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Historical Analysis of the Persistent Trend of Civilian Devastation in Somalia,

1991-2011

By

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DECLARATION

This Thesis is my original work and has not been presented for a degree in any other University.

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DEDICATION

I wish to dedicate this Thesis to my family for their understanding and support during the period of this research. I wish also to dedicate this Thesis to all International Studies scholars, researchers and students whose daily endeavors seek to understand and resolve persistent conflicts in Africa. Lastly, I wish also to encourage institutions of conflict studies, such as the Institute of Diplomacy and International Studies (IDIS) of the University of Nairobi (UoN), not to relent in their noble roles of nurturing and developing such academic talents, knowledge and capacities towards conflict resolution.

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ABSTRACT

Somalia has been exceptionally prone to disputes over representation, making it difficult to identify representatives at the negotiating table who are both legitimate and authoritative. Somalia's susceptibility to political dynamics, exacerbated by the fractured nature of clanism, has made it especially difficult to maintain coalitions. Somalia is indeed constitutionally a federal state. However, a lack of clear understanding of how to apply and manage the conflict to work in Somalia's context is pitting different political factions against one another. A major source of political factionalism is the absence of consensus on the division of power and responsibilities between the federal central authority and regional entities as well as lack of coherent guidelines for implementing the principles of the provisional federal constitution. Both issues are contributing to a stalemate in not achieving a speedy recovery, and the "rebirth of sound public institutions in Somalia. The main objective of this research was to examine persistent trend of civilian devastation in Somalia. This is key in enriching the relevant field of policy analysis and academia on these complex issues. Greater understanding of the current debate and the options for an effective federal system in Somalia could support the current attempts for reconciliation and transformation of the conflict situation. The research therefore explored federalism as the most appropriate governance model, while also discussing the other three governance models. The research also examined the challenges: political, constitutional, security and social challenges that challenge the effective functioning of the federal model of governance. In a bid to study these aspects, the study reviews existing data in academia, policy making and other relevant fields to explain and answer the research questions and objectives to the study. The emerging issues were also highlighted and recommendations made that will assist future policy making and research in relevant studies. In order to explore these key concepts, the study's objectives examined the background and causes of the structural conflict as a solution to the reconstruction of the state of Somalia; analyze the challenges. To achieve these objectives the study employed both analyze the theories Structural Theory of International Relations to understand, explain and predict the persistent trend of Civilian devastation in Somalia. Secondary and primary data was used to analyze past present and predictably future situations as emerging issues of the role of international and regional actors in the full realization of Somali's potential.

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ABBREVIATION

SNM- Somali National Movement
SSDF- Somali Salvation Democratic Front
USC- United Somali Congress
SNF--Somali National Front
USP- United Somali Party
SSNM- Southern Somali National Movement
NMBU- Norwegian University of Life Sciences
WSLF- Western Somali Liberation Front
ONLF- Ogaden National Liberation Front
OLF- Oromo Liberation Front
SNA- Somali National Army
NFD- Northern Frontier Districts
FGS- Federal Government of Somalia
SYC- Somali Youth Club
SYL- Somali Youth League
TPLF- Tigray Peoples Liberation Front
ELF- Eritrean Liberation Front
OAU- Organization of African Unity
SPM- Somali Patriotic Movement
SDM- Somali Democratic Movement
TFG- Transitional Federal Government
AU- African Union
ICU- Islamic Courts Union
TNG- Transitional National Government
IGAD- Intergovernmental Authority on Development
UNSOM- United Nations for Somalia
ICC- International Criminal Court
UNSC- United Nations Security Council
AMISOM- African Mission for Somalia

CHAPTER ONE

INTRODUCTION TO THE STUDY

1.0 Introduction

This study is aimed at providing the historical analysis of the persistent trend of civilian devastation in Somalia since 1991 up to 2011. The year 1991 is key to this study because this is the year when Siad Barre's regime came to an end leading to Somalia's internal war which has since not come to an end. The year 2011 is key to this study because this is the year when Kenya deployed its Defence Forces to combat the *Alshabaab* and hopefully create a buffer zone between Kenya and Somalia.

The Somalia war has lasted for nearly two decades leaving both civilians and combatants afflicted. Prolonged war gradually creates structural conditions which in turn are prevents civilians from developing themselves or realizing their dreams in a normal manner. The historical origins of the war are both internal and external traceable to the colonially manipulated 'tribalism' and insufficiently prepared postcolonial series of governments.¹ These problems intensified during the cold war as the Super powers sought to keep Somalia out of each other's clutches. Historically, there has been no lasting union in Somalia beyond the level of clan and family and that has not yet proved lasting enough. The situation has been exacerbated and prolonged by weapons, aid resources and media coverage.²

Somalia is a homogenous society of the Somali people who may be expected to have an homogenous vision and yet inter-clan rivalry is rampant and conflict inducing.

Each clan has an objective to achieve. The multiplicity of such objectives makes the

¹ Ann Simons, "Somalia: A Regional Security Dilemma", in Edmond J. Keller and Donald Rothchild, (eds), *Africa in the International Order: Rethinking State Sovereignty and Regional Security*" (Boulder: Lynne Rienner Publishers, 1996 pp. 71-75

² *Ibid.*, p.71

almost two decade-old war difficult to cease, thus providing ground for perpetual civilian misery. Reuck³ argues that conflict arise between parties who have mutually incompatible objectives. The more valuable the objectives, the more intense the conflict. The more the objectives, the greater the scope of conflict and the more the parties are involved in a conflict, the larger its domain. Such an environment perpetuates civilian devastation.

Suppression of one clan by another ignites liberation wars as in Somalia. In Jeong's words "Liberation wars in parts of Africa just like in Asia represent a struggle against domination, exclusion and repression."⁴

There has been prolonged struggle by the people of Somalia to get rid of human suffering. However, this struggle is overshadowed by the prolonged inter-clan fighting which has made refugee to flee to neighbouring countries, some who end up engaging in arms sale and other criminal activities. Reception of Somalia refugees by neighbouring countries have overwhelmed the economy of recipient countries and at the same time increased environmental stress. There is therefore a need to come up with possible remedies to arrest the situation not only for the wellbeing of the Somalis but also for the attainment of peace in the Horn of Africa and beyond.

1.1 Statement of the Research Problem

According to Kieh, Somalia has been divided into several mini-states, each governed by a warlord.⁵ The situation is further complicated as the warlords have established

³ Anthony de Reuck, "The Logic of Conflict: Its Origin, Development and Resolution" in M. Banks (ed) Conflict in World Society: A new Perspective on International Relations (Sussex: Harvester Press, 1984), p. 96-97.

⁴ Howan. W. Jeong, Peace and Conflict Studies: An Introduction. (Aldershot: Ashgate 2000). P. 61.

⁵ George Klay Kieh, JR., "Military Engagement in Politics in Africa" in G.K. Kieh and P. Ogaba Agbese (eds), The Military Politics in Africa: From Engagement to Democratic and Constitutional Control. (Aldershot: Ashgate, 2004), p.48

quasi-government structures in the various mini states where resources of Somalia are plundered for private gain.⁶ Such quasi-governments engage themselves in revenue collection which ought to be done by the Mogadishu government. But they do not offer any meaningful services to the civilians like health care, security, education among others.

Generally, the present Somalia is characterised by clan rivalry, lack of a central authority, warlords, semi-governments, suicide bombings, uncertainty, suspicion, security dilemma, increasing vulnerability of disputants and poor infrastructure among others. The people of Somali have had prolonged struggle against such oppressive structures. In response, there have been efforts for the search of the mechanisms that would see the disputants sign peace agreements with perceived reduction of the conflict and subsequent reduction of civilian devastation. Negotiations have been made from time to time and peace agreements reached but the trend of civilian suffering persists. This implies that there are certain variables that contribute to the failure to guard human security.

Although many scholars and policy makers have analysed the Somali war, scant attention has been paid to historical documentation of the trend of civilian devastation and why it is relentless. While analysing this conflict, scholars have focused more on the state, the security of state leadership, leaving out the living conditions of civilians, domestic social groups and local communities.

This research study is aimed at analyzing the policies and practices that perpetuates civilian devastation. This will be historically traced way back to January 1991 when

⁶ Ibid. p. 48

Siad Barre's regime came to an end. The Somalia conflict will be analyzed with a keen interest of finding out the internal and external factors which interact to perpetuate civilian devastation. Emerging issues like suicide bombings, kidnapping in exchange of ransom will be as well be given attention. What the factors behind the persistent trend of civilian devastation in Somalia?

1.2 Objectives of the Study

The broad objective of this study is to provide a historical analysis of the persistent trend of civilian devastation in Somalia right form year 1991 up to 2011.

This study will be built on the following specific objectives:

- i. Examine the nature of conflicts in Africa
- ii. Analyse the Somalia civil war the various trends of civilian devastations
- iii. Examine the factors behind the persistent trend of civilian devastation

1.3.0 Literature review

The literature review is divided into five sections. Section one analyzes the rights concept of the respect for human dignity. This is based on the belief that the basis of human rights is human dignity and not status, colour, religion and race among others. The second part will scrutinize the nature of African state security with the hope of creating a blueprint within which Somalia's security will be analysed. Section three will provide an overview of the collapse and failure of Somalia, followed by section four which will be document the effects of the fall of Somalia on the civilians. And finally an overview of the protraction of the Somalia crisis will be looked into.

1.3.1 Respect for human dignity

Every human person has an inalienable entitlement to dignified treatment by fellow human beings and the state agents. Human rights are regarded as those fundamental

and inalienable rights which are essential for human life.⁷ Human rights are universal, inalienable, interdependent and interrelated.⁸ The core and foundation of human rights is human dignity, which is inherent in an individual by the virtue of his or her being human.⁹ The preamble of the UN charter reaffirms “faith in fundamental human rights, in the dignity and worth of the human person.”¹⁰ With reference to Article 1(3) of the UN charter, one of the purposes of the UN is to promote and encourage respect for human rights and fundamental freedoms for all without distinction.

Enforcement of international human rights norms is a difficult task. This because Neither the United Nations Charter nor the Universal Declaration of Human Rights imposes on the United Nation's members legal obligation to respect the rights they proclaim.¹¹ However, the enforcement of the norms of human rights involves penetrating a state's internal affairs or concerns falling within a state.¹² Furthermore, any attempt involving cutting off trade or contact with a country that violates human rights further isolate citizens whose rights are already being violated.¹³ Although states may regard human rights as an internal matter, the position of International Law is that severe violations of human rights in any state are not an exclusive affair of that state.¹⁴

The struggles between various groups and governmental forces for the satisfaction of basic human needs are assumed to lead to gross and systematic human rights

⁷ Rebecca M. M. Wallace, International Law. Fourth Edition. (London: Sweet and Maxwell, 2002), p. 210

⁸ Joe Louis Washington, “The Gap Between Policy and Implementation” op. cit. p. 293

⁹ B.K. Goldewijk, “From Seattle to Porto Alegre: Emergence of A New Focus on Dignity and the Implementation of Economic, Social, Cultural Rights” op. cit. p. 6

¹⁰ United Nations Charter, 1945, Preamble

¹¹ Peter Macalister-Smith, International Humanitarian Assistance: Disaster Relief Actions in International Law and Organization. (Dordrecht: Martinus Nijhoff Publishers, 1985), p. 63

¹² Joshua Golstein, International Relations. Fifth Edition. (Delhi: Pearson Education, Inc. 2003), p. 298

¹³ *Ibid.*, p. 298

¹⁴ Rebecca M. M. Wallace, op. cit. p. 211

violations.¹⁵ Wilson et al contend that Human rights violation can take the form of “extermination”¹⁶ which involves using intentional killing through malnutrition, denial of medical attention, eliminating the weakest first. Human wreckage can also be in the form of torture which is the intentional infliction of severe pain or suffering, be it physical or mental upon a person.¹⁷

Civilian oppression can take form of locking people in concentration camps, or locking people outside the country or in distant parts of the country.¹⁸ Takougang observes that human rights abuses can bring about political instability and subsequently detriment the economy by discouraging investments by both locals and foreigners and might actually lead to capital flight.¹⁹

International Law illegalises starving of civilians in armed conflict. Article 14 of the Second Additional Protocol (which compliments the Fourth Geneva Convention) forbids the starvation of civilians as a method of war.²⁰ Starvation involves deliberate depriving civilians food or destruction of objects indispensable for the survival of the civilian population such as foodstuffs, agricultural areas, crops, livestock drinking water among others.²¹

¹⁵ Joe Louis Washington, “The Gap Between Policy and Implementation” op. cit. p.296

¹⁶ F. F. Martin, S. J. Schnably, R.J. Wilson, J. S. Simon, and M. V. Tushnet, International Human Rights and Humanitarian Law: Treaties, Cases and Analysis. (Cambridge: Cambridge University Press, 2006), p. 476

¹⁷ Ibid., p. 476

¹⁸ Johan Galtung, “Cultural Violence,” Journal of Peace Research, Vol. 27, No. 3, (1990), p. 293

¹⁹ J. Takougang, “The Future of Human Rights in Sub-Saharan Africa” in John M. Mbaku (ed), Preparing Africa for the Twenty-First Century: Strategies for Peaceful Coexistence and Sustainable Development. (Aldershot: Ashgate, 1999), p.187

²⁰ Second Additional Protocol (which compliments the Fourth Geneva Convention), Article 14

²¹ Pietro Verri, Dictionary of the International Law of Armed Conflict. (Translated from French to English by Edward Markee and Susan Mutti) (Geneva: International Committee of the Red Cross, 1992), p. 109

Various human rights bodies have declared forced evictions to be “gross violations of human rights.” Forced eviction involves the involuntary removal of persons from their homes or land, directly or indirectly attributable to the state. In other forms of displacement, people may flee for reasons of personal safety and security due to the government's failure to prevent conditions of insecurity.²² In such a case, civilians lose their personal possessions and increase the vulnerability of women and children.

