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The Security Sector Reform Paradox in Somalia

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Abstract

Somalia's Federal Government (SFG) tries to assert a 'monopoly of coercion' in the country that is contested. Sovereignty is *de facto* shared with other internal actors as well as Somalia's neighbours that are actively engaged. Moreover, a number of domestic actors contest the state's monopoly of power. These actors have their own institutions that compete with the state institutions that challenge the latter's governance efforts as well. The SFG came into being when the majority of the Federal Member States (FMS) were already well established and functioning beyond Mogadishu's control. This implies that the processes of incorporating the Federal Member States back into the SFG fold will necessitate a concerted effort of elite bargaining and may well be an uphill struggle if the methodology is force. The SFG's feeble legitimacy, as well as the existence of competing economic and political structures and its inability to obtain buy-in the capital's constituencies makes the effort to exercise monopoly of violence even more challenging. The FMS appear to be inexorably attached to their constituencies and there is obviously complementarity in FMS governance and clan rules. Clan identity and a majoritarian arrangement play the biggest role. This in turn explains why FMS exercise coercive capacities of violence in areas that the central government has little or no control over. Non-state actors such as al-Shabaab also exercise power in areas they control directly, and virtually in areas where others, including the SFG, claim to have territorial control.

This redistributed monopoly of violence places the issue of security and the security sector in Somalia under greater scrutiny. The question therefore is whether one can claim to *have* a security sector while the international community is involved in reforming that sector at the centre in Somalia. This paper tries to explain the inconsistencies that arise from using the security sector concept and sets out the problems of reforming it in states such as Somalia where all the assumptions that a security sector is conceived on do not apply. Moreover, the government's monopoly of violence is contested through informal rules and the violence that other non-state actors exercise, whereby constituencies cooperate willingly or unwillingly, and with a peacekeeping framework where the UN claims that there is 'no peace to keep.' Hence, the existence of that monopoly of coercion or the likelihood of one emerging seems a distant possibility. All of this would require another explanation and advance a different framework—the security arena that provides an objective assessment of Somalia's current status—that could better explain the existing reality in the country and the futile exercise of security sector reform that is consuming huge resources from Somalia itself and from elsewhere.

Introduction

State security—peace and security of the people and the country—continue to be the *raison d'être* for states, which always have a security policy in their engagements.[1] These engagements are sometimes conducted with states whose sovereignty is damaged and whose capacity to exercise state functions in the territories they claim to represent is contested. States also deal with non-state actors for similar reasons. In this case international rules do not provide mechanisms to allow states neighbouring weak states to engage non-state actors—neither in cooperation nor contestation—who control areas adjacent to their borders in order to fend off real or perceived threats. What is more interesting is the way the international community tries to handle the security sectors of those failed states and engage them without considering the policies and concerns of countries in the neighbourhood, including those who are involved in peacekeeping and stabilization.

Moreover, there is in fact a pretence that there is a security sector in the failed or weak state in question—Somalia—and that its reform will help in the creation of sustainable peace and stability, as well as in bringing about good governance through the full implementation of the rule of law. Within the context of the security sector there is a need for management of a multiplicity of actors, demobilization and integration of militias, establishment of the rule of law and construction of a security governance system that protects the society from threats.[2] But none of these are goals are achievable in Somalia currently. Moreover, the main assumptions in the security sector reform paradigm are the existence of an agreement between belligerent parties that the international community supports, and a process that will lead to the state's monopoly of coercion or reforms that lead to the state's all-but guaranteed monopoly of coercion. Given the current circumstances of the country, achieving this in Somalia is a Sisyphean task. In Somalia one observes that capacity has been redistributed and there are multiple actors, including AMISOM—a peace enforcement military engagement with a similar mandate to the UN's failed attempt in Somalia in the early 1990s—although the actors that AMISOM engages are completely different.

A number of actors and institutions challenge the state's monopoly of coercion in Somalia. The first reality is the existence of a number of administrations that exercise their respective powers to maintain relative peace and stability; these are known as the Federal Member States (FMS). The second is related to the existence of informal institutions that govern the behaviour of individuals involved in the maintenance of peace and security for the SFG and various non-state actors. These rules sometimes defy the state in exercising the monopoly of coercion. Incorporating them therefore will help to legitimize the process.[3] But mechanisms to incorporate these informal institutions have yet to be created for Somalia's governance structures on a national scale. A third reality is the existence of third-party actors that share the state's monopoly of coercion. In this connection, the SFG has accepted the sub-contracting of the monopoly

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[1] Mesfin and Beyene: "The Practicalities of Living with Failed States," Daedalus, 146, 4 (Winter 2018), 128-140.

[2] Paul Jackson in Schnabel and Farr (eds.) 2012: Back to the Roots: Security Sector Reform and Development, Geneva Center for Democratic Control of Armed Forces.
[3] Ibid.

of coercion to AMISOM's forces and Somalia's neighbours, who are exercising coercion in the border areas as members of the peacekeeping force. But these countries also exercise coercion directly or through proxies in their respective buffer zones.[4] Furthermore, the existence of non-state actors that coerce constituencies, such as terrorist groups including al-Shabaab and the Islamic State in Somalia (ISS) that use parts of Somalia's ungoverned spaces and even exercise coercion in areas under the control of state actors in order to have a virtual impact, is another aspect that affects the SFG's monopoly of coercion. These three realities explain how the effort of reforming Somalia's security sector would be challenging, and nearly impossible. The interaction of these three factors and their individual roles in explaining how far one can go in transforming the 'security sector,' indicates the need to look at realities and reinforce or change the realities in order to move forward.

Therefore, the questions that follow are these: How does the relationship between the SFG and the FMS affect the state's monopoly of coercion? Given the fact that militias act on the basis of their clan's perceived and/or real interests, how does this impact the ability of the security institutions to provide security? Can we talk of security sector reform for a country with a fragmented clan system, whose government is not enjoying the monopoly of coercion and there is no process or a clear insight that frames a possibility for a monopoly of coercion? Given the complex realities of Somalia, can we properly consider the existing security sector and its eventual reform representative of all the stakeholders or is it a farce? If so, what can provide a better framework to explain the realities of Somalia

and the existing diversity of the actors and the interface between formal and informal institutions that govern the behaviour of individuals, groups, state and non-state actors at local and federal levels? Should we invest in reforming the 'security sector' in Somalia at all? Is the international community doing the right thing in its engagement in the name of reforming the security sector with everyone's consent? What is the alternative? What works and what don't in Somalia?

On the other hand, Somalia's peace support mission's actors are more organized than any of the Somali actors in the security arena. Hence, the application of security sector reform is a political pretext, a supply driven from donors that Somalis use to collect rents and financial benefits and its treatment in Somalia is quite disjointed. Security sector is driven because there is a supply that Somalis interact with as an opportunity to be milked. Looking at the parameters for sending peacekeeping forces, which vary from place to place depending on the urgency and gravity of the situation and perhaps more importantly, the interests of great powers, investigation of this aspect in the Somalia context is critical. In the short history of peacekeeping, countries like Somalia have certainly been treated indifferently. Somalia was an arena that a peace enforcement mission was tried and failed for the first time in the 1990s. Indeed, the UN continues, even today, to claim that there is 'no peace to keep' there. But if there is no peace to keep, why deploy a continental force and mandate it? In fact the African Union Mission in Somalia (AMISOM) is there with a mandate to protect SFG institutions, although it is also engaged in an enforcement mission, combatting extremist groups as well as assisting Somalis and the federal government

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[4] Mesfin and Beyene: "The Practicalities of Living with Failed States", Daedalus, 146, 4 (Winter 2018), 128-140.

in Mogadishu in building capacities. It is paradoxical that the AU mission deployed in Somalia has this mandate through the UN Security Council (UNSC), while the UN itself says there is no peace to keep in Somalia.

Clearly, the UN could have said that the UN Charter does not give the Security Council the mandate to deploy a combat force. However, appreciating Africa's recognition of the danger groups such as al-Shabaab create for Somalia and the region as well as the international community, the UNSC fully supported the African initiative to send a combat force, providing resources and the mandate through subsidiarity.[5]

Unfortunately, there is a clear lack of interest in what is going on in Somalia among the major powers in the Security Council and the UN bureaucracy. They continuously discouraged the deployment of the UN peacekeeping force in Somalia. Somalia's neighbours, who are capable and prepared to fight al-Shabaab, if engaged constructively could create a reality in Somalia that would allow the international community to engage in Somalia differently. The UN continues to pretend that 'there is no peace to keep' in Somalia, while creating a half-hearted mechanism for continental or regional actors to tender bids, creating a preferable alternative both in terms of costs and sacrifices to sending a UN peacekeeping force to Somalia. It is within this context that one should inquire into the aspects of security sector reform that partners embark on in Somalia.

