Somalia:
Where a State Isn't a State

J. Peter Pham

INTRODUCTION

On February 22, 2011, as one of the United States Navy's newest guided-missile destroyers, the USS *Sterett*, and three other warships stood by virtually helpless, Somali pirates killed four boaters they had seized just days earlier off the coast of Oman. The four victims—yacht owners Scott and Jean Adam of Marina del Rey, California, and their friends, Phyllis Macay and Bob Riggle of Seattle, Washington—are the first Americans to be killed by the pirate gangs, which have become increasingly emboldened, operating ever farther from their native littorals in search of vulnerable vessels and the spiraling ransoms to be won. Naval analyst Martin Murphy summarized it neatly in his authoritative study on the subject: "Piracy is a low-risk criminal activity that pays well. It occurs for one overriding reason: opportunity."[1] And it is hard to imagine a more facilitating environment for the marauders than Somalia, which lacks anything even remotely resembling a functioning central government.[2]

In the two decades since the dictator Muhammad Siyad Barre ignominiously fled Mogadishu in January 1991, leaving behind a capital in ruins and in the throes of uncontrolled street violence, Somalia has been the prime example of what political scientist Robert Rotberg has termed the "collapsed state," a "rare and extreme version of the failed state" and "a mere geographical expression, a black hole into which a failed polity has fallen."[3] Somalia has stubbornly resisted no fewer than fourteen attempts

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to reconstitute a central government. The fifteenth such undertaking, the current internationally-backed, but chronically weak "Transitional Federal Government" (TFG) just barely manages to hold on to a few districts in the capital—and that much only thanks to the presence of the 8,000 Ugandan and Burundian troops who make up the African Union Mission in Somalia (AMISOM). In contrast, anti-TFG insurgents spearheaded by the *Harakat al-Shabaab al-Mujahideen* ("Movement of Warrior Youth," or al-Shabaab)—a militant Islamist movement which is considered a "terrorist organization" by the governments of the United States, Australia, the United Kingdom, and Canada, among others[4] —effectively control wide swathes of Somali territory and operate more or less freely even in areas where they have not thus far been able to impose their rule.

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Realities on the ground, however, are much more complex than this binary vision of weak government versus strong insurgency would suggest. While the often overwrought designation of "failed state" is a more-than-fair characterization of Somalia's national politics, it does not do justice to the phenomena witnessed elsewhere in the Somali lands, away from the war-torn capital of Mogadishu, where alternative centers of power and stability have, however haltingly, emerged.[5] They offer not only a distinctively local solution to the crisis—including the conditions which favored the rise of piracy and extremism—but also challenge conventional notions of "state" and "non-state." In fact, the collapse of the Somali state and the emergence of new social networks and nascent polities amidst the ruins requires the international community, if it is at all serious about dealing with the criminal and terrorist threats in the Horn of Africa, to wrestle with questions about what sovereignty means in the twenty-first century and what qualifies as a state.

THE SOMALI CONTEXT

Somali identity is traditionally rooted in paternal descent meticulously memorialized in genealogies that determine each individual's exact

place in society. At the apices of this structure are the "clan-families" with their quasi-mythic lineages harkening back to the family of the Prophet Muhammad.[6] According to the most generally accepted division, the following are the major clan-families: Darod, Dir, Hawiye, Isaq, Digil, and Rahanweyn. The first four, historically predominantly nomadic pastoralists, are reckoned to be "noble" clans, while the Digil and Rahanweyn, also known collectively as Digil Mirifle, who were cultivators and agro-pastoralists that speak a distinct dialect, occupy a second tier in Somali society. A third tier also exists in the Somali social hierarchy and consists of ethnic minorities and those who carried out tasks such as metalworking and tanning, which, in the eyes of the nomadic "noble clans," rendered them ritually unclean.[7]