1.3.2 African state security

According to Article 1 of the Montevideo Convention on Rights and Duties of States, statehood must have an effective government. Such a government has a duty of providing security to its citizens within its territory.²³ The African statehood has on a general scale failed to effectively offer human security to the civilians. Why? Since the 1960s when some African states won independence, some African states have experienced intrastate wars with devastating human atrocities. The same happened when the Cold War came to an end. All these wars have been fought at the expense of civilians. Political instability and violence have plagued the continent since the time most of its countries became independent in the 1960's.²⁴ This leaves one to wonder as to why the African states engaged in intrastate wars soon after the colonial masters left or soon after the end of the cold War. Perhaps there were no adequate institutions of governance, or there were no adequate leaders who befitted the governing standards of a country.

²² Human Rights. Forced Evictions and Human Rights. Fact sheet No. 25. Adopted by the World Conference on Human Rights. Vienna, 23 June 1993. pp. 5-10

²³ F. X. Njenga, International Law and World Order Problems. (Eldoret: Moi University Press, 2001), pp. 24-25

²⁴ S.J. Stedman and Terrence Lyons, “Conflict in Africa” in E. Gyimah-Boadi (Ed), Democratic Reform in Africa: The Quality of Progress: (Boulder: Lynne Rienner Publisher, 2004), p. 141.

Samatar argues that the problem of the nature of the state created after independence is perhaps the secrets of the failure of African independence.²⁵ The colonial boundaries did not match those which had been generated by the communities within the region. The colonial–African State did not put into consideration the ethnic spread of the Somali people. Upon the drawing of boundaries they found themselves in various counties: Kenya, Ethiopia, Djibouti and Somalia itself.

Moreover, McCoubrey and Morris argue it out that “...unitary state concepts imported and imposed by European colonial powers in the 19th and 20th centuries bore little relation to the established political structures and traditions of the Sub-Saharan African peoples and communities.”²⁶

In a general scale, the creation of the artificial states in which diverse peoples were forced to participate in unitary political institutions has inevitably brought a very unstable regional security environment.²⁷ In some cases such has led to governmental collapse and consequently chaotic conflict in a power vacuum as in the case of Somalia.

At independence, African countries lacked strong leaders and governance that would establish effective control over territory.²⁸ This implies that immediately the Colonial Master left, a leadership vacuum came into being for there were no competent people who were to maintain the already established stability. In recent years, economic

²⁵ Abdi Samatar and A.I. SAMATAR, “The Material Roots of the Suspended African State: Argument from Somalia. The Journal of Modern African Studies, 25,4 (1987), p.669

²⁶ Hilaire McCoubrey and Justin Morris, Regional Peacekeeping in the Post-Cold War Era. (The Hague : Kluwer Law International, 2000), p. 125

²⁷ Ibid., 125

²⁸ Marina Ottaway, “Africa,” in Foreign Policy. No. 144 (Spring 1999), P.13

decline and decay of administrative structure have further weakened the capacity of most African states to govern effectively.²⁹ It should however be kept in mind that African states are not homogenous. While some countries have been able to maintain and even expand the states capacity for social control, some do not have such capacity.

Villalon argues that much of the recent political changes in Africa might be understood as the product of an attack on regimes, or even individual governments, rather than on states.³⁰ This according to him is true due to the fact that the African state is a personalised state which is shaped by personality on one key individual.³¹ Somalia was shaped by the personality of Siad Barre who took power in 1969 with a promise of reforming the state of Somalia but nothing of the sort happened. He centralised everything around him. When his rule came to an end, the state simply collapsed because the state was formed around him and not around institutions of governance.

Villalon adds that the African state has been a client state³² of one or the other of the rival Cold War Superpowers who provided a major sustaining force for many African states, Somalia being one of them and its neighbour Ethiopia. The rivalry between the superpowers contributed to the failure of Somalia. Initially, Somalia was Soviet sponsored while Ethiopia was US sponsored as a mechanism of advancing their rival

²⁹ Ibid., P., 14

³⁰ Leonardo A. Villalon, "The African state at the End of the Twentieth century: Parameters of the Critical Juncture", in L. Villalon and P.A. Huxtable(eds), The African State at A Critical Juncture: Between Disintegration and Reconfiguration. (Boulder: Lynne Rienner Publisher, 1998), p. 9

³¹ Ibid., P, 12

³² Ibid., P, 12

ideologies. This implied that an attack of Somalia was an attack against the Soviet and vice versa.

From the literature reviewed above, it is clear that most scholars take the approach of realism in analysing conflicts in Africa by simply looking at it as a state security issue with little attention to the human security of the individual citizens within a state. This study will endeavour to bridge this gap by examining the historical trends of civilian devastation in Somalia. The study will consider civilians to be a key issue in the security debates unlike realism which only sees states as the only key subjects of discussion.

1.3.3 The collapse and failure of Somalia

According Zartman, State collapse comes as a result of balanced internal struggles which produce only losers rather than a clear victor capable of governing the other.³³

What follows is that law and political order falls apart, in which case order and power (but not legitimacy) devolve to local groups. This is against the political science definition of state; as the sole authoritative user of physical violence.³⁴

Charles Kegley et al argue that state failure comes where the authority of a national government has collapsed and armed struggle has broken between the ethnic militias, warlords, or criminal organizations seeking to obtain power and establish controls of the state.³⁵ In such a case, there can be an outbreak of civil war. The outbreak of war itself shows the difficulties that the government and the opposition groups have in

³³ I William zartman, African Regional Security and Changing Patterns of Relations. (Boulder: Lyne Rienner 1996), P.54

³⁴ Peter Wallenstein. Op. Cit. p.156

³⁵ Charles W. kegley and Eugene R. Wittkoff, World Politics: Trend and Transformation, Ninth Edition. (Belmont: Thomsons Wadsworth, 2004), p'740

solving their differences.³⁶ As a consequence, power will slowly move from the centre to opposition groups who may not even be aware of how power should be put into use. In such a situation, all that will be left is inter-clan rivalry. For the case of Somalia, there is antagonism between the Isaq clan in the North, the Hawiye in the South and the Darode in the Centre and North–East.³⁷

The Somalia's post independence regime collapsed in 1969 and was replaced by the Soviet-leaning regime³⁸ led by Siad Barre. Somali's situation, traced historically is one of the products of colonial interference by Europeans. Somali territory as earlier stated was inhabited by tribal clans without a unitary states structure. Come the Europeans, it was divided between Britain, Ethiopia, France and Italy. Following such divisions, Siad Barre pursued a traditional nationalist agenda aimed at the creation of one state of all Somalis. This saw him to militarily go for the Ogaden area in 1977 but was defeated by Ethiopia supported by Cuban troops and soviet military advisers.”³⁹

In an attempt to possess Ogaden, Somalia supported guerrilla operations in the Ogaden region of Ethiopia and in reciprocity Ethiopia supported a Somalia insurgency and conducted air raids in Somalia.⁴⁰ All this made Somalia to lose its military equipment

³⁶ Patrick M. Reagan and Aysegul Aydn, “Diplomacy and Other Forms of Intervention in Civil Wars” in The Journal of Conflict Resolution: Journal of Peace Science Society, (International) Vol. 50 No 5. (Thousand Oaks: Sage Publications Oct. 2006), p740.

³⁷ J.Q. William Tardoff, Government and Politics in Africa. Fourth Edition Op. Cit., p.218

³⁸ Hilaire McCoubrey and Justin Morris, Regional Peacekeeping in the Post-Cold War Era. Op. Cit.,
p.129

³⁹ J.Q. William Tardoff, Government and Politics in Africa. Fourth Edition. (New York: palgrave Macmillan, 2002), P. 220

⁴⁰ Fredrick Ehrenreich, “National Security” in Harold N. Nelson (Ed) Somalia: A Country Study. (Washington DC: United States Government 1982), P. 232

and personnel without compensation from the international community.⁴¹ The Ogaden's war marked the beginning of the fall of Siad Barre's regime.

The aftermath of the Ogaden War was brought a race in Somalia as to who would control the central organs of the state and its resources.⁴² Siad Barre in response took measures to liberalise the economy and committed himself to adopt a multi-party system of governments. But this came too late to save a regime that was no longer capable of meeting the challenge posed by clan based, armed opposition movements.⁴³

Even as Siad Barre is portrayed to have made a step to save Somalia, the domestic intelligence was provided by a number of official and informal organizations controlled by Siad Barre's relatives.⁴⁴ This further weakened people's confidence in a government that portrayed nepotism perpetrated by the president himself. Subsequently, the internal political basis of support apparently got dismissed because the government increasingly got dominated by Siad Barre and trusted members of his Marehan clan.⁴⁵ This diminished the regime's popularity.

Chaos intensified during the cold war as the super powers sought to keep Somalia out of each other's clutches.⁴⁶ In 1977, the Soviet Union suspended arms shipment to Mogadishu and instead diverted military deliveries to Ethiopia. This made Siad Barre to expel Soviet advisors and broke diplomatic ties with Cuba. This decision worsened matters for Somalia and Cuba joined Ethiopia to wrestle Somalia. This saw Somalia

⁴¹ *Ibid.*, P. 232

⁴² Abdi Samatar and A.I. SAMATAR, *Op. Cit.*, p.68

⁴³ J.Q. William Tardoff, Government and Politics in Africa. Fourth Edition *Op. Cit.*, p.220

⁴⁴ Fredrick Ehrenreich, "National Security" *Op. Cit.*, p.231

⁴⁵ *Ibid.* p. 231

⁴⁶ *Ibid.* p. 234

lose friendship with the Soviet Union and its army capacity got dwarfed. As a matter of fact, a country's decline of military might is a signal to the collapse of a state. Following the Soviet's withdrawal, there was an acute need to rebuild the armed forces.

Somalia ceased to exist as a nation-state following the civil war.⁴⁷ In Somalia, there is no central governing authority. All together the state has virtually disappeared and the rogue leaders are in control of various parts of the country with a rule of intimidation and force.⁴⁸ In Somalia, the rogue leaders are armed warlords who control small pieces of territory and they sustain themselves through plunder.⁴⁹ Such warlords are said to be connected with other rogue leaders living outside Somalia.

Although many scholars have analysed the Somali conflict, little attention has been paid to historical documentation of the unending nature of civilian devastation. This study will endeavour to fill this gap.

