MANAGING THE SOMALI CONFLICT: PEACE PROCESSES VS. POWER-SHARING AGREEMENTS, 1999-2004

ABDI MUHUMED ALI

REG NO: R50/7730/2005

A PROJECT SUBMITTED IN PARTIAL FULFILLMENT OF THE REQUIREMENT FOR THE AWARD OF THE DEGREE OF MASTER OF ARTS IN INTERNATIONAL STUDIES TO THE INSTITUTE OF DIPLOMACY AND INTERNATIONAL STUDIES, UNIVERSITY OF NARIOBI

OCTOBER 2012

Declaration

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

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Abdi Muhumed Ali

07.11.2012

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Date

This project has been submitted for examination with my approval as University supervisor.

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Dr. Ibrahim Farah

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Date

Dedication

To my parents, for their unwavering love and support.

Acknowledgement

First of all I would like to recognize the contribution of my supervisor, Dr. Ibrahim Farah for his intuitive guidance and unrelenting cooperation. His insightful ideas and valuable comments were of immense help during the writing process. The positive and timely feedback he provided had always kept me focused and motivated.

I also profoundly appreciate the audacity of my dear wife, Fatuma for her zealous encouragement; patience and always being there for me. She made me discover and live up to my full potential.

Finally, my appreciation goes to my two daughters: Ahlaam and Anisa whose innocent smiles refreshed and rejuvenated me to write one more sentence to the final completion of this study.

List of abbreviations

AMISOM	-	African Union Mission in Somalia
ARS-D	-	Alliance for Re-Liberation of Somalia-Djibouti
AU	-	African Union
EU	-	European Union
GNP	-	Gross National Product (of Somalia)
IGAD	-	Intergovernmental Authority for Development
NGO	-	Non-governmental Organization
NSC	-	National Salvation Council
OAU	-	Organization of Africa Unity
PSC	-	Protracted Social Conflict
SDA	-	Somali Democratic Association
SDM	-	Somali Democratic Movement
SPM	-	Somali Patriotic Movement
SRSP	-	Somalia Revolutionary Socialist Party
SSDF	-	Somali Salvation Democratic Front
TFG	-	Transitional Federal Government (of Somalia)
TNG	-	Transitional National Government (of Somalia)
UIC	-	Union of Islamic Courts
UN	-	United Nations
UNDP	-	United Nations Development Program
UNITAF	-	Unified Task Force (for Somalia)
UNOSOM II	-	United Nations Mission to Somalia II
US	-	United States
USA	-	United States of America
USC	-	United Somali Congress
USF	-	United Somali Front
USSR	-	Union of Soviet Socialist Republics/Soviet Union

Abstract

This study on managing the Somali conflict is based on the available body of knowledge about the nature of conflict and the outcome of the various negotiations. Somalia has experienced constant instability and conflict for more than two decades now. Over fifteen major conferences were initiated to manage and resolve this conflict. The result of the conflict management processes suggests two components in either *genuine peace processes or mere power sharing arrangements.* The study also delved into emerging issues which motivated the outcome of the conflict management processes. A broad objective of this study was to investigate the processes involved in managing the Somali conflict and its outcome. This study aims to fill a gap in the literature by pointing onto some elements which have previously been overlooked in existing research, especially the impact of the war economy, internal and external actors, mediation styles, power sharing arrangements and level of representation as determinants of the conflict management processes. A theoretical framework of relevant theories of conflict studies was conceptualized through two case studies. The research method used was analytical and qualitative. It also utilized the literature available in the field of conflict management. The sources were both primary and secondary. Some key findings established in this study was the fact that several emerging factors have instigated societal friction, which eventually acted as a basis of influencing any major peace process. Primary root causes of conflict in Somalia and subsequent outcome of the management processes were due to bad leadership, manipulation and politicization of clan identities.

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CHAPTER ONE

INTRODUCTION TO THE STUDY

1.1 Introduction

Twenty one years after the fall of the military regime of General Siyad Barre, Somalia still remains without any vital administration and strong central authority. No other state in the contemporary era has such experience of a total collapsed state as Somalia. The warfare and armed criminality is spread along the country making Somalia one of the intricable complex political emergencies in the post-Cold War era. According to the United Nation Development Programme (UNDP) currently Somalia ranks among the poorest in the world on key human development such as life expectancy, per-capita income, malnutrition and infant mortality making much of the population highly vulnerable[1].

The fall of the military regime in the 1991 also led to the total collapse of the Somali state, creating what most scholars describe as an intractable conflict fought in terms of clan lineage and patronage. The anarchical nature of the disintegration of the Somali state has generated international sympathy for the civil war. The international response to the conflict has been twofold, firstly attention was paid to the humanitarian situation by means of food aid especially and secondly, the development of conflict resolution processes from 1991.

The level of corruption within Somalia and the stronghold of the former regime was one, can be attributed to the resources provided to Somalia through foreign assistance programmes (Over 50 percent of the national GNP)[2]. Decades of anarchy, authoritarism and patronage have caused a

[1] Human Development Programme Report, 2003 and Somalia Human Development Report, 2001.
[2] K. Menkhaus, *US Foreign Assistance to Somalia: Phoenix from the Ashes?* Middle east Policy Journal, Vol.5, No.1, January 1997, pp. 124-49.

distorted view of the state. The history of a state as a cash cow has contributed to a tendency to a part of the Somali political class to view positions in the state as a prize to be won, not as an administrative responsibility to be assumed.

This chapter aims to examine the two determinants in managing the Somali conflict: peace process versus power-sharing agreements. The chapter will also define the research problem and objectives, give an expose' of the main issues in the literature on this subject, specify the conceptual framework of analysis and describe the methodology used in the study.

1.2 Statement of the research problem

The conflict in Somalia seems unresolved despite numerous peace processes. This study therefore analyses the conflict management processes in relation to the interests and outcomes. Were they genuine peace process or mere power-sharing agreements? The study will focus on two major peace processes: The Arta, 1999-2000 and Eldoret/Mbagathi, 2002-2004.

The literature review provides the researcher with detailed theoretical analysis framework in different backgrounds regarding the dominant approaches of conflict management in the search for amicable resolution to the conflict. These theoretical approaches are very important as they determine the process outcome and what influences them. Based on the problem statement the study critically dissects the outcome of the peace process and aspects of influence.

The principal research questions in this study are: - What was the outcome of Arta, 1999-2000 and Eldoret/Mbagathi, 2002-2004 Processes? Did conflict management strategies employed work? What were the emerging factors that influence the outcome of the peace processes? What lessons can be learnt from the two major peace processes under study? A variety of different conflict management processes and strategies have been applied in Somalia over the years.

Although there are many ways to categorize them, this study will try to use only four categories based on the degree of the peace process and degree of affiliation or power-sharing agreements.

The first category is the *building block approach*[3]. This approach was promoted by the Intergovernmental Authority on Development (IGAD) from 1997 and subsequently by the United Nations (UN). The approach tried to find local solutions, involving traditional mechanisms of managing conflict and often traditional clan leaders. This approach suggested that Somalia should be federalized and that peace must be created locally before it can be achieved centrally. This approach was associated with the use of traditional clan system and civil society, but the relationship was not clearly defined, and so enabled the warlords to exploit the building blocks rhetoric to gain additional funds and power.

The second conflict management strategy was the centralized *top down approach*[4]. This approach was often used by the United Nations Operation in Somalia (UNOSOM II) and this tried to find a solution for the whole of Somalia. The promoters believed that centralized negotiations between the warlords could resolve Somalia's problems.

The third strategy is the *dynamic approach*[5] which required a more traditional representation. The intent of this approach was to change the focus from the warlords to the other legitimate structure and the forth strategy was the centralized *bottom up approach*[6] that produced the Transitional National Government (TNG) and this created a sense of some peace solution to whole of Somalia. The approach pursued the input of the civil society which could influence the outcome of the peace processes. A slow and time-consuming negotiation technique was

[3] Ibid.
[4] Ibid.
[5] Ibid.
[6] Ibid.

employed and made Arta 1999-2000 Conference lasted for some eight months while giving little focus to the warlords. Finally, there are a number of actors and determinants of outcomes and interests in the peace processes: The colonial legacy of the Somali populace; military regime repression mentality; competition for land and other resources; clan rivalry syndrome among the Somalis; clan inequality; exclusion from power and wealth sharing and the hyper-militarization of the Somali nation due to frequent wars and abundance of weapon especially small arms[7].

1.3 Objectives of the study

The overall objective of this study is to investigate the conflict management processes in Somalia. To find out the proponents of intricate peace processes and power-sharing agreements that clearly manifested in the past Somali peace talks. An important part of the study is take stock of the main peace talks and investigate why so many failed and to find guidelines for the future endavours for the management of the Somali conflict.

More specifically, the study will try to:-

(i) Provide an overview of the Somali conflict and the attempts to manage it.

(ii) Examine whether these attempts were either peace processes or power-sharing agreements and finally,

(iii) Explore the relevance of various conflict theories to conflict management processes in Somalia.

[7] A. Osman, (2007) 'Cultural Diversity and Somali Conflict: Myth or Reality?' *Africa Journal on Conflict Resolution*, pp. 93-134.

The study gave particular attention to the two main conferences-The Arta, 1999-2000 and The Eldoret/Mbagathi, 2002-2004 Processes. The broad objective was to investigate and put more emphasis on the aspects of genuine peace process versus those of power-sharing agreements. This study can serve as a useful resource for Kenyan government policy formulation in conflict management in Somalia, given the common shared border the two countries have. It is also an integral part of the consolidation of the African Agenda, which is a critical pillar of the Kenyan foreign policy framework. The study will also contribute to the body of knowledge on conflict management process in Somalia

1.4 Literature review

1.4.1 Introduction

In this section of the chapter literature on Somali conflict management and proponents of the outcome are reviewed. Synthesis of the literature review covers selected core areas like conflict management process, power-sharing agreements, intractability and protracted conflict and war economies. Finally the review finds the literature gap which this study aims to fill.

1.4.2 Conflict management process

Embracing indigenous approaches to conflict management also widely contributed to the legitimacy of the outcome of the Somali talks[8]. Clanship and customary procedure founded upon contractual agreement (Xeer)[9], provide a framework for clan elders' participation in the conflict management process. There is no agreement on the sub-clan structure, with Somalis themselves disputing clan affiliations, further complicated by fluid sub-clan identity affiliations.

[8] IM. Lewis, (1999) *A Pastoral Democracy.* London: Transaction Publishers, pp. 161.
[9] See *Somali Customary Law and Traditional Economy*, Development Research Centre, 2003.

This participation framework over rode the otherwise good intentions of the peace process and thus giving way to hegemonic clan interests. To strengthen this approach, the clan structures have been instrumental in containing both feud and criminal violence through a system of mutual deterrence in which clan elders played a central role in containing their respective clan members[10].

There are two basic approaches to managing intractable conflicts[11]. The first is to abstain from intervention and hope that disputants either reaches own compromise or that one side wins. This assumption is predicated on the notion that disputants will reach a fatigue stage and develop some form of resolution or there will eventually be a victor (the zero-sum approach).The other approach is to persuade disputants to accept a third party intervention. In some cases, persuasion may be accompanied by pressure to make compromises and where necessary, coercive diplomacy, such as sanctions. Sometimes the third party might have vested interest or may side with one of the disputants in the process.

To effectively manage a conflict process, the intervener needs a conceptual road map or 'conflict map' that details why a conflict has occurred, identifies barriers to the settlement, and indicates procedures to manage or resolve the conflict[12]. The mediator works with the disputants to answer research questions about the sources of the conflict. The crux of the Somali conflict is all about political power and addressing political power relations. This therefore requires a systematic approach in order to ensure the positive outcomes of the process. To a certain extent, there was no clear mandate in most the peace processes.

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[10] B. Moller, (2009) The Somali Conflict: The Role of External Actors, *DIIS Report*. Copenhagen: Danish Institute of International Studies, pp. 13.

[11] C. Crocker, F. Hampson, and P. Aall, (2007) *Leashing the Dogs of War – Conflict Management in a Divided World*. Washington, D.C.: Institute of Peace Press, pp. 496.

[12] CW. Moore, (2003) The Mediation Process. *Third Edition*. San Francisco: Jossey-Baus, pp. 61.

There is evidence that constitution-making processes that excludes major constituencies usually lead to contested constitutions[13]. Iraq is a relevant example. He noted that the Iraqi constitutional discussions in the summer of 2005 were damaged by the limitations imposed by the US and the insufficient inclusion of Sunni Arabs in the deliberations. In the October 2005 referendum, 78.6% of votes were in favour of the constitution. However, in the predominantly Sunni Arab governorates of Anbar and Salaheddin, 97% and 82% of voters respectively rejected the document. One could argue that the Sunnis would not have accepted the emerging Shia-Kurdish federal deal, even if a more inclusive and longer deliberation had taken place. A more inclusive process where every constituency's vested interest was considered was the ultimate opportunity at last.

Peace process is defined in terms of four distinct characteristics. Firstly, there is the issue of impartiality whereby the mediators do not see their job as trying to promote one person or group's interests at the expense of another. Secondly, there is process orientation in which mediators conduct a process to assist people in communicating mainly about the issues that are of concern to them. They do not focus on the substance of the issues alone. This focus may also vary considerably from time to time. Thirdly, during actual problem solving mediators do not simply try to decide what the law dictates. They also endeavour to help solve the problems that underlie the conflict. Often, but not always, this means taking an integrative or interest-based approach. And fourthly, there is the aspect of client focus where the mediators' goal is to attain a solution that disputants will accept rather than to impose one on them. Usually this may mean focusing on clients' interaction, communication, emotions, needs and decision-making process.

[13] J. Morrow, (2005) Iraq's Constitutional Process II: An Opportunity Lost. Special Report 155, United States Institute of Peace, No. 8.

There is a useful dichotomy of leadership in which leaders are boxed into two categories: transformational and transactional. The former are leaders able to transcend the confines of their own community and act positively in the interests of a wider community. The latter have a less selfless decision-making calculus. They come to their political choices based upon whether it will reap benefits and achievements for themselves and their followers. The modus operandi of many leaders is predicated on more pragmatic concerns of political survival and maximum positioning than altruism. Most leaders therefore conform to 'transactional' model than 'transformational'. Decisions are made, and their potential implication weighed, by reflection through prism of political, organizational, cultural, historical, personal and interactional factors. Understanding their strategies and behavior-and the logic that underpins it- requires thorough knowledge of both current context and the historical circumstances that shaped it.

Whereas the preconceived interests of mediators in conflict management processes stems from the fact that they have no extended relationship with the parties at the negotiation table. They also have no stake in the dispute beyond its peaceful resolution and have little motivation to mediate in international conflicts other than the fact that they have a relationship with the adversaries and an interest in the details of the settlement[14]. International mediators are thus biased to some degree. The bias may enhance the acceptability and effectiveness of the mediating state because the mediator's interest in its relationship with both disputants gives each of them a measure of leverage over it and vice versa. The less favoured party co-operates in the hope that the mediating state will extract concessions from the party with which that state has closer ties.

[14] MLR. Smith, (1995) Fighting for Ireland? *The Military Strategy of the Irish Republican Movement.* London, Routledge, pp. 125.

In order to comprehend Somali politics, a basis understanding of the clan system is necessary. The Somali clan system is patri-linear in the sense that the affiliation is most commonly transferred from father to son[15]. Every clan focuses on the agnatic solidarity of its members. While much lip service was paid to a nationalist agenda, greed dominated the politics of the Somali republic from 1960-69, and worsened closer to its end. The parties were divided along clan lines during the conflict management.

1.4.3 Power-sharing agreement

Power-sharing in transitional governments are common ingredients of peacemaking and peace building efforts[16]. Power-sharing guarantees the participation of representatives of significant groups in political decision making, and subsequently in the executive, but also in the legislature, judiciary, police and army. By dividing power among power groups during the transition reduces the danger that one party will become dominant and threaten the security of others.

The Burundi transitional process with the power-sharing government was the result of elite negotiations. The participants in talk were those who had the capacity to carry out violent acts and did not necessarily command respect or have genuine public following[17]. In the eyes of the public, the transitional government was about elites dividing the spoils of government. Overall, the transitional process was disconnected from the local population. Elite' power-sharing did not strengthen the relationship between leaders and citizenry. He further notes that members of power-sharing governments may be under pressure from extremist elements within their constituencies who oppose compromise and sharing the power with opponents. Thus, power-

[15] IM. Lewis, op. cit., pp. 124.
[16] D. Curtis, (2007) *Interim Governments; Institutional Bridges to Peace and Democracy?* United States Institute to Peace Press, Washington, DC, pp. 191.
[17] Ibid, pp. 194.

sharing institutions may foster 'outbidding politics', where extremist politicians within a group make radical demands on moderate leaders of their own group who participate in the government. In such cases, reaching joint decisions is extremely difficult, and leaders do not have strong incentives to move beyond the positions they held during the peace talks.

Creating a government adhering to some semblance of democratic values in any peace process, is a real challenge as most delegates usually are not genuine representative of a democratically constituted body of the Somali society. Lewis (2008:81) argues that, in practice, many people who claimed to be legitimately appointed representatives were simply self-appointed, and therefore he views this to be the most obvious flaw in any peace process, which nevertheless sought to appeal to every section of the nation in the wildest sense. The delegates did have a role to play in the resolution of the conflict but they increased their representation to get more share. However, it does not necessarily follow that such a role can be transformed into formation of a representative government.

1.4.4 Intractability and protracted conflict

Experience has shown that lasting and legitimate state institutions tend to result from lengthy deliberation among a wide range of national elites and from meaningful public participation. The constitution- making process, including who has the right to participate and how decisions are taken, influences the content of constitutions, their legitimacy and the politics that follows their adoption.

The initial causes of the Somali conflict revolved around the repressive military regime. Over the years the conflict has metamorphosed in different faces. Intractable conflicts are like pathological disease, an infection or cancer of the body politics and can spread and afflict the

system. There is thus the need to diagnose the situation correctly. It is this diagnosis that at times is convoluted and not properly done. External factors pop in their heads and therefore misdiagnose the process.

Intractable conflicts (also known as 'protracted social conflicts', 'moral conflicts' or enduring rivalries') is defined as destructive, which persist for a long period and resist all attempts aimed at constructive resolution. He further argues that intractable conflicts can appear to take on a life of their own. Intractable conflict regularly occur in situations where a severe imbalance of power exists between the parties in which the power holder in such situations will often use the existence of salient inter-group distinctions such as class, race, ethnicity and gender to hold on to power.

1.4.5 War economies

It is detrimental to peace-making and peace-building efforts especially when elites with interests in war time structures retain power. An illustration on the case for Nepal in early 2007, when three weeks of violent protest in the country's south left two dozen people dead will suffice. The Maoist claimed that they were not fully represented as compared to the mainstream parties. The issue on retaining old leaders in power-sharing accords was also raised. The mainstream parties were relieved that, for all the drama of the April 2006 mass movement, it did not generate any new leaders, nor has it forced them to find new ways of conducting politics. These elites resisted the process of demilitarizing and democratizing politics. New political leaders need to emerge gradually, with interest not linked to war time legacies so that they can deliver different messages and build political constituencies based on different interest structures. Change can rarely be delivered from those who benefit from status quo.

The finding on the 'dilemmas of state building at times of civil wars'[18] that nation-state stewardship seeks to limit power-sharing to two tactical roles in the initiation phase during conflict management is important. This is the early period in the transition from civil war to peace. These two roles are an offer by a majority to reassure minorities about the peace implementation process and a principle of proportionality for one time, pump-priming decisions, such as the initial staffing of new bureaucracies and the armed forces. Societies need to move beyond the mutual hostage-taking that a guaranteed place at the decision making table implies, the immobilism inevitably creates, and the construction of postwar societies around the fixed and unyielding social boundaries of ethnicity.

Lengthening protectorates give moderates a chance to emerge; building institutions from the ground up so that local institutions of self-governance can emerge before central ones; phasing withdrawal in accordance with the build-up of local capacity; dividing power between different institutions and arenas such that ethnic stakes and interests in politics are lowered; broadening negotiations for long-term arrangements to include other than ethnically defined interest groups in the decision-making process ;and limiting power-sharing in favour of direct rule.

1.4.6 Literature gap

In all studies previously done on Somali conflict management none gave a critical emphasis on the outcome of the peace processes. This study therefore fills the 'literature gap' by occupying the void left by the past studies. Its concern relates to core areas on emerging issues that led to the outcome of the peace processes.

[18] D. Rothchild and PG. Roeder, "Dilemmas of State-Building in Divided Societies," in Philip G. Roeder and Donald Rothchild eds.) *Sustainable Peace: Power and Democracy after Civil Wars* (Ithaca: Cornell University Press, 2005), pp. 8. See also, Arend Lijphart, *Democracy in Plural Societies: A Comparative Exploration* (New Haven: Yale University Press, 1977), chapter 2.

1.5 Justification of the study

In spite of numerous studies on Somalia peace processes and conflict management strategies, there is insufficient information regarding the ultimate core concerns of long term viable stability and that of power-sharing agreements. While a negotiated settlement strategy is a viable conceptual approach, there is need to focus on the outcome in the conflict management processes. This study will investigate what prompts these two concerns.

Since several past studies show that the Somali conflict management is greatly driven by social actors in and outside the country, a mechanical and formulaic approach to stability seems mainly anchored on the two core concerns under this study: Peace process versus power-sharing agreements. There is need to investigate the two concerns of either real long term stability and that of power-sharing agreements .This study will contribute to the already other existing literature and fill the gap in the understanding the concepts of managing the Somali conflict under The Arta, 1999-2000 and The Eldoret/Mbagathi, 2002-2004.

Given the multiple challenges in managing the conflict in Somalia the outcomes of the peace processes seems to manifest on the two core concerns of long term viable stability and that of power-sharing agreements. This study will also investigate what prompts these two concerns, the role of the mediators and that of other influential actors.

Since several past studies show that the Somali conflict management is greatly driven by social actors in and outside the country, a mechanical and formulaic approach to stability seems mainly anchored on the two core concerns under this study: Peace process versus power-sharing agreements. The subjective nature of these two core components need to be analyzed in order to establish their effects in the peace processes.

