian situation.

In 2008, for instance, Somali university students in London put on a poetry night and engaged in street fundraising as part of a Ramadan appeal to raise money for the internally displaced in Mogadishu. Within four weeks the appeal had raised over £10,000 and helped to feed 600 people for the entire month of Ramadan. This initiative was continued the following year by *The African Future*, an NGO led by young Somali-Americans who use social networking sites such as Facebook to raise money among young Somalis.

This is one of numerous examples of how young Somalis are engaged transnationally with Somalia. Young Somalis in the diaspora are organizing together to address the issues that affect their communities in a creative way.

Next steps?

The Somali diaspora's engagement in Somalia takes place on different levels and is shaped by the different diaspora generations and experiences. Recent events have seen the internationalization of the Somali conflict as the war on terror has been imposed on an already volatile country.

Young Somalis in the diaspora saw the Ethiopian invasion of Somalia as an attack on Islam and thus took it very personally. It is clear, too, that while many young Somalis have hybrid identities and feel different levels of belonging in their host countries, they are also alienated and aggrieved by the structural problems that they and their families face. Western foreign policies in Somalia can affect young Somalis in the diaspora and play a part in what 'radicalizes' people.

However, young Somalis in the diaspora are also using their positions to create political dialogue between Somalia and the countries they live in. This is a policy space that must be harnessed, as their willingness to be engaged has potential to be positive and their dual identity and belonging is something that can create new and fresh answers to peacebuilding in Somalia.

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Voices of the dispossessed

displacement and peacebuilding in the Somali regions

Anna Lindley

Displacement – the movement of people associated with severe disruption of security and livelihoods – is a common consequence of conflict, and raises several issues for peacebuilding. For the last twenty years the Somali regions have witnessed massive and chronic displacement of people – both internal and external. Yet the voices of the displaced often go unheard in both Somali-led and internationally-sponsored peace processes.

For a more detailed account, see A. Lindley (2009), *Leaving Mogadishu: The War on Terror and Displacement Dynamics in the Somali Regions,* MICROCON Working Paper, No. 15. Falmer: Institute of Development Studies

Populations on the move

Somalis' security and livelihoods have been affected in different ways by state disintegration and political reconfigurations. Migration has been a common response. There have been multiple patterns and layers of movement. Some have been temporary and others more permanent, some acute and massive and others involving smaller numbers, but no less significant for those involved.

The distances people move can be small: some people have moved within conflict-ridden urban centres, navigating shifting socio-political geographies. A displaced woman in Hargeisa, for example, explains how her family had been displaced and dispossessed long before she left Mogadishu in 2008:

"We owned a small piece of land in Hodan neighbourhood but it doesn't belong to us anymore. It was taken over by a Hawiye family and since we are Bantu we can't go and claim it".

Another common feature of displacement over the past two decades has been the movement of people between urban and rural areas as these respective territories have been fought over. Some city-dwellers faced with insecurity move to rural areas or other towns where they have family and clan connections, often returning if and when conditions permit. Nomadic pastoralists and other rural dwellers who are facing livelihoods and security problems often seek refuge with urban relatives or in peri-urban settlements.

Finally some people move much longer distances within the Somali regions, particularly to more stable areas of Puntland and Somaliland, as well as abroad.

During 2007 and 2008 a particularly dramatic period of displacement in south-central Somalia resulted from violent conflict between the Ethiopian-backed Transitional Federal Government (TFG) and armed groups originally linked to the Islamic Courts Union (ICU). Some two thirds of Mogadishu's population abandoned the capital in this two–year period, many leaving for the first time. One of those who left the city explains why:

"I didn't know what to do but I decided to keep running our business. I am considered a minority in Somalia, I am hamar aad. We are successful in business but we are an easy target for the Hawiye and the Harti – and the Ethiopians, who seem to think we are Eritrean, I don't know what gave them that idea … I was managing OK though, I was managing to take care of my son ... But if you can't go out to look for your daily bread it is a problem, if you can't sleep at night peacefully it is a problem, if you can't stop thinking of what might happen it is a problem – so you can see life in Mogadishu is a problem.

And it isn't just for a day or two, it's constant, no rest, no day off. A situation that made me ask myself, am I going to make it and see my son grow up into a fine man or not? ... And as I am hamar aad I kept asking myself am I going to get raped or kidnapped by the Ethiopians? This was a change because two years ago I wasn't worrying about my security or safety, but now I have to really worry about it seriously ... After all I saw, I realized I couldn't go on like that any more. I decided to leave for a safer place."

Struggling to be heard

Displacement is not only a side-effect of violence and political upheaval, but may also be orchestrated as a war strategy by armed actors seeking to control territory, resources and people. The presence of large numbers of displaced people or returnees can be evidence of the relative stability of the host location, but it can also create economic and political pressures that affect the consolidation of peace in post-conflict communities who are themselves still recovering.

Displaced people have a huge stake in peacebuilding and reconstruction processes, and yet they are routinely excluded from conflict resolution and peacebuilding efforts for a variety of reasons.

Whatever the causes of their movement, displaced people can find themselves doubly disenfranchised. Their departure from their former place of residence often consolidates and reinforces the voice of powerful social actors in local peace processes, further marginalizing dissenting voices.

In places of refuge, both within the country of origin and without, displaced people often struggle to access resources, work and political representation. This has been the experience of many southerners in Puntland, Somaliland and Kenya.

In contrast, people who have gained citizenship further afield can have, and have had, a much stronger influence in peacebuilding processes. The influence of the Somali diaspora comes in many forms and has a range of effects. By remitting money to relatives and making business and property investments, they have had a significant impact on the economy of the Somali regions.

Often members of the diaspora are also politically engaged in different ways: in local clan matters, such as helping with compensation payments, funding community improvements, or funding local conflicts and peace processes; or backing major political actors, such as the political parties in Somaliland, members of the TFG parliament, or Al Shabaab. Meanwhile, people living in refugee camps and settlements in neighbouring countries can also sometimes be drawn into the dynamics of violence, providing a source of recruits and support for armed parties.



Internally displaced Somalis in Mogadishu
© Abdurrahman Warsameh

Transnational elites have financial clout and are a major voice in Somali politics. This is increasingly recognized by international organizations engaged in the Somali regions, as typified by the series of 'letters to the Somali diaspora' issued by the UN Secretary-General's Special Representative to Somalia, Ahmedou Ould Abdallah.

Attempts to involve displaced people as stakeholders in peacebuilding processes are important and must be welcomed, but such initiatives must come with an awareness of the risks of privileging transnational elite voices at the expense of more marginal people both in the Somali regions and in the diaspora.

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Section 4

Conclusions

We should all recognize that Somalia is not given the necessary attention and care by the international community. We call it a failed state and we seem to admit that this is a new category of states for which we are helpless.

From my own experience in Somalia I believe there is a remarkable potential in the people of this country which deserves to be given a chance: through real long term support for economic development and federal governance. This Accord publication on Somali peace processes essentially highlights some of the ways that international policy can better engage with Somali peacemaking.

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How does it end?

towards a vision of a Somali state

Mark Bradbury and Sally Healy

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

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

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

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

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

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

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

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

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

- Regional autonomy and decentralized governance provided the basis of negotiations in the 1993 Addis



Young militia boy © CRD

Ababa conference, following the collapse of a highly centralized state. The model was rejected by warlords who saw it as a threat to their own power.

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

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

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

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

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

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

Second, the statebuilding strategy assumes public support for a revived state. The examples of Somaliland and Puntland demonstrate a demand for government and the demand is also strong among agro-pastoral and politically marginalized populations in the inter-riverine regions. However for many Somalis the prospects of a revived state over which they have no control is perceived as a potential threat to their interests and an instrument of oppression. Somalis might want law and order and still not want a state. Statebuilding strategies need to find ways to alleviate these fears by providing checks on state power and its control of force.

Third, statebuilding and peacebuilding are not synonymous and are potentially contradictory: the former involves the consolidation of government authority and the latter compromise and consensus-building. The establishment of government institutions cannot be the sole measure of successful reconciliation. In a culture where acknowledging past wrongs and making reparations are at the heart of peacemaking, reconciliation cannot be simply reduced to power-sharing arrangements.