1.3.4 The effects of the collapse Somalia on civilians

The collapsed state of Somalia has witnessed protracted conflict with adverse effects on the civilians. Ordinarily, conflicts bring about displacement, disease, poverty; produce orphans and widows, rape, unwanted pregnancies and psychological trauma. Conflicts deny people the right to work peacefully, to reproduce and to sustain their

⁴⁷ Rok Ajulu "African Security: Can Regional Organizations Play a Role?" In Shannon Field (Ed) Peace in Africa: Towards a Collaborative Security Regime. (Johannesburg: Institute of Global Dialogue, 2004), P.274

⁴⁸ E. Gyimah-Boadi, Africa: The Quality of Political Reform. Boulder: (Lynne Rienner Publishers, 2004), P.14

⁴⁹ S.J. Stedman and Terrence Lyons, "Conflict in Africa" Op. Cit. P. 14

life.⁵⁰ Conflicts destroy the natural environment and make it insecure for human survival as the resources get depleted and destroyed and consequently cause food shortages, poor health conditions, loss of innocent human lives and most importantly the deprived human dignity.⁵¹

There was an increase in insurgency during Barre's regime which made him to step up the use of force targeting civilian population as a way of making the countryside inhospitable to rebel movements.⁵²

The current Somalia war has lasted for nearly two decades and seems to be having no end, thus perpetuity of human suffering. The Somalia war has provided a safe haven for terrorists, a free zone for arms trade, claimed lives, destroyed property and infrastructure and exacerbated poverty.⁵³ Many people have been displaced, killed, starved and women raped among others. Stedman notes that internal struggles often spill over borders or ripples across economically interdependent regions.⁵⁴ Mwangiri et al argue that the conditions of refugeehood, and those of internally displaced persons are one of the grossest forms of the abuse of human rights, and the greatest threat to the dignity of the human condition.⁵⁵ The prolonged Somalia anarchic situation has seen many people died, internally displaced while others have been

⁵⁰ Senait Bahta, "Equitable Resource Management and Regional Security in the Horn of Africa" in Makumi Mwangiri (Ed), *Human Security: Setting the Agenda for the Horn of Africa*. (Nairobi: Africa Peace Forum, 2008), pp. 154, 157

⁵¹ *Ibid.*, p. 154

⁵² Olang Sana, " Good Governance as a Building Block towards Improved Human Security in the Horn of Africa in Makumi Mwangiri (Ed), *Human Security: Setting the Agenda for the Horn of Africa*. (Nairobi: Africa Peace Forum, 2008), pp. 56-57

⁵³ *Ibid.*, pp.57-58

⁵⁴ Stephen John Stedman, "Conflict Resolution in Africa: A conceptual Framework" in Francis M. Deng and I.W. Zartman (eds), Conflict Resolution in Africa. (Washington: The Brookings Institutions, 1999), P. 368.

⁵⁵ Makumi Mwangiri and Njeri Karuru, "Human Security in the Horn of Africa: Emerging Agenda" in Makumi Mwangiri (Ed), *Human Security: Setting the Agenda for the Horn of Africa*. (Nairobi: Africa Peace Forum, 2008), p.

forced to live in neighbouring countries as refugees.⁵⁶ There is an estimated outflow of 300, 000 refugees to Kenya, 500,000 to Ethiopia and more in Djibouti and Yemen.⁵⁷ The Somalia refugee-spread internationalizes Somalia's war. The recipient governments have to take charge of the refugees in collaboration with UNHCR while other refugees end faking as nationals of the recipient states and engage in importing small arms as has been the case in Kenya.

A lot of terrible things happened in the Somali's anarchic situation. Somali's livestock base was radically eroded, as thousands of animals were killed while others were shipped to the Gulf to source money for the purchase of arms; water sources were destroyed; women were raped while men were killed; food supply was cut off.⁵⁸ This calls for humanitarian assistance to relief the helpless civilians. But, the warring factions have in the past acted as an obstacle for the UN Missions to operate. The disputants attacked international aid workers, looted relief supplies and sold ships that supplied food.⁵⁹

While analysing this Somalia internal conflict, scholars have focused more on the state, the security of state leadership and mention the living conditions of civilians in passing. This makes this study timely in giving special attention to the plight of civilians.

⁵⁶ Charles W. Kegley and Eugene R. Wittkoff, Op. Cit. P.427

⁵⁷ Ibid., pp.57-58

⁵⁸ Catherine Besteman, "The Dissolution of the Somali-State, in the Journal of American Ethnologist Vol 23, No 3 (Aug 1996) , p. 582

⁵⁹ Cirino Hiteng Ofuho, "Security Concerns in the Horn of Africa" in Makumi Mwagiru (Ed), African Regional Security in the Age of Globalization. (Nairobi: Heinrich Boll Foundation, 2004), p. 15

1.3.5 The protraction of the Somalia crisis

With regard to the longevity of conflicts, Stedman argues that “conflicts become prolonged because the antagonists come to fear the consequences of settlement”⁶⁰ The disputants may as well be unwilling to lose the benefits that war has been accruing to them. The benefit motive may then motivate to ensure that the antagonism is perpetuated at the expense of civilians.

When an intrastate war is influenced by neighbouring or foreign countries, it gains complexity and thus difficult to be halted. Neighbouring countries or foreign countries may fuel conflicts in another country by supporting groups which are sympathetic to their ideologies.⁶¹ Somalia's internal war is enhanced by neighbouring countries like Ethiopia and Eritrea. While Ethiopia's military aid and other forms of assistance are given to the existing government, Eritrea offers support to the Warlords who are determined to depose the existing government.

Rebuilding Somalia after such long conflict has been about more than just replacing damaged buildings and re-establishing institutions of administration. This implies that besides replacing damaged buildings and re-establishing institutions, the human dimension of reconstruction and restoration of trust and re-establishing relationships is cardinal if lasting peace is to be attained.⁶²

In as much as concerned parties may come up with good plans for rebuilding Somali, clan rivalry is a key factor that must be addressed because it has emerged to be a

⁶⁰ Stephan J. Stedman, “Conflict Resolution in Africa: A Conceptual Framework” in F.M. Deng and I.W. Zartman, Conflict Resolution in Africa. (Washington: The Brookings Institution, 1991), p. 368.

⁶¹ R.C. Bakuwa, “Containing Local Conflicts from Turning into Civil Wars.” In Dominic Milazi, Mulinge and E. Mulkamaambo (eds), Democracy, Human Rights and Regional Cooperation in Southern Africa (Pretoria: Africa Institute of South Africa and SAUSSC, 2002), P. 147.

⁶² <http://www.crisisgroup.org>

critical barrier to Somalia unity.⁶³ More worse, this long nursed enmity coupled with modern weapons makes matters worse for Somalia, paving way for anarchy and the rule of the gun.

In an attempt of rebuilding the office of the president, the year 2000 Conference in Djibouti made up of clan elders, appointed Abdulkassim Salat Hasan. This saw a setting up of a transitional government aimed at reconciling warring militias but it achieved little in uniting the country.

In the year 2004, after elongated talks in Kenya, the main warlords and politicians, agreed to set up a new parliament. Upon its establishment, it appointed a president, Abdullahi Yusuf Ahmed a former leader of the semiautonomous Somali region of Puntland. This saw a formation of Transitional Federal Government.⁶⁴ This was believed to be a major breakthrough in the reconstruction of Somali. But the dream was eroded in the year 2006 due to the rise of a rival administration known as Union of Islamic Courts which compromised the Abdullahi government. This steered the US to back Ethiopian militia to fight the Union of Islamic Courts with a claim that its leadership is dominated by al Qaeda.

Form the literature reviewed above, it is evident that besides all attempts by the concerned parties to rebuild Somalia, inter-clan warfare still exists, which has perpetuated a man-made anarchy. This study will seek to find out how this anarchic situation impacts on the human security of civilians. In so doing, this study will answer the question: how does Somali's failed nature impact on the civilians?

⁶³ Catherine Besteman, "Representing Violence and "Othering "Somalia" in The Journal of Cultural Anthropology. VOL.11, No. 1(Feb 1996), 622

⁶⁴ Ibid

1.4 Theoretical Framework

A theory is a roadmap that helps in comprehending, explaining and predicting complex phenomena leading to making practical decisions.⁶⁵ This research study will use the Structural Theory of International Relations to understand, explain and predict the persistent trend of Civilian devastation in Somalia.

Groom observes that within the framework of structuralism, reality is perceived in terms of relationship between elements.⁶⁶ The theory has it that the existing structure takes a life of its own and in turn determines future behaviour. People living in such a structure find it difficult to either escape from the prevailing structural constraints or come up with novel areas that are pleasant to them. Such people experience oppression, poverty, violence and injured human dignity.

Scholars such as Galtung argue that avoidable death should be regarded as a form of violence. On the same, structural violence is defined as the unavoidable deaths caused by social structures of society.⁶⁷

The Structural Theory of International Relations conceived within Peace Research Paradigm is relevant to this study because it geared towards the promotion and realization of justice and humanity within the society.⁶⁸ This is unlike the realist definition of security⁶⁹ which covers the security interest of the state centered on territorial integrity and international sovereignty and to a limited extent the security of

⁶⁵ Chava Frankfort-Nachimias and David Nachimias, Research Methods in the Social Sciences. Fifth edition. (London: St. Martin's Press, 1996), p.36

⁶⁶ A. J. R. Groom, "Paradigms in Conflict: The Strategist, the Conflict Researcher" in J. Burton and F. Dukes (eds), Conflict: Readings in Management and Resolution. (London: Macmillan, 1990), p.71

⁶⁷ Michael Nicholson, Rationality and the Analysis of International Conflict. (Cambridge: Cambridge University Press, 1992), pp. 3-4

⁶⁸ Johan Galtung, "Violence, Peace Research," op. cit. p. 190

⁶⁹ Ludeki Chweya, "Emerging Dimensions of Security in the IGAD Region" in Makumi Mwangi (Ed), African Regional Security in the Age of Globalization. (Nairobi: Heinrich Boll Foundation, 2004), p. 32

state leadership, thus, paying little attention to the living conditions of individual civilians. According to Groom, the oppressed should be assisted in the struggle to break down the existing oppressive system and make the parties symmetrical.⁷⁰

Somalia is a country whose people should be aided to attain human dignity

1.5 Justification of the Study

The Somalia inter-clan rivalry within which civilians are devastated has lasted for nearly two decades, that is right from the time President Siad Barre left office in January 1991 and fled the Country. Following this, his army surrendered to the Isaq-dominated Somali National Movement (SNM) in the North.⁷¹ This was with the hope of coming up with government for national reconciliation but this was overtaken by clan-based struggle for power. Since then, a number of peace initiatives have been undertaken but none has brought about a reduction of conflict, thus continuity of civilian devastation.

While analysing the Somalia Conflict, scholars have focused more on the state, the security of state leadership. Their approach pays little attention to the living conditions of individual civilians, domestic social groups and local communities. This is the gap that this study intends to fill. This particular research study will give take a comprehensive approach of investigating, analysing and explaining the perpetuity of civilian devastation in Somalia. The approach of this study will be addressing the causes of the perpetuity of devastating civilian conditions with an aim of eradicating them or rather ensure that while such conditions persist, civilians should be aided to live a life that will enable them to realize their full human potential.

⁷⁰ A. J. R. Groom, "Paradigms in Conflict: The Strategist, the Conflict Researcher" op. cit. p. 94

⁷¹ Ann Simons, "Somalia: A Regional Security Dilemma", in Edmond J. Keller and Donald Rothchild (eds), *Africa in the International Order: Rethinking State Sovereignty and Regional Security*. (Boulder: Lynne Rienner Publishers, 1996), p. 23

The research findings of this research study will avail materials to scholars, researchers and students who have an interest in civilian devastation in Somalia's internal war.

The data of this research study will as well inform policy makers concerned with civilian protection within a state.

1.6 Hypotheses

This study will investigate the following hypotheses:

- i. Civilian devastation has been in Somalia since the onset of the Somalia civil war
- ii. Reliance on violence as a way of settling differences ignites various trends of civilian devastation
- iii. Both local and foreign factors provide ground for the persistent trend of civilian devastation

1.7 Methodology

In an attempt to understand the relentless state of civilian devastation in Somalia, both primary and secondary data collection methods will be utilised. Primary data collection will involve face to face interviews. The interviewees will assure of non-disclosure of their identity so as to be confident enough to reveal their perception of the research problem. Face to face interviews will be preferred over questionnaire method because it will allow the researcher to seek clarity. The informants will be identified and informed in advance of the intended research so to give them time to reflect on the material.

People who have had practical experience with civilian devastation in Somalia will be will be target population for interviewing. Such people will be Somalis living in

Kenya; people who work for organizations working in Somalia; Refugee Organizations especially those in charge of Somalis; scholars of International Studies, political science and Law. Primary data will be as well sourced from the existing peace agreements.

Secondary data will be sourced from published works in the form of books, journals, periodicals, articles and International Instruments such as Conventions and Charters on human rights and war.