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In modern times, the advent of instantaneous mass communications has, ironically, rendered these traditional divisions an even more significant factor in Somali national politics, as it has enabled both geographically separated members of the same groups, including those in the far-flung diaspora, to interact with each other and organize themselves to pursue common political objectives. This is a result of the underlying power structures within Somali society. The unity of the larger group, as well as the clans and sub-clans into which these relationships are divided, is founded not only on shared ancestry, but also a formal political contract, known as *xeer*, between its members. British anthropologist I.M. Lewis, arguably the foremost living authority on Somali history and culture, has observed that "the vital importance of this grouping, in an environment in which the pressure of population on sparse environmental resources are acute, and where fighting over access to water and pasture is common, can hardly be overemphasized" since it is upon his sub-group, and "potentially on wider circles of clansmen within his clan-family, that the individual ultimately depends for the security of his person and property."[8]

Thus, despite the efforts of the Siyad Barre regime to impose "scientific socialism" with the professed goal of uniting the nation by eliminating its ancient clan-based political culture (although even he eventually fell into a pattern of relying primarily upon his own clan and those of his mother

and his son-in-law), after the dictator's fall and the successive failure of three international military interventions—the United Nations Operation in Somalia I (UNOSOM I, April–December 1992), the United States-led Unified Task Force (UNITAF, December 1992–May 1993), and United Nations Operation in Somalia II (UNOSOM II, March 1993–March 1995)[9]—central and southern Somalia returned to the age-old pattern of armed clan factions. Mobilized by powerful figures and sustained by the spoils of conflict, the clan factions vied with each other for control of territory and the remaining economic assets found amidst the ruins of the collapsed state, including bananas for export.[10]

At the same time, in the absence of anything resembling a functioning state and amidst the multiplying divisions of a society returning to segmentary solidarity as the basis for organization, Islam came to be seen by some Somalis as an alternative to both the traditional clan-based identities and the newly emergent criminal syndicates led by so-called "warlords."[11] Islamic religious leaders have helped organize security and other services, and businessmen in particular were supportive of the establishment of *shari'a*-based courts throughout the south in the 1990s which offered a pan-Islamist identity as an alternative to other possible legitimizing principles for political organization among the Somali.[12]

Traditionally, the Somali subscribe to Sunni Islam and follow the Shafi'i school of jurisprudence which, although conservative, is open to a variety of liberal views regarding practice.[13] Up until the time of Somalia's independence in 1960, although there were different movements within the Sunni Islam in Somalia, the most dominant were the Sufi brotherhoods, especially the Qadiriyya and Ahmadiyya orders.[14] While traditional Islamic schools and scholars played a role as focal points for rudimentary political opposition to colonial rule in Italian Somalia, historically their role in the politics of the Somali clan structure was neither institutionalized nor particularly prominent. In part, this is because *shari'a* historically was not especially entrenched in Somalia: being largely pastoralists, the Somali people relied more on *xeer*, their unique customary law, than on religious prescriptions.[15] Hence, Somali political Islamism is largely a post-colonial movement which became active in the late 1980s and which was strengthened by the collapse of the state in 1991 and the ensuing civil war, international interventions, external meddling, and efforts by Somalis themselves at political reconstruction. Absent this chain of events, it is doubtful that militant Islamism would be much more than a marginal force in Somali politics.

SOMALIA'S "TRANSITIONAL FEDERAL GOVERNMENT"

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

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The "Nairobi Process" began in October 2002 under the patronage of the subregional Inter-Governmental Authority on Development (IGAD) with international support, especially from the European Union and the United States. The discussions were so protracted—one can hardly blame the more than 400 self-appointed delegates from southern Somalia for not being especially eager to hurry home—that it took them just over two years to establish the TFG using the "4.5 formula," according to which power was to be shared between four of the clan-families—Darod, Dir, Hawiye, and Digil/Rahanweyn (the Isaq, centered in Somaliland, discussed below, declined to participate)—with some space (the "0.5") for minority groups. The "Transitional Federal Charter," agreed to in October 2004, gave the "Transitional Federal Institutions" of government a five-year mandate. Heading up this structure was a Darod militia leader, Abdullahi Yusuf Ahmad, who had launched his political career with the proceeds of a $1 million ransom he had extracted from the Taiwanese after his militia seized the fishing trawler MV *Shen Kno II* in 1997.