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

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

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

The accountability gap

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

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

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

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

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

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

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

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

Key texts

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Profiles

key Somali political actors 1991-2009

Somalia

General Mohamed Siyad Barre As head of the army Siyad Barre led the coup that overthrew the civilian government of Somalia in 1969. He held on to power for 21 years, presiding over a regime that introduced Scientific Socialism to Somalia in 1970 and took Somalia into a relationship with the Soviet Union, introduced a Somali orthography in 1972, took the country to war with Ethiopia to reclaim the Ogaden region in 1977, and became an ally of the US in 1979. His divisive and predatory military dictatorship laid the foundations for state collapse that followed his fall from power in January 1991. He died in Nigeria in 1995.

Ali Mahdi Mohamed A former hotelier and member of the 'Manifesto Group' that called for Siyad Barre's resignation in 1990. He was selected as interim president by one faction of the United Somali Congress (USC) in January 1991, after Barre had been overthrown. This position was confirmed by the Djibouti agreement of July 1991, but rejected by General Aideed. His battle with Aideed for control of Mogadishu (1991-92) destroyed the city killing an estimated 25,000 people. His forces controlled northern Mogadishu only. He continued to harbour presidential aspirations until the creation of the Transitional National Government (TNG) in 2000.

General Mohamed Farah Aideed Military commander of the USC forces that fought the Somali Army in the central regions between 1989-90 and entered Mogadishu in December 1990. He became the most powerful military leader in the early 1990s, claiming at one time to control most of southern Somalia. After his forces killed 24 UN peacekeepers in 2003 he became a fugitive from the UN. He survived until UNOSOM departed in 1995, when he established a 'broad based' (*salballar*) government. He was killed in a battle with his former financier Osman 'Atto'.

Hussein Mohamed Aideed Son of General Aideed. He inherited his father's position as leader of the *salballar* government whose USC/SNA forces controlled much of south Mogadishu and large tracts of southern Somalia in the 1990s. He was a member of the Somali Reconciliation and Restoration Council (SRRC) and opposed the TNG. He was Minister of Internal Affairs in the Transitional Federal Government (TFG) cabinet of Ali Mohamed Ghedi until 2007. He left Somalia and joined the opposition in Eritrea in 2007.

Abdulqasim Salad Hassan A former minister in Siyad Barre's government, Abdulqasim was elected President of the TNG at the Arta conference in 2000. He had close ties with some of the Islamic Courts and the business community in Mogadishu. His term in office ended in 2003 during the IGAD-sponsored reconciliation conference.

Abdullahi Yusuf Ahmed Founding member of the SSDF and formerly President of Puntland, Yusuf was selected President of the Somali TFG in 2004. Backed by Ethiopia, he ousted the Islamic Courts Union (ICU) in 2007. After two years of fighting, which displaced much of the population of Mogadishu, he resigned the presidency in December 2008 under international pressure for refusing to strike a deal with the opposition. He currently resides in Yemen.

Sheikh Sharif Sheikh Ahmed A traditional Sufi cleric, Sheikh Sharif rapidly rose to power as the moderate Islamist leader in the ICU, which came to control much of south-central Somalia in 2006, before being ousted by the Ethiopian-backed TFG forces. He subsequently shared leadership of the Alliance for the Re-liberation of Somalia (ARS) with Sharif Hassan Sheikh Adan, entering into negotiation with the TFG in 2008. In January 2009, Sharif was selected by parliament as the President of Somalia.

Hassan Hussein Nur 'Adde' Nur Adde served as the TFG prime minister in 2008. Prior to his appointment he was head of Somali Red Crescent. Nur Adde led a moderate faction of the TFG into UN-brokered negotiations with the opposition. He stood as a candidate for president after Abdullahi Yusuf resigned, but failed to get elected.

Sheikh Hassan Dahir Aweys An Islamist hardliner and formerly head of Al Ittihad Al Islamiyya, Aweys was the most powerful figure in the ICU in 2006 as head of the Shura, with influence over Al Shabaab. He fled Somalia in 2007 along with other leaders of the ICU. He returned to Mogadishu on 28 April 2009 and now leads Hizbul Islamiya, an armed opposition movement aligned with Alshesacs against government of Sheikh Sharif.

Sheikh Mukhtar Robow Mansur (Abu Mansur) Abu Mansur is leader of Al Shabaab in Bay region and one of its key spokesmen. Educated in Islamic law at Khartoum University and thought to have fought with the Taliban in Afghanistan, he became a deputy commander of the ICU.

Omar Abdirashid Ali Sharmarke Appointed Prime Minister of the TFG in February 2009. His father was Somalia's second civilian president, Abdirashid Ali Shermarke, who was assassinated in 1969 ahead of the military coup that brought Siyad Barre to power.

Puntland

Dr Abdirahman Mohamed Farole Farole was elected the fourth President of the semi-autonomous Puntland Federal State of Somalia on 8 January 2009, by the parliament of Puntland. He previously held the posts of Finance and Planning Ministers in earlier Puntland governments.

General Ade Muse Hirsi President of the self-declared autonomous region of Puntland from 2005-2009. He returned to Somalia in 2001 to lead opposition forces against Abdullahi Yusuf, then leader of Puntland, until 2003 when they signed a peace deal.

Somaliland

Mohamed Haji Ibrahim Egal As first minister in the Advisory Council, he led Somaliland to independence from Britain on 26 June 1960. He was Prime Minister of Somalia from 1967 until the military coup of 1969 and was imprisoned by Siyad Barre for 12 years. He became President of the newly independent Somaliland in 1993, and oversaw the establishment of government and the reconstruction of the country. He died in hospital in South Africa in 2002.

Dahir Riyale Kahin Riyale has served as President of the secessionist state of Somaliland since 2002, following the death of Mohamed Haji Ibrahim Egal. In 2003 he won a very close and controversial election to remain president. He is standing for a second time as presidential candidate for his party, the United Democratic People's Party (UDUB), in elections scheduled for 2009.

Ahmed Mohamed Silanyo Silanyo is chairman of Kulmiye, the main opposition party in Somaliland, and narrowly lost the Somaliland presidential election in 2003. Throughout the 1980s, Silanyo was Chairman of the Somali National Movement (SNM), an armed liberation movement that opposed the Barre regime.

Somali armed groups and political parties

Over the past two decades in the wake of state collapse, there have been a bewildering number of political and armed Somali groups. The following is a brief profile of the most prominent ones as they have emerged.

Somalia

The **Somali Salvation Democratic Front** (SSDF) was the first group to take up arms against the Siyad Barre government. Formed by army officers following a failed coup attempt in 1979, its first leader was Colonel Abdullahi Yusuf Ahmed, a Majeerteen. The insurgency was short-lived as its leading members were arrested by the Ethiopian government in 1984.

The SSDF was revived again after the fall of Siyad Barre but divided into two factions, representing different sub-clans of the Majeerteen and different perspectives on the conflict. One was led by Mohamed Abshire Muse and the other by Abdullahi Yusuf. The SSDF was dissolved after the formation of Puntland State of Somalia in 1998.

The **Somali National Movement** (SNM) was formed shortly after the SSDF in 1982 in Britain by Isaaq émigrés. It ran a limited insurgency in the northwest of the country from bases in Ethiopia until 1991, when it defeated the remnants of the Somali Army. It transformed itself into the government of Somaliland after declaring independence in May 1991, and handed over to a civilian government at the Borama conference of 1993.

The SNM formed an alliance with the **United Somali Congress** (USC) and the **Somali Patriotic Movement** (SPM) in 1989 to defeat the Barre regime. The USC was formed in Rome, and received support from the Hawiye clan family. In Somalia the USC was led by General Mohamed Farah Aideed, whose forces entered Mogadishu in December 1990. The SPM was formed by Colonel Omar Jess, who defected from the government during the war against the SNM. It drew most of its support from the Ogaden clan and attacked the Barre government in the southern stretches of Somalia.

After the fall of Siyad Barre, the USC split into several factions, the main two comprising supporters of General Aideed and Ali Mahdi Mohamed. General Aideed transformed his faction into the **Somali National Alliance** (SNA), proclaiming to be a 'broad based' government that controlled most of southern Somalia.

Al Itihad Al Islamiya (Islamic Union) came to prominence in 1992. Formed in the 1980s AIAI was an unarmed neo-*Salafist* movement that propagated a vision of a pan-Somali caliphace in the Somali-inhabited lands of the Horn of Africa. Following the collapse of the state it became an armed movement. In contrast to other militia factions at that time AIAI attracted Somalis from across clans. It briefly controlled territory at different times in Kismayo, Bosasso and Lugh. Some members of AIAI are alleged to have had dealings with Al Qaeda and may have received training in Afghanistan. It was accused of instigating terrorist attacks on Ethiopia in 1995 and abetting and sheltering Al Qaeda operatives responsible for such acts in Kenya and Tanzania.