1.8 The Scope and Limitations

This study will carry out a historical analysis of the Somalia war since 1991 when Siad Barre's rule came to an end. This is hoped to generate historical knowledge on the persistent trend of civilian devastation in Somalia. Somali Land will not be part of this study. The study will historically examine the intra-state factors that have kept the trend of civilian devastation alive in the volatile South Somalia since 1991. However, events proceeding the year 1991 will be evaluated with the aim of capturing the Historical perspective of the problem under investigation. Due to the severity of the Somalia war and limited time, the researcher will not visit Somalia as part of the study, instead the Somali refugees living in Kenya, KDF officers and NGO workers who have worked in Somalia considered representative of the population in Somalia.

1.9 Chapter Outline

Chapter One: The Research Proposal

This is chapter is the introductory and theoretical basis of this study and how it will be achieved. This part will have the following components: the research problem, objectives of the study, justification of the study, literature review, hypotheses, theoretical framework, methodology, scope and limitations and chapter outline.

Chapter Two: Background of Conflicts in Somalia

This chapter will provide a historical background of conflict in Somalia

Chapter Three: Aspects of Civilian Devastation and their Unending trend

This chapter will examine various aspects of civilian devastation followed by the structural factors behind the protraction and escalation of civilian devastation.

Chapter Four: Critical analysis of the Key Emerging Issues

This chapter will critically analyse the emerging issues in the entire research study with the aim of identifying remedies.

Chapter Five: The Conclusion

This chapter will present conclusive reflections of the study with a keen interest as to whether the hypotheses have been justified or not. Possible recommendations for action will be outlined.

CHAPTER TWO

BACKGROUND OF CONFLICT IN AFRICA AND SOMALIA

2.1 Introduction

This chapter deals with literature(s) accounts that have already been established on the topic. It will also enable readers to view the research in question from different perspectives to give them of a wide scope of understanding the matter.

2.2 Theoretical and Empirical Background

According to Karl Marx in his theory of conflict, coercion and power play key role in imposing order in a society. Furthermore society is portrayed as having segmented into sectors that contest for recourses and opportunities. Social groups do sustain order in a society through power and dominance by the ruling class and not through shared agreement among social groups in question. From the conflict point of view, inequality is necessary to be perpetuated for those who are top on the social ladder to continue their utmost gain in economy at the expenses of the ruled class in the society (Andersen & Taylor, 2007).

Siad Barre's policy of social discrimination i.e. ally with certain clans and keep others at bay created a commotion of upheaval and agitation, thereby forcing those that were left in the cold to take arms to bring change to the country through violent means (Lefebvre, 1991). Scholars in political science see grievance as the cause of armed insurgent groups where economists view greed as the igniter of rebellions. Normally, two types of civil wars are experienced: one that is initiated by a motive and another, which is born out in search of opportunity goals. War in grievance, some groups in a particular state feel denied of their rights as a citizens so they see violence the only means to get equality.

Meanwhile motive driven wars, some groups opt rebellion as better way to get wealth for themselves (Collier, 2005). As per Hobbes, conflict is explained as a consequence of competition between political rivalries with varying views urged by group pledge. For Schmitt, conflict is defined as an antagonism that finds its root from groups whose views are inconsistent against each other. Conflict in Somalia is ascribed to have arisen from sharp political cleavage between clans on how the government manages state affairs especially allocation of senior posts, wealth, resources etc. (Gutale, 2008).

From the structuralism point of view, conflicts observed in Africa were due to the fact that colonial states' demolish of the old traditional ways in which Africans had to administer for themselves and not establishing legal institutions that replace the old ones. From the Somalia context, the judiciary system that the colonial powers had instituted were too weak to carry out services as they suffered from severe shortage of both qualified staff to do the work and the financial means required to implement the judicial assignments in the country. Somali's independence in 1960s comes at the wake of fierce contest between political parties in order to win the top seat of the state with no effective platform of institutions to handle the situation. This is also believed to have contributed to the conflicts in Somalia (Gutale, 2008,pp. 16-17). The clan lenience had won over that of the state thus making statehood very difficult to be realized. Individuals feel responsibility to their respective clan that is bound by blood kinship which gives them their unique sub-identity under the common one shared by all clans and/ or groups in the state (Mahmood, 2011a).

In primordial society, there is a tendency that a dominant group to coalesce itself with minority groups to form a coalition government. In such situation, the minority group might feel short changed or denied of their portion in the distribution of wealth,

employment opportunities or the likes. This type of discomfort by such groups can result a conflict within the ruling elites. In Somalia, The military ruler placed his trust in clans at the expenses of other clans which eventually led to violent conflicts in the country (Eller, 1999). In Rahim (2015) conflicts is explained an outcome of incompatibility between two major partners in a group or entity as is quoted in “ an interactive state in which that behaviors of goals of some other actors are, to some degree, incompatible with the behavior or goals of some other actor or actors” (Rahim, 2015, p. 15).

Conflict was defined in a different ways: Conflict had been explained as a contest for social position within a certain society; in addition to that, conflict was labeled it as any key social adjustment or change over a period of time within a given society or a struggle for meager resources between social groups. On the other hand, conflict is interpreted in a condition where “actors use conflict behavior against each other to attain incompatible goals and/ or to express their hostility (Bartos & Wehr, 2002:12-13).

As compared to the case in Somalia, conflict is defined as a one that takes place between groups within a state that is not necessarily homogeneous in nature. Despite the fact that, there is only one ethnic society in Somalia, the conflict in this state is at times termed as an ethnic-based one. It is within this ethnic-society that groups find themselves opposed against each other. Anthony Smith described ethnic-society to be a community bound together by ancestral lineage, territory, and traditional practices that give them unique identity from the other ethnic communities. Ethnic conflict is here by defined “a dispute about important political, economic, social, cultural or territorial issues between two or more ethnic communities” (Brown, 1993, pp. 4-5)

the combination of two major factors is believed to have bred the civil war in Somalia: basic factor and contributive.

The basic factor started with the formation of the new Somali state within the western-led global system of free market and economy and the failure committed by Somali leaders after the independence. The contributive factor arises from how the state was run by the military regime under the leadership of General Mohamed Siad Barre (1969-1991), which created ruling elites of some clans with the oppression and alienation of some other clans thus leading a wide division among the Somali people. At the arrival of the colonial powers, a new style of social life was introduced in contrary to how the Somali people had lived and ruled themselves over centuries. This is believed to have caused the new state to face tremendous challenges (Kieh & Mukenge, 2002).

Somalia, a small state with fewer resources had been switching sides between United States of America (USA) and United Soviet Socialism Republic (USSR) for aid and military support in the cold war era. The successor governments that come to power, after the independence did not take into consideration of the people's traditional way of power distribution and social affairs and instead ruled this country through highly centralized system with all the powers in the capital city of the state and had very little to offer to the peripheral locations. Any peace effort aimed to bring peace Somalia, should take note of establishing system of state in which power is decentralized with people's tradition and cultural values as fundamental basis (Grant & Kirton, 2007). Climate change as a cause of successive and prolonged droughts is evidently believed to have given stimulus to conflicts in Somalia. Society's resilience to avoid conflict occurrence has been hampered by, due to the harsh weather and the

decrease in livestock prices and the reduction of income in livestock market overseas (Jean-Francois Maystadt, 2013).

Having to be mono-ethnic community, yet Somali people are challenged by frequent conflicts and clan fighting among various groups within this society. Some say that the instability that marred this state finds its roots into the way clans are structured whereby retaliation between the offender-clan and the victim-clan could spark more violence. Others attribute conflicts as one instigated by some politicians who use clan adherence as a ladder to gain power and influence. Meanwhile others ascribe it as an outcome of colonial manipulation with denial of traditional autonomy structured by rules and cultural values of the clan (Anthony Appiah, 2010). Others view the way the political crises in Somalia had been interpreted and defined in a different light. They argue that this whole idea as a shallow and misleading judgment constructed and framed by foreign elites. People like Mukhtar strongly believe that Somali society are formed by two main groups; pastoralists who are predominantly found in the north and farmers who are mainly found between the two rivers, Juba and Shabelle. Having, each group of its own language, culture, traditional values and mode of production, among others, that features them distinctively from the other, viewing them as one ethnic-society was as tantamount to causing conflicts among people in the state. (Ismail Ahmed, 1999).

With Eclectic theory, conflict in Africa is ascribed as the result of, or combination of various aspects. Naturally, some people or countries happen to be wealthier or richer than that of their neighbors. So, there is this tendency that the less fortunate might, out of envy, be tempted into a crime. Here the extreme poverty and idleness plays the role of motivation to conflict. On the other hand, the repressiveness of the regimes, confining power in the center at the expenses of periphery, denying people of their

rights, abuse of power, etc. works as an incentive for the people to opt in violence. Conflict might be perpetuated in the situation where an X state grants access or provides military base to a rebel group to launch an attack on Y state, (Kieh George Klay 2002). The competition for conquest between Christians and Muslims in the horn of Africa is believed to have born the early conflicts in the horn of Africa. The Ifat Sultanate under the leadership of Walashma Dynasty was in constant war with the Ethiopian Solomonic Kingdom of Aksum. The objective of each kingdom was to conquer more lands in order to increase resource, influence and last but not least to get their religion spread and accepted. The Ethiopian army's victory over the Walshma Dynasty, an Ethnic Somali paved the way the rise of Islamic Sultanate of Adal with the leadership of Imam Ahmad Ibrahim Al-Ghazi known as Guray by the Somalis and Garang by Ethiopians.

This charismatic Somali leader with army mainly drawn from ethnic Somali had invaded and conquered the land of Abyssinia in it's almost entirety. Ethiopian Emperor's army with the back of Portuguese army fought back and defeated the Imam's army and finally, captured Adal Sultanate (Mekonnen, 2013). The strong competition between these hostile kingdoms; Abyssinia and Somali-predominated Sultanate in which each side was striving so hard to advance and win more territory from the other was as well attributed to have partially laid the foundation of the conflict in the horn of Africa (Mukhtar, 2003a).

In mid-19th century Britain had handed over to Abyssinian Empire the Ogaden region populated by ethnic Somali in the east of Ethiopia. The people of this region had been opposed to Ethiopian rule and for that reason had taken arms to resist them to regain back freedom and self-determination. The postcolonial Somali states saw morally right to support and stand by their brethren in this region. Somalia offered this

resistant group 18 with bases and everything within its power to help free Ogaden. In 1971 Soviet Union moved to Somalia and made its naval base in Berbera, a seaport town in the north and in exchange, Somalia would receive military support and equipment with personal training and modernization of its armed forces. Somalia took no chance to provide military assistance to the Ogaden guerilla movement known as Western Somalia Liberation Front (WSLF).

Due to lack of experience in the international arena, Somali would not limit itself to that but had to send its regular troops inside Ogaden region in 1977. Somalia was seen as too ambitious to take Ogaden without proper diplomatic channel and this had resulted Soviet Union to switch side and provide Ethiopia even far more military aid and personnel until Somali troops were forced out of Ogaden in 1978. This is believed to have paved the way of more violence to take place in the horn of Africa (Ambrosio, 2001). The proxy war that was fought in Somalia between groups supported by Ethiopia and Eretria after the war between these two states in 1998-2000 is undoubtedly viewed as having increased the intensity of the violence in the region in particular Somalia. Eretria supported rebel groups such as Ogaden National Liberation Front (ONLF), Oromo Liberation Front (OLF), United Islamic Courts in Somalia (UIC) and Afar movements in Ethiopia (ARDUF) while Ethiopia, on its side supported Transitional Federal Government of Somalia as a counter action to Eretria's move to arm rebels to fight Ethiopia (Bernard Enjolras, 2010).

American suspension of aid funds to Somalia in 1980th and its influence on major donor states and multipartite organizations to follow the same suit and the United nations and other states and none-state actors' lack of strategy towards Somalia, before and after the regime collapse in 1991, has been acknowledged as a golden chance that had been missed, in which Somalia's situation could have been positively

attended. The failure of intervention by United Nations and United States after the regime fall had exacerbated the situation and emboldened ruthless warlords and clan militias (Jentleson & Conflict, 2000). In the absence of state governance in Somalia, the Islamic militant groups' attempts to install an Islamic state with financial support and training from mainly Gulf States in 19 Arabian Peninsula and their invitation to foreign Jihadists had been a big contribution to deepen conflicts in Somalia and the horn states in general (Hansen, 2013).