It was not until June 2005, however—and then only under heavy pressure from its long-suffering Kenyan hosts—that the TFG finally moved to Somali territory. Even then, the putative government could not enter its own capital—it was then a battle zone between rival warlords—and settled instead in Jowhar, a provincial town safely north of Mogadishu, under the protection of a local warlord who belonged to the same Hawiye sub-clan as the then prime minister. When relations eventually soured with the warlord, the TFG was forced to move on and, in a turn of events that

was especially humiliating in the Somali cultural context, was forced to take shelter among the Rahanweyn in the remote town of Baidoa, more than 250 kilometers from the government's putative capital. So undesirable was the location and reduced in its circumstances that it was nearly a year before the TFG could muster a quorum to convene its parliament in a converted barn.[16]

Meanwhile, a new force was emerging in Somalia, the Union of Islamic Courts, made up of the militias of the various local tribunals set up by the Islamists. The union took control of Mogadishu in June 2006, after defeating a ragtag coalition of warlords and business leaders hastily thrown together by the United States (presumably acting through the Central Intelligence Agency) under the rather ironic banner of the "Alliance for the Restoration of Peace and Counter-Terrorism." The American intervention achieved the exact opposite of what was intended. The Islamists, far from being checked, actually prevailed and, for the first time since the fall of Siyad Barre, Mogadishu was united under a single administration. Moreover, the Islamists, who reorganized themselves into a governmental structure, the "Council of Islamic Courts" (CIC), quickly extended their control over much of southern and central Somalia, from the southern border of Puntland in the north to the Kenyan frontier in the south, leaving the TFG barely clinging on in Baidoa under the protection of the Ethiopian military.[17]

The CIC was, in many respects, a mixed blessing for most Somalis. The Islamists cleared away the roadblocks that had been set up by rival militias over the years and reopened the port of Mogadishu. They organized some rudimentary services, including the first municipal garbage collection in nearly two decades. On the other hand, these improvements went hand-in-hand with the imposition of Islamic strictures that were quite alien to the Somali experience of the religion, including a ban on watching the 2006 FIFA World Cup, which the CIC deemed "un-Islamic."[18]

The Ethiopians were wary of the CIC given their own earlier experiences with Somali Islamism, especially *al-Itihaad al-Islamiya* ("Islamic Union"), a group established in the early 1980s which sought the creation of an expansive "Islamic Republic of Greater Somalia" and eventually a political union embracing all Muslims in the Horn of Africa,[19] which would have included large swaths of Ethiopian territory. Therefore, it was not surprising once many of the same extremists emerged in positions of authority in the CIC that neighboring Ethiopia was alarmed by the rapid rise of the Islamists in Somalia. When a CIC attack on the TFG in Baidoa, which was being protected by Ethiopian units, provided a pretext,

Ethiopian Prime Minister Meles Zenawi launched a full-scale military intervention on Christmas Eve 2006. The heavily-armed and well-trained Ethiopians quickly destroyed the CIC's forces, whose commanders made the mistake of deploying in open country where their units were slaughtered by the invaders. The TFG then rode the Ethiopians' coat-tails into Mogadishu.

As the populace's sullen acquiescence to the new regime turned into resentment of what amounted to a de facto foreign occupation, an insurgency gathered steam under the leadership of the Islamists who had survived the invasion. Foremost among them were members of al-Shabaab, formerly a militia force under the CIC, but now an independent entity led by hardliners, many of whom had trained with al-Qaeda or otherwise had experience in Afghanistan and/or Kashmir. Seemingly oblivious to his increasingly tenuous position, Abdullahi Yusuf was finally forced to resign as president of the TFG in late 2008. His intransigence had been increasingly viewed by Somalia's neighbors as an obstacle to the latest peace process they had launched earlier that year by reaching out to the regime's supposedly "moderate" opponents, led by the former Islamic Courts leader Sheikh Sharif Sheikh Ahmed. Sharif Ahmed was himself installed as the new TFG president in January 2009 by an electoral assembly picked for that purpose, which convened in Djibouti under the sponsorship of the Nairobi-based UN Political Office for Somalia. The mandate of the new regime was extended until August 2011,[20] although in early 2011, despite intense international criticism, the TFG again unilaterally extended its mandate, this time for another three years.