Due to military pressure from Ethiopia, which forced AIAI from Lugh in 1996 and 1997, and internal schisms, its formal structure was dissolved. Some of its leaders focussed on expanding its influence as a grassroots movement working within the clan system to build a network of support within different clans and business groups. It was placed on the US list of terrorist organizations in 2001. One of its leaders, Hassan Dahir Aweys, re-emerged as the most influential leader of the ICU in 2006.

The **Rahanweyn Resistance Army** (RRA) was formed in 1995 after General Aideed overthrew the Digil-Merifle Governing Council and occupied Bay and Bakool region. The Rahanweyn were poorly armed and unable to resist the marauding militia in the first years of the war, helping to make Baidoa the epicentre of the 1991-93 famine. With Ethiopian military support the RRA recaptured Bay and Bakool in 1999 and established an administration in Baidoa. This collapsed due to splits in the RRA.

The **Transitional National Government** (TNG) was formed in August 2000 as the outcome of a national reconciliation conference in Arta, hosted by the Djiboutian government. Abdulqasim Salad Hassan became the first president of the first Somali government to be accorded international recognition since 1991.

Inside Somalia, however, the TNG was unable to extend government authority beyond a few streets in Mogadishu. In the wake of 9/11 it failed to win the backing of Ethiopia or the confidence of donors who were concerned at the influence of Islamists, who made irredentist claims over Somali-inhabited territory in Ethiopia. In Somalia public support for the TNG waned due to its association with the powerful Mogadishu clans and business class, and in the face of accusations of corruption.

Ethiopian concerns about the TNG became clear in Addis Ababa's active support for the creation of the **Somalia Reconciliation and Restoration Council** (SRRC), a military alliance of powerful warlords and other political figures, including Abdullahi Yusuf. With their headquarters in Baidoa and some of the warlords maintaining a presence in Mogadishu, the TNG's freedom to expand its authority was severely constrained.

In 2004 the TNG was succeeded by the **Transitional Federal Government**, (TFG) formed after two years of protracted negotiations in Kenya, held under the auspices of IGAD. The TFG won immediate international recognition and promises of substantial donor support. But when TFG president Abdullahi Yusuf failed to secure the 20,000 peacekeepers that he requested from the African Union, he initially located his government in Jowhar due to security concerns with Mogadishu, with the Transitional Federal Parliament based in Baidoa.

In 2006 the authority of the TFG was challenged by the rise of the **Islamic Courts Union** (ICU), which routed a coalition of warlords in Mogadishu financed by the US, and established control over Mogadishu and large parts of south centeral Somalia. The ICU comprised a grouping of Islamic courts and brought together moderate and militant Islamists, including **Harakat Al Shabaab** (Youth Movement). The ICU gained popular support for restoring security to the streets of Mogadishu for the first time in 19 years, only to be ousted by Ethiopian-backed forces of the TFG in December 2006.

Al Shabaab has its origins as a *Shari'a* Court militia in the late 1990s. Created by Hassan Dahir Aweys it differed from other clan-based court militias, being multi-clan and composed of fighters committed to a radical Islamist agenda. It was later commanded by Ahmed Hashi Farah 'Ayro', an acolyte of Hassan Dahir Aweys and from the same Hawiye sub-clan. He engaged in a series of assassinations of opponents of the Islamists, civic leaders and individuals suspected of links to foreign intelligence agencies.

Al Shabaab played an important role in the military victory of the ICU in Mogadishu and won support during the insurgency against Ethiopia. But its radical agenda meant it developed as an autonomous force outside the control of both clans and more moderate Islamist voices. It was listed as a terrorist organization by the US in 2008, and 'Ayro' was killed in a US airstrike shortly after in May 2008.

The ICU leadership escaped the country and established themselves in Eritrea where the **Alliance for the Re-Liberation of Somalia** (ARS) was created, demanding the complete withdrawal of Ethiopian forces. When

the TFG tried to impose a 'victor's peace' and disarm Mogadishu, it met resistance from clan militia and Al Shabaab forces that had regrouped.

Pressure for dialogue led to the appointment of a new Prime Minister in 2008, Hassan Hussein Nuur, who opened talks with the opposition, mediated by the UN. When agreement was reached in Djibouti in late 2008 for the withdrawal of Ethiopian forces, Abdullahi Yusuf resigned. Sheikh Sharif Sheikh Ahmed, the former leader of the ICU, was elected in his place in January 2009.

In 2009 Al Shabaab continued to attack the new government of Sheikh Sharif. In April 2009 Hassan Dahir Aweys returned to Somalia from Asmara and established **Hizbul Islamiya** (the Islamic Party). Their combined forces acted to nearly topple the TFG in May 2009, which was defended by troops serving with the AU Mission in Somalia (AMISOM).

The militant Islamist forces are also opposed by **Ahhu Sunna Wal Jama'a** This movement, which is supported by the main Somali *sufi* orders, was established in 1991 and was used by General Aideed to counter the growing influence of Islamists. It remained a fairly dormant group until late 2008 when it began to receive military support from Ethiopia.

Puntland

Since the SSDF was dissolved in 1998 Puntland has been governed under a clan power-sharing political arrangement established at the 1998 Garowe Community Constitutional Conference. In accordance with the governing charter, its government comprises an executive president and single chamber parliament. Since 1998 Puntland has had four presidents and is in the process of revising its constitution.

Somaliland

The SNM as a political movement was largely disbanded in 1993 when the first Somaliland government of Abdulrahman Ali Ahmed Tuur was replaced by the government of Mohamed Haji Ibrahim Egal. Elements of the SNM political legacy continue to influence Somaliland politics but subsequent efforts to revive the SNM as a political force have come to nothing.

From 1993 to 2002 Somaliland had no active political party. Under a clan power-sharing political arrangement (the *beel* system) worked out in the 1993 Borama conference, Somaliland's governmentcomprises a US-style executive presidency with a British-style bicameral parliament.

The introduction of a constitution in 2001, approved by a plebiscite, allowed for the formation of political organizations. Six organizations were registered to participate in district and municipal elections in December 2002. Under the constitution the three parties that received the most votes became political parties and allowed to contest subsequent presidential and parliamentary elections.

Kulmiye (the Unity Party) was founded by Ahmed Mohamed Mohamoud 'Silanyo' in 2002. A former minister in Barre's government he became the longest-serving chair of the SNM in 1984, and later served in President Egal's administration. Kulmiye initially drew much of its support from Sanaag and Togdheer regions in eastern Somaliland, the home of Silanyo's Habar Ja'lo clan, but was subsequently able to attract support from diverse constituencies in the district and presidential elections. It came second in the 2003 presidential elections by a handful of votes and holds the second largest number of seats in parliament.

UCID (Justice and Welfare Party) was founded by its Chairperson Faisal Ali Farah 'Waraabe'. UCID has campaigned on a set of centre-left welfarist policies. In the district council elections UCID drew most of its support from the 'Idagalle clan of Faisal, but has developed a broader support base for subsequent elections.

UDUB (United Democratic People's Party) was founded in July 2001 by the late President Mohamed Ibrahim Egal. Following his death, Vice-President Dahir Riyale Kahin became the party's Chair and presidential candidate. UDUB draws support from across Somaliland and has received the majority vote in each election. Its electoral successes have been based on its ruling-party status, the public desire for stability and continuity, and the resources at its disposal.

In 2007 a move was made by several prominent politicians to challenge the three-party political system by forming a political association called **Qaran** to contest the next round of district elections. The party leaders Dr Mohamed Abdi Gabose, Mohamed Hashi Elmi and Jamal Aydid were arrested and imprisoned for five months. The issue of whether to open up the political system to more parties in Somaliland is contentious and has little support from the existing parties.

Multilateral actors

Somalia is a member of the United Nations (UN), the African Union (AU), the League of Arab States, the Organization of the Islamic Conference (OIC) and the Inter-Governmental Authority on Development (IGAD).

The collapse of statehood in Somalia and the tenuous character of the governments that have been formed since 2000 means, however, that the country has not been an effective member of these organizations. On the contrary, aspiring national governments in Somalia have sought to use their membership to shore up their international legitimacy.