In another account, the cause of Somali conflicts is believed to have arisen for the fact that the country has a little resource and economy to share plus the desire by each of the two super powers (USA and USSR) to have Somalia on its side as they see it as a strategic place during cold war era, resulting Somali state to change sides between the two major powers. On the other side, those who come to power after the independence lacked the know-how and the expertise needed to build a modern state but rather wanted to rule the country collectively without considering of the people's cultural and traditional values that was based on clan confederacy (Grant & Kirton, 2007). While many Somali diaspora keep supporting their fellow relatives back home either by sending money or engaging in participating community projects such as education, health, water etc. There are others who feel unhappy about how things are going in their country of origin or might be opposed to some senior politicians in the government whose clan members have allegedly been behind the killing, maiming or displacing people from their family members or clan at large in the civil war. These dissident diaspora with easy access of Internet facilities at their host-countries mostly in the west can play an active role to politically fight government in position or advance their will with less effort. Such attempts might weaken the reconciliatory

effort and can hinder the trying initiative at home in order to create conducive environment and trust after many years of anarchy and civil strife (Cousins, 2014).

Structure and resource curse are perceived as having great effect on the continuity of violence in Somalia. Having the social contract breached by the ousted regime under the leadership of Major General Mohamed Siad Bare, the state had collapsed and the seed of hatred and deep mistrust among clans sown. On the other hand the rival groups fought in gaining an access to economic sources as the country has very little resources of its own. How the conflicts are identified and constituted by the society is an aspect of significance in structuration. The World Bank report describes the clan inconsistency of lacking any 20 definite structure or pattern to follow, network and interaction between various clans and the social interchange of purchase and sale of commodities and goods in situations of no state as factors prolonging the conflict in Somalia (Team, 2005).

Somali conflict is the product of numerous causes and factors but the one that counts the most prominent is the contest among rival groups over political leadership and control of resources. Somali clans are used to fight over water and Pasture or raid of camel, well before nation was granted the freedom by colonial states. Gaining the independence had led large number of pastoralist to move to the towns in search of employment and better life. This transition demanded a change of living style from pastoralism to urban live. So the higher one was in a senior political position in the state government, the better for him or her to access wealth and respect thus making the competition among clan members a fierce one (Baris, 2006). Kriesberg (2005) states that there are five elements that shape conflicts that prolong in duration or are intractable: they are lengthy in time, damaging in character, profitable to the warring

parties, conflict is profitable, have no maturity or determination and there is no resolve to come to terms to end it.

These characteristics are subject to change gradually as conflict develops. In any attempts to find solution for this type of intractable conflicts are necessary to meet the above-mentioned constituents. The stages that these protracted conflicts develop into are categorized into six: an outburst of the conflict, intensification with damage of lives and property, any undertaking aimed at resolving its to bear no fruit, the conflict will form itself in an organized way, the conflict to increase its magnitude and change in shape, and finally, the conflict to yield to the efforts and come to an end. Agents that are perceived to cause the Somali conflicts are internal and external acts: the environment, from which the parties in a conflict operate i.e. ability to keep fighting, resource, quality of management and the organization. External engagement can, as well, have dire consequences on the intractable conflict. The effect of world power/s might have a strong impact on the direction the conflict is taking. These external factors include peacekeeping missions, aid assistance, intervention of hostilities, etc. (Pettersson, 2011).

Conflicts and wars in Africa are mainly regarded as having initiated due to the following agents: during colonization in the continent, the colonial powers had put to an end the traditional local systems through which Africans used to solve conflicts at hand without delivering effective mechanism to replace them. Moreover African leaders did not have the knowledge and expertise required to run the newly established state. Liability of African states to fail constituted as the major cause of conflicts in Africa. Following Berlin Conference in 1884, Europeans created new boundaries in Africa. Consequently, these new demarcation lines had set apart some ethnic groups while at the same time pulling together people of the multi-ethnic

origins into a new state. This forced organization had led confusion, identity crises, and loss of local ways to resolve conflicts in Africa, leading conflicts among nation states in Africa. Somalia's divide in five regions - British Somaliland, Italian Somaliland, French Somaliland; Ogaden region of Ethiopia and Kenya's Northern Frontier's Districts (NFD) sets a good example of the dilemma (Zezeza, 2008).

Conflicts experienced in Africa are different in nature. Arab Africa suffered largely from religious-based conflicts whereas Black Africa undergo one resulted by ethnicity. War between Algerian Islamist and the secularist government backed by the military and the Hutu-Tutsi war in Rwanda can be case in point. The violent conflict that took place between whites and black Africans rose mainly from resource control meanwhile the ones between Africans themselves are more due to identity-based. This tendency of Africans valuing their ancestral root and cultural construction above all, is one that cannot be isolated from factors to cause conflict in the continent. The acquisition of advanced weapon with unprofessional armies at hand, had led many African states to fail. It's in the record that armies turned on mutinied against own government ousting head of states. Such unpredictable military and the successive coups in Africa pose themselves as conspicuous cause of unrest and conflicts in the continent.

Countries of two-ethnic groups in Africa are more prone to conflicts to those of multi-ethnic groups (Ibid). However, the fundamental causes of conflicts in Somalia are categorized in to two aspects: basic causes and intensifiers. Basic cause: the legacy left behind by the colonial 22 states especially creation of new boundaries into which nations of same ethnic societies was separated, as is the case of Somalia. The new emerging states took over on this danger as they were no in a position to remedy the situation. Before too long, the time bomb planted by the colonizers started to blow up

prompting many states to fall apart with succession of wars and protracted conflicts all around Africa including Somalia (Mbuguwa, 2013, pp. 1-38)

At the onset of cold war, Somalia had switched sides between the two-superpower states in a bid to access a hand to sustain and to build military might that will shun away any potential threat to the dictatorial rule. With free supply of weapon, ammunition and financial aid, Siad Barre sustained his iron grip administration for over twenty years only to drive a wedge between the Somali clans and create current prevailing situation of mistrust and deep animosity. The attack carried out by Al-Qaida on American soil in September 11, 2001 made Somalia appear on the news headlines worldwide with members of Al-Qaida suspected of hiding in Somalia.

The so-called war on terror led by United States of America had played an inflammatory role to conflicts in Somalia at local level. Inability of successive governments in post state collapse since 1991 to enforce the law and provide security for its citizens, inadequacy of resources and wealth, absence of service delivery and manage clan identity among others, form the basis of conflicts in Somalia. This quote is an indicative of how Somali public views the current Somali Federal Government (SFG) (Ibid). “The government authorities incited clanism as the conflict in Jubaland and lower Shabelle regions in June 2013 indicated. Pro government militias, which were mainly from the clan of the President, were involved in the conflict” (Ibid). 23

CHAPTER THREE

CAUSES AND NATURE OF CIVILIAN CONFLICT IN SOMALI

3.1 Introduction

This chapter discusses the divide of the Somali people and territories by European colonial powers and its repercussion on the Somali people. Factors regarded the most contributive to the conflicts in Somalia such as Ogaden war, war on Somaliland and civil war after the regime fall in 1991, be highlighted.

3.2 Partition of Somali Territories in the Horn Africa

The partition of Somali people and land is believed to be the source of endless wars and conflicts in the Horn of Africa. As a part of Scramble for Africa, following Berlin Conference in 1884, Somali people was divided between various colonial powers. Northern Somalia known as Somaliland and Northern Frontier Districts (NFD) predominated by Somalis went to British, French declared Northwest coast current day Djibouti as its colony, Ethiopian Empire captured Ogaden meanwhile Italy took South Somalia as its share (Gaas, 2007) The implication of this was that among others mobility of pastoralists with their livestock back and forth across a vast area inhabited by Somali people in search of water had come under strict conditions given the new boundaries (Asiwaju, 1985). Somali people were not left with any choice other than to apply different jurisdictions and policies passed by colonial masters (Asiwaju, 1985). Each colonizer was driven by its own interest to protect for example British wanted to use Somaliland as a source of meat for their troops in Aden, Yemen, France made the Somali coast a coaling station and a base that connects to their colonies in Africa and Indo-China, meanwhile Ethiopia's interest was to expand and gain land and resources. British authority used NFD as a buffer zone against the migration of Somalis and Oromo from south and north. Ethiopian's case was somehow different from the other

European partners. Ethiopian soldiers were carrying out constant raid and harassment on the Somali pastoralist community in Ogaden (Asiwaju 1985).

As the imperial forces embark on mission, people were robbed of all they had including food stock, livestock, and land and above all, were taken as slave, as the imperial forces embark on mission. Somali rebels were able to take away with so much weapons and ammunition that would sustain them on course for the next two years to come. Punitive expedition was finally dispatched to deal with the uprising and to regain control of territories held by militants. The expedition had finally defeated the rebels and tracked their leader down to the Ethiopian border. Consequently, Aulihans had to pay high price of their actions. British conscripted hundreds of Marehans to participate in retribution of Aulihan nomads. Marehan, an archrival clan, took advantage of the situation and made away with large stock of herds belonged to the former as this has led to heighten the hostility between the two clans (Simpson, 1999). In Ogaden region, following the defeat of Italian forces at Adwa, Ethiopia in 1896 signified Ethiopia's position in military terms hence sending a message to the other invading powers not to consider it as a target for invasion thus strengthening their expansion into the lowland in the south. Owing to the to out break of epizootic epidemic in 1890s that had claimed much of highlanders' livestock, Emperor Menelik II had to find a food source for his people, most importantly, the soldiers. So to save highlanders of famine and starvation, Ogaden Somalis had been subjected to all forms of brutality.

The imperial soldiers killed locals at will, raped women, stripped of their herds as well as food stocks, and had many of them taken as slaves. The disparity between the two sides, in terms of culture, religion and language had a detrimental effect on the situation. Apart from providing food for advancing troops, Ogaden region had

become appropriate ground to settle poverty-stricken youth from Abyssinia in the north that would be armed and to reinforce the imperial forces. According to Wylde (1902:70-71), Forces will be dispatched in to the region first to set a base, followed by a mixture of tax collection on one side, and raids to take possession of livestock on the other. The loss of livestock and other properties was reported to have been direct consequence of starvation of Somali people in Ogaden in 1892 (Oba, 2013). Brussels Act of 1890s allowed Ethiopian Empire to associate with the other European colonial powers as an equal ally.

Under this agreement, Abyssinians were enabled to receive firearms and ammunitions, a privilege that other Africans were denied to. The unrestricted access of the European arms industry gave the Ethiopians the courage to conquer and subjugate the Somali region of Ogaden and Oromo (Ghalib, 2014). Ogaden people had, at different stages, changed hands from one colonial state to the other. For Example, at first, Abyssinian Empire claimed Ogaden as one of their territory late 1890, and then become part of the east African colony under Italy in 1936. Following British victory over Italy, Ogaden for the third time become British colony in 1941. In 1948 Britain handed over the region back to Ethiopia (Bereketeab, 2014). Italy was able to bring Somali people in the horn under the then dissolved East African Empire known as Africa Orientale Italiana which comprised Ethiopia, Eretria, Ogaden, British Somaliland and Italian South Somaliland. Somali region of Jubaland that British had ceded to Italy in 1925 was made part of this large territory. Owing to the milder characteristics of the Italian Authority in comparison with the other colonizers, the sense of feeling unity and nationhood among Somalis were believed to have thrived much under the Italian rule (Mahmood, 2011b).

Having agricultural production, in particular banana and cotton, improved largely in areas between Shabeele and Juba Rivers in south Somalia providing labor opportunity for locals whereas middle class group among Somalis had emerged both from south and north regions in Somalia. Despite the class-based legacy of Italians which would signify whites as a superior race, Somalis were allowed to serve for the state under different capacities, a chance rarely experienced by Somali people under the other colonial administrations in the horn of Africa (International Business Publications, 2012). During world II, Ogaden was reclaimed by British and combined with Somaliland with the ambition to re- unite the entire Somali people under their rule.

British suddenly changed their old approach of no engagement with new political strategy in a bid to win the heart of the people thus paving the way for high level of nationalism and the dream to have Somali inhabited regions solidly united under one national flag (Kefale, 2013).²⁷ The United States of America, France and Russia saw British proposal in 1946, to create Greater Somalia that would bring all Somali territories under their rule, a kind of military tactic in which British Empire was to be further expanded. The motive behind British insistence on this matter was never to help the Somali nation out of their agony as they claimed, but rather the prospect of exploring petroleum and natural gas in the Italian Somaliland. Yielding to the international pressure at final, British returned Ogaden to Ethiopia in 1948.