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Not surprisingly, given how it came into being and has subsequently gone about prolonging its tenure in office, the new iteration of the TFG turned out to be no better than the previous version: in its two years of existence, it has proven "unable to expand its authority beyond Villa Somalia in Mogadishu, seat of the presidency" and "has had little relevance."[21] In the summer of 2009, when the insurgents attempted to encircle the TFG in Mogadishu, a number of analysts were surprised by the effectiveness of the Islamist push through territory controlled by Sharif Ahmed's own Harti sub-clan of the Abgaal clan—the reluctance of even his closest kinsmen to defend him was a clear indicator of his near-total lack of political support.

In early 2010, a promising alliance emerged between the regime and the Sufi movement *Ahlu Sunna wal-Jama'a* ("[Followers of] the Traditions and Consensus [of the Prophet Muhammad]," ASWJ), whose militias have opposed the Islamist insurgents in the central regions of Somalia. It fell apart when Sharif Ahmed reneged on the terms of the power-sharing agreement. In fact, the incumbent TFG president seems as unwilling as his predecessor to engage in the sort of deal-making that would co-opt key stakeholders, extend his regime's political base, and possibly prepare the ground for security operations that might break the continual stalemate.[22] A March 2010 report by the United Nations Monitoring Group on Somalia was, for a diplomatic document, unusually critical in its assessment of the regime:

> The military stalemate is less a reflection of opposition strength than of the weakness of the Transitional Federal Government. Despite infusions of foreign training and assistance, government security forces remain ineffective, disorganized and corrupt—a composite of independent militias loyal to senior government officials and military officers who profit from the business of war and resist their integration under a single command. During the course of the mandate, government forces mounted only one notable offensive and immediately fell back from all the positions they managed to seize. The government owes its survival to the small African Union peace support operation, AMISOM, rather than to its own troops…[23]
>
> The security sector as a whole lacks structure, organization and a functional chain of command—a problem that an international assessment of the security sector attributes to 'lack of political commitment by leaders within the Transitional Federal Government or because of poor common command and control procedures'… To date, the Transitional Federal Government has never managed to deploy regimental or brigade-sized units on the battlefield.
>
> The consequences of these deficiencies include an inability of the security forces of the Transitional Federal Government to take and hold ground, and very poor public perceptions of their performance by the Somali public. As a result, they have made few durable military gains during the course of the mandate, and the front line has remained, in at least one location, only 500 meters from the presidency.[24]

More recently, the International Crisis Group issued what was, for all intents and purposes, a scathing indictment not only of the TFG, but of any policy that relied on it, declaring that members of the regime were

"not fit to hold public office and should be forced to resign, isolated, and sanctioned."[25] The document bemoaned the fact that the TFG "has squandered the goodwill and support it received and achieved little of significance in the two years it has been in office," and that "every effort to make the administration modestly functional has become unstuck."[26]

In short, not only has the TFG "failed to generate a visible constituency of clan or business supporters in Mogadishu," its very survival "now depends wholly on the presence of AMISOM forces,"[27] which were almost entirely responsible for the modest, but not insignificant, gains made against insurgent forces during a determined offensive in early 2011. As for the TFG, out of the some 9,000 troops which the three separate military missions—the United States, the European Union, and France—have trained and armed for the regime, no more than 1,000 remain.[28] Efforts to supply this miniscule force have also proven counterproductive. Despite receiving more than eighty tons of weapons and ammunition from the United States in May 2009, the TFG singularly failed to expand its territory in Mogadishu. In fact, just about the only noticeable change caused by the arms transfer was the collapse of prices in the arms market operating within walking distance of the government compound, suggesting that part of the shipment was simply sold by corrupt regime officials.[29]

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THE OTHER SOMALIA

The most damning thing about the failed attempts to rebuild the national-level state institutions in Somalia is that there are ready examples elsewhere in the territory of the former Somali state that offer alternative approaches. These options would be far more effective in achieving the international community's humanitarian and security objectives relative to maritime piracy and terrorism. Although they differ significantly in their political development and the courses they have charted for themselves to date, the northern Somali regions of Somaliland and Puntland have both

been relatively successful in avoiding not only embroilment in the violence that has consumed most of southern and central Somalia, but also major internal conflict. Analogous, if more modest, progress has likewise been witnessed in other areas.