Inter-Governmental Authority on Development The governments of Somalia, Djibouti, Sudan, Ethiopia, Kenya and Uganda established the Inter-Governmental Authority on Drought and Development (IGADD) in 1986 with a narrow mandate to improve regional cooperation on combating drought and desertification. Eritrea joined in 2003.

In 1996 the organization was re-launched under its current name, with conflict prevention, management and resolution as one of its three pillars. IGAD endorsed member state initiatives on Somalia such as the Ethiopian Sodere peace process (1997) and Djibouti's Arta process (2000). Its leadership role in the Somali National Reconciliation Conference held in Kenya from 2002 to 2004 marked a step change in IGAD's institutional role in the Somali crisis, although Kenya led the process of facilitation and mediation.

IGAD remains a staunch supporter of the TFG in Somalia and played a key role in the developing the concept of the AU Mission in Somalia (AMISOM). Eritrea has suspended its membership of IGAD because of the organization's support for Ethiopian military action in Somalia.

League of Arab States The Arab League backed the Arta process of 2000 and the TNG that emerged from it. The organization tried unsuccessfully to mediate between the ICU and the TFG in the months before the Ethiopian intervention in support of the TFG in December 2006.

African Union The AU comprises 53 member states – all African countries except Morocco. Somalia was a founder member of the Organization of African Unity (OAU) in 1963. The OAU was transformed into the AU in 2002 and the TNG signed the new AU Charter. In 1992 the OAU assigned Ethiopia as the lead nation to deal with Somalia. After 1996 IGAD gradually took a more prominent role. Today the AU looks to IGAD for the political lead on Somali issues. The AU's Peace and Security Council, which leads the organization's security and peacekeeping activities, has consistently endorsed and supported IGAD positions on Somalia.

After Ethiopian forces had installed the TFG in Mogadishu, the AU agreed in January 2007 to mount a peace support operation – the AU Mission in Somalia (AMISOM) – to protect the TFG. AMISOM was authorized by UNSCR 1744 (2007) with a planned troop strength of 8,000. Ugandan troops established AMISOM in 2007 and were later joined Burundian forces.

Because of the difficult operating environment and the lack of troop contributors, AMISOM has remained significantly under strength. As of 10 September 2009, AMISOM stood at 5,217 troops (65 per cent of mandated strength). In 2007-08 Ethiopian troops contributed to the purpose of AMISOM, while remaining outside its authority. Since 2009 AMISOM has provided the only external protection available to the TFG. Financial and logistical support is provided by the UN.

United Nations Somalia was one of the first instances of post-Cold War 'humanitarian intervention' sanctioned by the UN Security Council in the early 1990s. In January 1992 the Council imposed a blanket arms embargo on Somalia (UNSCR 733). In April that year UNSCR 775 established the first UN Mission in Somalia (UNOSOM I), which was mandated to monitor a ceasefire in Mogadishu, protect UN personnel and logistics, and subsequently to support and protect humanitarian assistance.

In December 1992 UNSCR 794 authorized deployment of a US-led Unified Task Force (UNITAF) under Chapter VII of the UN Charter, to 'use all necessary means' to secure major population centers and deliver humanitarian supplies. Then in March 1993 UNITAF was replaced by UNOSOM II (UNSCR 814), which was further tasked with disarmament and reconciliation responsibilities. UNOSOM II was withdrawn in March 1995 (UNSCR 954).

In April 1995 the UN Political Office for Somalia (UNPOS) was established to help advance reconciliation. For security reasons UNPOS continues to operate from Nairobi, Kenya. UNPOS is led by the Special Representative of the Secretary-General (SRSG) for Somalia. In June 2006 selected UN member states and other interested parties established an **International Contact Group** (ICG) at UN HQ in New York to support international engagement with Somalia. In January 2009 the Security Council agreed to set up a trust fund to provide financial assistance and a UN logistical support package to AMISOM 'until a UN peacekeeping mission is deployed' (UNSCR 1863).

Glossary

Somali words

A standardized Somali orthography based on the Latin script was introduced in Somalia as recently as 1972. With only 19 years of formal education before the state collapsed in 1991, it is still common to see mixture of Somali and anglicized spellings, particularly for names and places. In this publication 'c' is pronounced like the Arabic '*ayn*' and 'x' is pronounced as 'h'.

Aqal	elder of a *diya*-paying group
Baadisooc	buffer zones between warring parties
Beelaha	clans
biri-ma-geydo	people who are 'spared from the spear' by Somali custom and so are protected in war
colaad joojin	cessation of hostilities
Ciidamada madaniga	neighbourhood watches or community security systems
Diya	blood compensation (Arabic) paid for homicide and injury calculated in camels, but paid in equivalent money
Garaad	titled elder among Darood
Guurti	committee of elders and in the Somaliland Upper House of Parliament
hawaala	informal money transfer system
Hees	work songs
kala rarid/kala fogeyn	disengagement of forces
ku dhashay	the rights of a person born *in* a place
ku dhaqmay	the rights of a person who is naturalized, regardless of where they were born or who they are descended from
Isim	senior titled elder among Majeerteen
maanso	classical form of poetry
Malaq	titled elder among Rahanweyn
Maraado-Ta'siir	sanctions for those who violate peace accords
Shari'a	Islamic law (Arabic)
Shir	*ad hoc* council or assembly of elders
shir beeleed	clan conference
shir qarameed	national conference
shirguudon	chairing committee of a peace conference composed of elders and/or respected individuals
Suldaan	titled elder among Isaaq
Suluh	Pacification (Arabic)
u dhashay	the rights of a person born *to* a family/clan/nation
Ugaas	titled elder among Hawiye
Ulema	*council of Islamic scholars (Arabic)*
ummah	community of Muslims (Arabic)
xabbad joojin	ceasefire
Xanfaley	a curse in the form of a magic wind associated with Yebro 'outcaste' clan
xeer	social contract and customary between clans
xeer Soomaali	Somali customary law
xeer-beegti	elders who specialize in customary law

Somali social organization

Historically Somali pastoralist society was stateless, without hierarchical offices or administrative units. Hierarchical offices were more common among southern agro-pastoral clans. Order was, and is today in the absence of government, maintained through a combination of the kinship system, collective social institutions and customary laws. A basic comprehension of this is important for understanding Somali peacemaking and peace processes.

Clan The Somali 'nation' is structured on a kinship system of patrilineal lineages, which divide along the male line into subsidiary clans to the level of the nuclear family – a 'segmentary' lineage system.

Somalis are commonly described as belonging to one of six 'clan families', or confederations of clans, that are genealogically related and who trace descent from a common ancestor: *Dir*, *Isaaq*, *Darood*, *Hawiye*, *Digil* and *Rahanweyn.*

These are commonly categorized into two groups reflecting different economic vocations: 1) pastoralists – the Dir, Isaaq, Darood, Hawiye; and 2) agro-pastoralists – Rahanweyn (also known as Digil-Mirifle) and Digil, which inhabit the regions between the Shabelle and Jubba rivers. The social organization of the settled agro-pastoralist communities differ from nomadic pastoralists and they speak a dialect of Somali (*af maymay*) that is distinct from *af-maxaa* Somali spoken by the nomadic clans.

Several other smaller ethnic communities live within the borders of Somalia including: the Benadiri and Barawani people of Arab, Persian, Pakistani and Portuguese descent living in coastal urban settlements like Mogadishu; Banjuni fishing communities in southern Somalia; and distinct groups of farming communities along the southern rivers who are of mixed descent, but who have become commonly referred to as 'Somali-Bantu'.

The weight given to kinship in contemporary Somali society is contested among both Somalis and non-Somalis. There are other sources of identity and of organization such as class and religion. But in the context of state collapse and in the absence of state institutions and other forms of political organization, the kinship system provides a structure for inter-group relations, governance, organizing and managing violence and organizing commerce.

Elders *(oday – sing. odayal – pl.)* Traditionally, governance is exercised by lineage elders. Any adult male can be considered an elder with an equal right to speak in a council. Elders have authority because they are delegates and representatives of their clans and are accountable to them. They are selected for attributes such as age, wisdom, knowledge of customary law, powers of oratory and wealth.

Colonial governments co-opted elders of '*diya*-paying' groups by paying them a stipend and calling them 'chief' (*aqal* or *aaqil* – sing. *aaqilo* – pl.). Somali governments continued this practice leading to a proliferation of elders. A '*diya*-paying' group is united by genealogy and marriage ties. Its members are obliged to protect one another and to pay and receive blood compensation or restitution (*diya* in Arabic, *mag* in Somali) for homicide and injuries.