The Haud also known as Reserve Area that lies between Somaliland and Ogaden that British had retained to provide grazing for pastoralists in Somaliland was as well handed over to Ethiopia in 1954 (Vestal, 2011). After their loss to British, Italian still wanted its former colony to be brought under their rule. Oppositely, British promoted the foundation of Somali Youth Club (SYC) in 1943 in Mogadishu that was renamed Somali National League in 1947.

Somali youth were inspired and backed by British authority to join ranks with SYL in order to achieve two major goals: re-unify Somali people and territories and to reach them development and better economy. Despite their strong resistance to Italian rule, SYL had to be patient with them at least for 10 years of trusteeship under the sponsorship of the United Nations (UN) from 1949 to 1960 (Rothermund, 2006). The British cause of having greater Somalia of 1946 spearheaded by Ernest Bevin, then secretary of foreign affairs, in which all the territories inhabited by Somalis were to be united under their rule had also stimulated the predominantly ethnic Somalis of Northern Frontier Districts (NFD) in Kenya.

Encouraged by the independence of Somali state in 1960 formed by British Somaliland in the north and Italian Somaliland in the south and the denial of choice to integrate with Somalia after referendum in 1962 in which over 80 percent voted yes, inhabitants of this region rallied behind their own political party to demand their right for independence and to self-determination to unite with the Republic of Somalia (Whittaker, 2008). The Northern Frontier District Army (NFDA), the armed wing of The Northern Province Progressive Peoples Party (NPPPP) was treated as an outlaw group with no objective who wanted nothing but to steal livestock. Surprisingly, NFDA challenged Kenyans by putting up a fierce resistance against Kenyan forces. The militants divided themselves in small units, which enabled them to wage war on multiple fronts.

These rebels were allegedly receiving training, supply of arms and ammunition from Somalia. Kenyans had also difficulty in controlling traffic on the long and porous border with Somalia that would give the insurgents an easy pass through. Kenyans to view pastoral community aliens with no manners or collectively consider them, as bandits are believed to have attracted many young men to join the rebellion and to

prolong the war period with increased casualties (Ibid). Kenyan security forces claim that inhabitants in NFD are so much alike in appearance that they find problem in distinguishing who is friendly to the government from who is not. Using this pretext, they established villages in 1966 in which people were to be collected and forced to live in a designated areas. To shed more light on the prejudice towards NFD residents especially Somalis, then Kenyan assistant minister for Lands and Resettlement in 1965 was quoted as saying before the legislative house: “We do not want to be told that there are loyal Somalis, let loyal Somalis should come out and show us their loyalty. Let them be put in a camp where we can scrutinize them and know who amongst them are good” (Whittaker, 2014, pp. 109-129).

In the event of an incident or an attack on police or military posts by rebel suspects, nearest village would be spotted with investigation. In such operations all hell would break it's loose. Soldiers were ordered to shoot anyone in the vicinity at their discretion. In order to justify government policy to screen the people in NFD, in which the forced camping by the government, in 1967, Robert Matano, assistant cabinet secretary at president's office was also, quoted as saying 29 “The government is here to look after the interest of loyal people of this country...the government has a duty to find the people who have done wrong” (Ibid). The policy devised the government to contain insurgents would indiscriminately punish the people. The perception was that Somalis look after their herds at day and to become a bandit at night. This gives security forces the confidence to go any lengthy in repressing Somalis.

On livelihood, pastoralists rely on their herds for various uses including milk, meat, bartering or selling them to buy other commodities they are in need. But camping the people and their herds into an enclosure prevents the livestock movements from one

place to another in search of better grazing areas. People found roaming outside the designated villages might, consequently be shot for rebel or sympathizer. This restriction had severely diminished population both on people and their livestock. Clans regarded hostile to the government would be hugely fined or their herds appropriated. No one was safe from brutalizing soldiers including women, children and elderly (Markakis, 2011)

CHAPTER FOUR

EFFORTS FOR RECONCILIATION AND PEACE MAKING

4.1 Introduction

This chapter addresses efforts to end the civil conflict, violent and non-violent through the role of clan leaders both pre- and postcolonial era, reconciliation and peace making and federalism in the making, as a new system of governance in Somalia.

4.2 Traditional Methods

Prior to the arrival of colonial powers, shortage of water and pasture, among other things, made groups and clans clash in the past and Somalis developed clan imbedded mechanisms to address conflicts in Somalia. As the need forced to come up with some common approach to deal and resolve conflicts over grazing and water wells. Poetry was used as a tool to make peace where, at the same times, it could be used as a weapon to break relations and disunite the society. Marriage could also play a bridging role between adversaries. Before we elaborate on how Somaliland had made to meet the ends of clan and state building, there are four basic items that are worthy of notice that can help us understand more clearly about the Somali way of finding solutions to the conflicts: maintaining the performance of blood compensation for the victim, Elders' ability and specialty in resolving conflicts, an endorsed agreement that binds clans or sub clans for execution and implementation of agreements, and forum for consultation and discussion (Zartman, 2000, pp. 184-186).

At the onset of anarchy following the 1991 state collapse and civil war, clan leaders took no chance in playing their role as mediators and peace enforcers but not all the regions were so lucky. For example, in the south of the country elders' efforts engaged in peace settlements had been greatly undermined by the marauding militia who pay respect to no one. However, clan elders were eventually able to regain their influence

at later stage when the intensity of the war had subsided. In some areas, local customary law was complemented and strengthened by implementation of Sharia law as was the case of the 36 Islamic Courts in Mogadishu but this was not throughout the country.

Traditional system of rule was widely applied in resolving disputes at large (Ibid). According (Lewis 2014), however there are three pillars that are necessary to sustain Somalis traditional way of governing the society: the Xeer(customary law), clans themselves and the clan elders. Xeer varies from clan to clan however in general terms it is practiced Somalia, more so in Somaliland and Puntland where the colonial engagements were less severe in eroding the traditional institutions including xeer than that of the south central regions of Somalia. In practice xeer has three aspects (Lewis, 2014).

Negotiation where parties will talk to each other and work out finding an amicable solution to their differences, mediation where a third party would facilitate conflicting parties to come to terms with each other and arbitration in to which parties at loggerheads will appoint a neutral person or a group whom they confide in to pass a judgment over their case (Ibid). The emergence of both Puntland and Somaliland has demonstrated that the traditional settlement of conflict in Somalia has succeeded in place where modern political mediations and conflict resolution has failed miserably. This has further set the stage for the present federalization paradigm of Somalia. In the following paragraphs we explore these issues.

Somaliland comes forth at the demise of the military government headed by General Mohamed Siad Barre in 1991, which succumbed to an insistent fighting waged by clanbacked insurgents. Observing independence on 26th of June 1960 from the British, Somaliland merged with Italian Somaliland a week after to form Republic of

Somalia, a union largely believed by northerners to have shown nothing for the people in this region. Out of violence and un-proportionate use of force unleashed on Isaaq clan by the government forces in the 1980s, prompted the establishment of SNM by the clan members in the diaspora (Renders, 201).]

Engulfed by communal war and clan reprisals with the rest of the country in the south, Somaliland enjoyed certain degree of security ³⁷ and stability. Interim Administration of Somaliland was set up with the help of clan elders including non-Isaaq clans, regardless of their staunch support to the fallen regime (ibid). In Somaliland, clan and state building were made combatable with each other through institutionalizing the former into the system of state government. It was the clan leaders, whose tireless efforts and initiatives had made it possible the building of a relatively modern state that reflects on its communal needs without being dictated by any external partners as what should be done, thus earning them the title “backbone of state”. In Somaliland, before becoming a member of council of elders, a candidate must have won the vetting and the approval of the clan he or she would represent. The role of this body is, among other things, to bridge parties in conflict, for instance, the government and its people; negotiate for peace settlements within the government officials and within the state-clans themselves. The practical application of clan traditional ways and mechanism helped the clan-appointed leaders to peacefully overcome into any dispute to arise and reward them a great respect among the society as a whole (Guevara, 2012).

Aware of the intensifying insecurity and the looming danger of attacks of militia with no national government to control, the people in northeastern region had made an effort to remobilize former SSDF forces. SSDF was the first armed group to oppose the military regime after the Ethio-Somalia war in 1977-78. This group becomes

dysfunctional as a result of internal conflicts between its top officials. The notion of having them, as former veterans, had been so popular in light of the unprovoked raid on Galkacyo by USC militia led by General Mohamed Farah Aideed in February 1991. The attack in which approximately thousand civilians were butchered had created a sense of vigilance and fear of further similar incidents to take place.

Meanwhile re-organization of SSDF was undergoing, clan elders or “isimo” were relied on for upholding peace and security in the region (Johnson, 2008, pp. 1-94). 38 The failure of Sodere/ Ethiopia in 1997 follow peace conference in Boosaaso, has reenergizing peoples in Puntland`s desire to start building state of their own which, according to them, will set a basis for a would-be federal state of Somalia. Following this SSDF top council had appointed a technical committee to prepare a draft of a constitution to be reviewed and approved by delegates from all the regions: Bari, Nugaal, North of Mudug, Sool and Sanaag (Ibid). The constitution was adopted with Puntland as the new name of the state. Initially three regions namely Bari, Nugal and North. Mudug were planed to form for the envisaged state but Sool and Sanaag regions were included afterwards when their delegates attending the conference requested to do so.

Puntland state was now made of exclusively Daarood clan family i.e. Harti, Leylkase and Awrtable. Marehan, sub-clan of Daarood in Galgaduud region turned down the offer to join the process of state building. Delegates had voted Boosaaso as the capital city. The process in which Puntland was built is much the same as that of Somaliland with the exception of few things: Unlike Somaliland, Puntland will remain part of Somalia; there is only one chamber of parliament, Puntland is made of one clan family rather than incorporating different clan families (Ibid).

Though council of elders in puntland state or “isimo”, play a major role in appointing the members of the parliament, among other things; they don't function themselves as legislators like their counterparts in Somaliland. Puntland State was, in advance, structured to lay a foundation for future federalism in Somalia as system of centralism was now out of question. Three years of transition was approved and Colonel Abdullahi Yusuf Ahmed elected as interim president for Puntland State of Somalia. The importance of having an inclusive system of governance from the grass root level was reflected in the under-mentioned Somali proverb: Haani salka ayay ka unkantaa “A milk container is built form the bottom up.

Considering threats posed by terrorist groups both in Somalia and Kenya, the former defense minister of Transitional Federal Government of Somalia (TFG), Mohamed Abdi Mohamed known as Ghandi had proposed to the Kenyan government the need to train Somali youth from Jubaland in Kenya, especially Dadaab refugee camps whom would eventually be re-integrated into the Somali National Army (SNA) to fight Alshabaab in Jubaland; regions of Lower Juba, Middle, and Gedo. These three regions, sharing a long and porous border with Kenya, were believed to have hosted large number of the hostile militants to use the densely forest found in this area, as springboard, to launch an offensive on targets in Kenya. Kenya had positively responded to the appeal by allowing some 3000 youths to be trained and armed in Kenya (Warah, 2014).

An allied forced of Kenya Defense Force and (KDF), Raskamboni Brigade and the Somali National Army (SNA) had finally engaged in a war with Alshabaab in Jubaland in 2011. It took the combined forces for one year to reach and capture Kismayo, the major seaport of Jubaland. Ahmad Mohamed Islam, known as Madobe, was chosen the chairman of interim administration in Kismayo. A process of

reconciliation and peacemaking, in which all clans had participated, was undertaken. Despite of encountering conflicts, the local administration was successful in bringing the opposition groups into the consultative forum aimed to discuss the way forward. A technical committee representing clans and political groups prepared a draft constitution to be endorsed by the delegates with the official name of the state, flag and the capital city, among other things, followed by the election of Ahmad Madobe the president of Jubaland, a move believed to have triggered a clash between Jubaland forces and militia loyal to Colonel Barre Adan Shire, known as Barre Hiiraale. Ethiopia intervened the situation hence calling a meeting in Addis-Ababa, for mediation. As per the agreement, Ahmad and his administration was given a mandate of two years in order to give more time for further reconciliation, inclusivity and participation of all stakeholders (Hesse, 2013).