The modern political history of Somaliland begins with the establishment, in 1884, of the British Somaliland Protectorate, which, except for a brief Italian occupation during the Second World War, lasted until June 26, 1960, when the territory received its independence.[30] Notification of Somaliland's independence was communicated to the United Nations and some thirty-five members duly accorded the new state diplomatic recognition. Several days later, the Italian-administered UN trust territory of Somalia received its independence. The two states then entered into a hasty union that a number of legal scholars have argued fell short of the minimal standards for legal validity.[31] Moreover, the Somalilanders quickly regretted the union due in no small measure to the discrimination which the predominantly Isaq northerners suffered, first at the hands of the numerically superior members of clans from other regions, and then under the Siyad Barre dictatorship, which carried out a vicious campaign that systematically pillaged and razed the northern territory in the 1980s.[32]

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After the collapse of the Somali state, clan leaders in Somaliland proclaimed the dissolution of the union and set about building a separate state. In the process of doing so, Isaq clan leaders purposely reached out to representatives of other clans in Somaliland, including the Darod/Harti (Dhulbahante and Warsangeli sub-clans) and Dir (Gadabuursi and Ise sub-clans), in two prolonged national conferences. While the apportionment of seats at the two assemblies was done along clan lines in a rough attempt to reflect the demographics of the territory, the actual decision making was by consensus.[33] The new administration's successful demobilization of former fighters, formation of national defense and security services, and the extraordinary resettlement of over one million refugees and internally displaced persons fostered the internal consolidation of its renascent polity. The establishment of independent newspapers, radio stations, and a host of local NGOs and other civic organizations reinforced the nation-building exercise. In a May 2001 referendum, 97 percent of the voters approved a constitution which

provided for an executive branch of government, consisting of a directly elected president and vice president and appointed ministers; a bicameral legislature consisting of an elected House of Representatives and an upper chamber of elders, the *guurti*; and an independent judiciary.

The stable environment thus facilitated substantial investments by both local and diaspora businessmen who built, among other things, a telecommunications infrastructure that is more developed and varied than in many of Somaliland's neighbors.[34] The internationally monitored presidential election in June 2010 resulted in the defeat of incumbent Dahir Riyale Kahin, the election of Ahmed Mohamed Mohamoud "Silanyo," and a smooth transition between the two—an unheard of occurrence in the region.

In addition to this success, a 2005 report of an African Union fact-finding mission led by then African Union (AU) Commission Deputy Chairperson Patrick Mazimhaka concluded that "the fact that the union between Somaliland and Somalia was never ratified, and also malfunctioned when it went into action from 1960 to 1990, makes Somaliland's search for recognition historically unique and self-justified in African political history." The report recommended that "the AU should find a special method of dealing with this outstanding case."[35] However, no country has yet recognized Somaliland's bid for independence.

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The Darod clan territories in the north-eastern promontory of Somalia have also demonstrated the success of the building-block model, and the wisdom of working with the deeply ingrained clan identities among the Somali. In 1998, tired of being held back by the constant violence and overall lack of social and political progress in central and southern Somalia from which a number of their fellow clansmen fled in the early 1990s, traditional clan elders met in the town of Garowe and undertook a regional state-formation process of their own in the northeast, establishing an autonomous administration for what they dubbed "Puntland State of Somalia." After extensive consultations within the Darod/Harti clans and sub-clans, an interim charter was adopted which provided for a parliament whose members were chosen on a clan basis and who, in turn,

elected a regional president, the first being Abdullahi Yusuf Ahmed who, in 2004, went on to become president of the TFG.[36] The current incumbent, Abdirahman Mohamed Mohamud "Farole," was elected in January 2009 from a field of over a dozen candidates. Unlike Somaliland, which has opted to assert its independence, Puntland's constitution simultaneously supports the notion of a federal Somalia and asserts the region's right to negotiate the terms of union with any eventual national government. In late 2009, in a sign that secessionism nonetheless is gaining some traction, the regional parliament voted unanimously to adopt a distinctive flag, coat of arms, and anthem.