That is why it is critical to investigate the existence of competing powers in Somalia—between the centre and the periphery and their respective relations—the presence of informal institutions that undermine the monopoly of coercion in areas that the SFG controls, the presence and mandate of AMISOM with little consideration of the neighbourhood, and the existence of a sustained but very much divided monopoly of violence. This will help one to understand how Somalia's security sector and its possible reform remain a futile exercise. Moreover, looking at the changing realities and the security complexes of the Horn of Africa will help in further explicating the challenges Somalia faces in its overall state-building effort.

Somalia and the regional context

The Horn of Africa is the most challenging and conflict-ridden region of Africa (Menkhaus 2010, Redai, Reno, Prunier). Conflicts in the Horn of Africa region have created two new states, Eritrea and the Republic of South Sudan, since the end of the Cold War and after three and four decades of devastating civil wars respectively. The region has been ravaged by Cold War rivalries and proxy wars. It also hosts failed states with security implications for the region and beyond, including the possibility of new breakaway states. There are a number of reasons for the troubles in the Horn. The fundamental problem of peace and security within the Intergovernmental Authority for Development (IGAD)[6] region is due to the lack of respect some states[7] have for the basic principles

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[5] There is a need for reference here on subsidiarity.
[6] IGAD was established as an intergovernmental authority for drought and desertification (IGADD) in 1986, but revitalized in 1996 to incorporate three priority areas of peace and security, food security and environmental protection and the development of infrastructure in the region. It was renamed the Intergovernmental Authority on Development in 1996 as part of that revitalization.

[7] The IGAD countries of the Horn of Africa include Djibouti, Eritrea (withdrawn from its membership because of the war between Ethiopia and Eritrea and Eritrea's subsequent accusations of the organization being a stooge for Ethiopia's foreign policies, it has however now been readmitted in September 2018), Ethiopia, Kenya, Somalia, South Sudan, the Sudan and Uganda.

governing interstate relations, their dismissal of international law or even the rule of law in general, as well as lack of any concept of a democratic culture of peace or of mutual respect.[8] Some of the region's governments have made no effort to obey the basic principle of non-interference in the internal affairs of other countries. Equally, the lack of development, abject poverty, state failure, weak institutions and structures of governance, environmental degradation, drought and other calamities have significantly contributed to problems in the Horn. IGAD member states certainly recognize these facts, and the organization has formulated a Peace and Security Strategy, endorsed by its policy organs, to address these problems.[9] The predatory nature of the states and their hostile relations, the proxy wars that the region has continued to play host to, big power politics and regional rivalries and the effects of Gulf crisis spill-over into the Horn all in tandem complicate Somalia's effort to achieve stability and a sustainable peace as well as to build a government that is acceptable to the major actors within the country and beyond.

The region was the site of major Cold War activity in the 1970s and 80s and continues to endure ongoing but substantial interventions by outside rival powers that are competing in the emerging multi-polar world. Other factors such as the region's proximity to the Middle East and the exportable nature of the Gulf crisis and its repercussions in the Horn, and the fact that the region is the source of the Nile waters, which remains a security issue for lower riparian states such as Egypt, make the politics in the Horn of Africa unpredictable and fickle. Egypt has played a role in the Ethiopia-Eritrea conflict, both during the independence struggle of Eritrea in the 1960s-80s and the border conflict between Ethiopia and Eritrea that resulted in the 1998-2000 war.[10] Following the war, Eritrea's effort to use Somalia for a proxy war against Ethiopia contributed to crises at the regional level.

Egypt's role in Somalia and the region in general has been directly connected to what it calls a 'national security matter linked to the Nile waters.'[11] Whenever Ethiopia and Somalia went to war in the 1960s and 70s, Egypt played a visible role both in terms of material and political support against Ethiopia mobilized from the Arab world. Ethiopia's leaders have always been concerned about the asymmetric relationship between the Horn and the Gulf countries, and they have considered any implementation of Egyptian policies in the Horn with direct or indirect financing from the Gulf a catastrophe.[12]

Egyptian leaders have successfully created an illusion that the Nile waters belong to Arabs and hence should be protected from use by the upper riparian states at any cost. Hence all their regional policy considered this as the basis irrespective of their public pledge. When the Muslim Brotherhood came to power following the Arab Spring protests in Egypt, some Egyptian politicians suggested that it was necessary to play what they call the Ogaden and the Oromia cards, and they also suggested possible support for opposition groups and seizing opportunities to exploit

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[8] The IGAD Peace and Security Strategy include a number of factors for the regions' problems.
[9] The practical implementation of the peace and security strategy has yet to be seen.
[10] CDRC Digest (2017).

[11] Interview with retired foreign ministry official of Ethiopia, June 2018.
[12] Alex de Waal (2018): The Future of Ethiopia, Developmental State or Political Marketplace? World Peace Foundation.

'Ethiopia's fragility'[13] in a live but 'mistakenly'[14] broadcasted debate. Ethiopia is currently building the 'Great Ethiopian Renaissance Dam,' the second largest dam on the Nile River (the Egyptian Aswan Dam is the biggest dam on the river), and this adds more concern for Egyptians and their politicians. Ethiopia, the Sudan and Egypt have yet to clearly stipulate and agree on the impact of the dam, which means that this issue will continue to feature in the foreign policy and security calculations of these countries.

The Gulf crisis and its impact on Somalia is another issue that needs to be taken into consideration in the analysis of the regional context. This is critical since the GCC crisis has affected Somalia directly. Although Saudi Arabia and the United Arab Emirates have reconciled Ethiopia and Eritrea and brought Djibouti and Somalia into the fold the objective is to instrumentalize the situation for their own interests rather than create sustainable peace and stability in the Horn. The Gulf countries have always engaged in a divide-and-rule game in this region.[15] One cannot convince Somalis that the leadership of the SFG deserves the treatment it has received elsewhere, while unable to forge consensus in the country.[16] Somalia's political and security developments should be viewed in light of these realities and the issues contributing to the tremendous challenges of state-building and the creation of an effective security system in the country must be identified. This would also mean that

the security arena observed in Somalia would remain in place for a long time to come.

1) The existence of autonomous FMS, non-state actors and international actors involved in the security arena

More than 27 years have elapsed since Somalia enjoyed a functional government. Despite their reputation for homogeneity, which may be based on the fact that the majority of Somalis share the same language, religion, physical features and cultures, Somalis have been unable to re-establish their united and cohesive state since 1991. Indeed, by default, Somalia has divided itself into areas of different administrations, creating clan-based governance structures. This has encouraged the creation of a security arena where autonomous actors play roles. Numerous other internal and external actors in Somalia share the security arena as well.

Somalia's unity and territorial integrity is considered sacrosanct as a member of the regional organizations of IGAD, the League of Arab States (LAS), the Organization of Islamic Cooperation (OIC), the AU and the UN. But in reality Somalia's internal configuration is far from the conventional single state, as the international community recognizes the country. Internal administrative set-ups like Somaliland, Puntland, Galmudug, Hir-Shebelle, Jubaland, the South West administration and Al-Shabaab and the Islamic State in Somalia (ISIS) share the security arena with the Federal

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[13] Ethiopia's building of the Grand Renaissance Dam on the Nile River has provoked an intense political debate in Egypt over whether Egypt should strike the Dam militarily or not. That debate has yet to settle. In the first week of June 2013, senior government officials and opposition party leaders held a national dialogue in Cairo, 'mistakenly' transmitted live on an Egyptian TV channel. Some opposition leaders asked for a military strike targeting the Dam, or suggested leveraging through Ethiopian opposition groups or Ethiopia's neighbors to undermine Ethiopia's interests, to force the country stop building the Dam. The opposition wanted to capitalize on the fears of Egyptian citizens to get some political benefits. It is

possible the Egyptian ruling party might have purposefully aired the broadcast live to reveal opposition weaknesses, but the broadcast created panic in the Egyptian media. More on this can be found at www.danielberhaneworldpress.com
[14] Some argued that the live transmission was done purposefully to discredit politicians there in the eyes of Ethiopia and show that the Muslim Brothers leaders wanted to show Ethiopia's leaders that they are the best interlocutors to deal with. Some suggest the situation rather backfired in all aspects.
[15] Interview with senior member of the Hiraal Institute, Addis Ababa, September 20, 2018.
[16] Ibid.