Well-designed agreements in conflict management processes would be as prone to failure as badly-designed agreements if it fails to consider acceptable level of outcome. Most previous studies have concentrated on imposed peace settlements in Somalia with less regard on long term viability and agreements based on power-sharing. This study delves on those two crucial components and places where each of the peace processes heavily leaned.

1.6 Research questions

The study will be guided by the following research questions.

(i) What has been the focus of the various attempts to manage the Somali conflict?

(ii) What is the relevance of theories to conflict management?

(iii) What are the key emerging issues emanating from conflict management processes in Somalia?

These consecutive research questions were formulated while keeping other factors that may motivate the peace processes constant.

1.7 Theoretical framework

The purpose of this section is to explore the theories and schools of thought of conflict management and the perceived outcomes of peace processes. This is in order to define the scope and the concerns of the peace processes and put the Somali conflict management into perspective. This will also unveil the search for a dominant paradigm between the two issues of long term stability and that of power-sharing proponents.

One of the key objectives of conflict management is to seek control of the state. Groups seek control of the state in order to ensure that their needs are met, usually to the detriment of opposing groups. This conflict over the control of the state is often perceived as zero-sum conflict. That is to say that one group's gain is another group's loss; this conflict is not win-win for both groups[19]. In severely divided societies, clannism finds its way into a myriad of issues: development plans, educational controversies, trade unions affairs, tax policy[20]. Characteristically issues that would elsewhere be relegated to the category of routine administration assume a central place on the political agenda of the ethnically divided societies. This is certainly the case in Somalia.

Horowitz (1985:140) distinguishes between ranked and un-ranked systems[21]. Ranked systems are societies in which one ethnic group is in complete domination of another. Un-ranked systems are composed of two or more ethnic groups with their own internal stratification of elites and masses. Somalia is therefore an un-ranked system based clan-politics.

Macro theory of conflict management focuses on the interaction of groups, specifically on the conscious level. Early political theorists have chosen one particular element to concentrate on: power. The use and exercise of power is a central concept of macro theory[22] of conflict. They agree that power comes in many forms: economic, political, military, even cultural. The common assumptions of macro, is the management of conflict stem from group competition and the pursuit of power and resources. These assumptions operate on conscious motivational factors in a material oriented environment.

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[19] JZ. Rubin, GP. Dean and HK. Sung (1994) Social Conflict, Escalation, Stalemate and Settlement. New York, McGraw-Hill, Inc, pp. 195.
[20] D. Horowitz, *Ethnic Groups in Conflict*. Berkely, University of California Press, 1985, pp. 140.
[21] Ibid.
[22] E. Van de Vliert, and B. Kabanoff, (1990) 'Toward Theory-Based Measures of Conflict Management,' in *Academy of Management Journal*, pp. 199-209.

Decision making and game theories have their origins in the 20th century model of the rational actor. The rational actor model was developed by economists to explain human economic behavior. It presupposes that people make choices and decisions on a rational basis based on informed choices and weighing opportunities[23]. There is a great distinguishes between conflict management and settlement[24]. Management is 'by alternative dispute resolution skills'[25] and can confine or limit conflict; settlement is 'by authoritative and legal processes'[26] and can be imposed by elites.

The society's aspiration is well captured in good concept through the Human Needs Theory[27]. This holistic theory of human behavior is based on the hypotheses that humans have basic needs that have to be met in order to maintain stable societies. The human participation in conflict situations are compulsively struggling in their respective institutional environments at all social levels to satisfy primordial and universal needs-needs such as security, identity, recognition and development[28]. They strive increasingly to gain the control of their environment that is necessary to ensure the satisfaction of these needs. This struggle cannot be curbed, it is primordial[29].

The development of the consent theory also known as the *bottom-up approach* has brought forth the establishment of a political contract. Such contract is brought about when individual members of a society relinquish their sovereign rights to a political authority. In contrast to governmental contract theories, consent theory does not assume the prognosis that the actual agreement reflects, rather it has society-centred view. It departs from the main dynamics within

[23] D. Anthony, (1957) An Economic Theory of Democracy, pp. 28.
[24] J. Burton, 'Conflict Resolution as a Political System' in Vamik Volkan, et al (eds.), The Psychodynamics of International Relationships: Volume II: Unofficial Diplomacy at Work. Lexington, MA, Lexington Books, 1991, pp. 80-1.
[25] Ibid, pp. 82-3.
[26] Ibid, pp. 83.
[27] Ibid, pp. 80-1.
[28] J. Burton, 'Political Realities' in Volkan, 1991, ibid, pp. 83.
[29] Ibid, pp. 81.

the society in a sense that agreements are reached between individuals in a society to form a political society without the need specifying the original agreement in which that authority is to be vested or how it is to be imposed. The state nevertheless becomes a human invention. For its existence as a political order, the individual should act on the basis of rationality whose well being in turn safeguards from the impacts of others egoistic behaviours.

1.8 Research methodology

The research method used was analytical and qualitative in the form of case studies approach. It also utilized the literature available in the field of conflict management. The sources were both primary and secondary. The study relied on primary documentary sources like peace agreements and official documents. The secondary sources were chosen from those dealing with sub-discipline of conflict studies and management of peace processes. The secondary source also compliments the primary sources in this study. Personal experience as an analyst in Somali socio-politics over the years provided a better framework in both dynamics and practice in conceptually analyzing this study.

The main source of data collection tool is content analysis. This is because the study uses the interest groups attendance and clan dynamics in conferences, thus it extensively deduces and infers its findings from the content in this primary and secondary sources. The study reviews the interests of diverse parties in the peace processes. It is descriptive in nature.

1.9 Chapter outline

This study is composed of five main chapters.

- Chapter one consists of an introduction of the Somali conflict; statement of the research problem; objective of the study; literature review; research questions; theoretical framework and research methodologies used.

- Chapter two discusses the background on Somalia and Its people; the military regime; the collapse of the Somali state; clan politics and the emergence of warlords; and the intractability of the Somali conflict. The chapter towards its final stage brings into focus the management of the Somali conflict in a theoretical discussion using the relevant theories of conflict.

- Chapter three provides a detailed analysis of Somali peace processes whereby it places emphasis on two case studies. This chapter outlines the phases and the outcome of the two peace processes.

- Chapter four is a critical analysis of the peace processes. Core emerging issues like internal and external actors, power-sharing agreements, the war economy, mediation styles and the level of participation are analysed. Further other issues like decision-making, time pressures and inconsistent support for the peace processes are also analysed.

- The concluding chapter five focuses on critical evaluation of the preceding chapters summary and key findings. Finally recommendations are made on future Somali conflict management processes.

CHAPTER TWO

A THEORETICAL DISCUSSION

2.1 Introduction

The introductory chapter of this study captured a brief background of the Somali conflict and informed the statement of the research problem. The objective and justification of this study is discussed in detail focusing through a literature review. Synthesis of the existing literature in Somali conflict management processes with special analysis on selected areas is covered. The literature review areas are: various conflict management processes, power-sharing agreements, intractability and protracted conflict and war economies. The study proposed three testable research questions and further introduced a theoretical framework. Various research methodologies used in this study is then followed by chapter outline.

This chapter discusses the relevance of some of the theories captured in chapter one. Their applicability is analysed in relation to the conflict management strategy in Somalia. The background of the Somali conflict[30] and its intractability is brought forth with special focus on Somalia and Its people, the collapse of the Somali state, clan politics and the emergence of warlords after the exit of the infamous military regime. A theoretical discussion on the management of the Somali conflict brings into focus the concepts and relevance of macro and classical theories of conflict studies. The balance of power, greed versus grievance, the game theory, track two diplomacy and Somalia's un-ranked system are the core discussions in this chapter.

[30] K. Menkhaus, (1996) International peace building and the dynamics of local and national reconciliation in Somalia, *International Peacekeeping*, vol 3, no 1.

2.2 Background

The main causes of the Somali conflict were several aspects interwoven by internal and external factors. Leading in this was competition for resources and/or power, a repressive state during military rule and the colonial legacy. Most African countries achieved independence from the colonial powers in the 1960's. Also regarded as contributing causes are the politicized clan identity, the availability of weapons, the large number of unemployed youth and the certain aspect of the Somali culture that sanctions the use of violence. The concept of "clanism" is used in literature on Somalia to describe the politicized notion of clan which elites may use to further their own interests. Clan-lineage can in the Somali context can be understood as similar to ethnic divisions in other countries. The most important factor that has created and sustained the clan based militia's conflict is competition for power and resources.

As literature in this area suggest and also as the collective memories of Somalis attest, Somali clans had often clashed over resources such as water, livestock and grazing zones long before Somalia became sovereign country. Using the widely accepted Somali traditional legal system (Xeer/Heer), historically traditional leaders settled the conflicts. However, after Somalia gained its independence many Somalis moved to urban areas, so the type of resources that are needed and the means used to obtain them have changed. Political leaders realized that whoever controlled the state would control the nation's resources. Access to government resources, recruitment of civil servants and control foreign aid replaced control of the wells and access to grazing zones in the countryside.

The conflict may also have been caused by weak institutions administering foreign technical assistance in relation to the military hardware[31]. The study acknowledged the fact that Somalia, under the military regime, invested heavily on military arsenal which made peace making strategies ever elusive[32]. As early as 1977, Somalia was one of the most militarilized states in the international system[33]. He further states that the country had 25 MIG-17s and MIG-21s, 30 MIG-19s, a Shenyang fighter, a squadron of 24 MIG-21s, a six-plane transport squadron as well as a helicopter squadron. The Soviet Union provided 250 medium tanks, 100 T-54s and T-55s, and arsenal of guided missile boats, assisted in the establishment of navy and a strong standing army of 37,000 troops. The United States made an initial contribution of 40 million dollars in military equipment following the expulsion of the USSR in 1977, followed by a consistent pattern of military support until the collapse of the regime in 1991.

The international community reacted rather slowly to what was happening in Somalia. However, as the media started spreading images across the globe of the terrible suffering caused by famine and war, it soon became difficult for anyone - the United Nations and the West included - turning a blind eye to the deteriorating state of affairs in the country[34]. The UN's first attempt at peacekeeping, the United Nations Mission to Somalia (UNOSOM), was a small operation aimed mainly at monitoring a ceasefire between the opposing factions[35]. Lacking military and logistical capacity, the UN soon had to turn to the only remaining superpower, the United States, for assistance[36].

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[31] K. Menkhaus, (1997) US Foreign Assistance to Somalia: Phoenix from the Ashes? *Middle East Policy*, Vol. 5, No. 1, pp. 124-49.
[32] S. Dersso, (2009). *The Somalia Conflict – Implications for peacemaking and peacekeeping efforts*. ISS Paper 198. Pretoria: Institute for Security Studies.
[33] H. Adam, (2008) From Tyranny to Anarchy. Asmara: The Red Sea Press, pp. 55-84.
[34] International Crisis Group, *Somalia: Countering Terrorism in a Failed State*, Nairobi; Brussels, 23 May 2002.
[35] K. Menkhaus, and L. Ortmayer, *Key Decisions in the Somalia Intervention*, Washington DC: Georgetown University, 1995.
[36] J. Drysdale, (1994) Whatever Happened to Somalia? – *A Tale of Tragic Blunders*. London: HAAN, pp. 1.

Consequently, on December 9 1992, the US-led Unified Task Force, better known as UNITAF, was launched under the title 'Operation Restore Hope'. This operation eventually brought a total of 37,000 troops, 26,000 of them American, to Somalia. UNITAF's original mandate was originally limited to securing the delivery of food aid and general peacekeeping, but as the security situation in Mogadishu degenerated, increased force and engaging in actual combat became necessary[37]. In March 1993, during a quiet period in the inter-clan fighting around Mogadishu, it was decided that UNITAF was to be replaced by UNOSOM II, consisting of troops from a wider range of countries, but also of a large number of Americans staying on from UNITAF[38].

2.2.1 Somalia and Its people

Somalia, formally known as the Somali Democratic Republic under communist rule, is a country located in the Horn of Africa, naming Mogadishu as its capital city. It is bordered by Djibouti to the North West, Kenya to the South West, the Gulf Aden with Yemen to the North, the Indian Ocean to the East, and Ethiopia to the West.

The Somali population has been influenced and shaped by hundreds of years of conquest, migration and assimilation. Before Somali pastoralists moved into the eastern Horn from Ethiopia in the 10th century, the land known today as Somalia was inhabited by other people, such as the Oromo, an agro-pastoralist group also present in neighbouring Kenya and Ethiopia[39]. According to some historians the Somalis may originally stem from Islamic missionaries who

[37] RW. Copson, (1994) Africa's Wars and Prospects for Peace. London Press, pp. 53.
[38] J. Hirsch, and R. Oakley, (1995) *Somalia and Operation Restore Hope: Reflections on Peacemaking and Peacekeeping*, Washington DC: US Institute of Peace.
[39] I. Farah, A. Hussein, and J. Lind, (2002) 'Deegaan, Politics and War in Somalia' in Lind, J. and Sturman, K. (eds.). *Scarcity and Surfeit – The Ecology of Africa's Conflicts*. Pretoria: Institute for Security Studies, pp.322.

travelled across from the Arabian Peninsula around 615 AD[40]. Though the accuracy of this theory is questionable, it is clear that contact with Arabs and the Islamic world through trade, missionary activities and migration has had a major impact on Somali society for hundreds of years. The Somali were converted to Islam early on, and today a large majority of Somalis remain Sunni Muslims of the Sha'afi School of Law. Somalia has furthermore been a member of the Arab League since 1974[41].

With a largely homogenous population, Somalia's people tend to speak a common language, and they share a similar cultural heritage with strong ties to the Sunni Islam. Still, Somalia having only gained its independence from Britain and Italy in 1960 had a great deal of difficulty forging a national identity. Throughout a century of colonial history, Somalia was parceled and divided constantly by different, partitioning agreements between the world's colonial powers during the era of scramble for Africa. The 'scramble for Africa' refers to a time period during the late 19th century when the European powers competed for land in Africa and partitioned Africa among themselves, dividing up the continent into colonies under European rule. Combined with a strong reliance on clans as the primary social and governmental institutions within Somali society, the development of a national identity, and consequently respect for a national government was difficult to achieve.

Despite the existence of minority groups, Somali society is relatively homogenous. Lineage underpins Somali society, with divisions defined along clan and sub-clan lines. Traditionally, the main clan families of Darod, Dir, Issaq, Hawiye and Rahanweyn, along with minority clans,

[40] B. Moller, (2009) The Somali Conflict: The Role of External Actors, *DIIS Report.* Copenhagen: Danish Institute of International Studies, pp. 8.
[41] IM. Lewis, (2008) *Understanding Somalia and Somaliland – Culture, History, Society.* London: Hurst Publishers, pp. 2.

constituted Somali society. The minority clans were Bantu, Barawans and Bajuni. Within each clan there are sub-clans.

Somalia is mainly a semi-desert country and covers almost 640,000 square kilometers[42]. The areas between the Shebelle and Juba Rivers and the northern escarpment are the bread baskets of the country due to their higher rainfall and rich arable land, which is ideal for agricultural production[43]. The Somalis are predominantly a nation of pastoral nomads continually forced by the exigencies of their demanding climate and environment to search for pasture and water for their flock of sheep, goat and herds of camels and cattle[44].

The Somali-speaking people form one of the largest ethnic groups in Africa, dispersed throughout the Horn of Africa, from the Awash valley, through the Ethiopian Ogaden, and also found in northern Kenya as far as the Tana River. Somalis belong to the Hamitic group of people- the Oromo, Saho and Beja people from Horn of Africa[45].

Somalia's history of conflict reveals an intriguing paradox-namely; many of the factors that drive armed conflict have also played a role in managing, ending, or preventing war[46]. For instance, clannism and clan cleavages are a source of conflict-used to divide Somalis, fuel endemic clashes over resources and power used to mobilize militia and make broad-based reconciliation very difficult to achieve. Most of Somalia's armed clashes since 1991 have been fought in the name of clan, often as a result of political leaders manipulating clannism for their own purposes.

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[42] M. Bradbury, (1994) *The Somali conflict: Prospects for peace*, Oxfam Research Paper no 9, Oxfam Print Unit, Oxford, pp. 8.
[43] L. Cassanelli, and C. Besteman, (1996) (eds.), *The Struggle for Land in Somalia: The War behind the War*, Boulder: Westview, pp. 67.
[44] IM. Lewis, (2002) A Modern History of the Somali: Nation and State in the Horn of Africa. Oxford: James Currey, pp. 2.
[45] Ibid, pp. 4.
[46] K. Menkhaus, (2003) State Collapse in Somalia: Second Thoughts, *Review of African Political Economy*, Vol. 30, No. 96.

2.2.2 The military regime (1969-1991)[47]

In 1969, the military regime took control of Somalia through a military coup d'état. This brought an abrupt to the process of party-based constitutional democracy in Somalia[48]. As is often the case in dictatorships, technically, the Somali "constitution" of 1979 guaranteed democratic elections for its "president." In practice, however, this guarantee was worthless. The first "election" for Barre was in 1986 in which he received 99.9 percent of the votes. Barre formed a 20-member Supreme Revolutionary Council (SRC) in which he was the head. The SRC initially pursued a course of "scientific socialism" that reflected both ideological and economic dependence on the Soviet Union[49]. The government instituted a national security service, centralized control over information, and initiated a number of grassroots development projects. Central elements of the military policies were strengthening Somali nationalism, while denouncing clan politics, and promoting literacy and development. In an attempt to unify the people, clan ties were banned under the slogan "*socialism unites, tribalism divides*"[50].

Among his early achievements as president was the implementation of a script for the Somali language; as well as a number of large mass literacy campaigns in 1973 and 1974 (Lewis 2008: 41; Gilkes, 1994: 16). Regardless of these promising initiatives, Somalia was a one party state - led by the Somalia Revolutionary Socialist Party (SRSP) - on its way to becoming a brutal dictatorship (Ajulu, 2004: 77). He further reduced political freedoms and used military force to seize and redistribute rich farm lands in the interriverine areas of southern Somalia, relying on

[47] I.M. Lewis, A Modern History of the Somali: Nation and State in the Horn of Africa (Athens, OH: Ohio University Press, 2003); and Lee V. Cassanelli, The Shaping of Somali Society: Reconstructing the History of a Pastoral People, 1600-1900 (Philadelphia: University of Pennsylvania Press, 1982). See also Ismail I. Ahmed and Reginald Herbold Green, "The heritage of war and state collapse in Somalia and Somaliland: local-level effects, external interventions and reconstruction," Third World Quarterly 1999.

[48] See U.S. Library of Congress 2006.

[49] IM. Lewis, op. cit., pp. 167.

[50] A. Ahmed, and RH. Green, (1999) 'The Heritage of War and State Collapse in Somalia and Somaliland'. *Third World Quarterly*, 20 (1): pp.113-27.

the use of force and terror against the Somali population to consolidate his political power base. His regime engaged in a number of human rights violations, exploited clan rivalries, was oppressive, and corrupt[51]. The regime was able to lead Somalia by employing a clan identity based approach that thrived on a 'divide-and-rule strategy'[52]. More than two decades of a government based only on corruption, authoritarism and selfish patronage have caused a distorted view of the state.

During this reign which coincidentally fell in the era of Cold War, there was perceived geo-political strategic importance of Somalia as viewed by the World's then super power, the former U.S.S.R and later the U.S.A. The Cold War refers to the period between the end of the Second World War and the collapse of the Soviet Union in 1991. It stemmed from an ideological conflict between capitalism and socialist communism, which in many cases manifested itself through wars by proxy in which the United States of America (USA) and the Soviet Union (USSR) backed opposing sides in conflicts, in what was viewed as strategic countries in the developing world[53]. Through this strategic importance, Somalia became recipient of sizeable loans and grants from its international partners. The SRC became increasingly radical in foreign affairs, and in 1974, Somalia and the Soviet Union concluded a treaty of friendship and cooperation.

Under the military regime's helm, Somalia invaded Ethiopia in 1977 in a second attempt to regain the Ogaden Region. The Somali National Army (SNA) initially captured some principal cities of the contested region. However, following the Ethiopian revolution, the new Ethiopian Government shifted its alliance from the West to the Soviet Union. This change alliance worked against Somalia hence its eventual withdrawal and defeat.

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[51] United Nations Development Programme, *Somalia Human Development Report 2001*, pp. 162-6; Africa Watch, *Somalia: A Government at War with Its Own People*, New York: Africa Watch, January 1990.
[52] P. Little, (2003). *Somalia: Economy without state.* Bloomington: Indiana University.
[53] AC. Ohanwe, (2009) Post-Cold War Conflicts in Africa – Case studies of Liberia and Somalia. London Publishers, pp. 30.

In the late 1980s, national support for Barre's regime declined precipitously. He successfully repelled a coup and even cracked down on enemy clans. The clans however, joined together and formed a number of rival factions, each attempting to overthrow the government. The military hold on the state loosened in the subsequent years .In addition, there emerged dissidents with different ideology which eventually sparked into a protracted and bloody civil war. From 1989-1990 the government became involved in a third war, which took the form of a series of armed clashes with various clan-based liberation movements, such as the United Somali Congress (USC, Hawiye clan), the Somali Patriotic Movement (SPM, Ogaden clan), and the SSDF (Majerteen clan). With this conflict the seeds to Somalia's long period of instability and war had been sown. As stated in a World Bank report: "[t]his multi-front war presaged the predatory looting and banditry that characterized the warfare in 1991-1992"[54].

Economically, the last years of Barre's rule were disastrous as the state virtually ran out of money. Foreign aid was suspended, taxation collapsed and soldiers were encouraged to loot to compensate for unpaid salaries[55]. Additionally, a number of factors, including Barre's refusal to share power, his clan politics, the weakened mediation role of Somali elders and the sharpening of interclan feuds were among the reasons behind the series of events which eventually led to the toppling of his government. By 1991 Somalia descended into chaos becoming one of the first failed states to arouse international attention[56].

[54] World Bank (2005a). Conflict in Somalia: Drivers and Dynamics. Available: [online]. http://siteresources.worldbank.org/INTSOMALIA/Resources/conflictinsomalia.pdf (31.5.2010).
[55] Drysdale, J. (1994) Whatever Happened to Somalia? – *A Tale of Tragic Blunders*. London: HAAN, pp. 20.
[56] International Crisis Group, *Somalia: Countering Terrorism in a Failed State*, Nairobi; Brussels, 23 May 2002.