The region has, of course, become the center of Somali maritime piracy. The towns of Eyl and Garaad in Puntland, together with Hobyo and Xarardheere in central Somalia, have emerged as the principal pirate ports. Analysts believe that senior Puntland officials are abetting the piracy networks—the UN Sanctions Monitoring Group has charged that President Farole and members of his cabinet have received some of the proceeds of piracy[37]—and that the region is nudging in the direction of "becoming the pirate version of a narco-state."[38] This development should not be surprising given that, in 2008, for example, a year in which it is estimated that over $100 million was paid in ransom to the pirates operating there, the entire budget for the Puntland State amounted to $11.7 million.[39] Nevertheless, a recent report by the Council on Foreign Relations suggests the possibility of a "grand bargain" whereby Puntland would rein in its piracy-inclined citizens in return for political and economic engagement with the international community:

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> Development agencies should also seek to create a partnership with Puntland's legitimate business community—probably the only social segment currently strong enough to challenge the pirate networks. The international community could focus on organizing the professional community in Puntland into a professional association, providing capacity-building support and engaging the group in a discussion about what can be done to reduce piracy. A program that

explicitly ties development incentives in the coastal zones to antipiracy efforts could effectively mobilize a population tiring of pirate promiscuity and excess.[40]

The problem, of course, is getting members of the international community to actually engage a non-state entity like Puntland and to do so in a consistent and sustainable manner. In 2002, for example, the Puntland Intelligence Service was established with American and Ethiopian assistance, but it has focused almost exclusively on counterterrorism, while largely ignoring wider human security concerns. The regular police, on the other hand, on those occasions when they have been willing to confront pirates and other organized criminals, have more often than not found themselves outgunned.[41]

The same challenges exist to an even greater extent for the other, less developed political entities emerging out of processes currently at work elsewhere among the Somali. In the central regions of Galguduud and Mudug, for example, the local residents set up several years ago what they have dubbed the "Galmudug State," complete with its own website.[42] Last year, they elected a veteran of the old Somali military, Colonel Mohamed Ahmed Alin, to a three-year term as the second president of what describes itself as "a secular, decentralized state." A similar process is taking place in Jubaland along the frontier with Kenya, apparently with the backing of the latter, which wants a buffer between it and the Islamist insurgency. Last year, local clans in the region began forming a secular administration of their own. In April 2011, it was announced that the new autonomous authority of "Azania" had been inaugurated with the TFG's own defense minister, Mohamed Abdi Mohamed "Gandhi," as its first president.[43] There are similar stirrings among the Hawiye in the Benadir region around Mogadishu and among the Digil/Rahanweyn clans farther south.

BEGINNINGS OF A "SECOND-TRACK STRATEGY"

The general assumption of most policymakers and analysts is that the state, as the possessor of the Weberian monopoly on legitimate violence, is the best instrument in the toolkit of international relations for preserving peace and, hence, when peace is lacking, the best response is to reinforce or even recreate the state. While this is undoubtedly true in many cases, there are those, like Somalia, in which state-building efforts actually fuel conflict, given the deficit in the political legitimacy of the interim regime or central government. Instead of enhancing peace, it serves as a prize over which rivals contend.[44]

In contrast, by leveraging the legitimacy they enjoyed by virtue of deeply rooted kinship and geographic bonds—to say nothing of a very personal political consent—some traditional Somali leaders have managed to deliver to their constituents a relatively high degree of peace, security, economic progress, and rule of law, despite the lack of international recognition (or much involvement of any kind, for that matter). Security experts like counterinsurgency theorist David Kilcullen, who helped plan the "surge" in Iraq, have not failed to appreciate the value of these achievements. In his treatise on counterinsurgency, the Australian social anthropologist and former infantry officer noted:

> Somalia is virtually a laboratory test case, with the south acting as a control group against the experiment in the north. We have the same ethnic groups, in some cases the same clans or even the same people, coming out of the same civil war and the same famine and humanitarian disaster, resulting from the collapse of the same state, yet you see completely different results arising from a bottom-up peace-building process based on local-level rule of law versus a top-down approach based on putting in place a 'grand bargain' at the elite level.[45]

Encouragingly, there have been indications that various international actors may finally be coming to the same realization, however reluctantly. Last fall, U.S. Assistant Secretary of State for African Affairs, Johnnie Carson, announced a "second-track strategy" that included greater formal engagement with government officials from Somaliland and Puntland with an eye to "looking for ways to strengthen their capacity both to govern and to deliver services to their people."[46] Carson, America's top Africa diplomat, acknowledged both that Somaliland and Puntland were "zones of relative political and civil stability," and that "they will, in fact, be a bulwark against extremism and radicalism that might emerge from the south."[47] Significantly, he also held out the prospect of dealings with other forces in Somalia and delinked them from the feckless TFG:

Carson, America's top Africa diplomat, acknowledged both that Somaliland and Puntland were "zones of relative political and civil stability," and that "they will, in fact, be a bulwark against extremism and radicalism that might emerge from the south.