Government of Somalia, and all exercise their various coercive capacities to determine the behaviours of the people that they govern, directly or virtually. The geography of the country and the long coastlines that the country has allows these administrations have their external interlocutors and conduct a foreign policy without the centre's consent, which in turn impacts the security arena in different ways. International actors including Somalia's neighbours—Kenya and Ethiopia, in particular—acting unilaterally and within the context of AMISOM (comprising Uganda, Ethiopia, Kenya, Djibouti as well as other countries who have contributed to the police force and the civilian component, including the United States and others)—also act within the security arena. All of these have made contributions, both in strengthening the state's monopoly of coercion and undermining it. But there is a need to assess how these regional administrations operate within the country, their political visions and what these mean for the security arena and its sustainability in Somalia.

a) Somaliland

In the north-western part of the country there is Somaliland, a former British protectorate on 26 June 1960[17], but joined Mogadishu with the intention to recover the lost territory (the Haud—the place where Somalis from the northwest use for grazing their herds—that Somaliland claims to have been unfairly handed over to Ethiopia in the 1940s) and unite all Somali speaking territories.[18] Somaliland is a functional state, unilaterally declared its independence after endorsing a constitution

that claims Somaliland's independent statehood. The state aspires for international recognition but yet has to achieve it. A functional state that aspires to independence and international recognition might have a difficulty to prioritize perfect cooperation and coordination with Somalia per se. Somaliland authorities declared their separation from the rest of Somalia in 1991, but thus far they have failed to secure international recognition.[19] Moreover, Somaliland's leaders follow developments in Mogadishu very closely, and they have engaged Mogadishu in a dialogue, which Turkey has facilitated, though there has been no progress in either the effort to secure independence or in creating a framework for their future relationship. Somaliland gives the issue priority as it is trying to secure concessions from the south. Mogadishu thinks that Somaliland leaders came to the negotiating table because they have lost hope of obtaining international recognition. These different premises do not provide a realistic basis for any serious negotiation. It is rather a question of two parallel lines, which can never meet. Somaliland's institutions operate properly, and the state has control over the majority of the territory, although Puntland and Khatoumo states challenge Somaliland's control in the eastern part of the country.

One needs also to consider the fact that in Somaliland clan rules also operate in a complimentary way with formal state institutions. The fact that the Somali National Movement (SNM) embedded clan leaders as the main pillar of the struggle against Siad Barre's regime helped to strengthen the complementarity between the formal and

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[17] Ministry of Foreign Affairs and International Cooperation of the Republic of Somaliland published a position paper on "Somaliland—An International Case 2016.
[18] Ibid.
[19] Although the contested territories of Sool and Sanaag have dented Somaliland's claim to statehood, as the autonomous

region cannot be said to exercise complete territorial control over this part of its claimed territory, some countries have representatives on the ground. Ethiopia and Djibouti have their representatives in Hargeisa, Somaliland. Turkey also has a consular office. There is increasing engagement from the Gulf countries, including Saudi Arabia and the UAE.

informal institutions. Current leaders in Mogadishu understand the position of Somaliland. But they are not ready to recognize this. They have been trying to further widen the gap between Hargeisa and Garowe, the capitals of Somaliland and Puntland respectively, to undermine Somaliland. The SFG on the other hand has no leverage on Somaliland except by way of some of the authority that the SFG exercises through international institutions such as the International Civil Aviation Organization (ICAO).

The government in Mogadishu automatically claims these international institutions since it has taken the Somalia seat everywhere. These places are supply driven as all other institutions and are not determined internally. Security Sector Reform is not different. It is driven from elsewhere and Somalia's subsequent governments are just grabbing the opportunity. But, Somaliland exercises its monopoly of violence in most of the state's territories. Mogadishu's current government, although has collected a couple of politicians representing the 'Dir' clan (incorporating part of the Issa, Issaq, and minority Dir clans) from Somaliland, it cannot claim to exercise any influence *de facto* in Somaliland.

b) Puntland

In 1998 the people of northeast Somalia established a fragile but relatively peaceful and stable semi-autonomous region called 'Puntland State of Somalia.' Puntland came about out of the frustration that actors from the region endured during the 1997 Cairo meeting of Somali factions. Although the meeting failed to produce a consensus-based national framework for an all-inclusive

government, the measures that those in the northeast took left a mark on Somalia's state-building efforts to establish federalism. Puntland's frontier includes the Harti-Majertain enclave and other Harti clans whose territory runs through the territories of the Dulbahante and Warsangali clans. But these territories are shared with Somaliland. From the colonial boundary perspective, the administrative regions of Sool and Sanaag were part of the former British Protectorate of Somaliland, but these clans share lineages with the Majerteen as part of the Harti clan family and thus they are also claimed by Puntland, a lineage with informal institutions that always emerges in war and peace locally or beyond that Somaliland and Puntland have to deal with for a long time.

This contestation has led to problems with neighbouring Somaliland. Somaliland and Puntland have had several confrontations, with each reasserting the upper hand in these areas. Ethiopia, it should be noted, has consistently put all possible pressure on both sides to avoid a full-scale war.[20] Majerteen politicians may have differences regarding how Puntland should be managed and administered, but all agree that Puntland should continue to have a role in the Mogadishu-based Somali state, and their organization as Puntland state will leverage the national level power-sharing arrangement.

This determination will also address the challenges in the Lower Juba region, where Puntlanders want to see their Harti clan compatriots' rights respected and, indeed, their supremacy maintained. Puntland supports the current Jubaland administration, even if an Ogaden rather than a Harti leads it, as the issue

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[20] As the Head of the Ethiopian Trade Office in Hargeisa, the author was involved in engaging the Somaliland leadership to de-escalate the situation. Currently the IGAD Special Envoy and the Head of the IGAD Facilitation Office is engaging both administrations and the SFG to further enhance dialogue on the matter.

is within the context of the larger Hawiye/Darood rivalry. Previously the leadership of the Transitional Federal Government (TFG), established in 2004 at the Mbagathi conference in Kenya and led by Abdillahi Yusuf, vetoed the process of establishing a regional administration for Juba. But the government's eventual reorganization under the Djibouti Agreement of 2008 created a better opportunity for the creation of an administration. But this does not mean that Mogadishu currently enjoys leverage over Puntland. Obviously there is a tacit agreement to not allow Somaliland to secede from Somalia, but aside from Sool and Sanaag, Puntland governs its territory independently.

c) Jubaland

After October 2012, the AMISOM supported SFG reasserted its power through a reconciliation and constitution-making process held in Mogadishu. Before then the government had struggled to establish itself in the face of the extremist violence of Al-Shabaab, but the assistance of AMISOM and other allies allowed significant progress in expanding government/AMISOM control in Mogadishu and other areas, creating a situation that would be conducive to a successful transition away from the SFG. But this situation changed following the election/selection of Somali President Farmajo. As a Darood sub-clan enclave, Puntland fully supported Farmajo's election. President Farmajo visited Puntland in January 2018. But Farmajo's visit heightened tensions between Puntland and Somaliland.

This has not prevented continuous wrangling between clans for control of lower Juba and the valuable port of Kismayo, which has

changed hands a number of times until the recent establishment of Jubaland state. The efforts to establish an administration in Kismayo has created a rift between the Darood and the Hawiye, the two major contending clans in south Somalia, but it also reflects the differences between the Somali Federal Government (reflecting the Hawiye sentiment) and Puntland (reflecting the Darood sentiment) before the establishment of the Jubaland State with the support of Kenya. Puntland leaders have sought to carry out their policies in southern Somalia in such a way as to safeguard their continuing clan interests in the national government, taking into consideration the wellbeing of the substantial number of Harti that settled in the port and surrounding Kismayo.

In the early days of the 1950s and 60s all Daroods except the Ogaden were seen as Harti politically, but this has changed dramatically since Somalia's civil wars since 1991. However the inter-Darood difference on Kismayo has instigated a national-level clan rivalry between the Hawiye and Darood through the Marehan and Habir Gedir, hence forcing the Harti in Puntland to support an Ogaden leader for Kismayo. That is why the regional administration in Kismayo led by a former Islamic Courts Union militia leader, Sheikh Ahmed Madobe, secured the support of the majority of Daroods. All Darood clans (except a few Marehan politicians) took a common stand in support of the existing Jubaland administration.[21] A confrontation between some Marehan militia supported by the SFG and al-Shabaab, on the one hand, and Ahmed Madobe's forces in Kismayo on the other concluded with a victory for the new Madobe administration. The SFG then led by Hassan Sheikh, a Hawiye, promptly wrote a letter to the

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[21] Interview with a senior Sahan International official in Nairobi June 2018.