Titled leaders Some lineages have more senior titled heads, known variously as a *Suldaan* (among the Isaaq), *Garaad, Islaan* or *Boqor* ('king' among the Darood), *Ugaas* (among the Hawiye), and *Malaq* (among the Rahanweyn). Some titles are inherited. Their authority is traditionally based on respect, rather than executive power, and they act as arbiters and peacemakers within their own clan and for others. As clans vie for power and influence titled elders have proliferated during the war.

Religious leaders (*Waddad* or *Sheikh*) Traditionally the role of religious leaders was one of pastoral care rather than political leadership. But there have been exceptions, such as the proto-nationalist leader Sayyid Mohammed Abdalla Hassan who fought the colonialists in the early 20th century. Today some religious leaders play a more political role.

Assemblies of elders (*shir*) Elders assemble in councils to deliberate on matters of the clan. Traditionally these are *ad hoc* gatherings formed in response to particular needs, such as deciding on the movement of livestock, arranging payment of *diya*, or organizing for war or for peace.

In pre-colonial times these inter-clan meetings would have been small, but would grow with the coming of states and governments. In the absence of government the *shir*, which emphasize consensus decision-making, have become important instruments of governance and form the basis of Somali-led peace conferences. Their composition can vary depending on the type of problem being addressed, and meetings may last hours or months, reaching a regional and national level in the Somaliland and Puntland.

Guurti/Isim This is the highest form of clan council comprising titled and non-titled clan leaders selected for their knowledge and wisdom. During their insurgency the Somali National Movement (SNM) organized a *guurti* to mobilize support for the war. After the war the *guurti* played an important role in peace conferences and in 1993 was formally incorporated into government and the Upper House of Parliament. Among the Majeerteen a similar committee is known as the *Isim.* This has not been incorporated into Puntland's parliament in order to safeguard its independence.

Customary law (*Xeer Soomaali*) Somali society is a rule-based society. In the absence of the state and formal judicial systems, law and order is maintained through a mixture of customary law (*xeer*), Islamic *Shari'a*, traditional values (*caado*), and a code of social conduct (*dhagan*). The *xeer* are an unwritten set of conventions and procedures based on precedent, passed down orally through generations.

Xeer are defined and negotiated by councils of elders (*xeer-beegti*) meeting in assemblies (*shir*). Their enforcement relies on the moral weight of elders and social pressure. They establish reciprocal rights and obligations between kin and clans, covering domestic matters, social welfare, political relations between clans, property rights and the management of environmental resources. They enshrine the norms and values of Somali society.

Xeer has been strongly influenced by *Shari'a,* and has in turn influenced the application of *Shari'a* in Somalia. But in contrast to secular law and *Shari'a,* there is no universal customary law. X*eer* is specific and localized to relations between neighbouring clans, although it includes common practices such as payment of *diya*. Some of these norms contradict internationally-accepted human rights norms, such as those relating to women's rights. Others are similar to international codes, such as those relating to the conduct of war (*biri-ma-geydo*).

Chronology

	Islam arrives on the Somali peninsular in the 9th or 10th century when Arab families settle along the Somali coast. From the 13th century to the arrival of the European colonialists in the 19th century, the history of the region is marked by the rise and fall of Arab coastal city states and Ottoman sultanates in Mogadishu, Merca, Brava in the south, and Zayla and Berbera in the north, and other inland states of the Ajuran, Geledi in the south and Majeerteen sultanates in the northeast. But Somali pastoral society prior to European colonialism was essentially stateless.
1827-97	European colonial partition of the Horn of Africa leaves the Somali people in five states: the British Somaliland Protectorate; Somalia Italiana; Côte Française des Somaliens (now Djibouti); the British administered Northern Frontier District of Kenya; and the Abyssinian Empire (Ethiopia).
1899–20	The religious leader and warrior-poet Sayyid Mahammed Abdalla Hassan and his Dervish movement fight a holy war to rid the Somali territories of the colonial infidels, especially the British and Ethiopians. His movement is routed when the British Royal Airforce bomb his fort in the present day Sool region.
1941	Italy briefly occupies Somaliland but is defeated by the Allies and a British Military Administration is established throughout the Somali region.
	The Somali Youth League, the first nationalist party, is formed. It aims to unify all Somali territories and secure independence, and it opposes clanism.
	The Somali National League in British Somaliland has similar nationalist aims.
1950	Somalia is placed under a UN trusteeship, administered by Italy for ten years. British Somaliland reverts to a protectorate and the Ogaden is returned to Ethiopian control.
26 June 1960	British Somaliland gains independence.
1 July 1960	Italian Somalia gains independence and unites with Somaliland to form the Somali Republic, with Abdirashid Ali Shermarke as Prime Minister and Aden Abdulle Osman as the provisional President.
1963-67	Kenyan Somalis fight for the independence of northeastern Kenya, dubbed the 'shifta war'.
June 1967	Abdirashid Ali Shermake is elected President of Somalia and Mohamed Haji Ibrahim Egal is appointed Prime Minister
15 October 1969	President Abdirashid Ali Sharmarke is assassinated.
21 October 1969	In a 'bloodless coup' the army led by Major General Mohamed Siyad Barre overthrows the civilian government of Prime Minister Egal, suspends the constitution and bans all political parties.
21 October 1970	Siyad Barre declares Somalia a socialist state, embarks on a range of socialist economic programmes and seeks support from the Soviet Union.
21 October 1972	An official orthography for the Somali language is introduced with a modified Roman alphabet.
September 1974	Revolution in Ethiopia
June 1977	Djibouti gains independence
July 1977	Following clashes between the Ethiopian army and the Western Somali Liberation Front, the Somali army equipped by the Soviet Union invades the Ogaden region of Ethiopia. In a dramatic reversal, Moscow switches support to Ethiopia a few months later.
March 1978	The Somali government withdraws from Ogaden faced by a Soviet- and Cuban-backed Ethiopian army. Hundreds of thousands of Ethiopian Somalis flee to Somalia.
April 1978	The government survives a failed military coup. One of the coup plotters Colonel Abdullahi Yusuf Ahmed helps found the first armed opposition movement, the Somali Salvation Front (SSDF) that begins to attack Somali forces from Ethiopia.
1980	Somalia strengthens diplomatic links with the United States and receives economic and military aid in return for US access to Berbera port.
April 1981	The Somali National Movement (SNM) is formed in London by Isaaq émigrés with a manifesto to remove the Barre regime and return the country to democratic rule.
January 1986	Establishment of the Inter-Govermental Authority on Drought and Desertification (IGADD) by Ethiopia, Sudan, Somalia, Djibouti, Kenya and Uganda.
April 1988	Somalia and Ethiopia sign a peace accord, ending ten years of hostilities.
May 1988	The SNM attack Burco and Hargeisa. The Somali government responds with aerial bombing of Hargeisa, killing thousands of civilians and forcing 650,000 people to seek refuge in Ethiopia. Reports of human rights abuses lead to the freezing of foreign aid.