> Equally as a part of the second-track strategy, we are going to reach out to groups in south central Somalia, groups in local governments,

clans, and sub-clans that are opposed to Al-Shabaab, the radical extremist group in the south, but are not allied formally or directly with the TFG. And we will look for opportunities to work with these groups to see if we can identify them, find ways of supporting their development initiatives and activities.[48]

At the same time, after long refusing to even acknowledge their existence, the African Union's Peace and Security Council has directed AU Commission Chairperson Jean Ping to "broaden consultations with Somaliland and Puntland as part of the overall efforts to promote stability and further peace and reconciliation in Somalia."[49]

While both the new U.S. policy and the more modest opening by the AU have yet to be fully worked out, much less implemented, they nonetheless represent a dramatic and long-overdue shift. The conventional default position had condemned international actors to constant failure because they have "little knowledge about non-state leaders (e.g., tribal leaders), have a reduced awareness about events and people outside the capital, lack a long-term perspective, and are unwilling to seriously challenge host governments because of our need to work by, with, and through them to achieve other goals."[50]

CONCLUSION

The disheartening failure of no fewer than fourteen different internationally backed attempts to reestablish a national government in Somalia, along with the diminishing legitimacy of the TFG and increasingly untenable nature of its current strategic position, underscores once again the need to reexamine the validity of concepts of statehood in the twenty-first century. As I noted at a Congressional hearing two years ago, the TFG is "not a government by any common-sense definition of the term: it is entirely dependent on foreign troops… to protect its small enclave in Mogadishu, but otherwise administers no territory; even within this restricted zone, it has shown no functional capacity to govern, much less provide even minimal services to its citizens."[51] Given these facts, in what sense is the TFG entitled to be considered a state? Conversely, by what rational criterion can entities like Somaliland and, to a lesser extent, Puntland, be denied recognition as states if that is what they consider themselves to be? In fact, given the chaos that characterizes southern and central Somalia, as well as the demographic reality that the majority of the more-than-three-million Somalilanders were born after the region declared its resumed independence and have never thought of themselves as citizens of a unitary Somalia,

can anyone imagine a scenario where it would be possible to reincorporate them into such a "state" without provoking even greater conflict across the Horn? *The Atlantic*'s Graeme Wood has succinctly highlighted the sheer madness of the proposition:

> A reconstituted Somalia would require reconnecting Somaliland with what may be the world's most spectacularly failed state. Where Somaliland has a fledgling coast guard, Somalia has flourishing pirates, and where Hargeisa has a form of democracy, Mogadishu has howling anarchy punctuated by fits of *sharia* law. Yet this is the alternative urged by nearly everyone.[52]

For years, the United Nations, the African Union, and neighboring countries, as well as Western governments and donor groups have tried to pressure, cajole, and bribe Somalis into going along with the charade that Somalia was still a state. The reality is that it has long ceased to be a state; meanwhile, what are at least potentially viable successor states, if not already such in all but name, continue to be denied such recognition. The true cost of this inability to acknowledge reality, whether willful or unconscious, has after two decades been measured not only in billions of dollars in wasted aid and the costs exacted by war and piracy,[53] but, tragically, in countless lost and shattered lives. ■