AU accusing the Kenyan government of taking sides and supporting Madobe, requesting AMISOM's Kismayo forces, composed of Kenyan troops, be replaced by another peacekeeping contingent.

The Jubaland administration and the SFG finally came to an agreement in August 2013 but great patience and considerable pressure from Ethiopia were needed to reach a conclusion to the talks in Addis Ababa. The two parties were engaged in a tedious discussion on the issue of management of the seaport and airport, fighting over control of the infrastructure. This was the most contentious matter. The effort to reconcile the two was difficult as they had very different objectives. The SFG wanted to control the resources available in Kismayo, including the lucrative charcoal business, though trying to portray the matter as a sovereignty issue, apparently believing the real forces controlling the infrastructure there were the Kenyans. At times the SFG appeared to think it was negotiating with the Kenyan government rather than the Jubaland administration. A strong belief remained in Mogadishu that the Kismayo administration is under the control of the Kenyan government during Hassan Sheikh's leadership. Economic interests from within and without also complicated this. And it might be recalled that the Troop Contributing Countries meeting in Kampala on August 4, 2013 had (wrongly) decided that all ports and seaports should be handed over to the SFG. Kenya s opposed the implementation of this decision, but the SFG still appears determined to get this control. In fact, it is no more than a pipe dream. Terrorist attacks in Kenya enabled the Kenyan government to be a bit assertive and enjoy

having the upper hand in influencing Madobe and his compatriots around Kismayo. Kenya continues to work on strengthening its buffer zone. But the Kismayo administration cannot hand over the port to the SFG as it would mean loss of revenue and power eventually.[22]

Ultimately, the two parties agreed to allow the Jubaland administration to control the port for six months. They also agreed to hold a new reconciliation conference in Mogadishu, to be organized by the SFG, which led to finalization of the agreement, which they finally signed. But, the two parties signed the agreement for very different reasons. The SFG wanted the EU Conference in Brussels, to agree to the New Deal Compact for Somalia to provide EU backing (and funding); the Jubaland administration of Sheikh Madobe wanted international recognition.[23] Both got what they wanted so there was no incentive to move forward with implementation of the remaining parts of the agreement, including reconciliation. This reluctance was reinforced by the fact that the two parties were under extreme pressure and accepted the final deal because they were unable to resist Ethiopia.[24] In any case the SFG itself almost immediately began to undermine the agreement, trying to manipulate the discontents of the Digil and Merifle in Baidoa.

Indeed, the importance of the then Jubaland Agreement should not be exaggerated. Jubaland leaders have joined opposing Mogadishu, and the SFG's request that the international community pressure the leadership in Kismayo to come to Mogadishu did not work. The issue of Jubaland is sensitive and it could have the effect of further

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[22] Another reason for the SFG's determination was that it wanted to use a Kismayo precedent to set the tone for other administrations in the country. It believes, probably correctly, that if it conceded on Kismayo, others would raise management and resource sharing elsewhere, even perhaps in Mogadishu.

[23] Interview with Col. Gebregziabher (a long-time follower of Somalia issues in the Ministry of Defense of Ethiopia and in the IGAD Facilitation Office in Addis Ababa), June 2018.
[24] Ibid.

destabilizing Jubaland, as the question involves a complex clan and sub-clan struggle for control of resources and supremacy. Jubaland eventually hosted a larger opposition framework that brought all other administration to a common front called the Council of Interstate Cooperation.

d) Galmudug

The potential division of the Somalia state did not stop in the Juba valley, since the "splitting up" of southern Somalia into federal states included the establishment of a new local administration in Galmudug, a decentralized 'state' in the central region. Adjacent to Galmudug, Ahlu Sunna wal Jama'a, a religious group created to oppose al-Shabaab's extremism, manages an area that belongs to the Habir Gedir sub-clan and partly to the Marehan and Dir sub-clans.

Ahlu Suna Wal Jama and the Galmudug state have reconciled their differences, but continue to suffer a pressure from Mogadishu. Galmudug welds powers that threaten leaders within the Federal Government since it also incorporates a previously separate administration, Himim iyo Heeb representing the Suleiman sub-clan in the same central area. Fierce competition between Ahlu Sunna and the SFG leadership has been witnessed as well, and this is still reflected in the SFG's involvement in undermining the leadership in Galmudug.[25]

Developments in Galmudug attract attention due to clan influence of the Habir Gedir in Mogadishu politics and economic developments, the role in al-Shabaab, and the Galkayo conflict since the state increases

changes the power relations between the Majertain and Habir Gedir in Galkayo. The clans residing in Galmudug stretch into Mogadishu and thus impact the dynamics in the capital city. Due to the power vacuum after Siad Barre's overthrow (1991) and years of exploitation by warlords, the Habir Gedir clan significantly gained influence. Despite losses in military strength, they remain the most influential actors in Somalia disproportionately to their size and the areas they reside in (the central region).

Moreover, the first area that Al-Shabaab experienced defeat at the hands of other Somali actors is in Galmudug, turning it into the only FMS with no significant Al-Shabaab presence (except in the Suleebaan area). Maintaining the FMS integrity and capacity is essential to shoring up this security win. On the other hand, Galmudug changes the divide and power relations between Hawiye and Darood communities that dominates Galkayo. The resulting harmful dynamics can be found in many other areas of Somalia. Thus, resolution of the conflict between Galmudug and the SFG could have a positive effect on other conflicts across Somalia between competing clans, pastoral communities, local authorities and state governments.[26]

e) South West and Hir-Shebelle administrations

The administrations of the South West and Hir-Shebelle also exercise control over 'their' territories and contest the SFG's monopoly of coercion, although they are considered less effective than other administrations. Even if there are weaknesses in these administrations, the fact that they are anchored in a certain

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[25] There was an effort to oust the Galmudug leadership, by creating differences and competition between the Speaker of

the House and the President. The crisis still lingers in the administration.
[26] Interpeace: Galkayo Conflict Assessment, 2017

major clan and some minority clans that share particular powers sustains them. But these administrations also indicate how far Somalis are divided along clan and sub-clan lines from north to south. This inevitably gives rise to the suggestion that clans would provide a logical basis for a federal arrangement, and this framework is enshrined in the draft federal constitution although the current SFG leadership is resisting its implementation. On the other hand, there is growing concern among regional administration officials related to emerging changes in Ethiopia, in the Ethiopia-Eritrea relationship, and in Djibouti-Eritrea relations and the subsequent move both countries have made to engage the SFG leadership. This has allowed the SFG to blatantly interfere and present its own candidate and forcing the incumbent Sharif Hassan to resign. An independent candidate also came to the scene in the name of Muktar Robow. A former Al-Shabaab senior leader, whose candidacy created concern among the international community, is now under custody after the SFG forces in collaboration with AMISOM forces captured him. The incident has increased the tension in Baidowa, as Robow comes from the biggest and influential clan called Leysan. Following the incident, the SFG candidate, Mr. Abdiaziz Hassan Mohamed—nicknamed Laftagareen—got an overwhelming majority to be elected as the new President of the Southwest in a contested election. This will create another fault line in the relations between sub-clans in Baidoa since Laftagareen is from Hariin sub-clan.

Stereotypical images of Somalis have often led observers to ignore key differences among them. As noted above, the administrative structures follow divergences within Somali communities that go deeper, following divisions on the 'diya-paying' level of Somali organization—the lowest level social

organization in which liabilities or benefits are redistributed after a case is concluded through elders, which requires financial compensation to be paid to the victims or heirs of a crime such as murder, bodily harm or property damage. Despite their alleged homogeneity and their own frequent criticisms of the many internal divisions, the Somali Nationalist Movements have always demonstrated numerous splits and frequently broken into separate parties. One fundamental reason for this is the fluid nature of clanism, the informal rules they follow and the ability of the clan elites to politicize their own clan segments. Another reason lies in the pastoral and agro-pastoral traditions of independence and resentment of uniformity, which pervade much of Somali society.

f) Clan identity and associated rules undermine state institutions

Despite divisions, it should be noted that the issue of clan identity and trust remains critical in creating peace or conflict in Somalia. The intention of a clan member's plea for support is never questioned among Somalis. This is the conventional way clans operate, and it can be a source of war or a deterrent, as well as a framework for protection. Clans provide full protection for individuals; their informal institutions and their enforcement mechanisms are framed within the rational choices of individual interest through distributional effects. These realities are important to make sense of the difficulties of reconstituting a Somali state. Clan institutions override all other institutions. They are the basis of a rational choice framework, since individual interest is critically embedded both in terms of protection and distribution effects. A Westphalian state has difficulty in taking these factors into account, and one result is that the international community has consistently

failed to give serious thought to these imperative aspects of Somali life. But they must be borne in mind in any consideration of how to handle the Somali problem.