January 1989	The United Somali Congress (USC) is formed in Rome, drawing support from the Hawiye clan.
March 1989	The Somali Patriotic Movement (SPM) is formed in Middle Jubba, drawing support from the Ogaden clan.
May 1990	A 'Manifesto' calling for dialogue and political reform is signed by 114 politicians, religious leaders, professionals and business people and published in Mogadishu.
December 1990	The USC enters Mogadishu and all remaining internationals are evacuated to US warships.
January 1991	Barre flees Mogadishu as USC forces capture the city. There is a massive exodus from Mogadishu as the city is 'cleansed' of members of the Darood clan associated with Barre, along with other non-Hawiye. The Manifesto Group of the USC elects Ali Mahdi Mohamed as interim president, a move rejected by USC military commander General Mohamed Farah Aideed.
May 1991	At the 'Grand Conference of the Northern Peoples' in Burco, the SNM proclaims the independence of the Republic of Somaliland within the borders of the British Somaliland Protectorate, revoking the 1960 Act of Union with Somalia. Chairman of the SNM Abdulrahman Ali Ahmed 'Tuur' becomes Somaliland's first president.
	The Mengistu government in Ethiopia is overthrown by Eritrean and Tigrean rebel groups
June-July 1991	Djibouti hosts two rounds of peace talks attended by six factions. Ali Mahdi is confirmed as President. This is rejected by General Aideed.
November 1991	Intense fighting begins between factions of the USC in Mogadishu and lasts for four months, while famine rages through much of southern Somalia.
January 1992	UNSCR 733 imposes a complete arms embargo on Somalia.
March 1992	A UN-brokered ceasefire is agreed between Ali Mahdi and Aideed. Humanitarian agencies gradually return to Somalia.
April 1992	The first UN Special Envoy, Mohamed Sahnoun, is appointed and the UN Operation in Somalia (UNOSOM I) is created to protect humanitarian supplies.
June 1992	An attempt by the Islamist group Al Itihad Al Islamiya (Islamic Union) to take control of the northeast is defeated by the SSDF led by Abdullahi Yusuf.
July 1992	'Operation Provide Relief' is launched to airlift food aid to the southern regions.
December 1992	UN Resolution 794 authorizes the use of 'all necessary means' to secure humanitarian operations, and 'Operation Restore Hope' is launched with a US-led multi-national peacekeeping force – the Unified Task Force (UNITAF).
March 1993	A joint UN-Ethiopian sponsored reconciliation conference is held in Addis Ababa. Some 15 factions, with Somaliland as an observer, sign an agreement to disarm and work towards establishing a transitional authority.
May 1993	UNSCR 814 authorizes UNITAF to hand over to a second UN mission, UNOSOM II. With a multinational force of 28,000 military personnel and 3,000 civilians operating under Chapter VII of the UN Charter, it has authority for 'peace enforcement'.
	Mohamed Ibrahim Egal is selected as president of the Republic of Somaliland by an assembly of elders at the 'Grand Boroma Conference', and a transitional National Charter for Somaliland is agreed.
	Eritrea secures independence after a UN-supervised referendum.
June 1993	The Galkaiyo peace agreement establishes a ceasefire between the SSDF and the forces of General Aideed, and the Majeerteen and Hawiye clans of Galkaiyo and Mudug.
June 1993	24 UNOSOM Pakistani peacekeepers are killed in an ambush by forces of General Aideed.
October 1993	Aideed's forces shoot down two US Black Hawk Helicopters and 18 US Special Forces and hundreds of Somalis are killed in clashes in Mogadishu, causing the US government to announce the withdrawal of US forces serving with UNOSOM.
January 1994	A peace agreement is signed between Aideed and Ali Mahdi and security in Mogadishu improves.
March 1994	US military forces withdraw from Somalia.
November 1994	Civil war breaks out in Somaliland causing large-scale population displacement from Hargeisa and Burco. The conflict, which had its roots in grievances over power-sharing and state control of economic assets, was portrayed by the government as a struggle between 'nationalists' defending Somaliland independence and 'federalists' advocating a relationship with Somalia, a picture that gained credence when Somaliland's first president joined Aideed's government in Mogadishu.
January 1995	Siyad Barre dies in exile in Nigeria.
March 1995	UNOSOM II mission withdraws from Somalia.
	The people of Bay and Bakool regions form the Digil-Merifle Governing Council.

June 1995	General Aideed declares a 'broad-based' (*salballar*) government.
September 1995	General Aideed's forces occupy Baidoa. The Rahanweyn Resistance Army (RRA) is formed in opposition.
March 1996	IGADD becomes IGAD and adds peace and security to its regional mandate.
August 1996	General Aideed dies of gunshot wounds sustained in a battle for control of banana exports. His son, Hussein Aideed takes over his leadership.
November 1996	An Ethiopian-sponsored reconciliation conference in Sodere brings together 41 Somali leaders from 26 factions and establishes the National Salvation Council (NSC). It is boycotted by Hussein Aideed, who is accused by Ethiopia of collaborating with Islamic groups. Ethiopian forces attack Al Ittihad bases in Gedo region.
February 1997	In Somaliland a National Conference in Hargeisa officially ends the civil war. The National Charter is replaced by a Provisional Constitution. Egal is reselected as President for an additional two years, which is later extended to five.
November 1997	Egypt hosts a conference in Cairo to forge an agreement with Aideed's alliance, the USC. Some 30 leaders sign an accord but the meeting is boycotted by Abdullahi Yusuf.
May 1998	Initial border conflict between Ethiopia and Eritrea
July-August 1998	Mogadishu-based faction leaders negotiate the establishment of a Benadir Regional Authority and Aideed relinquishes his claim to the presidency.
August 1998	Garowe Community Constitutional Conference agrees to form the non-secessionist Puntland State of Somalia, with Abdullahi Yusuf as president. Major attack on US embassies in Nairobi and Dar es Salaam by terrorists linked to Al Qaeda.
May 1999	The RRA expels Aideed's forces from Bay and Bakool region with assistance from Ethiopia and establishes its own administration.
May 2000	At the initiative of the Djibouti government and IGAD, the Somali National Peace Conference is convened in Arta.
August 2000	In Arta, a Transitional National Assembly is formed composed of 245 representatives. It elects Abdulqasim Salad Hassan as the president of a Transitional National Government (TNG).
November 2000	The TNG represents Somalia at the IGAD summit in November and OAU summit in Tripoli in February 2001, where it ratifies the Constitutive Act of the African Union.
December 2000	Ethiopia and Eritrea sign a peace agreement in Algiers.
March 2001	The Somali Reconciliation and Restoration Council (SRRC) comprising faction leaders opposed to the TNG is formed in Awasa in Ethiopia.
May 2001	Somaliland's constitution, which affirms Somaliland's independence, is subjected to a public referendum paid for by Somaliland. The government claims a large voter turn out of which 97 per cent endorsed the constitution.
June 2001	The mandate of the Puntland administration and Parliament expires. The Chairman of the Supreme Court rejects Abdullahi Yusuf's attempt to extend his mandate and announces that, in line with the Charter, he will assume the office of interim President pending a community conference.
July 2001	Following the constitutional plebiscite, political organizations are registered in Somaliland. Egal forms the political party UDUB (United Democratic Peoples' Party).
August 2001	Egal survives an impeachment vote in the Somaliland Parliament. Sultans meeting in Burco criticize Egal's handling of the move to multi-party politics and demand the disbandment of UDUB. The Sultans are arrested when they visit Hargeisa causing fear of renewed conflict. The crisis is defused by the intervention of civic activists.
August 2001	Failure to resolve Puntland's constitutional crisis leads to clashes in Bosasso. Abdullahi Yusuf withdraws to Galkaiyo leaving Puntland divided.
11 September 2001	Terrorist attacks in New York and Washington provoke US retaliation in Afghanistan and the start of a US-led 'global war on terrorism'. The collapsed state of Somalia is identified as a place where Al Qaeda and Taliban fleeing Afghanistan may find haven and which could be a breeding ground for terrorists.
November-December 2001	Outgoing Kenyan President Daniel arap Moi convenes a meeting between the TNG, some members of the SRRC and other faction leaders who sign the Nakuru agreement.
November 2001	The US government freezes the funds of the main Somali remittance bank al Barakaat for suspected links with al-Qaeda.
May 2002	Somaliland President Mohamed Haji Ibrahim Egal dies in hospital in South Africa and power passes to his Vice President Dahir Riyale Kahin.
October 2002	The Somalia National Reconciliation Conference sponsored by IGAD opens in the Kenyan town of Eldoret, intended to reconcile the TNG and the SRRC and produce a successor government.