2.2.3 The collapse of the Somali state after 1991

The ouster of the military regime was followed not by a replacement government but a prolonged period of violent anarchy and warfare. Armed conflict raged across Southern Somalia through 1991-2, pitting clan-based militias against one another for control of valuable towns, seaports and neighbourhoods[57]. The wars which begun as struggle for control of the government, quickly degenerated into predatory looting banditry and occupation of valuable real estate by conquering clan militias. Young gunmen fought principally to secure war booty, and were under only the loosest control of militia commanders. Powerful merchants and warlords were implicated in this war economy too. The principal victims of this violence were weak agricultural communities and coastal minority groups caught in the middle of the fighting. This war produced an array of interest in perpetuating lawlessness, violence and blocking reconciliation[58].

The United Nations (UN) in cooperation with the Organization of African Unity (OAU), the predecessor of the current African Union (AU) and other organizations, sought to resolve the conflict. The UN Secretary-General in 1991 dispatched an envoy to which all faction leaders expressed support for a United Nations peace role. The United Nations also became engaged in provision of humanitarian aid, in cooperation with relief organizations. The war has resulted in nearly one million refugees and almost five million people threatened by hunger and disease[59]. The ensuing famine also claimed over 300,000 human lives hence causing more devastation.

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[57] A. Guido, (1994) *The Somali clan system: An introduction to Somali society and history*, UNHCR Publication, Jigjiga.
[58] *Ibid, pp 54.*
[59] United Nations Development Programme, *Human Development Report 2003*, New York: Oxford University Press, 2003, pp. 339; United Nations Development Programme, *Somalia Human Development Report 2001*, Nairobi, 2001, p. 37

2.2.4 Clan politics and the emergence of warlords

As has become apparent thus far, clan lineage and kinship are integral elements of Somali society, and have always been important sources of identity for Somalis. Family genealogies have traditionally served as a basis for group division and for the formation of political identities[60]. As clan lineage, and consequently political allegiance, is determined by the paternal line, instead of asking each other *where* they are from, Somalis ask each other *whom* they are from. In his memoirs from Somalia, Peterson (2000: 8) writes that kinship ties were paramount and were expected to be upheld in war and peace. Clan has always been the last refuge, the last security during crisis, the only proven guarantor of safety when the world falls apart.

As a nation, Somalis are known in Africa for having a strong nationalist identity, yet this identity is now organized along sectarian and exclusivist clan lines. Webersik (2004: 6) explains: "in the absence of a government over the past decade clan affiliation gained importance in providing security, job opportunities, and access to valuable resources in an increasingly insecure environment". The protracted war has resulted in a localized identity, where Somalis identify themselves primarily in terms of sub-clan or even sub-sub-clan[61]. Clan identity has been an important mobilizing factor during the civil war, when the conception of mutually exclusive political identities was strengthened. In ensuing peace processes root causes of the violence such as politics of exclusion, unequal distribution of resources or economic decline have been "neglected in the discourse of clan hatred"[62].

[60] IM. Lewis, (2008) *Understanding Somalia and Somaliland – Culture, History, Society.* London: Hurst Publishers, pp. 2.

[61] C. Webersik, (2004) Bargaining for the Spoils of War – The Somalia National Reconciliation Process. Paper presented to the Third Horn of Africa Conference, Lund, Sweden, pp. 6.

[62] Ibid, pp. 15.

As has been mentioned, warlords who benefited from lawlessness by using violence as a means to economic ends emerged across Somalia in the 1990s, but have according to the World Bank (2005: 13) been much less of a factor since 1999. While actual warlords may now be rarer, there is nevertheless a class of businessmen who may have links to warring factions, and whose economic activities are of questionable legality and morality. In the Somali context the difference between warlord and businessman with a militia can sometimes be rather diffuse. A warlord is typically in control of a region or fiefdom, in which he taxes the inhabitants as well as merchants wanting to conduct business in the region[63]. A warlord also has political ambitions, and may be, or may have been, a faction leader[64]. A businessman, on the other hand, will seldom take part in political negotiations.

During the 1990s it became common for businessmen to build up their own private security forces[65]. A businessman will employ a militia not to conquer land, but for protection of his assets. Osman Hassan Ali 'Atto' of the Hawiye clan is a good example of an individual who benefited from conflict and a state of general lawlessness in Somalia. He was a wealthy businessman already prior to the war, but was able to further enrich himself by engaging in trade and construction of weapons and vehicles used in the war, such as the battle wagons commonly known as 'technicals'. He supported General Aideed and other faction leaders in the beginning of the civil war, but switched sides several times in accordance with his own financial interests[66].

[63] United Nations Development Programme, *Somalia Human Development Report 2001*, pp. 143-4.
[64] S. Hansen, (2007) 'Civil War Economies, the Hunt for Profit and the Incentives for Peace.' *Enemies or Allies Working Paper.* University of Bath/ University of Mogadishu, pp. 3.
[65] C. Webersik, op. cit., pp. 14-71.
[66] Ibid.

2.2.5 Intractability of the Somali conflict

The causes of conflict must be understood as different from the factors which drive a conflict and make it intractable. This study however posits that it is important to understand the reasons behind a conflict in order to be able to proceed to analyzing and understanding its intractability in the management of conflict. In the case of Somalia, there are various theories on the cause of the conflict, and admittedly the line between causes and perpetuating factors often becomes rather blurred. There are two main strands which attempt to explain the causes of conflict in Somalia, namely the traditionalist and the trans-formationist[67]. The traditionalists, who include renowned Somalia-scholars such as I.M. Lewis and S. Samatar, maintain that the conflict "cannot be divorced from the traditional Somali political genealogy". They argue that due to the decentralized political structure of Somalia, civil organizations follow genealogical clan-lines, and thus clan-loyalty is a defining feature of the current political situation in Somalia[68].

The trans-formationists, on the other hand, disagree with the traditionalist notion of the continued existence of pre-colonial clan structures, and argue that these have been substituted by "new social strata such as pastoral producers, merchants, the petty bourgeoisie and the intelligentsia"[69]. Furthermore, they claim that the "clan" of contemporary Somalia is not comparable to the old traditional notion of a "clan", and that interests of social groups have changed significantly over time. A key thesis of the trans-formationist strand of theory is that it is the forces that brought about the eventual collapse of the Somali state must be viewed within a "social rather than genealogical order of Somalia"[70].

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[67] AC. Ohanwe, (2009) Post-Cold War Conflicts in Africa – Case studies of Liberia and Somalia. London Publishers, pp. 137-146.
[68] AC. Ohanwe, op. cit., pp. 138-9.
[69] Ibid.
[70] Ibid.

The crisis in Somalia is one of the worst crises that have ever happened on both local and international scene. It is characterised by violence, which keeps on escalating between Transitional Federal Government (TFG) and the Islamic Courts Union (ICU). The TFG was created in Kenya after lengthy reconciliation talks hosted by the regional Intergovernmental Authority on Development (IGAD). This situation has made Somalia a dangerous country to the extent that since 1991 it has been without a central government. This persistent crisis in Somalia has caused Somalia into intractable conflicts both locally and internationally. In the light of this, there has been international intervention and withdrawal of external actors due to complexity of the crisis.

The focus is on the key drivers for the persistent breakdown of Somali society that have kept the conflict management concerns alive. The study demonstrates the management aspects after Somalia has been plunged into continuous spiraling violence resulting into persistent crisis and conflicts both internally and externally due to internal and external political dynamics of the country as portrayed in Brecher's ideas on the landscapes of international crisis management. The *issues* of these conflicts tend to be deep-rooted and intangible. Identity, sovereignty, and values or beliefs are examples of issues at the heart of intractable conflicts[71].Identity is viewed as especially crucial in the analysis of intractable conflicts.

Identity does not however in itself cause conflict; it is only when identities become polarized that they can cause conflict to flare up[72]. Deep-rooted communal or ethnic cleavages are often characteristics of protracted conflicts. In such contexts, conflict is fuelled by the refusal of parties to recognize each other's identity; and identity becomes interlinked with conflict in the sense that

[71] J. Bercovitch, (2003) 'Characteristics of Intractable Conflicts', in Burgess, G. and Burgess, HB. and Cassanelli, L.: *The struggle for the Land in Southern Somalia.* Westview Press, pp. 2.
[72] IW. Zartman, (2009) '*Conflict Resolution and Negotiation.*' The Sage Handbook of Conflict Resolution, edited by J. Bercovitch,V. Kremenyuk & I.W. Zartman, London: Sage Publications, pp. 50.

the parties (especially elites) come to define themselves and their existence primarily in terms of the conflict itself (Crocker, Hampson & Aall, 2005: 14). The *relationships* of intractable conflicts are therefore characterized by "polarized perceptions of hostility and enmity, and behavior that is violent and destructive"[73].

As far as *geopolitics* is concerned, it is common for intractable conflicts to take place in less stable regions, where they become implicated in the surrounding regional geopolitics, and their eventual resolution may largely depend on developments towards peace in the wider region. In such areas, states and actors become highly interlinked and sometimes "wear multiple hats" depending on the circumstances. In these instances it can become difficult to distinguish whether an actor is internal or external to a specific conflict[74]. Intractable conflicts further tend to occur in 'buffer zones' between major powers, blocs or civilizations. The ideal buffer state has its own identity and remains neutral in relation to its surrounding states. Alternatively, however, such states become heavily contested and are either partitioned between the two sides or dominated by one of them[75].

Outside intervention in a conflict may cause it to escalate or de-escalate, or it may contribute to the continued intractability of conflict, even when the interveners expect the effects of the intervention to be positive. As touched upon, external actors may provide military assistance or other materials, or they may impose arms embargos or sanctions which deprive the warring parties of certain goods and resources. They may also provide economic or humanitarian assistance, or offer refuge to exiled leaders. Intervention may also take forceful forms, as in the case of foreign troops being deployed in order to assist a side in the conflict, or to enforce peace.

[73] J. Bercovitch, op. cit., pp. 2.
[74] C. Crocker, F. Hampson, and P. Aall, (eds.) (2005) *Grasping the Nettle: Analyzing Cases of Intractable Conflict.* Washington, D.C.: Institute of Peace Press, pp. 14.
[75] IW. Zartman, op. cit., pp. 50.

Importantly, external actors often play a prominent role in intractable conflicts as mediators, who through various mediating activities and negotiations aim to transform the conflict, break the cycle of violence, and set it on the path to resolution. An external actor in a conflict may be a governmental or nongovernmental entity; a state, a non-governmental organization (NGO), or an international governmental organization (IGO)[76].

By systematically analyzing a conflict in terms of the three groups of factors; internal, external and relational, and by identifying key structural and agency factors within these, one is thus able to gain a comprehensive understanding of the conflict and what shapes its intractability and management. By following this framework, the analyst will further be able to recognize factors which may be contributing to conflict transformation, or which may act as a catalyst for transformation in the future.

2.3 Managing the Somali Conflict: A Theoretical Discussion

In this section relevant theories which can best explain the management of Somali conflict will be discussed. The main applicable ones are those of macro and classical theories of conflict. The macro theories focus on interaction of groups, specially their conscious level. They are concerned on group competitions, pursuit of power and resources and issues concerning material oriented environment. The classical theories are concerned on observations of group phenomenon and study of ethnic conflict.

In this study, there are some difficulties with using the concept of ethnicity as a framework for relating them in understanding the conflicts of Somalia. It is not clear what is meant by the terms

[76] L. Kriesberg, (2005) 'Nature, Dynamics, and Phases of Intractability' in Crocker, C., Hampson, F., and Aall, P. (eds.) (2005) *Grasping the Nettle: Analyzing Cases of Intractable Conflict.* Washington, D.C.: Institute of Peace Press, pp. 81.

"ethnic group", "ethnicity", and "ethnic conflict" in the context of Somalia. Many concepts such as "tribe" and "clan" have been used interchangeably with that of ethnic groups, and therefore it is quite difficult to distinguish between them. Thus, ethnicity then refers to the behaviour and feeling that supposedly emanates from membership of an ethnic group. Ethnic conflict has come to mean, cleavages between groups based on differentiations in ethnic identities. In Somalia, extremely bloody civil war is being waged between clans and sub clans. This clan conflicts has been described as ethnic and tribal conflict. This analogy will be used in this section.

2.3.1 The balance of power

Amidst the precariousness of a civil war, the disputants are ultimately concerned with their own survival. They must therefore pay close attention to the distribution of power or the balance of coercion among them. The most obvious demonstration of the influence power has on the selection of strategy in civil conflicts is the receptiveness a weak party shows towards integrative strategies. Weak parties are at risk of being eliminated or dominated by their stronger adversaries and, in order to save themselves, will seek to have their goals accommodated by making offers to cooperate with the dominant power.

In the 19th century, post Napoleonic Europe was largely concerned with the *balance of power*. While the outbreak of the First World War largely destroyed this theory, its assumptions were to be employed in the Cold War's deterrence theory. Deterrence theory rested on the assumption that a *balance of power* due to the superpowers' nuclear arsenals would prevent conflict. Within macro theory there is an important set of concepts that can be derived from the study of ethnic conflict[77]. This is of importance to Somalia because the same concepts are applicable to clan

[77] D. Horowitz, (1985) Ethnic Groups in Conflict. Berkely, University of California Press, pp. 12.

conflict. What is important is that these groups or clans of people have categorized themselves as distinct groups and they view each other as the *out-group* or *enemy*.

Consequently, one of the key objectives of ethnic conflict is to seek control of the state itself through the use of power[78]. Groups seek control of the state in order to ensure that their needs are met, usually to the detriment of opposing groups. The group leaders even invoke their ethnic identities to increase their support[79].This conflict over the control of the state is often perceived as a zero sum conflict. That is to say that one group's gain is another group's loss; this conflict is not win-win for both groups.

2.3.2 Greed vs. grievance theory

Due to the complex nature of the Somali conflict it appears plausible that neither greed nor grievance is sufficient in itself to explain the occurrence of violence in the country. A brief analysis of the greed vs. grievance debate's applicability to Somalia is however interesting. To begin with some of the grievance-related arguments, such as Gurr's theory of relative deprivation, are in my view not entirely applicable to the case of Somalia. Value expectations are "goods and conditions of life to which people believe they are entitled"[80], while value capabilities are goods and conditions which people believe they are capable of obtaining given the social means which are available to them.

Although rivalry between clans has always existed over issues such as access to water or grazing land, the Somali society is traditionally highly egalitarian[81]. While certain social groupings, such as minority Bantus, in all likelihood have experienced some sense of relative deprivation in

[78] B. Posen, "Security Dilemma and Ethnic Conflict," *Survival*, 35, no. 1 (1993), pp. 30.
[79] H. Howe, (2001) *Ambiguous Order: Military Forces in African States* (Boulder: Lynne Rienner), pp. 88.
[80] TR. Gurr, (1995) 'Transforming Ethno-political Conflicts: Exit, Autonomy, or Access.' *Conflict Transformation*, edited by K. Rupesinghe. New York: St Martin's Press, pp. 34.
[81] AC. Ohanwe, op. cit., pp. 137.

relation to more dominant ethnic Somali clans, this has not given rise to armed conflict of any significant scale. This is in line with the criticism of the relative deprivation theory's limited explanatory power. Another body of literature which relies heavily on the assumption of rationality is the so-called *greed*-based approach which looks to economic explanations of material gain as a motivation for violence[82].

Economic inequality may however have contributed to the outbreak of conflict, mainly due to unequal economic distribution as a result of clannism. Both the civilian governments and Barre's dictatorship created patrimonial paths to state funds and contributed to social and economic inequality by giving advantages to clan members[83] . Clan favouritism made Somali politics a zero-sum game in which only certain clans were the winners. As a result of divide and rule politics under the colonial powers, and later Barre, grievance stemming from political exclusion have been a crucial contributing reason to the birth of numerous opposition movements, who at times took to violence to make their voices heard. The Ishaq-based Somali National Movement's liberation struggle in Somaliland is an illustrating example[84].

The greed-thesis also finds some support in the case of Somalia. It is useful to note here that Somalia is in possession of all four of the economic characteristics which Collier[85] identifies as making a country significantly more prone to conflict. To repeat, these are dependence on

[82] D. Keen, (1998) *The Economic Functions of Violence* Adelphi Paper 320. New York: Oxford University Press.

[83] A. Osman, (2007) 'The Somali Internal War and the Role of Inequality, Economic Decline and Access to Weapons' in Osman, A. and Souaré (2007) *Somalia at the Crossroads – Challenges and Perspectives on Reconstituting a Failed State*. London: Adonis and Abbey Publishers Ltd. Peace Press.

[84] B. Moller, (2009) The Somali Conflict: The Role of External Actors, *DIIS Report*. Copenhagen: Danish Institute of International Studies, pp. 10.

[85] Paul Collier (2000, 2006) worked extensively with Anke Hoeffler in conducting quantitative analysis of the economic causes of civil wars. Other prominent advocates of the importance of economic agendas in wars include David Keen (2000), William Reno (2000, 2002) and Mark Duffield (2000).

primary commodity exports, slow economic growth, low incomes and large diaspora[86]. Somalia's formal economy relies heavily on the export of commodities such as livestock, bananas and charcoal (CIA, 2010). Somalia may however be contrasted to other conflict-ridden cases like Sierra Leone, where the role of an extremely valuable resource, in this case diamonds, has been central. Somalia is, as previously noted, lacking natural resources of this kind, and thus the 'resource wars' thesis does not apply to Somalia *per se*.

2.3.3 Game theory

The Game Theory has its origins in the 20th century model of the rational actor. The rational actor model was developed by economists to explain human economic behaviour. It presupposes that people make choices and decisions on a rational basis based on informed choices and weighing of opportunities[87]. Game Theory is based on the rational actor model in that it relies on the assumption of a rational decision making process that is fundamental to the engagement of human conflict.

Thomas Schelling takes this model further to develop a sophisticated game theory. Schelling's game model includes communication, negotiation, information, and introduces the importance of irrationality into strategic thought. One of the most important contributions of Schelling is his hypothesis of the interdependency of conflict, competition and cooperation among actors. In each incident of conflict there are elements of cooperation; cooperative engagements often engender an element of conflict. This notion has become an important element in our understanding of conflict. Schelling uses game theory as an attempt to break down the complexities of intergroup relationships by using game playing to illustrate analogous situations.

[86] P. Collier, (2006) 'Economic Causes of Civil Conflict and their Implications for Policy,' in Crocker, C., Hampson, F. and Aall, P. (2007) *Leashing the Dogs of War – Conflict Management in a Divided World.* Washington, D.C.: Institute of Peace Press.
[87] A. Downs', (1957) An Economic Theory of Democracy. London Press, pp. 17-9.

He uses three types of games: chance, skill, and strategic, to illustrate the corollaries to international relations - both cooperative and conflictual.

Another theorist of ethnic conflict who has contributed significantly to our understanding is Professor Walker Connor. Connor is concerned with the confusion over terms and concepts within the literature on ethnic conflict. He believes that observers often attribute ethno-national conflict to other, less salient elements: In summary, ethnic strife is too often superficially discerned as principally predicated upon language, religion, customs, economic inequality, or some other tangible element. But what is fundamentally involved in such a conflict is that divergence of basic identity which manifests itself in the "us-them" syndrome.

While such things as religion and economic deprivation may be important contributing factors to ethnic conflict, it is the opposition of national identities which define the conflict. Connor further underlines the importance of the depth of emotions in ethnic conflict. Explanations of behaviour in terms of pressure groups, elite ambitions, and rational choice theory hint at all the passions that motivate warlords like the case of Somalia[88].

One of the key and contentious concepts for ethno national behaviour is that it is not elite driven, as other political phenomenon may be, it is mass driven. If this is the case, then it has important consequences for the search for solutions. For instance, a key component of consociational democracy is elite cooperation. While consociational theory may work for some countries, it will not work in Somalia because there is little or no elite cooperation; and even if there was, it would not sway enough support from the masses for its success. The essence of nationalism is not to be sought in the motives of elites who may manipulate nationalism for some ulterior end, but rather

[88] A. Adebajo, (2003) "In Search of Warlords: Hegemonic Peacekeeping in Liberia and Somalia" in International Peacekeeping, vol. 10(4), pp. 62-81.

in the mass sentiment to which elites appeal[89]. One would argue that within Somalia conflict is a mass and not an elite driven phenomenon.

2.3.4 Track two diplomacy

Track two diplomacy has emerged to fill the void left by official diplomacy or the track one diplomacy[90]. It is informal or unofficial interaction between private citizens or groups of people within a country or from different countries who are outside the formal governmental power structure. These definitions are so broad that any non-governmental activity could constitute Track two diplomacy, including business contacts, citizen exchange programmes, advocacy work or religious contacts and they are often borne of specific hard objectives. This also entails significant degree of persuasion, education, understanding, information and communication.

In models of parallel ethnic segmentation, each community is internally stratified by socio-economic criteria and each has a political elite to represent its interest vis-à-vis the corresponding elites of other ethnic segments. In the reticulate model, ethnic groups and social classes cross populate each other but the system is not random, symmetrical or egalitarian. Each ethnic group pursues a wide range of economic functions and occupations, and each economic class or sector organically incorporates members of several ethnic categories.

Montville notes that track two diplomacy is in no way a substitute for official or leader-to-leader relationships. It is designed to assist official leaders by compensating for the constraints imposed upon them by the understandable need for leadership to be strong in the face of the enemy. He observes further that track two diplomacy seeks political formulas or scenarios that might satisfy the basic security and esteem needs of the parties to a particular dispute. On a more general level

[89] W. Connor, (1994) Ethnonationalism, The Quest for Understanding. Princeton, Princeton University Press, pp. 206.
[90] JV. Montville, (1991) 'The Arrow and the Olive Branch: A Case for Track Two Diplomacy' in Volkan, op cit., pp. 169.

it seeks to promote an environment in a political community, through the education of public opinion that will make it safer for political leaders to take risks for peace.

The concept of track two diplomacy motivated seminars which were organized on three levels and offered in sequence. First-level seminars served local constituencies and focused primarily around community building. They were designed to help people face issues of grief and loss, heal grievance, share the contributions and examine the role of confession and forgiveness in reconciliation[91]. Second-level seminars extended this work by bringing the alumni from the first-level workshops to a central location and providing them with opportunity to help each other out of their isolation. These workshops held within one country or region focused on attitudinal change and skills development. In addition to establishing contacts within larger communities to apart by war, the seminars helped people to clarify perspectives, assess their own style of handling conflict management. Finally, third-level seminars further extended the work by helping participants to identify specific creative roles for their communities in fostering social change to understand where and how to motivate the individuals or structures, and build competence in community organizing skills[92].