In light of these characteristics of the Somali clan system, it is time, perhaps, to consider the opportunities that appeared in 2004 and in subsequent years, all of which Somalis and the international community squandered. These make it very clear that Somali stakeholders were, and are, divided and weak, making them vulnerable. This also provides the opportunity for clan elites to manipulate a 'scavenging' international community to their own advantage. In this context one should not overlook the historical baggage Ethiopia carries regarding Somalia. In more recent times, Ethiopia has repeatedly been portrayed as a power bent on weakening and dividing Somalis. Some Somali elites in the diaspora and internally continue to believe that Ethiopia's alleged policy of dividing and weakening Somalia will continue without change. The Somali elites have tried to use these assumptions and the animosity between the two states in such a way as to cling to power. Several leaders have used and manipulated these beliefs whenever they felt it might be suitable or expedient, and the possibility of its recurrence should not be discounted, even if its impact today is much weaker than ever before and ordinary Somalis on the ground have a very different and far more positive view of Ethiopia and take its government very seriously. In fact, Ethiopia is generally either feared or respected by Somalis.

2) How do informal institutions undermine the SFG's monopoly of violence both militarily and governance?

The Somalia Federal State's monopoly of coercion is affected through informal institutions that will have implication on the way the security apparatus operate and individual security actors behave. There is a need to delve into how the informal rules operate to understand its links with Somalia has both formal and informal institutions that vary in determining the behaviours of state and non-state actors, with mixed results. Somali clan institutions called Xeer (pronounced as hàir), according to Andre Le Sage (2006), is defined as a "set of rules and obligations developed between traditional elders to mediate peaceful relations between Somalia's competitive clans and sub-clans". Xeer could also be defined as unwritten but communally owned rules created, communicated and enforced through the clan system taking particular situations into consideration to resolve day to day disputes and shape the behaviour of clan members. Those rules bring shared responsibilities and security guarantees. Somalis have flexible and adoptive rules to accommodate new and previously unknown realities and that help clans address inter-clan disputes for centuries, that shaped institutions adopt, expand in scope and endure. These rules govern members of each clan, wherever they are. These rules manage everything from major clan, sub-clan and sub-sub-clan conflicts to rules of marriage, rights and inheritance, compensation, grazing rights, rights of individuals and rules for managing forests other natural resources and important issues.[27]
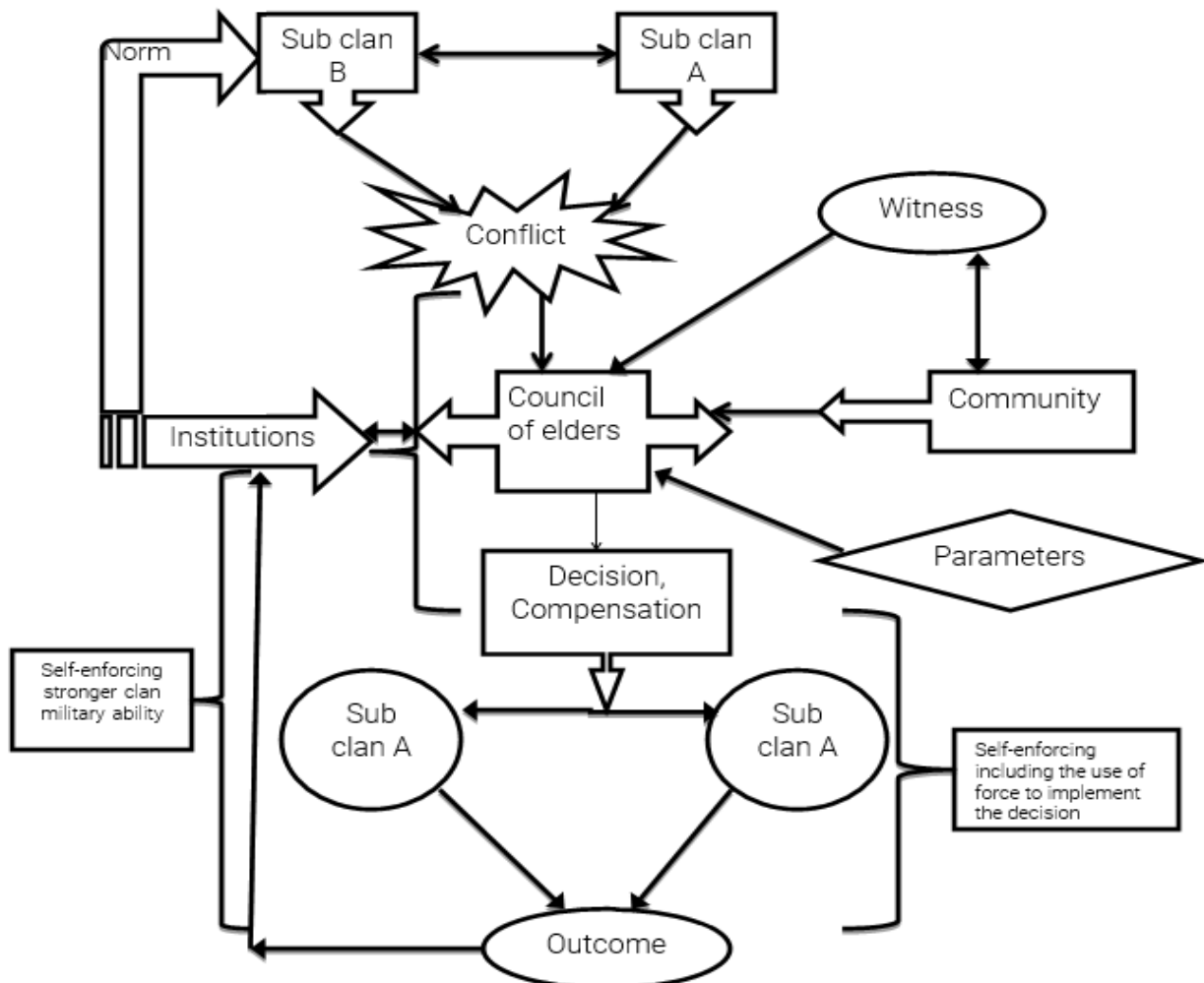
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[27] Andre Le Sage (2005): Stateless justice in Somalia, Formal and informal rule of law, Center for Humanitarian Dialogue, Geneva, Switzerland.

Even if there are losers (especially women) within the community and winners in clan institutions, they endure as clan members and do not defect, as the rules are applicable equally to all using those rules. Even if they are hierarchical in gender equality and the way minorities are treated, Somalis use them wherever they are considering the losses as side-line issues. Weaker sub-clans often lose-out in the process as enforcement is left for the clans to sort out. Weaker clans don't have the capacity to force powerful ones to obey unless they have another clan (which is often the case) that supports them by accommodating them as theirs. Somalis have this saying, "be a mountain or ally with it".

The cycle of decision-making process in clan institutions is mapped on Figure 1.

These loopholes are not peculiar to informal Somali institutions, as there are inherent ambiguities in rules, which raise enforcement problems. Those defaults are tolerable so long as the main pillars of other factors are not seriously affected. Clan rules have equilibrium. Xeer will continue to be a predominant justice system in Somalia for a foreseeable future even if the universality of Xeer is contested. As argued by Mahoney and Thehlen (2010) "variations in scope of discretion that rules allow are quite varied: the complexity of the rules, the kind of behaviour regulated by the rules, the extent of resources mobilized by the

Figure 1

rules and so on all matter."[28] This holds true for Somali traditional laws. In fact, most Somalis consider Xeer fair and legitimate, these rules are taken as acceptable identities, even if the extent of discretion that actors have at the interpretation and enforcement level varies. It is in this context that all Xeer is 'localized', emanating from specific bilateral agreements between specific sub-clans that traditionally live adjacent to one another, and application of its rules are flexible and vary depending on circumstances.[29] Hence, the resilience and adoptability of these 'informal' institutions helped them continue to endure and set standards of behaviour before "formal Western style" institutions in Somalia.