Jubba Interim Administration took no chance in negotiating for peace and unity with all the concerned parties, clans and groups on one hand; meanwhile the people of Jubaland largely approved a final draft of the constitution. The structure of the government, parliament and the judiciary was voted with Parliamentary seats allocated among clans. With almost all the federal constitutional requirements fulfilled, Ahmad Mohamed Islaan was once again elected the president of Jubaland State of Somalia in August 2015 for four years (News, 2015).

It has been evident that the country could no longer stay in this situation any longer. The type of state government to be formed is a matter of great concern for the Somalis. With one section of the people advocating a decentralized system from the grass root level while another section is for powerful centralized government that holds the pieces of the country together. This comes after both Somaliland and Puntland had been able to build a state from the basis. People in the south, not

borrowing a copy from the achievements scored by these two states, had tried their luck for top-down approach. Not all the clans have liked this way but some powerful clans had forced their will through. Ismail Omar Gelle, president of Djibouti, called a peace conference for the Somalia civil society in Arta, Djibouti in 2000. This time, political factions and warlords were denied a participatory access, for, having failed to bring any solution in the previous meetings (Mohamoud, 2006). Around 2000 delegates representing clans gathered to engage in a consultative discussion to create a framework that would facilitate roadmap upon which state government will be instituted for Somalia. Finally, transitional charter was voted and allocation of parliamentary seats through unprecedented clan formula called 4.5. This formula represents four major clans and the half denoting an aggregate of small clans. Major clan would receive an equal number of seats in the parliament whereas the minority clans or “Others “as was coned, would get half of the seats entitled to a bigger clan. Centralized state government with a president and appointed prime minster was also part of the charter. This government had very little to achieve, as warlords, opposition groups and unfriendly clans stood in its way, rendering it ineffective. The resignation of the TNG 41 president, Abdiqaasim Salaad Hassan, set the ground for another conference to be convened in Kenya 2002-2004 (Susan Allen Nan, 2011). The methodology used in this new conference was much the same as that in Arta, Djibouti with exception of accommodation of warlords and to allow more groups to participate, not in the least of federalism to be enshrined in the provisional constitution of Somalia for the first time in history. Unlike his predecessor, the new president appealed for peacekeeping forces to help his government take over the country. Sharif Sheikh succeeded Mr. Ahmad in 2009 with the doubled parliamentary seats to include members from his former Islamic Courts Union (ICU). Another

president was sworn in office in 2012 with the same framework but this time the government had received an international recognition to enhance its relations with the international community and to access more aid funds, among others. This government under the leadership of Hassan Sheikh Mohamud, seems to have lacked the capacity and the will to take the country to the next level of one man one vote as the constitution mandates them to do so. With no hope of change, people in the regions started to emulate Somaliland and Puntland to build locally owned states that are built from the bottom and not from the top. Jubaland states of Somalia can be a good example of this (Bryden, 2013b).

4.4 Southwest State of Somalia

Digil and Mirifle predominated regions of Bay, Bakool, and Lower Shabeele, federalism had long been campaigned as the best option viable for the Somali people through which power could be shared among various clans in the country. To promote the interest of their clan, Hizbia Digil and Mirifle party (HDM) proposed to Italian Trusteeship Office in Mogadishu in 1947, however, Somali Youth league (SYL) with the vision of uniting Somalia, had prevailed over and won most of the seats in the parliament (United Nation, 2013). In 1995, Rahanwen Resistance Army (RRA), an armed wing of the above-mentioned clan 42 Had made another failed attempt to institute a federal state, this time, for a broader southwest with the inclusion of three more regions i.e. Gedo, Middle Jubba and Lower Jubba, Unfortunately, violent conflict within the group and the takeover of Bakool and Bay regions by USC forces loyal to General Aideed made the plan impotent. Kismayoheld conference, in which Jubaland was formed as a new federal state, comprising Gedo, Middle and Lower in 2103, had infuriated traditional elders of Digil and Mirifle meeting in Baidoa, prompting similar conference to be convened for six regions, overlapping with

Jubaland on its three regions (Mukhtar, 2003b). Federal government of Somalia, IGAD and United Nations for Somalia (UNSOM) had engaged a dialogue in which the southwest elders and politicians were finally convinced to consider for three region-states rather than six. The similar procedure employed by predecessor federal member states such as Puntland and Jubaland was replicated, as of now, delegates from Bay, Bakool and Shabeelada Hoose are yet to agree on the distribution of parliamentary seats among clans (Current, 2014).

4.5 Federalism in Somalia

The oppressive rule of the Siad Barre in 1969-1991 and the subsequent civil war had the effect of many Somalis seeing federalism as the solution today. However, federalism continues to be most debated issues by the Somali people at the present, with one section of community to support the idea, where another section is opposed to it. The argument for pro federalism evolves around that federalism would emancipate the country from tyranny and excessive use of power by the center. Whereby, the anti-federal camp would see it as a foreign-driven agenda aimed to weaken the unity and the national integrity of Somalia. Moreover, Federalism, according to them, is meant for multi-ethnic and heterogeneous societies but not for Somalis who share language, culture, religion, feature etc. (somalianews.com, 2015). As centralized unitary system of rule was now a bad option to consider, given the reputation earned by the former government, Federalism was finally enshrined in the provisional charter in 2004.

Federal-pessimistic group was finally convinced to the fact that this was only a charter and not constitution and if it should be one, public referendum was required, in addition, the type of federalism also entails further consultation and discussion, and therefore they let it pass out for this time. Federalism existed in Somalia in theory but

not in practice, except Puntland state, which set precedent for would-be federal member states in Somalia. A head of the national conference scheduled in Mogadishu in August 2012 to form a new Federal Government of Somalia to take over from the then incumbent Transitional Federal Government of Somalia (TFG) whose tenure in Office had expired, two prerequisite conferences took place in Puntland, one in Garowe and another in Gaalkacyo in the same year. In both meetings, Federalism was, among others, reaffirmed as the only way through which the bits and pieces of this nation could be brought and held together. As Somalia seems to have set its foot on a new system, there is a need to explore federalism, its types, which one is most fitting Somalia and why it is so (Studies, 2015).

Inferences that can be drawn from the last 2 decades and half is that federalism as a formal binding agreement separating power of the national state and the local state is a solution. In fact, in this system states should give up some powers to the national and/or regional one while each one has to retain some power for itself. Federalism is, therefore, a way of sharing power between the two layers of governments. The two levels of states should basically agree on amendment in the constitution, as one level is not constitutionally empowered to so. However, as there are various forms of federalism Somalia would need to sort out the form that best fits her. According to Preston King, there are three ways in which federalism is categorized i.e. coming together, holding together and putting together.

Coming together: States independent of each other will join forces and agree on establishing a common state shared by all without losing identity and territorial integrity, while everything is mutually shared among partner states. United States of America and Australia are good example of it. Holding together: is a situation in which a state divides power between central government and regional government. In

this way, regions will be, democratically consulted on the degree of self-rule they will have. However the central government is more powerful than the peripheral one and the amount of power relegated could vary from region to another, Belgium is another 44 example. Putting together federalism form, is form where centralized government might use force to institutes a state, some of these states might have been free before they were coerced to be part of the new one. USSR have done this (Adimassu, 2015).

As was reflected in previously, Somalia fell into anarchy in January 1991, after the removal of the military regime by clan-backed armed factions. No one group had emerged dominant or prevailed over to assume state leadership; neither there was a consensus between them in order to save the country from lawlessness. Except Somaliland and Puntland, the rest of the nations had borne the brunt of bloody civil war that had reached its climax in 1992. Suspension of relief activities by humanitarian agencies left civilians helpless. The subsequent humanitarian intervention of UN and USA is believed, for lacking proper strategy to deal with the crises on hand, to have achieved nothing but to make scavenging warlords more emboldened to add more fuel on the fire thus widening the divide and mistrust among clans in Somalia (Møller, 2009) Federal Government of Somali (FGS) being so weak allegedly bias and entangled into clan politics, absolutely with no powers to execute its mandated services, in conjunction with the establishment of strong federal member state such as Puntland, Jubaland, Southwest and Galmudug, the prospect of centralized unitary system of governance seems out of question. Besides, Somaliland is a necessary evil whose disenfranchisement needs to be dealt with care and compromise; another case in point that would give a boost to the adoption of federalism in Somalia.

A federation of power in which states have to negotiate and agree on common government that looks after their shared national interest such defense, monetary, external and internal affairs, etc. The talk of national government with more powers might be something that is not for time being realistic but that could be best negotiated for when people had regained their lost confidence (Bryden, 2013a)

CHAPTER FIVE

FINDING AND RECOMMENDATION

5.1 Introduction

This chapter discusses the research findings and discussions and the scholarly established literature of the research with the reflection of participants' diversified responses to the research questions.

5.2 Factors That Cause Conflicts

There are two major factors that count as genesis of instability in Somalia and as causes of the present conflict that started with collapse of the Somali state in early 1991. These can also be seen as Internal and External or distant and immediate factors in the conflict. Clanism, weak governments, competition meager resource, illiteracy, radical Islamism, among others counts as key internal causes of conflict. Meanwhile factors such as Colonial legacy Cold War, Ogaden War, Regional and International Intervention and Proxy war are the genesis of instability in Somalia. The researcher had interviewed total of 64 interviewees of which 10 of them were key respondents while 50 interviewees that were initially planned.

Internal Factors

The collapse of educational sector had extremely increased the level or growth of illiteracy in Somalia. Children were prevented opportunities of going to school by the insecurity and the intermittent civil war in the country. Having no basic knowledge to save them risking their lives, lots of youth joined rank of clan forces, viewing it as a way to survive from unfolding situation. Recruiting of School-age children into an armed militia or criminal gangs made attempts to bring parties around negotiating table futile. It also hinders any community developmental projects to take place (Luke, 2015). Owing to illiteracy, youth in Somalia were not opportune in taking part

of any significant meetings in both reconciliation and developments going on in their country. Study shows, 46 70 % of this youth in question are mainly those born after 1991, whose age are below 30 years. There is also indication in the same studies that, in some regions in Somalia, the more the households are poor, the more their children are liable to participate in violence and criminality should there be unrest and chaos (Mbugua, 2103). “Illiteracy and unemployment had pushed us to fight each other. Look wealthy countries like Saudi Arabia and UAE and Kuwait, government attends to economic needs, and you don't see much people running after politics. Hunger and lack of education is what drives the civilians to look for trouble. If your family is provided all that they required, you might not care about who is in the top office and who is not. No need of exceeding one's limit” (Interview with Faduma). Similarly another interviewee viewed cause of conflict in Somalia as follows: “I think my people have two dangerous factors that could be attributed to anything that is happening in their beloved land. That is Illiteracy and poverty. Literacy rate is very low as most people lacked an opportunity to educate their children. Poverty is also another undeniable factor that contributed lots of the instability in the country” (Interview with Amir).

Power and Resources

In Somalia, there are two types of resources that cause conflict among society; rural and urban. The former people tend to compete over source of water, land for pasture and livestock possession, etc. While the latter, they contest over leadership and domination, accumulation of arms, accessing senior jobs and the likes. In both cases, clan network was to be depended as a means to reach the intended goal. To overthrow the military regime in Somalia, hostile clans mobilized militia of their own to fight the state forces and when that was achieved clans turned their guns on each other for

political dominance and resource control (Network, 2011) 47 For the fact that the country had ushered in a period of statelessness from earlier 1991, clan reliance has reached its toll. Scarcity of resources had also escalated the situation and made sections or sub-clans among each major clan to fight one another (Poverties, 2013). The protracted infighting between rival groups has hindered farmers to grow their farms on season as usual, prompting extreme hunger and starvation in which thousands had lost their lives meanwhile huge number of people were forced to either seek refuge from the neighboring states or become and IDP's within their out home country. Cutting trees for charcoal or other means nearly stripped the land of its forests paving the way for widespread desertification compounded by population growth of unprecedented level (David, 1996).