2.3.5 The ranking model

In parallel ethnic segmentation, each ethnic community is internally stratified by socio economic criteria and each has a political elite to represent its interest *vis-a vis* the corresponding elites of other ethnic segments[93]. In the reticulate model, ethnic groups and social classes cross populate each other but the system is not random, symmetrical, or egalitarian. Each ethnic group pursues a

[91] HC. Kelman, (1991) 'Interactive Problem Solving: The Uses and Limits of a Therapeutic Model for the Resolution of International Conflicts' in Volkan, pp. 146.
[92] T. Schelling, (1960) The Strategy of Conflict. Cambridge, MA, Harvard University Press, pp. 141.
[93] Horowitz, op cit, pp. 140.

wide range of economic functions and occupations, and each economic class or sector organically incorporates members of several ethnic categories.

Horowitz (1985) makes a distinction between ranked and un-ranked ethnic groups. He sees the distinction as a resting upon the coincidence of social class with ethnic group. When the two coincide it is possible to speak of ranked ethnic groups, whereas groups are cross-class, it is possible to speak of un-ranked ethnic groups. Somalia in this case with its clans is in the un-ranked system.

2.3.6 The relevance of macro theories to conflict management

One can sense the depth of emotion and sheer intensity of the conflict by the atrocities that are carried out by the violent extremes of warring clans. Since the collapse of the Somali state atrocities and murders of extreme scale was witnessed. What these events illustrate are the levels of hatred and violence that the conflict partners are willing to engage in. What is an adequate guide to ethno national behaviour is their pursuit of their human needs in light of confrontation with competing groups within the confines of a single state. Unfortunately, in most cases this is perceived as a zero sum confrontation in which one group's gain is another group's loss.

Ball, Milner and Taylor, in their analysis of track two diplomacy noted several possible roles on which criteria for successes can be developed and judged. They stated that track two processes can serve as a mechanism for the development of a policy advice to governments, particularly as regards new issues or longer-term questions. In that sense, track two diplomacy, if accepted by regional governments, can serve as a kind of reserve of intellectual capacity. This will also offer alternative route to the continuation of regional security discussions where official routes are blocked. This implies high degree of confidence and probably control over the track one

diplomacy. Track two performs a socialization role at the most basic level in that it permits participants to get to know each other. Beyond this, it is assumed that participants develop a keener appreciation of each other's perspectives and concerns. Ultimately they can achieve shared understandings on difficult issues.

Promoted by political psychology track two concepts are being recognized increasingly by some decision-makers in politics. The civil peace accords mentioned in the Somali peace agreement are recent examples of this although as a vital and strategic component of peace making; its cost effectiveness has not yet been evaluated and fully realized. However, Somalia is one of the poorest countries in the world and has a slow economic growth much due to protracted instability and conflict[94]. Somalia furthermore has a substantial diaspora, with the potential to influence Somali affairs. After having studied the Somali conflict, a conclusion was drawn that the dichotomy of greed and grievance as causes of conflict is of limited use: the two can and should not be separated from each other. In the Somali case, it appears as though grievance have often been at the root of conflict, while economic considerations have fuelled conflict further.

When one considers the early years of conflict in the late 1980s, it was grievance stemming from the military regime's exclusionist policies which ultimately gave rise to armed violence, while warlords who found ways to profit from lawlessness and war emerged at a later stage. I thus disagree with the rigid analytical separation between greed and grievance. I believe that greed and grievance are connected in a two-way relationship in which a situation where grievance has given rise to social conflict can be exploited by the greedy. At the same time, greed can give rise to grievance under circumstances where some benefit and others do not. In my view, it appears

[94] E. Azar, (1990) The *management of protracted social conflict: theory and cases*. Hampshire: Dartmouth Publishing Company Ltd, pp. 93.

s though the concept of greed is more useful in the study of what fuels and sustains war, at least n the case of Somalia.

.4 Conclusion

The discussion of the collapsed Somali state and the management of the conflict through a heoretical approach is occupied with the exercise of power and the use of force in interclan elations. While classical theory is useful in explaining acts and events, it does not answer questions about subconscious motivational factors. Macro conflict theories are useful in explaining conflict in Somalia as they illustrate the depth and complexity of emotions that are at work in the process of resolution. This will enable researchers to break through the circumscribed mid-range theories presently available. We must be able to explain such things as the intransigence of certain sections of disputants, as well as the continuing violence in their midst[95]. The internal approach offers a better understanding of the conflict and there is some agreement about the causes of the conflict. However, there is no consensus on solutions as regards to management concerns, as the adherents of these of conflict theories are influenced by the bias of their respective assumptions. The next chapter discusses two main peace processes for Somalia in detail. There will be no consensus on solutions until there are significant attitude and perceptional changes in both the elites and the local Somalis.

[95] Ibid, pp. 95.

CHAPTER THREE

MANAGING THE SOMALI CONFLICT: PEACE PROCESSES VS. POWER-SHARING AGREEMENTS, 1999-2004

3.1 Introduction

In the previous chapter the theoretical discussion of various theories of conflict management like that of balance of power, greed versus grievances, game theory, track two diplomacy and the ranking model was used in relevance to the Somali conflict. Since the Somali state collapsed[96] after 1991, the country went into chaos hence the emergence of clan politics and warlords. there have been around fifteen conflict resolution efforts organized by different states, as well as regional and international organizations. Some of the major conferences supported by the regional states and the international community include: the Djibouti Conference in 1991; the Addis Ababa Conference in 1993; the Cairo Conference in 1997; the Arta Conference in 2000; the Eldoret Process in 2002, which gave birth to the first Transitional Federal Government (TFG) in 2004; and the recently held Djibouti Peace Process in 2008, which led to the establishment of the second Transitional Federal Government (TFG II) by combining the TFG I with ARS-D (Alliance for Re-liberation of Somalia-Djibouti)[97]. .

In this chapter, two main peace processes was taken as case studies. The Arta, 1999- 2000 and Eldoret/Mbagathi, 2002-2004 Processes are detailed and dissected so as to test which (of the two) was holistic approach to long term stability and which (of the two) sided on the context of power-sharing agreement. With the assessment of these two case studies in mind an analogy of the phases and how emerging factors lead to specific outcome is outlined. Participation being an

[96] *Conflict Analysis Regional Report—Somalia,* 2004.
[97] T. Dagne, (2007) Somalia: Current Conditions and Prospects for a Lasting Peace. *A Congressional Research Service Report for Congress.* Pretoria: Human Sciences Research Council, pp. 19.

important component in determining outcome in conflict management in inclusiveness, representation, decision-making power[98], procedures and competence on the part of the negotiation delegations is paramount as the two case studies will highlight.

3.2 The Arta Process, 1999-2000

Following a series of unsuccessful, somewhat half-hearted attempts at reaching a political solution, the most successful peace initiative yet was launched in Arta in Djibouti in 2000, largely as a result of active lobbying by President Gelle of Djibouti. An important breakthrough was reached during the Arta process; namely the creation of a Transitional National Government (TNG)[99]. The Arta Peace process appeared to be gaining international recognition as the new preferred line for the 'normalization' of relations within Somalia. It also appeared to take a successful line that the national reconciliation conference, out of which the new government had originated, had been organized without the involvement of warlords. This could speak on behalf of the Somali population as a whole as it signified efforts towards state formation.

The Arta Peace Process began during May 2000 in Arta, Djibouti with delegations from all corners of Somalia. The discussions continued for over four months and concluded with the election of a transitional National Assembly (TNA) of 244 members, an Interim President, Abdiqassim Salad Hassan and a Transitional National Government (TNG) led by Interim Prime Minister, Ali Khalif Gallayr. The first interim government for Somalia for more than a decade moved to Mogadishu in September 2000 and was overwhelmingly received by Mogadishu

[98] Il. Mitroff, (1998) Smart Thinking for Crazy Times: The Art of Solving the Right Problems. San Francisco: Berrett-Koehler.
[99] M. Bradbury, and S. Healy, (2010) *'Endless War: A Brief History of the Somali Conflict.' Whose Peace is it Anyway? Connecting Somali and International Peacemaking*, Accord no.21, Bradbury, M and Healy, S. (ed.) 2010. London: Conciliation Resources.

residents, although its de facto authority was soon to be restricted to the environs of Mogadishu[100].

A number of faction leaders have subsequently resisted the TNG and formed a coalition of opposition groups with a rotating chairmanship called the Somali Reconciliation and Restoration Council (SRRC). The SRRC is a huge coalition of political groups and leaders, they are held together only by the common thread of Ethiopian Patronage. Many observers blame domestic spoilers (warlords, local actors) and Somalia's leadership deficit and divisive political culture; others point to external spoilers that seem to have vested interests in keeping Somalia in a state of collapse, in particular Ethiopia. Some argue that a lack of international political willpower and analytical acumen, together with rival interests and a series of missed opportunities for external mediators have caused the failures of mediation[101].

The SRRC was composed of: Rahanweyn Resistance Army (RRA) led by Hassan Mohamed Nur "Shatigaduud"; Hussein Aideed (son of the General Farah Aideed who fought UN during the operation "Restore Hope") with his militia; General Morgan who commanded the Majerteen militia; the Abgal/ Warsangeli clan militia led by Mohamed Dhere, who at one time declared himself Governor of Middle Shabelle region; the Biimal clan, based in the Merka area and in Lower Jubba region; and Abdullahi Yusuf, who was the Puntland administrator and the most influential figure[102].

The interim government continues to meet resistance because the opposition groups believe that labeling warlords as criminals and sidelining them prevented them from participating in and contributing to the peace process. Like the EC initiative, the Djibouti Initiative delegates focused on institutional and constitutional solutions to the conflict, instead of genuine reconciliation. As

[100] TNG mandate officially expired in July 2003.
[101] K. Menkhaus, (2007) "Mediation efforts in Somalia", in: *Africa Mediators' Retreat*, pp. 38–41.
[102] Ibid.

the security and humanitarian situation continued to deteriorate, IGAD member states established a Technical Committee consisting of representatives from the front-line states of Djibouti, Kenya and Ethiopia. The mandate includes monitoring the Somali peace process and drawing up the terms of reference for the resumption of broad based talks to look at the completion and implementation of the Arta agreement against a backdrop of public expressions of disappointment by Interim President Hassan at the lack of support from the international community for the rehabilitation of Somalia as well as the poor progress with the internal political process.

The mediation team in the Somali peace process included countries of the region such as Djibouti, Ethiopia, Eritrea, Kenya and Sudan. These countries imposed a solution to disputantism and went further to coerce them in accepting the Arta process outcome. Despite the fact that these countries have imposed a solution on Somalis, some of them could not even make a political commitment to underwrite the outcome. Ethiopia was the first country to denounce the Transitional National Government (TNG) of Abdiqassim Salad Hassan as an Islamist government inspired by the Al-Ittihad group. The TNG was never given the opportunity to consolidate itself, mainly in Mogadishu where the core leadership hailed from. As a consequence of this, the TNG was preoccupied with getting international legitimacy at the expense of reaching out to the warlords, who were a dominant political and military force in Mogadishu. Given these dynamics, the TNG then developed a relationship with the Islamic Courts in Mogadishu. The argument can be made that the TNG was eventually forced to develop this working relation with the Courts since structures because of isolation by Ethiopia and other countries within the Inter Governmental Authority on Development (IGAD).

At first the TNG appeared promising, as it was the "most inclusive and representative peace initiative since 1991", but a number of problems soon rose to the surface[103]. Although the peace process in general was more inclusive than previous ones, the new transitional government was dominated by Mogadishu-based clans, falling short of serving as a government of national unity[104].

Moreover, according to the World Bank (2005: 13), the leadership of the TNG "devoted most of its attention to securing foreign aid and external recognition, rather than engaging in the arduous process of rebuilding a central government". During its first year, the TNG enjoyed popular support among Somalis, but as its shortcomings became apparent this support quickly began to wane. Moreover, the TNG was met with stark opposition both from factions within Somalia, as well as from neighbouring states[105]. Over its three year mandate, the TNG had failed to become operational and eventually only managed to control the capital and small pockets inland; which instigated another effort to bring the protracted conflict to an end, this time under the auspices of the Intergovernmental Authority for Development (IGAD)[106].

3.2.1 The outcome of the Arta Process

The mediator of the Arta peace process and President of Djibouti had powers beyond that of a mediator such as the power to hand pick twenty members to the TNA without a clear defined criteria agreed upon by all role-players in the peace process. The Arta peace initiative began with the holding of the Technical Consultative Symposium attended by about 60 prominent Somalis who were invited on their individual capacities but for the purpose of inclusiveness selected from different parts of the country and the Diaspora.

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[103] C. Webersik, (2006) Mogadishu: An Economy without a State. *Third World Quarterly*, Vol. 27, No. 8.
[104] K. Menkhaus, op. cit., pp. 359.
[105] C. Webersik, (2004) Bargaining for the Spoils of War – The Somalia National Reconciliation Process. Paper presented to the Third Horn of Africa Conference, Lund, Sweden, pp. 3.
[106] International Crisis Group (2002) *Somalia: Countering Terrorism in a Failed State*. Africa Report no. 45. Nairobi/Brussels: International Crisis Group, pp. 2.

The symposium was meant to advice the host country with respect to the organization and implementation of the initiative. It was not at all intended to act as a decision-making body. The symposium recommended: that the process should be made as inclusive as possible by allowing the participation of faction leaders who desired peace and by enhancing the role of civil society[107] within Somalia and in the Diaspora; on the future structure of government, the symposium recommended a decentralized arrangement as well as consolidation of peace in areas in which peace had been restored; the establishment of a human rights commission to monitor violations of the peace process; the departure of Somalis occupying the lands and properties of others; the reaffirmation of Mogadishu as the capital of Somalia, with the possibility of establishing a temporary capital for a future provisional government; rehabilitation of militia members, with the conversion of some of them into a national army; if necessary, the transitional government could call for an international force to assist in matters of security.

Participants also called for stringent enforcement of the Security Council arms embargo on Somalia, stressed the need for international support for a future agreement by Somalis and called upon Djibouti to send delegations to Somalia to prepare for the Somali National Peace Conference[108]. The mediator's role was compromised because of these immense and influencing powers. A mediator is a person who assists the principal parties to reach a mutual and acceptable settlement with neutrality of the issue in dispute during conflict management[109]. The fact that the mediator had decision-making powers might have conventionally influenced the outcome in the process. The Arta process has been the most successful to date in navigating the challenges of externally located peace talks through a venue in Djibouti and in a cultural setting familiar to

[107] M. Edwards, (2004) *Civil Society*. Cambridge: Polity Press.
[108] Report of the Secretary General of the United Nations on the situation in Somalia to the Security Council (S/2000/1211).
[109] CW. Moore, (2003) The Mediation Process. *Third Edition*. San Francisco: Jossey-Baus, pp. 8.

Somalis. The location facilitated an informal parallel process of 'side meetings' at the houses of leading elders or politicians to discuss and resolve issues and advise delegates.

The Arta Conference followed the footsteps of the relatively successful *de facto* political entities in Somalia by adopting *shir-beeleed,* at the national level, as the main instrument in the process of reconciliation and 'nation building' _ representative forums attended by clan leaders, civil society and the Diaspora allowed relatively peaceful entities in Somaliland and Puntland secure internal stability and form representative administrations in their respective domains. In spite of the fact that the Arta Conference was held outside Somalia in the half-Somali neighbouring country of Djibouti and in many other ways it resembles externally sponsored past conferences, it is incorrect to reduce the process to an external exercise that imposed a solution from above. As has already been stated, the selection of the official delegates was the responsibility of titled lineage leaders of the local clans attending the conference - a situation that bears similarity, at the lower level, to the institution of *shir,* a gathering of adult men of the lineage to deliberate matters that are of common interest.

The Arta process also demonstrated that, even when talks are externally situated, a high level of public interest can be sustained through effective use of media. The daily satellite TV broadcasts enabled members of the public to pressure their representatives. To deal effectively with conflict management; the intervener in the process needs a conceptual road map or "conflict map"[110]. The details as to why a conflict is occurs, identity of barriers to a settlement, the concerns of disputants and also the procedures to manage and resolve a conflict is contained in the road map. The mediator works with the disputants to test research questions about the sources and the concerns of the conflict. The crux of the Somali conflict is all about political power and therefore

[110] CW. Moore, op. cit., pp. 61.

addressing the political power relations requires a systematic approach in order to ensure the positive outcome of the process. To a certain extent, the Arta Peace Process was influenced by the Addis Ababa objectives, namely the quest to establish some form of a government system.

The *top-down* process of state-building adopted by the Arta Process was that historically the Somali society enjoyed a decentralized form of government-based power-sharing by clans. To some extent, the clan system is an example of an autonomous and cohesive system of government worth revisiting especially when dealing with government-building process. About 2000 delegates representing a wide spectrum of concerns and interest attended the Arta Peace Process. These large pool of delegates were motivated to create the building blocks of a system of government. Traditional, religious and business leaders were well represented at Arta, but they were largely excluded. 44 seats were established and distributed among the main clans of Somali, namely, the Hawiye, Darod, Digil, Mirifle and Dir clans). The Hawiye clan regarded themselves to be shortchanged by the representation as they boasted a strong military faction at the time[111]. Thus, the establishment of the Transitional National Government (TNG) with Abdiqassim Salad Hassan (who is a member of Hawiye clan) was perhaps another compromise to manage and appease the strong Hawiye opposition to the process outcome[112].

The compromise involved with the election of Abdiqassim Salad Hassan as president of the TNG meant that the transitional government was in crisis management mode before dealing with the concerns and challenges of creating functional long term and viable system of governance. Many people who claimed to be legitimately appointed representative were simply self appointed, and

[111] KG. Adar, (2001) Somalia: Reconstruction of a Collapsed State: Conflict Trends, pp. 21.
[112] Ibid.

he further views this as affecting the outcome of the peace process[113]. This representation had adverse manipulation on the outcome of the conflict management process.

3.3 The Eldoret/Mbagathi Process, 2002-2004

In October 2002, Somali political leaders gathered in Eldoret in Kenya to sign a new declaration, designed to address the crucial issues of creating a structure for a future Somali state and reconciling the nation. The invitees included the prime minister of the transitional government and the speaker of the transitional assembly formed in Djibouti in 2000. The un-recognised Somaliland government did not attend. The Eldoret Peace Talk was a follow up of an earlier held in Khartoum under the auspices of the Inter-Governmental Authority on Development (IGAD). In 2003, the process was moved from Eldoret to Mbagathi (near Nairobi), and the period from 2002 to 2004 has subsequently been termed the Mbagathi Process or the Somali National Peace and Reconciliation Conference[114].

The IGAD leaders assigned the responsibility of undertaking the peace process to what they called the IGAD Technical Committee[115], which was composed of the front-line states, Ethiopia, Djibouti, and Kenya. Due to the intensified rivalry between Ethiopia and Djibouti over the TNG, Kenya was considered neutral and was designated as a chairman of the IGAD Technical Committee. The assumption was, that "Ethiopia and Djibouti's partisanship would cancel one another out, leaving Kenya to provide unbiased leadership"[116]. Kenya's endeavor was supported by ambassadors of IGAD member states seated at Nairobi.

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[113] IM. Lewis, (2008) *Understanding Somalia and Somaliland – Culture, History, Society*. London: Hurst Publishers, pp. 81.
[114] S. Healy, (2008) *Lost opportunities in the Horn of Africa – How Conflicts Connect and Peace Agreements Unravel*. London: Royal Institute of International Affairs, pp. 20.
[115] Somali National Reconciliation Conference, *Technical Committee*, draft report, Dec. 3, 2002.
[116] International Crisis Group, (2002) *Somalia: Countering Terrorism in a Failed State*. Africa Report no. 45. Nairobi/Brussels: International Crisis Group.

The Eldoret peace framework was promising. It tried to take lessons from the previous failed initiatives. As ICG noted, it gave priority to substantive issues over the issue of power-sharing and the issue of representation was taken seriously. During the summit, the Somali leaders raised their concerns regarding the ownership and management of the conference. Wiser from previous processes, the engineers of the Eldoret Declaration put the potentially explosive issue of power-sharing last on the agenda[117]. Most Somali leaders had complained that it was the Technical Committee, and not themselves, who were dictating the terms and pace of the peace process. The Technical Committee was made up of the "Frontline States" of Kenya, Djibouti and Ethiopia, with Kenya acting as Chair.

Although officially a facilitating body, the Technical Committee emerged as the de facto supreme decision making organ of the conference for agenda, timetable and procedure. They also complained that there were conflicting interests and approaches among the three front line states namely Djibouti, Ethiopia, and Kenya, which constituted the Technical Committee, thereby creating confusion among the Somali delegates[118]. Given the concerns raised by the Somalis, the Summit decided "to expand the Technical Committee, now renamed as the Facilitation Committee on the Somali Peace Process led by Kenya, to include Djibouti, Eritrea, Ethiopia, Uganda, and Sudan"[119].

The Summit also ordered the newly formed Facilitation Committee to take immediate steps towards the convening of a Leaders' Retreat, with the objective of resolving all the outstanding issues relating to the peace process. The Facilitation Committee was able to return the Somali leaders who had withdrawn from the peace process. The sense of failure of yet another Somali peace process was heightened by the failure of the new IGAD Facilitation Committee to convene

[117] Ibid, pp. 3.
[118] Peace and Security Council Report of African Union 2004, pp. 2.
[119] IGAD Communiqué, 2003.

the Leaders' Retreat in December 2003. The reasons for the delay of the retreat included a disagreement over Somali participants and a split between Kenya and Uganda over the issue of leadership and venue[120].

The Leaders' Retreat began on January 9, 2004 at the Nairobi Safari Park Hotel, and lasted until January 29, 2004. After nearly three weeks of strenuous bargaining, the Declaration on the Harmonization of Various Issues —proposed by the Somali delegates at the Somali consultative meetings at State House, the Kenyan presidential residence—was signed on January 29, 2004. The Somali leaders agreed on the name of the government and charter, the size of the parliament, and the duration of the transitional period[121].