Somalia continues to be a place whose actors follow clan customary rules that are at times complementary and or contradictory with state institutions. Whenever the state is strong, there appears complementarity between formal rules and informal institutions. In Somaliland there is complementarity and a consensus among the communities and the state on how the security actors behave in handling forces or groups that challenge the monopoly of coercion of the state. Soldiers are free from clan based diya-paying system in case of killings. This has helped the state to address challenges coming from groups like al-Shabaab. These rules very much impact the operation of the security arena elsewhere. They are therefore important to be studied and identified so that one can interpret reactions on that basis. Those formal and informal rules are interpreted to fit perceptions or realities, triggering reactions for peace or war, cohabitation or continuous tensions. Three

legal systems operate side by side in Somalia: clan customary law, Islamic Sharia law and secular law. In 1960 the government's effort to come up with a unified law in the 1960s did not succeed but clan customary laws continue to have a critical role in Somalia even after the collapse of the central state. The questions therefore are: what helps informal institutions endure and how do they affect the security arena? What are their mechanisms for change? How flexible are they to fit into existing conditions? How do they interact with formal and other rules? How do these rules impact behaviours of the Federal Government of Somalia, the Federal Member States and militant groups such as Al-Shabaab and the Islamic State of Somalia—ISS?

In Somalia, since clan institutions are flexible, adoptive and have embedded self-reinforcing mechanisms linked to clear distributional outcomes to a substantive part of a group with the least transaction cost, they are very resilient. They are capable of resisting continuous exogenous shocks even if they are limited in scope and have weaknesses or loopholes in accommodating cross gender issues. Providing an individual level protection on the one hand and collective enforcement as well as punishment mechanism with distributional effect referring back to the individual utility on the other explain the sustainability of the informal institutions that endure. Resources mobilized locally or from the outside are used to reinforce those instruments. Moreover, the affinities and procedures on which international models of security governance are not only assumed are universal[30], but they are pushed through without considering how existing local levels

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[28] Mahoney and Thehlen (2010): Explaining Institutional change; Ambiguity Agency and Power, Cambridge University Press.
[29] Andre Le Sage (2005): Stateless justice in Somalia, Formal and informal rule of law, Center for Humanitarian Dialogue, Geneva, Switzerland

[30] Alice Hills (2014) Security Sector or Security Arena? The Evidence from Somalia, International Peacekeeping, 21:2, 165-180, DOI: 10.1080/13533312.2014.910400

informal institutions govern behaviours of actors at all levels and affect the implementation of those universal values. Furthermore, those universal values do not have mechanisms of accommodation neighbourhood realities and policies that further impact the behaviours of those local actors as power relations affect them. This leads all efforts at reforming security sectors that a single entity claims to control which in reality is farce. Somalia's existing realities could explain this concretely.

There are a number of salient characteristics of Somali customary laws. Somali customary rules concentrate on compensation than punishment. They have distributional effects. Timing and sequencing are also important in Somali clan institutions. Michael van Notten (2006) provides details, which can be summarized as follows: Somali clan institutions are relatively immune to political manipulation as most are known to clans and nobody controls them from the center; whoever comes up with the best rules gets the best customers; every Somali is free to use them; no one has the right to exclude anyone; the law prevents political controls (Notten 2006). This is because the enforcement mechanism of the informal institutions and implementation of subsequent clan elders' decisions is left to clans, and hence nobody will enforce if it is a political rule. However this does not mean that those clan elders are not influenced by exogenous factors. But since there is transparency in the society, where cases are addressed publicly there is nothing hidden, and to excel in that public discourse brings more legitimacy and respect that transcend the individual elder himself and reflects on the pride of the clan. Since elders represent clans, they remain consistent in keeping clan pride. This is critical to stay legitimate and get full support. Since most of

the time it is inherited ancestrally, there is a lot at stake to maintaining that legacy and legitimacy.

The existence of transparency further legitimizes clan elders' decisions creating endogenous self-enforcing and self-reinforcing as well as feedback mechanisms. The self-enforcing and re-enforcing mechanisms have distributional effects whose built-in transaction costs are considered negligible since those functioning do it on an ad-hoc basis, and don't do the job for a living. A court is immediately established following a dispute. The transaction costs are minimal as the jury will sit under a tree in a natural environment, if there is any payment it is built into the compensation mechanism as part of the distributional effect. This is similar to efficiency considerations that stress minimizing transaction costs in firms (Knight 1992). Knight notes "the idea that institutions are created according to the principle of cost minimization is grounded in the notion of individual efficiency" (Ibid). This becomes critical in the case of Somalia when the role of a government comes into play. What is efficient for the government might be inefficient for the society as formal rules have distributional consequences. The government has to mobilize resources and its organization to deal with the matter. The clans in this regard respond expeditiously maximizing of utility at clan and individual level.

In addition, Somali Xeer—the traditional legal system of Somalis wherever they are—has a built-in procedure for its own development. The traditional judges have an obligation to apply only the rules that the people of their community follow in practice, and to promptly render justice at diya-paying level organization. If not, an aggrieved group's revenge is justified. When new things emerge as a challenge with

no precedents, clan elders come together and create rules that accommodate new cases. This also provides an endogenous mechanism for institutional change and enforcement. The informal clan institutions have also accommodated the arrival of Islam, although not always entirely effectively, failing to assimilate all aspects of it. Reflecting these, the oaths of those who testify have changed overtime. Puntland Development Research Centre explains that in the 19th and early 20th century those who testified in front of a jury took an oath saying, "I solemnly swear on my sons, my livestock, my testicles, on my existence and on my values." After the arrival of Islam this changed to: Wallahi Billahi Tollahi, which means that he swears in the name of Allah and my clan. The plaintiff also might ask oath-takers to swear as follows: "Let my semen come before my urine" or "I will divorce my wife if I don't tell the truth" (PDRC 2004). The evolution of this oath, taken in front of the community, demonstrates the flexibility and adaptability of clan institutions.

So why are these informal institutions and their modus operandi important in explaining the challenges of Somalia's government and its security institutions? Since these rules determine the behaviour of clan members, support or opposition to state structures and their institutions can contradict clan rules and reinforcement mechanisms. This in turn determines the behaviour of SFG's officials and soldiers in their military engagements with groups that are challenging the state's monopoly of force. It also creates a structure where the SFG officials and their actors interact with others in different groups, including al-Shabaab to share information as members of the same clan—an obligation that

one has to engage as families governed through the informal institutions.

In fact, al-Shabaab manipulates clan structures and clan rules. It uses fault lines in the relations between these clan structures for its survival. Al-Shabaab insurgents are equally protected through clan rules. But al-Shabaab fighters escape to account for their crimes, including in killing Somali security force members, because they cover their face and are unknown individually to obey deterrence rules. But, when they are killed in combat, the person involved in killing as part of the SFG military will be accounted for and clans might consider compensation or a possibility of revenge from the families of the deceased might be triggered as indicated in fig.1. This can only be addressed if various clan leaders come together and clear that government soldiers and staffs of the security institutions would not be treated in those clan institutions. Somaliland has successfully done this.[31] Considering all these the possibility for the SFG to achieve a monopoly of coercion that one could think of reforming a security sector is very remote. The FMs on the other hand are rather better situated in creating a complementarity between the formal institutions and the informal clan-based institutions, since a strong clan or an alliance of various clans establish them and govern their areas through consent.

3) Sub-contracted coercive powers of non-Somali actors

3.1) Sub-contracted coercion exercised through AMISOM

Different actors in Somalia view AMISOM's role differently. Some see it as a proxy for neighbourhood policies of Somalia's

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[31] Interview with senior Sahaan official in Hargeisa, September 2018.

neighbours. Some Somali actors see AMISOM as infidels and occupiers. Some others see AMISOM as defenders of Somalia's fragile institutions as per the UNSC mandate. Whatever others say about AMISOM there is a need to look at AMISOM's creation and how its role might determine the fate of the SFG. As indicated earlier, the African Union Mission in Somalia (AMISOM)[32] subsumed the idea of the Intergovernmental Authority on Development (IGAD) Peace Support Mission to Somalia or IGASOM. When IGASOM was proposed by IGAD through a communiqué it adopted in March 2005, there was no support for it.

Ethiopia's campaign to oust the Islamic Courts Union in December 2006 eventually forced the United Nations Security Council to authorize the African Union to deploy a peace support mission with a mandate of six months, adopting resolution 1744 (2007) on 20th February 2007.[33] With a mandate created by the African Union and endorsed by the UNSC, the African Union Mission's aim was to assist the TFG and protect its fledgling institutions. Ethiopia had decided to withdraw, although a reconciliation meeting held in Djibouti between the TFG and the Alliance for the Restoration of Somalia (ARS) requested Ethiopia to withdraw its forces, the Ethiopian government had decided way before to withdraw its forces from Somalia. But to ensure a smooth transition and help the new administration that was created in Djibouti, Ethiopian army wanted the new government mobilise its forces and take over areas that it withdraws.