December 2002	People in Somaliland participate in multi-party elections for District Council for the first time in 30 years. The three political organizations – UDUB, Kulmiye, UCID (Justice and Welfare Party) – with the most votes win the right to form political parties and contest presidential and parliamentary elections.
April 2003	Dahir Riyale Kahin narrowly wins the Somaliland Presidential elections.
May 2003	Agreement is reached to end the civil war in Puntland. Abdullahi Yusuf remains president, the opposition of Mohamud Muse Hersi 'Adde' gain positions in the administration and opposition forces are integrated into the Puntland army.
August 2004	A Transitional Federal Charter for Somalia is adopted and a 275-member transitional parliament is inaugurated in Kenya.
October 2004	Abdullahi Yusuf is elected interim president of the Transitional Federal Government (TFG) by the transitional parliament for a five year term. He appoints Ali Muhammad Gedi prime minister.
February 2005	The TFG splits over Abdulahi Yusuf's call for African forces to assist him establish his government in Mogadishu. Parliamentary speaker Shariff Hassan Sheikh Adan leads 60 dissenting legislators to Mogadishu.
May 2005	An attempt is made to assassinate Prime Minister Ali Mohamed Gedi in Mogadishu. Civil society groups launch the Mogadishu Security and Stabilization Plan in an attempt to restore security to the capital, leading to the removal of roadblocks and encampment of militia. Abdullahi Yusuf relocates his government from Nairobi to Jowhar due to lack of security in Mogadishu.
September 2005	Parliamentary elections in Somaliland give the opposition parties Kulmiye and UCID overall control of the parliament.
2006 February	The transitional parliament meets in Somalia – in the central town of Baidoa – for the first time since it was formed in Kenya in 2004.
February 2006	A group of Mogadishu-based warlords, led by Mohamed Qanyare, form the Alliance for the Restoration of Peace and Counter-Terrorism, funded by the US government to capture wanted terrorists thought to be hiding in Mogadishu. It sparks fighting with the Islamic Courts Union (ICU), leading to the worst violence in the city for a decade.
June 2006	Sheikh Sharif Sheikh Ahmed is named ICU chair.
July 2006	The ICU defeat the warlord alliance, establish an administration in Mogadishu and take over other parts of southern Somalia. Mogadishu's air and seaports are re-opened for the first time since 1995.
September 2006	Khartoum peace talks between the TFG and ICU, mediated by the Arab League, fail to reach agreement. Somalia's first known suicide bombing targets President Yusuf outside parliament in Baidoa.
October 2006	'War of words' between Ethiopia and ICU leaders: Premier Meles Zenawi says Ethiopia is 'technically' at war with the Islamists because they had declared *jihad* on his country.
December 2006	The UN Security Council endorses deployment of African peacekeepers, specifying that neighbouring states should not deploy troops. Islamist leaders react by saying they will tackle foreign forces as invaders. Fighting starts between the ICU and the Ethiopian-backed TFG. The UN Security Council fails to agree on a statement calling on foreign forces to withdraw. Ethiopian and TFG forces oust the ICU, capturing Mogadishu on 28 December.
January 2007	Islamists abandon their last stronghold in Kismayo. President Abdullahi Yusuf enters Mogadishu for the first time since taking office in 2004. Ethiopians pursue remnants of ICU leadership to the Kenyan border. In its first direct US military intervention in Somalia since 1993, the US carries out air strikes in southern Somalia against fleeing ICU, targeting al-Qaeda figures thought to be harbouring the ICU. But this results in a number of civilian casualties.
February 2007	The UN Security Council authorizes an African Union peacekeeping operation – the AU Mission in Somalia (AMISOM).
March 2007	The ICU and others opposed to the Ethiopian presence regroup and launch attacks on Ethiopian and government positions. AU peacekeepers arrive in Mogadishu amid pitched battles. The Red Cross says it is the worst fighting in 15 years and it causes mass displacement.
April 2007	The UN says that more than 320,000 Somalis have fled fighting in Mogadishu since February and the World Food Programme warns that a resurgence of piracy is threatening food supplies.
June 2007	A US warship shells suspected al-Qaeda targets in Puntland. Prime Minister Ghedi escapes a suicide car bomb attack on his compound. Ethiopian Premier Meles visits Mogadishu pledging to withdraw his troops once peace takes hold.
July 2007	A National Reconciliation Conference starts in Mogadishu and is criticized as the TFG shaking hands with itself, Islamist leaders stay away from the talks.
August 2007	Human Rights Watch accuses Ethiopian, Somali government and insurgent forces of war crimes, and the UN Security Council of indifference.

September 2007	ICU remnants and other opposition figures form the Alliance for the Re-Liberation of Somalia (ARS) in Asmara and campaign for the withdrawal of Ethiopia and a diplomatic solution to the conflict.
October 2007	Ethiopian forces fire on demonstrators in Mogadishu protesting the presence of foreign invaders. It is the heaviest fighting reported in Mogadishu since April, causing further displacement. As Ethiopians increase forces in the city Prime Minister Ghedi resigns.
November 2007	President Yusuf appoints Nur Hassan Hussein ('Nur Adde') prime minister, who announces his readiness to talk with the opposition. The UN Special Representative of the Secretary-General (SRSG) Ahmedou Ould Abdallah describes Somalia's humanitarian crisis as the worst in Africa, with 1 million displaced and 200,000 fleeing the capital in the previous two weeks.
January 2008	Burundi becomes the second nation to contribute troops to AMISOM, sending 440 soldiers to Mogadishu.
April 2008	The EU calls for international efforts to tackle piracy off the Somali coast after a series of hijackings and attacks on vessels. Aden Hashi 'Ayro', leader of Al Shabaab, is killed by US airstrikes in Dusamareb. Al Shabaab warn that all foreigners are legitimate targets, thus threatening humanitarian agencies and restricting humanitarian space.
May 2008	The UN Security Council unanimously votes to allow countries to send warships into Somalia's territorial waters to tackle piracy.
June 2008	Talks between the TFG and ARS begin in Djibouti, resulting in agreement on a three-month ceasefire. The deal provides for Ethiopian troops to leave Somalia within 120 days. It is rejected by Hassan Dahir Aweys, who says the ICU will not stop fighting until all foreign troops have left country.
August 2008	The Djibouti Agreement between the TFG and the ARS is formally signed.
October 2008	Coordinated suicide bombings in Hargeisa and Bosasso target government, Ethiopian and UN offices.
December 2008	Ethiopia announces plans to withdraw all forces by end of 2008. President Abdullahi Yusuf resigns after his attempt to sack Prime Minister Nur Hassan Hussein is declared unconstitutional by Parliament.
2009 January	In Puntland Dr Abdirahman Mohamed Farole is elected the fourth president of Puntland Federal State of Somalia by the Puntland parliament. In Djibouti Sheikh Sharif is elected TFG president by an expanded TFG parliament, including an additional 275 MPs from the opposition ARS. The transitional period is extended by two years. Ethiopian forces withdraw from Somalia.
February 2009	President Ahmed appoints Omar Abdirashid Ali Sharmarke, son of a former president, as the new prime minister. Sheikh Sharif returns to Mogadishu to a warm welcome. The Ahlu Sunnah Wal Jama, armed by Ethiopia, exact a defeat on Al Shabaab in the central regions. There is intense fighting between the TFG and insurgents.
April 2009	President Sharif pushes through the introduction of *Shari'a* law, with final presidential approval in May 2009.
May 2009	Hassan Dahir Aweys returns to Somalia, announces opposition to Sharif's 'unity' government, establishes Hizbul Islamiya, which with Al Shabab launches an offensive against the government. Intense conflict begins in Mogadishu with insurgent forces in the ascendant.
June 2009	The US government announces that it is supplying weapons to the TFG. Somalia's minister for security and more than 20 other people are killed in a suicide bombing at a hotel in Beledweyne, north of the capital Mogadishu. President Ahmed declares a state of emergency as violence intensifies. Somali officials appeal to neighbouring countries to send troops to Somalia. A State of Emergency is declared and the Government appeals to the international community for assistance
15 July 2009	Insurgent forces experience their first reversal producing a stalemate in the conflict.
September 2009	Somaliland presidential elections already rescheduled to September 2009 are postponed for the 3rd time, leading to a temporary suspension of parliament and street protests in Hargeisa. A massive car bomb kills AMISOM troops in Mogadishu. Aid agencies say some four million people in Somalia – more than a third of the population – are in need of food aid.
October 2009	Al Shabab wins control over the southern port city of Kismayo, defeating the rival Hizbul Islamiya Islamist militia.

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Key websites

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www.somalilandgov.com

Awdal news network (Republic of Somaliland)
www.awdalnews.com

Garowe online (Puntland)
www.garoweonline.com

Hiiraan online
www.hiiraan.com

Somaliland Law
www.somalilandlaw.com

Interpeace
www.interpeace.org

Academy for Peace and Development (APD) (Somaliland)
www.apd-somaliland.org

Center for Research and Dialogue (CRD) (Mogadishu)
www.crdsomalia.org

Puntland Development Research Center (PDRC)
http://pdrcsomalia.org

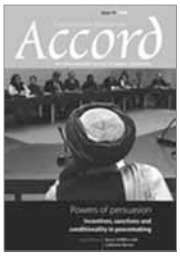
The Accord series



Reconfiguring politics: the Indonesia-Aceh peace process

Issue 20 (2008)

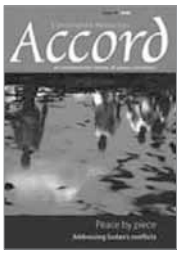
In 2005, the Indonesian government and the Free Aceh Movement (GAM) agreed a settlement ending 30 years of armed conflict. Accord 20 explores how that agreement was reached and subsequent challenges to its implementation.