Egregious mismanagement and corruption threatened to derail the round of peace talks in Eldoret in January 2003, when a newly elected Kenyan government replaced the conference chairman and relocated the talks to Mbagathi, a suburb of Nairobi[122]. The change of leadership and venue cut the costs, which had exceeded U.S. $80,000 per day, by roughly half, but failed to eliminate two more subtle, persistent and potentially fatal inheritances: a political bias in the three-country IGAD Technical Committee (whose role was to "guide and mediate" the talks while ensuring respect for rules of procedure), and disputed arrangements for representation from Somalia's diverse clans and factions. Even in the early months, these problems made it questionable whether a legitimate, functional government could emerge.

Ethiopia's dominance of the Technical Committee and close involvement in conference mechanics such as organisation of the daily agenda and screening of delegates produced an increasingly noticeable bias in favour of the SRRC. Some individuals perceived to harbour an

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[120] International Crisis Group, (2004) *Somalia: Continuation of war by other means?* Africa Report no. 88. Nairobi/Brussels: International Crisis Group, pp. 10.

[121] Peace and Security Council of the African Union 2004, op. cit., pp. 3–4.

[122] ICG Briefing, *Salvaging Somalia's Chance for Peace*, op. cit.; and ICG Report, Negotiating *a Blueprint for Peace in Somalia*, op. cit.

anti-Ethiopian or pro-TNG bias were denied the opportunity to participate. The TNG was represented by Prime Minister Hassan Abshir and the speaker of the Transitional National Assembly (TNA), Abdalla Deerow Isaaq. Although its president, Abdiqassim Salad Hassan, opted not to attend, this was initially of little relevance. With nothing to show for his three years in office and his mandate set to expire in August 2003, he was unpopular.

Diplomats from Djibouti, the TNG's principal patron, nevertheless struggled to defend their client's interests in the Technical Committee, triggering heated disputes with the Ethiopians. Kenya's tendency to align with the Ethiopian position encouraged perceptions of Ethiopian dominance of the process and attracted increasingly vocal criticism from Somalis and international observers alike. In March 2003, Abdiqassim ordered the recall of his representatives. Their refusal to return to Mogadishu effectively split the TNG, leaving Abdiqassim virtually isolated except for his allies in the Juba Valley Alliance -- a mixed militia force from Galgaduud, Gedo, and Lower Juba regions that had taken Kismayu by force in 1999. Apparently aware of his weakness, he finally accepted an invitation to attend the conference in September 2003, but when the Technical Committee rejected his demand to reopen debate on a transitional charter, he returned to Somalia. On the same day, 15 September 2003, the delegates at Mbagathi approved by acclamation a draft transitional charter that would transform Somalia into a federal state.

The path seemed clear to replace the TNG with an interim federal government that most observers assumed would be dominated by the SRRC and led by Puntland president Abdullah Yusuf -- an unambiguously pro-Ethiopian combination. In other words, the charter was less a platform for national reconciliation than the victory of one interest group (SRRC and its allies) over another (TNG and its allies). Instead of restoring peace and effective government, a one-

sided outcome threatened more than before. When mediators convened the latest round of peace talks at Eldoret, Kenya, in October 2002, they attracted 22 leaders of varying importance. On 27 October 2002, these signed a cessation of hostilities agreement; on 15 September 2003 they approved a draft transitional charter; and on 29 January 2004 some endorsed a revised transitional charter, the Safari Park Declaration (named after the Nairobi hotel at which it was agreed).

In sum, the process has ostensibly obtained agreement of key faction leaders to a cessation of hostilities, a transitional charter, and formation of transitional national institutions for five years. On this basis, Kenya's foreign minister, Kalonzo Musyoka, announced on 5 March 2004 that the peace process would soon enter its third and final phase: formation of the transitional parliament and government. One week later, foreign ministers of the IGAD Facilitation Committee managing the talks endorsed the achievements and affirmed their intention to move the talks into "the preliminary stage of Phase Three"[123]. The ministers' joint communiqué, however, offered clues that all was not well: first, unlike the other participants, Ethiopia was represented by its special envoy to the talks rather than a minister, signaling a lack of enthusiasm that has characterised Ethiopian engagement since the formation of the Facilitation Committee in October 2003.

The most significant outcome of the Mbagathi peace process was the establishment of a new Transitional Federal Government (TFG), an institution which is still in existence at the time of writing. This time around, a 275-person parliament was selected by Somali clans in proportion to their numbers in the total population. The parliament elected Colonel Yusuf as President. . President Abdulahi Yusuf was a former warlord whose relations with Ethiopia started in 1978

[123] Joint Communiqué of the 4th IGAD Ministerial Facilitation Committee Meeting on the Somali National Reconciliation Conference, Nairobi, Kenya, 12 March 2004.

during the Derg regime, when he and other former Somali army officers orchestrated a failed coup to unseat Siyad Barre. When Barre executed most of the officers who planned the coup, Yusuf escaped to Ethiopia and helped create one of the first rebel groups based in Ethiopia, the SSDF. Yusuf was later detained by the Derg government, but he was released by Meles Zenawi, who took power in Ethiopia in May 1991. The new president in turn appointed Ali Mohamed Gedi as Prime Minister, which some say was Ethiopia's insistence[124]. Prime Minister Ali Mohamed Gedi is a former veterinarian who had little political experience when he was appointed to the position. While Ethiopia had been a patron of the *opposition* to the first Transitional Government, the TNG, roles were now reversed with Ethiopia considered something of an architect of the new TFG. Kenya supported the TFG while former TNG sponsors, namely Djibouti, Egypt and the Arab League, took a significantly more measured stance.

In 2004, the International Crisis Group (ICG, 2004: 18) described the TFG as "as much – if not more – the product of regional detente as of a peace deal between Somalis". In the early days of the new TFG Western countries were rather polarised in their views, with Italy showing eager support, but the United States and the United Kingdom remaining more hesitant. By 2005 the TFG had relocated from Kenya to Baidoa in Somalia, as Mogadishu was considered too dangerous. It had however already marginalised itself both geographically and politically and was generally not viewed as legitimate by Somalis[125]. Following the rise of the Union of Islamic Courts (UIC) and Islamist militias, the TFG found it increasingly difficult to consolidate its position as the government of Somalia and to exercise any real control in the country. Ethiopia intervened militarily to support the transitional government and prevent the spread of

[124] S. Healy, op. cit., pp. 21.
[125] IM. Lewis, op. cit., pp. 84.

fundamentalist Islam in Africa. This concern was shared by the US, who backed Ethiopia in its undertakings in Somalia (BBC, 2010b).

Realising the unevenness of the opposing forces, the UIC withdrew from Mogadishu, allowing the TFG to install itself there under Ethiopian protection. Armed conflict however became a fact: Ethiopian soldiers were almost daily targeted for attacks. At the past three peace conferences that were held in Sodere (Ethiopia), Arta (Djibouti) and Mbagathi (Kenya) this reality had to be faced. After two years were spent on the conference in Kenya, which mainly gathered some of the biggest warlords that destroyed the country, a transitional government was eventually produced. In the parliament of 275 members that was elected, 61 members were allocated to each of the four large clans and 31 to a cluster of minority clans. This distribution was based on the '4.5' formula[126]. The parliament elected Sharif Hassan Sheikh Adan from the Asharaaf clan, a sub-clan of Dighil and Mirifle, as the speaker. Additionally, the new constitution accepts the existence of two languages, Maay and Mahaa, as official languages in the country. Despite the fact that diversity has been acknowledged, the domination of the political power by the nomadic clans is however still apparent. For example, the current transitional government is headed by Colonel Abdulahi Yusuf Ahmed and the defence minister, police commander; and foreign affairs minister are all from his clan of Darood.

The Mbagathi Peace Conference was convened at a time when the international situation was greatly altered by the September 11 events. Lewis (2008) alleges that the Mbagathi peace process repeated all the mistakes of the previous peace processes which never enjoyed popular support in Somalia. It was within this context of the post- 9/11[127] that failed states were perceived to be a safe haven for international terrorists, thus influencing the manner in which the

[126] See ICG Africa Briefing, *Salvaging Somalia's Chance for Peace*, 9th December 2002 for an explanation of this so-called "4.5 formula".

[127] 9/11 refers to the terrorist attacks on the World Trade Center and other targets in the United States on September 11, 2001.

Somali conflict was viewed by the Bush administration, which subsequently influenced countries of the region[128].

Menkhaus (2004) challenges the conventional wisdom that collapsed states constitute a safe haven for international terrorists by arguing that Somalia appears to have all the ingredients for an ideal safe haven for Al Qaeda. However, he argues that the case of Somalia suggests that researchers may have been partially mistaken in their assumption about the relationship between terrorism and collapsed states. Al-Qaida is a transnational terrorist organisation founded in the late 1980s by Osama bin Laden. Al- Qaida was for instance responsible for the 9/11 2001 attacks on the World Trade Centre and Pentagon in the United States[129]. Significantly, terrorists preferred and found safety in weak states[130]. In fact, transnational criminal and terrorists have found zones of complete state collapse like Somalia to be relatively inhospitable territory from which to operate. Instead they flourish in states where the institutions of governance are weak and easy to corrupt. The argument can be made that the Mbagathi peace process's main content was to address the international perception about collapsed states and their relations with international terrorism, more than resolving what was setting Somalis apart.

The Somali conflict was also a proxy war between Ethiopia and Eritrea. Mediation failed to establish the sources of the conflict, which this study finds are land, water and grazing land. The Somali way of life revolves around these three issues and a failure to address them will perpetuate the conflict further. The Mbagathi process produced the Transitional Federal Government (TFG). The reference to 'Federal' gives the understanding that there is some federal form of state, which is misleading as there is no devolution of power to any region or locality. The TFG is a centralised form of governance to say the least. The view may be formed that

[128] A. McGregor, (2007) "Somalia" in Terrorism Monitor, vol.5 (8).
[129] J. Bajoria & G. Bruno, (2009) *Backgrounder: al-Qaeda*, Council on Foreign Relations. London Press, pp. 54.
[130] K. Menkhaus, op. cit.

federal refers to a confederation of clans. Somali conflict resolution mechanisms are embedded in the clan structure, hence perhaps a confederation of clans with regard to the Mbagathi process[131].

Though the Mbagathi process makes an assumption to deal with the clan 5 political structures, it failed to give meaning to this political statement. Van Notten (2005) in locating the clan structure argues that the Somali nation is organised as a confederation of sovereign families.

These sovereign families are without clear demarcated territories. It is difficult to create clan border areas in a situation where the population is constantly on the move in search of grazing land and water. The Somali migration patterns have always been informed and influenced by the search for grazing land and water with regard to the pastoralist clans and arable agricultural land in the case of sedentary clans. To this end, Brons (2001) argues that identities which derive from production patterns are a critical component of the Somali body politics. The Somali conflict is all about means of survival, which in this case are pasture and water in the nomadic setting, and other land in the farming setting. These are issues which the mediation needs to pay more attention to in order to ensure sustainable peace.

The Transitional Federal Government The IGAD-led peace process was initially conceived as a reconciliation conference between Abdiqassim's TNG and its Ethiopian-backed opponents, headed by Abdullah Yusuf. By the end of the long-drawn-out conference there was no trace of the TNG: Somalia was to make a fresh start under a Transitional Federal Government (TFG). However, the fact that all the clans were represented in the new parliament did not mean that the clan representatives in parliament carried any political weight in their localities.

[131] MH. Brons, (2001) Society, Security, Sovereignty and the State in Somalia. Utrecht: International Books.

In October 2004 this parliament, sitting in Kenya, elected Colonel Yusuf as President of the TFG. The dominant belief among observers of the process is that Yusuf's election was organized by Ethiopia. But there are other possible explanations. The Hawiye warlords who took part in the peace conference were hopelessly divided and fielded two candidates against Yusuf, enabling him to snatch the majority of votes. Ethiopian sources insist that they did not bribe the transitional parliament to select Yusuf. But the assertion that he was installed by Ethiopia has become part of the orthodoxy by which the legitimacy of the TFG and Yusuf himself is dismissed.

Yusuf needed a leading Mogadishu man, from a Hawiye clan, to ease his acceptance in the capital. His first plan was to select Hussein Aideed, who had been associating with Eritrea. However, he eventually settled on the appointment of Ali Mohamed Gedi as Prime Minister. Gedi selected a government that was representative of all the clans (including those who had boycotted the conference), and a lengthy government list was approved by parliament in early 2005. All these proceedings took place in Kenya. The external mediators and the backers of the process intended that the TFG would lay the groundwork for creating a federal system of government in Somalia. The framework was provided by the Transitional Federal Charter, drafted and agreed among a large number of faction leaders.

As soon as Abdulahi Yusuf had been inaugurated as President, he went to Addis Ababa and issued an appeal to the African Union to provide 20,000 peacekeepers to help him establish his authority. This call for external military assistance took many observers by surprise: the underlying premise of the Mbagathi peace process was that the person elected by parliamentarians are representative of all the clans would have sufficient support inside the country to negotiate his way into a position of power. Nonetheless, IGAD agreed in January

2005 to authorize the deployment of an IGAD Peace Support Mission to Somalia with the purpose of assisting the TFG to establish peace and security.

The idea of foreign troops coming to Somalia to install a government, above all troops from 'IGAD' – which spelt Ethiopia to most Somalis – was profoundly unpopular inside Somalia. The Islamic Courts of Mogadishu specifically rejected the proposal. A fairly large section of the Somali parliament that had elected Yusuf and approved his government also rebelled against the idea. By March 2005 the TFG and the parliament were split into two hostile camps over the issue. The TFG group loyal to Abdulahi Yusuf finally left Nairobi in mid-2005. Unable to secure agreement from the populace to its installation in the capital, the government went first to Jowhar and later settled in Baidoa.

There were no signs of the TFG's expanding its support base or establishing real authority inside the country. At that stage neither IGAD nor the AU was moving with any obvious speed towards the creation of an intervention force to install it in power. Ethiopia remained a major player in the tangle of Somali politics and the key backer of Yusuf's faction of the TFG. Eritrea was also becoming more active in Somali politics, principally as an arena for confronting Ethiopia. In 2005 reports began to surface of Eritrea channelling assistance via Somalia to rebels in the Ogaden region of Ethiopia.

Eritrea also started to develop links with anti-Ethiopian militants in Mogadishu who would soon gain prominence as leaders in the Islamic Courts. Some of the dissidents in the TFG were fishing for support from Yemen and others in the Arab world. The United States showed little interest in the TFG project and was establishing links with individual warlords with whom it hoped to make headway against an ill-defined 'terrorist threat' believed to exist in Mogadishu. It was the kind of

muddle of competing interests that had consigned Abdiqassim's government to oblivion, and it looked as though the TFG was heading the same way.

The challenge was the rise to power of the Islamic Courts. The Courts had begun to operate in the 1990s, providing law and order within the confines of clan zones, mainly in South Mogadishu. Links grew among them, signaling a slow evolution towards a more coherent Islamist vision of political order. At the end of 2004, just as Yusuf was being elected TFG President in Nairobi, Sheikh Sharif was elected Chairman of all Islamic Courts operating across Hawiye-clan-dominated Mogadishu. The growing influence of the Islamic Courts began to encroach upon the authority of the 'secular' warlords of Mogadishu, who had largely associated themselves with the TFG project. In part this was just another of Mogadishu's turf-wars. But there was also an ideological and political undercurrent to the rivalry, complicated by the intrusion of regional and global political interests that were to prove deeply destabilizing. Activists in the Islamic Courts claimed that covert CIA operations were targeting their members, including the assassinations of the militia commanders who were the driving force behind the implementation of Court jurisdictions.

The creation of the Mbagathi Peace Conference in 2004 is indicative of resistance to the Arta process as opposed to a process designed to resolve the conflict one may argue. The looming danger of a divisive outcome to the Mbagathi conference triggered concern from a number of quarters. International observers, including the EU (Commission) and U.S.A lobbied the Kenyan government to restore the "inclusivity" of the process.

Later in December 2003, Abdiqassim stacked the Transitional National Assembly with his supporters, who voted the prime minister and speaker of the Assembly out of office. Despite the

expiry of the TNG's mandate two months earlier and the dubious credentials of the remaining members of the Assembly, this undermined the relevance of the TNG delegates who remained at Mbagathi and contributed to fears that the peace process was on the verge of collapse. The sense of crisis was heightened by the failure of the new IGAD Facilitation Committee to convene the Retreat in December 2003. Two deadlines passed as various Somali leaders took issue with the list of participants, and the Kenyan and Ugandan governments engaged in a fairly public tussle over its leadership and venue. On 9 January 2004, the combined efforts of Ugandan an Kenyan mediators and international observers brought 38 Somali leaders under one roof at the Safari Park Hotel in Nairobi.

The term "Retreat" had been dropped -- at the request of some Somalis -- in favour of "Consultations". The faction leaders nevertheless initially boycotted proceedings, delaying the opening ceremony for five hours while President Museveni alternately chastised and cajoled them. Subsequent negotiations were conducted through diplomats, who shuttled between hotel rooms, not face-to-face. After nearly three weeks of arduous bargaining, the Safari Park Declaration was signed on 29 January 2004 at State House, the Kenyan presidential residence. International observers were blindsided: at a meeting the previous day, they had agreed with the Facilitation Committee that all leaders present in Nairobi should sign. Instead, only eight were called forward: five faction leaders plus an Abdiqassim representative and two civil society figures. The TNG leader witnessed the signing as "President of the Somali Republic", just above the signature of President Kibaki. Confusion over the 29 January accord emerged virtually before the ink could dry. The UN Secretary General, EU Presidency and U.S. government all expressed cautious optimism and urged the leaders to sustain the momentum.

3.3.1 Phases of the Eldoret Somali National Reconciliation Process (SNRP)

The Eldoret Peace Conference consisted of three phases. In the first phase, it was envisaged that 300 Somali political, military, traditional, and civil society leaders would agree upon the desired results of the conference. This preliminary preparation aimed to create a sense of ownership among the Somali actors. The second phase would tackle substantive issues of the peace process. It was intended to address the core reconciliation issues required to establish peace in Somalia. Consequently, the themes for the Reconciliation Committee go beyond the cessation of hostilities to the constitution of a working state. This is in part because the Somali crisis is, at its core, one of the state's legitimacy, and in part to ensure that the inevitable power-sharing negotiations are based on a common understanding about the kind of state within which power is to be shared. The political differences that have undermined previous attempts to form a Somali national authority may be surmountable within a highly decentralized or federal system. The decision in December 2002 by the Leaders Committee to discuss power-sharing in parallel with Reconciliation Committee deliberations in order to save time makes sense in determining the outcome of the conflict management process.

This stage consisted of six reconciliation committees working on the federal charter/constitution, disarmament, demobilization and reintegration, land and property, local conflicts, economic recovery, and regional and international issues. Roughly seventy five delegates, selected by the plenary, would constitute the reconciliation committee. After dealing with specific issues, they were expected to present their report to the plenary. In the third phase, the report of the various committee groups would be discussed and approved by the plenary. After that, this phase would deal with the contentious issue of power-sharing with the objective of forming a broad-based and functioning central government.

3.3.2 The Outcome of the Eldoret/Mbagathi Process

The looming danger of a divisive outcome to the Mbagathi conference triggered concern from a number of quarters. International observers, including the EU (Commission) and the U.S.A lobbied the Kenyan government to restore the "inclusivity" of the process. Djibouti suspended its participation in the Technical Committee, accusing Kenya of lining up with Ethiopia and blaming the conference chairman personally for mismanaging the talks. With the peace process deadlocked, an IGAD summit in Kampala in October 2003 effectively suspended the talks and convened a Leaders Retreat in early December to break the impasse and set the stage for the final phase. In the meantime, a number of developments shifted the political initiative away from the SRRC and towards the severely depleted remainder of the TNG.

A growing number of disaffected leaders joined Abdiqassim in his undeclared boycott of the process and returned to Somalia. In October 2003, at Bal'ad, just north of Mogadishu, they established the National Salvation Council (NSC). The new alliance, which chose Musa Sudi Yalahow, a Mogadishu militia leader, as its chairman, was closely aligned with Abdiqassim and included Barre Hiiraale of the Juba Valley Alliance (JVA), Osman Hassan Ali 'Aato, Mohamed Ibrahim Habsade of the Rahanweyne Resistance Army (RRA), and other less influential leaders. The walk-out created dissatisfaction among the delegates in the process.

This observation chimes with a familiar observation by Somalis, offered in the form of a proverb: 'The offspring of a stolen camel will always be illegitimate.' This places the blame for the poor outcome of the conference on its ingredients. The first problem was giving pride of place to the warlords. Diplomats involved with the Mbagathi process readily admit that the warlords were given centre stage in the process. Their inclusion was intentional, on the logical grounds that it was the warlords who had conspired against the last effort to create a government

(the TNG that came out of the Arta peace process in Djibouti in 2000) and that it was necessary for them to be given a stake in any future government. One of the diplomats associated with the process observed that, with hindsight, they might have overestimated the importance of the warlords and their capacity to deliver any sort of stability.

Even when the Somali peace process opened its doors to civil society participants, there were no apparent criteria for deciding who should be represented. The process of selection became mired in corruption at an early stage and produced a random and unrepresentative array of organizations. One of the facilitators who tried to work with the civil society representatives was bemused by their apparent lack of interest and focus and quickly became exhausted by the process. However, a senior IGAD official maintains that the process produced the intended result: a government for Somalia. Many involved in one way or another with Mbagathi felt that despite some shortcomings around representation and participation, there was nothing fundamentally wrong with the methodology employed. However, this is not a proposition to which Somalis themselves would readily subscribe.

The Mbagathi process was designed to engage both armed and unarmed actors as well as official representation by Puntland. The direct involvement of the frontline states ensured the engagement of two broad factional alliances (supported respectively by Ethiopia and Djibouti) and space was to be created for the full participation of unarmed and civic actors through a commitment by armed leaders to a cessation of hostilities. However, the weakness of the agreement and failure to establish a mechanism to monitor violations (rendering it defunct only days after it had been signed) coupled with the legitimisation of a leaders' committee as the de facto highest decision making body undermined the position of unarmed actors and skewed representation in favour of the dominant factional alliance.