Regime Failures and Incompetence

Many accuse the military regime that come to power on a bloodless coup d'état in October 1969 after the death of Abdirashid Ali Sharmarke, the democratically elected president of the state, much of what is happening in Somalia. Firstly, the national constitution was immediately replaced with Scientific Socialism; a move that was politically meant to shift the country to Soviet-led bloc at that time. This was followed by nationalization program in which the government took over control of country's economic sources, land management and distribution, etc. Inconsistently, the government's allocations of the nationalized assets to the president's close family members and his political adherents made the people so infuriated. High level of social inequality, nepotism, clan favoritism and poorly designed economic policies had all contributed to deprive people of their basic rights as a citizen of the nation. People's mistrust of their own government had reached to unprecedented level to the extent of some desperate clans taking arms and fight it to its collapse in January

1991(Jamal). In light of the above mentioned one of the respondents lamented this way: 49 “When the civilian government was in rule, Somali people had no that much problem and everything seemed to have been going well, except that the government's officials with association with allegedly engagement of nepotism and corruption. The real problem had started with the military government. These guys knew nothing about governance. They really abused the power and plunged the country into the current situation. So everything that went wrong the military government of 1969-1991 had to be blamed for”.

The adoption of Scientific Socialism by the Siad Barre's regime in violation of Islamic teaching was, according to one respondent, the major cause that ignited violence in Somalia. “Mohamed Siad Barre had replaced our religion with Scientific Socialism just to show his friendly commitment to the USSR. The prominent Sheiks or religious clerics who come out to oppose him, were all shot dead to set precedent for any one, who might follow their foot steps. In 1975, the revolutionary government did an immoral action and I think that was the cause of the evil misfortune that had befallen on us. Nothing is worst on earth than forcing the people to appease Soviet Socialism above their religion. The president had wrongfully involved himself in a big mistake. He was so obsessed of the new ideology of Karl Marx and Angeles and was so determined to establish it, in abrogation of parts of the holy Quran. In his bid to enforce his campaign the president ordered the execution of resistant religious clerks” (Interview with Khalif, Nairobi). One interviewee was quoted as saying Government's reliance of incompetent and unqualified personnel prompted its failure: “The coup d'état led by General Mohamed Siya Barre had changed the situation to the worst. The dictator, while avoiding the intellectuals and technocrats become dependent on ignorant soldiers and laymen. Military Generals and colonels were

appointed as ministers in the key ministerial posts that needed a highly educated and professionals. 50 Tens of thousands of youth were trained as a new military recruits. The government had spent most of the budget on military equipment and weapons. So I think the government's incompetency and short of the required personnel to run the jobs had eventually crippled the country's economy and gave way to civil war and unending conflicts amongst us" (Interview with Adani, Nairobi). Similarly, social discrimination and state inefficiency played prominent role in the people's uprising according to Aisha Mohamed: "Somali post-colonial governments were not competent enough to lead us in the right direction. They really failed us. For instance, the government that took power in 1960 was known the corrupt government. There has been high level of financial misappropriation and nepotism. For example I was a minister or an officer somewhere in the state offices, I would give an employment opportunity to my closed clansmen rather than giving the people of equal treatment.

Those who qualify the vacant post might be denied and perhaps given to unskilled one simply because of their clan" (Interview with Aisha, Nairobi). On the other hand, the international community was blamed for being halfheartedly and uncommitted to finding solution to Somali problem; "Violent conflicts happen everywhere in the world but there are other countries that instantly come for the aid of others in a state of war and conflict. Unfortunately, we don't have that kind of friendly states to make sacrifice in helping us find amicable solution to our differences in order to rebuild our failed state all over again. An example, Kenya had experienced an outbreak of ethnic violence in 2007 election in which over thousand people were killed in an ethnic clash but this was put to halt. Leaders among them Kofi Anan former head of UN, Tanzanian Presidents among others with the full back of International community and the UN Security Council, had tirelessly worked and

mediated between the government and the opposition. Another step was to set up an International Criminal Court (ICC) for perpetrators of the violence, which had sent a warning signal to anyone who would want to be involved in a similar act. Somalia has been in a turmoil for almost a quarter of a century now, why would not the international community commit itself to stop the violence for all this whiles that means they are heedless about us” (Interview with Habarwaa, Nairobi).

Clan Factor

The role of clan elders as an interface to make peace between clans in times of conflicts through traditional laws or “Xeers” had been greatly undermined or rather rendered ineffective by judiciary system of pre-colonial states and when the state collapsed, clan elders found so difficulty in overcoming the situation at hand (Ethnopolitics, 2003). Somali society, being an aggregate clan-families, each clan has its own chiefs or heads to follow for leadership and guidance. In most cases, such leaders fell short of their responsibility by not mobilizing members to implant loyalty in the clan. Therefore the unity within the clan is always at stake.

The structure of the clan itself is so intertwined that there is a room of disunity among clan members. Uneducated members of the clan are easy target to carry guns and obey leaders' order. Studies showed that one-ethnic societies like, as is the case of Somalia are likely to experience conflicts and wars than that of multi-ethnic one. Some intelligent clan warlords have achieved their goal of war to another clan by justifying its cause as right thing to do in principle whereas the religious ones had to validate it as a holy war. The clan members under constant manipulation of their leaders had always opened doors for more fighting among Somalis (Eloy E. Cuevas, 2010). Politicians and clan leaders started to use the clan as a tool with which to bargain for more power and influence fuelling more violence in Somalia. This has

ushered a shift of relationship between different clans i.e. some clans might establish a coalition of their own not necessarily because of kinship but of political or economical interest. The ambition of clans with strong militia to take the control of resourceful territories in the expenses of the smaller ones prolonged the conflict (Raymond).

What made the Somali conflict unique and distinctive was the fact that no clan or group had been able to assume statehood or rather asserts dominance over others to avoid outbreak of total anarchy and lawlessness in the country. This situation of clan warfare demanded the need to establish own militia in order to ensure security of that particular group. This new phenomenon of self-reliance and intractable wars had opened doors to other foreign states or stakeholders to intervene, making things even more entangled. The country broke into smaller batches and enclaves run by an independent armed militia under a warlord. In this situation, there emerged freelancing gunmen whose aim was to loot and rob of people's properties with no exception including their own kinsmen. Certain warlords started of hiring such unbinding guys or “Mooryaans” in Somali terms to out-power rival clans and/ or to gain control of more territory.

The fact that those newly recruits hailed from other clans in a distant area, facilitated the commitment of more atrocities as traditional rules and customs don't apply to them given the clan they belong to. Lewis (1994) described the situation in Somalia as in: “In 1991, reactively influenced by example of SSDF, the SNM, USC and SPM, the general tendency was for every Somali major clan to form its own militia movement. Thus clans were becoming effectively self-governing entities throughout spheres of influence in a process, which, with the abundance of modern weapons, frequently entailed savage battles with the high toll of civilian casualties.

The political geography of Somali hinterland in 1992, consequently, closely resembled that reported by European explorers in 19th century. Spears replaced by Kalashnikovs and bazookas. These clan areas could only be entered or traversed by outsiders (people of other clans, foreigners) with the consents of the locals, and usually the payment of appropriate fees or protection” (Vinci, 2008). A warlord might sometimes organize his own militia or influence shift of militia’s clan loyalty to that of his. Some businessmen had also started to establish a militia of their own that had been possibly picked from section or whole of their clan-family to guard their facilities. This militia was more accountable and obedient to them than that of collectively owned by the clan or commanded by a war leader.

Having the Somali community fractured thus far, it has become extremely tough to find a consensus solution and to look for common national political cause for the entire nation (Ibid). Clanism, above all, was viewed to be the major causing factor of conflict and instability in Somalia says the following interviewees: “Clan in Somalia is the biggest problem that has no remedy at all. The love and respect for our clan transcends the love and respects we have for our state. We need to pray for our people to be united again as a state. May our Allah provide us with peace and stability? Diseases without medical attention, problem without solution, hunger without food to eat. That is what clanism in Somalia is all about” (Interview with Hilowle, Nairobi)”. “Clan is not the problem in itself. It is there to know our ancestral roots; but because of some politicians or businessmen using it as an instrument to reach their goals that is when clan becomes problem. The recognition of the cause of the problem was an important part of its solution. Somali people should grow from the danger of spoilers and get to know what is good for their nation” (interview with Adan). “Clan was responsible for everything that is happening to us. Why I should say so, even the

Somali diaspora has not been able to transcend over clan matter. Each community was attached to certain clan.

There was no one single diaspora association that brings all Somali sections together. Somaliland Community, Puntland, Jubaland, Southwest, Galmudung, they all stand, not the entire nation but respective clans. You see how clan was dangerous” (Interview with Abyan).

Religious Aspects

Apart from the fact that Somali people are Muslim of Mainly Sufi order, the position of the Islamic religion to become part of social and national identities was rather 54 strengthened by the use of the religion by anti-colonial movements as a way to reach their targets. Historically, during the long running war between British and Somali Dervishes from approximately 1898 up to 1920, religions become a tool to mobilize clan fighters to confront the foreign invasion. Likewise, the SYL from 1943 up to the 1956 closely cooperated with religious leaders for preaching the people to get popular support for their cause. Various religious groups emerged in Somalia at various stages but all with one objective, to use the religion as an instrument enabling them to ascend the throne. They only differed in methodologies and networks. Divergent religious ideologies led some parties, such as Al-Itahad Al-Islami and Al-shabaab to invite foreign Jihadists to fight alongside them.

This has paved a way for International terrorists and criminals to take advantage to find their way into Somalia as a safe haven from prosecution. An outbreak of war started to take place between radical militant of Al.shabaab and Ehlu Sunna in an armed conflict in 2008. Ehlu Sunna was cleared mostly from the south of the country and was confined to towns in central regions. However, they proved to be a formidable force, whose resistance kept Alshabaab at bay. The contest between

religious groups with opposite views made the country a conflict-prone and further deepened the divide among people (Hansen, 2014). “After the fall of military government, in Somalia, there emerged religious groups that oppose each other: reformist and traditionalist. The former enjoyed financial support from Arab states where as the latter received support from within the local community. Reformist group took no time in arming militants to fight for control of power and economy. In their bid to install Islamic state had put them at loggerheads with the coalition of moderate groups later renamed Ehlu Sunna Wal Jama. This has finally pushed an armed confrontation between Al-shabaab and Ehlu Sunna, Each group wanting to overpower and finish the other as they feel it as an stumbling block to reaching their Agenda” (Interview with Hussein Amina, Nairobi). “Religious groups with huge funds from Arabian countries, in particular, Gulf States taking advantage of the anarchic situation, recruited and armed militants with the intension to install an Islamic State in Somalia.

So long groups such as Al-Shabaab, Al-Qaida and others of the same attitude operate in Somalia, no peace for our nation and they are the ones that are setting us against each other to make our land their hideout from prosecution for the atrocities they committed in their countries” (Interview with Ruqia, Nairobi). Somali conflict finds its root from divisive legacy of the colonial states. The nation was divided into five sections of which each one was allocated to a different state. For instance British declared Somaliland and NFD as their protectorate, Ethiopia for Ogaden, Italy took control of south Somaliland meanwhile France got Somali coast now renamed Djibouti as its share of the booty. This partition is strongly believed to have laid the foundation of deep mistrust and animosity among clans. And to make matters worse

they supported some of the clans at the expenses of others. Postcolonial states in Somalia replicated the oppressive culture of the colonizers.

In the undertaking, colonial states preferred some clan-families over the others not because of quality material but being obedient and submissive in the sense they perfectly adapt and comply with the colonial requirement and mission (Kioimbugua, 2013). Colonial powers manipulated and restructured clan-characteristics and started to use it as an instrument to divide and rule the Somali people, as was the case in many countries in Africa. Clan-groups were tacitly created in each colony and the clans were made to hate and mistrust each other. Some of the clans were considered friendly while others were viewed as hostile. The ally clan was fully mobilized and furnished with everything it needs including weapons to punish and bring the foe clan to its knees. To put anticolonial insurgents to an end, almost the same formula was employed in Somalia. This tactical performance played out by the colonial powers saved the colonizers a united Somali front challenging them as a common enemy in their land and left them bogged down in an internal violent conflict among themselves. And the similar legacy was passed down to the post-independent states in Somalia.

The ruling elite promoted clanism and used it as a tool to either ascend to the throne or to maintain power (Ismail, 2010). As a result of inadequate water and pasture for pastoral community, conflicts had become unavoidable. Ogaden and Isaaq clans were good example of this. The need of water and better grazing land, the Isaaq in the people Somaliland had no choice but to move with their livestock into the Ogaden side of the Haud (a land between British Protectorate of 57 Somaliland and the Ogaden region on the east of Ethiopia). Consequently, Ogaden saw the endless mobility of Isaaq pastoralist as a threat to their very existence and had started resisting

the traffic of the latter. The partition of Somali nation by the colonial states had served the advantage of Isaaq clan at the expense of Ogadens.

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