Powers of persuasion: incentives, sanctions and conditionality in peacemaking

Issue 19 (2008)

International policymakers frequently use incentives, sanctions and conditionality as tools to influence intra-state conflicts. Using a range of case studies, Accord 19 asks whether and how these tools can constructively influence conflict parties' engagement in peacemaking initiatives.



Peace by piece: addressing Sudan's conflicts

Issue 18 (2006)

This Accord publication reviews the peace process that led to the 2005 Comprehensive Peace Agreement in Sudan. It also explores questions that remain to be tackled, arguing that future Sudanese initiatives must be more inclusive and better coordinated.



The limits of leadership elites and societies in the Nagorny Karabakh peace process

Issue 17 (2005)

Since the 1994 ceasefire, the conflict between Azerbaijan and Armenia over Nagorny Karabakh has remained deadlocked. Accord 17 explores the dynamics of polarization, the obstacles to a sustainable agreement and the challenge of overcoming resistance to compromise.



Choosing to engage: armed groups and peace processes

Issue 16 (2005)

Non-state armed groups, key actors in many internal armed conflicts, have participated in peace processes across the world. Accord 16 draws on these experiences to explore the case for engaging with armed groups, and the different options, roles and challenges for such engagement.



From military peace to social justice? The Angolan peace process

Issue 15 (2004)

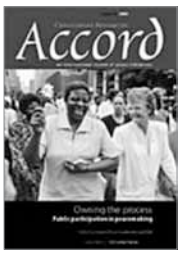
The Luena Memorandum of 2002 brought an end to Angola's 27-year civil war. Accord 15 reviews the history of peacemaking efforts in Angola, and analyses challenges that remain if the absence of violence is to develop into a sustainable and just peace.



Alternatives to war - Colombia's peace processes

Issue 14 (2004)

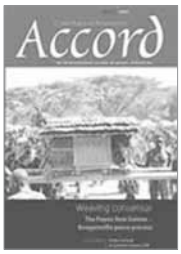
This Accord publication provides an overview of more than 25 years of peace initiatives with Colombia's guerrilla and paramilitary groups. It includes analysis of civil society efforts at local, regional and national levels and identifies the necessary elements of a new model of conflict resolution.



Owning the process: public participation in peacemaking

Issue 13 (2002)

This first thematic Accord publication documents mechanisms for public participation in peacemaking. It features extended studies looking at how people were empowered to participate in political processes in Guatemala, Mali and South Africa. It also contains shorter pieces from Colombia, Northern Ireland and the Philippines.



Weaving consensus: the Papua New Guinea – Bougainville peace process

Issue 12 (2002)

This Accord publication documents efforts leading to the Bougainville Peace Agreement of 2001. It describes an indigenous process that drew on the strengths of Melanesian traditions, as well as innovative roles played by international third parties.



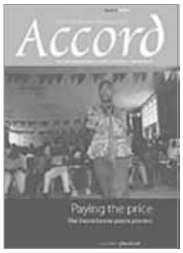
Protracted conflict, elusive peace Initiatives to end the violence in northern Uganda

Issue 11 (2002)

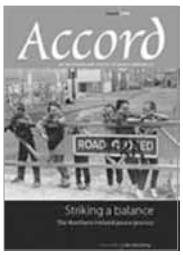
While a meaningful peace process in Northern Uganda remains elusive, Accord 11 documents significant peacemaking initiatives undertaken by internal and external actors and analyses their impact on the dynamics of the conflict.



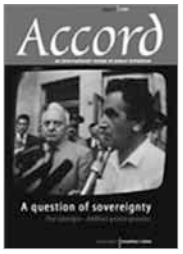
Politics of compromise: the Tajikistan peace process
Issue 10 (2001)
This publication describes the aspirations of the parties to the conflict in Tajikistan. It documents the negotiation process leading to the General Agreement of June 1997, looking at the role of the international community, led by the UN, and of local civil society.



Paying the price: the Sierra Leone peace process
Issue 9 (2000)
The Lomé Peace Agreement of July 1999 sought to bring an end to armed conflict in Sierra Leone: one of the most brutal civil wars of recent times. Accord 9 explores the Lomé process and earlier attempts to resolve the conflict, and draws lessons for Sierra Leone's transition.



Striking a balance: the Northern Ireland peace process
Issue 8 (1999)
This publication examines the factors that led to the negotiations resulting in the 1998 Belfast Agreement. It describes the complex underlying forces and the development of an environment for peace. (2003: Supplement Issue – see on-line index)



A question of sovereignty: the Georgia - Abkhazia peace process
Issue 7 (1999)
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This publication documents issues around the signing of the 1991 Paris agreements that officially ended Cambodia's long war, and the subsequent violent collapse of the country's governing coalition in July 1997.



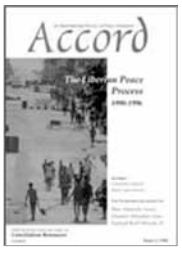
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The Liberian peace process 1990-1996
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conciliation resources

Conciliation Resources (CR) is an international nongovernmental organization registered in the UK as a charity. We work mainly in the Caucasus, Colombia, the Democratic Republic of the Congo, Fiji, Guinea, India, Liberia, Pakistan, the Philippines, Sierra Leone, Southern Sudan and Uganda, in partnership with local and international civil society organizations and governments. We also publish *Accord: an international review of peace initiatives*. Our funding is through grants from governments, independent trusts and foundations.

CR's organizational goals are to:

- Support people working at local, national and international levels in developing innovative solutions to social, economic and political problems related to violent conflict
- Provide opportunities for inclusive dialogue and improved relationships within communities and across conflict divides at all social and political levels
- Influence governments and other decision-makers to employ conflict transformation policies that promote alternatives to violence
- Improve peacemaking practice and policies by promoting learning from peace processes around the world
- Challenge stereotypes and increase public awareness of human rights, conflict and peace issues in divided societies

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interpeace

Interpeace works with societies divided by violent conflict to create lasting peace. They do this through consensus-oriented, integrated approaches to reconciliation and peacebuilding. Their work with Somali organizations to promote a dialogue for peace began more than a decade ago with three local partners: the Academy for Peace and Development (APD) in Hargeisa; the Puntland Development Research Center (PDRC) in Garowe; and the Center for Research and Dialogue (CRD) in Mogadishu. Based in different parts of the country and working in widely differing circumstances, each of the partners has evolved ways of working appropriate to their own particular environment.

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ISSUE 21

Whose peace is it anyway?

connecting Somali and international peacemaking







For many people Somalia is synonymous with violence, warlordism, famine, displacement, terrorism, *jihadism*, and piracy. Nearly two decades of foreign interventions have failed to build peace or a viable state. And since 2001 international engagement has served to deepen humanitarian and political crisis in southern Somalia.

But Somalia is not an entirely lawless and ungoverned land. Somali people have used their own resources and traditions of conflict resolution to re-establish security and governance in many communities. Somali-led initiatives have succeeded in building durable political and administrative arrangements to manage conflict and provide security. Somali entrepreneurship has also revitalized the economy in many places.

Accord 21 on Somali peace processes seeks to inform better understanding between Somali and international peacemaking policy and practice. It includes more than 30 articles, from interviews with Somali elders and senior officials with the AU, IGAD and the UN, to contributions from Somali and international peacemaking practitioners, academics, involved parties, civil society and women's organizations, and other experts. The project has been undertaken in collaboration with Interpeace, drawing on their peace mapping study www.interpeace.org

CONCILIATION RESOURCES AND THE ACCORD SERIES

Conciliation Resources is an international non-governmental organization that supports people working to prevent violence, promote justice and transform armed conflict. CR's Accord projects aim to inform and strengthen peace processes, providing a unique resource on conflict and peacemaking.

"We should all recognize that Somalia is not given the necessary attention and care by the international community. We call it a failed state and we seem to admit that this is a new category of states for which we are helpless.

From my own experience in Somalia I believe there is a remarkable potential in the people of this country, which deserves to be given a chance: through real long term support for economic development and federal governance. This Accord publication on Somali peace processes essentially highlights some of the ways that international policy can better engage with Somali peacemaking"

Mohamed Sahnoun is Special Adviser to the UN Secretary-General on Africa and former Special Representative of the Secretary-General for Somalia. He is also Vice Chair of Interpeace and of the UN mandated University of Peace.

conciliation resources

The full text of all issues in the Accord series can be found on Conciliation Resources website: www.c-r.org

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