The Mbagathi talks demonstrated how faction and political leaders can influence the selection of individuals with whom they have an alliance, even if they do not represent the views of their clan. Similarly, the make-up of Abdulahi Yusuf's government also demonstrated that proportional representation is more likely to produce a 'coalition' government than a government of 'national unity'.

Many observers believed that Ethiopia was closely involved in directing and shaping the process. The Eldoret/Mbagathi Process took over two years under the auspices of IGAD, more than the time initially planned, which was six to nine months. As noted earlier, the process was hampered by lack of genuine commitment from the Somali leaders, division within the IGAD members, and mismanagement of the conference both logistically and financially. However, the IGAD Facilitation Committee showed maximum patience in concluding the process with the formation of a new government. The Facilitation Committee met eleven times in one year to address the more complicated issues in the process[132].

It is worth noting that the peace process was taken under the auspices of IGAD. Despite their differences, the members were committed to restoring peace and stability in Somalia. It was particularly the member states that played crucial roles. They were also able to bring most of the Somali actors into the peace talks. In spite of the lengthiness of the peace conference, the IGAD members managed to complete the process with the establishment of a new government, which offered a new opportunity to try to achieve stability in stateless Somalia[133]. In addition, IGAD's ownership of the peace processes helped to secure the exclusion of secondary actors from outside the region: principally Egypt, Libya, and Yemen. Moreover, IGAD's peace-making activities helped to secure legitimacy for the organization and build wider international acceptance as the

[132] IGAD Secretariat Report, 2003, pp. 25.
[133] IGAD Secretariat Report, 2004, pp. 29.

only appropriate forum for tackling conflicts in the Horn[134]. The role of IGAD secretariat, however, remained marginal although the Eldoret peace process was convened in its name. The leadership and mediation role was carried out mainly by the front-line states.

The final outcome on declaration on cessation of hostilities, structures and principles of the Somalia National Reconciliation Process was to bring an end to the continuing conflict in Somalia and the improvement of regional security for all Somalis and the regional states.

The delegates solemnly undertook a number of commitments including *article 1*, where federalism structures were conceptualized. It created *federal governance* structures for Somalia embodied in a Charter or Constitution, which are inclusive, representative, and acceptable to all the parties. It also endorsed the principle of decentralization as an integral part of Somalia's governance structures and finally the assurance of the rights, representation and protection of all Somali individuals and groups.

Article 2 dealt with *cessation of hostilities.* This was through abstinence from the conduct of hostilities in Somalia from 27 October 2002; maintain that state of affairs during the peace process, its implementation and subsequently the use of peaceful means of resolution of all disputes between political, military and other groups and the communities they represent. It also ensured that all political, military and other groups maintain only defensive military positions and capabilities, and refrain from any military provocations. Further under the same article, full implementation of the United Nations Arms Embargo for Somalia (UN Security Council Resolution 733 of 1992) and invitation of the international community to undertake field-based remote monitoring was captured.

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[134] S. Healy,(2008 *Lost opportunities in the Horn of Africa – How Conflicts Connect and Peace Agreements Unravel.* London: Royal Institute of International Affairs, pp. 11.

Article 3 discussed *enhancement of safe access for aid* through respect of the rights of the people of Somalia to receive humanitarian assistance; guarantee the security of all humanitarian and development personnel and installations, including those of the United Nations Agencies, nongovernmental organizations, ICRC and donor governments[135]. *Article 4* was on *endorsement of outcome of the peace process* by undertaking political negotiations and technical discussions in good faith and in a spirit of cooperation during each phase of the Somalia National Reconciliation Process. *Article 5, Combating Terrorism* in all forms, cooperate with the international community in the fight against terrorism pursuant to UN Security Council Resolution 1373 of 2002 and prevent the use of Somali territory *as a base* for any terrorist activities. *Article 6, monitoring of the declaration* by inviting IGAD, the African Union and the international community to support and monitor the implementation of this declaration and all further agreements reached. Support the establishment of enforcement mechanisms for the safe delivery of humanitarian aid and implementation of this declaration and all further agreements reached in the interest of the people of Somalia.

3.4 Conclusion

The two case studies: The Arta, 1999-2000 and the Eldoret/Mbagathi, 2002-2004 Processes have symbolized clearly the concerns in the management of conflict in Somalia. The Arta process seemed to have a more holistic approach in the initial stages until the evident pullout of some of the delegates (or warlords).The Mbagathi National Peace Conference had all the recipe of real power-sharing arrangements, but this was quickly undermined by prioritizing the interests of the leaders. There are basic approaches on the concerns to intervention in conflict management which are described as human-process and techno structural approaches of intervention of

[135] K. Rutherford, (2008) Humanitarianism under Fire. Sterling: Kumarian Press.

organization development[136]. A process refers to the sequence of events or activities that are undertaken to bring out some desired outcome. There are certain processes in an organization, such as communication, decision making, leadership etc. which are necessary for making the social system work. Structure refers to the stable arrangement of task, technological, and other factors so that organizational members can work together effectively. In order to accomplish the goals of an organization, both process and structure require proper integration hammered out, in which the number of seats would be allocated by clan, while faction leaders would determine who occupied most of them. But a growing number of observers question whether the delegates at Eldoret are sufficiently representative that any combination of them could actually translate an agreement on paper into a new situation on the ground.

[136] M. Beer, & AE. Walton, (1987) *Organizational Change and Development.* Annual Review of Psychology, pp. 339-367.

CHAPTER FOUR

MANAGING THE SOMALI CONFLICT: A CRITICAL ANALYSIS

4.0 Introduction

In chapter three the study delved into details the phases and outcome of the two peace processes. The Arta, 1999-2000 Process emerged to have viable resolutions pegged on long term and genuine peace process while the Eldoret/Mbagathi, 2002-2004 showcased a clear overall concept of power-sharing approach with short term interests[137]. In configuring the management of Somali conflict especially our concern in this study of whether they were genuine peace processes or just power-sharing agreements, the settings of those two case studies became essential and critical.

This chapter will detail the emerging issues of the peace processes with the assessment of the two case studies in mind. It will have a second look with scholarly perspective at some core emerging issues. Some of these emerging issues under discussion are internal and external actors in the Somali peace processes, power-sharing agreements, the war economy, mediation styles, the level of participation and other critical issues.

4.1 Emerging issues

There were core emerging issues that manifested in these peace processes and during the conflict management in Somalia. Although due to the intractability nature of the conflict in Somalia many issues manifested to have played the overall outcome in the management of the processes, only some five core ones were critically examined. These are internal and external actors, aspects on power-sharing arrangements, the war economy in Somalia, the mediation styles used in the

[137] DM. Tull, and A. Mehler, (2005) "The Hidden Cost of Power-Sharing: Reproducing Insurgent Violence in Africa, *African Affairs*, vol. 104, issue 416 , pp. 383-384.

peace processes and the level of participation and representation. In addition to these five critical issues the study finds other factors such as decision making process at the negotiation stages, time pressures mostly caused by internal wrangles by process participants and finally the inconsistent support for mediations to have influenced the Somali conflict management processes.

4.1.1 Internal and external actors in the Somali peace processes

Different categories of actors (both internal and external) are involved in peace talks at every stage of the peace processes. On the one hand, there are those actually doing the fighting – insurgent armies, secessionist movements and parties, individual warlords and state forces. These groups are the protagonists of negotiations and will ultimately sign and be responsible for the implementation of agreements. In addition, peace processes mobilize a vast array of heterogeneous, multi-interest, internal and external, individual and collective actors who have a stake in both the process and outcome, but are not direct protagonists. In this larger group, functions are variable and range from mediation and facilitation of talks to bolstering wider social support for negotiations, supplying the specific needs of the pre-negotiation and negotiation phases (such as offices, transportation or research studies), and monitoring the implementation of their results.

The degree to which this group of actors will be involved in talks depends on their authority. This kind of participation is not free of risk: the thin line between facilitation and involvement has often caused talks' outcome to be often determined. All these actors readily assume that international peace mediation is always doing "good" – even if it fails. In my view, this overall optimistic assessment of peace mediation does not mirror the realities on the ground. Peace mediation is not per se an effective and appropriate tool for reducing tension or achieving

sustainable peace. It may even turn things into worse, if applied in the wrong way, the wrong context or by the wrong people.

Contemporary Somali politics cannot be understood in isolation from the regional politics which shapes political outcomes inside the country. Exogenous conditions can influence the occurrence of both violence and strategy conflict management among communal groups and governments. Tull and Mehler argue, for example, that while Africa's incidence of violence—the highest in the world—"should not be attributed solely to outside actors, it remains nonetheless true that the foreign policies of Western countries continue to have an appreciable impact on the political processes on the continent"[138]. Since governments tend to respond to rewards and sanctions, external actors can exert leverage more successfully on them than on insurgents who may see themselves as accountable only to the people they claim to represent. That is, at least until they have a realistic chance of achieving power in government.

Some scholarship has pointed to the fact that rebel movements will undertake the most heinous acts of cruelty in order to draw in the international community and benefit from the vast resources they provide in their efforts to alleviate suffering[139]. Of special importance is the regional rivalry – one which can at times degenerate into a virtual proxy war inside Somalia – between Ethiopia on the one hand and Egypt and the Arab states on the other. The Arab states seek a strong central government in Somalia, one which can serve as a counterbalance to Ethiopia in the region. They have consistently rejected Somaliland's bid for independence and have given financial support to President Abdiqassim and the TNG, which itself has embraced a vision of a centralized state and which calls for close ties with the Arab and Islamic world.

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[138] DM. Tull, and A. Mehler, op. cit., pp. 386.
[139] Horowitz, *Ethnic Groups in Conflict*, pp. 267.

For its part, Ethiopia fears the return of a strong central state which could again take up Somali irredentist claims on the Ogaden region of Ethiopia, or which could become an Arab/Islamic beachhead outflanking Ethiopia. It is a matter of debate and speculation whether Ethiopia seeks a decentralized, federal Somalia or whether it is simply unwilling to risk the revival of any central government in Somalia. If the latter, it is a powerful spoiler in the Somali peace process. But what is undeniable is that Ethiopia has vital security interests in Somalia and is willing to do whatever it takes – including periodically injecting its troops into Somalia and supporting a network of Somali client groups – to protect those interests.

Other external actors are of consequence to the outcome of the peace processes as well. The African Union (AU) has recently become a more robust actor in Somali affairs, by exploring the possibility of introducing AU peacekeeping forces into Somalia as part of a successful peace accord. The European Union (EU) remains the major western donor, and plays a diplomatic as well as humanitarian role inside Somalia. And since the events of September 2001, American counter terrorism policy has the potential to have significant impact inside Somalia as regard the conflict management processes.

Mediators may be subjected to extraordinary levels of pressure from external actors who seek to influence the process in accordance with their own interests in its outcome. Mindful that the utility of his/her role as a peacemaker will stand or fall on the maintenance of credibility with the conflict parties, mediators should be wary of hewing too closely, or appearing to hew to closely, to positions or actions readily identifiable with an external actor, or a group of external actors, that will undermine his/her impartiality and negatively impact upon the process. Clearly, establishing a balance between building coherent support for his/her efforts among international

partners, and maintaining independence from them in the eyes of the conflict parties is a difficult endeavour.

The nebulous aggregation of NGOs, women's groups, professional associations, academics, unaffiliated "intellectuals" and former politicians often referred to as "civil society" is another source of leadership who influence the conflict management processes. The very existence of civil society in Somalia is a matter of debate; not all are convinced that the concept viable state is appropriate for Somalia. The term-civil society- was corrupted in the mid 1990s when international relief agencies sought out "local counterparts" for project implementation, a policy which spawned hundreds of "briefcase" NGOs with no other objective other than to secure international aid funding. Since that time, however, Somali civil society has clearly become more organized and independent of external patronage.

Medical professionals and educators organize strikes against militia leaders; women NGOs enjoy grassroots support; human rights organizations operate freely; and religious groups ranging from Al-Islah to the followings of traditional sheikhs are more visible politically hence usually determine the outcome of peace processes. Neither Al-Islah nor Al-Itihaad has officially attended any previous conference, although both were well-represented among the participants at the Arta Conference in 2000[140]. To the extent that clan elders can be considered part of civil society, they too have seen resurgence in their roles, particularly at the Arta Peace Conference in 2000. These desperate groups run the spectrum from progressive to traditional, and as a result are not capable of much cooperation. But they are taking their place at the political negotiating table in Somalia, and are likely to continue gradually to gain strength in determining the outcome.

[140] See ICG Report 2003, *Somalia*, op. cit.

Arta peace talks (2000) in Djibouti created a Transitional National Government (TNG) led by President Abdiqassim Salad Hassan. Originally this new government was permitted to serve for a three-year interim period as the recognized national authority. The Arta peace agreement in Djibouti declared that after this period a national government should be selected through a national election. In the beginning the new administration seemed to be eager to face the hard challenge: restoring good relations with the neighboring Ethiopia, and controlling the Southern Somalia territory by promoting a new order. Initially, the Transitional National Government started to work with the high support of the powerful Mogadishu businessmen; TNG fell short of domestic and international expectations. TNG quickly failed to gain any political result: it never administrated more than a portion of the Somali capital Mogadishu, it has never had good relations with the neighbouring Ethiopia, as a consequence it didn't attract the foreign assistance that it needed to make its administration efficient and the small foreign aid arrived from the Arab countries has been used as a private resource. The missed opportunity to rebuild constructive relations between the TNG and Ethiopia made potential rival factions serious enemies.

The **Somali Reconciliation and Restore Council (SRRC)** is a huge coalition of political groups and leaders, they are held together only by the common thread of Ethiopian Patronage. Puntland is a non-secessionist, trans-regional state; it was the unique region in the country which manages to remain without conflict in its territory, however the long period of peace ended in 2001. At that time President Abdulahi Yusuf didn't call elections in order to gain an extension of his rule. As a consequence clan elders and a high court judge rejected it, leading to armed clashes between Abdulahi Yusuf, sponsored by Ethiopian patronage, and Ali Jama, supported by TNG. In May 2003 General Ade Muse succeeded Ali Jama and decided to shift political strategy. He

concluded that he did not have the capacity to defeat Abdulahi Yusuf and calculated that Yusuf could present at the Mbagathi talks as President of a unified Puntland.

In return for this granting General Ade Muse gained the integration of his opposition militia into Puntland army and some cabinet posts. However, according to International Crisis Group (ICG) report, Colonel Abdulahi Yusuf maintained a shaky grip through force, rather than the population mandate that brought him to power. In the Mbagathi Talk he intended to use the position of Puntland President as a "launch-pad for national ambitious" hence this was a preconceived outcome of the process.

Another opposition front is the **Group of eight (G-8)**, a coalition set in Southern Somalia (especially in Mogadishu). The "Group of Eight" includes Abdirizak Isaaq Bihi of the Somali National Front (SNF), Barre Aden Shire of the Juba Valley Alliance (JVA), Jama Ali Jama (Puntland), Mohamed Qanyare Afrah of the United Somali Congress (USC), Mowlid Ma'ane Mohamud of the Somali Africans Muki Organization/ Somali Reconstruction and Restoration Council/Nakuru (SAMO/SRRC Nakuru), Omar Mohamud Mohamed 'Finish' of the United Somali Congress/Somali Salvation Alliance (USC/SSA), Osman Hassan Ali "Ato" of the United Somali Congress/Somali National Alliance/Somali Reconstruction and Restoration Council/Nakuru (USC/SNA/SRRC Nakuru), and Sheikh Aden Madoobe (RRA). They are openly opposed to the TNG administration but, on the other hand, are neither clients of the Ethiopian patronage. They allied not because of a common interest, but rather because they concluded that collectively, they are a more powerful opponent to the larger militia groups in Mogadishu.

The **Business community**[141] empowered during the UNOSOM operation is the real nexus of power, and perhaps the Mogadishu business community is the most powerful in Somalia who can really influence any conflict management process in Somalia. For the most of the last decade these Mogadishu businessmen paid taxes to the warlords in return for their militia protection. However, despite their power, they do not always have the same interests and their policies shift in accordance with their aims and targets. There is also a small group of Isaaq businessmen in Somaliland. During 1990s they supported Somaliland President Egal, in exchange for their assistance; the President exempted them from having to pay seaport taxes. Now the alliance is completely shifted and the current government is raising seaport customs making Berbera a non-profitable area, creating tensions between the administration and business elite.

The Somali civil society is composed of NGOs, religious groups, and clan elders; according to Menkhaus (2004) "these desperate groups run the spectrum from progressive to traditional and a result are not capable of much cooperation". The Somali civil society has made great efforts to mitigate the effects of collapsed social structures in Somalia and also had input on all initiatives towards the restoration of the state and creating peaceful atmosphere in the country. The civil society continued to address itself to the task of developing an objective mechanism and criteria for the participation by its members along the proposals of both the Arta, 1999-2000 and Eldoret/Mbagathi, 2002-2004 Processes.

The majority of the civil society actors continued to engage in both peace processes on the bases of their unique experiences and most often, muscled their powers of influence[142]. The Somali

[141] A. Gerson, (2001) 'Peace Building: The Private Sector's Role'. *American Journal of International Law* Vol. 95, No. 1; V. Haufler, (2001) 'Is There a Role for Business in Conflict Management?' in Crocker, C. A., Hampson, F. O. and Aall, P. (eds.) *Turbulent Peace: The Challenges of Managing International Conflict*, (Washington DC, US: US Institute for Peace).

[142] R. Belloni, (2006) "Civil Society in War-to-Democracy Transitions." In Anna Jarstad and Timothy Sisk, *eds. From War to Democracy: Dilemmas of Peace-building*. Cambridge: Cambridge University Press, pp. 182-211.

civil society as the repository of the values and ideals of non-violent action[143], protection of human rights and abiding the rule of law often made tremendous contribution in the conflict management processes. The civil society in Somalia has changed the limits of scope of operations and over the years has identified creative ways to remain relevant in the conflict management process especially at the grass roots level and also at the national level.

Islamist groups have adverse influence on the conflict management processes in Somalia. Despite the fact that Somalia is the only country in the Horn of Africa in which the population is almost entirely Muslim, Somalia has never been home of radicalism as its neighbours like Ethiopia and Sudan that are internally religiously divided.

Historically Somalia's conflict was based on clannism and not on religion, however currently various type of Islamist activism (sharia courts, Al-Ittihad cells) "tend to be organized by clan and work within the parameters of clannism"[144]. As a rule radicalism Islam cover areas in which Somali find themselves a minority in a non- Somali land: Kenya, Ethiopia, Europe, and North America as a consequence of Somali diaspora[145]. Somali Diaspora in this context refers to *Voluntary as well as professional organizations and individuals.* For example is not surprisingly that Ogaden clan that lives in the border area of Kenya and Ethiopia is one of the most radical Islamic clan. However "Somali pastoral life imbues the culture with a strong preference for pragmatism over ideology, not so much as a matter of choice, but as a matter of survival"[146]

In the absence of a nationalist ideology, political Islam in Somalia began its ascent in the mid 1970s, for want of overcoming clannism, encouraged during the violent and repressive Barre's

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[143] M. Kaldor, (2003) *Global Civil Society: An Answer to War.* Cambridge, UK: Polity Press.
[144] International Crisis Group, *Somalia: Countering Terrorism...*; Bryden, No Easy Fixes...; Menkhaus, K., Political Islam in Somalia, *Middle East Policy,* Vol. 9, No. 1, March 2002, pp. 109-23; Le Sage, A., Prospects for Al Itihad and Islamist Radicalism in Somalia, *Review of African Political Economy,* Vol. 28, No. 89, September 2001, pp. 472-7.
[145] A. Mohamoud, (2006). African Diaspora and Post-Conflict Reconstruction in Africa. *DIIS Brief.* Copenhagen, Danish Institute for International Studies.
[146] M. Tedesse, (2002) *Al-Ittihad: Political Islam and Black Economy in Somalia,* Addis Ababa: Meag Printing.

regime. The patronage of Saudi Arabia has also encouraged young Somalis to emigrate in Saudi Arabia to seek education and employment, and many have been influenced by the radical Islamic cells. The first strategy of Political Islam in Somalia was to control territories in order to start the development of a network throughout the country. They temporarily gained the seaports of Kismayu and Merka in 1991 and they administered the commercial crossroad town of Luuq in Gedo region. Wherever they went, they established Islamic law rather than customary clan law (xeer), the punishment included amputation (not allowed in the customary clan law), the women were forced to wear a veil, and the qaat was banned. Free education was provided (courses were taught in Arabic).

However most of the Sharia courts in the country are the result of a lack of government and rule of law and are present even where Al-Ittihad (AIAI) does not control the area. In a country ruled by anarchy, the areas presided over by Al-Ittihad were the most stable in Somalia. In a country without any government where anarchy rules, people become more individualistic and gravitate around Al-Ittihad not for ideological and global reasons but for pragmatic motives. The second and ongoing Al-Ittihad strategy is completely shifted. First, they concluded that seizing a town would be too easy target by external actor such as Ethiopia and second they realized that Somalia and its people were not yet ready for an Islamic rule. Since then Al-Ittihad has opted to integrate into local communities and to establish itself in local communities and in key sectors – business, local courts, schools rather than attempt to assume direct political control.

As a result, today it is very difficult to distinguish between who promotes available services to the people following an apolitical agenda (Al-Islah), and who is involved in a deeper Islamization with global and political targets (Al-Ittihad). Al Islah is an Islamic charity group that operates in the country with the dozens of other Islamic non-profit organizations. Today, Al-

Ittihad members, in order to build up a power base, have moved successfully into commercial ventures in the country. As a result, some remittance and telecommunications companies have been accused of having links with radical Islamic groups. Furthermore, in October 2001 after the terrorist attacks in New York, U.S has decided to freeze the assets of Al Barakaat (the largest Somali remittance and telecom company), claiming that the company facilitated the transfer of funds within Al-Qaeda. According to Menkhaus (2004), external actors such as U.S have to be careful not to be manipulated by local power (also Ethiopia) because they are the principal source of exaggeration of Islamic terrorism inside Somalia. The TNG government two weeks after September 11 established a "National Anti-Terrorism Task Force", but in reality they saw (as every Somali faction) the opportunity to gain external aid and legitimization. Even if TNG is financed by Arab States it does not mean that it is a "Trojan horse" for Al-Ittihad and that it supports Al-Qaeda.