But it responded to Uganda threat to withdraw if Ethiopian forces left. At this stage, AMISOM was simply not strong enough. Ethiopia then publicly reassured Uganda that it would act

expeditiously if AMISOM forces were threatened. This sent an effective message to Somali actors. Although UN experts travelled to Somalia to assess the situation on the ground the UN agreed neither to deploy a UN peacekeeping force nor to re-hat AMISOM to be deployed as a UN peacekeeping force, effectively limiting its ability to control the situation without additional support.

There are a number of reasons for the UN decision, including the attitude of the UN bureaucracy. In order to deploy a peacekeeping force in a certain country, there are a number of preconditions that need to be fulfilled. A UN peacekeeping force can be deployed if the parties to the conflict sign a peace agreement and hence there is a "peace to keep". But in Somalia the fighting has consistently been between a weak government and an Al-Qaeda affiliated terrorist group. Neither the Somali Federal Government, nor the international community at large will expect the SFG to negotiate with a terrorist organization. Hence, there is no possibility of having a peace agreement, the precondition to deploy a UN peacekeeping force.

However, there is an African Peacekeeping Force. AMISOM's deployment at the beginning was with a lighter mandate and that mandate was eventually revised by the UN Security Council on March 6, 2013 and extended until February 2014. The mandate, according to UN Resolution 2093 (2013), includes, *inter alia*:

(a) To maintain a presence in the four sectors set out in the AMISOM Strategic Concept of 5 January 2012, and in those sectors, in coordination with the Security Forces of the Federal Government of Somalia, reduce the

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[32] Ethiopian forces provided a major protection for AMISOM until its deployment is fully organized. Ethiopia also publicly promised the Ugandan and Burundian governments that Ethiopian forces

will return to Somalia and will do whatever is necessary to protect AMISOM from any danger.
[33] www.un.org/depts/dhl/resguide/scact2006.htm

threat posed by Al-Shabaab and other armed opposition groups, including receiving, on a transitory basis, defectors, as appropriate, and in coordination with the United Nations, in order to establish conditions for effective and legitimate governance across Somalia; (b) To support dialogue and reconciliation in Somalia by assisting with the free movement, safe passage and protection of all those involved with the peace and reconciliation process in Somalia; (c) To provide, as appropriate, protection to the Federal Government of Somalia to help them carry out their functions of government, and security for key infrastructure; (d) To assist, within its capabilities, and in coordination with other parties, with implementation of the Somali national security plans, through training and mentoring of the Security Forces of the Federal Government of Somalia, including through joint operations; (e) To contribute, as may be requested and within capabilities, to the creation of the necessary security conditions for the provision of humanitarian assistance; (f) To assist, within its existing civilian capability, the Federal Government of Somalia, in collaboration with the United Nations, to extend state authority in areas recovered from Al-Shabaab; (g) To protect its personnel, facilities, installations, equipment and mission, and to ensure the security and freedom of movement of its personnel, as well as of United Nations personnel carrying out functions mandated by the Security Council.[34]

This remained the main mandate for AMISOM's operations to-date. The resolution also indicated that the UNSC agrees "with the Secretary-General that the conditions in Somalia are not yet appropriate for the deployment of a United Nations Peacekeeping Operation, and requests that the UNSG keeps this under review, including through the setting of benchmarks for when it might be appropriate to deploy a United Nations

peacekeeping operation and looks forward to receiving this information as part of his regular reporting to the Security Council".[35] Although the UN refused to re-hat AMISOM as a UN force, does provide logistical support. Even if there is "no peace to keep" AMISOM has therefore been given a role to challenge those extremist forces that are trying to fill ungoverned spaces in Somalia. If these non-state actors such as al-Shabaab are left to develop, they will have the space to train terrorists and suicide bombers and transfer their knowledge to wreak havoc in the region and beyond.

Obviously, a UN peacekeeping force cannot do a combat operation. The UN tried a peace enforcement mission in Somalia in the early 1990s and failed. As Barnett (2002) explains there are what are called norms within the UN bureaucracy, whereby "peacekeepers should follow the principles of neutrality, impartiality and consent."[36] Obviously AMISOM or even a UN peacekeeping force would find it difficult if not impossible to follow those norms in Somalia as the theatre of the engagement is completely different from those for which the norms were designed. Any peacekeeping force that wants to be neutral, impartial or to be deployed by consent will not find the environment in Somalia. There is no possibility to follow those norms in Somalia. The UN bureaucracy did not even agree to re-hat AMISOM into a UN peacekeeping force because of those same norms. But what is worse is the fact that the UN has yet to agree how AMISOM should be resourced for its operations beyond voluntary contributions making its sustainability a challenge.

One might argue that the resolution (2093) as indicative of the UN's possible intention of

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[34] The full UNSC resolution 2093 (2013) is available at http://www.un.org/News/Press/docs/2013/sc10931.doc.htm
[35] Ibid.

[36] Michael Barnett (2002): Eye witness to a genocide, the United Nations and Rwanda, Cornell University Press.

allowing continental organizations to handle "their" problems through subsidiarity and take this as the beginning of that trend. Resolution 2093 (2013) called "upon new and existing donors to support AMISOM through the provision of additional funding for troop stipends, equipment, technical assistance, and un-caveated funding for AMISOM to the United Nations Trust Fund for AMISOM, and calls upon the AU to consider providing funding to AMISOM through its own assessed costs as it has recently done for the African-led International Support Mission in Mali".[37]

AMISOM's resource contributions remained to be outside the usual assessed contributions mechanism of funding and this continues to challenge the effectiveness of AMISOM. Most Security Council members remain hesitant to support AMISOM or its re-hatting since it would trigger an assessed contribution, which would certainly increase expenditure.

3.2 The role of Ethiopia and Kenya as Somalia's neighbors

Somalia shares boundaries with Kenya, Ethiopia and Djibouti. Historically there were claims and counter claims between Somalia and its neighbours on Somali speaking territories of the Horn. Although the African Union through its predecessor the Organization of African Unity had settled the question of borders through the Cairo declaration of 1964, Somalia had rejected the declaration at that time. Since Somalia's civil war had weakened the government in Mogadishu and allowed the establishment of FMs the capacity of the centre not to allow other non-state actors that undermine the security of Somalia's neighbours is nil. Because of this Somalia's neighbours are actively involved in Somalia politically and militarily. This involvement is

direct unilateral combat and working with in the AMISOM framework and or through other proxies in Somalia.

a) Kenya

Kenya, following a number of Al-Shabaab harassments, decided to take measures to clean Al-Shabaab out of areas bordering its territories and sent hundreds of troops into southern Somalia. The governments of Somalia and Kenya signed a joint communiqué calling for "decisive action" against Al-Shabaab.[38] In fact, however, after his Prime Minister signed the document, Somalia's then President, Sheik Sharif, criticized Kenya's military offensive, which raised questions about how bilateral the military action had been. A tri-partite meeting between the Presidents of Kenya, Uganda and Somalia convened in Nairobi to sort out the differences[39]. The other aspect that demonstrates the role of power politics is how Kenya, which sent its forces into Somalia to create a buffer zone along their joint border, was quickly embedded as part of AMISOM.

The current government in Somalia continues to have a problem with Kenya as the politics of clan plays its own part in the differences among TFG leaders over Kenya's role. Kenya said the purpose of the operation was to support Somalia in its battle against Al-Shabaab and plans to stay in Somalia until the threat of the insurgents has been "reduced." At the beginning, Kenya insisted the involvement of other neighbouring states (especially Ethiopia) even if Ethiopia had decided to stay out, the Ethiopian government openly expressed its desire not to be part of AMISOM but expressed its commitment to do everything possible to support TFG, AMISOM and Kenya

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[37] The full UNSC resolution 2093 (2013) is available at http://www.un.org/News/Press/docs/2013/sc10931.doc.htm

[38] www.topics.nytimes.com
[39] www.garoweonline.com

from outside.[40] In spite of calls from friends and neighbours the Ethiopian government made a political decision to stay out of AMISOM.[41] But Ethiopia supported the integration of Kenyan forces into AMISOM.[42] IGAD issued a communiqué at the end of the Summit in support of the Kenyan, TFG and AMISOM efforts to defeat Al-Shabaab once and for all.[43]