ENDNOTES

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3 Robert I. Rotberg, "The Failure and Collapse of Nation-States: Breakdown, Prevention, and Repair," *When States Fail: Causes and Consequences*, ed. Robert I. Rotberg (Princeton: Princeton University Press, 2004), 9-10.
4 See U.S. Department of State, Office of the Coordinator for Counterterrorism, "Designation of al-Shabaab as a Specially Designated Global Terrorist," Public Notice 6137, February 26, 2008, <http://www.state.gov/s/ct/rls/other/des/102448.htm> (accessed March 10, 2011); Commonwealth of Australia, Joint Media Release of Attorney-General Robert McClelland MP and Minister for Foreign Affairs Stephen Smith MP, "Listing of Al-Shabaab as a Terrorist Organisation," August 21, 2009, <http://www.foreignminister.gov.au/releases/2009/fa-s090821.html> (accessed March 10, 2011); The Terrorism Act 2000 (Proscribed Organisations) (Amendment) Order 2010, No. 611, March 4, 2010, <http://www.opsi.gov.uk/si/si2010/uksi_20100611_en_1> (accessed March 10, 2011); and Government of Canada, Ministry of Public Safety, News Release, "The Government of Canada Lists Al Shabaab as a Terrorist Organization," March 7, 2010, <http://www.publicsafety.gc.ca/media/nr/2010/nr20100307-eng.aspx?rss=false> (accessed March 10, 2011).

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

8 I.M. Lewis, *Making and Breaking States in Africa: The Somali Experience* (Trenton, New Jersey: Red Sea Press, 2010), 8-9.

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

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

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

13 See I.M. Lewis, *Blood and Bone: The Call of Kinship in Somali Society* (Princeton, New Jersey: Red Sea Press, 1994), 167.

14 See I.M. Lewis, *Saints and Somalis: Popular Islam in a Clan-Based Society* (Lawrenceville, New Jersey: Red Sea Press, 1998).

15 See Michael van Notten and Spencer Heath MacCallum, eds., *The Law of the Somalis: A Stable Foundation for Economic Development in the Horn of Africa* (Trenton, New Jersey: Red Sea Press, 2006).

16 See Lewis, *Making and Breaking States in Africa*, 188-194.

17 See Ken Menkhaus, "The Crisis in Somalia: Tragedy in Five Acts," *African Affairs* 106, no. 424 (July 2007): 357-390.

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21 Apuuli Phillip Kasaija, "The UN-led Djibouti Peace Process for Somalia 2008-2009: Results and Problems," *Journal of Contemporary African Studies* 28 (3) (July 2010): 278.

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

26 Ibid.

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

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29 See J. Peter Pham, "Somali Stability Still Poses Threat Even after Successful Strike on Nabhan," *World Defense Review*, September 17, 2009, <http://worlddefensereview. com/pham091709.shtml> (accessed March 10, 2011). The price of AK-47 rounds, for example, fell over 50 percent to approximately $0.30 each.

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31 See Anthony J. Carroll and B. Rajagopal, "The Case for an Independent Somaliland," *American University Journal of Law and Politics* 8 (2-3) (1993): 653-662.

32 See Supreme Court of the United States, *Mohamed Ali Samantar v. Bashe Abdi Yusuf, et al.*, Brief of *Amici Curiae*, Academic Experts in Somali History and Current Affairs in Support of the Respondents, January 27, 2010, <http://www.abanet.org/publiced/ preview/briefs/pdfs/09-10/08-1555_RespondentAmCuSomaliExperts.pdf> (accessed March 10, 2011). For example, the regional capital, Hargeisa, was so thoroughly "cleansed" and then strewn with landmines by the regime that, of its 300,000 inhabitants, fewer than 2,000 were left.

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34 See Iqbal Jhazbhay, *Somaliland: An African Struggle for Nationhood and International Recognition* (Johannesburg: South African Institute for International Affairs/Institute for Global Dialogue, 2009).

35 African Union Commission, Report of the AU Fact-Finding Mission to Somaliland (April 30 to May 4, 2005).

36 See Kinfe Abraham, *Somalia Calling: The Crisis of Statehood and the Quest for Peace* (Addis Ababa: Ethiopian International Institute for Peace and Development, 2002), 445-463.

37 See UN Security Council, "Report of the Monitoring Group on Somalia," S/2010/91 (March 10, 2010), 39.

38 Ken Menkhaus, "Dangerous Waters," *Survival* 51 (1) (February-March 2009): 24.

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42 See <www.galmudug.com>.

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47 Ibid.

48 Ibid.

49 African Union, Peace and Security Council, Communiqué of the 245th Meeting, October 15, 2010, PSC/MIN/1 (CCXXXXV), 3.

50 Dan Green, "The Nation-States We Have," *Armed Forces Journal* 148 (5) (December 2010): 34.

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