It is not possible to analyze Somali conflicts without considering it within the complex **regional context**. The historical power of Horn of Africa is Ethiopia. This country is placed in the middle of the region and it is without a seaport and surrounded by Muslim countries such as Sudan (even if internally religion divided), Somalia and Arab Peninsula. The religious and political history of Ethiopia has it diametrically opposed to the political and social culture of Islamic countries. The Ethiopia Christian government, in a country where about half of the population is Muslim is unceasingly obsessed by the political Islamic danger. It has been waging a ten years battle against Islamistic insurgency groups who enjoy support from external Islamic backers[147].

Another past regional issue is Somali nationalism and its claim on Ethiopian and Kenyan Ogaden territories. As a consequence Ethiopia has two several diplomatic options. On one hand Ethiopia

[147] A. Tucker-Jones, (2010). *The Rise of Militant Islam – An insider's view of the failure to curb Global Jihad.* South Yorkshire: Pen & Sword Books Limited.

can adopt a belligerent foreign policy in order to deter the enemies such as Eritrea, Sudan, and Somalia, and on the other the country can choose to cooperate with the rivals and promote a peace building process as a means to defend its principal interests. Ethiopia has nothing to gain from a unified and powerful Somalia. However, the Ethiopian government clearly believes that there is more to be gained from deterring an Islamic dominance in the region. To this end, it constantly interferes in Somali domestic affairs by supporting either one faction or the other. However Arab states seek a strong and central government in Somalia in order to create a counterbalance to Ethiopia in the region. If Somalia was ruled by an Arab ally government, Somalia could be used by Arab country as a Trojan-horse in order to promote an Islamization. Furthermore if Somali government is able to maintain the control over territory Ethiopia would fear the return of a strong central state which could again take up Somali irredentist claims on the Ogaden. Focusing on the current international relations in Somalia we can argue that the moribund Transitional National Government (TNG) led by Abdiqassim is supported by Saudi Arabia and the main opposition party (Somali Reconciliation and Restore Council) enjoys the Ethiopia aid. African Union (AU) is becoming a more influential actor in Somali affairs, and it is exploring the solution of introducing AU peacekeeping forces in Somalia[148]. European Union is the major western donor and it is playing a humanitarian and diplomatic role inside Somalia. Since September 11th, the USA counter-terrorism policy could also have an impact in the conflict management processes[149].

[148] K. Menkhaus, (2004) Somalia: State Collapse and the Threat of Terrorism. London: Routledge.
[149] Ibid.

4.1.2 Power-sharing arrangements

Nearly all the peace accords negotiated in the past fifteen years have included power-sharing[150] in one form or the other. As power-sharing gains popularity as a mode of conflict management and its frequency increases, it becomes increasingly important to assess its foundational principles. Power-sharing or consociation has been defined as a set of principles that when carried out through practices and institutions provide every significant identity group or segment in a society representation and decision making abilities on common issues and degree of autonomy over issues of importance to the group[151].

The main institutional features of a consociation or power-sharing arrangement are a grand coalition executive which is inclusive of the polity's main segments; segmental autonomy, which can be either territorial or corporate in form; mutual vetoes on matters of vital importance to the segments; and the promotion of the principle of proportionality throughout the public sector, including the electoral system. These can be summarized in a more succinct way as follows: Grand coalition government including representatives of all major linguistic and religious groups; cultural autonomy for these groups; proportional representation in political and civil service appointments; and minority veto with regard to vital minority rights and autonomy.

In the Mbagathi process, the declaration of intent to form a federal government was taken after barely two weeks by a small group of faction and political leaders, and subsequently became a key source of contention during the two years of talks. Another example was the legitimisation by mediators of faction and political leaders by the endorsement of a 'leaders committee' with

[150] Tull and Mehler, "The Hidden Cost of Power-Sharing," p. 388.
[151] A. Lijphart, (1977) *Democracy in Plural Societies: A Comparative Exploration* (New Haven: Yale University Press, 1977), chapter 2.

effective veto power over the conference, marginalizing other delegates and undermining the intended framework for the process.

Ethnic groups do not limit their claims to autonomy. They also seek power. That is, they compete for some degree of control over the state itself. The more numerous minorities tend to organize themselves politically and to participate in regular conflict management processes. By acting as political contenders, minorities do not limit their claims to parliamentary representation but they seek access to government positions that is, the central decision-making power. That is, minority groups seek to share power with the dominant majority.

Power-sharing acknowledges ethnic identities and sees them as legitimate[152]. Different identities are viewed as basic elements of society and it is believed that state power should be exercised jointly by the different groups[153]. Power-sharing has four characteristics: it involves the participation of all significant groups in executive power-sharing; it allows for considerable internal autonomy where groups desire it; it involves proportional representation and proportional allocation of public funds and positions in the public service; and it includes the possibility of minority veto on certain vital questions[154].

Power-sharing is sometimes referred to as consociation or consociationalism[155]. The consociational model is a particular model of democracy which promotes power-sharing to manage conflict. Consociational democracies are characterised by the practical implementation of the four characteristics of power-sharing[156]. Ethnic groups do not limit their claims to

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[152] DT. Sisk, (1996) *Power-Sharing and International Mediation in Ethnic Conflicts*, United States Institute for Peace Press.
[153] TR. Gurr, (1995) 'Transforming Ethno-political Conflicts: Exit, Autonomy, or Access.' *Conflict Transformation*, edited by K. Rupesinghe. New York: St Martin's Press, pp. 21.
[154] JB. Adekanye, (1998) Power-Sharing in Multi-Ethnic Political Systems. *Security Dialogue*, pp. 25-36.
[155] J. McGarry, & B. O'Leary, (1994) The Political Regulation of National and Ethnic Conflict. *Parliamentary Affairs*, pp. 112-114.
[156] J. McGarry, & B. O'Leary, op. cit., pp. 113.

autonomy. They also seek power. That is, they compete for some degree of control over the state itself. The more numerous minorities tend to organize themselves politically and to participate in regular conflict management processes. By acting as political contenders, minorities do not limit their claims to parliamentary representation but they seek access to government positions that is, the central decision-making power. That is, minority groups seek to share power with the dominant majority.

Power-sharing allows each group to have influence and authority and prevents minorities from being oppressed by dominant groups. However, there are certain prerequisites for the success of power-sharing measures. There must be legitimate leaders of each group and these leaders must be willing to compromise[157]. Power-sharing has to be a continuous process and the way power is distributed needs to be continually renegotiated. This means that successive generations of leaders must be motivated to maintain the power-sharing system or the success of the system will be short-lived[158].

Somalia is an example of a state that has been considered well-suited to power-sharing hence the inclination of this concept in the conflict management processes. It is currently experimenting with some form of consociation in the hopes that this will end years of inter-clan conflict. In Somalia, there is no dominant clan, the clans have recognised leaders who have co-operated in the past, Somali traditions endorse the principle of proportionality and the use of mutual veto, and the clans are territorially concentrated making the application of proportional power-sharing easier[159]. Given these characteristics of Somalia it seems that the introduction of a consociational democracy may be an appropriate conflict management strategy as evidenced in the outcome of

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[157] Rabie 1994:61
[158] McGarry & O'Leary 1994:113
[159] H. Adam, (1995) 'Clan Conflicts and Democratization in Somalia,' in *Ethnic Conflict and Democratization in Africa* edited by Glickman, H. Atlanta: The African Studies Association Press, pp. 220-1.

the case studies. After years of civil war and clan conflict, an internationally-accepted Transitional National Government was set up[160]. This transitional national assembly of this government consists of 245 members and membership is divided up fairly proportionally among the different clans, with no clan having more than 44 seats[161]. It is hoped that this consociational system will bring an end to years of conflict in Somalia.

Western diplomacy places a lot of emphasis on power-sharing agreements and relies heavily on standardized conflict resolution mechanisms to achieve this goal. At the outset of any power-sharing deal, the parties are being called by the international community - be it the UN, EU, AU, other regional bodies or sovereign nation states - to agree upon a bilateral ceasefire agreement. This is usually followed by initial negotiations tackling on key issues such as a constitution agreeable to the conflicting parties. In Somalia, most of the national reconciliation conferences convened focused on hammering out power-sharing agreements for transitional central governments[162]. In some of the conferences the agenda was reduced to allocation of cabinet positions by clans and factions in typical sharing-the-spoils exercises[163].

4.1.3 The war economy

In fragile states (without a functioning government) like the case of Somalia, it is impossible to frame track one diplomacy processes adequately without thorough understanding of what is happening on lower tracks in terms of networks and new emerging elites with interests. The question of motivation which is often discussed controversially when assessing the involvement

[160] IRIN. (2001) IRIN Guide to the Somali National Peace Conference. *Journal on Conflict Resolution*, Vol. 7, no. 2.
[161] T. Ofcansky, (2000) Somalia: 'Recent History' in *Africa South of the Sahara.* London: Europa Publications, pp. 1031.

[162] Ibid.
[163] K. Menkhaus, op. cit., pp. 43.

of business people and warlords[164] in mediation processes is not regarded as a problem by most of concerned parties in conflict management processes. It seems to be of little relevance whether an actor is getting engaged for personal business interests, that is, "patriotic" interest in a viable long term peace situation. Rather, it is important that the interests are clearly identifiable, and thus also the credibility of the actor is guaranteed. It might be even beneficial, if the actors are open about their aims in the process, notwithstanding the underlying motivation of either security for their business or more financial gains[165].

The mere fact of having business interests is not detrimental to business actors' involvement, even on the long run as various cases presume and emphasize, it is precisely the vital commercial interests that may keep business actors locked into an involvement in the processes of conflict management[166]. In Somalia the business community financed the implementation of the agreement they facilitated – the strongest sign of commitment one could think of. Business actors are not just business actors but have hidden agenda on forcing their way and imposing a suitable outcome.

As a result of the civil war, *de facto* clan borders exist all over Somalia[167]. After safety became dependent on clan membership, people moved to areas where they thought they would be safest. Creating a secure environment, establishing the appropriate political institutions, addressing justice-related issues and revitalising economic development are necessary but not sufficient to rebuild trust and confidence among Somali groups and individuals. The current de facto clan

[164] S. Makinda, (1999) 'Clan Conflict and Factionalism in Somalia' in Paul Rich (ed.), *Warlords in International Relations*, London: Macmillan, pp. 121.
[165] LG. Terris, (2006) 'Credibility and Strategy in International Mediation.' *International Interactions*, 32(4), pp. 409 – 411.
[166] R. Marchal, et al. 2000. Globalization and its impact on Somalia. Nairobi: UNDPIUNDOS, January.
[167] J. Snyder, and Jervis, "Civil War and the Security Dilemma," in *Civil Wars, Insecurity and Intervention*, Barbara F. Walter and Jack Snyder eds. (New York: Columbia University Press, 1999), pp. 22.

borders will help create and maintain stereotypes and prejudices between clans hence influences the outcome of the conflict management processes.

Interests in war economies can change over time, and that those interests can reshape the trajectory of protracted crisis in ways that offer opportunities for new political orders[168]. This is not to deny the existence or significance of vicious circles in places like Somalia, but rather to reinterpret them. A more apt metaphor for crisis like Somalia is the cyclone, a destructive, dynamic storm that feeds off itself in the fashion of a vicious circle, but in the process alters its own environment in ways which can eventually weaken if not extinguish it[169].

The form of peace created under period of conflict might be negative; it might create a fundament for illegal activities, suppression and injustice[170]. Cooperation during war may create opportunities for peace, but peace on what basis? Under which circumstances business actors can contribute to more durable peace seems to be taken for granted that the role of profit seeking actors will be negative. The business sector is viewed as mere henchmen, or victims, of the factions.

Conflict management process is based on a diagnosis that war and its underlying causes can be addressed through dialogue. This takes no direct account of the war economy and incentives to perpetuate the conflict. As long as powerful actors continue to benefit from statelessness, an unregulated and untaxed war economy, the trade in small arms, and the occupation of land and real estate, the Somali crisis will not be 'ripe for resolution'[171].

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[168] M. van Creveld, (1991) Protracted conflicts. London Press, pp.109.

[169] Ibid.

[170] D. Keen, (2002) 'Since I am a Dog Beware of My Fangs: Beyond the Rational Violence Framework in the SierraLeonean War.' *LSE Crisis States Program Working Paper.*

[171] Ibid.

While it is clear that individuals and groups who perceive a peace process to be against their interests and needs will seek to undermine it, an important distinction can be made between legitimate political opposition and others who perceive a process to be against their interests and needs. The latter 'situational spoilers' may be open to influence to reshape their perceptions of their interests. The Arta process included key business figures, who were unrepresented at the Mbagathi talks. An important parallel effort was made to redress this through a series of dialogues with business leaders when the Mbagathi process was revived in mid-2004. The business leaders acknowledged some of the ways in which they had exploited and benefited from the prolonged state collapse, specifically through unregulated trade, while also challenging the mediators and faction leaders on their commitment to establish a broad-based government that could foster peace. Somali-led processes make a conspicuous effort to engage influential stakeholders, notably including the business community, precisely in order to accommodate their interests and ensure their buy-in for the outcome, a clear lesson for internationally sponsored initiatives.

The capacities of the country and its people are limited for the present time. Most Somalis are displaced internally or are refugees outside the country. The civil war has destroyed much of the domestic sources of revenue. In addition, the scarcity of Somalia's resources is one of the driving forces of the conflict, as different groups compete for these limited resources. Therefore, Somalis cannot be expected to recover from this long civil war by themselves. We believe the international community has a major role to play in helping to redevelop Somalia's economy and institutions. This situation of desperation has had an impact on the outcome and the concerns of the peace processes.

The legitimization of armed groups at the expense of citizens during the peace processes is inherently undemocratic. None of the armed groups that have signed peace agreements can be considered democratically legitimate. Armed groups gain access to the negotiation table through the barrel of their guns rather than their democratic legitimacy. However, resolving conflicts through peace mediation requires engagement with such groups, even if they are responsible for atrocities. The problem is that when international mediators engage armed groups, they automatically enhance their legitimacy. If a government or a representative of an international organization agrees to meet or negotiate with an armed group, it affords to that group a degree of respectability and formal recognition while the local population might well perceive such an act as rewarding violence. It signals also recognition to the armed group as the legitimate representative of a community or, even more, that there is a legitimate cause for the groups' armed struggle. Armed groups are pretty good at using such encounters to become better known and respected internationally. Indeed, a significant amount of the current volatility in Darfur can be directly attributed to armed groups lobbying for prominence and recognition in the eyes of the international community[172]. Another feature is the manner in which armed groups imitate states in their international relations. Formal meetings with UN officials or senior diplomats from powerful states during conflict management processes bring enhanced status. It might as well lead to enhanced expectations of those armed groups[173].

4.1.4 Mediation styles

The mediation styles evident in Somalia conflict management processes vary in approaches from facilitative, formulative, directive and manipulative. "Mediation" refers to the support of peace

[172] C. Kahn, (2008) 'Conflict, Arms, and Militarization: The Dynamics of Darfur's IDP Camps', published in Switzerland by the Small Arms Survey, Graduate Institute of International and Development Studies, Geneva.
[173] D. Petrasek, (2004) Asymmetric Mediation: Armed Groups and Peace Processes – Take Two. Centre for Humanitarian Dialogue, Working Paper, *Mediators' Retreat*, Oslo.

negotiations by a third party that is acceptable to the conflict actors. "Facilitative mediation" is understood to refer to a non-directive form of mediation, where the mediator mainly facilitates the dialog and helps to bring the parties together. "Formulative Mediation" entails listening to the parties, and drafting agreements that are then presented and adapted by the parties. "Manipulative or directive mediation" concerns two dimensions: on the micro-level of the mediator, it entails a directive mediation style[174], where the mediator is more assertive than in facilitative mediation hence strongly controlling the process and the framework in which it takes place.

Manipulative mediation, on the other hand, also refers to the role of external parties using sticks and carrots to induce the parties to the table, to continue with negotiations, and to implement what they have agreed. While facilitative and "Formulative Mediation" help the parties to bridge communication difficulties and find common ground, manipulative mediation may change the possible agreements through incentives and disincentives. This leads to different kinds of outcomes. Empirical studies seem to indicate that manipulative mediation is more likely to lead to an agreement, while facilitative mediation is more likely to lead to longer-term tension reduction.

It is very difficult, however, to label a peace process according to these three mediation styles, as most peace processes go through various phases during which the form and style of mediation changes. The Somalia negotiations (the two case studies) seem to be an example of the use of predominately facilitative and manipulative styles that helped to create a breakthrough after

[174] D. Antonioni, (1998) Relationship between the Big Five Personality Factors and Conflict Management Style. *International Journal of Conflict Management*, pp. 336- 355.

earlier heavy-handed processes had failed. In order to be successful, however, these approaches have to be accepted by the conflict parties since they determine the final outcome[175].

International peace mediation is generally associated positively as being neutral, impartial, voluntarily and independent. Some perceive it as a political process in which two or more parties to a violent conflict agree to the appointment of a third-party which helps them in an impartial manner to reach an end to armed conflict[176]. Others would even compare it to a democratic process of change from tension/conflict to lasting peace[177]. Therefore, it is not surprising, that peace mediation has become the darling of numerous players in international peacemaking including superpowers, small states, regional or global organizations, non-governmental organizations and the private sector. Switzerland, for example, has been engaged in over twenty international peace mediation processes since 2000[178].

In Somalia Peace Conferences, financial incentives in the form of per diems or possible future access to finances seemed to be an important incentive for the parties to attend. In the process, the mediators formulated draft texts – often causing heated reactions from the parties. Nevertheless, by continuing to work and adapt the draft, the process moved ahead may because of these financial motivations. A draft peace agreement that can be changed by the parties, but where there is a deadline that imposes limitations on the scope for any adaptation, is practically the same as a "take it or leave it" text. It is questionable whether this constitutes mediation at all, or whether it is not instead a form of non-binding arbitration. The same seems to apply to the final stages of the Mbagathi negotiations: the document was drafted by the mediators; however,

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[175] H. Guetzkow, and J. Gyr, (1954) An Analysis of Conflict in Decision Making Groups. *Human Relations* pp. 367-381.
[176] H. Slim, (2007) A Guide to Mediation. Centre for Humanitarian Dialogue, Geneva, Switzerland.
[177] C. Clapham, (1998) 'Rwanda: The Perils of Peacemaking.' *Journal of Peace Research*; 35; pp. 193.
[178] Federal Department of Foreign Policy Affairs (FDFA), (October 2008). 'Mediation and Activities of Switzerland in Africa', *Directorate of Political Affairs, Political Affairs Division IV, Human Security*, Berne.

the parties had very little time to amend, adapt, or shape it in the way they wanted, thus creating an inclined outcome.

Giving attention to the structure and process design is as important as establishing the goals of a peace process. Experience suggests that a fusion of traditional and contemporary negotiation techniques works best. Having a preparatory phase to agree the goals and process is critical for engaging wide public support, while building trust and confidence in the process and the mediators is a precondition for compromise and concessions. In Somali-led processes, the wider community plays an important role as observers, peer reviewers and endorsers, lending the process legitimacy. Creating opportunities for consultation[179] is important in instilling a broader sense of ownership in a process. The media has a critical role to play in this, particularly in extending coverage inside the Somali region for talks convened externally.

The list of operational principles, which international peace mediators should internalize, is a long one. First and foremost, mediators must enjoy the trust of the parties to the conflict. This is an essential prerequisite for leading a mediation process successfully. They must also have thorough understanding of the substance of the conflict in order to be able to engage creatively in discussions and to provide options to the parties. Good relationships to the main stakeholders of the negotiation process are the key to this. Moreover, mediators must design a suitable process for substantive issues to be addressed, relationships to be improved, and results to be achieved. This involves convening meetings in a sophisticated manner, inclusion of the right participants, a timely agenda-setting, as well as the placing of issues on the agenda which the conflict parties might otherwise seek to avoid.

[179] RH. Kilmann, and II. Mitroff, (1979) Problem Defining and the Consulting/Intervention Process. California Management Review, pp. 26-33.

Studies on the efficiency of mediation styles suggest that the more a peace process is dominated by political power and manipulation, the weaker the agreement that results from it. Facilitative mediation - on the other hand - seems to be more effective in promoting long-term tension reductions and peaceful settlements. The most durable deals are those that are achieved with the least possible external help[180]. Thus, it would be particularly useful and logic for mediators to make better use of facilitative and formulative methods of mediation when aiming at a secure more lasting resolution of a conflict.

The use of technical committee can be important to address certain issues but an appropriate balance has to be struck between committees and plenary sessions, since consensus and legitimacy are achieved through the plenary. Experience also suggests that an effective ceasefire is a pre-requisite for political negotiations, and that to be effective, negotiations on security require a series of phases, which cannot simply be reduced to an endorsement of the desired end state. Process design includes questions of venue, participation, phases, agenda, etc. Most of the longer processes had long pre-talks aimed at securing agreements on the process design and a clear framework before beginning discussions on substance

4.1.5 The level of participation

The level of participation comprises of three main aspects: *representation*, *ownership* and *leadership*. The main parties and the main representatives of the parties to a conflict have to be present at the table, or those at the table have to keep their constituencies on board throughout the process. As long as there are strong divisions between pragmatics and hardliners within one party, negotiation with the other side are difficult. Generally, negotiations are more likely to

[180] KC. Beardsley, DM. Quinn, B. Biswas, and J. Wilkenfield, (2006) 'Mediation Style and Crisis Outcomes', *Journal of Conflict Resolution*, 50(1), pp. 58-86.

succeed if they occur within a clear framework (who, when, what, where) that is outlined before the beginning of substantial talks. This was largely missing in the talks.

Even when the Somali peace process opened its doors to civil society participants, there were no apparent criteria for deciding who should be represented. The process of selection became mired in corruption at an early stage and produced a random and unrepresentative array of organizations. One of the facilitators who tried to work with the civil society representatives was bemused by their apparent lack of interest and focus and quickly became exhausted by the process. However, a senior IGAD official maintains that the process produced the intended result: a government for Somalia. Many involved in one way or another with Mbagathi felt that despite some shortcomings around representation and participation, there was nothing fundamentally wrong with the methodology employed. They believed that the TFG provided a starting point on the basis – as one put it – that 'a bad government is better than no government at all'. However, this is not a proposition to which Somalis themselves would readily subscribe.