One can elaborate on the Kenyan intervention in Somalia on the basis of the framework put forward by Richard Rosecrance. Rosecrance argues that a surprising fact of international history is how frequently countries act above or below their rational "power lines". This is because leadership strategies and ideology and also the constraints of domestic politics enter the equation and may determine the result, and he explains how the US and the UK should have acted to stop Nazi Germany in the 1930s.[44] Similarly, Kenya should have reacted a long time ago to the activities of Al-Shabaab. Kenya should have understood that when Ethiopia went into Somalia in 2006 to remove the ICU, it was doing it for its national security interests and this would benefit Kenya in the process. Kenya did not feel this was the case at the time. Now, however, Kenya is requesting Ethiopia to join it in the fight inside Somalia. Ethiopia is prepared to do so, but within a different context and not through AMISOM mechanism. Kenya is doing this at a time that its operations have secured the support of its people and the international community. This can be analysed through Rosecrance's Foreign Policy determinants, of a positive attitude from

the international community, leadership commitment and domestic politics. Kenya has fully secured the support of its neighbours, the IGAD countries. France, the US and the UK fully support Kenya's endeavours.[45] The governments of South Africa, Rwanda and Tanzania have voiced support for Kenya's operation, and both Kenya and Somalia have asked for "big countries," including the United States and European nations, to help in a naval blockade of the highly coveted Shabaab-controlled seaport of Kismayo.[46]

Although there were some concerns within the TFG on Kenya's actions, especially on the part of former President Sheikh Sharif, things appear to have been rapidly cleared. In terms of the domestic politics of Kenya, the coalition government had no choice other react militarily to Al-Shabaab's harassment of Kenya. The Kenyan government will reinforce Kenya's role as well. If one compares the situation Ethiopia found it in 2006, Kenya's position is far more favourable. It has both a domestic and an international environment largely supportive for its actions.

b) Ethiopia

Ethiopia was told point-blank not to send its forces into Somalia. Ethiopia did not get any financial or material support from anybody even though it stayed more than two years in Somalia, and the then TFG leadership had called for Ethiopia's support. Due to the historical baggage between Ethiopia and Somalia the majority of the Somalis[47]

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[40] Notes from the Ministry of Foreign Affairs of Ethiopia on the meeting of IGAD leaders November 25, 2011.
[41] Ibid.
[42] Ibid.
[43] IGAD communiqué November 25, 2011.
[44] Richard Rosecrance: The failure of static and the need for dynamic approaches to international relations, The Oxford Handbook of International Relations, 2010, pp.719.

[45] IGAD countries issued a Joint Communiqué after their meeting in Addis Ababa and this is available at www.igadint.org/
[46] www.topics.nytimes.com.
[47] For example, the former President of Somaliland, Ahmed Silanyo, who was an opposition figure in Somaliland expressed his reservations and told Ethiopian government officials his opposition on Ethiopia's interventions and how Somalis

especially those in the Diaspora were not entirely supportive of Ethiopia's incursion. The Ethiopian leadership was committed to addressing the challenges that the ICU posed on the Transitional Federal Government and to Ethiopia's peace and security, and domestic politics was favourable (apart from one opposition political party expressing concern in the Parliamentary debate over the objectives of the incursion). The challenge was from the international community, though once the war was concluded successfully; African countries and some from the west were prepared to express appreciation. Surprisingly perhaps, most Arab countries were supportive and expressed this privately to an Ethiopian delegation that toured UAE, Oman, Bahrain and Yemen; but few were prepared to make their views public.[48] The only thing they asked for was a quick withdrawal of the forces. The then Egyptian President Hosni Mubarak was the only who told Ethiopia to stay as long as was needed; although at a later stage the involvement of the Egyptian government with some Somali actors left a lot to be desired.[49]

Overall, the international environment (from the western hemisphere) was hostile even though, as noted above, the US played a fairly positive role in the Security Council after Ethiopia had defeated the extremists. By contrast, IGAD endorsed Kenya's move into Somalia and hence created a mechanism whereby Kenya can be assisted. The African Union quickly endorsed IGAD's decision. Although Kenya moved into Somalia to address its own security concerns and deployed its military forces unilaterally, the international community did not hesitate to allow Kenya to accommodate its forces under AMISOM and

thus get paid for activities in support of its own security protection. It was a classic case of just how power relations work in international politics. The UK was at the forefront in supporting Kenya's accommodation into AMISOM.

Ethiopia's policy in Somalia will have continuity and change at the same time due to its internal changes regarding its policies regarding the Oromo Liberation Front (OLF), the Ogaden National Liberation Front (ONLF) and Ginbot-7 as well as the recent rapprochement with Eritrea. The Federal Member States in Somalia might lose in the short-term, since their security relevance to Ethiopia will be linked to Al-Shabaab only. Eritrea's strong opposition regarding federalism in general might impact Ethiopia's engagement with the FMs. Ethiopia's position on Al-shabaab will remain the same and hence continuity might be reassured. If the SFG and Al-Shabaab sort their differences out, then the whole dynamics will change. But, the FMS are going to resist the move to impose the SFG. At the same time the new Ethiopian leadership has to learn a bit about Somalia as they have no historical linkages and Somalis will look at the issues in a transactional framework. Operational level changes are inevitable on the Ethiopian side as there are changes of operatives. Ethiopia and Eritrea are bringing the SFG into a new form of alliance, because the SFG has leverage as Somalia's legitimate government to request that the UN and the AU lift the sanctions on Eritrea. The existing SFG leaders are also excited that they have been brought in to play a regional role, while they have only insignificant legitimacy locally. The Ethiopian government's behavior

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wherever they are feel about Ethiopia's role. This did not make Addis Ababa happy.

[48] Although wikileaks reports indicate that some Arab officials expressed thanks to their US counterparts for a job well-done by the US in Somalia in 2006-2007, following the media's portrayal of Ethiopia fighting the US's war on terrorism.

[49] Abdiqassim Salad Hassan the former TNG President was involved in coordinating activities from Cairo in support of those who opposed the TFG and Ethiopia's presence; and it would be difficult to suggest that Egypt was not involved in this activity. There is documentary evidence available.

with regard to Somalia still depends on how and the extent to which Somalia involves itself in the affairs of the Ethiopian Somali region and cooperates in dismantling al-Shabaab if a peaceful resolution to the conflict cannot be achieved.

4) Conclusion and the way forward

Somalia continues to be its own prisoner. The elite competition and the winner takes all mentality in the political leadership have made elite bargain a difficult endeavor. The existence and activities of various local and external actors as well as informal institutions impacts the functioning of Somalia's security architecture. Since competing actors and institutions affect individual and group behaviours, these in turn challenge the SFG's monopoly of coercion one cannot talk about the security sector and its reform in Somalia. The clan rules are the most resilient ones in Somalia, which are reinforced at local level governance frameworks that have become the basis for the FMs creation and sustainability. The fault lines that one sees between clans and sub-clans as well as FMs and the SFG will remain so long as clan contestations and violent competitions remain. All those individual actors that were associated with al-Itihad al-Islamia, al-Citisam or al-Shabaab eventually use fault lines in the relations between clans and center-periphery relations and existing administrations for their survival. When actors within extremist groups are purged, they will eventually go back to their respective clans. Looking at Hassan Dahir Aweys, Muktar Robow, Abdi Godane and others would join back their clans to seek protection and political offices. The Habir Gedir-Ayr protects Hassan Dahir, and his Digil and Merifle clan protect Muktar Robow, which recently challenged the SFG by trying to run for the President of the Southwest Administration.

The SFG got the full cooperation of AMISOM forces to capture Robow. The situation remains tense as the SFG candidate for the President of Southwest declared the winner. This effort by Robow is an indication of how these actors also seek political offices through their respective clans. Robow was allowed by the SFG to run for the office because his clan threatened to take up arms against the government.

The 4.5 formula that has been the basis for the SFG formation might not be a popular idea, but there is no alternative that will provide a fair representation for smaller and subjugated clans. No one will provide representation for the Midgan and Jereer if the 0.5 representation quota is allocated for them. Whether one likes or not clan politics and clan representation works in Somalia.

Most activities of Somalia's neighbours, Ethiopia and Kenya in particular, were reactive to threats emanating from Somalia. Kenya and Ethiopia were reactive until both engaged and established their respective buffer zones. Ones the buffer zones are put in place, they become proactive in governing the areas they manage directly or through proxies. Since there will be a proxy force or a direct force involved the areas under their control demands a continuous surveillance and a governance system that is managed properly so that issues that rivals or other contending groups would use and endanger the security of their personnel or the proxy groups involved. Those governing areas under their control would develop capacities that would demand additional benefits from the SFG or others.

Ethiopia's unilateral military action against the Union of Islamic Courts after failing to reach an agreement in several rounds of negotiations with the ICU and its military measures to

remove ICU eventually triggered AMISOM's deployment. But Somalia's frontline states are part of the peace support mission, and their national interests and threats they feel from non-state actors in Somalia impact the role they play. This demands that peace support missions take a serious look at the policies and interests of neighbours so that the role they play is positive and constructive in the wider regional context.

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