The ownership context did not allow for talks to develop: It is typical for parties to begin talks out of tactical reasons, rather than with a serious ownership principle to find mutually acceptable solutions. If the context allows, however, a well-designed process may lead the parties to the realization that they stand to gain more from negotiations than from fighting. Agreements are useless if the parties do not want to implement them, and if they only sign to satisfy the mediators/ facilitators. In such a case, the only way to implement an agreement is with heavy external pressure during the implementation phase, which was missing in both the Arta, 1999-2000 and Eldoret/Mbagathi, 2002-2004 conflict management processes.

The debate on the most effective and legitimate leadership at peace talks is critical and can become an obstacle to a process[181]. The corruption of the selection process for delegates was a notable problem during the IGAD-led Mbagathi talks. Who sets the rules for the selection or election of delegates in the absence of an elected leadership is problematic; what Menkhaus (2002) describes as the 'founding fathers dilemma'. Leadership has variously been based on armed groups, clans (the '4.5 formula'), traditional and religious, civil society, regional authorities and the diaspora. Whatever criteria are used, they invariably lead to a multiplication of representatives. The factionalized nature of Somali politics would suggest that a form of hybrid representation would be appropriate, incorporating some or all of these actors. The inclusion of civic, business and political leaders is also likely to provide a more viable basis for a competent administration than armed leaders alone.

A number of factions refused to commit themselves to a negotiated agreement with the TFG and are intent on fighting. The question is whether an international stabilization force may serve to encourage dialogue or merely make matters worse. The involvement of regional actors, particularly of Ethiopia, seriously hampered the attempts for peace in Somalia; however, engagement by external actors in the form of international pressure may prove to be essential if peace is to be achieved. The lack of resources and capacity: Ever since the creation of Somalia, the country has been dependent on foreign aid. This will not change overnight. Financial resources are required to create effective institutions, but this is dependent on a gradual build-up while taking into account what the Somalis want.

[181] BM. Bass, (1985) Leadership and Performance beyond Expectations. New York: Free Press.

Kenyan leadership of the process may have contributed to a narrowing of participation, particularly in the early stages of the conference when it sat in Eldoret. As time went on there was an understandable desire to get the numbers down to manageable proportions and to push for a power-sharing deal among the main movers and shakers. Some external observers were well aware that key stakeholders, particularly the Mogadishu business community and its increasingly important religious leaders, were absent. However, they had no standing to alter the decisions that had been taken on participation. IGAD's ownership of the process was strongly asserted by its Kenyan Chair (initially Elijah Mwangale, later followed by Bethwel Kiplagat).

At the same time, because representation has tended to be based on a mixture of clan, military and financial power, externally sponsored peace conferences have generally served to strengthen the prestige of 'warlords' and political elites. Indeed, with the possible exception of Arta, 1999-2000, the same elite are recycled at each conference, providing little opportunity for alternative leaders to emerge. Many of these delegates have in fact lacked strong constituencies and had only tenuous control or influence over the territories that they claimed.

The privileging of these armed actors is deeply unpopular amongst Somalis and at the Mbagathi talks, for example, a group of respected academics, professionals and traditional leaders headed by the former Prime Minister Abdirizak Haji Hussein (1964-7) appealed to the international community to "cease the legitimisation of illegitimate entities [faction leaders]"[182]. However, efforts to exclude them have met with resistance. The Arta process engaged unarmed civic actors in a more substantial way than previous national peace process, but because it did not engage the

[182] International Crisis Group, (2004) *Somalia: Continuation of War by Other Means?* Africa Report no. 88. Nairobi/Brussels: International Crisis Group.

armed faction leaders or the Puntland government, it faced considerable armed opposition and was unable to establish itself inside Somalia.

In recognition of this, the Mbagathi process was designed to engage both armed and unarmed actors as well as official representation by Puntland. The direct involvement of the frontline states ensured the engagement of two broad factional alliances (supported respectively by Ethiopia and Djibouti) and space was to be created for the full participation of unarmed and civic actors through a commitment by armed leaders to a cessation of hostilities. However, the weakness of the agreement and failure to establish a mechanism to monitor violations (rendering it defunct only days after it had been signed) coupled with the legitimisation of a leaders' committee as the de facto highest decision making body undermined the position of unarmed actors and skewed representation in favour of the dominant factional alliance. The Somaliland government has maintained its distance from each of the successive national level.

Any peace process is likely to generate 'spoilers'[183]. Some are intent on sabotaging a process. Most, however, are situational spoilers, whose opposition to a peace process or emergent government arises from the threat they perceive to their immediate interests. Awareness of their interests provides the possibility of adjusting mediation strategies to take account of their needs and may enable them to engage more constructively. For example, some business people in Mogadishu who had been part of the war economy subsequently backed efforts to restore law and order and security. A third group may be those who support a process but legitimately object to a particular outcome. While they have tended to be treated as spoilers, they might more appropriately be accepted as legitimate opposition. The needs of some opposition forces may be

[183] SJ. Stedman, (1997) Spoiler Problems in Peace Processes. *International Security.* Vol. 22, No. 2.

addressed through careful and coherent attention to transitional security arrangements and security governance, a key element in Somali-led processes.

4.1.6 Other issues

The above are five main emerging issues critically analysed in this study and are considered to have greatly influenced the peace processes. There are also other issues though seemingly not very critical that the study finds to have had an impact on the management of conflict and the also the peace processes. These are:

4.1.6.1 Decision-making

The system adopted for decision-making is important, whether through consensus, majority voting, or prior negotiation in side meetings. The case of Arta, 1999-2000 Process, for example, shows that arbitration committee can be useful in supporting decision-making processes and thus had an impact on the outcome. At that conference the function of the arbitration committee was to resolve clan disputes over the selection of delegates and MPs. The original intention behind the Somali Advisory Group of eminent persons at the Mbagathi talks was to provide political and moral authority for the process as well as guidance on resolution of core conflict issues. In contrast, the veto power of the 'Leaders Committee' marginalised other stakeholders and limited participation hence influencing the peace process outcome.

It is notable that all the peace processes typically involved several kinds of committee which were often delegated to guide and provide oversight for different aspects of the peace process, a useful lesson the study finds in their decision-making approaches.

4.1.6.2 Time pressures

The Mbagathi process was the longest to date, taking place over two years; although little of this was devoted to substantive discussion since most of the time was taken in resolving non-agenda wrangles. The process required a series of pushes before any substantial issues were resolved. The Arta, 1999-2000 Process in Djibouti was rather a short-lived 'quick-fix' meeting. The combination of time pressure and external political pressure gave individuals an opportunity to renege on their agreement on the grounds that it was "forced" on them. This is a familiar dilemma for mediators – if delegates are not pressured, the talks might never reach a conclusion, yet pushing the agenda risks participants reneging which may also influence the management outcome.

4.1.6.3 Inconsistent support for mediation

Effective diplomacy and conflict management process requires a long term and sustained commitment for a successful outcome. This has frequently been lacking in the Somali context and its effectiveness has been undermined by incoherent and often contradictory policies towards Somalia. For example, the Arta process and the TNG were opposed by Ethiopia, in part because they engaged opposition figures from its allies Somaliland and Puntland and were supported by its strategic rival, Egypt. The IGAD-led Mbagathi process represented the first sustained effort by regional states to broker peace in Somalia, by reconciling the TNG (supported by Djibouti) and the opposition SRRC (backed by Ethiopia). However, hopes that Kenya would moderate the conflicting regional agendas proved unfounded and the state security agendas of individual frontline states continued to be key drivers in the process and could have influenced the processes. Contributing factors were the low-level of regional and international *political*

engagement towards a long term Somali agenda for a viable peace strategy which was lacking. The absence of unified support for mediation efforts and competing foreign agendas can be easily exploited by those parties with no interest in a peaceful all inclusive and acceptable settlement.

4.2 Conclusion

The various emerging issues discussed in this chapter may have an overhaul influence in the management processes, however small. There are three main ways of dealing with conflict: domination, compromise and integration[184]. In addition are other ways of handling conflict in organizations, such as avoidance and suppression. This is supported by a conceptual scheme for classifying the modes (styles) for handling interpersonal conflicts into five types: forcing, withdrawing, smoothing, compromising and problem solving[185]. These five styles of handling conflicts on the basis of the attitude of the manager are the concern for production and for the people. Thomas (1976) reinterpreted their scheme. He considered the intentions of a party (cooperativeness, i.e. attempting to satisfy one's own concerns) in classifying the styles of handling conflict into five types[186]. Rahim and Bonoma (1979) differentiated the styles of handling conflict on two basic dimensions: concern for self and concern for others. The first dimension explains the degree (high or low) to which a person attempts to satisfy his or her own concern. The second dimension explains the degree (high or low) to which a person attempts to satisfy the concerns of others[187].

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[184] MP. Follett, (1940) 'Constructive Conflict' in Metcalf, HC and Urwick, L. *Dynamic Administration: The Collected Papers of Mary Parker Follett*, pp. 30-49. New York: Harper & Row.
[185] RR. Blake, and JS. Moulton, (1964) *The Managerial Grid*. Houston, TX: Gulf.
[186] KW. Thomas, 1976) 'Conflict and Conflict Management,' in Dunnette, MD (ed.), *Handbook in Industrial and Organizational Psychology*. Chicago: Rand McNally. pp. 889-935.
[187] MA. Rahim, and TV. Bonoma, (1979) Managing Organizational Conflict: A Model for Diagnosis and Intervention. *Psychological Reports*, 44, pp. 1323-1344.

CHAPTER FIVE

CONCLUSIONS

5.1 Summary

This study has sought to undertake an analysis of the conflict management of Somalia on the concerns of durable peace processes versus power-sharing agreements[188]. The purpose of this has been to study and analyse the concerns that in all the conflict management processes for Somalia had either an end result of being genuine long term processes or mere power-sharing arrangements. The objective was to arrive at a comprehensive understanding of the outcomes of the processes. Somalia's conflict management is an interesting study because of its unique features, such as the role of clans and the political vacuum within which it took place, but also because of the fact that relatively few comprehensive studies have been conducted, especially recently, on the topic of Somalia's over twenty year long period of statelessness and the outcomes of the processes.

This study is aimed to make a contribution to the literature by conducting a systematic assessment, using the two case studies: Arta, 1999-2000 and Eldoret/Mbagathi, 2002-2004 Processes. These case studies were chosen because they stood out to be the major conflict management attempts and will allow any analyst to gain a structured and logical overview of an intractable conflict management at a specific point in time. This chapter will summarise key findings, provide some recommendations as well as identify possible avenues for further study in the field of conflict management in Somalia.

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[188] P. Collier, (2006) 'Economic causes of civil conflict and their implications for policy,' in Crocker, C., Hampson, F. and Aall, P. 2007. *Leashing the dogs of war – Conflict management in a divided world.* Washington, D.C.: Institute of Peace Press.

5.2 Key findings

In lineage-based Somalia where clans define relationships, clan identity is not static and fixed but is shaped and manipulated according to changing situations and interests. This does not suggest that clans are inherently conflictual but that rather clan identities can be manipulated purposefully to acquire control over resources and power. Warlords and divisive leaders emphasize differences among clans and formulate demands that play on those differences[189]. Many Somalis see the state as an instrument of accumulation and domination, enriching and empowering those who control it and exploiting and harassing the rest of the population. This view grows from their experience with Barre's government, which made them inherently distrustful of a strong central state. With this concept in mind, the outcomes of the peace processes seem to have been motivated and inclined toward clans' interest.

Although Somalia is often characterised as an ungoverned space, the reality is far more complicated. There are multiple layers of government within the premise of power-sharing arrangements, varying greatly in their effectiveness and capacity for service delivery, some recognised, some no more than aspirational and many dreaming of strong centralised state. Much of the hostility expressed by Somalis towards sub-national entities stems from suspicion that they are primarily vehicles for promoting clan interests rather than the community-level governance projects that they purport to be. Many Somalis fear that the growth of new and competing entities will cause Somali national identity to disintegrate into clannism. They blame clannism for much of the fighting over the last two decades and also see it as the main impediment to building any kind of sustainable national government.

[189] P. Rich, (1999) *(ed.)* Warlords in International Relations. Hampshire: Macmillan Press.

Peace negotiations are a critical step between open conflict and peace. Unfortunately, many peace accords do not address the root causes of the conflict[190]. They often focus on reaching quick agreements on power-sharing arrangements with less focus on long term viable peace processes. Peace accords also tend to be elite-driven processes with little ownership among the people. Most of the study on Somalia has focused on its history, on the society from an anthropological view, or on the first rounds of the civil war[191]. The American intervention of 1992- 1993 has been a particularly common topic of Western scholarly articles. It follows that there are few up to date academic studies which comprehensively analyse the causes and drivers of the Somali conflict management processes and in particular whether the final products advocated for viable peace processes or were actually mere power-sharing arrangements.

Although the focus of the study was investigate whether various conflict management processes in Somalia were genuine peace processes or just mere power-sharing arrangements, the study took the position that it is nonetheless vital to understand the underlying root causes of a particular conflict situation to successfully proceed to analyse its management. A comprehensive theoretical discussion was provided in chapter Two on the concepts of macro and classical theories of conflict studies. This led to establishing the relevant theories like the balance of power, greed versus grievance[192], the game theory, track two diplomacy and the ranking system to test what might have motivated the peace processes.

There were several illuminating key findings regarding the source of Somalia's troubles and subsequently its management. First of all it was determined that in this particular case at least, it is of little use to analyse greed and grievance related arguments separately, as the two are highly

[190] A. Barise & AA. Elmi, (2006) "The Somali Conflict: Root causes, obstacles and peace-building strategies". *Africa Security Review*, vol. 15(1).
[191] RW. Copson, (1994) *Africa's wars and prospects for peace*. London: M.E. Sharpe.
[192] P. Collier, and A. Hoeffler, (2004) "Greed and grievance in civil war", *Oxford Economic Papers*, vol. 56, no. 4.

interlinked. While grievance had certainly contributed to spurring conflict throughout Somalia's history, it has also been manipulated by the greedy, who find ways to exploit a conflict situation to their own benefit. It was determined that some of the primary root causes of conflict in Somalia were the legacy of colonialism; the bad leadership under both the colonial powers and subsequent governments (most notably the military regime); manipulation and politicisation of clan identities and the tumultuous transformation of the traditional Somali society in the wake of the country's inclusion into the capitalist world economy. All of these factors have instigated societal friction which eventually acted as a basis of influencing any major process.

Management scholars now agree that there is no one best approach to make decisions, to lead and to motivate. The contingency approach (also called situational approach), which is the hallmark of contemporary management, has replaced simplistic "one best" approach[193]. This approach considers two situations: the quality of the decision (i.e. the extent to which it will affect important group processes) and acceptance of the decision (i.e., the degree of commitment of participants needed for its implementation).The approach suggests that when the decision quality and acceptance are both low, the leaders should use autocratic styles. On the contrary, if the decision quality and acceptance are both high, the leaders can use participative styles.

5.3 Recommendations

An analysis on some of the major peace process in the case studies, it is evident that Somalis themselves must guide the process of peace building and national reconciliation, drawing on both customary and modern methods. Customary methods deserve intensive analytical and policy

[193] AC. Amason, and DM. Schweiger, (1997) 'The Effects of Conflict on Strategic Decision Making Effectiveness and Organizational Performance', in DeDreu CK and Van de Vliert, E. (*eds.*) *Using Conflict In Organizations*, pp. 101-115. London: Sage.

consideration. These were overlooked in many past conflict prevention and management strategies for Somalia. Arguably, the failure of past conflict management and peace-building initiatives is the result of a large-scale policy emphasis on international intervention and externally imposed peace formulas based on some vested interests[194].

Traditional methods of conflict prevention and management including *xeer* and *diya* could serve as a solid foundation to formulate new hybrid strategies that build on the comparative strengths of customary and modern approaches. Any future conflict prevention and management strategy must be inclusive, incorporating all factions throughout the process of managing conflict and building peace. This should include all factions inside Somalia, as well as their patrons in eastern Africa and the Middle East, notably Egypt, Eritrea, Ethiopia, Djibouti and Kenya. The legitimacy of many past initiatives was undermined because only certain factions were represented, excluding (intentionally or not) other large and small factions.

Despite the vested interests by many of the armed groups that determine the outcome of the various processes, other groups, including women and youth, should not be excluded from negotiations to end conflict and promote acceptable peace with no strings attached other than those for national good[195]. The study has identified two areas for further study which would particularly make valuable contribution to existing research. More study needs to be conducted on both aspects of state collapse and the reason it has been so difficult to reinstate a central state in Somalia. Whether a western-style state based on tenets of democracy (one not based on quick power-sharing arrangements) would work effectively in Somalia, or whether a different type of governing authority, or several authorities (pursuing viable long-term platform) would be more appropriate. It seems that conflict management will remain with vested interests until some form

[194] S. Grosse-Kettler, (2004) *External actors in stateless Somalia: A war economy and its promoters*. Bonn International Center for Conversion. Bonn: BICC.
[195] D. Francis, (2006) *Uniting Africa – Building regional peace and security systems*. Aldershot, England: Ashgate Ltd.

of compromise regarding the governing of the country is achieved, and thus the long absence of a central state and the prospect of a future effective, legitimate government is an important factor to study more exhaustively in forthcoming studies on conflict management in Somalia.

It turned out to be difficult to gain a real, comprehensive understanding of the contemporary war economy due to a lack of reliable primary data. This is partly due to the security situation on the ground in Somalia, but where possible more field research should be conducted in Somalia on the specific dynamics of the current war economy and its links to conflict management processes[196]. From those information further analyses of the effect of war economy in conflict management as a motivator and determinor of outcomes could be made.

Future conflict management processes should consider the neutrality of the mediator regarding the issues causing the conflict and its management. The mediator should not impose a solution on the disputants, but should rather assist disputants to arrive at a solution acceptable to them and their constituencies[197]. This approach will enable disputants to sell the deal to their constituencies and to implement it without any reservations. Unquestionable and favourable win-win approach will nevertheless prevail eventually.

[196] L. Kriesberg, (1998) *Constructive conflicts: From escalation to resolution.* Lanham, Maryland: Rowman and Littlefield Publishers, Inc.

[197] A. Misra, (2008) *The politics of civil wars: Conflict, intervention and resolution.* New York: Routledge.

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BBC. 2010b. "Q&A: Somalia's conflict", *BBC News*. [online] Available: http://news.bbc.co.uk/hi/africa/country_profiles/1072592.stm (17.8.2010).

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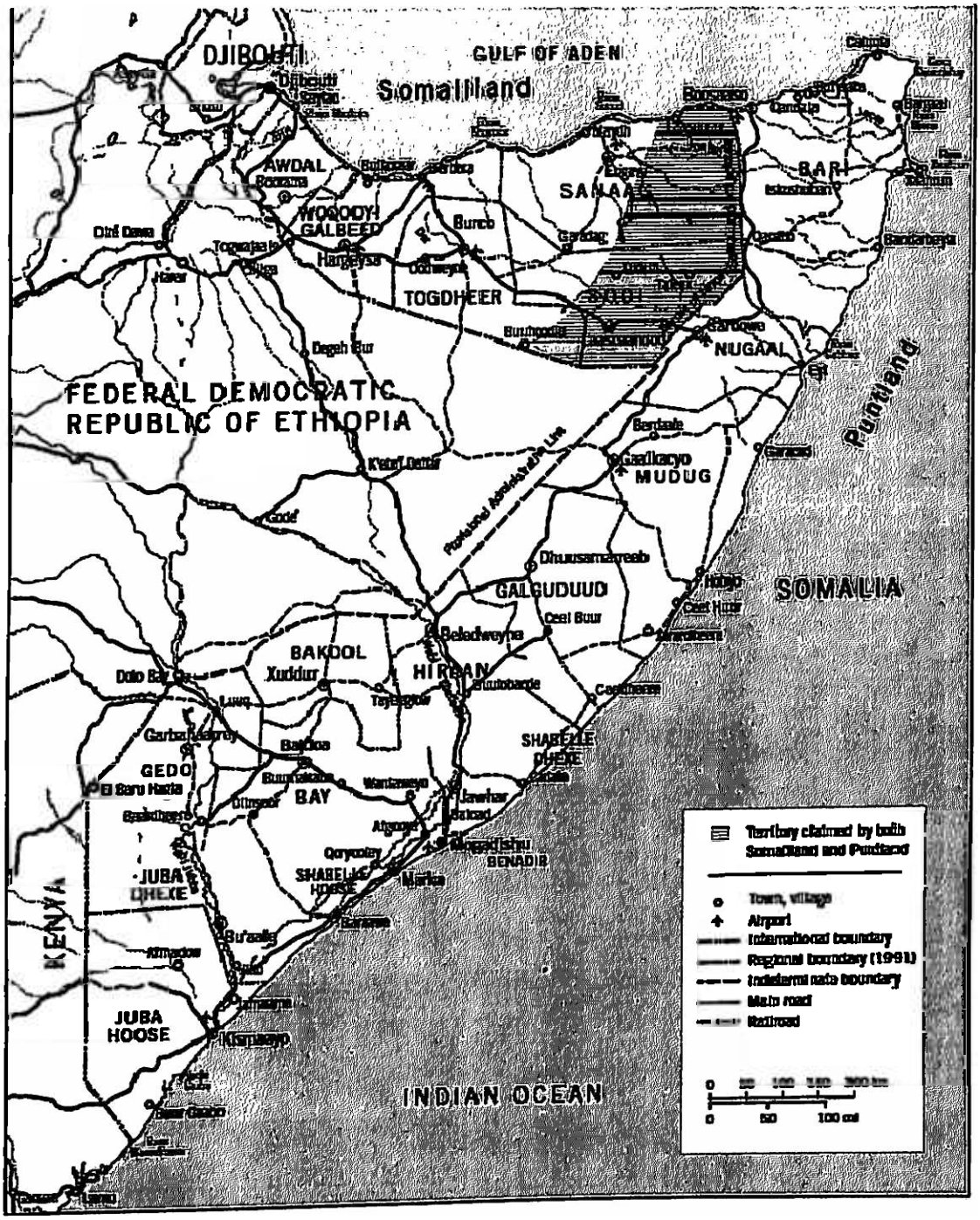

APPENDICE

MAP SHOWING SOMALIA REGIONS.